CTA Hot Bills

AB 196 (Gonzalez D) Workers' compensation: COVID-19: essential occupations and industries.

Current Text: Amended: 8/25/2020 httml pdf

Status: 8/26/2020-Read second time. Ordered to third reading.

Location: 8/26/2020-S. THIRD READING

Summary: Would define "injury," for certain employees who are employed in an occupation or industry deemed essential in the Governor's Executive Order of March 19, 2020 (Executive Order N-33-20), except as specified, or who are subsequently deemed essential, to include coronavirus disease 2019 (COVID-19) that develops or manifests itself during a period of employment of those persons in the essential occupation or industry. The bill would apply to injuries occurring on or after March 1, 2020, would create a disputable presumption, as specified, that the injury arose out of and in the course of the employment, and would extend that presumption following termination of service for a period of 90 days, commencing with the last date actually worked. The bill would shorten the investigatory timeframe for denial or presumed acceptance of a claim to 30 days, rather than 90 days.

AB 323 (Rubio, Blanca D) Newspapers: state agency advertising: worker status: independent

contractors.

Current Text: Enrollment: 8/31/2020 html pdf

Status: 8/31/2020-Senate amendments concurred in. To Engrossing and Enrolling.

Location: 8/31/2020-A. ENROLLMENT

Summary: Current law sets out the various responsibilities of the Department of General Services and state agencies in overseeing and implementing state contracting procedures and policies. Current law also provides that whenever any official advertising, notice, resolution, order, or other matter of any nature whatsoever is required by law to be published in a newspaper, the publication is required to be made only in a newspaper of general circulation, as specified. This bill would require the department to publish, on the department's internet website, an annual report by July 1 of each year containing specified information relating to payments for placement of marketing or outreach advertising material by each state agency. The bill would provide that these provisions are not intended to amend any of the above-described provisions relating to required publications of official advertising, notices, resolutions, orders, or other matters.

AB 326 (Muratsuchi D) Electric mobility manufacturers.

Current Text: Amended: 8/28/2020 httml pdf

Status: 8/29/2020-Read second time. Ordered to third reading.

Location: 8/29/2020-S. THIRD READING

Summary: The Vehicle Leasing Act specifies requirements for contracts for leases of motor vehicles, including the requirement that the contract contain prescribed information regarding the motor vehicle and the terms of the lease. This bill would authorize an electric mobility manufacturer to enter into a business transaction, consumer transaction, or government transaction, as those terms are defined, with a consumer for use of an electric mobility manufacturer vehicle and any other membership benefits in exchange for a membership fee or membership initiation fee. The bill would require a membership agreement between an electric mobility manufacturer and a consumer to include specified information, including, but not limited to, a statement of the terms and conditions for the right to use the electric mobility manufacturer vehicle.

AB 398 (Chu D) COVID-19 Local Government and School Recovery and Relief Act.

Current Text: Amended: 6/17/2020 https://

Location: 7/1/2020-S. GOV. & F.

Summary: Current law imposes various taxes, including taxes on the privilege of engaging in certain activities. The Fee Collection Procedures Law, the violation of which is a crime, provides procedures for the collection of certain fees and surcharges. Current law establishes the California Department of Tax and Fee Administration in the Government Operations Agency to administer various statutory taxes and fees, as provided. Current law provides that the Controller shall superintend the fiscal concerns of the state. This bill would, on and after January 1, 2021, but before January 1, 2026, impose a tax on a large business, defined as a for-profit, private entity that has more than 500 employees that perform any part of their duties within the state, at the rate of \$275 per employee. The bill would require the California Department of Tax and Fee Administration to administer the tax and collect the tax pursuant to the Fee Collection Procedures Law.

AB 648 (Nazarian D) Wellness programs.

Current Text: Amended: 1/23/2020 httml pdf

Status: 8/18/2020-Failed Deadline pursuant to Rule 61(b)(13). (Last location was S. HEALTH on

6/23/2020)

Location: 8/18/2020-S. DEAD

Summary: Would prohibit health care service plans and insurers from sharing any personal information

or data collected through a wellness program, except as specified, and would prohibit health care service plans or insurers from taking any adverse action, as defined, against an enrollee or member, or insured (individual), if the action of the health care service plans or insurers is in response to an individual's election to not participate in a wellness program.

AB 685 (Reyes D) COVID-19: imminent hazard to employees: exposure: notification: serious violations.

Current Text: Enrollment: 8/31/2020 html pdf

Status: 8/31/2020-From committee: That the Senate amendments be concurred in. (Ayes 5. Noes 2.) (August 31). Assembly Rule 63 suspended. Senate amendments concurred in. To Engrossing and

Enrolling.

Location: 8/31/2020-A. ENROLLMENT

Summary: Would authorize the Division of Occupational Safety and Health, when, in its opinion, a place of employment, operation, or process, or any part thereof, exposes workers to the risk of infection with severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2, also known as COVID-19), so as to constitute an imminent hazard to employees, to prohibit the performance of that operation or process, or entry into that place of employment. The bill would require the division to provide a notice thereof to the employer, to be posted in a conspicuous place at the place of employment. The bill would require such a prohibition to be limited to the immediate area in which the imminent hazard exists, as specified. The bill would require such a prohibition to be issued in a manner so as not to materially interrupt the performance of critical governmental functions essential to ensuring public health and safety functions or the delivery of electrical power or water.

AB 1281 (Chau D) Privacy: California Consumer Privacy Act of 2018.

Current Text: Enrollment: 8/30/2020 httml pdf

Status: 8/30/2020-Senate amendments concurred in. To Engrossing and Enrolling.

Location: 8/30/2020-A. ENROLLMENT

Summary: The California Consumer Privacy Act of 2018, until January 1, 2021, exempts from its provisions certain information collected by a business about a natural person in the course of the natural person acting as a job applicant, employee, owner, director, officer, medical staff member, or contractor, as specified. The act also, until January 1, 2021, exempts from specified provisions personal information reflecting a written or verbal communication or a transaction between the business and the consumer, if the consumer is a natural person who is acting as an employee, owner, director, officer, or contractor of a company, partnership, sole proprietorship, nonprofit, or government agency and whose communications or transaction with the business occur solely within the context of the business conducting due diligence regarding, or providing or receiving a product or service to or from that company, partnership, sole proprietorship, nonprofit, or government agency. This bill would extend both exemptions until January 1, 2022.

AB 1577 (Burke D) Income taxes: federal CARES Act: gross income: loan forgiveness.

Current Text: Enrollment: 8/30/2020 html pdf

Status: 8/30/2020-Re-referred to Com. on REV. & TAX. pursuant to Assembly Rule 77.2. Joint Rule 62(a), file notice suspended. From committee: That the Senate amendments be concurred in. (Ayes 11.

Noes 0.) (August 30). Senate amendments concurred in. To Engrossing and Enrolling.

Location: 8/30/2020-A. ENROLLMENT

Summary: Current federal law, the federal CARES Act, and its subsequent amendments in the Paycheck Protection Program and Health Care Enhancement Act and the Paycheck Protection Program Flexibility Act of 2020, among other things, authorizes forgiveness of indebtedness for eligible recipients with covered loans, as defined, in an amount equal to the sum of the recipient's payroll costs, interest on mortgage obligations, rent obligations, and utility payments, subject to specified conditions and during a specified time period. Current federal law excludes any amounts of covered loans forgiven under the CARES Act from gross income for federal income tax purposes. This bill, for taxable years beginning on or after January 1, 2020, would exclude from gross income, for state income tax purposes, any covered loan amount forgiven pursuant to those federal acts.

AB 1850 (Gonzalez D) Worker classification: employees and independent contractors.

Current Text: Amended: 5/12/2020 httml pdf

Status: 8/18/2020-Failed Deadline pursuant to Rule 61(b)(13). (Last location was S. L., P.E. & R. on

7/1/2020)

Location: 8/18/2020-S. DEAD

Summary: Current law exempts specified occupations and business relationships from the application of the ABC test as specified. Current law, instead, provides that these exempt relationships are governed by the multifactor test previously adopted in the case of S. G. Borello & Sons, Inc. v. Department of Industrial Relations (1989) 48 Cal.3d 341. Current exemptions include a bona fide business-to-business contracting relationship, as defined, under the specified conditions. Under current law, the business-to-business exemption does not apply to an individual worker, as opposed to a business entity, who performs labor or services for a contracting business. This bill would delete that individual worker provision.

AB 1867 (Committee on Budget) Small employer family leave mediation: handwashing: supplemental paid sick leave.

Current Text: Enrollment: 8/31/2020 html pdf

Status: 8/31/2020-Read third time. Passed. Ordered to the Assembly. (Ayes 30. Noes 9.). In Assembly. Concurrence in Senate amendments pending. Assembly Rule 63 suspended. Senate amendments

concurred in. To Engrossing and Enrolling. **Location:** 8/31/2020-A. ENROLLMENT

Summary: Would, upon specified circumstances, require the Department of Fair Employment and Housing (DFEH) to create a small employer family leave mediation pilot program, as prescribed. The pilot program would authorize a small employer or the employee to request all parties to participate in mediation through the DFEH's dispute resolution division within a specified timeframe, after notice. The bill would prohibit an employee from pursuing civil action until the mediation is complete if an employer or employee requests mediation, as prescribed. The bill would toll the statute of limitations for the employee, including for additional related claims, from receipt of a request to participate in the program until the mediation is complete. These provisions of the bill would be repealed on January 1, 2024.

AB 2038 (Committee on Transportation) Transportation: omnibus bill.

Current Text: Enrolled: 8/31/2020 html pdf

Status: 8/28/2020-Read third time. Passed. Ordered to the Assembly. (Ayes 39. Noes 0.). In Assembly.

Ordered to Engrossing and Enrolling. **Location:** 8/28/2020-A. ENROLLMENT

Summary: Current law makes a violation of any regulation governing the standing or parking of a vehicle that is not a misdemeanor punishable with a civil penalty. Current law adds an additional \$3 penalty to any parking offense where a parking penalty, fine, or forfeiture is imposed. Existing law requires this penalty, when it is collected in the courts of the county for an infraction parking violation, to be transmitted to the Treasurer for deposit in the Trial Court Trust Fund. This bill would require this penalty to be transmitted to the Treasurer for deposit in the Trial Court Trust Fund when it is collected in the courts of the county for a parking offense.

AB 2141 (Mathis R) Department of Motor Vehicles.

Current Text: Enrolled: 8/31/2020 httml pdf

Status: 8/28/2020-Read third time. Passed. Ordered to the Assembly. (Ayes 39. Noes 0.). In Assembly.

Ordered to Engrossing and Enrolling. **Location:** 8/28/2020-A. ENROLLMENT

Summary: Current law expresses the policy of the state to recognize the training and experience that individuals gain while serving in the Armed Forces of the United States and requires the Department of Motor Vehicles to develop policies to assist persons who are leaving active duty to obtain commercial driver's licenses, as specified. Current law prohibits those policies from waiving any requisites, fees, or examinations required by law for a commercial driver's license. This bill would remove the requirement that the policies not waive any fees.

AB 2257 (Gonzalez D) Worker classification: employees and independent contractors: occupations: professional services.

Current Text: Enrollment: 8/31/2020 httml pdf

Status: 8/31/2020-Read third time. Urgency clause adopted. Passed. Ordered to the Assembly. (Ayes 39. Noes 0.). In Assembly. Concurrence in Senate amendments pending. Senate amendments concurred in. To Engrossing and Enrolling.

Location: 8/31/2020-A. ENROLLMENT

Summary: Current law exempts specified occupations and business relationships from the application of the ABC test described above. Existing law, instead, provides that these exempt relationships are governed by the multifactor test previously adopted in the case of S. G. Borello & Sons, Inc. v. Department of Industrial Relations (1989) 48 Cal.3d 341. Existing exemptions include persons providing professional services under specified circumstances, including certain services provided by still photographers, photojournalists, freelance writers, editors, and newspaper cartoonists. This bill would revise and recast these provisions. The bill would additionally exempt certain occupations in connection with creating, marketing, promoting, or distributing sound recordings or musical compositions.

AB 2285 (Committee on Transportation) Transportation.

Current Text: Enrollment: 8/30/2020 httml pdf

Status: 8/30/2020-Senate amendments concurred in. To Engrossing and Enrolling.

Location: 8/30/2020-A. ENROLLMENT

Summary: The California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program, upon appropriation from the Greenhouse Gas Reduction Fund, funds zero- and near-zero-emission truck, bus, and off-road vehicle and equipment technologies and related projects. The program provides that projects eligible for funding include, among others, technology development, demonstration, precommercial pilots, and early commercial deployments of zero- and near-zero-emission medium- and heavy-duty truck technology, and requires, until December 31, 2020, no less

than 20% of funding made available for that purpose to support early commercial deployment of existing zero- and near-zero-emission heavy-duty truck technology. This bill would extend the requirement that 20% of that funding be made available for that same purpose until December 31, 2021.

AB 2460 (Daly D) Department of Consumer Affairs: Bureau of Household Goods and Services: household

movers.

Current Text: Amended: 5/18/2020 html pdf

Status: 8/18/2020-Failed Deadline pursuant to Rule 61(b)(13). (Last location was S. B., P. & E.D. on

7/1/2020)

Location: 8/18/2020-S. DEAD

Summary: The Household Movers Act defines terms for its purposes, including "household mover," which includes every corporation or person, as specified, engaged in the permitted or unpermitted transportation for compensation or hire as a business by means of a motor vehicle or motor vehicles being used in the transportation of used household goods and personal effects over any public highway in this state. This bill would exclude from the definition of "household mover" a motor carrier that provides transportation of household goods in containers or trailers where the household goods are entirely loaded and unloaded by an individual other than an employee or agent of the motor carrier and a broker that utilizes the services of that motor carrier and does not otherwise advertise, solicit, offer, or arrange for the full service moving of used household goods by motor carrier for compensation.

AB 2663 (Garcia, Eduardo D) Use fuel tax: dimethyl ether: fuel blend.

Current Text: Enrollment: 8/30/2020 httml pdf

Status: 8/30/2020-Senate amendments concurred in. To Engrossing and Enrolling.

Location: 8/30/2020-A. ENROLLMENT

Summary: Current law requires the Department of Food and Agriculture to establish specifications for automotive spark-ignition engine fuels, as prescribed. Existing law requires the antiknock index for gasoline and gasoline-oxygenate blends to not be less than 87. This bill would define "dimethyl etherpropane fuel blend" and require dimethyl ether-propane fuel blends for use as motor vehicle fuel to meet the latest specifications set forth by the ASTM International, and, if no specifications exist, the bill would require the Secretary of Food and Agriculture to establish interim specifications by regulation. The bill would additionally require the antiknock index for dimethyl ether-propane fuels blends to not be less than 87.

AB 3053 (Daly D) Labor Commissioner: unpaid wage claim process.

Current Text: Enrolled: 8/31/2020 html pdf

Status: 8/28/2020-Read third time. Passed. Ordered to the Assembly. (Ayes 39. Noes 0.). In Assembly.

Ordered to Engrossing and Enrolling. **Location:** 8/28/2020-A. ENROLLMENT

Summary: Would, beginning July 1, 2021, require the Labor Commissioner to create an online portal on their internet website that would allow wage claimants to file unpaid wage claims, track those claims, and submit requested documents regarding those claims.

AB 3056 (Gonzalez D) Warehouse distribution centers.

Current Text: Amended: 8/20/2020 httml pdf

Status: 8/24/2020-Read second time. Ordered to third reading.

Location: 8/24/2020-S. THIRD READING

Summary: Would enact prescribed protections for certain warehouse and distribution center employees. The bill would prohibit an employer from imposing a quota upon an employee under which reasonable amounts of time that the employee spends on any of the specified activities is counted toward the time required for completing the quota, or results in the employee having less time to complete the quota. The bill would define terms for its purposes.

AB 3216 (Kalra D) Unemployment: rehiring and retention: state of emergency.

Current Text: Enrollment: 8/31/2020 html pdf

Status: 8/31/2020-Senate amendments concurred in. To Engrossing and Enrolling.

Location: 8/31/2020-A. ENROLLMENT

Summary: Would require an employer, as defined, to offer its laid-off employees specified information about job positions that become available for which the laid-off employees are qualified, and to offer positions to those laid-off employees based on a preference system, in accordance with specified timelines and procedures. The bill would define the term "laid-off employee" to mean any employee who was employed by the employer for 6 months or more in the 12 months preceding the state of emergency giving rise to the application of the bill's provisions, and whose most recent separation from active service was due to a public health directive, government shutdown order, lack of business, a reduction in force, or other economic, nondisciplinary reason related to the state of emergency, as defined.

SB 275 (Pan D) Health Care and Essential Workers: personal protective equipment.

Current Text: Enrollment: 8/31/2020 html pdf

Status: 8/31/2020-Assembly Rule 69(d) suspended. Read third time. Passed. (Ayes 44. Noes 0.) Ordered to the Senate. In Senate. Concurrence in Assembly amendments pending. Assembly

amendments concurred in. (Ayes 31. Noes 8.) Ordered to engrossing and enrolling.

Location: 8/31/2020-S. ENROLLMENT

Summary: Cu rrent law establishes the State Department of Public Health to implement various programs throughout the state relating to public health, including licensing and regulating health facilities and control of infectious diseases. This bill would require the State Department of Public Health and the Office of Emergency Services, in coordination with other state agencies, to, upon appropriation and as necessary, establish a personal protective equipment (PPE) stockpile. The bill would require the department to establish guidelines for the procurement, management, and distribution of PPE, taking into account, among other things, the amount of each type of PPE that would be required for all health care workers and essential workers in the state during a 90-day pandemic or other health emergency.

SB 729 (Portantino D) Meal and rest breaks: remote work.

Current Text: Amended: 8/25/2020 httml pdf

Status: 8/31/2020-August 31 set for first hearing. Held in committee without recommendation.

Location: 8/25/2020-A. L. & E.

Summary: The Labor Code Private Attorneys General Act of 2004 authorizes an aggrieved employee on behalf of the employee and other current or former employees to bring a civil action to recover specified civil penalties that would otherwise be assessed and collected by the Labor and Workforce Development Agency for the violation of certain provisions affecting employees. This bill would prohibit an employee from recovering civil penalties from an employer under the act for violations of provisions requiring the employer to provide meal and rest breaks, if the employee engaged in remote work as specified.

SB 822 (Committee on Budget and Fiscal Review) Small employer family leave mediation: handwashing: supplemental paid sick leave.

Current Text: Amended: 8/27/2020 html pdf

Status: 8/31/2020-Assembly Rule 96 and 63 suspended. Withdrawn from committee. Ordered to third

reading.

Location: 8/31/2020-A. THIRD READING

Summary: Would, upon specified circumstances, require the Department of Fair Employment and Housing (DFEH) to create a small employer family leave mediation pilot program, as prescribed. The pilot program would authorize a small employer or the employee to request all parties to participate in mediation through the DFEH's dispute resolution division within a specified timeframe, after notice. The bill would prohibit an employee from pursuing civil action until the mediation is complete if an employer or employee requests mediation, as prescribed. The bill would toll the statute of limitations for the employee, including for additional related claims, from receipt of a request to participate in the program until the mediation is complete. These provisions of the bill would be repealed on January 1, 2024.

SB 895 (Archuleta D) Energy: zero-emission fuel, infrastructure, and transportation technologies.

Current Text: Enrollment: 8/31/2020 httml pdf

Status: 8/31/2020-In Senate. Ordered to engrossing and enrolling.

Location: 8/31/2020-S. ENROLLMENT

Summary: Current law requires the State Energy Resources Conservation and Development Commission, within the limits of available funds, to provide technical assistance and support for the development of petroleum diesel fuels that are as clean or cleaner than alternative clean fuels and clean diesel engines. This bill would instead require the commission, within the limits of available funds, to provide technical assistance and support for the development of zero-emission fuels, zero-emission fueling infrastructure, and zero-emission fuel transportation technologies.

SB 1159 (Hill D) Workers' compensation: COVID-19: critical workers.

Current Text: Enrollment: 8/31/2020 html pdf

Status: 8/31/2020-Assembly Rule 69(d) suspended. Read third time. Urgency clause adopted. Passed. (Ayes 58. Noes 0.) Ordered to the Senate. In Senate. Concurrence in Assembly amendments pending. Urgency clause adopted. Assembly amendments concurred in. (Ayes 30. Noes 8.) Ordered to engrossing and enrolling.

Location: 8/31/2020-S. ENROLLMENT

Summary: Would define "injury" for an employee to include illness or death resulting from the 2019 novel coronavirus disease (COVID-19) under specified circumstances, until January 1, 2023. The bill would create a disputable presumption, as specified, that the injury arose out of and in the course of the employment and is compensable, for specified dates of injury. The bill would limit the applicability of the presumption under certain circumstances. The bill would require an employee to exhaust their paid sick leave benefits and meet specified certification requirements before receiving any temporary disability benefits or, for police officers, firefighters, and other specified employees, a leave of absence. The bill would also make a claim relating to a COVID-19 illness presumptively compensable, as

described above, after 30 days or 45 days, rather than 90 days.

SB 1351 (Beall D) Transportation improvement fee: revenue bonds.

Current Text: Enrollment: 8/31/2020 html pdf

Status: 8/31/2020-Read third time. Passed. (Ayes 48. Noes 13.) Ordered to the Senate. In Senate. Concurrence in Assembly amendments pending. Assembly amendments concurred in. (Ayes 28. Noes

10.) Ordered to engrossing and enrolling. **Location:** 8/31/2020-S. ENROLLMENT

Summary: Current law requires revenues in the Road Maintenance and Rehabilitation Account to be annually allocated by first making specified deductions for various specified purposes and then continuously appropriating the remaining revenues in the account 50% for allocation to the Department of Transportation for maintenance of the state highway system or for the State Highway Operation and Protection Program and 50% for apportionment to cities and counties by the Controller pursuant to a specified formula. This bill would create the Transportation Improvement Fee Subaccount in the Road Maintenance and Rehabilitation Account and would transfer the revenues from the transportation improvement fee that are deposited in the Road Maintenance and Rehabilitation Account to the subaccount. The bill would continuously appropriate the revenues in the subaccount to the department and cities and counties as part of the same appropriation made to those entities from the Road Maintenance and Rehabilitation Account.

SB 1383 (Jackson D) Unlawful employment practice: family leave.

Current Text: Amended: 6/29/2020 httml pdf

Status: 8/31/2020-Read third time. Passed. (Ayes 41. Noes 15.) Ordered to the Senate.

Location: 8/31/2020-S. DESK

Summary: Would revise and recast specified provisions to make it an unlawful employment practice for any employer to refuse to grant a request by an employee to take up to 12 workweeks of unpaid protected leave during any 12-month period to bond with a new child of the employee or to care for themselves or a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner, as specified. The bill would require an employer who employees' both parents of a child to grant leave to each employee.

SB 1473 (Committee on Governance and Finance) Local Government Omnibus Act of 2020.

Current Text: Enrollment: 8/31/2020 httml pdf

Status: 8/31/2020-Read third time. Passed. (Ayes 60. Noes 0.) Ordered to the Senate. In Senate. Concurrence in Assembly amendments pending. Ordered to special consent calendar. Assembly

amendments concurred in. (Ayes 39. Noes 0.) Ordered to engrossing and enrolling.

Location: 8/31/2020-S. ENROLLMENT

Summary: Current requires that every sales contract relating to the purchase of real property in a subdivision clearly set forth the legal description of the property, of the encumbrances outstanding at the date of the sales contract, and the terms of the contract. Current law exempts from these provisions, among other things, the proposed sale or lease of lots or other interests in a subdivision that is limited to industrial or commercial uses by law or by a declaration of covenants, conditions, and restrictions that has been recorded in the official records of the county or counties in which the subdivision is located. This bill would instead exempt the proposed sale or lease of those lots or other interests in a subdivision that are limited to industrial or commercial uses, as described above. This bill would specify that this exemption only applies with respect to specified provisions relating to the filing of a report with the Bureau of Real Estate and does not affect any determination whether there are 5 or more lots, parcels, or other interests for purposes of specified law.

Total Measures: 27
Total Tracking Forms: 27