

# LEGISLATIVE REPORT

A COMPILATION OF 2013 STATUTES



## LEGISLATIVE BRIEFINGS

November 4, Redding

November 6, Webinar

# League of California Cities 2013 Legislative Report

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Established in 1898, the League of California Cities® is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents.

In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts educational conferences and research, and publishes *Western City* magazine.

# Legislative Report

**2013**

Please note: Legislation marked with an asterisk (\*) has been identified as high priority by League staff.

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## Glossary of Terms

ABC	Alcohol Beverage Control
ACA	Affordable Care Act
ARB	Air Resources Board
ATP	Alternative Transportation Program
BAR	Bureau of Automotive Repair
BOE	State Board of Equalization
BSC	Building Standards Commission
BSCC	Board of State and Community Corrections
CalHFA	California Housing Finance Agency
CalPERS	California Public Employees Retirements System
CalRecycle	California Department of Resources Recycling and Recovery
CalTrans	Department of Transportation
CDCR	California Department of Corrections and Rehabilitation
CDE	California Department of Education
CDFA	California Department of Food and Agriculture
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CSLB	Contractors' State License Board
CURES	Controlled Substance Utilization Review and Evaluation System
CWIB	California Workforce Investment Board
DDS	Department of Developmental Services
DGS	Department of General Services
DHCS	Department of Health Care Services
DIR	Department of Industrial Relations
DMV	Department of Motor Vehicles
DOE	Department of Education
DOF	Department of Finance
DOJ	Department of Justice
DPR	Department of Parks and Recreation
DPH	Department of Public Health
DSS	Department of Social Services
EDD	Employment Development Department
EHAP	Emergency Housing and Assistance Program
EIR	Environmental Impact Report
EZ	Enterprise Zone
FEHA	Fair Employment Housing Act
FPPC	Fair Political Practices Commission
FTB	Franchise Tax Board
GHG	Greenhouse Gas
GO-Biz	Governor's Office of Business and Economic Development
HCD	Department of Housing and Community Development
HFP	Healthy Families Program
HIPAA	Health Insurance Portability and Accountability Act
HIV	Human Immunodeficiency Virus

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HSRA	High-Speed Rail Authority
LAFCos	Local Agency Formation Commissions
LAMBRA	Local Agency Military Base Recovery Areas
LOS	Level of Service
MAP-21	Moving Ahead for Progress in the 21 <sup>st</sup> Century Act
MMBA	Meyers-Miliias-Brown Act
MOU	Memorandum of Understanding
OAA	Outdoor Advertising Act
OES	Office of Emergency Services
OPR	Office of Planning and Research
PDMP	Prescription Drug Monitoring Program
PEMHCA	Public Employees' Medical and Hospital Care Act
PEPRA	Public Employees' Pension Reform Act of 2013
PERB	Public Employment Relations Board
PERL	Public Employees Retirement Law
POST	Peace Officers Standards and Training
PRA	California Public Records Act
PRCS	Post Release Community Supervision
PUC	Public Utilities Commission
SEI	Statement of Economic Interests
SFM	State Fire Marshal
SLC	State Lands Commission
SOS	Secretary of State
SPI	Superintendent of Public Instruction
SWRCB	State Water Resources Control Board
USDOL	United States Division of Labor
VLf	Vehicle License Fee
VRA	Voting Rights Act of 1965
WCI, Inc.	Western Climate Initiative, Incorporated
WIA	Workforce Investment Act

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## 2013 Legislative Year in Review

Money cures many things, including issues in the state Capitol. With voter approval of Proposition 30, which increased sales tax and income tax, and Prop. 39, which repealed a \$1 billion corporate tax break, the cycle of multi-billion state budget deficits finally ended — at least for the short term. The economy also improved. Unemployment decreased and stock market and home equities rebounded. Democratic legislators obtained supermajority powers and broader prospects — they could move legislation at will, place measures on the ballot and even override the Governor. Yet these developments were tempered by sobering realities. The adopted budget was balanced but had minimal reserves, and billions of dollars in unfunded pension and health care liabilities remained outstanding. The Governor resisted new spending and continued to get his way on most budget and policy matters.

In 2013 the League focused on sponsoring and supporting legislation to help develop new community and economic development tools and funding options for city services. These efforts included proposals developed by the League's 2012 Task Force on the Next Generation of Economic Development Tools and legislation focused on redevelopment dissolution, affordable housing, infrastructure development and reduced voter thresholds. While legislators were ready to move forward in these areas, the Governor was not. Several helpful redevelopment agency dissolution bills made it through the process and were signed into law, but proposals for new tools and resources stalled or were held back from the Governor's desk. On other fronts, it was another busy year for defending local control on measures that would undercut local authority and revenues.

### **New Capitol Dynamics: Redistricting, Top-Two Primary and Longer Terms**

Other things changed in the Capitol in addition to an improved budget. The November 2012 elections produced the first class of legislators subject to independent redistricting, a top-two primary system and longer term limits. Democrats also captured more than two-thirds of the seats in both houses.

While it is too early to fully assess the results of these reforms, the following observations can be made. The theory behind redistricting reform was that having an independent commission — instead of politicians — draw district boundaries would ensure balance and produce representatives more focused on solving problems than partisan battles. These new legislators, however, have not yet fully made their mark. They voted with their predecessors to reelect the Senate and Assembly leadership previously in place and, with few exceptions, followed it. Their actions in 2014 will be more revealing when legislators decide on replacements for the current term-limited Assembly Speaker and Senate Pro Tem who will exit the Legislature.

The top-two primary signaled change on Election Day when several incumbent Assembly Democrats backed by the Speaker were defeated by challengers from within their own party. The election of Assembly Members Richard Bloom (D-Santa Monica)

and Marc Levine (D-San Rafael), both former council members, demonstrated that the top-two primary was a viable vehicle for unseating incumbents, which rarely happened in prior years. This is an improvement from a local accountability standpoint. Instead of being shielded from challengers by their party, legislators will need to be more attentive on district issues. This also increases the value of local endorsements.

In addition, a visible change occurred with the prospect of being able to serve up to 12 years in on legislative house. Unlike their predecessors, the new class of legislators appeared less in a rush to introduce legislation and run for the next office. Many seem genuinely interested in taking the time to develop policy expertise and build relations with each other, including across party lines. If this trend continues, a more policy-focused and deliberative mindset among legislators should improve receptiveness for issues raised by cities and other groups with a stake in policy matters.

### **Actions of the Supermajority**

As the session began, political observers speculated about what the Democrats would do with their new supermajority. Prop. 25 of 2010 had already addressed budget delays by reducing the vote threshold to a majority and cutting legislative pay for missed deadlines, so two-thirds control meant less than in past years. Still, a supermajority cemented the Democrats' control in the Capitol, relegating Republicans to the role of political bystanders. Urgency measures could be adopted and procedural rules waived. Gutting and amending bills in the final hours of a session could reign unchecked. But for Democrats the real question was whether they would assert their authority as a counterweight to the Governor's power. They could place constitutional amendments on the state ballot without the Governor's signature and override vetoes.

Democrats, however, have done little yet to exercise their newly acquired powers. They have introduced several constitutional amendments, including proposals to lower local vote thresholds and change to the initiative process, but little action has resulted. This could simply be a matter of timing. The real deadlines to place measures on the November ballot come in mid-2014. As for an override, there would have to be a significant level of tension and much to consider before any serious attempt would be initiated.

The presence of a supermajority has not fundamentally altered the relationship between Democrats and the Governor. During the first two years of his term, the Governor led the state out of a \$26 billion fiscal hole by first convincing the Legislature to accept significant cuts to social programs, eliminate redevelopment agencies and enact prison realignment, and then persuading voters to approve billions of dollars in additional temporary taxes with Prop. 30. The Governor's dominance continued in 2013. Employing wily experience accumulated from years in politics, he continued to set the agenda — shifting nearly \$2 billion per year in additional funds for impoverished schools, borrowing cap and trade funds, eliminating enterprise zones and securing an

appropriation to house thousands of state prisoners rather than agree to federal court-ordered reduction programs.

Ironically, one of the most significant accomplishments of supermajority action so far was the approval of SCA 3 (Leno), which places a constitutional amendment on the June 2014 ballot to exempt the state from reimbursing local governments approximately \$15 million for mandates required by the California Public Records Act (CPRA). Passage of this measure was inspired after the Governor and legislators were criticized by newspapers over a related budget proposal seeking to avoid payment. The measure amends Prop. 59 of 2004, which incorporates the right of public access to information contained in the CPRA and other open meetings laws into the state Constitution. Yet when Prop. 59 was being drafted, the Legislature exempted its own operations from these provisions. Should SCA 3 pass, the lack of state reimbursement obligations and the need for the Legislature to adhere to similar standards may make it easier to expand mandates on local governments.

### **Democratic Constituencies Groups Get Aggressive**

With the state budget issues temporarily resolved and their assistance with the passage of Prop. 30 hopefully not forgotten by the Governor, many Democratic constituency groups envisioned restored programs and the adoption of progressive legislation. While the Governor resisted major new spending in the budget, he was open to many policy proposals that made it to his desk: increasing the minimum wage, expanding rights for same-sex couples, providing driver's licenses to undocumented immigrants, reducing school testing requirements, expanding the application of prevailing wages, and imposing restrictions on guns and bullets. Other legislation introduced in the first year of a two-year session will continue to be debated in 2014. These include liberalizing marijuana policies, providing additional rights to the homeless and limiting the expansion of non-union grocery stores.

### **Mixed Results on Several Redevelopment Agency Dissolution Cleanup Bills**

Numerous legislators carried bills supported or sponsored by the League to address aspects of redevelopment dissolution. Assembly Member Mike Gatto (D-Los Angeles) authored AB 440 to restore "Polanco Act" brownfield remediation authority to cities and counties. Senator Jerry Hill (D-San Mateo) helped respond to a problem with advertising displays in former redevelopment areas by authoring League-sponsored SB 684. The Governor signed both bills. Regrettably, other helpful proposals did not make it through. AB 981, authored by Assembly Member Richard Bloom (D-Santa Monica), would free up proceeds from post-2011 redevelopment agency bonds to be expended for projects but was held in the Appropriations Committee.

The Governor vetoed two other measures with messages that conveyed his desire to maintain state supervision over details of redevelopment dissolution disputes. AB 564

by Assembly Member Kevin Mullin (D-South San Francisco), sponsored by the League to provide certainty for cities receiving a Department of Finance (DOF) finding of completion by establishing a “one-bite of the apple” policy for DOF reviews, made it through both houses without a single “no” vote. However, the Governor vetoed the measure with a message stating the bill “would make policy changes that are contrary to the letter and intent of current law” and would “severely limit the state's ability to ensure that successor agencies fulfill their obligation to wind down redevelopment affairs in an expeditious manner.” The Governor also vetoed AB 662, a cleanup measure authored by Assembly Member Toni Atkins (D-San Diego). In his AB 662 veto message, the Governor objected to language providing local agencies with flexibility to enter into new or amended contracts covering existing enforceable obligations.

### **Efforts Around New Tools Stall**

Legislators also focused on developing new post-redevelopment tools. Assembly Member Luis Alejo (D-Watsonville) worked closely with the League on AB 1080, a measure that would restore redevelopment authority for disadvantaged communities. Senator Lois Wolk (D-Davis) with SB 33 continued her effort to make infrastructure financing district (IFD) law into a useful tool. Senate Pro Tem Darrell Steinberg (D-Sacramento) authored SB 1, a financing tool for transit-oriented development. Other options for using IFDs came from Assembly Member Roger Dickinson (D-Sacramento) in AB 243 and Assembly Speaker John A. Pérez (D-Los Angeles) in AB 229. All of these measures were held in the Legislature after the Administration sent signals that it was not ready to consider them.

Two other worthwhile proposals, AB 294 and AB 305, were held in committee. Assembly Member Chris Holden (D-Pasadena) authored AB 294, which would allow the State Infrastructure Bank to invest tax increment from the school share of property taxes in projects that matched state and regional goals. Assembly Member V. Manuel Pérez (D-Coachella) authored AB 305, which would assist economic development in disadvantaged areas with a California New Markets Tax Credit.

Other legislators focused on filling the void in affordable housing funding. Senator Mark DeSaulnier (D-Concord), who chairs the Senate Transportation and Housing Committee, crafted SB 391. This bill would provide an annual allocation of approximately \$500 million for affordable housing funds derived from a tax on real estate transfer documents. The bill passed the Senate and is pending in the Assembly. Assembly Member Toni Atkins authored AB 1229 to restore local inclusionary zoning authority for rental property. The Governor vetoed that measure and indicated that he wanted to await the Supreme Court’s decision on a related pending case. On a positive note, the Governor approved AB 639 by Assembly Speaker John A. Pérez, which will place before the voters a measure to provide flexibility for \$600 million in unused veterans housing bond authority.

## **Playing Defense to Preserve Existing Economic Development Tools**

While the League worked with many legislators to craft new economic development tools, defense had to be played as well.

Enterprise zones have long been the target of legislative criticism, whether it was the impact on the state budget, the types of business assisted or the activities of tax consultants who work with these businesses. The League has historically supported these zones because they are successful in bringing jobs to disadvantaged areas with high unemployment. Under this state program, local agencies had to compete for a zone designation and were also subject to 15-year terms and other accountability requirements. Despite the efforts of a coalition of affected businesses and cities, the Governor succeeded in convincing legislators to accept his proposals, which eliminated enterprise zones as of Jan. 1, 2014, and included phase-out of up to five years for hiring tax credits for employees hired before that date. As replacement programs, the Legislature agreed to eliminate state sales tax on manufacturing equipment, provide authority to the Governor's Office of Economic Development (Go Biz) to offer several hundred million dollars in tax incentives to businesses, and establish a narrow hiring tax credit program targeted toward higher-wage jobs.

In other areas the League worked to protect local authority by opposing measures that would undermine local land use authority and flexibility on economic development. The League opposed and helped defeat AB 667 (Hernandez). This measure would have singled out specific retailers (over 90,000 sq. ft. with 10,000 sq. ft. selling groceries) for an exhaustive economic impact report that would have made it very difficult to approve stores meeting these characteristics and would have also increased litigation. The League opposed this measure due to its interference with local land use decisions. The measure was later held in the Senate Governance and Finance Committee.

A similar but broader measure, SB 673 (DeSaulnier), would have created unnecessary delays and litigation by imposing a new analysis upon any commercial development if the project benefited substantially from any financial assistance such as a state or federal grant, low-interest loan, land donation or acquisition, remediation or environmental cleanup activity. This measure failed passage on Senate Floor. The League also opposed and requested a veto on AB 562 (Williams), which requires specific documentation of information on local economic development efforts. While the bill was signed, the League helped obtain amendments in the Senate to reduce the bill's potential burdens.

## **Advocating for City Interests**

The League advocated for local control and city interests on numerous fronts in 2013.

**Preserving Ballot Advocacy Authority.** In partnership with the California State Association of Counties (CSAC) and other local government organizations, the League participated in a successful campaign to obtain major amendments to SB 594 (Hill), a gut and amend measure that would have restricted organizations like the League from

advocating and spending non-public funds on ballot measures. The bill passed after amendments were inserted that local agencies found acceptable.

**Protecting Municipal Affairs.** The California Constitution for over 100 years has authorized local voters to adopt local charters that govern their local “municipal affairs.” The courts have interpreted this authority to provide charter cities a level of insulation from state micromanagement. It is of little surprise that such independence does not sit well with legislators or groups who would prefer to dictate policies from the state Capitol. The League opposed two measures in 2013 that would limit local flexibility for charter cities: SB 311 (Padilla), which requires labor-related charter amendments to be placed only on local ballots during a statewide general election; and SB 7 (Steinberg and Cannella), which would withhold all state funding from charter cities if they fail to impose state prevailing wages on local public works projects. Regrettably both of these measures passed into law, but the courts may ultimately determine their legality.

**Cap and Trade and Prop. 39 Funds.** Over the past several years, the League has been positioning for cities to receive funding generated from sales of carbon reduction credits at state cap and trade auctions. The League supported AB 416 (Gordon) and AB 574 (Lowenthal) as vehicles for these allocations. To the surprise of environmental groups, however, the Governor borrowed approximately \$500 million of these funds to help close the budget gap. The two bills stalled as a result, but will likely be revisited next year because the “borrowed” funds will need to be repaid. A similar thing happened to the approximately \$500 million per year made available for energy efficiency investments by the passage of Prop. 39 of 2012. The League supported SB 64 (Corbett), which would have allowed cities and other local agencies to compete for Prop. 39 funds. In the budget, however, the Governor proposed to dedicate all the money to energy efficiency improvements to schools, with a primary advantage being that the funds could be scored as an offset to Prop. 98 school funding formulas. The Prop. 39 energy efficiency funds, however, will continue to flow for five years, so the potential remains for broader access to these funds in future budgets.

**CEQA Reform.** While California Environmental Quality Act (CEQA) reform was expected to be a major issue in 2013, things changed when Senator Michael Rubio (D-Bakersfield), who was leading the effort, resigned to take a job in the private sector. The focus then shifted to SB 731 (Steinberg) as the vehicle. A League CEQA task force carefully reviewed the measure and made recommendations. The League successfully lobbied for the requested changes but the bill was held in committee at the end of session. Instead, the author moved SB 743, which streamlines CEQA for the Sacramento Kings arena and includes several statewide provisions that could be helpful in streamlining some development. The League also addressed CEQA issues associated with AB 52 (Gatto) affecting Native American sacred sites.

**Housing Elements.** Throughout most of the year, the League and other local government groups opposed early versions of AB 325 (Alejo), which extended the statute of limitations to challenge lawfully adopted housing elements from the current one year and 150 days to more than four years. The League opposed this measure due

to the lengthy exposure of cities to litigation. Later in the legislative session, prior to the bill being heard on the Senate Floor, a compromise was reached with the author and sponsors and amendments were included that addressed local government concerns. The League took a neutral position on the final version of this measure.

**Marijuana Regulation.** Many communities and public safety groups remain concerned over the chaotic marijuana regulatory environment, which includes a state voter-approved medical marijuana initiative that has been abused, federal prohibitions, court decisions and mixed local reactions. If an improved regulatory structure is to be developed, it needs to contain flexibility to address community impacts and public safety concerns. While the League assisted with the defeat of several bills, this issue will return in 2014, and cities need to be at the table in future discussions.

**Local Contracting and Employee Relations.** In recent years, a variety of bills have been introduced that seek to limit local authority to contract for various services. The League opposed several bills in 2013 that would have undermined local authority. AB 1333 (Hernandez), which would have imposed unreasonable conditions on local contracting for waste management, was among the bills that were defeated. Another bill, SB 556 (Corbett), which required contractors to post large lettering on their vehicles and uniforms stating that they were not government employees, was stalled.

**Future Transportation Revenues.** The League has been working for over a year with a group of transportation stakeholders to build the case for additional revenues devoted to transportation. These efforts include cap and trade (as mentioned earlier) and proposals from other groups. In addition, the League is participating in a working group created by the Governor's January Budget Proposal. The group is reviewing the existing transportation funding system for potential opportunities to increase efficiencies. The new Secretary of Transportation is expected to release a report of recommendations in fall 2013.

### Progress on League Strategic Priorities

The League leadership meets each year in November to develop the organization's strategic priorities for the coming year. These priorities were identified for 2013:

- **Build Lasting Partnerships.** Develop and strengthen long-term relationships and partnerships with new and returning state policy-makers and other stakeholders with common interests to better serve and enhance the quality of life for all Californians.
- **Expand Community and Economic Development Tools and Funding Options for City Services.** Develop and advocate for new tools and funding options for community and economic development to support job creation, investment in public infrastructure, expansion of affordable housing, and increased funding for essential local services.

- **Continue Pension and Other Post-Employment Benefits (OPEB) Reform.** Continue and expand upon recent efforts at pension and OPEB reform to ensure the long-term affordability and responsiveness of public services for city residents.
- **Implement an Effective League Branding Strategy.** Develop and implement a marketing and branding strategy that effectively communicates the League's identity along with the unique benefits that city officials, our partners and the public can expect from the League, its products and services.

A brief summary of League activities in these areas follows.

**Building Partnerships.** After a major recession and several difficult years of state-local relations, it was time to reinvest and rebuild. State and local budget conditions were improving. A new class of legislators, many from local government, began work at the Capitol with the ability to serve longer terms. League staff and city officials spent significant time connecting with these new legislators and working with them on legislation. Regional divisions hosted meetings and receptions. The League's lobbyists and leadership also met individually with legislators in Sacramento. Relations with the League's traditional partners in local government, business and other organizations were strengthened and paid off in collaborative legislative efforts.

**Expanding Community and Economic Development Tools.** Activity on this critical priority has been addressed extensively earlier in this article. Many legislators have been working with the League to advance this priority. The table is now set for broader action on economic development, infrastructure and affordable housing. The effort ahead involves working with legislators and the Administration on the next steps.

**Continuing Pension and OPEB Reform.** Administrative implementation and minor legislative cleanup followed the legislative pension reform accomplishments of 2012. The League began working more closely with CalPERS by forming an advisory group of city officials to attend CalPERS meetings, comment on regulatory proposals and meet periodically with CalPERS leadership. An internal group of city managers continues discussing options on OPEB issues.

**League Branding.** Research was conducted in this area with the assistance of a League Board-appointed task force and a consultant with specialized expertise. Initial conclusions were that the League retains a strong brand with local officials, policy makers and the press. Suggestions primarily focus on ways to fine-tune the ways the organization communicates its brand, with its primary audience remaining city officials.

## **The Governor's Actions**

Earlier in the year, while explaining his thinking on the benefits of providing schools with additional flexibility Governor Brown spoke to the League Board about the principle of "subsidiarity," which translates into the more familiar "local control." City officials were

glad to hear the Governor speak about this concept because it matches their beliefs and practical experience at the local level. Yet while the Governor used these words during the year, his philosophy was less apparent in light of his final decisions on bills affecting local government. One significant, positive development was the Governor's signing into law 85 percent of League-supported bills. For this he deserves the thanks of city officials. On the League's veto requests, however, regarding bills that city officials opposed because they believed the measures undermined local control, his actions are more puzzling. The Governor vetoed only 25 percent of League-opposed bills. Perhaps at some future point the Governor may further clarify his philosophy on preserving local authority.

### **The Outlook for 2014**

2014 should be a year of new opportunities. Barring an unforeseen reversal, the state budget should remain balanced, and the economy will continue to slowly improve. State legislators have already put forward many ideas for tools to invest in infrastructure, transportation and affordable housing that can be pursued in the second year of the two-year legislative session. Discussions about a revised water bond and a new school bond are anticipated, along with potential revisions to local vote thresholds. As always, some new issues will also emerge.

Whatever the New Year brings, the League will continue exploring opportunities for improved partnerships with legislators, administration officials, other organizations and stakeholders while advocating for tools and resources that allow cities to improve their communities, expand economic development and address emerging issues in ways that preserve local control and flexibility. The active engagement of city officials remains critical to shaping the future of our great state.

## I. Administrative Services

### A. *Ralph M. Brown Act (Brown Act)*

#### **AB 246 (Bradford). Local Government. Open Meetings.**

##### **Chapter 11, Statutes of 2013**

This measure includes the Governor on the list of individuals and agencies with which, under the Ralph M. Brown Act (Brown Act) a legislative body may meet in closed session on matters posing a threat to the security of the public buildings, services and facilities, and public access to public service facilities.

#### **AB 382 (Mullin). State and Local Government. Alternative Investments. Public Access.**

##### **Chapter 326, Statutes of 2013**

This measure provides that specified written information concerning alternative investments shall be exempt from the general requirement that writings, when distributed to all, or a majority of all, of the members of a legislative body of a local agency, are to be disclosed public records. The measure also makes legislative findings that it is in the best interest of the public to ensure that disclosure requirements in the Brown Act are consistent with those in the Public Records Act (PRA).

#### **\*SB 751 (Yee). Meetings. Publication of Action Taken.**

##### **Chapter 257, Statutes of 2013**

This measure requires local agencies to publicly report any action taken and the vote or abstention on that action of each member present for the action. The measure was sponsored by the Orange County Business Council after criticism that some local agencies with large governing bodies do not report in their official record how each governing body member voted.

### B. Elections

#### **AB 149 (Weber). Voting Rights. County Probation Departments.**

##### **Chapter 580, Statutes of 2013**

This measure requires a county probation department to either establish a hyperlink on its website to the Secretary of State's (SOS) voting rights guide for incarcerated persons or to post a notice that contains the SOS website address where the voting rights guide can be found.

#### **AB 214 (Skinner). Voting. State of Emergency.**

##### **Chapter 498, Statutes of 2013**

This measure requires the SOS to develop procedures and publish guidelines, in consultation with county elections officials, in the event of a natural disaster or other state of emergency and makes other related changes.

**AB 331 (Garcia). Consolidation of Elections.****Chapter 98, Statutes of 2013**

This measure provides that the relevant state laws regulating voter challenges, election contests, and recounts, shall apply to any election that is consolidated with a statewide election, a special election, or a regularly scheduled election held to elect governing board members to a school district, community college district, county board of education, or a special district. In the event of consolidation, the resolution required by law to be submitted to the county board of supervisors shall include an acknowledgement that the relevant provisions of state law regulating voter challenges, election contests, and recounts, shall apply to that election.

**\*AB 354 (Dahle). Local Ballot Measures. Impartial Analysis.****Chapter 265, Statutes of 2013**

This measure requires the analysis of a city ballot measure, prepared by the city attorney, to include a statement indicating whether the measure was placed on the ballot by a petition signed by the requisite number of voters or by the governing body of the city. It also includes identical provisions for a county, special district, or school district ballot measures, but excludes statewide ballot measures.

**AB 408 (Bonta). Municipal Utility Districts. Elections.****Chapter 108, Statutes of 2013**

This measure authorizes municipal utility districts with a seven-member board of directors to appoint a person to the board, as specified, if no candidate or only one candidate files for candidacy 83 days prior to the election.

**\*AB 530 (Quirk-Silva). Vote By Mail Ballots. Telephone Applications.****Chapter 501, Statutes of 2013**

This measure authorizes a local elections official to offer a voter the ability to apply for a vote by mail voter's ballot by telephone and specifies the conditions for applying by telephone. Specifically, to apply by telephone, an applicant must provide the elections official personal identifying information that matches the information contained on the applicant's affidavit of registration, including first and last name, home address, and date of birth. The applicant's signature is not required for telephone applications. Except as otherwise provided, all provisions governing written applications for vote by mail voters' ballots apply to applications made by telephone.

**AB 813 (Melendez). Election Results.****Chapter 112, Statutes of 2013**

This measure requires the SOS and county elections officials to post on their respective websites a copy of their certified statement of election results in a downloadable spreadsheet format, as specified and to maintain them on their respective websites for at least 10 years.

**AB 817 (Bonta). Elections Officials.****Chapter 162, Statutes of 2013**

This measure authorizes an elections official to appoint no more than five nonvoters per precinct to serve as a precinct board member including a person who is lawfully admitted for permanent residence in the U.S. and who is otherwise eligible to register to vote, except for his or her lack of U.S. citizenship. The measure also specifies that a nonvoter appointed to serve as a precinct board member is prohibited from serving as or performing the duties of the inspector of a precinct board, or from being used by the precinct board to tally votes.

**\*AB 1316 (Harkey). Election Ballots. Identical Candidate Names.****Chapter 106, Statutes of 2013**

This measure requires the elections official, if two or more candidates with similar names file nomination papers for the same office, to assign each of the same named candidates a number based on the order in which the candidates filed their nomination papers beginning with the number "1." The measure eliminates the requirement that the candidate's number and certain required warning language be in bold face type. An elections official would be required to conduct a randomized drawing of the numbers assigned to each same named candidate to determine the order in which candidates' names will appear on the ballot.

**AB 1417 (Elections and Redistricting Committee). Elections.****Chapter 560, Statutes of 2013**

This measure makes various minor and technical changes to the Elections Code.

**AB 1419 (Elections and Redistricting Committee). Presidential General Elections. Party Qualifications.****Chapter 511, Statutes of 2013**

This measure changes the deadline for qualifying a political body for the purpose of having the party's presidential or vice presidential candidates appear on the presidential general U.S. District Court for the Central District of California in California Justice Committee v. Bowen.

**AJR 15 (Alejo). Voting Right Act of 1965.****Resolutions Chapter 60, Statutes of 2013**

This resolution urges the U.S. Supreme Court to affirm the constitutionality of Section 5 of the Voting Rights Act of 1965 (VRA). Section 5 freezes election practices or procedures for "covered jurisdictions" including three counties in California, until a new procedure has been subjected to review, either after an administrative review by the U.S. Attorney General, or after a lawsuit before the U.S. District Court for the District of Columbia. This resolution was introduced in response to the recent Supreme Court ruling that held that the coverage formula in Section 4 that determines which jurisdictions are covered by Section 5 requirements of the Federal Voting Rights Act is unconstitutional.

**SB 44 (Yee). State Internet Web Sites. Online Voter Registration.**  
**Chapter 277, Statutes of 2013**

This measure requires each website maintained by the state to include a hyperlink on the site's homepage to the SOS's online voter registration web page.

**SB 213 (Galgiani). Election Petitions. Circulators.**  
**Chapter 278, Statutes of 2013**

This measure repeals from various statutes a requirement that an individual must be qualified to register to vote in order to circulate election petitions and nomination papers. The measure requires that individuals that circulate a state or local initiative, referendum, or recall petition or nominating paper be 18 years of age or older.

**\*SB 311 (Padilla). Local Elections. Charters and Charter Proposals.**  
**Chapter 184, Statutes of 2013**

This measure eliminates the statewide primary election or a regularly scheduled municipal election as options for submitting a city or city and county charter or a proposal to amend a charter in a manner that alters any procedural or substantive protection, right, benefit, or employment status of any local government employee or retiree or of any local government employee organization to the voters. Thus, a proposal to amend a city or a city and county charter in this way or a newly proposed charter must be submitted to the voters at a statewide general election. City or city and county charter proposals to amend or repeal a charter that are proposed by a voter petition, as specified, and relates to employment matters may continue to be submitted at the next regularly scheduled general municipal election or any established statewide general or statewide primary election, as specified.

**SB 360 (Padilla). Certification of Voting Systems.**  
**Chapter 602, Statutes of 2013**

This measure makes significant changes to procedures and criteria for SOS's certification and approval of voting systems purchased, maintained, or developed by vendors or counties. It also requires the SOS to adopt and publish regulations, as specified, governing the experimental use of a voting system in a pilot program. The measure expands the use of Voting Modernization Fund monies.

**SB 362 (Padilla). Voting Procedures. Natural Disasters.**  
**Chapter 566, Statutes of 2013**

This measure requires county elections officials, upon declaration of an out-of-state emergency by the Governor and the issuance of an executive order authoring an out-of-state emergency worker to cast a ballot outside his or her home precinct, to issue, upon request, a vote by mail ballot to the out-of-state emergency worker using a process determined by the elections official, as specified.

**\*SB 553 (Yee). Local Government. Property Related Fees Assessment. Elections Procedures.****Chapter 215, Statutes of 2013**

This measure applies existing practices used with benefit assessment elections to property-related fee elections proposing to impose or increase property-related fees. Before a local government can charge a new property-related fee or increase an existing one, Prop. 218 (1996) requires local officials to: identify the parcels to be charged; calculate the fee for each parcel; notify the parcels' owners in writing about the fees and the hearing; hold a public hearing to consider and count protests; and abandon the fees if a majority of the parcels' owners protest.

New or increased property-related fees require either: a majority vote of the affected property owners; two-thirds registered voter approval; or weighted ballot approval by the affected property owners.

Specifically, this measure provides that:

- If an agency chooses to submit a proposed fee or charge for approval by a majority vote of property owners, this measure requires that each notice include the phrase "OFFICIAL BALLOT ENCLOSED," as specified, the agency's return address, the date and location where the ballots will be tabulated, the place where the person returning the ballot may indicate their name, a reasonable identification of the parcel, and a place to indicate support or opposition.
- If a local agency chooses to submit the proposed fee or charge for voter approval by a two-thirds-vote of the registered voters, as specified, the election must be conducted by an elections official or their designee and any costs associated with the election must be reimbursed to the county, for non-county elections.
- Ballots must be: received at the address indicated or at the site of public testimony; remain sealed until tabulation of all ballots; be treated as disclosable public records, and if applicable, the information used to determine the weight of each ballot; and tabulated in a location accessible to the public.
- Ballot tabulation must: begin at the conclusion of the public hearing on the proposed fee or charge; be conducted by an impartial person with no vested interest in the outcome, including, but not limited to, the clerk of the agency; and be in public view, including the unsealing of the ballot, as specified. Ballot tabulation can continue at a different time provided the governing body announces the time and location at the hearing, and is posted in a location accessible to the public.

**\*SCA 3 (Leno). Public Information.****Resolutions Chapter 123, Statutes of 2013**

This constitutional amendment places a measure on the ballot to amend the California Constitution to require local agencies to comply with the PRA and the Brown Act, and any subsequent amendments that further the constitutional provisions on public access to public agency meetings and records. If passed by the voters, PRA and Brown Act would no longer be considered reimbursable mandates.

**SJR 14 (Yee). Voting Right Act of 1965.****Resolutions Chapter 133, Statutes of 2013**

This resolution urges the U.S. Congress and the U.S. President to enact amendments to the VRA that would restore Section 4 of the VRA with a new coverage formula and update the entire VRA in order to address ongoing violations of voting rights in the states. This resolution was introduced in response to the recent Supreme Court ruling that held that the coverage formula in Section 4 of the VRA is unconstitutional. Section 4 contains a formula that determines which jurisdictions are covered by Section 5 requirements. Section 5 freezes election practices or procedures until a new procedure has been subjected to review, either after an administrative review by the U. S. Attorney General, or after a lawsuit before the U. S. District Court for the District of Columbia.

***C. Fair Political Practices Commission (FPPC), Campaigns and Political Reform Act of 1974*****\*AB 409 (Quirk-Silva). Political Reform Act of 1974. Statements of Economic Interests. Online Filing.****Chapter 643, Statutes of 2013 (Urgency)**

This measure permits the Fair Political Practices Commission (FPPC) to develop and operate an online system for filing a Statement of Economic Interest (SEI) for Government Code Section 87200 and 87300 filers. It does not mandate that filers file electronically, but simply provides the option to filers.

The online filing system must include a means or method that enables a filer to electronically file, free of charge, a SEI that includes an electronic transmission that is submitted under penalty of perjury. The system must have security safeguards that include firewalls, data encryption, security authentication and all necessary industry best practices to ensure that the security and the integrity of the data and information contained in the SEI is not jeopardized or compromised.

The measures also requires the FPPC to conduct public hearings to receive input on the implementation of the system; maintain ongoing coordination among affected state and local agencies, as necessary; and develop training and assistance programs for state and local filing officers and filers regarding use of the online system for filing an SEI. The FPPC is required to assume the duties of the local filing officer if authorized to do so by the local filing officer. Local filing officers that do not authorize the FPPC to

assume their duties must continue to perform the duties described in Government Code Section 81010.

**AB 552 (Fong). The Political Reform Act of 1974. Collection of Fines.**  
**Chapter 645, Statutes of 2013**

This measure permits the FPPC to apply to the clerk of the court for a judgment to collect penalties imposed by an FPPC enforcement order. This will allow the FPPC to receive a judgment to collect penalties without filing a formal lawsuit in the superior court.

**\*AB 1090 (Fong). Public Officers. Conflicts of Interest. Contracts.**  
**Chapter 650, Statutes of 2013**

This measure authorizes the FPPC to bring civil and administrative enforcement actions for violations of Government Code Section 1090, dealing with conflict of interest in contracts, and requires the FPPC to provide opinions and advice with respect to that section.

**AB 1418 (Elections and Redistricting Committee). The Political Reform Act of 1974. Omnibus Bill.**  
**Chapter 654, Statutes of 2013**

This measure repeals the requirement that campaign statements must be open for public inspection and reproduction from 9:00 a.m. to 5:00 p.m. on the Saturday preceding a statewide primary or statewide general election in the offices of the SOS, the Registrar-Recorder of Los Angeles County, the Registrar of Voters of San Diego County, and the Registrar of Voters of the city and county of San Francisco and makes other minor technical non-controversial changes to PRA.

**\*SB 594 (Hill). Use of Public Resources.**  
**Chapter 773, Statutes of 2013**

This measure requires nonprofit organizations that receive 20 percent or more of their annual operating budgets from public resources and that participate in campaign activities to file reports detailing sources of funding for such campaign activities with the Franchise Tax Board (FTB) if expenditures on state measures/candidates exceed \$50,000 in a quarter (quarterly report) or \$100,000 in a calendar year (biennial reports) or expenditures on local measures/candidates exceed \$2,500 in a quarter (quarterly report) or \$10,000 in a calendar year (biennial reports). The measure allows FTB to conduct discretionary audits, and requires mandatory audits after an annual expenditure in excess of \$500,000. Violations are subject to civil fines of \$10,000 per violation.

## ***D. Legal***

### **\*AB 748 (Eggman). Judgments Against A Public Entity. Interest.**

#### **Chapter 424, Statutes of 2013**

This measure reduces judgment interest rates against public entities in tax disputes. It provides, except as specified, that interest accrues on any tax or lien claim against a public entity that results in public judgment against a public entity at a rate equal to the weekly average one-year constant maturity U.S. Treasury yield, but not to exceed seven percent each year. The measure also provides that when a judgment becomes enforceable, as specified, interest accrues at an annual rate equal to the weekly average one-year constant maturity U.S. Treasury yield at the time of the judgment, plus 2 percent, but not to exceed 7 percent each year.

### **AB 1183 (Jones). Civil Discovery. Motion to Compel Further Response.**

#### **Chapter 18, Statutes of 2013**

This measure clarifies that the 45-day time period to compel further response to a discovery request begins once the requesting party has received a verified response to the discovery request. Under existing law, responses provided through the discovery process must be verified, which generally means that the responding party attests under penalty of perjury to the trueness and correctness of the response.

### **SB 345 (Evans). Attorneys. Annual Membership Fees.**

#### **Chapter 681, Statutes of 2013**

This measure authorizes the State Bar to collect active membership dues of up to \$390 for the year 2014, extends the opportunity for members of the State Bar to voluntarily contribute to the support of legal aid programs for the needy at a suggested rate of \$30 if they choose to do so, allows the State Bar's \$2 million financial support of legal aid programs to sunset, and authorizes and directs the State Bar to participate in FTB interagency intercept collections program for unpaid fines and penalties, with any potential receipts to be for the support of legal aid programs.

## ***E. General Administration***

### **\*AB 1149 (Campos). Identity Theft. Local Agencies.**

#### **Chapter 395, Statutes of 2013**

This measure requires local agencies to comply with specified notification requirements in the Information Practices Act of 1977. It requires an agency to notify persons, as specified, in the event of a security breach involving personal information, under two circumstances:

- When an agency owns or licenses computerized data that includes personal information, where there is a breach of the security of the system, as defined, and where unencrypted personal information was, or is reasonably believed to have been acquired by an unauthorized person. Under this circumstance, notice must be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement as specified, or

any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.

- When an agency maintains computerized data that includes personal information that the agency does not own, where there is a breach of the security of the data, and the personal information was, or is reasonably believed to have been, acquired by an unauthorized person. Under this circumstance, notice must be provided to the owner or licensee of the information immediately following discovery of the breach.

The measure specifies different notice requirements when a breach of personal information contains a user name or email address, in combination with a password or security question and answer that would permit access to an online account and no other personal information was breached, as specified. Under this circumstance, the agency may comply with the notice requirement by providing the security breach notification in electronic or other form that directs the person whose personal information has been breached to promptly change his or her password and security question or answer, as applicable, or to take other steps appropriate to protect the online account with the agency and all other online accounts for which the person uses the same user name or email address and password or security questions and answers. The measure further provides specific notification requirements when there is a breach of the security of the system involving an email account furnished by the agency.

Personal information means an individual's first name or first initial and last name in combination with any of the following, when either the name or the data elements are not encrypted:

- Social security number;
- Driver's license number or California identification card number;
- Account number, credit or debit number, in combination with any required security code, access code, or password that would permit access to an individual's financial account;
- Medical Information; or
- Health Insurance Information.

Personal information also means a user name or email address, in combination with a password or security question and answer that would permit access to an online account.

Notice must meet all of the following requirements:

- The notification must be written in plain language.
- The notification must include, at a minimum, the following information:
  - The name and contact information of the agency (e.g. city of X).
  - A list of the types of personal information that were or are reasonably believed to have been the subject of a data breach.
  - If the information is possible to determine at the time the notice is provided, any of the following: the date of the breach, the estimate date of the breach,

or the date range within which the breach occurred. The notice must also include the date of the notice.

- Whether the notification was delayed as a result of a law enforcement investigation, if that information is possible to determine at the time the notice is provided.
- A general description of the breach of the incident, if that information is possible to determine at the time the notice is provided.
- The toll-free telephone numbers and addresses of the major credit reporting agencies, if the breach exposed a social security number or driver's license or California identification card number.

At the agency's discretion information can also be included that explains what the agency has done to protect the individuals whose information has been breached and advice on steps that can be taken to protect the person whose information has been breached.

Notice may be provided by one of the following methods:

- Written notice;
- Electronic notice, if the notice provided is consistent with the provisions regarding electronic records and signatures, as specified; or
- Substitute notice, if the agency demonstrates that the cost of providing notice would exceed \$250,000, or that the affected class or subject persons to be notified exceeds \$500,000, or the agency does not have sufficient contact information, as specified.

If an agency maintains its own notification procedures as part of an information security policy for the treatment of personal information and is otherwise consistent with the timing requirements as provided in the measure, the agency will be considered in compliance with the notification requirements, as specified, if the agency notifies subjected persons in accordance with its own policies in the event of a breach of a security system.

## II. Community Services

### *A. General*

#### **AB 339 (Dickinson). Sale of Animals at Swap Meets.**

##### **Chapter 231, Statutes of 2013**

This measure prohibits a swap meet vendor from selling animals unless the local jurisdiction has adopted care and treatment standards for the time the animals are present and being transported to and from the swap meet. It will become effective on January 1, 2016.

#### **AB 352 (Hall). Foster Care. Smoke-free Environment.**

##### **Chapter 292, Statutes of 2013**

This measure requires that all group homes, foster family agencies, small family homes, transitional housing placement providers, and crisis nurseries licensed to provide foster care (i.e. licensed and certified community care facilities) maintain a smoke-free environment, both indoors and on the outdoor grounds of these facilities. This prohibition on smoking extends to persons licensed or certified in connection with any of the above facilities, and specifically prohibits smoking in any motor vehicle regularly used to transport children

#### **\*AB 465 (Bonilla). Youth Sports. Criminal Background Checks.**

##### **Chapter 146, Statutes of 2013**

This measure clarifies that community youth athletic programs may request state and federal background checks, as well as subsequent arrest notification(s), for a volunteer coach or hired coach candidate.

#### **AB 547 (Salas). 21st Century High School After School Safety and Enrichment for Teens.**

##### **Chapter 703, Statutes 2013**

This measure expands the academic assistance component of the 21st Century High School After School Safety and Enrichment for Teens Program to include career exploration. It defines career exploration as activities that help students develop the knowledge and skills that are relevant to their career interests and reinforce academic content.

#### **AB 583 (Gomez). County Free Public Libraries. Withdrawal. Use of Private Contractors.**

##### **Chapter 196, Statutes of 2013**

This measure clarifies that a city or library district that withdraws from a county library system must comply with specified conditions before entering into a contract with a private contractor. This measure is cleanup to AB 438 (Williams, Chapter 611, Statutes of 2011).

**SB 602 (Human Services Committee). Child Abuse Prevention, Intervention, and Treatment.****Chapter 60, Statutes of 2013**

This measure removes certain requirements for counties that wish to contract or subcontract for child abuse prevention services. Specifically, it deletes required training and technical assistance by private, non-profit agencies as selection criteria. The measure also removes requirement that funds allocated to a county that chooses not to contract or subcontract for provision of services must revert to the State Children's Trust Fund.

**SB 789 (Liu). Vehicles. Special Interest License Plates. California Arts Council.****Chapter 221, Statutes of 2013**

This measure authorizes the California Arts Council to use a portion of its revenues generated from the sale of special interest license plates for administrative costs.

***B. Resolutions to Raise Awareness*****ACR 12 (Calderon, I.). Arts Education Month. March 2013.****Resolutions Chapter 15, Statutes of 2013**

This resolution declares March 2013 as Art Education Month. The arts are crucial to helping pupils learn about cultural differences, creative thinking, cognitive outcomes, emotional intelligence and expression, social interaction and collaboration, and preparation for the workplace and lifelong learning. This resolution encourages elected officials to participate with their educational communities in celebrating the arts and urges all residents to become interested in and give full support to quality school arts programs for children and youth.

**ACR 49 (Stone). Foster Care Month.****Resolutions Chapter 41, Statutes of 2013**

This resolution declares May 2013 as Foster Care Month. California has approximately 60,000 children and youth in foster care who need and deserve safe, permanent connections to loving adults, a stable home, and adequate preparation for a secure future. It affirms California's leadership and success in pioneering innovative child welfare approaches.

**ACR 50 (Gordon). Parks Make Life Better. Month.****Resolutions Chapter 76, Statutes of 2013**

This resolution declares July 2013 as Parks Make Life Better! Month. This measure recognizes the importance of access to local parks, trails, open space, and facilities for the health and development of all Californians. Parks and recreational spaces promote physical activities, which helps prevent obesity.

**SCR 14 (Wolk). California Library Week.**  
**Resolutions Chapter 27, Statutes of 2013**

This resolution declares the week of April 14 - 20, 2013 as California Library Week. More than 21 million people use California's public libraries each year to use books, computers, Internet access, email reference, e-books, and other innovative services to connect their users with ideas and information. It commends California's public libraries, librarians, and all library workers for enriching the lives of California residents and helping to make our state an exceptional place to live, learn, and work.

**SCR 61 (Galgiani). Shelter Pet Awareness Month.**  
**Resolutions Chapter 126, Statutes of 2013**

This resolution declares October of each year as Shelter Pet Awareness Month. Each year, between 700,000 and 800,000 animals are taken in by California's public and private shelters where less than half of these animals are adopted into new home. Animal shelters have limited resources and cannot accommodate all of the animals that need help. This measure helps promote shelter pet adoption by raising public awareness of shelter animals.

***C. Parks and Recreation***

**AB 265 (Gatto). Local Government Liability. Dog Parks.**  
**Chapter 74, Statutes of 2013**

This measure clarifies that a public entity that owns or operates a dog park will not be liable for injury or death of a person or pet resulting solely from actions of a dog in a dog park.

### **III. Employee Relations**

#### ***A. Personnel and Labor Relations***

##### **AB 10 (Alejo). Minimum Wage. Annual Adjustment.**

###### **Chapter 351, Statutes of 2013**

This measure increases the minimum wage beginning July 1, 2014, to \$9 per hour and beginning 2016 increases the minimum wage to \$10 per hour.

##### **AB 11 (Logue). Employees. Reserve Peace Officers and Emergency Rescue Personnel.**

###### **Chapter 120, Statutes of 2013**

This measure requires employers who employ 50 or more employees to permit an employee who performs emergency duties as a volunteer firefighter, reserve peace officer, or as emergency rescue personnel, to take a temporary leave of absence of up to 14 days per calendar year, for the purpose of engaging in fire, law enforcement, or emergency rescue training.

##### **\*AB 218 (Dickinson). Employment Applications. Criminal History.**

###### **Chapter 699, Statutes of 2013**

This measure, starting on July 1, 2014, prohibits state and local agencies from inquiring into an applicant's conviction history including on an initial application before determining whether the job applicant meets minimum job qualifications as stated in the notice for the position. This measure provides an exemption for positions that require a background check by law or that are in a criminal justice agency, as specified.

##### **AB 226 (Atkins). Classified Employees. School Police. Workweek.**

###### **Chapter 73, Statutes of 2013**

This measure authorizes the governing board of a school district or county superintendent to establish a 12-hour-per-day, 80-hour-per-two-week work schedule for school police departments if agreed to in a collective bargaining agreement.

##### **\*AB 263 (Hernández, R.). Employment. Retaliation. Immigration-related Practices.**

###### **Chapter 732, Statutes of 2013**

This measure provides that it shall be unlawful for an employer or any other person or entity to engage in, or to direct another person or entity to engage in, unfair immigration-related practices, as defined, against any person for the purpose of, or with the intent of, retaliating against any person for exercising any right protected under the California Labor Code or by any local ordinance applicable to employees, as specified.

##### **AB 312 (Wieckowski). Local Government. Employees. Firefighters.**

###### **Chapter 195, Statutes of 2013**

This measure amends the statutes governing the displaced firefighter hiring list program to clarify that departments hiring from the list are not required to hire displaced firefighters based on seniority but can choose to hire any firefighter on the list. It also

shortens the length of time that a displaced firefighter's name must remain on the list from 48 to 36 months.

**AB 373 (Mullin). Public Employees' Long-Term Care Act**  
**Chapter 768, Statutes of 2013**

This measure expands enrollment eligibility criteria for the California Public Employees Retirement System (CalPERS) Long-Term Care (LTC) program to include, subject to federal law, the adult children and domestic partners of CalPERS members and annuitants. It also provides the CalPERS Board authority to expand eligibility to all classes of persons who meet specified requirements, including applicable federal law that governs eligibility for a federally qualified state LTC plan.

**AB 442 (Nazarian). Employees. Wages.**  
**Chapter 735, Statutes of 2013**

This measure authorizes the Labor Commissioner to collect liquidated damages from an employer who pays an employee less than minimum wage.

**\*AB 537 (Bonta). Meyers-Milias-Brown Act. (MMBA) Impasse Procedures.**  
**Chapter 785, Statutes of 2013**

This measure makes several changes to local agency collective bargaining laws including:

- Requiring the governing body to vote to accept or reject an agreement within 30 days of the date it is first considered at a noticed meeting and requires the parties to jointly prepare a written Memorandum of Understanding (MOU) if a tentative agreement is reached by the authorized representative of the public agency and a recognized employee organization or recognized employee organization.
- Making contractual arbitration subject to the California Arbitration Act.
- Providing that an assertion that an arbitration claim is untimely or otherwise barred because the party seeking arbitration failed to satisfy the procedural prerequisites to arbitration cannot be a basis for refusing to submit the dispute to arbitration and requires that all procedural defenses be submitted to the arbitrator for resolution.
- Specifying that a court cannot refuse to order arbitration because a party to the MOU contends that the conduct in question constitutes an unfair practice subject to the jurisdiction of the Public Employment Relations Board (PERB). If a party to a MOU files an unfair practice charge based on conduct that is argued to constitute an unfair practice, PERB must place the charge in abeyance if the dispute is subject to final and binding arbitration pursuant to a MOU. PERB must dismiss the charge at the conclusion of the arbitration process unless the charging party demonstrates that the settlement or arbitration award is inconsistent or irreconcilable with the purposes of the MMBA as set forth in Government Code Section 3500.

**\*AB 556 (Salas). Fair Employment and Housing Act. Military Veterans.  
Chapter 691, Statutes of 2013**

This measure prohibits employment discrimination against all active duty military and veterans of the Armed Services by adding “military and veteran status” to the list of categories protected from discrimination under Fair Employment Housing Act (FEHA) by employers, labor organizations and employment agencies with respect to all aspects of employment and membership in a labor union.

**AB 633 (Salas). Emergency Medical Services. Civil Liability.  
Chapter 591, Statutes of 2013**

This measure prohibits an employer from adopting a policy or practice that precludes an employee from voluntarily providing emergency medical services in response to a medical emergency and specifies that the measure does not impose any express or implied duty on the employer to train its employees regarding emergency medical services or cardiopulmonary resuscitation.

**AB 971 (Garcia). Public Agency Employers. Paratransit Providers. Criminal History Information.  
Chapter 458, Statutes of 2013**

This measure authorizes a paratransit agency to receive criminal history information with respect to contracted service providers for the purpose of oversight and enforcement of the agency's policies.

**AB 1181 (Gray). Public Employee Organizations. Members. Paid Leaves of Absence.  
Chapter 305, Statutes of 2013**

This measure requires local agencies to provide reasonable time off to union representatives for bargaining, testifying or appearing before PERB, and testifying or appearing at personnel or merit commission hearings. Reasonable notification to the employer requesting a leave of absence is required.

**AB 1386 (Labor and Employment Committee). Employment. Employee Complaints. Final Orders.  
Chapter 750, Statutes of 2013**

This measure, as an alternative to a judgment lien and upon an order becoming final, authorizes the California Labor Commission to create a lien on real property recording a certificate of lien, for an amount due under the final order and in favor of the employee or employees named in the order, with the county recorder of any county in which the employer's real property may be located, at the Labor Commissioner's discretion and depending upon information the Labor Commissioner obtains concerning the employer's assets.

**SB 288 (Lieu). Employment Protections. Time Off.****Chapter 756, Statutes of 2013**

This measure prohibits an employer from discharging, discriminating, or retaliating against an employee that requests time off to attend court proceedings if they are victims of specific crimes.

**SB 292 (Corbett). Employment. Sexual Harassment.****Chapter 88, Statutes of 2013**

This measure clarifies that, with respect to an employment-related sexual harassment claim made under the Fair Employment and Housing Act (FEHA) sexually harassing conduct need not be motivated by sexual desire.

**\*SB 313 (De León). Public Safety Officers Procedural Bill of Rights Act.****Chapter 779, Statutes of 2013**

This measure prohibits an employer from taking punitive action against an officer whose name is on a Brady list, but allows an employer to take punitive action for the underlying reasons that an officer was placed on a Brady list. It permits use of evidence of an officer on a Brady list only if, during the administrative appeal of a punitive action against an officer, the underlying act or omission for which the officer's name was placed on a Brady list is proven and the officer is found to be subject to some form of punitive action.

**SB 390 (Wright). Employee Wage Withholdings. Failure to Remit.****Chapter 718, Statutes of 2013**

This measure provides that it is illegal for an employer to willfully or with the intent to defraud fail to remit withholdings from an employee's wages pursuant to local, state, or federal law to the proper agency and also provides that if an employer fails to remit \$500 or more in wage withholdings, the employer's violation is a misdemeanor and shall be punishable by imprisonment in a county jail for a period of not more than one year, by a fine of not more than \$1,000, or both.

**\*SB 400 (Jackson). Employment Protections. Victims of Domestic Violence, Sexual Assault, or Stalking.****Chapter 759, Statutes of 2013**

This measure expands existing specified protections for victims of domestic violence and sexual assault to victims of stalking and prohibits an employer from discharging, discriminating or retaliating against a person because of his or her status as a victim of stalking. It requires an employer to provide reasonable accommodations to victims of domestic violence, sexual assault, or stalking and provides an exemption for undue hardship to the employer, including when an action would violate the employer's duty to provide a safe workplace.

**\*SB 407 (Hill). Local Government. Officers and Employees. Contracts.****Chapter 213, Statutes of 2013**

This measure expands existing law that prohibits an employment contract for a local agency executive from including an automatic renewal clause to also include any person who is a deputy or assistant chief executive officer, and any person whose position is held by an employment contract with the local agency, but is not subject to the MMBA.

**\*SB 530 (Wright). Criminal Offenders. Rehabilitation.****Chapter 721, Statutes of 2013**

This measure provides that an employer may not ask for, seek, or utilize as a factor in determining any condition of employment, information about a conviction that has been judicially dismissed or ordered sealed, as specified.

**SB 666 (Steinberg). Employment. Retaliation.****Chapter 577, Statutes of 2013**

This measure specifies that an individual is not required to exhaust administrative remedies or procedures in order to bring a civil action under any provision of the California Labor Code, unless the section under which the action is brought expressly requires exhaustion of an administrative remedy. It also authorizes the suspension, disbarment, or other discipline against a licensed attorney who reports the suspected immigration status, or threatens to report the suspected immigration status, of a witness or party to a civil or administrative action, or his or her family members, as defined, to a federal, state, or local agency. Additionally, the measure provides that reporting or threatening to report an employee's, former employee's, or prospective employee's suspected citizenship or immigration status of his or her family members, to a federal, state, or local agency because the employee, former employee, or prospective employee exercises a right under the provisions of the Labor Code, the Government Code, or the Civil Code constitutes an adverse action.

***B. Workers' Compensation Insurance*****AB 607 (Perea). Workers' Compensation. Dependent Children.****Chapter 786, Statutes of 2013**

This measure clarifies that a totally disabled dependent child is entitled to workers' compensation survivor benefits in case of death of a parent regardless of whether the surviving parent is partially dependent.

**AB 1376 (Hernández, R.). Workers' Compensation. Medical Treatment.****Interpreters. (Urgency)****Chapter 793, Statutes of 2013**

This measure delays, until March 1, 2014, a regulation adopted by the Division on Workers' Compensation that requires medical interpreters in the workers' compensation system to be certified.

**AB 1394 (Insurance Committee). State Compensation Insurance Fund (SCIF). Executive Appointments.**

**Chapter 309, Statutes of 2013**

This measure authorizes the board of SCIF to appoint additional exempt employees including chief medical officer, chief actuarial officers, chief claims operations officers, and chief of internal affairs.

**SB 146 (Lara). Workers' Compensation. Medical Treatment. Billing.**

**Chapter 129, Statutes of 2013**

This measure provides that a copy of a prescription for pharmaceutical services is not necessary unless the provider of services has entered into a written agreement, as specified, that requires a copy of the prescription for pharmacy services. The measure further provides that an employer, pharmacy benefits manager, insurer, or third-party claims administrator may request a copy of the prescription during a review of any records of prescription drugs dispensed by a pharmacy. This measure was introduced in response to concerns raised by pharmacies about the requirement, under the workers' compensation reforms adopted in SB 863 (De León, Chapter 363, Statutes of 2012), to produce a paper copy of a prescription for pharmacy services because it is becoming increasingly rare to use paper prescriptions.

**SB 251 (Calderon, R.). Insurance. Notice. Electronic Transmission.**

**Chapter 369, Statutes of 2013**

This measure authorizes, until January 1, 2019, an insurer, with the consent of the policyholder, to transmit electronically, in lieu of mail, certain notices pertaining to workers' compensation insurance as well as other notices related to specified insurance policies.

**SB 375 (Labor and Industrial Relations Committee). Workers' Compensation.**

**Chapter 287, Statutes of 2013**

This measure makes corrections to erroneous cross-references and other technical cleanup provisions to the workers' compensation reforms adopted in 2012.

**SB 527 (Block). Workers' Compensation. Public Employees. Leaves of Absence.**

**Chapter 66, Statutes of 2013**

This measure adds lifeguards employed by the city of San Diego on a full-time, year-round basis to the class of public safety employees who receive special, enhanced temporary disability benefits, often referred to as 4850 Time, when they are unable to work due to illness or injury that arose out of, or in the course of, employment.

**SB 809 (DeSaulnier). Controlled Substances. Reporting.**

**Chapter 400, Statutes of 2013.**

This measure establishes a funding mechanism to update and maintain the Controlled Substance Utilization Review and Evaluation System (CURES) and Prescription Drug Monitoring Program (PDMP) under the California Department of Justice, and makes other changes related to the CURES and PDMP programs. CURES contains data on patients taking controlled substances, and PDMP regulates prescription and dispensing

of those substances, and provides patient history information to regulatory boards and law enforcement.

### ***C. Unemployment Insurance***

#### **AB 908 (Bonilla). Unemployment Insurance. Use of Information.**

##### **Chapter 553, Statutes of 2013**

This measure permits the Employment Development Department (EDD) to share information with peace officers employed by the DMV Investigations Division when the request for information is part of an investigation into identity theft, counterfeiting, document fraud, or consumer fraud and that there is a reasonable suspicion that the information requested is relevant to the investigation.

#### **AB 1280 (Pérez, J.). Public Assistance Payments and Unemployment Compensation Benefits. Electronic Fund Transfer. Qualifying Accounts.**

##### **Chapter 557, Statutes of 2013**

This measure requires that unemployment compensation benefit payments only be deposited into an account that meets the requirements of a qualifying account, as defined, for deposit of public assistance payments, as specified, when direct depositing is requested by a recipient of unemployment compensation benefits.

#### **AB 1392 (Insurance Committee). Unemployment Insurance. Work Sharing Plans.**

##### **Chapter 141, Statutes of 2013**

This measure, which takes effect July 1, 2014, conforms California law to new federal requirements for work sharing programs related to unemployment insurance. Work sharing programs are used as an alternative to layoffs. In addition to codifying existing provisions of the California Code of Regulations related to work sharing plans, this measure makes several conforming changes, including the following:

- Reduces from 90 to 60 percent the maximum percentage of reduction of usual weekly hours of work for which a work sharing plan may be approved.
- Requires participating employers providing health or retirement benefits to continue those benefits for the duration of the program, to the extent permitted by federal law, as if the affected employees were working normal hours. Health and retirement benefits include health insurance, defined benefit retirement plans, and defined contribution retirement plans.
- Requires applications for work sharing programs to include: a description of how the employer will notify employees of a work sharing plan; an estimate of the layoffs averted by implementing a work sharing program; and a certification by the employer that their participation in a work sharing program is consistent with the employer's obligation under state and federal law.
- Allows employees in a work sharing program to participate in training approved by EDD including employer required training or training funded through the Workforce Investment Act (WIA).

**\*SB 770 (Jackson). Unemployment Compensation. Disability Benefits. Paid Family Leave.**

**Chapter 350, Statutes of 2013**

This measure broadens the definition of family within the Paid Family Leave program to allow workers to receive the partial wage replacement benefits while taking care of seriously ill siblings, grandparents, grandchildren, and parents-in-law. The measure takes effect beginning July 1, 2014.

***D. Public Employees' Medical and Hospital Care Act (PEMHCA)***

**\*AB 410 (Jones-Sawyer). Public Employee Health Benefits. Enrollment.**

**Chapter 525, Statutes of 2013**

This measure permits retired annuitants in CalPERS to reinstate to active employment without loss of accrued retiree health care earned with a previous employer. In such cases, the retiree would be eligible for the employer contribution toward retiree health care that the annuitant had when first retired. Additionally, it allows the retiree to enroll for retiree health care coverage with the subsequent employer upon re-retirement if the employer contribution under the subsequent employer is higher than that provided by the first employer.

**AB 1144 (Hall). Public Employees' Medical and Hospital Care Act (PEMHCA). City of Carson.**

**Chapter 244, Statutes of 2013**

This measure establishes a specific vesting schedule and employer contribution amount for post-retirement health care premiums under PEMHCA for the city of Carson.

Specifically, the vesting period is lowered from 20 to 10 years of credited service with the city in order for an employee to receive a 100 percent employer contribution toward health care premiums.

***E. Pensions***

**AB 205 (Pan). Public Employees' Retirement. Pension Fund Management.**

**Chapter 766, Statutes of 2013**

This measure adds the board of retirement or board of investments of a retirement system established under the County Employees' Retirement Law of 1937 ('37 Act) to the list of public retirement system boards that are authorized to prioritize investment in in-state infrastructure projects over alternative out-of-state projects if the investments are consistent with the board's fiduciary responsibility.

**\*AB 1222 (Bloom). Public Employees' Retirement. Collective Bargaining. Transit Workers. Transportation.**

**Chapter 527, Statutes of 2013 (Urgency)**

This measure makes an exemption to Public Employees' Pension Reform Act of 2013 (PEPRA) for employees who are covered by 13(c) arrangements until either a federal district court rules that the U.S. Secretary of Labor (or his or her designee) erred in determining that application of PEPRA precludes certification of federal transit funding or January 1, 2015, whichever is sooner. If the federal district court upholds the determination of the U.S. Secretary of Labor (or the designee) that application of PEPRA precludes certification of federal transit funding, then PEPRA will not apply to an employee protected under a 13(c) arrangement.

This measure was introduced in response to the actions by the U.S. Department of Labor (USDOL) to withhold certification of federal grants to California transit agencies after labor unions representing transit employees asserted to USDOL that PEPRA impairs pension benefits contained in existing collective bargaining agreements and restricts collective bargaining rights, which violates the protections of Section 13(c) of the Federal Transit Act.

Existing federal law protects the collective bargaining rights of specified transit workers employed in certain transit agencies and districts that were converted from private to public agencies and requires, under Section 13(c) of the Federal Transit Law, that these employee protections, commonly referred to as "protective arrangements" or "Section 13(c) arrangements" must be certified by USDOL and in place before federal transit funds can be released to a mass transit employer subject to the Federal Transit Law. Federal law also empowers USDOL to determine if collective bargaining rights have been impaired, and if so determined, to stop the flow of federal transportation funding until such time as those rights have been restored.

**AB 1380 (Public Employees, Retirement, and Social Security Committee). County Employees' Retirement.**

**Chapter 247, Statutes of 2013**

This measure makes various technical corrections and conforming changes that align '37 Act with the provisions of PEPRA, as enacted in AB 340 (Furutani, Chapter 294, Statutes of 2012).

**\*SB 13 (Beall). Public Employees' Retirement Benefits.**

**Chapter 528, Statutes of 2013 (Urgency)**

This measure is intended as the cleanup to PEPRA and makes technical corrections in order to clarify the Legislature's intent in enacting the reforms and to assist employers and retirement systems in implementing the reforms.

**SB 39 (De León). Local Agencies. Public Officers. Claims and Liability.**  
**Chapter 775, Statutes of 2013 (Urgency)**

This measure requires an elected or appointed local public officer, as defined, to forfeit any contract or similar claim for retirement or pension benefits against a local public agency employer, other than those accrued benefits which he or she may be entitled to under the applicable public retirement system, if he or she has been convicted of specified felonies under state or federal law.

**\*SB 215 (Beall). Public Employee Benefits.**  
**Chapter 778, Statutes of 2013**

This measure makes various technical and conforming changes to the Public Employees Retirement Law (PERL) and the '37 Act including amending the PERL to allow state and local government employers who contract with CalPERS for health care under the PEMHCA to comply with requirements of the Affordable Care Act of 2010 (ACA) by expanding the definition of "employee" to include fulltime employees as defined by Section 4980(H) of Title 26 of the U.S. Code, as specified.

**SB 220 (Beall). California Public Employees' Pension Reform Act of 2013.**  
**Administration.**

**Chapter 526, Statutes of 2013**

This measure makes various technical corrections and conforming changes that align the PERL and other laws administered by CalPERS with the provisions of PEPR.

***F. Patient Protection and Affordable Care Act 2011 (ACA)***

**AB 362 (Ting). Personal Income Taxes. Exclusion. Health Insurance.**  
**Chapter 439, Statutes of 2013**

This measure excludes until January 1, 2019, from gross income, any amounts received by an employee from an employer to compensate for additional federal income taxes that are incurred by the employee on employer-provided health-care benefits because, for federal income tax purposes, the same-sex spouse or domestic partner of the employee is not considered the spouse of the employee.

**AB 422 (Nazarian). School Lunch Program Applications. Health Care Notice.**  
**Chapter 440, Statutes of 2013**

This measure requires information on Covered California's health care coverage and the continued availability of Medi-Cal options to be included on the National School Lunch Program notifications that school districts may provide to students, as specified, effective on January 1, 2014.

**AB 1180 (Pan). Health Care Coverage. Federally Eligible Defined Individuals. Conversion or Continuation of Coverage.**

**Chapter 441, Statutes of 2013**

This measure updates California law implementing the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) and other individual coverage rights related to losing group coverage to conform to ACA. The bill also requires health plans and health insurers to notify specified individuals about the availability of guaranteed issue coverage through Covered California.

**AB 1428 (Conway). California Health Benefit Exchange. Employees and Contractors.**

**Chapter 561, Statutes of 2013 (Urgency)**

This measure revises provisions adopted with SB 509 (DeSaulnier, Chapter 10, Statutes of 2013), that require California Health Benefit Exchange (Covered California) to fingerprint employees and contractors who facilitate enrollment in the exchange and have access to the financial or medical information of enrollees or potential enrollees of the exchange for the purpose of obtaining criminal history information by inserting a reference to Minimum Risk Standards for Exchanges, a specific federal document relating to health exchange privacy security.

**ABx1 1 (Pérez, J.). Medi-Cal. Eligibility.**

**Chapter 3, Statutes of 2013, First Extraordinary Session**

This measure, together with companion measure SBx1 1 (Hernandez, E., Chapter 4, Statutes of 2013 First Extraordinary Session), makes statutory changes to implement the federal Patient Protection and ACA as amended by the Health Care and Education Reconciliation Act of 2010. Specifically, this measure makes statutory changes necessary to implement the coverage expansion, eligibility, simplified enrollment benefits, and retention provisions of ACA and contains the provisions of ACA relating to Medi-Cal benefits. Among other things, this measure expands Medi-Cal coverage, effective Jan. 1, 2014, to adults who are under age 65, not pregnant, and not otherwise currently eligible for Medi-Cal coverage and meet specified income requirements.

**ABx1 2 (Pan). Health Care Coverage.**

**Chapter 1, Statutes of 2013 First Extraordinary Session**

This measure, together with SBx1 2 (Hernandez, E., Chapter 2, Statutes of 2013 First Extraordinary Session), makes statutory changes to implement ACA. Specifically, this measure establishes health insurance market reforms contained in ACA including, among other things, prohibiting insurers from denying coverage based on preexisting conditions and conforming the small employer health insurance laws resulting from final federal regulations.

**SB 28 (Hernandez, E.). California Health Benefit Exchange.**

**Chapter 442, Statutes of 2013**

This measure furthers implementation of the state's expansion of Medi-Cal, authorized and required by ACA, by giving the Department of Health Care Services (DHCS)

greater flexibility in issuing all-county letters until regulations are adopted, and updating the budgeting methodology for Medi-Cal county administrative costs.

**SB 138 (Hernandez, E.). Confidentiality of Medical Information.**

**Chapter 444, Statutes of 2013**

This measure requires health care service plans and health insurers to take specified steps to protect the confidentiality of an insured individual's medical information for purposes of sensitive services or if disclosure will endanger an individual, as specified.

**SB 161 (Hernandez, E.). Stop-loss Insurance Coverage.**

**Chapter 443, Statutes of 2013**

This measure establishes new regulatory requirements for stop-loss insurance sold to small employers but allows stop-loss insurance issued prior to September 1, 2013, to be renewed or reissued by the same or different insurer under the same terms and conditions, without meeting the new requirements.

**SB 249 (Leno). Public Health. Health Records. Confidentiality.**

**Chapter 445, Statutes of 2013**

This measure authorizes the Department of Public Health and qualified entities to share health records involving the diagnosis, care, and treatment of human immunodeficiency virus (HIV) or acquired immunodeficiency syndrome (AIDS) related to a beneficiary's enrollment in federal Ryan White Act funded programs to coordinate care and enrollment as beneficiaries transition to new health coverage programs.

**SB 332 (Emmerson). California Health Benefit Exchange. Records.**

**Chapter 446, Statutes of 2013 (Urgency)**

This measure makes Covered California's contracts and rates of payment to vendors and contractors, and other board and staff work open to public inspection under the PRA, except for health plan contracts and their rates, which are made public in three and four years respectively.

**SB 353 (Lieu). Health Coverage. Language Assistance.**

**Chapter 447, Statutes of 2013**

This measure requires health plans and health insurers that provide essential health benefits to translate specified coverage documents in the same language they use to market or advertise to an individual or small employer, if that language is not already required to be translated under existing law.

**SB 509 (DeSaulnier). California Health Benefit Exchange. Background Checks.**

**Chapter 10, Statutes of 2013 (Urgency)**

This measure requires the executive board of the California Health Benefit Exchange (Covered California) to require background checks including the use of fingerprint images to obtain criminal history and related information for all employees, prospective employees, contractors, subcontractors, volunteers, or vendors whose duties include access to confidential information, personal identifying information, personal health information, federal tax information, and financial information.

**SB 639 (Hernandez, E.). Health Care Coverage.****Chapter 316, Statutes of 2013**

This measure codifies provisions of ACA relating to out-of-pocket maximums on cost-sharing, health plan and insurer actuarial value coverage levels and catastrophic coverage requirements, and requirements on health insurers for coverage of out-of-network emergency services. This bill applies out-of-pocket limits to specialized products that offer essential health benefits and permits carriers in the small group market to establish an index rate no more frequently than each calendar quarter.

**SB 800 (Lara). Health Coverage Programs. Transition.****Chapter 448, Statutes of 2013**

This measure requires the DHCS to provide Covered California with information about parents or caretakers of children enrolled in the Healthy Families program (HFP) or the targeted low-income Medi-Cal program in order to conduct outreach to potentially eligible individuals. Transfers specified employees of the Managed Risk Medical Insurance Board (MRMIB) to Covered California and DHCS, as specified.

**SBx1 1 (Hernandez, E.). Medi-Cal. Eligibility.****Chapter 4, Statutes of 2013 First Extraordinary Session**

This measure, together with companion measure ABx1 1 (Pérez, J., Chapter 3, Statutes of 2013 First Extraordinary Session), makes statutory changes to implement ACA. Specifically, this measure establishes the existing Medi-Cal benefit as the benefit package to be provided to the expanded population eligible under ACA and expands the Medi-Cal benefit package for the existing population and newly eligible under ACA to include mental health services and substance abuse disorder services. This measure also provides that if the Federal Medical Assistance Percentages (FMAP) payable to the state under ACA for the expansion of Medi-Cal benefits to adults is reduced to 70 percent or less prior to Jan. 1, 2018, the implementation of the optional expansion of Medi-Cal benefits to adults may cease 12 months after the effective date of the federal law or other action reducing the FMAP.

**SBx1 2 (Hernandez, E.). Health Care Coverage.****Chapter 2, Statutes of 2013 First Extraordinary Session**

This measure, together with companion measure ABx1 2 (Pan, Chapter 1, Statutes of 2013 First Extraordinary Session), makes statutory changes to implement ACA. Specifically, this measure applies the individual insurance market reforms of ACA to the health care service plans regulated by the Department of Managed Health Care and updates the small group market laws for health plans to be consistent with final federal regulations.

**SBx1 3 (Hernandez, E.). Health Care Coverage. Bridge Plan.**  
**Chapter 5, Statutes of 2013 First Extraordinary Session**

This measure requires Covered California to make a bridge health plan available to specified individuals, as a qualified health plan under the requirements of ACA. The bridge plan is intended to promote continuity of coverage between Medi-Cal or the HFP and Covered California, allowing individuals transitioning from Medi-Cal or HFP coverage to Covered California to stay with the same issuer and provider network, and for family members to be covered by a single issuer with the same provider network.

***G. Workforce Investment Boards***

**SB 118 (Lieu). Unemployment Insurance. Education and Workforce Investment Systems.**

**Chapter 562, Statutes of 2013**

This measure requires the California Workforce Investment Board (CWIB) to incorporate principles into the state's strategic plan that align the education and workforce investment systems to promote a well-educated and highly skilled workforce to meet the workforce needs.

**SJR 10 (Lieu). Workforce Investment Act of 1998. Reauthorization by the United States Congress.**

**Resolutions Chapter 121, Statutes of 2013**

This resolution urges the U.S. Congress to reauthorize the federal WIA and to include specified policies and strategies in support of WIA.

## IV. Environmental Quality

### A. Air Resources Board and Climate Change

**\*AB 691 (Muratsuchi). State Lands. Granted Trust Lands. Sea Level Rise.  
Chapter 592, Statutes of 2013**

This measure requires a local trustee of granted public trust lands whose annual gross public trust revenues exceed \$250,000 to prepare and submit to the State Lands Commission (SLC) an assessment of how it proposes to address sea level rise on its trusted lands. The assessment shall be funded by the local trustee.

**\*SB 359 (Corbett). Vehicles. Retirement and Replacement.  
Chapter 415, Statutes of 2013**

This measure authorizes the transfer of \$40 million from the Vehicle Inspection and Repair Fund (smog check certificate fees) to the Air Quality Improvement Fund for the new zero-emission and hybrid vehicle and bus rebates, and appropriates \$8 million to the Bureau of Automotive Repair (BAR) for the Enhanced Fleet Modernization Program. Local governments are eligible to receive these grants.

**SB 726 (Lara). California Global Warming Solutions Act of 2006. Western Climate Initiative, Incorporated.**

**Chapter 420, Statutes of 2013**

This measure imposes specified conditions on the participation of the California board members of the Western Climate Initiative, Incorporated (WCI, Inc.). This bill requires WCI, Inc.'s California board members to participate on the board so long as WCI, Inc. maintains: an open meetings policy consistent with the Bagley-Keene Open Meeting Act; a public records policy consistent with the PRA; bylaws that limit its activities to the technical and operational support of the greenhouse gas emissions reduction programs of California and other jurisdictions, and do not allow WCI, Inc. to have policymaking authority.

### B. California Environmental Quality Act (CEQA)

**AB 417 (Frazier). Environmental Quality. California Environmental Quality Act (CEQA). Bicycle Transportation Plan.**

**Chapter 613, Statutes of 2013**

This measure establishes a CEQA exemption, until January 1, 2018, for a bicycle transportation plan for an urbanized area for restriping of streets and highways, bicycle parking and storage, signal timing, and related signage.

**\*SB 743 (Steinberg). Environmental Quality: Transit-Oriented Infill Projects, Judicial Review Streamlining for Environmental Leadership Development Projects, and Entertainment and Sports Center in the City of Sacramento. Chapter 386, Statutes of 2013**

This measure represents the Legislature's effort at reforming CEQA. While this measure contains proposals specific to the Arena that is to be built in Sacramento, it also contains statewide provisions affecting CEQA.

- Sacramento Arena Specific Provisions: This bill authorizes the city of Sacramento to use eminent domain prior to the completion of the Environmental Impact Report (EIR) for the Arena, requires Judicial Council to adopt a rule that requires the courts to resolve actions or proceedings challenging the EIR or the project approval within 270 days of certification of the record of proceedings, and requires the preparation of a concurrent record of proceeding available to the public in electronic format. The bill prohibits the court from staying or enjoining the construction or operation of the Arena unless there is an imminent threat to the public health and safety or the Arena site contains unforeseen important Native American artifacts or unforeseen important archaeological, historical or ecological values that would be materially, permanently and adversely affected by the construction and operation of the arena. If one of the two conditions above are satisfied, then the court may only enjoin those specific activities associated with the imminent threat or the unforeseen important artifacts.
- Jobs and Economic Improvement Through Leadership: This measure revises the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 to apply only to those projects designated by the Governor as an "environmental leadership project" prior to January 1, 2016. It directs the Judicial Council to adopt a rule that requires actions or proceedings seeking judicial review of a public agency's action in certifying the environmental impact report (EIR) for an "environmental leadership project" to be resolved within 270 days of the certification of the record of proceedings instead of proceeding directly to the Court of Appeal in order to expedite judicial review. The bill also defines "prevailing wages" to mean that all construction workers employed in the execution of the project will receive at least the general prevailing rate of per diem wages for the type of work and geographic area as determined by the director of the Department of Industrial Relations (DIR) and the project applicant is required to include this requirement in all contracts for the performance of the work. This measure also repeals the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 on January 1, 2017.
- Other CEQA Changes: Additional statewide changes to CEQA include the requirement for the Governor's Office of Planning and Research (OPR) to develop a revision to the CEQA guidelines establishing criteria for determining the significance of transportation impacts of projects within transit priority areas. OPR is required to circulate a draft on or before July 1, 2014. Upon certification of the guidelines, automobile delay described solely by level of service (LOS) or similar measures of vehicle capacity or traffic congestion shall not be considered

a significant impact on the environment within transit priority areas. The adequacy of parking for a project shall not support a finding of significance within a transit priority area after certification of the guidelines. This change does not preclude the application of local general plan policies, zoning codes, conditions of approval, thresholds or any other planning requirements pursuant to police power or any other authority. OPR is also authorized to establish alternative metrics for traffic LOS outside transit priority areas including the retention of LOS, where appropriate and as determined by OPR. Aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment, but this doesn't affect the ability of a lead agency to consider aesthetics pursuant to local design review ordinances or other discretionary powers provided under the law. Finally, unless "new information" or "changed circumstances" require additional environmental review, SB 743 provides an exemption from CEQA for a residential, employment center, mixed-use development if the project is within a transit priority area, the project is undertaken to implement and is consistent with the specific plan for which an EIR has been certified, and the project is consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy (SCS) or alternative planning strategy (APS) for which the State Air Resources Board (ARB) has accepted a metropolitan planning organization's determination that the SCS or APS would, if implemented, achieve the greenhouse gas emissions reduction targets. See appendix A for a full summary of the measure and other related resources.

**SB 788 (Transportation and Housing Committee). Transportation.  
Chapter 523, Statutes of 2013**

This measure makes non-controversial changes to section of law relating to transportation. Of interest to cities, the measure defines the term "highway" for the purposes of establishing whether or not increased transit service qualifies for an exemption pursuant to CEQA; updates descriptions of various highways to reflect relinquishments of those highways to local agencies; and, aligns the definition of Class I bikeway with the federal criteria.

### ***C. Energy***

**AB 8 (Perea). Alternative Fuel and Vehicle Technologies. Funding Programs.  
Chapter 401, Statutes of 2013 (Urgency)**

This measure extends from FY 2015 - 2016 to 2024 various temporary, vehicle-related, state and local fees and surcharges to fund vehicle-related air quality, greenhouse gas (GHG) and related programs administered by the California Energy Commission (CEC), the ARB, local air districts and the BAR. The measure extends all registration and license fees at current levels, as well as the existing retail fee on each new tire to address tire-related environmental impacts. It also preempts ARB's authority to require publicly available hydrogen-fueling stations through regulation and instead requires

CEC to fund the development of up to 100 such hydrogen stations from vehicle registration fee revenues in the amount of up to \$220 million over the next 11-plus years.

**AB 66 (Muratsuchi). Electricity. System Reliability.**  
**Chapter 578, Statutes of 2013**

This measure requires the Public Utilities Commission (PUC) to require an electrical corporation to include geographical information on the frequency and duration of electrical service interruptions in their annual reliability reports. It also requires the reports to be posted on the electrical corporation's website.

**AB 217 (Bradford). Electricity. Solar Electricity. Low-income Households.**  
**Chapter 609, Statutes of 2013**

This measure creates a new program, which sunsets on December 31, 2021, to make up to 50 megawatts of rebates available to single-family and multi-family affordable housing. This measure funds the program up to \$108 million collected from customers of investor-owned utilities.

**AB 270 (Bradford). Public Utilities. Ratepayer-Funded Energy Efficiency Assistance.**  
**Chapter 610, Statutes of 2013**

This measure requires the PUC to require electrical and gas corporations to cooperate in establishing a public website featuring specified information regarding ratepayer-funded energy efficiency programs. These websites must be live by June 1, 2014. It also requires that PUC include, in its annual report to the Governor and the Legislature information on its effort to identify ratepayer-funded energy efficiency programs that are similar to programs administered by other state agencies and to require revisions to ratepayer-funded energy efficiency programs to ensure that those programs complement and do not duplicate the programs of other state agencies.

**AB 327 (Perea). Electricity. Natural Gas. Rates. Net Energy Metering. California Renewables Portfolio.**  
**Chapter 611, Statutes of 2013**

This measure requires PUC, when it approves changes to electric service rates charged to residential customers, to determine that the changes are reasonable, including that the changes are necessary in order to ensure that the rates paid by residential customers are fair, equitable, and reflect the costs to serve those customers. It also recasts and revises limitations on electric and natural gas service rates of residential customers, including the rate increase limitations applicable to electric service provided to California Alternate Rates for Energy customers. It revises the current net energy metering statute to specify the maximum program capacity for customers in investor owned utilities service areas, requires the PUC to develop a new net energy metering program by July 2015 and establish a transition to the new net energy metering program by 2017. The new net energy metering program will be based on electrical system costs and benefits to nonparticipating ratepayers and remove both the total system capacity cap and the one Megawatt project size limit. Existing net energy

metering customers will be transitioned for a length of time to be determined by the PUC by March 2014. This measure empowers PUC with authority to require investor owned utilities to procure renewable energy generation above that which is required in the 33 percent Renewable Portfolio Standard. It authorizes the PUC to approve fixed monthly charges no greater than \$10 for residential customers and \$5 for low-income customers beginning in 2015 and may allow a cost of living adjustment beginning in 2016.

**AB 415 (Garcia). Solar Energy. Water Heating.**

**Chapter 612, Statutes of 2013**

This measure requires solar water heating systems or solar collectors to be certified by accredited listing agencies in accordance with standards adopted by PUC. It also specifies that PUC may adopt consensus solar standards applicable to products or systems as developed by accredited standards developers.

**AB 628 (Gorell). Energy Management Plans for Harbor and Port Districts.**

**Chapter 741, Statutes of 2013**

This measure creates a framework for the development of energy management plans between specified port and harbor districts, investor-owned utilities, publicly-owned utilities, and community choice aggregators established on or before July 1, 2013.

**AB 650 (Nazarian). State Government. General Services. Natural Gas Services Program.**

**Chapter 615, Statutes of 2013**

This measure requires the Department of General Services (DGS) to operate the Natural Gas Services Program to consolidate and address the needs of multiple state agencies for the procurement of natural gas and related services. It also allows DGS to provide these services to other public agencies, including cities, by way of interagency agreements.

**\*AB 719 (Hernández, R.). Energy. Energy Efficiency. Street Light Pole.**

**Chapter 616, Statutes of 2013**

This measure requires PUC, on or before March 1, 2014, to order investor-owned utilities to submit a tariff change that a local government may use to fund energy efficiency improvements in street light poles owned by the utility in order to reduce energy bills, but with no cost shifts to nonparticipating ratepayers.

**AB 796 (Muratsuchi). Advanced Electrical Distributed Generation Technology.**

**Chapter 617, Statutes of 2013 (Urgency)**

This measure extends eligibility for cogeneration natural gas rates to fuel cells that are operational before January 1, 2016.

**AB 1060 (Fox). Energy Resources Conservation and Development Commission. Chapter 621, Statutes of 2013**

This measure re-appropriates (\$3,658,848) the remaining funding in the Budget Act of 2012 from the Renewable Resource Trust Fund for planning grants for renewable energy projects available to counties in the Desert Renewable Energy Conservation Plan Act.

**AB 1257 (Bocanegra). Energy. State Energy Resources Conservation and Development Commission. Natural Gas. Chapter 749, Statutes 2013**

This measure requires the CEC, beginning November 1, 2015, and every four years thereafter, concurrent with the preparation of the integrated energy policy report, to identify strategies to maximize the benefits obtained from natural gas as an energy source.

**AB 1274 (Bradford). Privacy. Customer Electrical or Natural Gas Usage Data. Chapter 597, Statutes of 2013**

This measure prohibits a business from sharing, disclosing, or otherwise making accessible to any third party a customer's electrical or natural gas usage data without obtaining the express consent of the customer and conspicuously disclosing to whom the disclosure will be made and how the data will be used.

**AJR 21 (Olsen). Renewable Fuel Standard Program. Reform. Resolutions Chapter 155, Statutes of 2013**

This resolution urges Congress to reform the Renewable Fuel Standard (RFS) program, or the U.S. Environmental Protection Agency (U.S. EPA) to use all available authority, to expeditiously transition away from biofuel sources that compete with food production, as well as implement aggressive mechanisms to promote the development of advanced, sustainable non-crop-based fuels, including, but not limited to, cellulosic ethanol.

**SB 4 (Pavley). Oil and Gas. Well Stimulation. Chapter 313, Statutes of 2013**

This measure establishes a comprehensive regulatory program for oil and gas well stimulation treatments (e.g., hydraulic fracturing, acid well stimulation) which includes, among other things, requiring the Secretary of the Natural Resources Agency to conduct an independent scientific study; developing regulations, creating a permitting process; and providing extensive public notification and disclosure.

**\*SB 43 (Wolk). Electricity. Green Tariff Shared Renewables Program. Chapter 413, Statutes of 2013**

This measure creates the Green Tariff Shared Renewables Program, which sunsets on January 1, 2019, to allow investor-owned utilities to administer a program that allows utility customers, including local governments, to voluntarily purchase electricity from renewable energy facilities.

**SB 291 (Hill). Public Utilities Commission. Safety Enforcement. Gas and Electrical Corporations.****Chapter 601, Statutes of 2013**

This measure requires PUC to develop and implement a safety enforcement program for gas and electrical corporations.

**SB 591 (Cannella). Renewable Energy Resources. Local Publicly Owned Electric Utility. Hydroelectric Generation Facility.****Chapter 520, Statutes of 2013**

This measure limits the Merced Irrigation Districts Renewables Portfolio Standard (RPS) obligation to the electricity demands that are unsatisfied by the New Exchequer Dam.

**SB 656 (Wright). Electrical Restructuring. Natural Gas Restructuring. Information Practices.****Chapter 604, Statutes of 2013**

This measure requires PUC to provide information only during certain periods when enrollment in the Direct Access program grows by 5 percent each month and establishes a regulatory framework for core transport agents. It also extends various consumer protection provisions currently established for electric service providers customers to customers of core transport agents.

***D. Hazardous Waste*****AB 324 (Bloom). Glass Beads. Lead and Arsenic.****Chapter 230, Statutes of 2013**

This measure extends the sunset date from January 1, 2015, to January 1, 2020 for the prohibition on the manufacture or sale of glass beads containing hazardous heavy metals if the beads will be used with blasting equipment and makes technical changes so this program is consistent with other enforcement programs. It also requires the Department of Toxic Substances Control to prepare, no later than January 1, 2019, an evaluation of existing research and data to determine if the standard of 75 parts per million (ppm) or more of arsenic or 100 ppm or more of lead is an appropriate standard for the use, and to submit its findings to the Legislature.

**SB 483 (Jackson). Hazardous Material. Business and Area Plans.****Chapter 419, Statutes of 2013**

This measure revises and recasts the area and business plan requirements in existing law, which authorizes a unified program agency (UPA) to implement and enforce specified provisions. The measure requires the inspection program that is part of the unified program to include onsite inspections of businesses. Additionally, this measure requires a business owner, operator, or officially designated representative to annually review and certify that the information in the statewide information database has been verified and is complete, accurate, and up to date.

## ***E. Solid Waste***

### **AB 221 (Quirk-Silva). Recycled Concrete.**

#### **Chapter 154, Statutes of 2013**

This measure updates legislative findings and declarations to state the benefits of recycling concrete and updates the definition of recycled concrete to include mix designs or aggregate gradations of reclaimed concrete material that are in accordance with the specifications of the California Building Code and the California Green Building Standards Code.

### **\*AB 513 (Frazier). Tire Recycling Program. Rubberized Asphalt.**

#### **Chapter 499, Statutes of 2013**

This measure creates the Rubberized Asphalt Concrete Market Development Act, which requires the California Department of Resources Recycling and Recovery (CalRecycle), in accordance with its tire recycling program, to award grants to cities, counties, and other local government agencies for public works projects that utilize rubberized asphalt concrete. It also requires CalRecycle to award grants to state and local government agencies for disability access projects and Class I bikeways that utilize rubberized asphalt concrete at state and local parks and will sunset on June 30, 2019.

### **AB 1126 (Gordon). Solid Waste. Engineered Municipal Solid Waste (EMSW) Conversion.**

#### **Chapter 411, Statutes of 2013**

This measure defines the terms “engineered municipal solid waste conversion” and “engineered municipal solid waste conversion facility,” and makes conforming changes to existing definitions with regard to those operations and facilities. It also excludes EMSW conversion from the definition of transformation, and allows a transformation facility that meets specified requirements relating to EMSW conversion to elect to be considered an EMSW facility for purposes of the act, except as provided.

## ***F. State Parks and Recreation***

### **SJR 5 (Berryhill). Yosemite National Park. Boundary Adjustment.**

#### **Resolutions Chapter 57, Statutes of 2013**

This resolution declares the Legislature's support for adjusting the boundary of Yosemite National Park to include an additional 1,575 acres adjacent to the southwest boundary of the park, and urges the U.S. Congress to approve the adjustment.

**AB 150 (Olsen). State Parks. Armed Services. Fee Waiver.**  
**Chapter 688, Statutes of 2013**

This measure authorizes the Department of Parks and Recreation (DPR) to offer veterans and active duty or reserve military personnel of the U.S. Armed Forces or the National Guard, free day use access, or reduced fee access, to California state parks on Memorial Day and Veterans Day.

**AB 594 (Water, Parks and Wildlife Committee). State Parks. Operating Agreements. Park Closures.**

**Chapter 407, Statutes of 2013 (Urgency)**

This measure makes a number of clarifying and technical changes to update statutes related to state parks, including clarifying that the two-year moratorium on park closures enacted in 2012 does not affect DPR's authority to enter into operating agreements with state park partners; requiring DPR to explore various alternatives before proposing future park closures; and requiring DPR to follow a public, documented process, including a hearing before the State Park and Recreation Commission, in the event any parks are proposed for closure in the future.

**AB 757 (Hernández, R.). Department of Parks and Recreation. Payroll Review Report.**

**Chapter 297, Statutes of 2013**

This measure requires DPR to report to the Legislature by July 31, 2014 on its implementation of recommendations contained in the State Controller's Payroll Review Report of DPR dated December 18, 2012.

**AB 1398 (National Resources Committee). Solid Waste. Recycling. Enforcement Agencies.**

**Chapter 509, Statutes of 2013**

This measure is the Assembly Natural Resources Committee omnibus bill to update and clarify provisions of the Integrated Waste Management Act.

**\*SB 254 (Hancock). Solid Waste. Used Mattresses. Recycling and Recovery.**

**Chapter 388, Statutes of 2013**

This measure establishes the Used Mattress Recovery and Recycling Act, which requires mattress manufacturers and retailers to develop a mattress stewardship program to increase the recovery and recycling of used mattresses. The used mattress stewardship program will be funded by a "mattress recycling charge," that will be added to the purchase price. It provides for a mechanism to recover illegally disposed mattresses at no cost to local governments.

## **G. Water**

### **AB 72 (Holden). Municipal Water District. Board of Directors.**

#### **Chapter 8, Statutes of 2013**

This measure requires that a director of a municipal water district, once elected into office, take office at noon on the first Friday in December following the election.

### **AB 240 (Rendon). Mutual Water Companies.**

#### **Chapter 633, Statutes of 2013**

This measure increases transparency requirements for those mutual water companies that operate a public water system, as defined, by enacting the Mutual Water Company Open Meeting Act. It also allows mutual water companies to impose liens to collect unpaid charges.

### **AB 426 (Salas). Water. Water Transfers. Water Right Decrees.**

#### **Chapter 634, Statutes of 2013**

This measure allows a holder of a pre-1981 water right decreed through a statutory adjudication to voluntarily use an alternative method for seeking a water rights transfer. It also eliminates the requirement to issue a court decree for water rights transfers after January 1, 1981 and instead allows the water rights holder to seek a change through the State Water Resources Control Board.

### **AB 727 (Stone). Public Trust Lands. Dredging. Notice and Leases.**

#### **Chapter 104, Statutes of 2013**

This measure requires, for maintenance dredging on granted public trust lands, a local trustee of public trust lands to notify SLC in writing, no later than 120 days prior to the time dredging is commenced, rather than submit a lease application and processing fee. The notice shall include, among other things, a description of the dredging; a map; a description of the amount of material to be dredged; and the time and manner of dredging. It also requires that any revenue earned by a local trustee from the dredging of granted lands be held or spent in a manner consistent with the trustee's existing obligations under the Public Trust Doctrine and the specific terms of its grant of lands.

### **AB 763 (Buchanan). Aquatic Invasive Plants. Control and Eradication.**

#### **Chapter 330, Statutes of 2013**

This measure designates the Division of Boating and Waterways of DPR as the lead agency of the state for control of invasive aquatic plants in the Sacramento-San Joaquin Delta.

### **\*AB 803 (Gomez). Water Recycling Act 2013.**

#### **Chapter 635, Statutes of 2013**

This measure removes some barriers to greater use of recycled water by making spill reporting standards for recycled water uniform; authorizes hose bibs for recycled water in cemeteries, under specified conditions; and, clarifies that advanced treated purified water can be regulated for purity at the point it leaves a wastewater treatment facility

and before it comingles with other waters in a conveyance facility if the owner or operator of that conveyance facility consents.

**AB 1259 (Olsen). Sacramento-San Joaquin Valley.**  
**Chapter 246, Statutes of 2013**

This measure enacts conforming changes as a follow-up to SB 1278 (Wolk, Chapter 553, Statutes of 2012) and AB 1965 (Pan, Chapter 554, Statutes of 2012), which revised the flood hazard planning and development requirements for cities and counties located in the Sacramento-San Joaquin Valley (Central Valley). This measure also contains a finding that property in an undetermined risk area has met the urban level of flood protection based on substantial evidence in the record.

**SB 171 (Hueso). Drainage. Coachella Valley County Water District.**  
**Chapter 119, Statutes of 2013**

This measure authorizes the Coachella Valley County Water District to impose a fee in compliance with Prop. 218 to pay the costs and expenses of carrying out projects and providing services authorized under existing law.

**SB 322 (Hueso). Water Recycling.**  
**Chapter 637, Statutes of 2013**

This measure requires the Department of Public Health (DPH) in consultation with the State Water Resources Control Board (SWRCB), to investigate the feasibility of developing uniform water recycling criteria for direct potable reuse. It also requires DPH to provide a final report on the investigation to the Legislature no later than December 31, 2016. Additionally, this measure requires DPH to complete the public review draft of its report by September 1, 2016.

**SB 429 (Hernandez, E.). San Gabriel Basin Water Quality Authority Act.**  
**Chapter 214, Statutes of 2013**

This measure extends the sunset date of the San Gabriel Basin Water Quality Authority from July 1, 2017 to July 1, 2030.

**SB 620 (Wright). Water Replenishment Districts.**  
**Chapter 638, Statutes of 2013**

This measure amends several existing state laws governing water replenishment districts' annual budget reserves and the penalties a district can impose on water-producing facility operators. It also requires a water replenishment district to establish a budget advisory committee for purposes of reviewing a replenishment assessment, if any is proposed, and a district's annual operating budget, including reserve funds maintained by the district.

**SB 753 (Steinberg). Central Valley Flood Protection Board.**  
**Chapter 639, Statutes of 2013**

This measure provides the Central Valley Flood Protection Board with several new and clarified authorities to address unauthorized and unforthcoming structures built in or on

levees or other areas of the flood control system which are under the jurisdiction of the Board.

**SB 763 (Fuller). State Water Resources Control Board. Underground Storage Tanks.**

**Chapter 640, Statutes of 2013**

This measure makes a number of changes to the Replacing, Removing, and Upgrading Tanks Program. Most notably, this measure extends the sunset date from January 1, 2016, to January 1, 2022, for the Replacing, Removing, and Upgrading Tanks Program; sets the interest rate for Replacing, Removing, and Upgrading Tanks Program loans at one-half of the most recent General Obligation Bond rate obtained by the Office of the State Treasurer at the time of the loan commitment; and transfers \$8 million from the Underground Storage Tank Cleanup Fund to the Petroleum Underground Storage Tank Financing Account to finance Replacing, Removing, and Upgrading Tanks Program loans and grants.

***H. Water Quality***

**\*AB 21 (Alejo). Safe Drinking Water Small Community Emergency Grant Fund.**  
**Chapter 628, Statutes of 2013**

This measure creates the Safe Drinking Water Small Community Emergency Grant Fund and authorizes DPH to assess an annual charge to be deposited in this fund in lieu of interest that would otherwise be charged on Safe Drinking Water State Revolving Fund loans. It also authorizes money in the grant fund for emergency drinking water projects that meet the requirements stated in the Emergency Clean Water Grant Fund provisions that serve disadvantaged and severely disadvantaged communities.

**\*AB 30 (Perea). Water Quality.**  
**Chapter 629, Statutes of 2013**

This measure removes the sunset date for the Small Community Grant Fund, which provides grants to small communities for the construction of wastewater collection, treatment, or disposal projects. It also eliminates the current \$50 million limitation on the total revenue that can be allocated to the Small Community Grant Fund. Additionally, this measure requires that funds in the Small Community Grant Fund be spent within four years of the time the funds are encumbered.

**\*AB 115 (Perea). Safe Drinking Water State Revolving Fund.**  
**Chapter 630, Statutes of 2013**

This measure authorizes a legal entity, as defined, to apply for grant funding on behalf of one or more public water systems serving disadvantaged or severely disadvantaged communities if specified requirements are met, including having a signed agreement with each public water system for which it is applying for funding.

**\*AB 118 (Environmental Quality and Toxic Materials Committee). Safe Drinking Water State Revolving Fund.**

**Chapter 631, Statutes of 2013**

This measure authorizes drinking water systems serving a severely disadvantaged community to be eligible for a grant instead of a loan from the State Drinking Water State Revolving Fund and allows loans from the State Drinking Water Revolving Fund to cover the full cost of a project, instead of the current limit of \$20 million per project.

**AB 119 (Environmental Safety and Toxic Materials Committee). Water Treatment Devices.**

**Chapter 403, Statutes of 2013**

This measure repeals the existing requirements for DPH to certify all water treatment devices that make health related performance claims and instead requires DPH to approve that the device has been certified by an independent certification organization, after December 31, 2013, that has been accredited by the American National Standards Institute to verify the health or safety claim.

**AB 120 (Environmental Safety and Toxic Materials Committee). Underground Storage Tanks. Schools.**

**Chapter 632, Statutes 2013**

This measure allows school districts to apply for reimbursement from the School Districts Account within the Underground Storage Tank Clean-up Fund without meeting the underground storage tank permit requirements.

**AB 850 (Nazarian). Public Capital Facilities. Water Quality.**

**Chapter 636, Statutes of 2013**

This measure authorizes specified joint powers authorities, upon the application of a local agency that owns and operates a publicly owned utility to issue rate reduction bonds to finance a utility project under specified circumstances. This measure sunsets the authority to issue rate reduction bonds pursuant to these provisions after December 31, 2020. It authorizes the authority to impose on, and collect from, customers of the publicly owned utility a utility project charge, as a separate nonbypassable charge, to finance the rate reduction bond. This measure requires the California Pollution Control Financing Authority to review each issue of rate reduction bonds for financing costs of a utility project and to determine whether the issue is qualified for issuance, as prescribed. It also requires the California Pollution Control Financing Authority to submit a report of its activities for the preceding calendar year to the Legislature no later than March 31 of each year.

**SB 14 (Gaines, T.). Bear Lake Reservoir. Recreational Use.**

**Chapter 172, Statutes of 2013 (Urgency)**

This measure allows recreational activity in which there is bodily contact with water by any participant in the Bear Lake Reservoir under specified monitoring conditions, until January 1, 2017, even though the reservoir is used for drinking water by the Lake Alpine Water Company.

## *I. Other*

### **AB 71 (Pérez, V.M.). Salton Sea Restoration.**

#### **Chapter 402, Statutes of 2013**

This measure requires the Secretary of the Natural Resources Agency, in consultation and coordination with the Salton Sea Authority, to lead Salton Sea restoration efforts. It authorizes the authority to lead a restoration funding and feasibility study, in consultation with the agency, as prescribed. The measure also requires the secretary to seek input from the authority with regard to specified components of restoration of the Salton Sea. It imposes a state-mandated local program by imposing duties on a local joint powers authority.

### **AB 227 (Gatto). Proposition 65. Enforcement.**

#### **Chapter 581, Statutes of 2013 (Urgency)**

This measure requires a person filing an enforcement action in the public interest for certain specified exposures to provide a notice in a specified proof of compliance form. The measure also specifies that the alleged violator may correct the violation, pay the civil penalty, and serve a correction notice on the person who served notice of the violation only one time for a violation arising from the same exposure in the same facility or on the same premises. It also requires the Judicial Council, on April 1, 2019, and at each five-year interval thereafter, to adjust that civil penalty, as specified.

### **AB 304 (Williams). Pesticides. Toxic Air Contaminants. Control Measures.**

#### **Chapter 584, Statutes of 2013**

This measure establishes a two-year deadline for the director of the Department of Pesticide Regulation to adopt control measures to protect human health on any pesticide determined by the director to be a toxic air contaminant.

### **AB 754 (Muratsuchi). Income Taxes. Voluntary Contributions. California Beach and Coastal Enhancement Account.**

#### **Chapter 323, Statutes of 2013**

This measure creates a voluntary “tax check-off” that allows individuals to designate on their tax returns, a contribution in excess of their tax liability be made to the California Beach and Coastal Enhancement Account. This measure also requires that funds contributed to the account pursuant to these provisions be allocated to the California Coastal Commission for grants and programs that preserve, protect, or enhance coastal resources and promote coastal and marine educational activities for underserved communities.

## V. Housing, Community and Economic Development

### A. *Building Standards*

#### **AB 56 (Weber). School Facilities. Carbon Monoxide Devices.**

##### **Chapter 475, Statutes of 2013**

This measure requires the State Fire Marshal (SFM) by July 1, 2015 to propose for adoption by California State Building Standards Commission (BSC), for the commissioner's next triennial code adoption cycle, appropriate standards for the installation of carbon monoxide devices in school buildings.

#### **AB 127 (Skinner). Fire Safety. Fire Retardants. Building Insulation.**

##### **Chapter 579, Statutes of 2013**

This measure requires the SFM, in consultation with the Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation, to review flammability standards for building insulation materials, including whether the flammability standards for some insulation materials can only be met with the addition of chemical flame retardants. It requires the SFM, based on the review, to propose for consideration by the BSC updated insulation flammability standards by July 1, 2015.

#### **AB 341 (Dickinson). Green Building Standards.**

##### **Chapter 585, Statutes of 2013**

This measure requires BSC to integrate the existing Green Building Code into the appropriate sections of the California Building Code.

#### **AB 433 (Gordon). Contractors. Fire Protection Systems. Fire Safety. State Fire Marshal.**

##### **Chapter 377, Statutes of 2013**

This measure authorizes licensed plumbing contractors to install residential fire protection systems for single- and two-family homes through January 1, 2017. This represents an expansion of previous law, which limited installation authorization to licensed fire protection contractors. AB 433 is intended to help developers meet the demand for installation services and the requirements of the California Building Standards Code, which since 2011 has directed that all newly built single- and two-family homes have fire protection systems installed.

#### **AB 1092 (Levine). Building Standards. Electric Vehicle Charging Infrastructure.**

##### **Chapter 410, Statutes of 2013**

This measure requires BSC to adopt mandatory standards for the installation of electric vehicle charging infrastructure for parking spaces in multifamily dwellings and nonresidential development in the next triennial edition of the California Building Standards Code.

**ACR 32 (Lowenthal). Building and Safety Month.**  
**Resolutions Chapter 44, Statutes of 2013**

This resolution declares May 2013, Building and Safety Month and encourages all local governments to recognize the provisions in city and county government building and safety codes regulating illegal garage conversions.

**SB 401 (Hueso). Administrative Practices.**  
**Chapter 212, Statutes of 2013**

This measure requires state agencies when adopting any building standards to include in the initial statement of reasons the estimated cost of compliance, the estimated potential benefits, and the assumption used to determine these estimates.

**SB 488 (Hueso). Substandard Housing. Regulations.**  
**Chapter 89, Statutes of 2013**

This measure permits the determination of pest infestations and inadequate garbage storage and removal facilities to be made by a local code enforcement officer, if an agreement for the services of a local health officer does not exist.

***B. Economic Development***

**AB 32 (J.Pérez) Community Development Financial Institution Investments.**  
**Chapter 608, Statutes of 2013**

This measure increases from \$10 to \$50 million the aggregate amount of qualified investments for which a 20% tax credit may be allocated to investors making an equity contribution to a community development financial institution. Investments are targeted toward low and moderate income and rural areas.

**\*AB 93 (Budget Committee). Economic Development. Taxation. Credits, Deductions, Exemptions, and Net Operating Losses.**  
**Chapter 69, Statutes of 2013 (Urgency)**

This measure eliminates the Enterprise Zone (EZ) program and replaces it with the Governor's Economic Development Initiative that includes a sales tax exemption on manufacturing equipment and research and development equipment for biotech businesses, a hiring tax credit, and a California Competes Investment Incentives program. See appendix A for a full summary of the measure and other related resources.

**AB 201 (Holden). Office of Small Business Advocate. Small Business Financial Development.**

**Chapter 529, Statutes of 2013**

This measure requires the office of the Small Business Advocate to maintain a website that includes information on the programs administered through the statewide network of small business financial development corporations.

**AB 250 (Holden). California Innovation Initiatives.****Chapter 530, Statutes of 2013**

This measure codifies and expands the California Innovation Hub (iHub) at Governor's Office of Business and Economic Development (GO-Biz) for the purpose of stimulating economic development and job creation through the coordination of federal, state and local innovation-supporting resources.

**AB 393 (Cooley). Office of Business and Economic Development. Internet Web Sites.****Chapter 124, Statutes of 2013**

This measure requires the GO-Biz to ensure that GO-Biz's website contains information on the fee requirements and fee schedules of state agencies.

**\*AB 440 (Gatto) Hazardous Materials. Releases. Local Agency Cleanup.****Chapter 588, Statutes of 2013**

This measure authorizes cities, counties and housing authorities to use the brownfield remediation tools previously granted to redevelopment agencies under the Polanco Redevelopment Act.

**\*AB 562 (Williams). Economic Development Subsidies. Review by Local Agencies.****Chapter 740, Statutes of 2013**

This measure requires local agencies, as of January 1, 2014, to provide specific information to the public prior to approving any economic development subsidy of \$100,000 or more. It defines "economic development subsidy" as any expenditure of public funds or loss of revenue to a local agency intended to stimulate economic development, including but not limited to loans, loan guarantees, bonds, grants, enterprise zone or empowerment zone incentives, fee waivers, land price subsidies, matching funds, tax abatements, tax exemptions, and tax credits. This provision, however, does not apply to subsidies provided to low and moderate income housing.

AB 562 requires that the public must be provided a description of the subsidy, its start and end dates, a statement of the public purposes of the subsidy, and a projection of the anticipated tax revenue the local agency will receive as a result of the subsidy. This measure further requires both a public hearing to be held and a report on each economic development subsidy to be issued during the term of the subsidy and no later than five years after it is granted. A final public hearing must be held upon the conclusion of each subsidy with a term of 10 years or more.

**\*AB 639 (Pérez, J.). Veterans Housing and Homeless Prevention Bond Act of 2014. Veterans Housing and Homeless Prevention Act of 2014.****Chapter 727, Statutes of 2013 (Urgency)**

This measure authorizes the issuance of \$600 million in general obligation bonds to fund the acquisition, construction, rehabilitation, and preservation of multifamily supportive housing, affordable transitional housing, affordable rental housing, and

related facilities for veterans and their families, if approved by the voters at the June 2014 statewide election.

**AB 952 (Atkins). Low-income Housing Tax Credits.**

**Chapter 771, Statutes of 2013**

This measure makes changes to the Low-income Housing Tax Credit Program by allowing the Tax Credit Allocation Committee to award state tax credits to developments in a Qualified Census Tract or a Difficult to Develop Area if the project is also receiving federal tax credits under certain conditions. The bill also allows the Tax Credit Allocation Committee to replace federal tax credits with state tax credits of up to 30 percent of a project's eligible basis if the federal tax credits are reduced in an equivalent amount.

**AB 1247 (Medina). Business Investments. Small Business Financial Assistance Act of 2013.**

**Chapter 537, Statutes of 2013 (Urgency)**

This measure requires the Small Business Loan Guarantee Program (SBLGP) to maintain a website that includes information on the programs administered through the statewide network of small business financial development corporations.

**SB 12 (Corbett). Consumer Affairs.**

**Chapter 541, Statutes of 2013**

This measure creates the "Made in California Program" within GO-Biz to encourage consumer product awareness and to foster the purchases of products manufactured in California.

**\*SB 31 (Padilla). Outdoor Advertising Displays. Arenas.**

**Chapter 542, Statutes of 2013**

This measure provides an exemption to the Outdoor Advertising Act (OAA) by authorizing arenas to display advertising for products, goods or services sold on premises as well as part of a sponsorship marketing plan, if the arena is on public land and has a capacity of 15,000 or more seats. It requires the local government to adopt an ordinance authorizing the advertising displays on the premise of the arena with specific regulations including the number of signs, maximum individual signage area, minimum sign separation, illumination restrictions, and illuminated sign hours of operation.

**\*SB 90 (Galgiani). Economic Development. Taxation. Credits. Exemption**

**Chapter 70, Statutes of 2013 (Urgency)**

This measure is the cleanup bill to AB 93, which eliminates the Enterprise Zone program. See appendix A for a full summary of the measure and other related resources.

**SB 118 (Lieu). Unemployed insurance. Education and Workforce Investment Systems.****Chapter 562, Statutes of 2013**

This measure requires the CWIB to incorporate principles into the state's strategic plan that align the education and workforce investment systems to promote a well-educated and highly skilled workforce to meet the workforce needs.

**\*SB 470 (Wright) Community Development. Economic Opportunity.****Chapter 659, Statutes of 2013**

This measure provides cities and counties with enhanced flexibility when disposing of publicly-owned property pursuant to a property management plan for economic development purposes, including disposal for "fair reuse value."

**\*SB 684 (Hill). Advertising Displays. Redevelopment Agency Project Areas.****Chapter 544, Statutes of 2013 (Urgency)**

This measure extends the exemption in OAA for advertising displays in redevelopment areas by authorizing the extension of signs upon approval of the local government and Department of Transportation (CalTrans).

**SB 692 (Hancock). Local Government. Community Facilities Districts.****Chapter 219, Statutes of 2013**

This measure amends the Mello-Roos Community Facilities Act in numerous ways including to allow the special tax to pay for the maintenance and operation of any real or other tangible property with an estimated useful life of five years or longer that is owned by the local agency. This bill also adds leases to the list of property interests that a joint powers authority (JPA) can use to finance public capital improvements. This measure also, in connection with the annexation by unanimous approval to a community facilities district (CFD) of a parcel that was included in territory proposed for annexation in the future to the CFD, allows a local government agency to designate a parcel or parcels as an improvement areas within the CFD.

**SB 694 (Correa). Outdoor Advertising. Transit Stations.****Chapter 545, Statutes of 2013**

This measure provides an exemption from the OAA for advertising displays at a publicly owned multimodal transit facility (MTF) that is to serve as a station for the high-speed rail train system and requires revenues from the advertising display to be used to support the construction, operation and maintenance of the MTF.

***C. Group Homes*****AB 346 (Stone). Runaway and Homeless Youth Shelters.****Chapter 485, Statutes of 2013**

This measure establishes "runaway and homeless youth shelters" as a new subcategory of group home under the Community Care Facilities Act requiring licensure by the Department of Social Services (DSS).

**AB 352 (Hall). Foster Care. Smoke-free Environment.****Chapter 292, Statutes of 2013**

This measure requires that all group homes, foster family agencies, small family homes, transitional housing placement providers, and crisis nurseries licensed to provide foster care (i.e. licensed and certified community care facilities) maintain a smoke-free environment, both indoors and on the outdoor grounds of these facilities. This prohibition on smoking extends to persons licensed or certified in connection with any of the above facilities, and specifically prohibits smoking in any motor vehicle regularly used to transport children.

**AB 492 (Quirk). Probation. Nonviolent Drug Offenses.****Chapter 13, Statutes of 2013**

This measure provides that where a defendant is placed on probation under the Substance Abuse and Crime Prevention Act of 2000, the court in the county of conviction shall transfer the case to the county of the defendant's residence, unless the court in the county of conviction determines that the transfer would be inappropriate.

**AB 620 (Buchanan). Health and Care Facilities. Missing Patients and Participants.****Chapter 674, Statutes of 2013**

This measure requires intermediate care facilities, nursing facilities, congregate living facilities, and adult day centers to develop and comply with a patient or resident absentee notification plan to address issues that arise when a resident is missing from one of these facilities

**AB 1108 (Perea). Sex Offenders. Foster Care Homes. Prohibitions.****Chapter 772, Statutes of 2013**

This measure makes it a misdemeanor for any person required to register as a sex offender for an offense against a minor to reside, to work or to volunteer in specified foster homes or facilities.

**SB 347 (Beall). Youth Shelters. Funding.****Chapter 493, Statutes of 2013**

This measure amends the Youth Center and Youth Shelter Bond Act of 1988 to permit a county to re-purpose unexpended bond funds initially awarded for the construction of shelters for abused and neglected children for runaway and homeless youth, exempts counties from repaying bond funds in the case above, and permits counties to use funds awarded to provide grant awards to nonprofit entities for the acquisition, renovation, construction, or purchase of equipment for a youth shelter.

***D. Housing*****\*SB 341 (DeSaulnier). Redevelopment.****Chapter 796, Statutes of 2013**

This measure revises the rules governing the activities and expenditures of housing successor agencies. Specifically, SB 341:

- Allows housing successors that have fulfilled any outstanding housing replacement and production requirements of the development agency to spend up to \$250,000 per year for homeless prevention and rapid rehousing services.
- Allows housing successors to expend available funds for the purpose of monitoring and preserving the long-term affordability of units in its portfolio and for administering its activities, up to annual cap of two percent if its portfolio value or an inflation-adjusted level starting at \$200,000, whichever is greater.
- Funds left after monitoring, administration and homeless prevention services are required to be used so that at least 30 percent is spent on rental housing for extremely-low income households and no more than 20 percent on households earning between 60-80 percent of the area median income.
- If a housing successor does not comply with the extremely low-income housing requirement, the successor must ensure that at least 50 percent of housing expenditures in each subsequent year support housing for this category until it is in compliance.
- If a housing successor exceeds the limit on expenditures for households between 60-80 percent of the area median income, the housing successor may not spend funds for this category until it is in compliance.
- Changes the current housing limitation, allowing no more than 50 percent of the housing financed over a 10-year period to go towards seniors.
- Provides that program income a housing successor receives is not associated with a project area and may be expended outside of a project area without a finding of benefit to a project area.
- Allows housing successors to transfer funds among themselves for the purpose of developing units in transit priority projects, permanent supportive housing, farmworker housing, or special needs housing under specified conditions.
- Requires that a housing successor that has not expended the excess surplus within three year to transfer the surplus to Housing and Community Development (HCD) for the Multifamily Housing Program or the Joe Serna, Jr. Farmworker Housing Grant Program.
- Resets the 10-year clock on the development of properties purchased by the former redevelopment agency and eliminates the time limit on developing newly purchased properties.
- Eliminates the requirement for a housing successor to report annually to the State Controller as well as allows a housing successor to combine its annual independent financial audit with its host jurisdiction.

**SB 612 (Leno). Residential Tenancy. Victims of Human Trafficking and Elder or Dependent Adult Abuse.**

**Chapter 130, Statutes of 2013**

This measure extends tenant protections to victims of human trafficking. It also allows tenants to terminate a lease upon a showing of documentation from qualified third parties that demonstrates the tenant or household member is seeking assistance due to physical or mental injuries resulting from abuse. The measure prohibits landlords from disclosing information related to a tenant's early termination based on abuse.

**SB 745 (Transportation and Housing Committee). Housing.****Chapter 183, Statutes of 2013**

This measure is an omnibus bill and includes technical and non-controversial changes such as: changing the term “commercial residential real property” to “commercial real property,” repeals a pilot project in San Diego County to self-certify housing elements that sunset in 2011, and adds the required notice of rental restrictions to a form that lists all the documents that an owner in a common interest development wishing to sell the unit must provide to the buyer.

**SJR 11 (DeSaulnier). Housing with Services.****Resolutions Chapter 84, Statutes of 2013**

This resolution urges the President of the U.S. and the U.S. Congress to support housing with service models which combine federally subsidized housing programs with supportive services that enable residents to age in their residency.

***E. Housing Finance*****\*AB 532 (Gordon). Local Housing Trust Fund.****Chapter 769, Statutes of 2013 (Urgency)**

This measure makes the remaining Prop. 1C funds for the Local Housing Trust Fund Matching Grant available for either existing or new trusts as well as extends the time an awardee has to encumber program funds rather than reverting the funds that have not been awarded to the CalHome Program.

**AB 637 (Atkins). Housing Assistance.****Chapter 770, Statutes of 2013**

This measure expands the eligibility of the Residential Development Loan Program for housing developments of five or more units that serve low- and moderate-income families or individuals.

**AB 873 (Chau). Housing. Emergency Housing and Assistance Funding.****Chapter 488, Statutes of 2013**

This measure authorizes the HCD to award Emergency Housing and Assistance Program (EHAP) capital development funds in the form of a 20-year forgivable loan for the conversion of emergency shelters or transitional housing to permanent supportive housing for homeless families and individuals.

**AB 984 (Chau). The California Housing Finance Agency.****Chapter 82, Statutes of 2013 (Urgency)**

This measure increases the number on the board of directors by two of the California Housing Finance Agency (CalHFA), authorizes CalHFA to make grants to homebuyers for energy efficiency improvements and makes changes to the California Homebuyer Downpayment Assistance Program to comply with changes in federal law.

**AB 1109 (Bonilla). Emergency Housing and Assistance.****Chapter 495, Statutes of 2013**

This measure authorizes a loan recipient under the capital development component of the EHAP to transition the property from an emergency shelter or transitional housing to permanent supportive housing that serves people who are homeless or at risk of homelessness and still have the loan deferred and forgiven at the end of the loan term.

**SB 310 (Calderon, R.). Mortgages. Foreclosure Notices. Title Companies.****Chapter 251, Statutes of 2013**

This measure exempts a title company from liability if it records a notice of default or notice of sale in violation of the Homeowners' Bill of Rights, and it is acting in good faith and in the normal course of its business activities at the request of a trustee, substitute trustee, or beneficiary, but not when the title company is acting as a trustee.

***F. Land Use Planning and Annexation*****\*AB 116 (Bocanegra). Land Use. Subdivision Maps. Expiration Dates.****Chapter 62, Statutes of 2013 (Urgency)**

This measure extends the expiration date by 24 months of any approved tentative map or vesting tentative map approved on or after January 1, 2000 and that has not expired before July 11, 2013. For conditionally approved tentative maps or vesting tentative maps approved on or before December 31, 1999, the subdivider must apply for an extension at least 90 days before the expiration. Then the local government shall extend the expirations for a period of 24 months upon determination that the map is consistent with the applicable zoning and general plan requirements in effect when the application is filed. If the map is determined not to be consistent, the local government may deny or conditionally approve an extension for 24 months.

**AB 224 (Gordon). Agricultural Products. Direct Marketing. Community-Supported Agriculture.****Chapter 404, Statutes of 2013**

This measure defines "community-supported agriculture" for purposes of the direct marketing program regulated by the California Department of Food and Agriculture (CDFA). This bill establishes a program and fee to provide oversight and clarifies inspection and enforcement authorities for community-supported agriculture.

**\*AB 325 (Alejo). Land Use and Planning. Causes of Actions. Time Limitations.****Chapter 767, Statutes of 2013**

This measure changes the statute of limitations to sue jurisdictions regarding housing elements. For jurisdictions that have a housing element certified by the HCD, AB 325 provides nine months of notice, 60 days to respond, and six months to file a lawsuit. For jurisdictions that do not have an HCD-certified housing element, jurisdictions have two years of notice, 60 days to respond, and one year to file a lawsuit. Finally, local ordinances have six months of notice, 60 days to respond, and six months to file a lawsuit.

**AB 551 (Ting). Local Government. Urban Agriculture Incentive Zones.****Chapter 406, Statutes of 2013**

This measure authorizes, until January 1, 2019, a county or a city to establish by ordinance an Urban Agriculture Incentive Zone for the purpose of supporting urban agriculture. It allows cities and counties to enter into voluntary enforceable contracts with owners to preserve and protect the land for small-scale production of agricultural crops. The measure also prohibits a county from establishing a zone within any portion of a city's sphere of influence, unless that city consents to the establishment of the zone.

**AB 654 (Hall). Direct Marketing. Certified Farmers' Markets.****Chapter 409, Statutes of 2013**

This measure extends the authorization for CDFA to collect certified farmers' market operator fees and enforce provisions relating to direct marketing from January 1, 2014, to January 1, 2018.

**AB 743 (Logue). The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.****Chapter 138, Statutes of 2013**

This measure makes permanent the provision of law that allows Local Agency Formation Commissions (LAFCos) to waive the protest hearing for the annexation of unincorporated islands.

**AB 904 (Chesbro). Forest Practices. Working Forest Management Plans.****Chapter 648, Statutes of 2013**

This measure creates the Working Forest Management Plan program for long-term forest management plans for nonindustrial landowners with less than 15,000 acres of timberlands if the landowner commits to uneven aged management and sustained yield.

**AB 1168 (Pan). Safe Body Art.****Chapter 555, Statutes of 2013**

This measure makes a number of changes to existing law governing body art practitioners including: prohibiting a body art practitioner to perform body art at any other location other than a permanent or temporary body art facility that has been approved; prohibiting a practitioner who does not possess a valid practitioner registration from performing body art procedures; and, requiring an owner to notify in writing to the local enforcement agency within 30 days of registration, termination or new hire of a body art practitioner. The measure also deletes existing permit requirements for a mobile body art facility and requires these mobile body art facilities to complete all body art procedures inside with doors and windows closed and use only disposable, single-use, pre-sterilized instruments. The bill permits an enforcement officer to impound instruments that are found during inspection that have been used in an unapproved manner, or used in an unapproved location.

**AB 1252 (Health Committee). Retail Food Safety.****Chapter 556, Statutes of 2013**

This measure makes various amendments to the California Retail Food Code including changes necessary to implement California's cottage food operations law. It clarifies that direct sales of cottage foods must take place within California, requires Class A cottage food operations to renew their registrations annually, and requires cottage food producers to complete an approved food processor course, rather than a course instructed by the DPH.

**AB 1359 (Hernández, R.). Quimby Act. Use of Fees.****Chapter 412, Statutes of 2013**

This measure authorizes development fees collected as a condition of approval of a tentative map or parcel map pursuant to the Quimby Act to be used to develop new, or to rehabilitate existing, community park or recreational facilities in neighborhoods outside of the boundaries of the subdivision for which the fees were paid, subject to specified conditions.

**AB 1404 (Judiciary Committee). Real Property. Boundaries.****Chapter 86, Statutes of 2013**

This measure clarifies and modernizes the neighborhood fence statute by: providing that there is a rebuttable presumption that adjoining landowners gain an equal benefit from the shared fencing that divides their properties, unless otherwise agreed to in a written agreement; requiring a landowner to provide a 30-day notice to an adjoining landowner for the costs of the construction or maintenance of a shared fence if there is an expectation of a reasonable contribution; requiring the court to consider injustice when determining equal responsibility for the reasonable costs of construction; and excludes any city, county, city and county, district, public corporation, or other political subdivision, public body or public agency from the provisions of this bill.

**AB 1427 (Local Government Committee). Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.****Chapter 87, Statutes of 2013**

This measure makes changes to the state laws affecting LAFCos. Specifically, this bill: clarifies the difference between an independent district and a dependent district; clarifies that appointed and elected commissioners are members of an independent special district's legislative body; clarifies that in Santa Clara County, the city council is the conducting authority for reorganizations involving city annexations and reorganizations involving city annexations; and, repeals the extended protest period for an inhabited territory proposed to be annexed to a city with more than 100,000 residents in the county of Los Angeles and instead would require the hearing to be held within 60 days.

**SB 447 (Lara). Surface Mining Operations.****Chapter 417, Statutes of 2013**

This measure allows until January 1, 2019, a surface mine operator, whose operations are not in compliance with its approved reclamation plan, to continue to sell mining products to a state or local agency if the operator stipulates to an order to comply with the lead agency and/or the Department of Conservation (DOC).

**\*SB 566 (Leno). Industrial Hemp.****Chapter 398, Statutes of 2013**

This measure establishes the Industrial Hemp Farming Act and allows the regulated cultivation and processing of industrial hemp, upon federal approval. It revises the definition of "marijuana" to clarify that it does not include industrial hemp, as defined by this legislation. SB 566 prohibits the pruning and tending of industrial hemp plants, except as specified. It also defines industrial hemp as a fiber or oilseed crop that is limited to the non-psychoactive types of the plant *Cannabis sativa* L. and the seed that it produces.

**SB 725 (Anderson). Veterans Buildings and Memorials. County and City Property. Veterans Service Organizations. Nonprofit Veteran Service Agencies. Retrofit and Remodel.****Chapter 697, Statutes of 2013**

This measure provides that whenever a city, county, or city and county has provided or maintained any building, memorial hall, meeting place, memorial park, or recreation center for the use or benefit of one or more veterans associations, veterans service organizations, or nonprofit veterans service agencies, the use of that facility and its acceptance by the veterans organizations constitutes a dedication of that property to a public purpose, and the jurisdiction may not revoke the dedication, so long as the veteran organization has not violated the terms and conditions of the dedication. However, the local jurisdiction may dedicate a substitute facility, the veteran organization may consent to the revocation of the dedication, or the veteran organization may abandon use of the facility.

**SB 752 (Roth). Commercial and Industrial Common Interest Developments.****Chapter 605, Statutes of 2013**

This measure makes the Davis Stirling Common Interest Development Act relating to common interest developments (CIDs) inapplicable to commercial and industrial CIDs and creates a new Commercial and Industrial Common Interest Development Act.

***G. Mobile Homes/Floating Homes*****AB 253 (Levine). Floating Home Marinas. Conversion. Subdivision Map Requirements.****Chapter 432, Statutes of 2013**

This measure makes the requirements for the subdivision of a mobilehome park, at the time of filing a tentative or parcel map from the conversion to another use, applicable to a floating home marina.

**AB 379 (Brown). Manufactured Housing. Removal.****Chapter 137, Statutes of 2013**

This measure makes technical changes to the law relative to the installation and removal of manufactured housing. Specifically, this measure clarifies a recent court decision in *Vieira Enterprises v. City of East Palo Alto* and sets forth the process for “converting” a manufactured home into real property and provides five days after the issuance of the certificate of occupancy to record a document related to the installation of a manufactured home on real property.

**SB 196 (Cannella). Utility Rates. Mobilehomes and Apartment Buildings.****Chapter 201, Statutes of 2013**

This measure authorizes the management of a mobilehome park and apartments that are master-metered to post, in a conspicuous place, the website address of the current utility rate schedule in lieu of posting the actual rate schedule and specifies that a current utility rate schedule shall be available to an individual upon request and at no cost.

**\*SB 510 (Jackson). Land Use. Subdivisions. Rental Mobilehome Park Conversion.****Chapter 373, Statutes of 2013**

This measure clarifies that local agencies can disapprove a map for conversion of a mobilehome park if the results of the required survey have not demonstrated the support of at least a majority of the homeowners.

## VI. Public Safety

### *A. Alcoholic Beverage Regulation*

#### **AB 461 (Achadjian). Alcoholic Beverages. Licenses.**

##### **Chapter 110, Statutes of 2013**

This measure authorizes the Department of Alcoholic Beverage Control (ABC) to issue no more than a total of five new original on-sale general licenses, over a three-year period, for bona fide eating establishments in San Luis Obispo County. This represents an exception to the ABC Act, that limits the number of such licenses that may be issued by ABC based on the population in the county in which the proposed licensees are to be located.

#### **AB 525 (Ting). Alcoholic Beverages. Licenses. Theaters.**

##### **Chapter 235, Statutes of 2013**

This measure permits ABC to issue a special on-sale general license to the operator of any for-profit theater in the city and county of San Francisco that is primarily devoted to theatrical performances. The license permits sales, service and consumption of alcoholic beverages in the lobbies and seating area. This expands the definition of a crime and constitutes a state mandate on local government.

#### **AB 593 (Quirk). Alcoholic Beverages. Department of Alcoholic Beverage Control.**

##### **Chapter 502, Statutes of 2013**

This measure requires the ABC to define what constitutes an invalid or unreasonable protest against a license application to sell alcoholic beverages, and to develop regulations with respect to such protests by January 1, 2016.

#### **AB 636 (Hall). Alcoholic Beverages. Tied-house Restrictions.**

##### **Chapter 329, Statutes of 2013**

This measure permits a person appearing at an instructional event for consumers conducted by winegrowers, California winegrower agents, importers, or other specified parties to provide autographs to consumers on consumer advertising specialties given by that person to a consumer, or on any item otherwise provided by the consumer. No purchase of an alcoholic beverage is required.

#### **AB 1116 (Hall). Alcoholic Beverages. Licensees.**

##### **Chapter 461, Statutes of 2013**

This measure expands existing law, which permits certain alcoholic beverage manufacturers to host private, invitation-only promotional events with entertainment, food and beverages, all free of charge for a limited number of consumers more than 21 years old. Specifically, AB 1116 allows such events to be held on the premises of a licensed hotel, as defined, and extends the sunset by four years to January 1, 2018.

**SB 120 (Roth). Intoxicating Liquors.**  
**Chapter 43, Statutes of 2013 (Urgency)**

This measure reduces the prohibited distance within which it is a misdemeanor to sell or expose for sale any intoxicating liquor, from within a mile to within one-half mile of the entrance of La Sierra College in the city of Riverside.

**SB 324 (Wright). Alcoholic Beverages. Tied-house Restrictions. Advertising.**  
**Chapter 164, Statutes of 2013 (Urgency)**

This measure provides a tied-house exception to the Alcoholic Beverage Control Act pertaining to the general prohibition against advertising arrangements between retail, wholesale and manufacturer licenses, and the Los Angeles Forum in the city of Inglewood. The term “tied-house” stems from a practice common in the U.S. prior to Prohibition, and still occurring in England today, under which a bar or public house was tied to the products of a particular manufacturer. Tied-house law refers to the statutory scheme restricting any cross-ownership among the three independent tiers of the alcohol industry: retailers, wholesalers/distributors, and manufacturers.

**SB 818 (Governmental Organization Committee). Alcoholic Beverages.**  
**Chapter 337, Statutes of 2013**

This measure makes various code maintenance changes to the ABC Act. Among its other provisions, SB 818 amends the definition of “veteran” to include those who served in the Air Force or Coast Guard for purposes of eligibility for a license to operate a Veterans Club, at which alcoholic beverages are sold. It also allows ABC issue to the holder of a public warehouse license a duplicate license for each additional warehouse that the veteran operates.

## ***B. Animal Control***

**AB 789 (Williams). Trapping.**  
**Chapter 155, Statutes of 2013**

This measure regulates animal trapping by prohibiting the use of body-gripping or conibear traps known to kill animals instantly. It requires the posting of signs warning to avoid publicly-accessible areas in which traps have been set, and prohibits the killing of trapped animals by intentional drowning unless from a lawfully set submerged trap. AB 789 also prohibits injection of animals with chemicals other than for euthanasia, as well as any kind of body-gripping or chest-crushing trap.

**SB 132 (Hill). Mountain Lions.**  
**Chapter 208, Statutes of 2013**

This measure requires non-lethal procedures are used when removing a mountain lion from a populated setting, where the mountain lion has not been designated an “imminent threat to public health or safety,” defined as exhibiting one or more aggressive behaviors directed toward a person that is not reasonably believed to be due to the presence of first responders. It authorizes the Department of Fish and Wildlife to permit qualified third party entities to use non-lethal procedures on a mountain lion.

***C. Background Checks***

**AB 218 (Dickinson). Employment Applications. Criminal History.**  
**Chapter 699, Statutes of 2013**

This measure, starting on July 1, 2014, prohibits state and local agencies from inquiring into an applicant’s conviction history including on an initial application before determining whether the job applicant meets minimum job qualifications as stated in the notice for the position. This measure provides an exemption for positions that require a background check by law or that are in a criminal justice agency, as specified.

**AB 389 (Williams). Private Schools. Employees. Criminal Background Checks.**  
**Chapter 701, Statutes of 2013**

This measure requires private schools to fingerprint all employees who will have contact with minors, and submit two sets of fingerprints to the Department of Justice (DOJ) to obtain criminal background information from both DOJ and the Federal Bureau of Investigation. It also authorizes the Superintendent of Public Instruction (SPI) to verify that it has received a successful criminal background check clearance.

**AB 971 (Garcia). Public Agency Employers. Paratransit Providers. Criminal History Information.**  
**Chapter 458, Statutes of 2013**

This measure authorizes a paratransit agency to receive criminal history information with respect to contracted service providers for the purpose of oversight and enforcement of the agency's policies.

***D. Child Welfare***

**AB 309 (Mitchell). CalFresh. Homeless Youth.**  
**Chapter 97, Statutes of 2013**

This measure clarifies that eligibility for CalFresh benefits, including expedited services, is not dependent on the age of an applicant, and would require county welfare departments, upon receipt of a signed CalFresh application from an unaccompanied minor under age 18, to determine his or her eligibility for benefits and entitlement to expedited services. In the event of denial of benefits/services, this measure requires the department to notify the minor in writing of the reasons for the denial.

**AB 406 (Torres). Child Abuse Reporting.****Chapter 7, Statutes of 2013**

This measure deletes the sunset on a reporting program that authorizes counties to establish child abuse multi-disciplinary teams, allowing provider agencies to share confidential information and investigate reports of suspected child abuse or neglect. The goal of these teams is to assist child welfare agencies in making determinations about the disposition of such cases.

**AB 514 (Bonta). The Safe Schools for Safe Learning Act of 2013.****Chapter 702, Statutes of 2013**

This measure requires the SPI to post on the Department of Education's (DOE) website a list of statewide resources providing support to youth and their families who have been affected by gangs, gun violence, and psychological trauma at home, at school, and in the community. It also requires SPI to post on DOE's website resources for those youth subjected to discrimination, harassment, intimidation, and bullying.

**\*AB 549 (Jones-Sawyer). Comprehensive School Safety Plans. Mental Health Professionals and Police Role on Campus Guidelines.****Chapter 422, Statutes of 2013**

This measure specifies that as comprehensive school safety plans are reviewed and updated, the Legislature encourages all plans, to the extent that resources are available, to include clear guidelines for the roles and responsibilities of mental health professionals, community intervention professionals, school counselors, school resource officers, and police officers on school campuses, to the degree that the school district makes use of such resources.

**\*AB 652 (Ammiano). Child Abuse and Neglect Reporting Act. Homeless Children.****Chapter 486, Statutes of 2013**

This measure provides that for purposes of the Child Abuse and Neglect Reporting Act, the fact that a child is homeless or is classified as an unaccompanied minor, is not, in and of itself, a sufficient basis for reporting child abuse or neglect.

**ACR 66 (Waldron). Internet Crimes Against Children Awareness Month.****Resolutions Chapter 141, Statutes of 2013**

This resolution designates October 2013 as Internet Crimes Against Children Awareness Month to educate parents, children, and the general public about the critical issue of Internet crimes against children.

**ACR 80 (Dickinson). Keeping Kids in School and Out of Court Day.****Resolutions Chapter 151, Statutes of 2013**

This resolution designates December 4, 2013 as Keeping Kids in School and Out of Court Day, marking a day on which multidisciplinary teams throughout California will gather to develop collaborative plans to improve school discipline practices and school attendance so that children in California will succeed in school and avoid criminal activity.

**\*SB 177 (Liu). Homeless Youth Education Success Act.****Chapter 491, Statutes of 2013**

This measure requires the California Department of Education (CDE) and DSS to develop policies and practices to support homeless children, and to ensure that child abuse and neglect reporting requirements do not create barriers to their school enrollment and attendance. It also extends existing requirements related to foster youth to homeless children. Specifically, this measure requires a homeless child or youth to be deemed to meet the necessary residency requirements for participation in interscholastic sports or other extracurricular activities.

**SB 552 (Calderon, R.). Pupil Instruction. Violence Awareness.****Chapter 497, Statutes of 2013**

This measure permits local school district governing boards to initiate and maintain a program of instruction in grades one through 12 on violence awareness.

**SB 606 (De León). Harassment. Child or Ward.****Chapter 348, Statutes of 2013**

This measure provides that harassment of a child based on the job or employment of the child's parent or guardian means knowing and willful conduct directed at a specific child or ward that seriously alarms, annoys, torments, or terrorizes that child, and that serves no legitimate purpose.

### ***E. Civil Liberties***

**\*AB 351 (Donnelly). Civil Liberties. Suspension of Habeas Corpus for American Citizens.****Chapter 450, Statutes of 2013**

This measure prohibits state agencies, the California National Guard, and all political subdivisions within California from aiding the U.S. Armed Forces or any of its agencies in the investigation, prosecution, or detention of a person within California pursuant to Sections 1021 and 1022 of the National Defense Authorization Act of 2012. These sections respectively authorize the U.S. Armed Forces to detain specified persons pursuant to the Authorization for Use of Military Force (the Congressional resolution enacted following the September 11, 2001 attacks), and provide for military custody of foreign Al Qaeda terrorists. AB 351 provides that it is California policy to refuse to provide material support for any federal law authorizing indefinite detention of a person within California. It also carves out a qualified exception for participation in joint task forces with federal law enforcement, and provides that its prohibitions apply where the proscribed activity violates the U.S. or California Constitutions.

**\*AB 508 (Calderon, I.). Debt Collection. Homeless Veterans.****Chapter 234, Statutes of 2013**

This measure prohibits, for a period of five years, the garnishment of earnings, and the levy on a bank account or the earnings of a homeless veteran who served in the military within the previous eight years. The prohibited garnishment is based on the

enforcement and collection of fees, fines, forfeitures or penalties imposed by a court for violation of state or local laws related to loitering, illegal lodgings, and similar violations.

## ***F. Controlled Substances***

### **AB 492 (Quirk). Probation. Nonviolent Drug Offenses.**

#### **Chapter 13, Statutes of 2013**

This measure provides that where a defendant is placed on probation under the Substance Abuse and Crime Prevention Act of 2000, the court in the county of conviction shall transfer the case to the county of the defendant's residence, unless the court in the county of conviction determines that the transfer would be inappropriate.

### **\*AB 721 (Bradford). Controlled Substances. Transporting with Intent to Sell.**

#### **Chapter 504, Statutes of 2013**

This measure redefines "transport" of a controlled substance to mean "transport for sale," and clarifies that it does not preclude prosecution for a controlled substance violation under either an aiding and abetting theory, or a conspiracy theory. This has the effect of restricting prosecution on felony drug transportation charges to instances in which individuals are actually involved in drug trafficking or sales, as opposed to simple possession of the prohibited controlled substance.

### **AB 1136 (Levine). Pharmacists. Drug Disclosures.**

#### **Chapter 304, Statutes of 2013**

This measure requires pharmacists, as of July 1, 2014, to include a written label on a prescription drug container indication that the drug may impair a person's ability to operate a vehicle or vessel, if in the pharmacist's professional judgment; he determines that the drug may have such an effect.

### **SB 294 (Emmerson). Sterile Drug Products.**

#### **Chapter 565, Statutes of 2013**

This measure requires the California State Board of Pharmacy (BOP) to adopt regulations expanding the types of sterile compounded drugs for which a license is required, and implement the required inspections of non-resident sterile compounding pharmacies. It requires the BOP to submit a report to the Legislature, on or before January 1, 2018, on the regulation of non-resident pharmacies. This measure imposes a state-mandated local program by imposing additional requirements in Pharmacy Law, the violation of which would be a crime.

### **\*SB 566 (Leno). Industrial Hemp.**

#### **Chapter 398, Statutes of 2013**

This measure establishes the Industrial Hemp Farming Act and allows the regulated cultivation and processing of industrial hemp, upon federal approval. It revises the definition of "marijuana" to clarify that it does not include industrial hemp, as defined by this legislation. SB 566 prohibits the pruning and tending of industrial hemp plants, except as specified. It also defines industrial hemp as a fiber or oilseed crop that is

limited to the non-psychoactive types of the plant *Cannabis sativa* L. and the seed that it produces.

**SB 809 (DeSaulnier). Controlled Substances. Reporting.**

**Chapter 400, Statutes of 2013.**

This measure establishes a funding mechanism to update and maintain the CURES and PDMP under the California Department of Justice, and makes other changes related to the CURES and PDMP programs. CURES contains data on patients taking controlled substances, and PDMP regulates prescription and dispensing of those substances, and provides patient history information to regulatory boards and law enforcement.

## ***G. Corrections***

**AB 610 (Buchanan). State Hospitals. Involuntary Treatment.**

**Chapter 705, Statutes of 2013**

This measure requires, 180 days before termination of a prisoner's parole, the medical director of a state hospital treating a parolee, or community program director in charge of the parolee's outpatient program, or the secretary of the California Department of Corrections and Rehabilitation (CDCR), to submit to the district attorney of the county of commitment, or of the county in which the parolee is receiving outpatient treatment, a written evaluation on the patient's remission. It also requires the county of commitment to pay the non-treatment costs associated with any hearing for an order seeking involuntary treatment with psychotropic medication, or other medication requiring an order, for mentally disordered offenders whose commitment to a state hospital has been extended beyond the expiration of parole.

**AB 625 (Quirk). Notaries Public. Acceptance of Identification.**

**Chapter 159, Statutes of 2013**

This measure provides that an inmate identification card that is current or has been issued within the past five years by CDCR is a valid form of identification for a credible witness to prove the identity of an individual who executes a written instrument. It addresses the problem of establishing for a notary public the identity of incarcerated women for purposes of facilitating the execution of visitation forms, establishing guardianship over their children during periods of incarceration, and ensuring their children's access to school and medical treatment.

**AB 720 (Skinner). Inmates. Health Care Enrollment.****Chapter 646, Statutes of 2013**

This measure authorizes each county board of supervisors, in consultation with county sheriffs, to designate an entity or entities to assist county jail inmates apply for a health insurance affordability program. This measure authorizes the entity, to the extent authorized by federal law and to which federal financial participation is available, to act on behalf of a county jail inmate in applying for, and determining, Medi-Cal eligibility for acute inpatient hospital services. In addition, it provides that county jail inmates currently enrolled in Medi-Cal shall remain eligible for, and shall not be terminated from, the program due to their detention, unless required by federal law, they become otherwise ineligible, or the suspension of their benefits has ended. This measure may impact cities since the enactment of AB 986 (Bradford, Chapter 788, Statutes of 2013), which authorizes inmates to serve briefly in a city jail. It is also of note due to state's pending re-opening of community corrections facilities.

**\*SB 105 (Steinberg). Corrections.****Chapter 310, Statutes of 2013**

This measure implements the Governor's plan to reduce California's prison population to 137.5 percent of capacity by December 31, 2013. The measure re-opens 14 community corrections facilities (CCFs) across the state to house up to 3,000 inmates, and authorizes up to 5,000 inmates to be transferred out of state, including temporary authority to perform involuntary transfers, set to expire in three years. The projected cost is \$1.13 billion through the end of FY 2015 - 2016, with additional annual costs of about \$350 million to maintain CCFs.

**SB 162 (Lieu). Prisoners. Temporary Removal.****Chapter 56, Statutes of 2013**

This measure clarifies trial courts' jurisdiction by authorizing superior courts to order the temporary removal of an inmate from a state prison facility to transfer him to a county jail for a legitimate law enforcement purpose. It codifies a process for district attorneys and peace officers to seek a court order for such removal if it will help further a criminal investigation by filing an affidavit showing good cause for same. Absent this clarification, local law enforcement would have to incur the expense of travel to state prison facilities to interview inmates, posing significant safety concerns for inmates in the process if they are seen to be assisting law enforcement. Host counties to which the inmates are transferred are to bear the cost of transport. This is the companion legislation to SB 771 (Galgiani, Chapter 181, Statutes of 2013).

**SB 260 (Hancock). Youth Offender Parole Hearings.****Chapter 312, Statutes of 2013**

This measure requires the Board of Parole Hearings to establish a parole process for youth sentenced prior to reaching 18 years of age. Specifically, it requires BPH to consider the suitability for parole of offenders who were under age 18 at the time they committed specified crimes. SB 260 provides the following potential parole mechanisms for such youth: for those youth serving a determinate sentence, eligibility for parole upon the 15th year on incarceration; for those youth serving a life sentence of less than

25 years to life, eligibility for parole upon the 20th year of incarceration; for those youth serving a life sentence of 25 years to life, eligibility for parole upon the 25th year of incarceration. This measure defines incarceration as detention in a city or county jail, a local juvenile facility, a mental health facility, a Division of Juvenile Justice facility, or a CDCR facility.

**SB 463 (Pavley). Sentencing.**  
**Chapter 508, Statutes of 2013**

This measure extends the sunset date on specified sentencing provisions in the Penal Code from January 1, 2014 to January 1, 2017, allowing courts the discretion to select a lower, middle, or upper term for base term sentences and enhancements. This maintains current sentencing procedures put in place by SB 40 (Romero, Chapter 3, Statutes of 2007), which amended California's determinate sentencing law to give judges the discretion to impose a range of sentencing terms as they deemed appropriate without the need for additional fact-finding.

**SB 771 (Galgiani). Inmates. Temporary Removal.**  
**Chapter 181, Statutes of 2013 (Urgency)**

This measure authorizes the secretary of the CDCR to temporarily remove an inmate from prison, or any other institution, for the purpose of permitting the inmate to assist with the gathering of evidence related to crimes. This bill is the companion to SB 162 (Lieu, Chapter 56, Statutes of 2013).

## ***H. Crimes***

**AB 329 (Pan). Ticket Sellers. Equitable Online Ticket Buying Process. Sale or Use of Circumventing Software.**

**Chapter 325, Statutes of 2013**

This measure imposes misdemeanor penalties for intentional use or sale of software designed to circumvent a security measure, access control system, or other measure on a ticket seller's website that is used to ensure an equitable ticket buying process. It is designed to deter the use of "bots" – software programs used to access a ticket seller's website that is selling tickets to high-profile concerts or other popular events, to jump ahead of other online purchasers and buy large numbers of tickets. Scalpers use this technique to cause premature sell-outs from which they profit.

**AB 791 (Hagman). Collateral Recovery. Repossessors.**

**Chapter 340, Statutes of 2013**

This measure prohibits a repossession agency from disclosing to the public, absent a court order, the residence address, telephone number, cellular telephone number, driver's license number, work schedule, any location, or any other personal information associated with any licensee, registrant, employee or independent contractor that it employs. It also prohibits a repossession agency from selling repossessed items or accepting payment from a debtor instead of repossession. This measure creates a new crime and therefore imposes a state-mandated local program.

**AB 849 (Garcia). Protection of Victims. Address Confidentiality.****Chapter 676, Statutes of 2013**

This measure adds abuse of an elder or dependent adult to the list of issues for which the SOS is required to designate state and local agencies and non-profit agencies that provide counseling and shelter services. Previous law already required the designation of such agencies for victims of domestic violence or stalking.

**AB 908 (Bonilla). Unemployment Insurance. Use of Information.****Chapter 553, Statutes of 2013**

This measure permits the Employment Development Department (EDD) to share information with peace officers employed by the DMV Investigations Division when the request for information is part of an investigation into identity theft, counterfeiting, document fraud, or consumer fraud and that there is a reasonable suspicion that the information requested is relevant to the investigation.

**AB 924 (Bigelow). Grand Theft.****Chapter 618, Statutes of 2013**

This measure imposes additional penalties for theft of livestock. Specifically, it specifies a fine of up to \$5,000 for grand theft involving livestock and earmarks the funds for the Bureau of Livestock Identification to investigate livestock theft. It also provides for a mandatory minimum sentence and lowers the threshold for related sentencing enhancements.

**AB 957 (Wagner). Post-mortem Photographs.****Chapter 53, Statutes of 2013**

This measure prohibits the distribution of a coroner's photograph, negative, reproduction or facsimile thereof, of the body of a deceased person, taken at the crime scene or during an autopsy, except for specified purposes. Excluded from the measure's scope is any distribution by a coroner or any law enforcement agency for investigative purposes, including identification. It expressly precludes a coroner from being held personally liable for monetary damages in a related civil action based on these provisions of law.

**\*AB 1149 (Campos). Identity Theft. Local Agencies.****Chapter 395, Statutes of 2013**

This measure requires local agencies to comply with specified notification requirements in the Information Practices Act of 1977. It requires an agency to notify persons, as specified, in the event of a security breach involving personal information, under two circumstances:

- When an agency owns or licenses computerized data that includes personal information, where there is a breach of the security of the system, as defined, and where unencrypted personal information was, or is reasonably believed to have been acquired by an unauthorized person. Under this circumstance, notice must be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement as specified, or

any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.

- When an agency maintains computerized data that includes personal information that the agency does not own, where there is a breach of the security of the data, and the personal information was, or is reasonably believed to have been, acquired by an unauthorized person. Under this circumstance, notice must be provided to the owner or licensee of the information immediately following discovery of the breach.

The measure specifies different notice requirements when a breach of personal information contains a user name or email address, in combination with a password or security question and answer that would permit access to an online account and no other personal information was breached, as specified. Under this circumstance, the agency may comply with the notice requirement by providing the security breach notification in electronic or other form that directs the person whose personal information has been breached to promptly change his or her password and security question or answer, as applicable, or to take other steps appropriate to protect the online account with the agency and all other online accounts for which the person uses the same user name or email address and password or security questions and answers. The measure further provides specific notification requirements when there is a breach of the security of the system involving an email account furnished by the agency.

Personal information means an individual's first name or first initial and last name in combination with any of the following, when either the name or the data elements are not encrypted:

- Social security number;
- Driver's license number or California identification card number;
- Account number, credit or debit number, in combination with any required security code, access code, or password that would permit access to an individual's financial account;
- Medical information; or
- Health insurance information.

Personal information also means a user name or email address, in combination with a password or security question and answer that would permit access to an online account.

Notice must meet all of the following requirements:

- The notification must be written in plain language.
- The notification must include, at a minimum, the following information:
  - The name and contact information of the agency (e.g. City of X);
  - A list of the types of personal information that were or are reasonably believed to have been the subject of a data breach; and
  - If the information is possible to determine at the time the notice is provided, any of the following: the date of the breach, the estimate date of the breach or

- the date range within which the breach occurred. The notice must also include the date of the notice.
- Whether the notification was delayed as a result of a law enforcement investigation, if that information is possible to determine at the time the notice is provided.
  - A general description of the breach of the incident, if that information is possible to determine at the time the notice is provided.
  - The toll-free telephone numbers and addresses of the major credit reporting agencies, if the breach exposed a social security number or driver's license or California identification card number.

At the agency's discretion information can also be included that explains what the agency has done to protect the individuals whose information has been breached and advice on steps that can be taken to protect the person whose information has been breached.

Notice may be provided by one of the following methods:

- Written notice;
- Electronic notice, if the notice provided is consistent with the provisions regarding electronic records and signatures, as specified; or
- Substitute notice, if the agency demonstrates that the cost of providing notice would exceed \$250,000, or that the affected class or subject persons to be notified exceeds \$500,000, or the agency does not have sufficient contact information, as specified.

If an agency maintains its own notification procedures as part of an information security policy for the treatment of personal information and is otherwise consistent with the timing requirements as provided in the measure, the agency will be considered in compliance with the notification requirements, as specified, if the agency notifies subjected persons in accordance with its own policies in the event of a breach of a security system.

**\*AB 1195 (Eggman). Public Records. Crime Victims.  
Chapter 272, Statutes of 2013**

This measure prohibits law enforcement agencies from requiring proof of legal residence in the U.S. and from refusing to accept certain forms of identification, if identification is required, in order to disclose crime reports and other related records that are required to be disclosed under PRA. It specifies that the following documents shall be accepted as valid identification: a U.S. state issued driver's license or ID card; a current passport issued by the U.S. or by a foreign government with whom the U.S. has diplomatic relations; or a current Matrícula Consular card (an identity card issued by the government of Mexico through its consulate offices).

**AB 1325 (Pérez, J.). Vandalism. Punishment.****Chapter 791, Statutes of 2013**

This measure increases the amount of time, from 240 days to one year, someone convicted of vandalism or affixing graffiti has to complete court-imposed community service.

**ACR 6 (Donnelly). Human Trafficking.****Resolutions Chapter 5, Statutes of 2013**

This resolution recognizes the month of January 2013, and each following January, as National Slavery and Human Trafficking Prevention Month, and recognizes February 1, 2013 and each following February 1 as California Free from Slavery Day.

**SB 60 (Wright). Crime Victims. Human Trafficking.****Chapter 147, Statutes of 2013**

This measure adds human trafficking victims who have suffered emotional injury to the list of victims eligible for compensation from the Victim Compensation Program administered by the California Victim Compensation and Government Claims Board. It also deletes inoperative provisions that authorized reimbursement of child care expenses from the Restitution Fund until January 1, 2010.

**SB 168 (Monning). Farm Labor Contractors. Successors. Wages and Penalties.****Chapter 715, Statutes of 2013**

This measure holds the successor of a farm labor contractor liable for its predecessor's wages or penalties owed to former employees, whether the predecessor was licensed or not, if the successor of a farm labor contractor meets one or more specified criteria. It imposes a new requirement on farm labor contractor successors, a violation of which would be a misdemeanor offense, and so imposes a state-mandated local program.

**\*SB 333 (Lieu). Crimes. Emergencies. False Reporting.****Chapter 284, Statutes of 2013**

This measure provides for individual liability to a public agency for the reasonable cost of an emergency response if an individual is convicted of reporting or causing to be reported a false emergency that causes a public agency to deploy emergency response resources. Liability under this measure is in addition to existing misdemeanor penalties.

**\*SB 485 (Calderon, R.). Weighmasters. Junk Dealers and Recyclers.****Chapter 518, Statutes of 2013**

This measure requires a junk dealer or recycler to submit additional information regarding its business to CDFG when applying for a weighmaster's license or a renewal license, and requires CDFG to complete an investigation within a specified period of time. Specifically, applicants are required to provide CDFG with a copy of their current business license, a statement that a stormwater permit application is pending, or that such a permit is not required; and a statement that the applicant has the equipment necessary to comply with the photographic and thumb printing requirements for the purchase and sale of non-ferrous metal. It contains a sunset provision of January 1, 2019.

**SB 514 (Public Safety Committee). Crimes.****Chapter 59, Statutes of 2013**

This measure is the annual public safety omnibus bill. It makes a host of technical and non-controversial changes to cleanup the Penal Code. Among its more substantive provisions are clarification that a term of imprisonment cannot satisfy a restitution fine, as well as a clarification that a joint powers agency may apply to the Commission on Peace Officers Standards and Training (POST) to receive state aid from the Peace Officers' Training Fund.

**SB 762 (Hill). Secondhand Goods. Lost, Stolen, or Embezzled Items.****Chapter 318, Statutes of 2013**

This measure regulates the interests of licensed pawnbrokers and secondhand dealers relating to the seizure and disposition of property during a criminal investigation or criminal case. Specifically, it authorizes a peace officer to place a hold on property that where there is probable cause to believe the property is lost or embezzled (this adds to existing authority with respect to stolen property). It permits a law enforcement agency to extend the hold beyond 90 days, until the conclusion of related criminal proceedings. This measure also revises notification procedures regarding lost, stolen or embezzled property.

**SB 801 (Roth). Department of Finance. Reports. Crimes.****Chapter 281, Statutes of 2013**

This measure directs the Department of Finance (DOF) to annually require each of its department heads, or their designees, who are responsible for auditing the accounts of a state entity, to certify under penalty of perjury that the budgeting and accounting information provided DOF reconciles with year-end finance reports submitted to the State Controller's Office. It also subjects an individual who willfully makes a certification that he knows to be false to penalties for perjury.

**SCR 71 (Torres). Suicide Prevention Week in California.****Resolutions Chapter 131, Statutes of 2013**

This resolution recognizes the week of September 8, 2013, through September 14, 2013, as Suicide Prevention Week in California.

***I. Domestic Violence*****AB 139 (Holden). Domestic Violence. Fees.****Chapter 144, Statutes of 2013**

This measure clarifies that the payment imposed on a defendant granted probation for a domestic violence offense is a fee, not a fine, and that the fee is not subject to reduction for time served. AB 139 also authorizes collection of the fee after the termination of defendant's probation, regardless of the means of termination. This measure also authorizes eight percent of the funds deposited in the county's domestic violence programs special fund to be used for administrative costs.

**SCR 68 (Lieu). National Domestic Violence Awareness Month. Resolutions Chapter 129, Statutes of 2013**

This resolution recognizes October 2013, and each following October, as National Domestic Violence Awareness Month.

***J. Elder Abuse***

**AB 381 (Chau). Estates and Trusts. Undue Influence. Elder Abuse. Chapter 99, Statutes of 2013**

This measure establishes judicial discretion to hold a person liable for reasonable attorney's fees and costs in a legal action seeking redress for the loss of property of a decedent, conservatee, minor or trust accomplished via undue influence in bad faith, or by the commission of elder abuse or dependent adult financial abuse. AB 381 expands existing elder abuse law by specifically applying these provisions to property belonging to an elder or dependent adult.

**SB 612 (Leno). Residential Tenancy. Victims of Human Trafficking and Elder or Dependent Adult Abuse.**

**Chapter 130, Statutes of 2013**

This measure extends tenant protections to victims of human trafficking. It also allows tenants to terminate a lease upon a showing of documentation from qualified third parties that demonstrates the tenant or household member is seeking assistance due to physical or mental injuries resulting from abuse. The measure prohibits landlords from disclosing information related to a tenant's early termination based on abuse.

***K. Fire Service Emergency and Disaster Response***

**AB 127 (Skinner). Fire Safety. Fire Retardants. Building Insulation. Chapter 579, Statutes of 2013**

This measure requires the SFM, in consultation with the Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation, to review flammability standards for building insulation materials, including whether the flammability standards for some insulation materials can only be met with the addition of chemical flame retardants. It requires the SFM, based on the review, to propose for consideration by the BSC updated insulation flammability standards by July 1, 2015.

**AB 433 (Gordon). Contractors. Fire Protection Systems. Fire Safety. State Fire Marshal.**

**Chapter 377, Statutes of 2013**

This measure authorizes licensed plumbing contractors to install residential fire protection systems for single- and two-family homes through January 1, 2017. This represents an expansion of previous law, which limited installation authorization to licensed fire protection contractors. AB 433 is intended to help developers meet the demand for installation services and the requirements of the California Building

Standards Code, which since 2011 has directed that all newly built single- and two-family homes have fire protection systems installed.

**AB 512 (Rendon). Healing Arts. Licensure Exemption.**  
**Chapter 111, Statutes of 2013**

This measure extends the sunset for an exemption from the licensure and regulation requirements for healing arts practitioners under the jurisdiction of boards within the Department of Consumer Affairs. Specifically, it extends from January 1, 2014 to January 1, 2018 an exemption from licensure and regulation requirements allowing a health care practitioner licensed in another state to provide health care in California for which he/she is licensed during a state of emergency, and upon the request of the Director of the California Emergency Medical Services Authority (Cal-EMSA).

**\*AB 535 (Quirk). Emergency Alert System.**  
**Chapter 328, Statutes of 2013**

This measure would require a law enforcement agency to request, absent extenuating investigative needs, activation of the Emergency Alert System (Amber Alert) when a law enforcement agency receives a report that an abduction has occurred or that a child has been taken by anyone, including a custodial parent or guardian. Activation requires a determination by the law enforcement agency that the abducted child is in imminent danger of seriously bodily injury or death.

**AB 918 (Cooley). Emergency Services. Preparedness.**  
**Chapter 187, Statutes of 2013**

This measure requires the Office of Emergency Services (OES), on or before July 31, 2015, to update the State Emergency Plan to include proposed best practices for local governments and non-governmental entities to use to mobilize and evacuate people with disabilities and others with access and functional needs during an emergency or natural disaster.

**ACR 72 (Quirk-Silva). California Firefighters Memorial Day.**  
**Resolutions Chapter 146, Statutes of 2013**

This resolution proclaims October 5, 2013 as Firefighters Memorial Day and urges Californians to remember firefighters who have given their lives in the line of duty and to express their appreciation to firefighters who continue to protect our families.

**SB 135 (Padilla). Earthquake Early Warning System.**  
**Chapter 342, Statutes of 2013**

This measure requires the OES, in collaboration with specified entities, including the U.S. Geological Survey, to develop a comprehensive statewide earthquake early warning system in California via a public-private partnership. It further requires the system to include certain features, including but not limited to the improvement of field telemetry; the installation of field sensors sensitive enough to detect tremors in time to provide meaningful early warning prior to the eruption of an earthquake; construction and testing of central processing and notification centers; and establishment of warning

notification distribution paths to the public. SB 135 also requires OES to identify funding sources.

**SB 191 (Padilla). Emergency Medical Services.**

**Chapter 600, Statutes of 2013**

This measure removes the sunset provision on a law authorizing counties to voluntarily levy \$2 in additional penalties for every \$10 of a base fine to fund pediatric trauma centers. Since the trauma centers are regional in scope, this bill impacts cities as well as counties. The current statutory authority is set to expire on January 1, 2014.

**\*SB 380 (Padilla). Communications. Service Interruptions.**

**Chapter 371, Statutes of 2013**

This measure prohibits a government agency or provider of communications service from interrupting or preventing the use of a communications service to protect public safety, or to prevent its use for an illegal purpose, unless authorized by a judicial order, except in extreme emergency circumstances. It requires that any judicial order be narrowly tailored to the specific emergency, to clearly identify the service to be interrupted, and to detail the cell sector, central office or geographic area affected.

## ***L. Firearms***

**AB 48 (Skinner). Firearms. Large-capacity Magazines.**

**Chapter 728, Statutes of 2013**

This measure amends the existing ban on large capacity magazines to close loopholes in existing law: to include “readily restorable dis-assembled” magazines; requires ammunition purchasers to show ID; requires all ammunition sales to be reported to the DOJ; requires DOJ to create a registry of ammunition purchasers; and requires all ammunition sellers to be licensed and undergo a background check. This bill creates penalties for violations of six months county jail, \$5000 fine, or both. It also adds penalties for manufacturing or lending firearms conversion kits (six months county jail, \$1000 fine, or both).

**AB 538 (Pan). Firearms.**

**Chapter 738, Statutes of 2013**

This measure clarifies current law as it applies to law enforcement agencies reporting to DOJ the method of disposition of firearms, and creates several exemptions in current law from normal firearms transfer requirements for firearms transferred from a law enforcement agency to a license firearms dealer.

**AB 685 (Achadjian). State Goods. Peace Officer’s State-issued Handgun. Spouse or Domestic Partner.**

**Chapter 16, Statutes of 2013**

This measure allows the spouse or domestic partner of a peace officer who has died in the line of duty, with the authorization of the deceased officer’s department head, to

purchase the deceased officer's handgun. This is an expansion of an existing law allowing such purchases by retired or disabled officers.

**AB 703 (Hall). Peace Officers. Firearms.**  
**Chapter 267, Statutes of 2013**

This measure specifies that a retired Level I reserve peace officer is entitled to an endorsement for a concealed weapons permit by the agency from which he/she retired, if he/she carried a firearm during the course and scope of the officer's employment, and the officer served the minimum amount of time specified by the agency's policy. AB 703 specifies that this policy may not set a time of service less than 10 years or more than 20 years.

**SB 127 (Gaines, T.). Firearms. Mentally Disordered Persons.**  
**Chapter 753, Statutes of 2013**

This measure clarifies the amount of time a psychotherapist has to report a serious threat of violence to local law enforcement, and the amount of time the local agency has to report the threat to the DOJ. Each timeline is now 24 hours, rather than "immediately."

**SB 140 (Leno). Firearms. Prohibited Persons.**  
**Chapter 2, Statutes of 2013**

This measure appropriates \$24 million from the Dealers' Record of Sale Special Account and allocates it to the DOJ to address the backlog in the Armed Prohibited Persons System (APPS), a database of persons in California who illegally possess firearms. SB 140 requires DOJ to report to the Joint Legislative Budget Committee regarding ways in which the APPS has been reduced or eliminated.

**SB 303 (Knight). Peace Officers. Identification Certificates. Concealed Weapon Endorsement.**  
**Chapter 149, Statutes of 2013**

This measure provides that if an agency from which a peace officer has retired honorably is no longer providing law enforcement services, the successor agency shall issue that officer an identification certificate if the following conditions are met: the successor agency has the retired officer's personnel records or can otherwise verify the officer's honorably-retired status, and the retired officer meets the successor agency's requirements for a retirement identification card and a concealed weapon endorsement (the equivalent of a concealed weapons permit).

**SB 769 (Block). Veterans. Criminal Defendants.**  
**Chapter 46, Statutes of 2013**

This measure clarifies that dismissal of a case under provisions of law for veteran defendants who had military-service-related mental health issues does not restore a defendant's right to possess a firearm, and does not prevent a conviction for being a felon or drug addict in possession of a firearm.

**SJR 1 (Wolk). Firearms Control.**  
**Resolutions Chapter 83, Statutes of 2013**

This resolution urges the President and the Congress of the U.S. to place under the scope of the National Firearms Act generically designed assault weapons, as is now the case in California, and high-capacity assault magazines. It also expresses the opinion of the Legislature that a universal background check through the National Instant Criminal Background Check System should be required for the transfer of all firearms.

***M. Gambling/Indian Gaming***

**AB 277 (Hall). Tribal Gaming. Compact Ratification.**  
**Chapter 51, Statutes of 2013**

This measure ratifies the gaming compact entered into by California and the North Fork Rancheria Band of Mono Indians, which was executed on August 31, 2012. It also ratifies a similar compact entered into by the state and the Wiyot Tribe, which was executed on March 30, 2013. The federal Indian Gaming Regulatory Act requires both the negotiation and ratification by the Legislature of such compacts in order for gaming activities to occur on Indian land.

**\*AB 1039 (Hall). Local Gambling Control.**  
**Chapter 745, Statutes of 2013**

This measure allows a city, county, or city and county to amend its local ordinance on a one-time basis to allow two additional card club tables above what was allowed in the local ordinance as of January 1, 2013.

**AB 1042 (Hall). Indian Gaming Special Distribution Fund.**  
**Chapter 746, Statutes of 2013**

This measure appropriates \$13 million from the Special Distribution Fund (SDF) to provide grants to local agencies in FY 2013 -14. The measure also makes modifications to the budget process as it relates to the SDF, as was recommended in a 2011 State Auditor's report titled "The Indian Gaming Special Distribution Fund".

**AB 1245 (Pérez, V.M.). Tribal Gaming. Compact Ratification.**  
**Chapter 462, Statutes of 2013 (Urgency)**

This measure ratifies the tribal-state gaming compact entered into by California and the Ramona Band of Cahuilla Indians, executed on June 10, 2013. It provides that in deference to tribal sovereignty, certain actions are not projects for purposes of CEQA.

**AB 1267 (Hall). Tribal Gaming. Compact Ratification.**  
**Chapter 6, Statutes of 2013 (Urgency)**

This measure ratifies the amendment to the tribal-state gaming compact entered into between California and the Shingle Springs Band of Miwok Indians, executed on November 15, 2012. It provides that, in deference to tribal sovereignty, certain actions may not be deemed projects for purposes of CEQA.

**SB 668 (Fuller). Tribal Gaming. Compact Ratification.**  
**Chapter 67, Statutes of 2013 (Urgency)**

This measure ratifies the tribal-state gaming compact between the state of California and the Fort Independence Indian Community of Paiute Indians, executed February 28, 2013. It provides that, in deference to tribal sovereignty, certain actions are not deemed projects for purposes of the CEQA.

**SB 817 (Governmental Organization Committee). California State Lottery. Drawings.**

**Chapter 152, Statutes of 2013**

This measure permits the independent lottery contractor to witness drawings in person or via live video and audio feed. It also permits the equipment used in the drawings to be inspected in person or via live video and audio feed by the independent lottery contractor and an employee of the Lottery both before and after the drawings.

## ***N. Immigration***

**\*AB 4 (Ammiano). State Government. Federal Immigration Policy Enforcement.**  
**Chapter 570, Statutes of 2013**

This measure prohibits a law enforcement official from detaining a person based on a U.S. Immigration and Customs Enforcement (ICE) hold after that person becomes eligible for release, unless that person has been convicted of or charged with specific crimes.

**AB 35 (Hernández, R.). Deferred Action for Childhood Arrivals.**  
**Chapter 571, Statutes of 2013**

This measure clarifies that immigration consultants, attorneys, and notaries public are the only individuals authorized to charge clients or prospective clients' fees for providing consultations, legal advice, or notary public services, that are associated with filing an application under the deferred action for childhood arrivals program. It specifies that immigration consultants, attorneys, and notaries public are prohibited from participating in price-gouging practices related to filing such applications, and defines price-gouging as any practice that pressures the client or prospective client to purchase services immediately to avoid paying a higher price at a subsequent time.

**\*AB 60 (Alejo). Driver's Licenses. Eligibility. Required Documentation.**  
**Chapter 524, Statutes of 2013**

This measure requires DMV to adopt emergency regulations to implement the issuance of a driver's licenses to persons who are unable to submit satisfactory evidence that their presence in the U.S. is authorized under federal law, if they meet all other qualifications for licensure, and can provide proof of their identity and residency in California.

**AB 524 (Mullin). Immigrants. Extortion.****Chapter 572, Statutes of 2013**

This measure adds to the actions that may amount to extortion under current law. Specifically, it provides that a threat to report the immigration status or suspected immigration status of the threatened individual, or that of his or her relative or family member, may induce fear sufficient to constitute extortion. It imposes a state-mandated local program as it broadens the acts that constitute a crime.

**AB 1159 (Gonzalez). Immigration Services.****Chapter 574, Statutes of 2013 (Urgency)**

This measure provides that any person who is not an attorney who translates from English into another language the phrases “notary public,” “licensed,” “attorney,” “lawyer,” or any other phrase implying that the person translating is an attorney, has committed a violation of the law relative to the unauthorized practice of law. It provides that penalties for violations are not to exceed \$1000 per day for each violation.

***O. Judicial Proceedings*****AB 267 (Chau). Evidentiary Privileges. Lawyer Referral Service-Client Privilege.****Chapter 123, Statutes of 2013**

This measure provides that a person who consults a lawyer referral service for the purpose of retaining a lawyer or obtaining legal advice has a privilege to refuse to disclose, and to prevent another from disclosing, a confidential communication between the client and the lawyer referral service, if the privilege is claimed by a specified person or entity. AB 267 provides that no privilege applies if: the lawyer referral service was consulted to enable an individual to commit, or plan to commit, a crime, including fraud; or an employee of a lawyer referral service, who receives a confidential communication while processing a request for legal assistance, reasonably believes that disclosure of that communication is necessary to prevent a crime that the employee reasonably believes will result in the death or bodily harm of an individual.

**AB 499 (Ting). Judicial Proceedings. Injunctions Prohibiting Harassment.****Chapter 158, Statutes of 2013**

This measure extends the maximum duration for an injunction prohibiting harassment from three to five years, and provides that the injunction, once granted, may be renewed for an additional period of five years.

**\*AB 568 (Muratsuchi). Criminal Procedure. Testimony of Law Enforcement Officers.****Chapter 125, Statutes of 2013**

This measure clarifies the standard for sworn testimony of law enforcement officers. It provides that they must be federal, state or local officers who have five years of law enforcement experience, or who have completed a specified training course certified by the POST and Training, and whose primary responsibility is the enforcement of any law,

detection and apprehension of law breakers, or the investigation and preparation for prosecution of cases involving violation of laws.

**\*AB 619 (Garcia). Court Facilities.**

**Chapter 452, Statutes of 2013**

This measure provides that any penalty or interest payments on any delinquent transfer or court fees to the State Court Facilities Construction Fund or the Immediate and Critical Needs Account as required by law must be paid by the local entity (city, city and county, or court) responsible for the error or other action causing the failure to make timely payment. It also requires the State Controller to calculate penalties and interest on the delinquent payment using specified formulas.

**AB 681 (Melendez). Spousal Support.**

**Chapter 455, Statutes of 2013**

This measure requires the court, when making an award of spousal support, to consider either party's history of domestic violence against either of the party's children.

**AB 694 (Bloom). Admissibility of Evidence. Victims of Human Trafficking.**

**Chapter 126, Statutes of 2013**

This measure clarifies that evidence that a victim of human trafficking has engaged in a commercial sex act cannot be used to prosecute that victim for the commercial sex act. This bill alters current law which prohibits the admission of such evidence to prove liability for any conduct related to the commercial sexual activity.

**AB 805 (Jones-Sawyer). Bail.**

**Chapter 17, Statutes of 2013**

This measure clarifies a provision of existing law that authorizes a court to employ investigative staff for the purpose of recommending whether a defendant should be released on his own recognizance. AB 805 specifies that in setting, reducing, or denying bail, a judge or magistrate may consider the report prepared by that staff.

**AB 1004 (Gray). Criminal Procedure.**

**Chapter 460, Statutes of 2013**

This measure amends current law with respect to arrest warrants, which requires that a declaration in support of the warrant of probable cause for arrest must be a sworn statement made in writing. AB 1004 provides that the declaration may be made by telephone and computer server, and that the declarant's signature may be in the form of an electronic signature.

**AB 1006 (Yamada). Juvenile Court Records. Sealing and Destruction.**  
**Chapter 269, Statutes of 2013**

This measure requires courts and probation departments, starting January 1, 2015, to ensure that information about the sealing of juvenile court records is provided to a minor against whom a juvenile proceeding has been initiated, or who has been brought before a probation officer.

**\*AB 1250 (Perea). Privileged Communications. Official Information. Identity of Informer.**

**Chapter 19, Statutes of 2013**

Current law provides that informant privilege applies to a person who furnishes information regarding a violation of law in confidence to law enforcement, and that a public entity can refuse to disclose the identity of that person, or prevent a third party from doing so. This measure clarifies that the term “person” includes a volunteer or employee of a crime stopper organization, defined as a non-profit organization that accepts and expends donations used to reward persons who report criminal activity.

**AB 1352 (Levine). Courts. Destruction of Court Records.**

**Chapter 274, Statutes of 2013**

This measure revises the requirements for the destruction of court records. Specifically, it allows a court clerk to certify a copy of a trial court record by electronic or other technological means, and reduces the retention period for court records with respect to civil actions; mental health records; probate, conservatorship, and guardianship records; and criminal actions, including certain felony, misdemeanor and infraction records. Finally, it establishes new retention periods for additional types of records, including proceedings related to revocation of post-release community supervision.

**AB 1405 (Judiciary Committee). Subversive Organization Registration Law. Repeal.**

**Chapter 117, Statutes of 2013**

This measure repeals the existing Subversive Organization Registration Law, that requires the registration of subversive organizations which are conceived and exist for the purpose of undermining and eventually overthrowing the democratic form of government in California and the U.S.

**SB 130 (Corbett). Witnesses.**

**Chapter 44, Statutes of 2013**

This measure would expand current law allowing a prosecution witness to have up to two people in court to provide support for the witness' testimony in certain felony offenses, to include cases involving attempted murder, attempted kidnapping, kidnapping with intent to commit robbery, specified sex offenses, and sex offenses against a minor under the age of 10.

**SB 378 (Block). Official Record of Conviction. Admissibility of Electronically Digitized Copy.****Chapter 150, Statutes of 2013**

This measure provides that an electronically digitized copy of an official record of conviction is admissible into evidence in a criminal trial, for the same purposes as the original official record. SB 378 defines “electronically digitized copy” as one that is made by scanning, photographing, or otherwise exactly reproducing a document, stored or maintained in a digitized format, and that bears an electronic signature or watermark unique to the entity responsible for certifying the document.

**SB 558 (Lieu). Reporters’ Shield Law.****Chapter 519, Statutes of 2013**

This measure imposes a notice requirement for the issuance of a subpoena seeking access to a journalist’s records. Specifically, it provides that a party issuing a subpoena in a civil or criminal proceeding to a third party, where that subpoena seeks the records of a journalist will, except in circumstances that pose a clear and substantial threat to the integrity of the criminal investigation or present an imminent risk of death or serious bodily harm, provide notice of the subpoena to the journalist and the publisher of the newspaper, magazine, or other publication, or the station operations manager of the broadcast station, at least five days prior to issuing the subpoena.

**\*SB 569 (Lieu). Interrogation. Electronic Recordation.****Chapter 799, Statutes of 2013**

This measure requires that any interrogation of a minor suspected or accused of committing murder to be electronically recorded, with specific safety exceptions.

**\*SB 717 (DeSaulnier). Search Warrants. Driving Under the Influence.****Chapter 317, Statutes of 2013 (Urgency)**

This measure authorizes a search warrant for a blood draw from a person who has refused to submit to an officer’s request for a blood test, or fails to complete such a test. It specifies that the blood draw must occur in a reasonable, medically approved manner for the purposed of gathering evidence that the person has been driving under the influence of an intoxicating substance.

***P. Parole/Probation*****\*AB 68 (Maienschein). Parole.****Chapter 764, Statutes of 2013**

This measure seeks to improve communication associated with medical parolees and parole candidates by requiring CDCR to give 30 days notice to counties of commitment for medical parole hearings and releases.

**AB 149 (Weber). Voting Rights. County Probation Departments.**  
**Chapter 580, Statutes of 2013**

This measure requires a county probation department to either establish a hyperlink on its website to the SOS's voting rights guide for incarcerated persons or to post a notice that contains the SOS website address where the voting rights guide can be found.

***Q. Privacy***

**AB 370 (Muratsuchi). Consumers. Internet Privacy.**  
**Chapter 390, Statutes of 2013**

This measure requires that privacy policies of operators of commercial websites or online services that collect personally identifiable information disclose how the operator responds to "do not track" signals sent by web browsers regarding the collection of such information, including a consumer's online activities. AB 370 also requires operators to disclose whether third parties can collect personally identifiable information about those activities.

**AB 555 (Salas). Social Security Numbers.**  
**Chapter 103, Statutes of 2013**

This measure declares that existing provisions of law that prohibit a person or entity from publicly posting an individual's Social Security number (SSN), or otherwise acting to compromise the security of that SSN, do not prevent an adult state correctional facility, city jail, or county jail from releasing an inmate's SSN with the inmate's consent and upon the request of the county veterans' service officer or the U.S. Department of Veterans Affairs, for purposes of determining the inmate's status as a military veteran, and his or her eligibility for federal, state or local veterans benefits or services.

**AB 658 (Calderon). Personal Information. Disclosure.**  
**Chapter 296, Statutes of 2013**

This measure applies the prohibitions against disclosure in the Confidentiality of Medical Information Act (CMIA) to any business that offers software or hardware to consumers, including mobile applications designed to maintain medical information. AB 658 provides that any such business is a health care provider for purposes of compliance with the CMIA, which prohibits health care providers, service plans, or medical contractors from disclosing a person's medical information without that person's consent. This measure imposes a state-mandated local program, because a violation of the CMIA is a crime.

**SB 46 (Corbett). Personal Information. Privacy.**  
**Chapter 396, Statutes of 2013**

This measure expands the scope of personal information that is subject to existing disclosure requirements in the event of a security breach affecting a digital information system owned or licensed by any agency, or any person or business engaged in commercial operations in California, to include a user name or email address, together

with a password or security question and answer that permits access to an online bank or email account.

**SB 255 (Cannella). Disorderly Conduct. Invasion of Privacy.**  
**Chapter 466, Statutes of 2013 (Urgency)**

This measure creates a new misdemeanor for the distribution of an image of an identifiable person's intimate body parts that was taken with the understanding that the image would remain private. Specifically, it provides that any person who photographs or records by any means the intimate body parts of an identifiable person under circumstances where the parties understand that the image is to remain private, and the image is subsequently distributed with the intent to cause great emotional distress, and where the person depicted actually suffers emotional distress, is guilty of the misdemeanor of disorderly conduct.

**SB 568 (Steinberg). Privacy. Internet. Minors.**  
**Chapter 336, Statutes of 2013**

This measure prohibits, as of January 1, 2015, any operator of a website, online service, online application, or mobile application, from disclosing or compiling or allowing a third party to disclose or compile, personal information about a minor for marketing or advertising purposes. SB 568 also prohibits marketing or advertising specified products or services to a minor, including but not limited to alcoholic beverages, firearms, aerosol paint or etching cream used in graffiti, tobacco, electronic cigarettes, permanent tattoos, drug paraphernalia, obscene matter, or fireworks.

## ***R. Public Health***

**AB 446 (Mitchell). HIV Testing.**  
**Chapter 589, Statutes of 2013**

This measure requires a test subject's informed consent, either orally or in writing, prior to the performance of an HIV test. It requires persons administering the test to maintain documentation of that consent, whether granted orally or in writing. This measure provides for an exception to the informed consent requirement when a person independently requests an HIV test from an HIV counseling and testing site. It also requires that a medical care provider or a person who administers an HIV test provide a patient with specified information after the test results are received.

**AB 506 (Mitchell). HIV Testing. Infants.**  
**Chapter 153, Statutes of 2013**

This measure would authorize a social worker, without court approval, to provide written consent for an HIV test to be performed on an infant under a year old who has been placed into temporary custody or who has been deemed a dependent of the court. AB 506 expressly waives the requirement to notify the parents, the child's attorney, or the court.

## ***S. Public Safety Professionals***

### **AB 11 (Logue). Employees. Reserve Peace Officers and Emergency Rescue Personnel.**

#### **Chapter 120, Statutes of 2013**

This measure requires employers who employ 50 or more employees to permit an employee who performs emergency duties as a volunteer firefighter, reserve peace officer, or as emergency rescue personnel, to take a temporary leave of absence of up to 14 days per calendar year, for the purpose of engaging in fire, law enforcement, or emergency rescue training.

### **AB 602 (Yamada). Mentally and Developmentally Disabled Persons. Reporting Abuse.**

#### **Chapter 673, Statutes of 2013**

This measure requires the Peace Officers Standards and Training (POST) to establish and update a continuing education training course on law enforcement interaction with mentally and developmentally disabled persons living in a state hospital or state developmental center. It also requires a developmental center to report specified abuse or death immediately or no later than two hours of a mandated reporting learning of or suspecting abuse.

### **AB 979 (Weber). Peace Officers. Maritime Peace Officer Standards Training Act.**

#### **Chapter 619, Statutes of 2013**

This measure requires peace officers who serve as crew members on a waterborne law enforcement vessel to complete a course in basic maritime operations for such officers, if their governing body has adopted a resolution to implement this legislation. Coursework includes boat handling, navigation rules, and training on maritime boarding rules.

### **ACR 62 (Calderon, I.). The Detectives Mike Lane and John Pierce Memorial Highway.**

#### **Resolutions Chapter 139, Statutes of 2013**

This resolution designates a specified portion of State Highway Route 72 as the Detectives Mike Lane and John Pierce Memorial Highway in honor of two peace officers with the Whittier Police Department who were killed in the line of duty. ACR 62 requests the Department of Transportation to obtain costs for erection of appropriate signs, and to erect them upon receiving donations from non-state sources.

### **ACR 68 (Donnelly). Detective Jeremiah MacKay Memorial Highway.**

#### **Resolutions Chapter 142, Statutes of 2013**

This resolution designates a specified portion of State Highway Route 38 in San Bernardino County as the Detective Jeremiah MacKay Memorial Highway in honor of an officer with the San Bernardino County Sheriff's Department who was killed in the line of duty.

**ACR 69 (Salas). CHP Officer Dean Esquibel Memorial Bridge.**  
**Resolutions Chapter 143, Statutes of 2013**

This resolution designates the Cross Creek Bridge, on State Route 198 in Kings County as CHP Officer Dean Esquibel Memorial Interchange in honor of Officer Dean Esquibel of the California Highway Patrol, who was killed in the line of duty. ACR 69 requests the Department of Transportation to obtain costs for erection of appropriate signs, and to erect them upon receiving donations from non-state sources.

**ACR 70 (Chesbro). CHP Officer Kenneth E. Marshall Memorial Interchange.**  
**Resolutions Chapter 144, Statutes of 2013**

This resolution designates the interchange at U.S. Route 101 and State Route 200 in Humboldt County as the CHP Officer Kenneth E. Marshall Memorial Interchange. ACR 70 requests the Department of Transportation to obtain costs for erection of appropriate signs, and to erect them upon receiving donations from non-state sources.

**\*SB 298 (Wyland). Local Government. Supplemental Law Enforcement Services.**  
**Chapter 626, Statutes of 2013**

This measure authorizes the Orange County Board of Supervisors or a city council of a city within Orange County, to contract to provide supplemental law enforcement services to homeowners associations as part of a pilot project.

**\*SB 313 (De León). Public Safety Officers Procedural Bill of Rights Act.**  
**Chapter 779, Statutes of 2013**

This measure prohibits an employer from taking punitive action against an officer whose name is on a Brady list, but allows an employer to take punitive action for the underlying reasons that an officer was placed on a Brady list. It permits use of evidence of an officer on a Brady list only if, during the administrative appeal of a punitive action against an officer, the underlying act or omission for which the officer's name was placed on a Brady list is proven and the officer is found to be subject to some form of punitive action.

## ***T. Realignment***

**\*AB 624 (Mitchell). County Jail. Rehabilitation Credits.**  
**Chapter 266, Statutes of 2013**

This measure authorizes both a sheriff and a county director of corrections to award program credits to a county jail inmate to reduce an inmate's term of confinement, up to a total reduction of six weeks, only if the inmate has successfully completed performance objectives for approved in-custody rehabilitative programming. This programming includes, but is not limited to, academic and vocational programs, vocational training, substance abuse programs, and anger management. AB 624 specifies that this provision shall apply to felony offenders serving time in county jails pursuant to Penal Code Section 1170(h), enacted by AB 109 (Budget Committee, Chapter 15, Statutes of 2011), and requires sheriffs and county directors to develop guidelines specifying applicable credit reductions based on objectives achieved.

**AB 752 (Jones-Sawyer). Work Furlough. County Jails.****Chapter 52, Statutes of 2013**

This measure authorizes a person sentenced to a county jail for a felony offense to participate in an existing work furlough program.

**AB 884 (Bonilla). County Board of Parole Commissioners. Parole Terms.****Chapter 456, Statutes of 2013**

This measure increases the term of parole that a county parole board may impose on a county jail inmate from two to three years.

**\*AB 986 (Bradford). Flash Incarceration.****Chapter 788, Statutes of 2013**

This measure authorizes flash incarceration of offenders under post-release community supervision (PRCS) to occur in municipal as well as county jails. It allows city jails to be used in response to county jail overcrowding.

**\*AB 1050 (Dickinson). Board of State and Community Corrections.****Chapter 270, Statutes of 2013**

This measure requires the Board of State and Community Corrections (BSCC), in consultation with a county supervisor, county sheriff, chief probation officer, district attorney, public defender, the secretary of CDCR, one representative each from the Administrative Office of the Courts, a non-profit non-partisan policy institute, and a non-profit agency providing re-entry services, to develop definitions of key terms, including "recidivism," "average daily population," "treatment program completion rates," and other terms relevant to consistency in local data collection, evaluation, and implementation of evidence-based practices and programs.

**SB 365 (Wolk). Jail Construction. Funding.****Chapter 627, Statutes of 2013**

This measure authorizes a county that has been conditionally awarded funding to construct a juvenile facility to apply to BSCC for redirection of the conditional award to another county if the two counties agree upon joint participation in a shared regional facility. It also authorizes BSCC to redirect the funding if it determines that it will result in cost savings, increased services or regional efficiencies.

## ***U. Restraining Orders***

**AB 157 (Campos). Protective Orders. Credibly Impersonating and Falsely Personating.****Chapter 260, Statutes of 2013**

This measure authorizes a court, starting July 1, 2014, to issue an ex parte restraining order enjoining a party from impersonating another person via the Internet or other electronic means for purposes of harming, intimidating, threatening or defrauding another person, or committing other specified forms of fraud, and provides for misdemeanor penalties, including fines and imprisonment, for violations.

**AB 161 (Campos). Restraining Orders.****Chapter 261, Statutes of 2013**

This measure would authorize, starting July 1, 2014, a court that issues an ex parte domestic violence order under the Domestic Violence Protection Act, to enjoin or prevent a party from making changes to any insurance coverage, including changing beneficiaries, cashing out a policy, borrowing against, or cancelling it.

**AB 176 (Campos). Family Law. Protective and Restraining Orders.****Chapter 263, Statutes of 2013**

This measure, as of July 1 2014, establishes a priority in the enforcement of domestic violence restraining orders, where there are multiple orders regarding the same parties. AB 176 requires that the highest enforcement priority shall be a no-contact order, unless there is an emergency protective order in place that has enforcement precedence. Absent both a no-contact order and an emergency protective order, the criminal protective or restraining order that was last issued shall have precedence.

**AB 238 (Gomez). Protective and Restraining Orders. Computer Database System.****Chapter 145, Statutes of 2013**

This measure deletes the requirement that a law enforcement officer or peace officer who requests an emergency protective order carry a copy of the protective order while on duty. Instead the measure imposes a requirement on local law enforcement agencies to have the protective order entered into the computer database system for protective and restraining orders that is maintained by DOJ. This is a new mandate on local agencies.

**AB 307 (Campos). Protective Orders.****Chapter 291, Statutes of 2013**

This measure allows a court to issue a protective order for up to 10 years when a defendant is convicted of specified sex crimes (rape, spousal rape, statutory rape, and any crime triggering the sex offender registration requirement under Penal Code Section 290[c]), regardless of the sentence imposed.

## ***V. Sex Crimes***

**AB 20 (Waldron). Obscene Matter. Minors.****Chapter 143, Statutes of 2013**

This measure adds a fine of up to \$2,000 to be levied against every convicted offender that commits specified child pornography offenses using government-owned property, specifically a computer or computer network owned by a government agency.

**AB 65 (Achadjian). Crimes. Sex Crimes.****Chapter 259, Statutes of 2013 (Urgency)**

This measure provides that the crimes of rape or sodomy include instances in which the victim believes that the perpetrator is someone the victim knows, and the perpetrator is impersonating that person through pretense, concealment, or subterfuge.

**SB 59 (Evans). Crimes. Sex Crimes.**  
**Chapter 282, Statutes of 2013 (Urgency)**

This measure expands the definition of crimes involving oral copulation and sexual penetration committed by fraud or impersonation, to include those crimes causing the victim to submit based on the belief that the person committing the act is a person known to the victim other than the accused. Criminal liability requires that the perpetrator intentionally induce the victim's belief by fraud, pretense or concealment.

**SB 107 (Corbett). Sexual Assault. Victim Medical Evidentiary Examination.**  
**Chapter 148, Statutes of 2013**

This measure repeals the January 1, 2014 sunset on a provision of law authorizing the OES to use federal funds to cover the costs of forensic medical evidentiary examinations of sexual assault victims.

**SB 114 (Pavley). Commercially Sexually Exploited Minors.**  
**Chapter 42, Statutes of 2013**

This measure extends the sunset date for a discretionary Los Angeles County pilot project for a comprehensive, multi-disciplinary treatment model for commercially sexually exploited minors, from January 1, 2014 to January 1, 2017. It also extends the deadline for the Los Angeles County District Attorney to file a report on the pilot project from April 1, 2013 to April 1, 2016.

**SB 292 (Corbett). Employment. Sexual Harassment.**  
**Chapter 88, Statutes of 2013**

This measure clarifies that, with respect to an employment-related sexual harassment claim made under the Fair Employment and Housing Act (FEHA) sexually harassing conduct need not be motivated by sexual desire.

**SB 295 (Emmerson). Sexually Violent Predators. Civil Commitment.**  
**Chapter 182, Statutes of 2013**

This measure provides that when a sexually violent predator (SVP) files a petition for release from a state hospital without the agreement of the director of the treatment facility, a court may not act on the petition until it obtains the written recommendation of that director; requires the community program director designated by the Department of State Hospitals (DSH) to submit a report to the court making a recommendation on the appropriateness of placing the petitioner in a conditional-release program prior to a court hearing. This measure shifts the burden of proof to the state to prove by a preponderance of the evidence that conditional release is inappropriate if the DSH report finds that conditional discharge is in the petitioner's best interest, and that conditions to protect the public could be imposed. It also requires the petitioner's evaluation by state-selected experts, and prohibits a subsequent petition for conditional release for one year after a petition has been denied.

**SB 326 (Beall). Sex Offenders.**  
**Chapter 279, Statutes of 2013**

This measure requires that the written permission that a registered sex offender must obtain from the chief administrative official (CAO) of a school under existing law in order to enter school grounds or a school building, must indicate the date or date range and time for which that permission is granted. SB 326 also authorizes the school CAO to grant a registered sex offender such permission, if the CAO meets a two-week advance notice requirement to alert all parents of children attending the school, including information about the parents' right to obtain information regarding the registered sex offender from a designated law enforcement entity. This measure provides immunity from civil liability for any CAO who disseminates the notice information in good faith in accordance with this law.

## ***W. Vehicles***

**AB 707 (Ting). Vehicles.**  
**Chapter 240, Statutes of 2013**

This measure deletes conditions that must be met before local agencies can post "SENIOR" pedestrian warning signs. AB 707 eliminates the requirement that the cost of posting a "SENIOR" pedestrian warning sign be financed by private donations. This measure also authorizes local agencies to request and use Pedestrian Safety Account grant funding, or other grant funding for which it is eligible, to pay for the sign.

**AB 767 (Levine). Vehicles. Additional Registration Fees. Vehicle-theft Crimes.**  
**Chapter 241, Statutes of 2013**

This measure authorizes all counties to increase their motor vehicle fee from \$1 to \$2, and their commercial vehicle service fee from \$2 to \$4, upon adoption of a resolution by their board of supervisors, to raise revenue for the prevention of vehicle theft crimes. For counties that have not yet adopted such fees via resolution, this measure authorizes the adoption of a \$1 fee for motor vehicles, and a \$4 fee for commercial vehicles.

**SB 122 (Lieu). Vessels. Abandonment. Abatement.**  
**Chapter 204, Statutes of 2013**

This measure deletes the January 1, 2014 sunset on provisions of law imposing civil penalties, including fines, on persons who abandon vessels on a public waterway, or on public or private property without the express or implied consent of the owner or person in lawful possession of the property. An exception remains in place for situations involving the urgent and immediate concern for the safety of those aboard the vessel.

**\*SB 194 (Galgiani). Vehicles. Electronic Wireless Communications Device.**  
**Prohibitions.**  
**Chapter 754, Statutes of 2013**

This measure prohibits youth under the age of 18 year of age from using an electronic wireless communications device while driving, including a hands-free device.

## ***X. Youth Violence Prevention***

### **SB 458 (Wright). Gangs. Statewide Database.**

#### **Chapter 797, Statutes of 2013**

This measure requires local law enforcement to notify a person or the person's family (if under the age of 18) in writing before the agency designates the person as a gang member, associate, or affiliate in the Attorney General's shared gang database. SB 458 also establishes requirements for a process to allow the person to contest the designation and for the local agency to provide written verification.

## VII. Revenue and Taxation

### *A. State Budget*

#### **AB 74 (Budget Committee). Human Services.**

##### **Chapter 21, Statutes of 2013**

This measure makes various statutory changes to human services programs including mediation requirements, open meeting requirements for collective bargaining, extending time limitations for foster youth in group care, and CalWORKS and CalFRESH benefits.

#### **AB 75 (Budget Committee). Alcohol and Drug Programs.**

##### **Chapter 22, Statutes of 2013**

This measure transfers responsibilities of Department of Alcohol and Drug Programs to DHCS and DPH. It also updates other department and agency names as required and appropriates \$2 million from a Federal Trust Fund for mental health programs.

#### **AB 81 (Budget Committee). Public Safety. Domestic Abuse.**

##### **Chapter 161, Statutes of 2013**

This measure restores statutory language related to domestic violence compliance by law enforcement that was eliminated by SB 71 (Budget Committee, Chapter 28, Statutes of 2013).

#### **AB 82 (Budget Committee). Health.**

##### **Chapter 23, Statutes of 2013**

This measure makes various technical changes, including alignment of multiple reports to the Legislature with the January Budget proposal and May Revise. It also partially restores funding for Medi-Cal Adult Dental and Nutrition Benefits.

#### **AB 85 (Budget Committee). Health and Human Services.**

##### **Chapter 24, Statutes of 2013**

This measure modifies the 1991 realignment of health services to set aside funding for CalWorks and provides a true-up mechanism for three categories of counties.

#### **AB 86 (Budget Committee). Education Finance. Education Omnibus Trailer Bill.**

##### **Chapter 48, Statutes of 2013**

This measure makes various changes to law related to K-12 education programs, including the retirement of \$4 billion in deferred obligations by the end of FY 2013 - 14. It also includes \$250 million for career education and partnership programs.

#### **AB 89 (Budget Committee). Developmental Services.**

##### **Chapter 25, Statutes of 2013**

This measure makes various changes to the requirements of DSS and regional centers that provide services and support to individuals with developmental disabilities. Specifically, AB 89 requires the California Health and Human Services Agency to submit to the Legislature, no later than November 15, 2013, a master plan for the future of developmental centers.

**\*AB 92 (Budget Committee). State Government.  
Chapter 26, Statutes of 2013**

This measure makes various changes to general government provisions of law.

Changes of interest to cities include:

- Extending the time period for appropriated funds to be available until June 30, 2017, for the Transit-Oriented Development Implementation Fund and the Regional Planning, Housing and Infill Incentive Account moneys.
- Authorizing disencumbered funds from the Transit-Oriented Development Account to be re-deposited during the 2013–2014 fiscal year.
- Clarifying the process of undoing the Triple Flip, without which, cities and counties could be shorted by a fiscal quarter.
- Requires any taxpayer who participates in an out-of-state Like-Kind Exchange of investment property to file an informational return form with the FTB when the property acquired in the exchange is located outside of California.

**\*AB 93 (Budget Committee). Economic Development. Taxation. Credits,  
Deductions, Exemptions, and Net Operating Losses.  
Chapter 69, Statutes of 2013 (Urgency)**

This measure eliminates the EZ program and replaces it with the Governor's Economic Development Initiative which includes a sales tax exemption on manufacturing equipment and research and development equipment for biotech businesses, a hiring tax credit, and a California Competes Investment Incentives program. See appendix A for a full summary of the measure and other related resources.

**\*AB 94 (Budget Committee). Education Finance. Higher Education.  
Chapter 50, Statutes of 2013**

This measure makes various changes to higher education programs. Changes include the creation of the Middle Class Scholarship Program to offset tuition costs for students from households earning up to \$150,000 per year, and establishes new performance measures for University of California and California State University.

**\*AB 97 (Budget Committee). School Finance.  
Chapter 47, Statutes of 2013**

This measure contains the Governor's Local Control Funding Formula for schools and appropriates \$2.2 billion for the implementation of the program and for allocation to schools via the formula. The formula allocates 20 percent over school base grant funding for English learners, pupils eligible for a free or reduced price meal or in foster care. An additional concentration grant is provided to schools with over 55 percent of pupils meeting these criteria.

**AB 98 (Budget Committee). Property Insurance. Seismic Safety Account.**  
**Chapter 27, Statutes of 2013**

This measure imposes an assessment on commercial or residential property insurance, not to exceed \$0.15 per policy, to fund the Alfred E. Alquist Seismic Safety Commission, which is responsible for certain aspects of earthquake hazard mitigation.

**AB 101 (Budget Committee). Budget Act of 2013. Budget Bill Jr.**  
**Chapter 354, Statutes of 2013**

This measure includes the line item changes that are necessary to implement the 2013-14 trailer bills as well as technical cleanup amendments from the main budget bill (AB 110, Blumenfield, Chapter 20, Statutes of 2013).

**\*AB 106 (Budget Committee). Economic Development. Taxation. Credits.**  
**Chapter 355, Statutes of 2013**

This measure makes technical clarifications to the EZ programs that are set to expire on December 31, 2013, according to SB 90 (Galgiani, Chapter 70, Statutes of 2013), and AB 93 (Budget Committee, Chapter 69, Statutes of 2013). This bill ensures that additional concerns with the vouchering process and the hiring credit provisions are addressed prior to the implementation in January.

**\*AB 110 (Blumenfield). Budget Act of 2013.**  
**Chapter 20, Statutes of 2013**

This measure is the main FY 2013 - 14 budget bill and includes FY 2013 - 14 appropriations, including:

- \$500 million loan from Cap and Trade auction revenues to the General Fund;
- \$500,000 in start-up funds for the Middle Class Scholarship Program;
- \$27.5 million for local assistance grant funding for frontline public safety; and
- \$433 million to K-14 schools and workforce training for Prop. 39 grants.

**AB 113 (Budget Committee). Budget Act of 2012.**  
**Chapter 3, Statutes of 2013**

This measure amends the Budget Act of 2012 to increase the appropriation for the SOS by \$1.6 million to address the business filing backlog.

**SB 67 (Budget and Fiscal Review Committee). In-Home Supportive Services.**  
**Chapter 4, Statutes of 2013**

This measure codifies the terms of a settlement agreement reached between the state and plaintiffs resolving outstanding lawsuits affecting the In-Home Supportive Services Program, replacing previously enacted reductions with an across-the-board hours reduction and an expected assessment on home care services to offset that reduction.

**SB 68 (Budget and Fiscal Review Committee). Budget Act of 2012.****Chapter 5, Statutes of 2013**

This measure is a supplemental appropriations bill (deficiency bill) that appropriates \$32.9 million from the General Fund to the State Controller for allocation to the DDS and DSS. It also authorizes the re-appropriation of funds within the Office of Statewide Health Planning and Development and the Judicial Branch.

**\*SB 71 (Budget and Fiscal Review Committee). State Government.****Chapter 28, Statutes of 2013**

This measure makes various changes to state law, most to save the state money.

Provisions of interest to cities include:

- Deleting the limit on the amount of fees DIR can charge to enforce prevailing wage requirements, and limits the amount of state bond proceeds that can be used for these purposes.
- Making optional the following law enforcement-related mandates:
  - Providing portable manual mask and airway assemblies for CPR to peace officers;
  - Adopting written policies and standards for domestic violence calls;
  - Maintaining a complete and systematic record of all protection orders; and
  - Recording all domestic violence calls and supporting written reports.
- Transferring emergency communications duties from CalEMA, Department of Technology, and State Chief Information Officer to the Office of Emergency Services. Enacts the Public Safety Communications Act of 2013.
- Adding the Secretary of the Business, Consumer Services, and Housing Agency to the Strategic Growth Council.
- Expanding the Displaced Janitor Opportunity Act to all contractors that provide food and beverage services at specified publicly owned entertainment venues in an enterprise zone until Dec. 31, 2014. (This provision was aimed at a recent dispute involving the Honda Center in Anaheim.)

**SB 73 (Budget and Fiscal Review Committee). Energy. Proposition 39 Implementation.****Chapter 29, Statutes of 2013**

This measure transfers \$28 million from the Job Creation Fund to the Education Subaccount, which is created in the State Energy Conservation Assistance Account. It also appropriates the \$28 million, in the Education Subaccount to the Energy Commission for the purpose of low-interest and no-interest revolving loans and loan loss reserves for eligible projects and technical assistance. All funds shall be available to the local education agency or community college districts for energy efficiency projects.

In addition, SB 73 appropriates \$3 million from the Job Creation Fund to the California Workforce Investment Board to develop and implement a competitive grant program for eligible community-base and other training workforce organizations preparing disadvantaged youth or veterans for employment.

**SB 74 (Budget and Fiscal Review Committee). Corrections.****Chapter 30, Statutes of 2013**

This measure makes a variety of changes to corrections programs, including:

- Creating the position of undersecretary for Health Care Services within CDCR.
- Requiring the Division of Health Care Operations and the Division of Health Care Policy and Administration to report to this undersecretary.
- Having each of these Divisions headed by a director, appointed by the Governor.
- Adding the secretary of CDCR to BSCC, effective July 1, 2013.
- Providing that the Department of Human Resources shall set the compensation of the chair of the BSCC.
- Charging the Inspector General (IG) with periodic review - upon the request of the Governor, Senate Rules Committee, or the Speaker of the Assembly - of CDCR's policies, practices and procedures.
- Specifying that IG shall prepare both a confidential written report, and a separate public written report, based on that review.
- Authorizing IG to have discretion to edit the public report appropriately.
- Specifying that certain documents pertaining to whistleblower communications, as defined by statute, are not public records, nor are they subject to discovery in litigation.
- Expanding the scope of local agencies from which IG cannot hire.
- Charging IG with responsibility of investigating complaints as opposed to CDCR management, not merely reviewing them as previously required.
- Allocating \$750,000 to CDCR for capital outlay.

**\*SB 75 (Budget and Fiscal Review Committee). Courts.****Chapter 31, Statutes of 2013**

This measure restores \$63 million of previous budget cuts to courts system and makes various changes to court operations and finances including an increase in some fees, authorization to borrow from special funds for cash management purposes, and adding a third tier to the probation failure reduction incentive payment to counties. It also requires an evaluation of the Long Beach court building performance-based infrastructure project.

**\*SB 76 (Budget and Fiscal Review Committee). Public Safety.****Chapter 32, Statutes of 2013**

This measure includes provisions related to realignment, parole, re-entry, as well as the "inmate swap". Specific provisions include:

- Offenders convicted of serious or violent felonies, high risk sex offenders, or mentally disordered offenders will be subject to parole supervision by CDCR and the court in the county:
  - In which they were released;
  - In which they reside; and
  - In which an alleged parole violation occurs.
- Specifies that upon a motion by probation officers or district attorneys, courts can modify or terminate supervision:

- The court in the county in which the offender is supervised has jurisdiction; and
- For those on parole both the court in the county of supervision or the court in which the violation occurred, can exercise jurisdiction.
- Offenders released on parole shall remain subject to supervision by CDCR's Division of Parole after 60 days even if there is a determination that they should have been on PRCS.
- To assist with any PRCS transition, CDCR is directed to transmit inmate health record information to county authorities, unless the information is unavailable — contingent upon a determination by the U.S. Secretary of Health and Human Services that this provision is not pre-empted by HIPAA.
- County Sheriffs are authorized to award good time credits for inmate participation in in-custody work or job training programs, on a 1-to-1 or 1-to-1.5 basis.
- CDCR is required to provide counties with written notification for any changes in location or closure of reception centers or parole offices.
- Specifies that the part of a defendant's sentenced term subject to supervision by a county probation officer is mandatory supervision, and begins immediately upon release from custody.
- Inmate Swap: (The purpose is to reduce county jail exposure to liability for failure to provide proper medical/mental health service for long-term inmates). Provisions include the following:
  - Long-term county jail inmates (serving up to 10 years) will be transferred to state prison;
  - Short-term state prison inmates will be transferred to county jails.
- This proposal is population-neutral and revenue-neutral; it will not ease overcrowding in prisons or jails or create savings or more expenditures.

**SB 78 (Budget and Fiscal Review Committee). Public Health. Medi-Cal Managed Care Plan Taxes.**

**Chapter 33, Statutes of 2013**

This measure reauthorizes a tax on sellers of managed care plans to fund managed care plans for children, seniors, persons with disabilities and dual eligible and makes a \$245 million appropriation to Healthy Families from the Federal Trust Fund.

**\*SB 82 (Budget and Fiscal Review Committee). Investment in Mental Health Wellness Act of 2013.**

**Chapter 34, Statutes of 2013**

This measure creates a grant program to increase capacity for client assistance and services in crisis intervention, crisis stabilization, crisis residential treatment, rehabilitative mental health services, and mobile crisis support teams. Eligible entities would include counties, counties acting jointly, and city mental health departments.

**\*SB 85 (Budget and Fiscal Review Committee). Transportation.**

**Chapter 35, Statutes of 2013**

This measure allows Prop. 1B bonds to be sold as designated bonds rather than general fund bonds by using an "enhanced" payment structure. This is made possible

due to the use of weight fees for bond debt service. It also sets up a process for the relocation of utilities needed for high speed rail construction, with the High Speed Rail Authority (HRSA) covering most of the cost. SB 85 changes the accounting processes used for transportation.

**SB 89 (Budget and Fiscal Review Committee). Budget Act of 2012. Augmentation. Chapter 36, Statutes of 2013**

This measure makes several allocations to cover shortfalls in various programs in FY 2012 - 13.

**\*SB 90 (Galgiani). Economic Development. Taxation. Credits. Exemption Chapter 70, Statutes of 2013 (Urgency)**

This measure is the cleanup bill to AB 93, the bill that eliminates the EZ program. See appendix A for a full summary of the measure and other related resources.

**SB 91 (Budget and Fiscal Review Committee). School Finance. Chapter 49, Statutes of 2013**

This measure corrects a drafting error and enacts technical cleanup to the budget trailer bill, AB 97 (Budget Committee, Chapter 47, Statutes of 2013), that established the Local Control Funding Formula for school districts, charter schools, and county offices of education; and enacts technical cleanup to the 2013 Budget Act (AB 110, Budget Committee, Chapter 20, Statutes of 2013).

**SB 94 (Budget and Fiscal Review Committee). Medi-Cal Managed Care. Long-Term Services and Supports. In-Home Supportive Services. Chapter 37, Statutes of 2013**

This measure makes changes to the Coordinated Care Initiative, delinking the dual demonstration projects and the integration of long-term supports and service into Medi-Cal managed care.

**\*SB 96 (Budget and Fiscal Review Committee). Public Resources. Chapter 356, Statutes of 2013**

This measure makes a variety of changes to environmental and resource programs, including:

- Requiring funds allocated to the Lower-Emission School Bus Program to be prioritized to retrofit or replace the most polluting school buses in small air districts first and then to medium air districts as defined by the ARB.
- Requiring the PUC to develop and implement the Electric Program Investment Charge program to award funds for projects that will benefit electricity ratepayers and lead to technological advancement and breakthroughs to overcome the barriers that prevent the achievement of the state's statutory energy goals.
- Amending the Renewable Resource Trust Fund to provide funding for the New Solar Homes Partnership (NSHP). NSHP provides financial incentives to encourage the installation of eligible solar energy systems on new residential construction. It is focusing efforts on new residential buildings and seeks to

achieve 400 megawatts of distributed solar photovoltaic electric capacity by the end of 2016.

- Amending the Property Assessed Clean Energy Program (PACE) to allow the authority to develop and administer a PACE risk mitigation program for PACE loans to increase their acceptance in the marketplace and protect against the risk of default and foreclosure.
- Requiring PUC to conduct a zero-based budget for all of its programs by January 10, 2015. The zero-based budget shall be completed for the entire Commission, rather than on a division-by-division basis.
- Limiting PUC's ability to form a "non-state entity," as defined, with moneys other than moneys that would otherwise belong to the public utility's shareholders.

**\*SB 97 (Budget and Fiscal Review Committee). School Finance. Local Control Funding Formula.**

**Chapter 357, Statutes of 2013**

This measure includes cleanup language for the Local Control Funding Formula, including changes to grants to charter schools, Prop. 39 funding for schools, and former redevelopment funding for schools.

**SB 98 (Budget and Fiscal Review Committee). Public Health.**

**Chapter 358, Statutes of 2013**

This measure makes technical corrections and clarifications to health and human services budget trailer bills.

**\*SB 99 (Budget and Fiscal Review Committee). Active Transportation Program.**

**Chapter 359, Statutes of 2013**

This measure creates the Active Transportation Program (ATP) by combining funding from the federal Transportation Alternative Program, Bicycle Transportation Account, the Safe Routes to Schools Program, and the recreational trails program. Program funding will be divided between the state and regions subject to guidelines that will be adopted by the California Transportation Commission. It requires that 25 percent of all program funds benefit disadvantage communities. Safe Routes to Schools are guaranteed at least \$24 million, with at least \$7.2 million of that going to non-infrastructure programs. It also includes placeholder language to allow the ATP to receive funding from Cap and Trade revenues in the future.

**\*SB 100 (Budget and Fiscal Review Committee). Public Finance.**

**Chapter 360, Statutes of 2013**

This measure contains changes and technical corrections to a variety of general government law, including census tracts, executive officer exemptions for a 501(c)(5), and income tax credits for purchases of qualified property in an enterprise zone prior to Jan. 1, 2014. It also specifies that the director of GO-Biz will serve as the chair of the California Competes Tax Credit Committee and clarifies that a state legislator may not sit on the committee.

**SB 101 (Budget and Fiscal Review Committee). Health.**  
**Chapter 361, Statutes of 2013**

This measure makes technical corrections to health-related budget trailer bills and appropriates private foundation and matching federal funding received for Medi-Cal application assisters and outreach grants for counties.

**SB 102 (Budget and Fiscal Review Committee). State Employees. Memoranda of Understanding.**

**Chapter 397, Statutes of 2013**

This measure contains required provisions to amend various MOUs with state employees to reflect recent agreements with the Governor.

**\*SB 105 (Budget and Fiscal Review Committee). Corrections.**

**Chapter 310, Statutes of 2013**

This measure authorizes out-of-state inmate transfers as well as transfers between state and local facilities in California. It also authorizes the potential use of private correctional facilities. SB 105 contains a provision that may constitute a CEQA waiver to implement any necessary related agreements.

***B. Local Revenue Authority and Flexibility***

**\*AB 562 (Williams). Economic Development Subsidies. Review by Local Agencies.**

**Chapter 740, Statutes of 2013**

This measure requires local agencies, as of January 1, 2014, to provide specific information to the public prior to approving any economic development subsidy of \$100,000 or more. It defines "economic development subsidy" as any expenditure of public funds or loss of revenue to a local agency intended to stimulate economic development, including but not limited to loans, loan guarantees, bonds, grants, enterprise zone or empowerment zone incentives, fee waivers, land price subsidies, matching funds, tax abatements, tax exemptions, and tax credits. This provision, however, does not apply to subsidies provided to low and moderate income housing.

AB 562 requires that the public must be provided a description of the subsidy, its start and end dates, a statement of the public purposes of the subsidy, and a projection of the anticipated tax revenue the local agency will receive as a result of the subsidy. This measure further requires both a public hearing to be held and a report on each economic development subsidy to be issued during the term of the subsidy and no later than five years after it is granted. A final public hearing must be held upon the conclusion of each subsidy with a term of 10 years or more.

**\*AB 792 (Mullin). Utility User Taxes. Exemptions.**

**Chapter 534, Statutes of 2013**

This measure imposes a statewide municipal utility user tax exemption with respect to electricity generated by a clean energy resource (including solar and fuel cell

technology) that is located on the customer's premises and used solely for the customer or the customer's tenants. This measure sunsets on January 1, 2020.

**\*SB 7 (Steinberg and Cannella). Public Works. Charter Cities.  
Chapter 794, Statutes of 2013**

This measure prohibits charter cities from receiving or using "state funding or financial assistance" for a "construction project" if they have a charter provision or ordinance authorizing a contractor to not comply with state prevailing wage requirements on any public works contract. This measure does not restrict charter cities from receiving or using state funding or financial assistance that was awarded to the city prior to January 1, 2015, or to complete a contract awarded prior to that date. The measure includes the following additional conditions and definitions:

- Prohibits a charter city from receiving or using state funds for construction if the city has awarded, within the prior two years, a public works contract not in compliance with state prevailing wage law. An exception is made for inadvertent actions and contrary to a city charter provision or ordinance that otherwise requires compliance with prevailing wages. This provision does not apply to projects a city advertised for bid or awarded prior to January 1, 2015.
- States that charter cities are not disqualified from receiving state construction funds if they include prevailing wage requirements that in all respects are equal or greater to the provisions imposed by this measure and do not allow a contractor to not comply with state prevailing wage requirements.
- Defines "public works contract" as those starting at \$25,000 for construction and \$15,000 for alteration, demolition, repair or maintenance.
- Defines "construction project" as a project that involves the award of a public works contract.
- Defines "state funding and financial assistance" as including direct state funding, state loans and loan guarantees, state tax credits, and any other type of state financial support for a construction project. Excludes revenues that charter cities are entitled to receive without conditions under the constitution.
- Requires the director of DIR to maintain a list of charter cities that may receive and use state funding or financial assistance for a construction project.

### ***C. Local Taxes and Assessments***

**AB 163 (Atkins). Sales and Use Tax Exemption. Military Thrift Store.  
Chapter 72, Statutes of 2013**

This measure exempts from sales tax goods sold by a thrift store on a military installation and operated by a military welfare society as defined by federal law that, in partnership with the U.S. Department of Defense, provides financial, educational, and other assistance to members of the U.S. Armed Forces, their eligible family members and survivors.

**AB 143 (Holden). Use Taxes. Exemption. Armed Forces. Transfer Orders.**  
**Chapter 687, Statutes of 2013**

This measure provides a use tax exemption for the storage, use, or other consumption of personal property, other than a vehicle, vessel, or aircraft, purchased while outside this state by a service member of the U.S. Armed Forces, or a service member's spouse or registered domestic partner, prior to the report date on official orders transferring the service member to this state. The exemption sunsets on January 1, 2019.

**AB 210 (Wieckowski). Transactions and Use Taxes. County of Alameda and the County of Contra Costa.**

**Chapter 194, Statutes of 2013**

This measure extends the authority of Alameda and Contra Costa counties, until December 31, 2020, to adopt ordinances imposing transactions and use taxes for countywide transportation programs, conditioned upon prior voter approval.

**AB 483 (Ting) Local Government. Taxes, Fees, and Assessments.**

**Chapter 552, Statutes of 2013**

This measure provides several helpful definitions and clarifications regarding business assessments and interpretations of Proposition 26 of 2010, by clarifying that assessments are not excluded from the exceptions for "specific benefit" and "specific government service" under Proposition 26 merely because an indirect benefit to a non-payor of the assessment occurs.

**AB 1112 (Ammiano). Transportation Transactions and Use Taxes. Bay Area.**

**Chapter 595, Statutes of 2013**

This measure deletes the 1 percent limitation on the combined local sales tax rate under the Bay Area County Traffic and Transportation Funding Act.

**AB 1422 (Jobs, Economic Development and the Economy Committee). California Alternative Energy and Advanced Transportation Financing Authority.**

**Participating Party.**

**Chapter 540, Statutes of 2013**

This measure makes a variety of cleanup technical and programmatic changes to the sales and use tax program administered by the California Alternative Energy and Advanced Transportation Financing Authority.

**SB 142 (DeSaulnier). Public Transit.**

**Chapter 655, Statutes of 2013**

This measure authorizes the governing board of any transit district, municipal operator, or other public agency operating or contracting for the operation of transit, commuter rail, or intercity rail services to levy a special benefit assessment on real property to finance the acquisition, construction, development, operation, maintenance, or repair of one or more eligible transit projects, subject to the approval of two-thirds of the governing board. The authorization will sunset January 1, 2021.

**SB 171 (Hueso). Drainage. Coachella Valley County Water District.**  
**Chapter 119, Statutes of 2013**

This measure authorizes the Coachella Valley County Water District to impose a fee in compliance with Prop. 218 to pay the costs and expenses of carrying out projects and providing services authorized under existing law.

**SB 442 (Wyland). State Board of Equalization. Erroneous Charges.**  
**Chapter 253, Statutes of 2013**

This measure brings special tax and fee law with respect to bank charge reimbursement provisions into conformity with Sales and Use Tax Law. Specifically, it allows for reimbursement of charges and taxpayer fees that occurred due to erroneous processing or collection by the Board of Equalization (BOE). The special tax and fee laws include: Use Fuel Tax Law; Cigarette and Tobacco Products Tax Law; Alcoholic Beverage Tax Law; Energy Resources Surcharge Act; Emergency Telephone Users Surcharge Law; Hazardous Substances Tax Law; Integrated Waste Management Fee Law; Fee Collection Procedures Law, and Diesel Fuel Tax Law. SB 442 also provides that reimbursement claims shall be filed with the BOE within 90 days from the date that the bank and third-party charges were incurred by the taxpayer or fee payer.

**SB 482 (Hill). Point-of-Sale Systems.**  
**Chapter 166, Statutes of 2013**

This measure eliminates the sunset on a provision of existing law providing the criteria and methodology for county officials to verify the pricing accuracy of a retail establishment's point-of-sale (POS) transaction system. POS systems are used by retail establishments to determine the price of items purchased by consumers.

**\*SB 553 (Yee). Local Government. Property Related Fees Assessment. Elections Procedures.**  
**Chapter 215, Statutes of 2013**

This measure applies existing practices used with benefit assessment elections to property-related fee elections proposing to impose or increase property-related fees. Before a local government can charge a new property-related fee or increase an existing one, Prop. 218 (1996) requires local officials to: identify the parcels to be charged; calculate the fee for each parcel; notify the parcels' owners in writing about the fees and the hearing; hold a public hearing to consider and count protests; and abandon the fees if a majority of the parcels' owners protest.

New or increased property-related fees require either: a majority-vote of the affected property owners; two-thirds registered voter approval; or weighted ballot approval by the affected property owners.

Specifically, this measure provides that:

- If an agency chooses to submit a proposed fee or charge for approval by a majority vote of property owners, this measure requires that each notice include the phrase "OFFICIAL BALLOT ENCLOSED," as specified, the agency's return address, the date and location where the ballots will be tabulated, the place

where the person returning the ballot may indicate their name, a reasonable identification of the parcel, and a place to indicate support or opposition.

- If a local agency chooses to submit the proposed fee or charge for voter approval by a two-thirds-vote of the registered voters, as specified, the election must be conducted by an elections official or their designee and any costs associated with the election must be reimbursed to the county, for non-county elections.
- Ballots must be: received at the address indicated or at the site of public testimony; remain sealed until tabulation of all ballots; be treated as disclosable public records, and if applicable, the information used to determine the weight of each ballot; and tabulated in a location accessible to the public.
- Ballot tabulation must: begin at the conclusion of the public hearing on the proposed fee or charge; be conducted by an impartial person with no vested interest in the outcome, including, but not limited to, the clerk of the agency; and be in public view, including the unsealing of the ballot, as specified. Ballot tabulation can continue at a different time provided the governing body announces the time and location at the hearing, and is posted in a location accessible to the public.

#### ***D. Tax and Debt Collection***

##### **\*AB 508 (Calderon, I.). Debt Collection. Homeless Veterans.**

###### **Chapter 234, Statutes of 2013**

This measure prohibits, for a period of five years, the garnishment of earnings, and the levy on a bank account or the earnings of a homeless veteran who served in the military within the previous eight years. The prohibited garnishment is based on the enforcement and collection of fees, fines, forfeitures or penalties imposed by a court for violation of state or local laws related to loitering, illegal lodgings, and similar violations.

##### **AB 576 (Pérez, V. M.). Revenue Recovery and Collaborative Enforcement Team Act. Pilot Program.**

###### **Chapter 614, Statutes of 2013**

This measure establishes a Revenue Recovery and Collaborative Enforcement Team between nine state agencies to facilitate sharing of information and investigative leads, to recover an estimated \$8 billion annually in lost tax revenue as a result of the state's underground economy. It provides a coordinated information gathering tool to support tax enforcement activity by pooling the resources of EDD, FTB, BOE, DOJ, Health and Human Services Agency, Department of Consumer Affairs, DIR, Department of Insurance, and DMV.

##### **AB 781 (Bocanegra) Sales Suppression Devices.**

###### **Chapter 532, Statutes of 2013**

This measure makes it a crime to sell, purchase, install, use or possess any automated sales suppression device, zapper or phantom-ware with the intent to defeat or evade collection of sales or use taxes or fees.

**AB 1411 (Revenue and Taxation Committee). Tax Administration. Financial Institution Record Match System. Addresses.**

**Chapter 200, Statutes of 2013**

This measure authorizes FTB to use a taxpayer's updated address information obtained via the Financial Institution Record Match program for purposes other than tax collection. It allows FTB, when it obtains new address information for a taxpayer, to update its internal taxpayer records with that new information.

**SB 211 (Hernandez, E.). Tax Administration. Disclosure of Information. Franchise Tax Board and Cities.**

**Chapter 513, Statutes of 2013**

This measure eliminates a sunset on reciprocal agreements for information sharing between cities and FTB, allowing the disclosure of limited tax information to enhance local and state tax enforcement activities.

### ***E. Property Taxes***

**AB 701 (Quirk-Silva). General Subject. Local Government Finance. Property Tax Revenue Allocation. Vehicle License Fee Adjustments. County of Orange.**

**Chapter 393, Statutes of 2013**

This measure repeals the SBx3 8 (Ducheny, Chapter 4, Statutes of 2009) that requires a \$50 million increase in the annual amount of ad valorem property tax allocated to Orange County annually and increases the county's vehicle license fee (VLF) adjustment by \$53 million in fiscal year 2013 - 2014. It increase the county's VLF adjustment amount in future years to reflect the amount that the county would have received if its VLF adjustment amount hadn't been offset in 2004 to help the county finance its bankruptcy-related debt. The measure also states that the parties to Department of Finance v. Grimes agree not to seek appellate review of the case.

**SB 825 (Governance and Finance) Property Tax Administration.**

**Chapter 607, Statutes of 2013**

This measure makes several minor changes affecting the administration and collection of property tax.

### ***F. Bonds, Debts and Investments***

**\*AB 279 (Dickinson). Financial Affairs.**

**Chapter 228, Statutes of 2013**

This measure expands upon the existing authority of local agencies to invest up to 30 percent of their surplus funds in certificates of deposits through a selected depository institution, which maintains Federal Deposit Insurance Corporation insurance protection for the funds by distributing deposits, with the assistance of a private sector entity, through a network of banks and other financial institutions. This measure, effective through January 1, 2017, allows these investments to include investments other than certificates of deposit.

**SB 581 (Wyland). School Bonds. Bond Accountability.**  
**Chapter 91, Statutes of 2013**

This measure requires the annual, independent financial and performance audits required for school bonds to be submitted to a citizen's oversight committee at the same time they are submitted to the school district or community college district. It also requires the governing body of the district to provide the citizen's oversight committee with responses to all findings, recommendations and concerns contained in the audits within three months of receiving them.

***G. Other Revenue and Taxation Issues***

**AB 117 (Cooley). State Government. Financial and Administrative Accountability.**  
**Chapter 193, Statutes of 2013**

This measure directs the DOF, in consultation with the State Controller and the State Auditor, to develop guidelines to maintain independence and objectivity of state agency staff charged with monitoring and assessing the adequacy of internal accounting and administrative controls, including but not limited to training requirements, identifying chain-of-command reporting relationships, and identifying best practices in professional development and independent monitoring.

**AB 383 (Wagner). Maintenance of the Codes.**  
**Chapter 76, Statutes of 2013**

This measure is an annual cleanup of all code sections based on recommendations that the Legislative Counsel is required by law to present to the Legislature for non-substantive changes in various provisions of law. This is necessary to properly maintain various code sections.

**AB 1218 (Gray). California State Auditor. Duties.**  
**Chapter 189, Statutes of 2013**

This measure authorizes the California State Auditor to conduct additional follow-up audit work related to its statutorily required financial and performance audits of state and local government agencies or other publicly created entities, as requested by the Joint Legislative Audit Committee.

**\*AB 1248 (Cooley). Internal Control Guidelines. Local Agencies.**  
**Chapter 190, Statutes of 2013**

This measure requires by January 1, 2015, the State Controller's Office to develop and post on its website internal control guidelines to assist local agencies prevent and detect financial errors and fraud. The bill requires the Controller to develop, and periodically update, the guidelines with input from local agencies, including the League of California Cities. This measure contains no mandate other than that imposed on the State Controller, and is intended as a best practices resource for local agencies to make use of on a voluntary basis.

**AB 1275 (Chau). Unclaimed Property. Filing of Claims.**  
**Chapter 128, Statutes of 2013**

This measure governs the rules pertaining to parties who can file claims with the State Controller to assert ownership over property that has escheated to the state. It clarifies that only a person who claims to have been an owner may file a claim with the Controller. This measure requires the Controller to determine if the claimant is the owner within 180 days of the claim being filed, and revises the definition of owner to include the representative of the estate, guardian or conservator, in addition to the person who had a legal right to the property prior to its escheat to the state.

**AB 1365 (Pérez, J.). State and Local Agency Reports. Legislative Counsel.**  
**Chapter 192, Statutes of 2013**

This measure requires state and local agencies to file mandated reports with the Legislative Counsel electronically instead of via hard copy, and includes audits or studies within the definition of "report." It also requires that if an electronic copy is filed and is available on a website, the agency filing the electronic copy must provide the Legislative Counsel with a hyperlink by which the report may be accessed.

**\*SCA 3 (Leno). Public Information.**  
**Chapter 123, Statutes of 2013**

This constitutional amendment places a measure on the ballot to amend the California Constitution to require local agencies to comply with PRA and the Brown Act, and any subsequent amendments that further the constitutional provisions on public access to public agency meetings and records. If passed by the voters, PRA and Brown Act would no longer be considered reimbursable mandates.

## VIII. Transportation, Communication, and Public Works

### A. Contracting

#### **AB 44 (Buchanan). Subletting and Subcontracting Fair Practices Act. Bidding Procedures.**

##### **Chapter 258, Statutes of 2013**

This measure requires that the license number of all subcontractors be included in bid documents submitted to a public agency. An inadvertent error in the license number will not be considered nonresponsive if it is corrected within 24 hours after the bid opening.

#### **AB 401 (Daly). Transportation. Design-build. Highways.**

##### **Chapter 586, Statutes of 2013**

This measure authorizes CalTrans to use the design-build process for 10 transportation projects. The authority will sunset January 1, 2024. It also extends the authority to regional transportation agencies provided that the work is overseen by CalTrans.

#### **SB 261 (Monning). Contractors. Fraudulent Use of License.**

##### **Chapter 163, Statutes of 2013**

This measure authorizes the Contractors' State License Board (CSLB) to take administrative action against a person who fraudulently or improperly uses a contractor's license. The administrative action will be in addition to any civil or criminal action authorized under current law.

#### **SB 262 (Monning). Contractors.**

##### **Chapter 180, Statutes of 2013**

This measure requires the person who qualifies a contracting firm for a contractor's license to provide the direct supervision and control duties for activities performed under the license.

#### **SB 776 (Corbett). Public Works. Prevailing Wage Rates. Employer Payment Credits.**

##### **Chapter 169, Statutes of 2013**

This measure restricts the type of payments that can be credited against the obligation to pay prevailing wages in the "other" category under current prevailing wage law. In order to be credited, employer payments made to monitor and enforce laws relating to public works must be made to a program or committee established under the federal Labor Management Cooperation Act of 1978.

## ***B. Local Authority***

### **\*AB 61 (Gatto). Parking. Parking Meters.**

#### **Chapter 71, Statutes of 2013**

This measure prohibits local governments from enacting or establishing restrictions on inoperable parking meters before January 1, 2017. This follows a similar measure, SB 1388 (DeSaulnier, Chapter 70, Statutes of 2012), that clarified that drivers are allowed to park at a broken parking meter unless a local ordinance provides a different policy.

### **\*SB 7 (Steinberg). Public Works. Charter Cities.**

#### **Chapter 794, Statutes of 2013**

This measure prohibits charter cities from receiving or using “state funding or financial assistance” for a “construction project” if they have a charter provision or ordinance authorizing a contractor to not comply with state prevailing wage requirements on any public works contract. This measure does not restrict charter cities from receiving or using state funding or financial assistance that was awarded to the city prior to January 1, 2015, or to complete a contract awarded prior to that date. The measure includes the following additional conditions and definitions:

- Prohibits a charter city from receiving or using state funds for construction if the city has awarded, within the prior two years, a public works contract not in compliance with state prevailing wage law. An exception is made for inadvertent actions and contrary to a city charter provision or ordinance that otherwise requires compliance with prevailing wages. This provision does not apply to projects a city advertised for bid or awarded prior to January 1, 2015.
- States that charter cities are not disqualified from receiving state construction funds if they include prevailing wage requirements that in all respects are equal or greater to the provisions imposed by this measure and do not allow a contractor to not comply with state prevailing wage requirements.
- Defines “public works contract” as those starting at \$25,000 for construction and \$15,000 for alteration, demolition, repair or maintenance.
- Defines “construction project” as a project that involves the award of a public works contract.
- Defines “state funding and financial assistance” as including direct state funding, state loans and loan guarantees, state tax credits, and any other type of state financial support for a construction project. Excludes revenues that charter cities are entitled to receive without conditions under the constitution.
- Requires the director of DIR to maintain a list of charter cities that may receive and use state funding or financial assistance for a construction project.

## ***C. Vehicles***

### **AB 8 (Perea). Alternative Fuel and Vehicle Technologies. Funding Programs. Chapter 401, Statutes of 2013 (Urgency)**

This measure extends from FY 2015-2016 to 2024 various temporary, vehicle-related, state and local fees and surcharges to fund vehicle-related air quality, GHG and related programs administered by the CEC, the ARB, local air districts and the BAR. The measure extends all registration and license fees at current levels, as well as the existing retail fee on each new tire to address tire-related environmental impacts. It also preempts ARB's authority to require publicly available hydrogen-fueling stations through regulation and instead requires CEC to fund the development of up to 100 such hydrogen stations from vehicle registration fee revenues in the amount of up to \$220 million over the next 11-plus years.

### **AB 443 (Lowenthal). Vehicles. Delinquent Parking and Traffic Violations. Chapter 101, Statutes of 2013**

This measure eliminates a loophole used to avoid paying parking and toll citations by transferring the registration between family members, a transaction that is exempt from use tax, license fees, and smog requirements, while “washing” the title of delinquent citations.

### **AB 707 (Ting). Vehicles. Chapter 240, Statutes of 2013**

This measure deletes conditions that must be met before local agencies can post “SENIOR” pedestrian warning signs. AB 707 eliminates the requirement that the cost of posting a “SENIOR” pedestrian warning sign be financed by private donations. This measure also authorizes local agencies to request and use Pedestrian Safety Account grant funding, or other grant funding for which it is eligible, to pay for the sign.

### **AB 1092 (Levine). Building Standards. Electric Vehicle Charging Infrastructure. Chapter 410, Statutes of 2013**

This measure requires BSC to adopt mandatory standards for the installation of electric vehicle charging infrastructure for parking spaces in multifamily dwellings and nonresidential development in the next triennial edition of the California Building Standards Code.

**\*AB 1371 (Bradford). Vehicles. Bicycles. Passing Distance.****Chapter 331, Statutes of 2013**

This measure establishes the “Three Feet for Safety Act,” which requires a vehicle driver to provide a three-foot distance when passing a bicycle. If a driver cannot provide the three feet of passing distance, the driver must slow and pass only when it is safe. It establishes related fines and penalties, and will become effective September 16, 2014.

**SB 359 (Corbett). Vehicles. Retirement and Replacement.****Chapter 415, Statutes of 2013**

This measure authorizes the transfer of \$40 million from the Vehicle Inspection and Repair Fund (smog check certificate fees) to the Air Quality Improvement Fund for the new zero-emission and hybrid vehicle and bus rebates, and appropriates \$8 million to the Bureau of Automotive Repair for the Enhanced Fleet Modernization Program. Local governments are eligible to receive these grants.

**SB 454 (Corbett). Public Resources. Electric Vehicle Charging Stations.****Chapter 418, Statutes of 2013**

This measure codifies several recommendations from OPR’s “2013 Zero-Emission Vehicle Action Plan.” These provisions include prohibiting the provider of an electric vehicle (EV) charging station from requiring a subscription or membership as a condition of using the station; requiring that the total actual charges for use of an EV charging station be disclosed at the point of sale; and, requiring that an EV charging station accept payment by credit card or mobile technology, or both.

**SB 457 (Monning). Vessels. Collisions and Accidents.****Chapter 165, Statutes of 2013**

This measure requires any local government that receives grant funding from the Department of Boating and Waterways to collect and report data on all boating accidents.

***D. Public Works*****\*AB 513 (Frazier). Tire Recycling Program. Rubberized Asphalt.****Chapter 499, Statutes of 2013**

This measure creates the Rubberized Asphalt Concrete Market Development Act, which requires the CalRecycle, in accordance with its tire recycling program, to award grants to cities, counties, and other local government agencies for public works projects that utilize rubberized asphalt concrete. It also requires CalRecycle to award grants to state and local government agencies for disability access projects and Class I bikeways that utilize rubberized asphalt concrete at state and local parks and will sunset on June 30, 2019.

**\*AB 755 (Ammiano). Suicide Barriers.****Chapter 593, Statutes of 2013**

This measure requires that project study reports (PSRs) for the construction of new bridges or the replacement of existing bridges with a history of documented suicides and that are identified in a regional transportation plan, interregional transportation improvement program, or the state highway operation and protection program, include a document demonstrating that a suicide barrier was a feature considered during the project's planning process.

**AB 811 (Lowenthal). Excavations. Regional Notification Center System.****Contractor Certification.****Chapter 250, Statutes of 2013**

This measure requires regional excavation notification centers (8-1-1 Centers) to compile and post on the internet site an annual report regarding damage, near misses, violations and downtime in excavations.

**SB 377 (Lieu). Public Works. Project Determinations. Wage and Penalty Assessments.****Chapter 780, Statutes of 2013**

This measure requires the director of DIR to determine within 60 days whether a project is a public work when requested to make such a determination. The timeframe may be extended to 120 days if the project is too complex to issue a determination within 60 days.

**SB 425 (DeSaulnier). Public Works. The Public Works Peer Review Act of 2013.****Chapter 252, Statutes of 2013**

This measure allows the administering agency of a public works project to establish a peer review group to give expert advice on the project and outlines the requirements for the charter of the peer review group. It was triggered, in part, by the review process for the Eastern Span of the San Francisco-Oakland Bay Bridge.

***E. Communications*****AB 1299 (Bradford). Telecommunications. Universal Service Programs. California Advanced Services Fund.****Chapter 507, Statutes of 2013**

This measure appropriates \$25 million from the Broadband Infrastructure Grant Account for grants and loans to fund broadband adoption programs and broadband network connections to publicly supported multitenant affordable housing.

**SB 129 (Wright). Deaf and Disabled Telecommunications Program.****Chapter 332, Statutes of 2013**

This measure extends the sunset date from January 1, 2014 to January 1, 2020 for PUC's authority to collect a surcharge on intrastate telephone service to fund the Deaf and Disabled Telecommunications Program.

**\*SB 740 (Padilla). Telecommunications. Universal Service Programs. California Advanced Services Fund.****Chapter 522, Statutes of 2013 (Urgency)**

This measure sets a statewide goal of funding for infrastructure projects that will provide broadband access to 98 percent of California households by December 15, 2015. It expands eligibility in the California Advanced Services Fund to companies that are not telephone corporations if they meet specified requirements. The measure also increases Broadband Infrastructure Grant Account program funding for these purposes.

## ***F. Financing***

**\*AB 164 (Wieckowski). Infrastructure Financing.****Chapter 94, Statutes of 2013**

This measure requires that local public-private partnership agreements include performance bonds and payment bonds.

**AB 210 (Wieckowski). Transactions and Use Taxes. Counties of Alameda and Contra Costa.****Chapter 194, Statutes of 2013**

This measure extends the authority of Alameda and Contra Costa counties, until December 31, 2020, to adopt ordinances imposing transactions and use taxes for countywide transportation programs, conditioned upon prior voter approval.

**AB 466 (Quirk-Silva). Federal Transportation Funds.****Chapter 736, Statutes of 2013**

This bill establishes a distribution formula for federal Congestion Mitigation and Air Quality (CMAQ) funds, maintaining the long-standing distribution formula with an added emphasis on PM 2.5, as required by the federal Moving Ahead for Progress in the 21st Century Act (MAP-21). The distribution was previously set by federal law, but MAP-21 did not include the statutory formula.

**AB 1070 (Frazier). California Transportation Financing Authority.****Chapter 198, Statutes of 2013**

This measure makes technical changes relating to the California Transportation Financing Authority (CTFA), clarifying that either the CTFA or the project sponsor can be the bond issuer, and the bond issuer is responsible for meeting all statutory requirements.

**AB 1112 (Ammiano). Transportation Transactions and Use Taxes. Bay Area.**  
**Chapter 595, Statutes of 2013**

This measure deletes the 1 percent limitation on the combined local sales tax rate under the Bay Area County Traffic and Transportation Funding Act.

**AB 1422 (Jobs, Economic Development and the Economy Committee). California Alternative Energy and Advanced Transportation Financing Authority.**

**Participating Party.**

**Chapter 540, Statutes of 2013**

This measure makes a variety of cleanup technical and programmatic changes to the sales and use tax program administered by the California Alternative Energy and Advanced Transportation Financing Authority.

**\*SB 99 (Budget and Fiscal Review Committee). Active Transportation Program.**  
**Chapter 359, Statutes of 2013**

This measure creates the ATP by combining funding from the federal Transportation Alternative Program, Bicycle Transportation Account, the Safe Routes to Schools Program, and the recreational trails program. Program funding will be divided between the state and regions subject to guidelines that will be adopted by the California Transportation Commission. It requires that 25 percent of all program funds benefit disadvantage communities. Safe Routes to Schools are guaranteed at least \$24 million, with at least \$7.2 million of that going to non-infrastructure programs. It also includes placeholder language to allow the ATP to receive funding from Cap and Trade revenues in the future.

## **G. Environmental Considerations**

**AB 221 (Quirk-Silva). Recycled Concrete.**  
**Chapter 154, Statutes of 2013**

This measure updates legislative findings and declarations to state the benefits of recycling concrete and updates the definition of recycled concrete to include mix designs or aggregate gradations of reclaimed concrete material that are in accordance with the specifications of the California Building Code and the California Green Building Standards Code.

**\*AB 719 (Hernández, R.). Energy. Energy Efficiency. Street Light Pole.**  
**Chapter 616, Statutes of 2013**

This measure requires PUC, on or before March 1, 2014, to order investor-owned utilities to submit a tariff change that a local government may use to fund energy efficiency improvements in street light poles owned by the utility in order to reduce energy bills, but with no cost shifts to nonparticipating ratepayers.

## ***H. Rail and Public Transit***

### **AB 14 (Lowenthal). State Freight Plan.**

#### **Chapter 223, Statutes of 2013**

This measure mandates the development of a state freight plan every five years and establishes a state freight advisory committee to comply with the requirements of the federal MAP-21.

### **AB 481 (Lowenthal). High-Speed Rail.**

#### **Chapter 132, Statutes of 2013**

This measure transfers administrative property management duties related to the high-speed rail project from DGS to the HSRA.

### **AB 528 (Lowenthal). State Rail Plan and High-Speed Rail Authority Business Plan.**

#### **Chapter 237, Statutes of 2013**

This measure makes various technical changes to the state rail plan and HSRA business plan to reflect new federal requirements and allow for better streamlining and efficiency measures.

### **SB 142 (DeSaulnier). Public Transit.**

#### **Chapter 655, Statutes of 2013**

This measure authorizes the governing board of any transit district, municipal operator, or other public agency operating or contracting for the operation of transit, commuter rail, or intercity rail services to levy a special benefit assessment on real property to finance the acquisition, construction, development, operation, maintenance, or repair of one or more eligible transit projects, subject to the approval of two-thirds of the governing board. The authorization will sunset January 1, 2021.

### **SB 557 (Hill). High-Speed Rail.**

#### **Chapter 216, Statutes of 2013**

This measure restates existing law as it relates to the San Francisco-Peninsula segment of the high-speed rail system. The bill's purpose is to ensure that the HSRA continues to honor existing agreements and funding restrictions.

## ***I. Other***

### **AB 178 (Gaines, B.). Highways. Exit Information Signs.**

#### **Chapter 131, Statutes of 2013**

This measure expands CalTrans' business logo sign program to allow signs to be placed along State Route 65 within the city of Lincoln, regardless of population criteria.

**AJR 6 (Fox). Unmanned Aircraft Systems.**  
**Resolutions Chapter 78, Statutes of 2013**

This resolution requests the Federal Aviation Administration (FAA) to consider California as one of the test sites for unmanned aircraft systems.

**SB 788 (Transportation and Housing Committee). Transportation.**  
**Chapter 523, Statutes of 2013**

This measure makes non-controversial changes to section of law relating to transportation. Of interest to cities, the measure defines the term "highway" for the purposes of establishing whether or not increased transit service qualifies for an exemption pursuant to CEQA; updates descriptions of various highways to reflect relinquishments of those highways to local agencies; and, aligns the definition of Class I bikeway with the federal criteria.

**SR 11 (Cannella). Relative to National Engineers Week.**

This resolution recognizes February 17, 2013 to February 23, 2013, as National Engineers Week and acknowledges the contributions made by engineers to all Californians.

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## California Environmental Quality Act (CEQA) Reform

This year was supposed to be the year for California Environmental Quality Act (CEQA) reform but even the best laid plans can go awry and the definition of “reform” viewed differently from party to party.

Initially former Senator Michael Rubio, a Central Valley Democrat, was leading the effort but things changed when he resigned to take a job in the private sector earlier this year. The focus then shifted to SB 731 (Steinberg) as the vehicle.

In its early stages SB 731’s contents were mostly intent language. Still, organizations lined up to testify on behalf of the legislation partially because it was the only game in town. By the time the bill reached the Assembly, however, factions emerged with some voicing concerns over whether the measure’s contents would actually streamline the process or reduce litigation.

### League CEQA Taskforce and Bill Position Formed

The League formed a CEQA Taskforce in preparation to engage in discussions and negotiations. League President Bill Bogaard appointed members from four different policy committees. The taskforce held meetings to review the bill in detail, and developed recommendations on each provision in the bill. To preserve flexibility, taskforce members recommended the League take a “concern” position with the option to oppose should the League’s concerns go unaddressed. The taskforce’s recommendation was concurred with by four League policy committees and the League’s Board.

The League met with Senate President Pro Tem Steinberg’s staff, the Planning and Conservation League, a coalition of business interests called the CEQA Working Group, and the Public Works Coalition to gain a broader perspective on the bill. As lead agencies, the League believes cities have important expertise and should be seated at the CEQA negotiation table. Along with other members of the Public Works Coalition, the League submitted proposed amendments to SB 731. The amendments sought to ameliorate the concerns lead agencies had with the language in the bill.

For example, an earlier version of SB 731 would have required lead agencies to post statements of overriding considerations 10 days prior to the approval of a proposed project, possibly triggering another CEQA comment period. The League opposed this provision because of the increased delay and additional litigation opportunities another comment period would provide, but instead offered a 10-day notice that would not trigger a CEQA comment period as an alternative. Provisions such as this caused the League to join other public agency organizations and change its position from “concern” to “oppose unless amended.”

### Bill Support Decreases; SB 731 Stalls

Two days before the end of session, SB 731 was scheduled to be heard in the Assembly Local Government Committee. Most of the amendments requested by the

League had been accepted at that point, which meant lead agencies wouldn't be negatively impacted by the bill but probably wouldn't benefit either. Senator Steinberg had two bills in the committee, SB 731 relating to CEQA reform and SB 743 dealing with CEQA streamlining for the Sacramento Kings Arena.

By then, prior support for SB 731 had waned and shifted. Opposition to the bill came from the CEQA Working Group, various environmental groups, and the Public Works Coalition. The Governor's Office of Planning and Research (OPR) also had concerns with the legislation. Ultimately, Senator Steinberg chose to move only SB 743 after agreeing to insert statewide CEQA provisions from SB 731 into SB 743.

### **SB 743 Signed by Governor**

In addition to assisting the basketball arena, provisions of SB 743:

- Require OPR to develop new guidelines on ways to analyze traffic impacts. The measure provides that using Level of Service to measure traffic delay will not trigger a significant impact on the environment, except where identified in the OPR guidelines.
- Require OPR to develop new guidelines on how to analyze traffic impacts in transit priority areas. After adoption of the guidelines, Level of Service as a measurement of traffic delay will not be allowed within a transit priority area.
- Expand an existing CEQA exemption for residential projects implementing a specific plan for which an EIR was already prepared to any residential, employment center or mixed use within a transit priority area if it is consistent with the specific plan for which an EIR is prepared and is consistent with the Sustainable Communities Strategy/Alternative Planning Strategy.

With these changes SB 743 passed the Assembly Floor by a vote of 56–7 and the Senator Floor by a vote of 32–2. The bill was signed by the Governor on September 27, 2013.

As for SB 731, the measure was shelved by Senator Steinberg and is now considered a two-year bill. In a Capitol Public Radio interview Steinberg told reporters he was “pleased with the California Environmental Quality Act changes he pushed through at the end of the year's session — and he won't be carrying a broader CEQA overhaul next year.”

## **Governor’s Economic Development Initiative (AB 93), (SB 90) New Programs and Enterprise Zone Elimination**

The law up until January 1, 2014 authorized the designation of up to 42 Enterprise Zones (EZs) which offered various economic development incentives for businesses in economically distressed areas. Benefits included a sales tax credit, hiring tax credit and a net interest deduction.

The Governor’s proposal eliminates the EZ program in its entirety and replaces it with three different components of limited duration: a manufacturing sales tax exemption on the purchase of manufacturing equipment; a narrowly-targeted employment credit that can be used within the boundaries of former EZs minus any areas within those boundaries with the lowest rates of unemployment and poverty, Local Agency Military Base Recovery Areas (LAMBRA) and the poorest 25 percent of the state’s census tracts; and, a California Competes Credit issued by the Governor’s Office of Business and Economic Development (GO-Biz) to offer income tax credits on a negotiated basis to employers. AB 93 is considered revenue-neutral in that it redirects approximately \$750 million towards the new program. Some legislators voted in favor of AB 93 by securing a commitment from the Administration for specific changes to AB 93 which was ultimately included in SB 90.

### **Changed Sales Tax Credits for Manufacturing Equipment**

Prior to the elimination of the EZ program, businesses located in an EZ could take advantage of a sales and use tax credit for purchases of manufacturing equipment, but the total cost of the purchases could not exceed \$1 million for personal income tax filers and \$20 million for corporation tax filers. This credit was available for the duration of the EZ designation (EZs initially received a 15-year designation). The cost of the sales and use tax component is not known because both the hiring tax credit costs and the sales and use tax credit costs are combined. However, the Personal Income Tax portion for both costs approximately \$293 million and the Corporate Tax portion for both costs approximately \$414 million. Estimates put the sales tax component around \$100 million.

Under the Governor’s proposal, the sales and use tax credit is eliminated, as of January 1, 2014, in favor of a temporary statewide provision. The new manufacturing and sales and use tax exemption in AB 93 will be available July 1, 2014 statewide, without geographic limitations, for the purchase of qualified equipment used for manufacturing, biotechnology research and experimental development in the physical, engineering and life sciences. The exemption allows up to \$200 million in purchases from a single entity to qualify. AB 93 provides that the exemption expires on July 1, 2022, eight years after the sales tax exemption begins.

The Senate Budget Committee estimated that for FY 2014–2015, the state will spend \$486 million on this provision, \$521 million in FY 2015–2016, and \$531 million in FY 2016–17.

## Changed Hiring Tax Credits

Prior to the expiration of the EZ program, businesses in an EZ could hire individuals with barriers to employment including those that are economically disadvantaged, dislocated workers, disabled, ex-offenders, members of a federally-recognized Indian tribe, residents of a targeted employment area, etc. The incentives offered to businesses to hire these workers were robust as an incentive to hire individuals with barriers to employment and provide training to those who might have otherwise lacked qualifications. Businesses receive 50 percent of taxable wages up to \$12 an hour for the first year of employment, 40 percent for the second, 30 percent for the third, 20 percent for the fourth, and 10 percent for the fifth year of employment. For example, an employer that paid \$12 an hour for 40 hours of work per week for 50 weeks would have received approximately \$10,000 in a hiring tax credit (technically, closer to \$12,000, except the law capped the credit that could be earned). Businesses were eligible to receive up to \$37,440 over five years for a single employee.

All types of businesses were eligible for the hiring tax credit regardless of whether a new position was created or retained an existing position. Businesses were also authorized to carry forward earned credits which do not expire. While the exact figure for the hiring tax credit is not known, it is generally accepted that this was the most costly provision of the EZ program at about \$500 million.

AB 93 eliminates the above hiring tax credit as of January 1, 2014. Existing employers in EZs can collect credits for any employee hired before that date for five years, and can carry forward any unused credits for up to 10 years.

An extremely narrowed new employment credit will be offered to businesses, subject to numerous restrictive conditions that are likely to limit interest in the program. Under the revised proposal:

Much Less Being Offered: An employer in an EZ, in one of the identified 25 percent census tracts, or in a LAMBRA would be eligible to receive a 35 percent credit only on wages offered between \$12 and \$28 per hour. For example, a business paying an employee \$12 an hour will not receive any tax credit, but an employer paying \$14 an hour for 40 hours a week for 50 weeks would receive a 35 percent credit for \$2 an hour of wages for approximately a \$1,400 tax credit. While the Governor's office has indicated that potentially an employer could earn up to \$56,000 for the hiring tax credit if the employer pays at least \$28 per hour, this scenario is highly unlikely given the restricted pool of eligible employees, many who will lack marketable skills to be worth wages in excess of \$12 per hour. SB 90 contains an amendment to the wage requirement that will create five pilot project areas that can receive the credit for wages over \$10 an hour, not \$12. Not many details of the pilot project are known, except that GO-Biz will have sole discretion over the designation of the pilot areas. The Senate Budget Committee estimates that the state will spend \$7 million for the hiring tax credit in FY 2013–2014, \$34 million in FY 2014–2015, \$70 million in FY 2015–2016 and \$110

in FY 2016–2017. For a credit that was previously worth approximately \$500 million a year, this is a significant reduction.

Smaller Pool of Eligible Applicants: The categories of employees eligible for the hiring tax credit are limited to individuals either:

- a) Unemployed for six months;
- b) Receiving the federal Earned Income Tax Credit;
- c) Recently discharged from military service (separated in last 12 months);
- d) Ex-offenders (convicted of a felony); and
- e) Cal Works recipients.

Ineligible Businesses: Excluded businesses include all retail, food related jobs, and temporary jobs (fast food, restaurants, car dealerships etc.), unless they are a small business having gross receipts of less than \$2 million. SB 90 also excluded all “sexually oriented businesses” from the hiring tax credit.

Only Added Jobs Count: AB 93 contains a “net new” jobs provision. In order to qualify for any new credit, an employer must increase the total number of jobs from one year to the next. The new employee must remain employed for three years or any earned credits could be required to be returned. While the policy behind this requirement may seem logical, the result will be to remove the incentive to retain existing jobs in disadvantaged areas of the state.

Offering is Temporary: The new employment credit expires in 2021. Given its short duration and many limitations it is likely that this program will be undersubscribed and wither, resulting in little reason to continue such a program focused on former EZs with high numbers of poor and unemployed people in the future. Once the program sunsets, the savings can be shifted by the Legislature and Administration elsewhere.

### **LAMBRAs, MEAs, and TTAs Eliminated**

Prior to the elimination of the EZ program, the LAMBRA program was authorized to attract reinvestment and create re-employment opportunities on certain former military bases. The program had tax incentives similar to those offered in the EZ program. Similarly, Manufacturing Enhancement Areas (MEAs) focused on stimulating job creation in the Border region by providing special state and local incentives to encourage business investment and promote the creation of new jobs. Finally, Targeted Tax Areas (TTAs) were authorized to offer incentives similar to EZs only available to businesses located in the TTAs. AB 93 repeals the existence of LAMBRAs, MEAs, and TTAs as of January 1, 2014. SB 90 contains a provision that will allow LAMBRAs to keep their boundaries, just like EZs, for purposes of being able to qualify for the hiring tax credit.

### **Repealed Net Interest Deduction**

Previously, the law authorized banks making loans to businesses in an EZ to receive a net interest deduction to encourage investment in these disadvantaged areas. The cost of this program was approximately \$23 million. AB 93 repeals the existence of the net interest deduction.

### **New California Competes Credit**

This is a new component that currently does not exist, but authorizes businesses to compete for available funds from GO-Biz. A five-member California Competes Tax Credit Committee consisting of the Treasurer, the Director of Finance, the Director of GO-Biz, and an appointee each from the Senate and the Assembly will determine which businesses receive a Personal Income Tax credit or a Corporation Tax credit based on factors such as the number of jobs created, wages paid and job retention. No business can receive more than 20 percent of the total available funds in any given year. There will be a small business set aside for 25 percent of the money, but the total credits will be limited to \$30 million in 2013-2014, \$150 million in 2014-2015 and \$200 million until 2019 when this program is set to expire.

### **Winners and Losers Under AB 93**

Given that the Governor's prior proposals to eliminate EZs contemplated — as with redevelopment — simple elimination and sweeping all savings into the General Fund, the notion that these funds will be used for alternative economic development programs is at least a positive. The reality, however, is that all of these new programs have sunset dates. The significant tax increases in Prop. 30 are also temporary, so it is quite possible that as the sunset dates for these economic development programs approach, groups that rely on General Fund spending will strongly oppose any continuation of these programs.

California manufacturers will benefit by being able to deduct the state's portion of the sales tax from equipment purchases for the time that the exemption is available. Larger companies may benefit more, given their potential ability to shift capital expenditures for the purchase of equipment. It can be argued that this exemption can help California manufacturing compete better with other states, but businesses often make their investment decisions over a longer timeframe than the exemption will be available. Many manufacturing companies plan 10, 15 and 20 years into the future. In order to take advantage of a manufacturing and sales and use tax exemption of up to \$200 million in equipment purchases, smaller companies may need more than eight years to make that kind of investment.

Some businesses will, no doubt, also benefit from incentives that will be offered by GO-Biz, but the process will be governed by a committee dominated by elected state officials, so politics can be expected and predicting beneficiaries will be difficult.

Given the elimination of the EZ program and the extremely restricted new employment credit offered as a replacement, the true losers under this proposal are those lower-skilled and hard-to-hire individuals who benefited from jobs offered within these zones, which were set up in areas of poverty and high unemployment. While throughout the EZ debate many disparaged jobs offering wages at \$10–\$12 per hour, these jobs provided opportunities for many individuals. The incentive for employers to offer such jobs to hard-to-hire individuals has been eliminated. If such jobs do become available, the more skilled and experienced will get them.

Also harmed by this proposal are the communities and businesses that entered into a partnership with the state to create a zone for a term of 15 years based upon criteria adopted by the state. Businesses moved into areas they might not otherwise locate in, built buildings, purchased equipment and hired people. Local governments also offered local incentives. By eliminating these zones before their 15-year terms expired, affected businesses, local governments and individuals hired under the program are left doubting the state's reliability as a business partner. Since retaining jobs is no longer incentivized, and the incentives for new jobs are extremely marginal, it may encourage some businesses to consider expanding or moving elsewhere.

Veterans and LAMBRAs are affected as well. The former hiring tax credit offered many jobs to our military veterans, not those just recently discharged from service. In addition, the incentives under LAMBRAs also benefited the areas around former military bases. The constraints of the hiring tax credit under the Governor's program will limit veterans hired under this program.

Another negative outcome is that opportunities for local involvement in these programs have been eliminated. EZs previously required the full cooperation and support of the local government with additional local incentives offered to businesses. All of these new programs involve business interaction with state officials. The sales and use tax program will be conducted by the State Board of Equalization, the hiring tax credit by the Franchise Tax Board and the California Competes Tax Credit by GO-Biz.

### **Next Steps**

Local governments should realize that businesses in EZs will remain eligible for hiring credits under the former rules of the program for any employees hired before January 1, 2014. This may spark an increase in local hiring before these incentives expire. In addition, Go-Biz is expected to have maps available at the end of 2013 so that businesses and local governments know exactly where the new hiring tax credit is available.

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## **Suspended Mandates and What Cities Can Do About Them**

The prevailing trend in recent years of budget crisis has been for the state to attempt to find savings wherever possible including the suspension of state-mandated local programs. This is expected to continue under Gov. Jerry Brown who purports to believe in the philosophy of subsidiarity — restore control and funding responsibility for many government programs to the local level.

Cities have a range of options in responding. In some cases, for political or other reasons, cities have little choice but to continue the activities associated with unfunded mandates. It may be useful for cities to also consider other approaches including:

- Continue with previously mandated activities, knowing that the costs will just have to be absorbed locally;
- Discontinue compliance efforts for the mandates that have been suspended; or
- Seize the opportunity to examine the degree to which the underlying policy or societal goal driving the suspended mandates match local priorities, and to the degree that they do, explore ways to create greater efficiencies through cost saving best practices that may reduce related administrative burdens.

### **Newly Suspended Mandates**

A total of 60 mandates are suspended in FY 2013–14 including five newly suspended for the first time this fiscal year with three (noted by \*) relieving cities of previously mandated costs:

- \*Domestic Violence Background Checks;
- \*Identity Theft;
- Modified Primary Elections;<sup>1</sup>
- Permanent Absent Voters; II<sup>2</sup> and
- \*Voter Identification Procedures.

Three affect cities in terms of relieving them of previously mandated costs:

- Domestic Violence Background Checks.
- Identity Theft.
- Voter Identification Procedures.

### **Domestic Violence Background Checks**

- Cumulative Statewide Cost in Claims: \$19.2 million.
- Average Annual Cost: \$1.74 million (over 11 years).
- Actual Annual Cost: Exceeded \$2.2 million annually over the last three fiscal years.

**Summary:** Requires district attorneys and prosecuting city attorneys to perform database searches of persons charged with domestic violence, and of persons against

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<sup>1</sup> This mandate represents primarily county responsibilities with no evidence of city participation, or of cities filing reimbursement claims.

<sup>2</sup> Same note as for #1 above.

whom a domestic violence restraining order may be issued. Information on prior related offenses/incidents is required to be presented to the courts for consideration under certain circumstances.

**Impact on Cities:** Counties shoulder this responsibility exclusively in most cases. Many cities that contract out for city attorney services, where they function as prosecuting attorneys, will be affected by this suspension. An estimated 75 percent of cities contract out for this service. The Commission on State Mandates has been queried to determine how much of the cumulative statewide cost is accounted for by contract cities. The State Controller estimates that 33 percent or \$6.3 million of these claims were generated by cities.

**Cost Saving Best Practices:**

- Expand use of digital/electronic search engines and databases;
- Systematically save and store search results in-house to save costs of compliance with respect to repeat offenders;
- Explore pooling resources with other cities and/or county to lower cost of funding this activity; and
- Consult with local district attorney for guidance.

**Identity Theft**

- Cumulative Statewide Cost in Claims: \$83.4 million.
- Average Annual Cost: \$6.4 million (over 13 years).
- Actual Annual Cost: Exceeded \$9 million annually over the last five fiscal years.

**Summary:** Requires local law enforcement agencies to take a police report and begin an investigation when a complainant residing within their jurisdiction reports suspected identity theft.

**Impact on Cities:** It appears that a majority of acts of reporting triggered by this mandate are performed by municipal police departments, who take the majority of complaints about incidents of identity theft. This is indicated by the fact that reimbursement claims have been filed by 38 percent of cities and 36 percent of counties. Over a period of nine fiscal years, the city of Los Angeles alone accounted for 38 percent of the identify theft reports statewide. The Commission on State Mandates has been queried to determine how much of the cumulative statewide cost is accounted for by cities.

**Cost Saving Best Practices:**

- Consider pooling investigatory resources with counties;
- Develop uniform procedures for identity theft investigation, drawing from federal, state and county resources; and
- Coordinate with local banks, many of whom can provide financial information packets prepared by bank fraud investigators to be filled out by identify theft victims.

### **Voter Identification Procedures**

- Cumulative Statewide Cost in Claims: \$7.5 million.
- Average Annual Cost: \$750,000 (over 10 years).
- Actual Annual Cost: Exceeded \$1.2 million in two of the last three fiscal years.

**Summary:** Requires elections officials to compare the signature on each provisional ballot envelope with the signature on the voter's affidavit of registration, completed at the time that they register to vote.

**Impact on Cities:** Probably minimal. This is primarily a county responsibility, as the Registrar of Voters is generally a county level office. However, at least two cities in California shoulder this responsibility, based on reimbursement claims filed between FY 2002–03 and FY 2010–11. In the same period, 17 counties filed similar claims. The Commission on State Mandates has been queried to determine how much of the cumulative statewide cost is accounted for by cities.

### **Cost Saving Best Practices:**

- Consult with Association of County Elections Officials.

### **Previously Suspended Mandates**

#### **Animal Adoption**

- Cumulative Statewide Cost in Claims: \$158 million.
- Average Annual Cost: \$13.1 million (over 12 years).
- Actual Annual Cost: Exceeded \$20 million in two of the last three fiscal years.

**Summary:** Requires local agencies to hold stray animals for an increased period (from three to six days) before they can be euthanized and requires that impounded animals promptly receive necessary veterinary care.

**Impact on Cities:** Responsibility for this mandate is jointly shouldered by cities, counties, cities and counties, special districts and joint powers authorities. This mandate has a direct impact on cities to the degree they operate animal shelters, and one city was part of the test claim. *An estimated 80 percent of the cumulative statewide cost, or \$126.4 million, is accounted for by cities.*

### **Cost Saving Best Practices:**

- Evaluate what is more cost effective: maintaining a municipal animal shelter or contracting with the county;
- Explore consolidation or joint animal shelter facilities with the home county; and
- Explore possibility of regional animal shelter for even greater cost savings.

#### **Domestic Violence Information**

- Cumulative Statewide Cost in Claims: \$20 million over four years (1985-86 to 1988-89).
- Average Annual Cost: \$5 million.

- Actual Annual Cost: No recent data available.

**Summary:** Requires all California law enforcement agencies to develop, adopt, and implement written policies and standards for officers responding to domestic violence calls by January 1, 1986. Also requires law enforcement agencies to develop incident report forms and maintain records of all protection orders with respect to domestic violence incidents.

**Impact on Cities:** Substantial initial fiscal impact on municipal police departments charged with developing both policies and appropriate forms. These costs likely dropped off dramatically once this work, and any associated training, was completed. This could be an example of a suspended mandate that has been or could be incorporated into best practices and has likely seen a steep decline in reimbursable costs.

**Cost Saving Best Practices:** This is currently not an issue and has long since been incorporated into local police departments' standard operating procedures.

### **Inmate AIDS Testing**

- Cumulative Statewide Cost in Claims: \$5.5 million over years.
- Average Annual Cost: \$916,000.
- Actual Annual Cost: No recent data available.

**Summary:** Requires that all law enforcement employees report to the chief medical officer any instance in which they come into contact with the bodily fluids of an inmate, a person under arrest, or in custody, and a parolee or probationer.

**Impact on Cities:** Probably minor. The bulk of law enforcement personnel affected by this mandate serve at the county or state level, given the volume of inmates in county jails and state prisons. Police officers are likely to have limited, less sustained exposure to arrestees who in most instances are released within a few hours or processed and transferred to a county jail. Commission on State Mandates has been queried to determine how much of the cumulative statewide cost is accounted for by cities.

### **Law Enforcement Sexual Harassment Training**

- Cumulative Statewide Cost in Claims: \$2.4 million over eight years.
- Average Annual Cost: \$300,000.
- Actual Annual cost: No recent data available.

**Summary:** Requires that city police departments, county sheriffs' departments, districts, and state university departments follow sexual harassment complaint guidelines developed by the POST.

**Impact on Cities:** Substantial one-time costs associated with developing formal complaint policies and procedures for officers who are victims of sexual harassment. This is likely another example of a suspended mandate that has been or could be

incorporated into best practices and has likely seen a steep decline in reimbursable costs.

**Cost Saving Best Practices:** No recommendations, already incorporated into departmental standard operating procedures.

#### **Missing Persons Report**

- Cumulative Statewide Cost in Claims: Unknown, estimate is \$90,000,000.
- Average Annual Cost: \$5 million (based on FY 1994–95 figures, last reported).
- Actual Annual Cost: No recent data available.

**Summary:** Requires law enforcement, where a person under age 18 is reported missing, and law enforcement determines it is under suspicious circumstances, to confer with the coroner or medical examiner, and to expedite submission of a missing persons report including dental records, to the Department of Justice.

**Impact on Cities:** Significant and ongoing because local law enforcement is often the initial point of law enforcement contact on missing persons' cases. However, this mandate is a clear candidate for best practices that would be incorporated in routine law enforcement procedures.

**Cost Saving Best Practices:** No recommendation, already incorporated into departmental standard operating procedures.

#### **Photographic Record of Evidence**

- Cumulative Statewide Cost in Claims: \$2.5 million (over seven years).
- Average Annual Cost: \$357,000.
- Actual Annual Cost: Exceeded \$110,000 in two of last three fiscal years prior to suspension.

**Summary:** Requires, upon court order, that a photographic record of evidence, and in some instances a certified chemical analysis of the exhibit, be substituted for those exhibits in a criminal trial that pose a security, storage, or safety problem, or if the exhibit, by its nature, is toxic and poses a health hazard.

**Impact on Cities:** Significant and ongoing as police departments are frequently involved in the collection of evidence used in criminal prosecutions. Requires development of policies, procedures and manuals for implementation, and maintenance of photographic files.

#### **Cost Saving Best Practices:**

- Contract out for chemical analysis as needed and to the extent local resources allow consider putting out periodic RFPs to ensure implementation with maximum cost-effectiveness;
- Devise expedited process for securing court orders where needed, perhaps involving electronic approval; and

- Best practices will vary based on jurisdictional requirements — rely on local district attorney to set policy and provide guidance.

**Sex Offenders: Disclosure by Law Enforcement Officers**

- Cumulative Statewide Cost in Claims: \$32.7 million (over eight years).
- Average Annual Cost: \$4 million.
- Actual Annual Cost: No recent figures available.

**Summary:** Requires local law enforcement (cities, cities and counties, and community college districts) to notify the Department of Justice regarding the registration of certain convicted sex offenders, provides for public disclosure of the identity of registered sex offenders by local law enforcement agencies. Cities with populations of less than 200,000 are exempted.

**Impact on Cities:** Significant and ongoing.

**Cost Saving Best Practices:** No recommendation, already incorporated into standard operating procedures.

**Stolen Vehicle Notification**

- Cumulative Statewide Cost in Claims: \$1.2 million (over six years).
- Average Annual Cost: \$200,000.
- Actual Annual Cost: No recent figures available.

**Summary:** Requires the original reporting law enforcement agency, within 48 hours of being notified of the recovery of a stolen vehicle (excluding weekends and holidays), to notify the reporting party of the location and condition of the recovered vehicle.

**Impact on Cities:** Minor to significant, and ongoing.

**Cost Saving Best Practices:** No recommendation, already incorporated into standard operating procedures.

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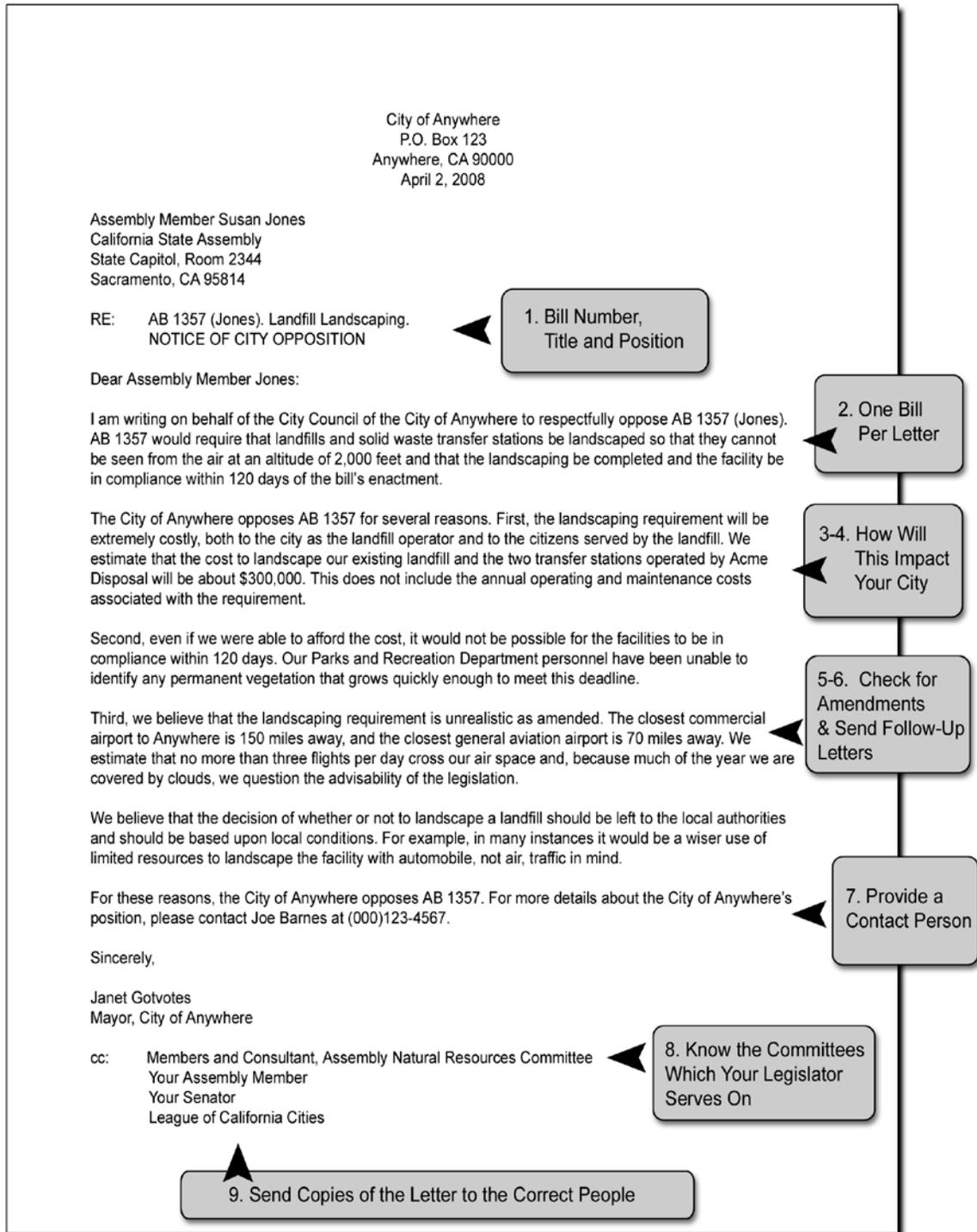
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League of California Cities  
1400 K Street, 4th Floor  
Sacramento, CA 95814  
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## 10 Tips for Cities Lobbying the California Legislature

1. Become engaged in the state level political process by appointing a legislative liaison within your city to track key legislation and work with your regional public affairs manager. You can locate contact information for your regional public affairs manager online at [www.cacities.org/regionalmanagers](http://www.cacities.org/regionalmanagers).
2. Use the League as a resource. Visit [www.cacities.org/legresources](http://www.cacities.org/legresources) to access League priority bills, legislative contacts and additional information. The League's online bill tracking tool can be found at [www.cacities.org/billsearch](http://www.cacities.org/billsearch).
3. Read *CA Cities Advocate*, the League's online newsletter, to stay current on important legislation. Subscribe at [www.cacities.org/cacitiesadvocate](http://www.cacities.org/cacitiesadvocate).
4. Develop relationships with your Senate and Assembly representatives as well as their capitol and district office staff.
5. Get to know members of your local press and educate them on legislative issues affecting your city.
6. Understand how state decisions impact your city's budget.
7. Build networks and collaborate with other groups in your community on key legislative issues.
8. Organize an internal process within your city for developing and proposing changes to laws that will help your city.
9. Adopt local policies on legislation that enable your city to react quickly to the legislative process and respond to League action alerts. View sample city legislative platforms at [www.cacities.org/legplatforms](http://www.cacities.org/legplatforms).
10. Write letters on legislation featured in *CA Cities Advocate*. Sample letters can be found at [www.cacities.org/billsearch](http://www.cacities.org/billsearch) by searching with the bill number or bill author.

## Effective Letter Writing Techniques

- 1. Include the Bill Number, Title, and Your Position in the Subject Line.** Never bury the bill number and the action you want the legislator to take in the body of the letter.
- 2. One Bill per Letter.** Legislators file letters according to the bill number.
- 3. State the Facts.** Describe the impact the bill would have on your city. Use “real world” facts; legislators like to know how a bill would specifically affect cities in their districts. The League often provides a sample letter that includes space to describe local impacts. Take the time to provide such examples. This part of the letter is the most valuable to the legislator.
- 4. Think About the Message.** Letters may be targeted to specific legislators or entire committees. Think about who you want to act on the bill and message accordingly. If you are writing in support of transportation funding, emphasizing how the project will reduce greenhouse gases might be important to one legislator, while highlighting how the project could encourage additional development and jobs might be important to another. Both messages are correct, but your effectiveness will be in selecting the right message.
- 5. Check for Amendments.** Always check the League’s website ([www.cacities.org/billsearch](http://www.cacities.org/billsearch)) to make sure you are addressing issues in the latest draft. Bills are often significantly amended and the issue you are writing about may have changed or have been deleted altogether by the time you send your letter.
- 6. Send follow-up letters to the appropriate legislative committees as a bill moves along.** You can often use your original letter with some modifications. Visit [www.cacities.org/billsearch](http://www.cacities.org/billsearch) to track the bill’s location. In addition, *CA Cities Advocate*, the League’s online newsletter, features stories on key legislation.
- 7. Provide a Contact.** At the close of the letter, provide a contact person in case there are questions about the city’s position.
- 8. Know the Committees on Which Your Legislator Serves.** A legislator is likely to pay more attention to the bill positions of their constituents especially when it comes before his or her committee. At the committee level, this is even more important because your legislator has greater ability at this point in the legislative process to have the bill amended.
- 9. Copy the Right People.** Send a copy of the letter to your senator, assembly member and the League. Please also send a copy to each committee member and staff if applicable.



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