



CALIFORNIA STATE LEGISLATURE

Senate Committee on Judiciary

2015 Legislative Bill Summaries

MEMBERS

Senator Hannah-Beth Jackson, CHAIR
Senator John M. W. Moorlach, v. CHAIR
Senator Joel Anderson
Senator Robert M. Hertzberg
Senator Mark Leno
Senator Bill Monning
Senator Bob Wieckowski

STAFF

Benjamin C. Palmer, CHIEF COUNSEL
Tara M. Welch, DEPUTY CHIEF COUNSEL
Ronak Daylami, COUNSEL
Tobias D. Halvarson, COUNSEL
Nichole L. Rapier, COUNSEL
Roseanne Moreno, COMMITTEE ASSISTANT
Jocelyn Twilla, COMMITTEE ASSISTANT

CALIFORNIA LEGISLATURE

Senate Judiciary Committee

2015 Legislative Bill Summary

Table Of Contents

ANIMALS	1 - 1
AB-494 (Maienschein) - Restraining orders: protection of animals.	1
ARBITRATION	1 - 1
AB-465 (Roger Hernández) - Contracts against public policy.	1
ATTORNEYS AND THE PRACTICE OF LAW	1 - 2
SB-134 (Hertzberg) - State Bar of California: voluntary fee collection.	1
SB-363 (Morrell) - Attorney's fees: book accounts.	1
SB-387 (Jackson) - State Bar: attorneys: annual membership fees: meetings: public records.	1
SB-711 (Wolk) - Law libraries: charges.	2
CHILD ABUSE, ELDER AND DEPENDENT ADULT ABUSE	2 - 2
AB-1081 (Quirk) - Protective orders.	2
SB-196 (Hancock) - Elder abuse: protective orders.	2
CIVIL PROCEDURE	2 - 3
AB-432 (Chang) - Civil procedure: electronic signatures.	2
AB-555 (Alejo) - Civil actions.	2
AB-1141 (Chau) - Civil actions.	3
SB-308 (Wieckowski) - Debtor exemptions.	3
SB-383 (Wieckowski) - Civil actions: objections to pleadings.	3
SB-470 (Jackson) - Civil actions: summary judgment.	3
SB-501 (Wieckowski) - Wage garnishment restrictions.	3
CIVIL RIGHTS	4 - 5
AB-830 (Eggman) - Civil actions: gender violence.	4
AB-1050 (Low) - State employees: charitable deductions.	4
AB-1342 (Steinorth) - Disability access.	4
AB-1521 (Committee on Judiciary) - Disability access: construction-related accessibility claims.	4
SB-251 (Roth) - Civil rights: disability access.	5
SB-600 (Pan) - Discrimination: citizenship: language: immigration status.	5
COMMON INTEREST DEVELOPMENTS (DAVIS-STIRLING ACT)	5 - 5
AB-349 (Gonzalez) - Common interest developments: property use and maintenance.	5
CONSTITUTIONAL RIGHTS	5 - 6
AB-538 (Campos) - Actions for damages: felony offenses: victim notification.	5
ACR-67 (Mullin, Bonta, Chiu, Thurmond, Ting) - Ballot measures.	6
SB-277 (Pan, Allen) - Public health: vaccinations.	6
SCA-2 (Nguyen, Bates, Huff) - Public postsecondary education: United States flag.	6
SJR-13 (De León) - Voting: apportionment.	6
CONSUMER PROTECTION	6 - 11
AB-264 (Dahle) - Farm products: processors: produce dealers: seeds.	6
AB-285 (Gallagher) - Professions and vocations: registration.	6
AB-553 (Daly) - Insurance: corporate governance: insurance holding companies.	7
AB-675 (Alejo) - Rental vehicles: advertising and quotes: charges.	7
AB-1072 (Daly) - Insurance: firefighters' or police officers' benefit and relief associations.	7
AB-1097 (Holden) - Alarm companies: electronic transactions.	8
AB-1107 (Irwin) - Sellers of travel: regulation.	8
AB-1131 (Dababneh) - Insurance: electronic transmission.	8

SB-235 (Block) - Small dollar loans: finder duties and compensation	8
SB-285 (Block) - Pawnbrokers: compensation: loans.	8
SB-300 (Mendoza) - Pawnbrokers: regulations.	9
SB-386 (Allen) - Unlawful business practices.	9
SB-438 (Hill) - Motor vehicles: reportable property damage.	9
SB-474 (Wieckowski) - Auctions.	9
SB-577 (Hueso) - Securities: qualification: exemptions.	10
SB-633 (Hill) - Consumer protection: "Made in U.S.A." label.	10
SB-641 (Wieckowski) - Debt buying: default judgment.	10
SB-647 (Morrell) - Real estate investments: securities: qualification exemption.	10
SB-648 (Mendoza) - Health and care facilities: referral agencies.	11
SB-696 (Roth) - Insurance: principle-based valuation.	11
SB-761 (Hall) - Advertising: Internet private residence rental listings: notice.	11
CONTRACTORS	11 - 11
AB-1347 (Chiu) - Public contracts: claims.	11
CONTRACTS	12 - 12
AB-552 (O'Donnell) - Public works contracts: damages.	12
CORPORATIONS, LIMITED LIABILITY CORPORATIONS (LLCs) AND LIMITED LIABILITY PARTNERSHIPS (LLPs)	12 - 13
AB-506 (Maienschein) - Limited liability companies.	12
AB-1471 (Perea) - Business entities: filings.	12
SB-177 (Wieckowski) - Alarm companies: limited liability companies.	13
SB-284 (Cannella) - Engineering and land surveying: limited liability partnerships.	13
SB-351 (Committee on Banking and Financial Institutions) - Corporations.	13
COURTS, COURT FACILITIES, COURT EMPLOYMENT, COURT INTERPRETERS, AND COURT REPORTERS	13 - 14
AB-87 (Mark Stone) - Jurors: peremptory challenge.	13
AB-1002 (Wilk, Alejo) - Civil actions: interpreter costs.	13
AB-1028 (Bonta) - Judicial officers: oaths and affirmations.	13
AB-1197 (Bonilla) - Deposition notices.	14
SB-229 (Roth) - Courts: judgeships.	14
SB-270 (Mendoza) - Court Reporters Board of California: civil actions: corporations.	14
SB-428 (Hall) - Juries: peace officer exemption.	14
SB-682 (Leno) - Courts.	14
DOMESTIC VIOLENCE	15 - 15
AB-439 (Bloom) - Protective orders: batterer's program.	15
AB-494 (Maienschein) - Restraining orders: protection of animals.	15
AB-536 (Bloom) - Domestic violence: protective orders.	15
AB-1081 (Quirk) - Protective orders.	15
AB-1407 (Atkins) - Family law: protective orders: wireless telephone numbers.	15
EMPLOYMENT AND LABOR	16 - 19
AB-289 (Melendez) - Legislature: Legislative Employee Whistleblower Protection Act.	16
AB-465 (Roger Hernández) - Contracts against public policy.	16
AB-621 (Roger Hernández) - Drayage truck operators: Motor Carrier Employer Amnesty Program.	16
AB-676 (Calderon) - Employment: discrimination: status as unemployed.	16
AB-883 (Low) - Employment: public employee status.	17
AB-987 (Levine) - Employment discrimination: unlawful employment practices.	17
AB-1383 (Jones) - Veterans preferences: voluntary policy.	17
AB-1506 (Roger Hernández) - Labor Code Private Attorneys General Act of 2004.	17

AB-1509 (Roger Hernández) - Employees: protected disclosures and complaints: retaliation.	17
SB-249 (Hueso) - Vehicles: enhanced driver's license.	18
SB-358 (Jackson) - Conditions of employment: gender wage differential.	18
SB-588 (De León) - Employment: nonpayment of wages: Labor Commissioner: judgment enforcement.	18
SB-703 (Leno) - Public contracts: prohibitions: discrimination.	19
ENVIRONMENTAL AND TOXIC SUBSTANCES	19 - 19
AB-888 (Bloom) - Waste management: plastic microbeads.	19
SB-385 (Hueso) - Primary drinking water standards: hexavalent chromium: compliance plan.	19
FAMILY, DOMESTIC PARTNERSHIPS, ADOPTIONS, CHILD CUSTODY AND SUPPORT	19 - 21
AB-365 (Cristina Garcia) - Child custody proceedings: testimony by electronic means.	19
AB-380 (Waldron) - Marriage: putative spouses.	19
AB-439 (Bloom) - Protective orders: batterer's program.	19
AB-610 (Jones-Sawyer) - Child support: suspension of support order.	20
AB-960 (Chiu) - Parentage: assisted reproduction.	20
AB-1049 (Patterson) - Parent and child relationship.	20
AB-1519 (Committee on Judiciary) - Judiciary omnibus: family support.	20
SB-28 (Wieckowski) - Spousal support factors: domestic violence conviction.	20
SB-340 (Anderson) - Dissolution: disclosure.	21
SB-414 (Jackson) - Marriage.	21
SB-585 (Leyva) - Insurance payments: interception.	21
SB-594 (Wieckowski) - Child custody.	21
SB-646 (Jackson) - Uniform Interstate Family Support Act.	21
GOVERNMENT AGENCIES: PUBLIC RECORDS ACT AND BROWN ACT	22 - 22
AB-169 (Maienschein) - Local government: public records: Internet.	22
AB-709 (Gipson) - Charter schools.	22
SB-272 (Hertzberg) - The California Public Records Act: local agencies: inventory.	22
SB-421 (Hancock) - Refineries: turnarounds.	22
HEALTH CARE ISSUES	22 - 23
AB-193 (Maienschein) - Mental health: conservatorship hearings.	22
AB-503 (Rodriguez) - Emergency medical services.	23
AB-521 (Nazarian) - HIV testing.	23
AB-1129 (Burke) - Emergency medical services: data and information system.	23
AB-1337 (Linder) - Medical records: electronic delivery.	23
SB-19 (Wolk) - Physician Orders for Life Sustaining Treatment form: statewide registry.	23
SB-145 (Pan) - Health facilities: patient transporting.	23
HOUSING LAW, LANDLORD/TENANT, AND MOBILEHOMES	24 - 25
AB-418 (Chiu) - Tenancy: termination: victims of violent crime.	24
AB-551 (Nazarian) - Rental property: bed bugs.	24
AB-723 (Rendon) - Rental property: plumbing fixtures: replacement.	24
AB-999 (Daly) - Mobilehomes: disposal.	24
AB-1448 (Lopez) - Personal energy conservation: real property restrictions.	25
SB-244 (Vidak) - Mobilehomes: injunctions.	25
SB-328 (Hueso) - Landlords: notice of pesticide use.	25
SB-419 (McGuire) - Mobilehomes: homeowners: sale.	25
SB-775 (Allen) - Tenancy: rent control: certification.	25

IMMIGRATION	25 - 26
AB-60 (Gonzalez) - Immigration services.	26
SJR-5 (Nguyen) - Vietnam: humanitarian resettlement.	26
SJR-14 (Gaines) - Islamic State in Iraq and Syria: religious and other persecution.	26
INTELLECTUAL PROPERTY	26 - 26
AJR-9 (Chang) - Patent reform.	26
SB-681 (Hill) - Civil law: patents.	26
MINORS, JUVENILE COURTS, AND DEPENDENCY PROCEEDINGS	27 - 28
AB-217 (Maienschein) - Juvenile law: hearings.	27
AB-260 (Lopez) - Foster care: parenting youth.	27
AB-424 (Beth Gaines) - Court appointed child advocates: wards.	27
AB-879 (Burke) - Juveniles: court proceedings: notice.	27
SB-12 (Beall) - Foster youth.	27
SB-68 (Liu) - Minor or nonminor dependent parents: reunification services.	27
SB-238 (Mitchell, Beall) - Foster care: psychotropic medication.	27
SB-253 (Monning) - Juveniles: psychotropic medication.	28
SB-316 (Mitchell) - Dependency proceedings: counsel.	28
SB-731 (Leno) - Foster children: housing: gender identity.	28
MISCELLANEOUS	28 - 30
AB-525 (Holden, Atkins, Dodd, Wilk) - Franchise relations: renewal and termination.	28
AB-556 (Irwin) - Charitable trusts: regulation and enforcement.	28
AB-1146 (Jones) - Skateboard parks.	29
AB-1267 (Bloom) - Lawsuits, liens, and other encumbrances.	29
AB-1323 (Frazier) - Marine debris: removal and disposal.	29
AJR-9 (Chang) - Patent reform.	29
SB-161 (Vidak) - Uniform Fraudulent Transfer Act.	29
SB-672 (Hernandez) - Discovery: pharmacy review committees.	29
SJR-18 (Wolk) - Small unmanned aircraft systems.	30
NOTARIES	30 - 30
AB-1036 (Quirk) - Notaries public: acceptance of identification.	30
PRIVACY	30 - 33
AB-56 (Quirk) - Unmanned aircraft systems.	30
AB-83 (Gatto) – Personal data.	30
AB-259 (Dababneh) - Personal information: privacy.	30
AB-265 (Holden) - Consumer protection: buy-here-pay-here dealers.	31
AB-503 (Rodriguez) - Emergency medical services.	31
AB-856 (Calderon) - Invasion of privacy.	31
AB-964 (Chau) - Civil law: privacy.	31
AB-1116 (Committee on Privacy and Consumer Protection) - Connected televisions.	31
AB-1287 (Chiu) - Vehicles: parking violations.	32
AB-1541 (Committee on Privacy and Consumer Protection) - Privacy: personal information.	32
SB-26 (Hernandez) - California Health Care Cost and Quality Database.	32
SB-34 (Hill) - Automated license plate recognition systems: use of data.	32
SB-142 (Jackson) - Civil law: unmanned aerial vehicles.	32
SB-206 (Gaines) - Vehicle information systems.	33
SB-570 (Jackson) - Personal information: privacy: breach.	33
SB-741 (Hill) - Mobile communications: privacy.	33
PROBATE, TRUSTS AND ESTATES, CONSERVATORSHIPS AND GUARDIANSHIPS	33 - 35

AB-139 (Gatto) - Nonprobate transfers: revocable transfer upon death deeds.	33
AB-436 (Jones) - Guardian or conservator: powers and duties.	33
AB-548 (Cristina Garcia) - Estates: administrators.	34
AB-691 (Calderon) - The Privacy Expectation Afterlife and Choices Act.	34
AB-900 (Levine) - Juveniles: special immigrant juvenile status.	34
AB-1085 (Gatto) - Personal representatives: conservators and attorneys-in-fact.	34
SB-269 (Vidak) - Conservator appointments: compensation.	34
SB-589 (Block) - Voting: voter registration: individuals with disabilities and conservatees.	34
SB-785 (Morrell) - Estates and trusts: creditor's claim.	35
REAL PROPERTY	35 - 36
AB-807 (Mark Stone) - Real estate transfer fees: recorded documents.	35
AB-905 (Beth Gaines) - Time-shares: public report: real property inspection.	35
AB-1390 (Alejo, Gomez, Perea) - Groundwater: comprehensive adjudication.	35
SB-119 (Hill) - Protection of subsurface installations.	35
SB-188 (Hancock) - Municipal utility district: utility charges: delinquencies.	36
SB-226 (Pavley) - Sustainable Groundwater Management Act: groundwater adjudication.	36
SB-582 (Hall) - Electrified fences.	36
TORT LIABILITY	36 - 38
AB-15 (Holden) - Limitation of actions: human rights abuses.	36
AB-560 (Gomez) - Civil actions: immigration status.	36
AB-998 (Wagner) - Civil law: libel: damages.	37
SB-14 (Lara) - Sexual battery: consent defense: minors, sexual conduct.	37
SB-128 (Wolk, Monning) - End of life.	37
SB-168 (Gaines, Jackson) - Unmanned aircraft systems.	37
SB-287 (Hueso) - Automated external defibrillators (AEDs).	38
SB-658 (Hill) - Automated external defibrillators.	38
SB-738 (Huff) - Pupil health: epinephrine auto-injectors: liability limitation.	38
UNCLAIMED PROPERTY	38 - 38
AB-355 (Eduardo Garcia) - Unclaimed property: safe deposit boxes.	38
UNFAIR COMPETITION AND BUSINESS PRACTICES/ANTI-TRUST	38 - 39
AB-1178 (Achadjian) - Vehicles: manufacturers and distributors.	39
SB-681 (Hill) - Civil law: patents.	39

ANIMALS

AB-494 (Maienschein) - Restraining orders: protection of animals.

This bill authorizes the court, on a showing of good cause, to include in a civil protective or restraining order, as specified, an order: (1) granting the petitioner exclusive care, possession, or control of an animal that is held by a person protected by a restraining order, or that resides in the same residence as a person protected by a restraining order; and (2) instructing the respondent or restrained person to stay away from the animal, and refrain from taking or harming the animal, as specified.

Status: Chapter 401, Statutes of 2015

ARBITRATION

AB-465 (Roger Hernández) - Contracts against public policy.

This bill would have prohibited a person from threatening, retaliating, or discriminating against another person on the basis that the other person refuses to waive any legal right, penalty, remedy, forum, or procedure for a violation of the Labor Code, including the right to file and pursue a civil action or complaint with, or otherwise notify, the Labor Commissioner, state agency, other public prosecutor, law enforcement agency, or any court or other governmental entity, and would have required any waiver to be knowing and voluntary and in writing, and expressly not made as a condition of employment.

Governor Brown vetoed this bill because he believes that arbitration agreement abuses by employers should be resolved through targeted legislation rather than a blanket prohibition. Further, Governor Brown stated that a blanket ban on mandatory arbitration agreements is a far-reaching approach consistently struck down in other states as violating the Federal Arbitration Act (FAA), and he wants to see the outcome of two cases currently under review by the U.S. Supreme Court arising out of California courts involving preemption of state arbitration policies under the FAA.

Status: Vetoed by the Governor

ATTORNEYS AND THE PRACTICE OF LAW

SB-134 (Hertzberg) - State Bar of California: voluntary fee collection.

This bill requires funds in Interest on Lawyers' Trust Accounts (IOLTA) that escheat to the state to be deposited into the Abandoned IOLTA Property Account, which is established within the Unclaimed Property Fund. This bill requires a portion of the escheated IOLTA funds to be transferred annually into the Public Interest Attorney Loan Repayment Account to be established by this bill within the State Treasury for the purposes of providing, upon appropriation by the Legislature, additional funding to the Student Aid Commission for the administration of, and provision of loan assistance pursuant to, the Public Interest Attorney Loan Repayment Program (Program).

Status: Chapter 488, Statutes of 2015

SB-363 (Morrell) - Attorney's fees: book accounts.

This bill increases the maximum attorney's fees, in any action on a contract based on a book account, as defined, that does not provide for attorney's fees and costs, to an amount not to exceed (1) \$960 for book accounts that are maintained for personal, family, or household purposes of a natural person; and (2) \$1,200 for book accounts that are maintained for all other purposes.

Status: Chapter 80, Statutes of 2015

SB-387 (Jackson) – State Bar: attorneys: annual membership fees: meetings: public records.

This bill authorizes the State Bar of California to collect active membership dues of up to \$390 for the year 2016. This bill also requires the State Bar to develop and implement a specified workforce plan

for its discipline system, conduct a public sector compensation and benefits study, and conduct a thorough analysis of its operating costs and develop a spending plan to determine a reasonable amount for the annual membership fee, as specified, and requires the State Bar to contract with the California State Auditor's Office to conduct an in-depth financial audit of the State Bar. The bill also makes the State Bar subject to the Bagley-Keene Open Meeting Act and the California Public Records Act, as specified.

Status: Chapter 537, Statutes of 2015

SB-711 (Wolk) - Law libraries: charges.

This bill authorizes a county law library to impose charges for special services, including electronic delivery, other delivery services, educational programs, special events, and the provision of supplies or food services. This bill also defines a "public library" for purposes of the provisions governing the California State Library to mean any public library, as defined for purposes of the Education Code, or any county law library.

Status: Chapter 318, Statutes of 2015

CHILD ABUSE, ELDER AND DEPENDENT ADULT ABUSE

AB-1081 (Quirk) - Protective orders.

This bill allows either party to request a continuance of a hearing on a temporary restraining order (TRO), as specified, which the court would be required to grant on a showing of good cause, and additionally authorizes the court to grant a continuance on its own motion. This bill, upon granting a continuance, requires that any TRO that had previously been granted remain in effect until the conclusion of the continued hearing, and authorizes the court to modify or terminate that TRO.

Status: Chapter 411, Statutes of 2015

SB-196 (Hancock) - Elder abuse: protective orders.

This bill authorizes, as of July 1, 2016, a county adult protective services agency to file a petition for issuance of a protective order on behalf of an elder or dependent adult.

Status: Chapter 285, Statutes of 2015

CIVIL PROCEDURE

AB-432 (Chang) - Civil procedure: electronic signatures.

This bill provides that an electronic signature by a court or judicial officer is effective as an original signature. This bill defines "electronic signature" for the purposes of the Code of Civil Procedure to mean electronic sounds, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record. This bill makes other non-substantive changes to existing definitions for the Code of Civil Procedure.

Status: Chapter 32, Statutes of 2015

AB-555 (Alejo) - Civil actions.

This bill renames the existing Expedited Jury Trials Act (hereinafter "EJT Act" or "Act") as the Voluntary EJT Act and modifies the Act to extend the number of hours for each side to present their case and to repeal the January 1, 2016, sunset date. This bill also establishes the Mandatory EJT Act to make EJTs mandatory for limited civil cases, subject to the right of parties to opt out in certain circumstances, as specified. This bill includes various provisions governing mandatory EJTs, such as provision allowing for a right of appeal, as specified.

Status: Chapter 330, Statutes of 2015

AB-1141 (Chau) - Civil actions.

This bill reenacts a provision allowing parties to stipulate to summary adjudication of an issue that does not dispose of a cause of action, upon approval of the court, as specified, that sunset on January 1, 2015. This bill also removes a disparity under existing law relating to Section 998 settlement offers by ensuring that both plaintiffs and defendants, alike, could be ordered to pay the “post-offer” costs of the other party as a consequence of rejecting a Section 998 settlement offer and failing to ultimately obtain a more favorable award.

Status: Chapter 345, Statutes of 2015

SB-308 (Wieckowski) - Debtor exemptions.

This bill increases the amounts of all of the specific asset exemptions available to bankruptcy debtors (the “703 exemptions”) and increases certain amounts and expands the list of exempt specified property regarding monetary judgments (the “704 exemptions”). This bill also removes the six-month homestead reinvestment requirements and revises the three-tiered homestead exemption as follows: a) increases the base homestead exemption from \$75,000 to \$175,000 for a single, non-disabled person under the age of 55; b) increases the exemption from \$100,000 to \$250,000 for a married couple who resides in the homestead; and c) increases the exemption from \$175,000 to \$300,000 for a judgment debtor or spouse who resides in the homestead and is at least 55 years of age, or cannot work because of a physical or mental disability.

Status: Assembly Inactive File

SB-383 (Wieckowski) - Civil actions: objections to pleadings.

This bill, for purposes of most civil actions, generally requires that before filing a demurrer in response to a complaint or cross-complaint, a party must meet and confer with the opposing party who filed the pleading subject to demurrer, as specified. This bill also: (1) prohibits a party from amending a complaint or cross-complaint more than three times in response to a demurrer filed before the case is at issue; (2) prohibits a party from demurring to a pleading that is amended following a sustained demurrer as to any portion of the amended pleading on grounds that could have been raised by the prior demurrer; (3) authorizes a party to amend a pleading after a demurrer is filed but before it is heard by the court if the amended pleading is filed and served before the date for filing an opposition to the demurrer; and (4) authorizes a party to amend a pleading after the date for filing an opposition to the demurrer upon stipulation by the parties.

Status: Chapter 418, Statutes of 2015

SB-470 (Jackson) - Civil actions: summary judgment.

This bill provides that, in granting or denying a motion for summary judgment or summary adjudication, the court need rule only on objections made to evidence that the court deems material to the disposition of the motion. This bill also provides that objections to evidence not ruled on for purposes of the motion shall be preserved for appellate review.

Status: Chapter 161, Statutes of 2015

SB-501 (Wieckowski) - Wage garnishment restrictions.

This bill, as of July 1, 2016, reduces the maximum amount of disposable earnings subject to wage garnishment to the lesser of either 25 percent of the individual's disposable earnings for that week or 50 percent of the amount by which the individual's disposable earnings for that week exceed 40 times the state minimum hourly wage. This bill provides that if a judgment debtor works in a location where the local minimum hourly wage is greater than the state minimum hourly wage, the local minimum hourly wage in effect at the time the earnings are payable would be the amount upon which to base the maximum amount of wage garnishment. This bill, for any pay period other than

weekly, would base the maximum amount of disposable earnings subject to levy on the applicable hourly minimum wage rather than the state hourly minimum wage.

Status: Chapter 800, Statutes of 2015

CIVIL RIGHTS

AB-830 (Eggman) - Civil actions: gender violence.

This bill applies existing law remedies for victims of gender-related violence to victims of sexual orientation-based violence and otherwise defines “gender” in accordance with the Unruh Civil Rights Act, to include “gender expression” and “gender identity.”

Status: Chapter 202, Statutes of 2015

AB-1050 (Low) - State employees: charitable deductions.

This bill would require a charitable organization seeking authorization to participate in the state employees’ charitable giving program to also certify under penalty of perjury to the California Victim Compensation and Government Claims Board (board) (which oversees the program) that the organization is in compliance with the Unruh Civil Rights Act (Unruh). This bill would also require that a charitable organization provide to the board, in electronic format, as part of the certification process, either: (1) the written nondiscrimination policy of the organization; or (2) a written statement to indicate that the organization does not have a written nondiscrimination policy, but otherwise complies with Unruh.

Status: Senate Inactive File

AB-1342 (Steinorth) - Disability access.

This bill would have required a commercial property owner or lessor to state on every lease form or rental agreement executed on or after January 1, 2016, whether or not the subject premises have undergone inspection by a Certified Access Specialist (CASp), as specified. In addition, this bill would have required the California Commission on Disability Access (CCDA) to establish a permanent legislative outreach coordinator position and a permanent educational outreach coordinator position. This bill was vetoed by the Governor who expressed that the two permanent positions are an issue more appropriately addressed in the annual budget process.

Status: Vetoed by the Governor

AB-1521 (Committee on Judiciary) - Disability access: construction-related accessibility claims.

This bill makes various changes to the law as it pertains to construction-related accessibility claims including:

- requiring a high frequency litigant, as defined, to include additional information in a complaint and pay \$1,000 in addition to the filing fee, as specified;
- requiring the existing advisory, which must be provided to a defendant with each demand letter or complaint, to include additional information regarding the rights and obligations of business owners and commercial tenants, as specified;
- requiring an attorney to provide a defendant or potential defendant with an answer form developed by the Judicial Council, which would allow a defendant to respond in the event a complaint is filed, as specified;
- requiring, if requested by the defendant, the court to order the parties and their counsel to meet at the subject premises to jointly inspect the premises, as specified;
- requiring property owners to indemnify a microbusiness tenant, as defined, from liability arising from any construction-related accessibility claims, as specified; and
- specifying that attorneys and/or plaintiffs must certify that specified conditions have been

met, including, but not limited to, that the action is not being presented primarily for an improper purpose, such as to harass or to cause unnecessary delay, as specified.

Status: Chapter 755, Statutes of 2015

SB-251 (Roth) - Civil rights: disability access.

This bill would have provided that specified small businesses are not liable for violating a construction-related accessibility standard if the business is inspected by a certified access specialist (CASp) and the violation is corrected within a specified period of time. This bill would have also provided that a small business is not liable for certain technical violations if corrected within 15 days. The bill would have required the State Architect and the California Commission on Disability Access provide specified information on their Internet Web sites, and required local agencies to develop and provide to applicants materials relating to of the Americans with Disabilities Act (ADA), and required a local agency to notify an applicant that approval of a permit does not signify that the applicant has complied with the ADA. This bill would also have required local agencies to expedite review of projects that have received a written report from a CASp indicating that the site meets applicable standards, and allowed a specified tax credit for small businesses for eligible access expenditures. This bill was vetoed by Governor Brown because it would have created a new tax credit which the Governor believes should be considered comprehensively as part of the budget deliberations.

Status: Vetoed by the Governor

SB-600 (Pan) - Discrimination: citizenship: language: immigration status.

This bill adds citizenship, primary language, and immigration status to the list of protected classes under the Unruh Civil Rights Act (Unruh), except that verification of immigration status and any discrimination based upon verified immigration status, where required by federal law, shall not constitute an Unruh violation. This bill also specifies that that these protections do not require the provision of services or documents in a language other than English, beyond that which is otherwise required by existing law, as specified. This bill specifies that the inclusion of these classifications under Unruh does not constitute a change in, but is declaratory of, existing law.

Status: Chapter 282, Statutes of 2015

COMMON INTEREST DEVELOPMENTS (DAVIS-STIRLING ACT)

AB-349 (Gonzalez) - Common interest developments: property use and maintenance.

This bill would render void and unenforceable any provision of the governing documents or architectural or landscaping guidelines or policies of a homeowners' association that prohibits the use of artificial turf or any other synthetic surface that resembles grass. This bill would also prohibit a homeowners' association from requiring an owner of a separate interest to remove or reverse water-efficient landscaping measures, installed in response to a declaration of a state of emergency, upon the conclusion of the state of emergency.

Status: Chapter 266, Statutes of 2015

CONSTITUTIONAL RIGHTS

AB-538 (Campos) - Actions for damages: felony offenses: victim notification.

This bill requires any person or entity that enters into a contract with a criminal offender for the sale of the story of a crime for which the offender was convicted to notify the California Department of Corrections and Rehabilitation (CDCR) that the parties have entered into a contract for sale of the offender's story if: (1) the offender's conviction was for any of a list of specified serious felonies; and (2) the applicable statute of limitation provision specifying the time to commence an action for damages against a criminal offender convicted of any of those serious felonies does not preclude

commencement of an action against the offender. This bill requires, within 90 days of being notified, that CDCR notify any victim or member of the victim's immediate family, as defined, who has requested notification of the existence of a contract described by this bill.

Status: Chapter 465, Statutes of 2015

ACR-67 (Mullin, Bonta, Chiu, Thurmond, Ting) - Ballot measures.

This resolution provides that the Legislature stands in moral and legal objection to the ballot measure proposing to enact the Sodomite Suppression Act, and to any other ballot measure that seeks to inflict harm on innocent persons or diminish current civil rights protections. This resolution calls upon the residents of the State of California to reject bigotry and hate speech.

Status: Chapter 171, Statutes of 2015

SB-277 (Pan, Allen) - Public health: vaccinations.

This bill eliminates the personal belief exemption from the requirement that children receive vaccines for certain infectious diseases prior to being admitted to any public or private elementary or secondary school or day care center.

Status: Chapter 35, Statutes of 2015

SCA-2 (Nguyen, Bates, Huff) - Public postsecondary education: United States flag.

This resolution would have proposed a constitutional amendment to provide that the display of the Flag of the United States of America on the grounds of a campus of the University of California, the California State University, or the California Community Colleges shall not be prohibited.

Status: Testimony taken; Held in the Senate Judiciary Committee

SJR-13 (De León) - Voting: apportionment.

This resolution urges the United States Supreme Court to uphold the federal constitutional principle of "one person, one vote" and to not deny California's children and immigrants equal protection under the law.

Status: Chapter 160, Statutes of 2015

CONSUMER PROTECTION

AB-264 (Dahle) - Farm products: processors: produce dealers: seeds.

This bill would expand the California Seed Law (CSL), which authorizes the Secretary of Food and Agriculture (Secretary) to develop methods and procedures for the conciliation, mediation, or arbitration of disputes concerning label statements, advertisements, or other disputes regarding the quality or performance of seed, to also make those methods and procedures applicable to financial disputes between seed dealers and growers. This bill would provide, pursuant to the CSL, that every producer of a flower, agricultural, or vegetable seed that sells seed that is grown by him or her to any seed dealer under contract, has a lien upon that product and upon all processed or manufactured forms of that product for his or her labor, care, and expense in growing and harvesting that product. This bill would exclude flower, agricultural, or vegetable seeds from the definition of farm products subject to regulation, licensing, and enforcement by the Market Enforcement Branch of the California Department of Food and Agriculture (CDFA).

Status: Chapter 294, Statutes of 2015

AB-285 (Gallagher) - Professions and vocations: registration.

This bill, until January 1, 2021, repeals all secondary county registration requirements for unlawful detainer assistants (UDAs) and legal document assistants (LDAs), establishes a 15-hour continuing legal education requirement for UDA and LDA registration and renewal, provides additional oral and written client disclosures, and provides that the venue for any disputes involving a UDA or LDA would be in the county of the client's primary residence. This bill also authorizes a county clerk to assign the same registration number to a UDA, LDA, process server, and professional copier renewing his or her registration as long as the registration has not lapsed for three or more years.

Status: Chapter 295, Statutes of 2015

AB-553 (Daly) - Insurance: corporate governance: insurance holding companies.

This bill establishes the Corporate Governance Disclosure Act (CGDA) in order to provide the California Insurance Commissioner (Commissioner) a summary of an insurer or insurance group's corporate governance structure, policies, and practices to permit the Commissioner to gain and maintain an understanding of the insurer's corporate governance framework and outline the requirements for completing a corporate governance annual disclosure (CGAD) with the Commissioner, which would apply to all insurers domiciled in California.

This bill makes confidential all documents, materials, or other information, including the CGAD, obtained by, created by, or disclosed to the Commissioner or any other person. This bill exempts that information from disclosure under the California Public Records Act, and provides that the information would not be subject to subpoena or discovery from the Commissioner or admissible into evidence in any private civil action if obtained from the Commissioner in any manner.

This bill also authorizes the Commissioner, upon notice and opportunity for all interested parties to be heard, to issue rules, regulations, and orders as may be necessary to implement the CGDA. This bill requires those actions to be taken in accordance with the Administrative Procedure Act.

Status: Chapter 213, Statutes of 2015

AB-675 (Alejo) - Rental vehicles: advertising and quotes: charges.

This bill authorizes a rental company, when quoting a rental rate, to separately state the rental rate, additional mandatory charges, if any, and a mileage charge, if any, that a renter must pay to hire or lease the vehicle for the period of time to which the rental rate applies. This bill defines "additional mandatory charges" to mean any separately stated charges that the rental car company requires the renter to pay to hire or lease the vehicle for the period of time to which the rental rate applies, which are imposed by a governmental entity and specifically relate to the operation of a rental car business, including, but not limited to, a customer facility charge, airport concession fee, tourism commission assessment, vehicle license recovery fee, or other government imposed taxes or fees.

Status: Chapter 333, Statutes of 2015

AB-1072 (Daly) - Insurance: firefighters' or police officers' benefit and relief associations.

This bill requires firemen's, policemen's, or peace officers' benefit and relief associations (associations) that issue long-term disability or long-term care policies or contracts to submit actuarial opinions, as specified, to the Insurance Commissioner. This bill requires associations that currently hold a certificate of authority to file an actuarial opinion no later than July 1, 2016, requires that opinion to be completed no earlier than December 31, 2013, and requires associations seeking a certificate of authority to submit an actuarial opinion. This bill provides that documents, materials, or other information, including the opinion with supporting memoranda, required to be submitted by an association, in the possession or control of the Department of Insurance (Department) that are obtained by, created by, or disclosed to the Commissioner or any other person, are recognized as being proprietary and containing trade secrets, and those documents, materials, or other information

would be required to be kept confidential by law and privileged, not subject to disclosure by the Commissioner pursuant to the California Public Records Act, and not subject to subpoena, discovery from the Commissioner, or admissible into evidence in any private civil action if obtained from the Commissioner in any manner. This bill sunsets on December 31, 2018.

Status: Chapter 503, Statutes of 2015

AB-1097 (Holden) - Alarm companies: electronic transactions.

This bill, notwithstanding the existing Uniform Electronic Transactions Act's general prohibition against electronic home solicitation contracts, authorizes persons licensed, certified, or registered pursuant to the Alarm Company Act (Act), to conduct transactions, electronically, for services or activities authorized under that Act, if the contracting customer consents and has not withdrawn that consent.

This bill would provide that a notice of cancellation and copies of the contract or offer, as described under existing law governing home solicitation contracts, may be provided and transmitted electronically. This bill would also provide that notwithstanding the existing requirements for home solicitation contracts to be in a specified form and include certain disclosures and a detachable written notice of cancellation, for contracts for services or other activities authorized by this chapter, the signatures, disclosures, and documents described in those provisions may be provided and transmitted electronically.

Status: Chapter 439, Statutes of 2015

AB-1107 (Irwin) - Sellers of travel: regulation.

This bill requires a seller of travel, as defined, to maintain their business records for a period of three years; authorizes the Attorney General to recover their costs and attorney fees pursuant to an audit that determines noncompliance with the Sellers of Travel Law and; provides for an assessment issued by Travel Consumer Restitution Corporation to be sent pursuant to electronic billing.

Status: Chapter 253, Statutes of 2015

AB-1131 (Dababneh) - Insurance: electronic transmission.

This bill, until January 1, 2021, authorizes an insurer, agent, broker, or any other person required to be licensed by the California Department of Insurance, to send individual life insurance and annuity records by electronic transmission. This bill expands the scope of electronic notice provisions under the California Uniform Electronic Transactions Act (UETA) by allowing the above licensees to send a life insurance or annuity written record by electronic transmission, if not specifically excluded under UETA, and if the licensee meets specified requirements. This bill also requires the Insurance Commissioner to submit a report, as specified.

Status: Chapter 638, Statutes of 2015

SB-235 (Block) - Small dollar loans: finder duties and compensation

This bill authorizes finders under the Pilot Program for Increased Access to Responsible Small Dollar Loans (pilot program) to disburse loan proceeds to borrowers, receive loan payments from borrowers, and provide notices and disclosures to borrowers, as specified; increases allowable finder compensation; and provides pilot program lenders greater flexibility in the way(s) in which they compensate their finders.

Status: Chapter 505, Statutes of 2015

SB-285 (Block) - Pawnbrokers: compensation: loans.

Existing law regulates pawnbrokers and sets the maximum compensation that may be charged or received for loans to their customers. This bill would increase the maximum compensation levels authorized under current law. Specifically, this bill would:

- increase certain amounts that may be charged during the first three months of any loan less than \$2,500 by consolidating the existing 21 loan brackets into 6 and setting new maximum charges within those brackets;
- increase from 2.5 percent to 3 percent the maximum monthly rate of compensation that may be charged for the fourth and subsequent months on the unpaid principal balance of any loan;
- increase from 2 percent to 3 percent the allowable loan setup fee for each loan, and increase from \$10 to \$30 the maximum allowable loan setup fee; and
- increase the amount that may be charged for the handling and storage of pawned articles.

This bill would also authorize a pawnbroker to deliver, at the sole option of the pledgor, specified notices via electronic mail.

Status: Chapter 245, Statutes of 2015

SB-300 (Mendoza) - Pawnbrokers: regulations.

This bill would authorize a pawnbroker to execute a written contract for a replacement loan for which goods are received in pledge as security if the contract and transaction comply with the provisions of the Uniform Electronic Transactions Act. This bill would additionally authorize a pawnbroker to deliver, at the sole option of the pledgor, specified notices via electronic mail.

Status: Chapter 417, Statutes of 2015

SB-386 (Allen) – Unlawful business practices.

This bill adds to the list of acts prohibited by the Consumer Legal Remedies Act the act of advertising or offering for sale a financial product that is illegal under state or federal law, including any cash payment for the assignment to a third party of a consumer's right to receive future pension or veteran's benefits. This bill also adds a provision to the Military and Veterans Code prohibiting a person from advertising, offering, or entering into an agreement with a pension beneficiary that would involve an assignment of pension benefits that is prohibited by state or federal law, and makes other technical changes to existing law.

Status: Chapter 246, Statutes of 2015

SB-438 (Hill) - Motor vehicles: reportable property damage.

This bill would have increased the minimum amount of damage to property resulting from a motor vehicle accident that must be reported to the Department of Motor Vehicles from \$750 to \$1,000. This bill would have made corresponding changes to the minimum judgment amount that qualifies a judgment debtor, found liable for that damage but who has failed to pay the judgment rendered thereon, to have his or her driver's license suspended or revoked. This bill was subsequently gutted and amended twice. The bill was first amended to require all cartridges for electronic cigarettes and solutions for filling and refilling an electronic cigarette to be in child-resistant packaging, as defined. The bill was then amended to declare the intent of the Legislature to work with the Administration through the fall 2015 recess in order to establish a California Earthquake Safety Board by July 1, 2016.

Status: Held in the Assembly Governmental Organization Committee. Gutted, now: Earthquake Safety.

SB-474 (Wieckowski) - Auctions.

Existing law provides that an auctioneer in an auction for real property is prohibited from announcing or allowing a bid offered for the sole purpose of increasing the bid amount unless two conditions are

met: (1) all auction participants receive advance notice that such bidding will be allowed during an auction; and (2) the auctioneer or other person placing the bid contemporaneously discloses to all auction participants that the bid has been placed on behalf of the seller. Existing law exempts credit bids made by creditors who hold a deed of trust, mortgage, or other lien on the property when the credit bid may result in the transfer of title to the creditor.

This bill eliminates the creditor bid exemption and re-casts the existing prohibition on announcing or allowing a bid offered for the sole purpose of increasing the bid amount to, instead, apply only to increased bids offered by the auctioneer.

Status: Chapter 354, Statutes of 2015

SB-577 (Hueso) - Securities: qualification: exemptions.

This bill would authorize three new securities permitting exemptions, as specified, and would increase, from \$300 to \$1,000, the maximum allowable aggregate investment of any shareholder in shares of a consumer cooperative corporation or member in memberships of a consumer cooperative corporation.

Status: Held in the Senate Judiciary Committee

SB-633 (Hill) - Consumer protection: "Made in U.S.A." label.

This bill prohibits the sale of merchandise labeled "Made in U.S.A.," "Made in America," "U.S.A.," or similar words if the merchandise or any article, unit, or part thereof, has been entirely or substantially made, manufactured, or produced outside of the United States, unless: (1) the articles, units, or parts of the merchandise obtained from outside the United States constitute not more than five percent of the final manufactured product; or (2) the articles, units, or parts of the merchandise obtained from outside the United States constitute not more than 10 percent of the final manufactured product and the manufacturer of the merchandise shows that it can neither produce the articles, units, or parts within the United States nor obtain the articles, units, or parts from a domestic source. This bill specifies that exemptions for merchandise with content obtained from outside the United States are measured based on the final wholesale value of the manufactured product.

Status: Chapter 238, Statutes of 2015

SB-641 (Wieckowski) - Debt buying: default judgment.

This bill adds a provision to the Fair Debt Buying Practices Act (FDBPA) to provide consumers, in limited circumstances involving actions brought by debt buyers, extended time to file a motion to set aside a default or default judgment and for leave to defend an action relating to debt, if the service of summons did not result in actual notice to the consumer in time to defend the action. This bill requires, except in cases of identity theft or mistaken identity, that the consumer serve and file the notice of motion within a reasonable time, but in no event exceeding the earlier of either: (1) six years after entry of the default or default judgment; or (2) 180 days of the first actual notice of the action, as specified.

Status: Chapter 804, Statutes of 2015

SB-647 (Morrell) - Real estate investments: securities: qualification exemption.

The Real Estate Law requires any transaction that involves the sale of a note secured directly by an interest in a parcel of real property to comply with specified requirements, including limiting the principal amount of the note based on a percentage of the current market value of the property. Existing law also requires specified real estate brokers to make reasonable efforts to ensure that the sale of an interest in a note secured by real property is suitable and appropriate for the purchaser.

This bill would add a new loan to value limit for real estate based lending involving land producing income from crops, timber, or minerals. This bill would also remove the requirement that brokers annually obtain a completed investor questionnaire from each person to whom the broker offers or sells a note secured directly by an interest in a parcel of real property, and would remove a reporting requirement for certain types of real estate loans.

Status: Chapter 263, Statutes of 2015

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

Existing law regulates the licensing of referral agencies of extended care and nursing home facilities. This bill extends those requirements to residential care facilities for the elderly (RCFEs). This bill also requires a referral agency to provide disclosures to potential customers that include whether the licensee has an agreement or contract with the facility for client referrals, that a commission will be received by the licensee from the facility, and licensee contact information. This bill requires the licensee to retain for four years a signed acknowledgement by the customer of receipt of the disclosures and requires these referral agencies to maintain liability insurance of at least \$1 million per referred person and \$3 million in the total annual aggregate for negligent acts or omissions.

Status: Held in the Senate Appropriations Committee

SB-696 (Roth) - Insurance: principle-based valuation.

This bill establishes a new method of calculating reserve requirements for various types of life and disability policies and contracts using a principle-based valuation that meets specified conditions. This bill makes confidential all information, documents, and copies thereof obtained by or disclosed to the Insurance Commissioner (Commissioner) or any other person in the course of an examination or investigation regarding life and disability insurance reserve liabilities, and all information required to be reported to the Commissioner in support of reserve liability opinions. This bill exempts that information from disclosure under the California Public Records Act, and provides that the information would not be subject to subpoena or discovery from the Commissioner or admissible into evidence in any private civil action if obtained from the Commissioner in any manner.

Status: Chapter 658, Statutes of 2015

SB-761 (Hall) - Advertising: Internet private residence rental listings: notice.

This bill requires a hosting platform to provide a specific notice to individuals listing a residence for short-term rental on the platform, as specified. This bill states that the notice must be provided immediately before an individual lists real property on the hosting platform, and requires the individual listing the property to interact with the hosting platform to affirmatively acknowledge that he or she has read the notice.

Status: Chapter 239, Statutes of 2015

CONTRACTORS

AB-1347 (Chiu) - Public contracts: claims.

This bill, until January 1, 2019, would have established, for public works contracts entered into on or after January 1, 2016, a claim resolution procedure by which a general contractor could seek public agency review of the claim. This bill also would have prescribed a procedure by which a subcontractor or lower tier contractor could make a claim against the public agency through the general contractor. This bill excluded the Department of Water Resources, Division of Boating and Waterways in the Department of Parks and Recreation, as specified, Department of Corrections and Rehabilitation, as specified, Military Department, Department of General Services as to all other projects, and the High-Speed Rail Authority from the claim resolution procedures established in this

bill.

This bill was vetoed by Governor Brown, who was not convinced that the procedures contemplated by this bill were an improvement over current law. Governor Brown stated, however, his commitment to ensuring timely payment for work ordered by public agencies, and, in the interest of furthering that goal, directed his departments to immediately work with industry partners and the proponents of this bill on ways of improving prompt payment policies.

Status: Vetoed by the Governor

CONTRACTS

AB-552 (O'Donnell) - Public works contracts: damages.

This bill would provide that a public works contract entered into on or after January 1, 2016, that contains a clause requiring a contractor to be responsible for delay damages is not enforceable unless the delay damages have been liquidated to a set amount and identified in the public works contract.

Status: Chapter 434, Statutes of 2015

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

AB-506 (Maienschein) - Limited liability companies.

This bill makes various changes throughout the California Revised Uniform Limited Liability Company Act (RULLCA). For example, among other things, this bill:

- (1) replaces references to a “holder of a transferable interest in the limited liability company” with “transferee,” to reflect correct RULLCA terminology, and also corrects references to “majority in interest,” which is not defined by RULLCA;
- (2) revises and corrects cross-references throughout various RULLCA provisions and adds missing cross-references to conform potentially conflicting sections;
- (3) modifies certain references to participation in the management or conduct of activities of the LLC to clarify that “participate” includes the right to vote;
- (4) adds a default rule to RULLCA specifying how to allocate losses and profits among members, which is substantially similar to the default rule provided under the former Beverly Killea LLC Act (former Corp. Code Sec. 17202) and the default rule for partnerships under the California Revised Uniform Partnership Act; and
- (5) modifies existing limitations upon what an operating agreement can do.

Status: Chapter 775, Statutes of 2015

AB-1471 (Perea) - Business entities: filings.

This bill makes various clarifying and technical changes throughout the General Corporation Law, Social Purpose Corporations Act, the California Uniform Limited Liability Company Act, the Uniform Limited Partnership Act, and the Uniform Partnership Act in order to assist the Secretary of State (SOS) in improving efficiencies in business filing procedures to facilitate the development of the California Business Connect automated system. These changes include, for example:

- updating and making consistent throughout the various acts the information that must be provided in a certificate of conversion;
- clarifying signature authority in relation to SOS filings; and
- correcting cross-references to existing sections prescribing the fees that a business entity must pay in order to reserve a name with the SOS.

Status: Chapter 189, Statutes of 2015

SB-177 (Wieckowski) - Alarm companies: limited liability companies.

This bill extends the sunset date for the Bureau of Security and Investigative Services to issue an alarm company operator license to a limited liability company from January 1, 2016, to January 1, 2022.

Status: Chapter 140, Statutes of 2015

SB-284 (Cannella) - Engineering and land surveying: limited liability partnerships.

This bill extends the sunset date for engineers and land surveyors to form registered limited liability partnerships and foreign limited liability partnerships until January 1, 2019.

Status: Chapter 157, Statutes of 2015

SB-351 (Committee on Banking and Financial Institutions) - Corporations.

This bill cleans up various provisions of the Corporations Code to correct drafting errors in prior legislation and clarify the intent of existing law. Specifically, this bill (1) adds existing emergency powers and emergency bylaws provisions that currently apply to corporations, nonprofit public benefit corporations, nonprofit mutual benefit corporations, and nonprofit religious corporations to the Consumer Cooperative Corporations Law, in order to also allow a consumer cooperative corporation to take certain actions during an emergency and develop emergency bylaws, as specified; and (2) adds a new provision to the Corporations Code to specify that all references to a corporation's chairperson of the board shall be deemed to refer to all permissible titles for the chairperson of the board, as specified (including: chair of the board, chairperson of the board, chairman of the board, or chairwoman of the board), and makes conforming changes to standardize references to chairperson of the board in the Corporations Code. In specified provisions that set forth permissible titles for "chair of the board," this bill also permits the use of "chair," "chairperson," "chairman," and "chairwoman" without reference to "of the board."

Status: Chapter 98, Statutes of 2015

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

AB-87 (Mark Stone) - Jurors: peremptory challenge.

This bill extends the existing protection against the use of a peremptory challenge to remove a prospective juror on the basis of an assumption that the prospective juror is biased merely because of certain characteristics (race, color, religion, sex, national origin, sexual orientation, or similar grounds) to all characteristics listed or defined in a specified anti-discrimination statute under the Government Code (i.e. race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color, genetic information, or disability), or similar grounds.

Status: Chapter 115, Statutes of 2015

AB-1002 (Wilk, Alejo) - Civil actions: interpreter costs.

This bill adds the fees of a certified or registered interpreter for the deposition of a party or witness who does not proficiently speak or understand the English language to the list of fees recoverable by a prevailing party.

Status: Chapter 90, Statutes of 2015

AB-1028 (Bonta) - Judicial officers: oaths and affirmations.

This bill permits a former judge or justice who is retired by the Supreme Court for disability to administer oaths and affirmations, if certified by the Commission on Judicial Performance (CJP).

This bill also permits former judges and justices certified before January 1, 2016, to continue to administer oaths and affirmations until January 1, 2017, before needing to reapply for certification pursuant to these provisions.

Status: Chapter 308, Statutes of 2015

AB-1197 (Bonilla) - Deposition notices.

This bill requires that a deposing party include in its deposition notice to the person it seeks to depose: (1) a statement disclosing the existence of a contract, if any is known to the noticing party, for any service beyond the noticed deposition, between the noticing party or a third party who is financing all or part of the action and either the deposition officer or the entity providing the services of the deposition officer; and (2) a statement disclosing that the party noticing the deposition, or a third party financing all or part of the action, directed his or her attorney to use a particular officer or entity to provide services for the deposition, if applicable.

Status: Chapter 346, Statutes of 2015

SB-229 (Roth) - Courts: judgeships.

This bill appropriates \$5 million from the General Fund for the purpose of funding 12 new superior court judgeships, and accompanying staff, as specified.

The Governor vetoed the bill because he intends to work with the Judicial Council to develop a more systemwide approach to balance the workload and the distribution of judgeships around the state before funding any new positions.

Status: Vetoed by the Governor

SB-270 (Mendoza) - Court Reporters Board of California: civil actions: corporations.

This bill would have authorized the Court Reporters Board of California (CRB) to bring a civil action (or ask the Attorney General to bring an action) to enjoin any unlicensed or unauthorized person, corporation, or foreign corporation from rendering court reporter services in this state.

This bill would have authorized the CRB to seek certain penalties, including fines and restitution, and would have required the courts to award reasonable investigation and enforcement costs to the CRB or Attorney General responsible for filing an action pursuant to this bill.

Status: Held in the Assembly Business and Professions Committee

SB-428 (Hall) - Juries: peace officer exemption.

This bill would have exempted from voir dire in criminal matters certain peace officers, including various parole officers, probation officers, deputy probation officers, board coordinating parole agents, correctional officers, transportation officers of a probation department, and other employees, of the Department of Corrections and Rehabilitation, the State Department of State Hospitals, and the Board of Parole Hearings.

Status: Failed passage in the Senate Judiciary Committee

SB-682 (Leno) - Courts.

This bill would have required a trial court to meet certain standards if it intends to enter into a contract for any services that are currently or have been customarily performed by that trial court's employees, except as otherwise specified by the bill. This bill was vetoed by Governor Brown who believed that the measure 1) goes too far and requires California's courts to meet overly detailed and in some cases nearly impossible requirements when entering into or renewing certain contracts; and

2) contains provisions that are unclear and will lead to confusion about what services may or may not be subject to this measure. Governor Brown further expressed that he is unwilling to restrict the flexibility of our courts as they face tremendous funding pressure and the challenge to doing their work at a lower cost.

Status: Vetoed by the Governor

DOMESTIC VIOLENCE

AB-439 (Bloom) - Protective orders: batterer's program.

This bill requires a restrained party, who has been ordered to participate in a batterer's program, to register for the program by the deadline ordered by the court, or within 30 days if no deadline is indicated. This bill requires that at the time of enrollment, the restrained party sign all necessary program consent forms for the program to release specified documents, including attendance records, to the court and the protected party, and to provide the court and the protected party with specified information regarding the program. This bill additionally requires the Judicial Council, by July 1, 2016, revise or promulgate forms as necessary to effectuate the above provisions.

Status: Chapter 72, Statutes of 2015

AB-494 (Maienschein) - Restraining orders: protection of animals.

This bill authorizes the court, on a showing of good cause, to include in a civil protective or restraining order, as specified, an order: (1) granting the petitioner exclusive care, possession, or control of an animal that is held by a person protected by a restraining order, or that resides in the same residence as a person protected by a restraining order; and (2) instructing the respondent or restrained person to stay away from the animal, and refrain from taking or harming the animal, as specified.

Status: Chapter 401, Statutes of 2015

AB-536 (Bloom) - Domestic violence: protective orders.

This bill prohibits a court from issuing a mutual restraining order unless each party presents written evidence of abuse or domestic violence in an application for relief using a mandatory Judicial Council restraining order application form, as specified. This bill also requires, by July 1, 2016, the Judicial Council to modify forms as necessary to provide notice of this information.

Status: Chapter 73, Statutes of 2015

AB-1081 (Quirk) - Protective orders.

This bill allows either party to request a continuance of a hearing on a temporary restraining order (TRO), as specified, which the court would be required to grant on a showing of good cause, and additionally authorizes the court to grant a continuance on its own motion. This bill, upon granting a continuance, requires that any TRO that had previously been granted remain in effect until the conclusion of the continued hearing, and authorizes the court to modify or terminate that TRO.

Status: Chapter 411, Statutes of 2015

AB-1407 (Atkins) - Family law: protective orders: wireless telephone numbers.

This bill authorizes a court, beginning July 1, 2016, after notice and a hearing, to issue a domestic violence restraining order directing a wireless telephone service provider to transfer the billing responsibility and rights to a wireless telephone number to a requesting party and requires that the requesting party assume all financial responsibility for the transferred telephone number, monthly service costs, and costs for any mobile device associated with the telephone number. This bill also prohibits a cause of action against a wireless telephone service provider, its officers, employees, or

agents, for actions taken in accordance with the terms of the court order, and requires the Judicial Council to, on or before July 1, 2016, develop any forms or rules necessary to effectuate these provisions.

Status: Chapter 415, Statutes of 2015

EMPLOYMENT AND LABOR

AB-289 (Melendez) - Legislature: Legislative Employee Whistleblower Protection Act.

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

Status: Held in the Senate Appropriations Committee

AB-465 (Roger Hernández) - Contracts against public policy.

This bill would have prohibited a person from threatening, retaliating, or discriminating against another person on the basis that the other person refuses to waive any legal right, penalty, remedy, forum, or procedure for a violation of the Labor Code, including the right to file and pursue a civil action or complaint with, or otherwise notify, the Labor Commissioner, state agency, other public prosecutor, law enforcement agency, or any court or other governmental entity, and would have required any waiver to be knowing and voluntary and in writing, and expressly not made as a condition of employment.

Governor Brown vetoed this bill because he believes that arbitration agreement abuses by employers should be resolved through targeted legislation rather than a blanket prohibition. Further, Governor Brown stated that a blanket ban on mandatory arbitration agreements is a far-reaching approach consistently struck down in other states as violating the Federal Arbitration Act (FAA), and he wants to see the outcome of two cases currently under review by the U.S. Supreme Court arising out of California courts involving preemption of state arbitration policies under the FAA.

Status: Vetoed by the Governor

AB-621 (Roger Hernández) - Drayage truck operators: Motor Carrier Employer Amnesty Program.

This bill establishes the Motor Carrier Employer Amnesty program and relieves a motor carrier performing drayage services at one or more ports in California from liability for statutory or civil penalties associated with misclassification of commercial drivers as independent contractors if the motor carrier enters into a settlement agreement before January 1, 2017, with the Labor Commissioner whereby the motor carrier agrees to convert all of its commercial drivers to employees.

Status: Chapter 741, Statutes of 2015

AB-676 (Calderon) - Employment: discrimination: status as unemployed.

This bill would have prohibited an employer from: (1) publishing an advertisement or announcement for a job that includes a provision stating or indicating that an unemployed person was not eligible for the job; or (2) asking an applicant to disclose the applicant's employment status until the employer had determined that the applicant had met the minimum employment qualifications for the position. This bill is similar to AB 1450 (Allen, 2012), which was vetoed by Governor Brown because he believed AB 1450 would lead to unnecessary confusion. This bill is also substantially similar to AB

2271 (Calderon, 2014), which was vetoed because Governor Brown believed it could impede the state's efforts to connect unemployed workers to prospective employers, and that the bill would not provide the proper path to helping unemployed Californians get back to work.

Governor Brown also vetoed this bill because it is substantially similar to the bill he vetoed last year, and he still believes that the author's approach does not provide a proper or even effective path to get unemployed people back to work.

Status: Vetoed by the Governor

AB-883 (Low) - Employment: public employee status.

This bill would have prohibited a state or local agency, as defined, from advertising or announcing a job that discriminates against an applicant who is a current or former public employee. Although Governor Brown stated he understood what the sponsors intended with the bill, he vetoed the bill because he believed its provisions could limit legitimate efforts of public jurisdictions to manage their workforce.

Status: Vetoed by the Governor

AB-987 (Levine) - Employment discrimination: unlawful employment practices.

This bill makes it an unlawful employment practice under the Fair Employment and Housing Act (FEHA) for an employer or other covered entity to retaliate or otherwise discriminate against a person who requests an accommodation for the person's religious belief or observance or for the person's known physical or mental disability, regardless of whether the request was granted.

Status: Chapter 122, Statutes of 2015

AB-1383 (Jones) - Veterans preferences: voluntary policy.

This bill enacts the Voluntary Veterans' Preference Employment Policy Act and authorizes a private employer to establish a veteran's preference employment policy. This bill was presented in Committee but held for amendments to address concerns that the veteran's preference policy created under this bill could be used by an employer as a pretext in order to discriminate against the other protected classes under FEHA.

Status: Held in the Senate Judiciary Committee

AB-1506 (Roger Hernández) - Labor Code Private Attorneys General Act of 2004.

This bill revises the Labor Code Private Attorneys General Act of 2004 (PAGA) to provide an employer with the right to cure a violation of failing to provide its employees with a wage statement containing the inclusive dates of the pay period and the name and address of the legal entity that is the employer.

Status: Chapter 445, Statutes of 2015

AB-1509 (Roger Hernández) - Employees: protected disclosures and complaints: retaliation.

This bill prohibits an employer, unless otherwise exempt as specified, from discharging an employee or in any manner discriminating, retaliating, or taking any adverse action against any employee because the employee is a family member of a person who has, or is perceived to have, filed a claim with or instituted a proceeding before the Labor Commissioner, testified or is going to testify in a proceeding before the Labor Commissioner, disclosed information to a government or law enforcement agency, as specified, participated in an occupational health and safety committee, as specified, or exercised rights afforded to employees by the Labor Code. This bill also prohibits an employer from making, adopting, or enforcing any rule, regulation, or policy preventing an employee

from disclosing information to a government or law enforcement agency, as specified. This bill expands these prohibitions to include a person acting on behalf of the employer, including, but not limited to, a client employer, as specified.

Status: Chapter 792, Statutes of 2015

SB-249 (Hueso) - Vehicles: enhanced driver's license.

This bill would have authorized the Department of Motor Vehicles (DMV) to enter into a memorandum of understanding with a federal agency for the issuance of an enhanced driver's license, instruction permit, provisional license, or identification card. This bill would have authorized the DMV to issue or renew, upon request, an enhanced driver's license, instruction permit, provisional license, or identification card for specified persons, and would have required the DMV to submit an annual report, as specified, on the implementation of the enhanced driver's license and identification card. The bill would have required a person applying for an enhanced driver's license, instruction permit, provisional license, or identification card to submit an additional application fee, not to exceed the reasonable regulatory cost or \$55, whichever is less, and to provide specified information to the applicant. When the bill was heard in Committee, it contained a prohibition on employment retaliation if an employee refused to obtain the enhanced driver's license; that provision was subsequently removed from the bill. Although Governor Brown supports the purpose of the bill to allow easier passage across certain borders within the Western Hemisphere, he vetoed the bill because he believes that there are other means, such as the U.S. Passport Card, that achieve the same goal without imposing new burdens on the DMV.

Status: Vetoed by the Governor

SB-358 (Jackson) - Conditions of employment: gender wage differential.

This bill revises California's equal pay law to prohibit an employer from paying any of its employees at wage rates less than rates paid to employees of the opposite sex for substantially similar work, when viewed as a composite of skill, effort, and responsibility, and performed under similar working conditions. This bill revises the "bona fide factor" exception in existing law to require the employer to prove: (1) the factor is not based on or derived from a sex-based differential in compensation and is consistent with a business necessity, as specified, such as a difference in education, training, or experience that is job related with respect to the position in question; (2) each factor relied upon is applied reasonably; and (3) the factors relied upon account for the entire pay differential. This bill also prohibits discrimination or retaliation against an employee who inquires about the wages paid to other employees.

Status: Chapter 546, Statutes of 2015

SB-588 (De León) - Employment: nonpayment of wages: Labor Commissioner: judgment enforcement.

This bill establishes procedures through which the Labor Commissioner can enforce judgments against employers who fail to satisfy a final judgment relating to the nonpayment of wages to employees. This bill authorizes the Labor Commissioner to levy upon the employer's bank accounts, accounts receivable, and real and personal property, as specified, provide for third-party claims to the property, specify due process notice, hearing, and appeals requirements, authorize a stop order to issue against the employer, and prohibit the continuation of business until the employer posts a bond, as specified. This bill also requires the Labor Commissioner to report to the State Department of Public Health or the State Department of Social Services if a long-term care facility is operating in violation of the surety bond provisions. This bill makes entities contracting with the employer for property services (janitorial, security guard, valet parking, landscaping, and gardening) and long-term care facility industries jointly and severally liable for the unpaid judgment, as specified.

Status: Chapter 803, Statutes of 2015

SB-703 (Leno) - Public contracts: prohibitions: discrimination.

This bill prohibits a state agency from entering into any contract for the acquisition of goods or services in the amount of \$100,000 or more with a contractor that, in the provision of benefits, discriminates between employees on the basis of the employee's or dependent's actual or perceived gender identity, including, but not limited to, the employee's or dependent's identification as transgender. This bill provides specified waivers, and authorizes a person alleging a violation by a contractor to file a complaint with the Department of General Services.

Status: Chapter 578, Statutes of 2015

ENVIRONMENTAL AND TOXIC SUBSTANCES

AB-888 (Bloom) - Waste management: plastic microbeads.

This bill would prohibit, on and after January 1, 2020, an individual, business, or other entity, from selling or offering for promotional purposes in this state a personal care product containing plastic microbeads that are used to exfoliate or cleanse in a rinse-off product, unless the product contains less than 1 part per million by weight of plastic microbeads.

Status: Chapter 594, Statutes of 2015

SB-385 (Hueso) - Primary drinking water standards: hexavalent chromium: compliance plan.

This bill would authorize the State Water Resources Control Board (State Board) to grant a public water system a period of time to achieve compliance with drinking water standards for hexavalent chromium, not to extend beyond January 1, 2020. To qualify, a public water system would be required to prepare and submit a compliance plan to the State Board for approval. This bill would require a public water system to provide specified notices to consumers regarding the compliance plan, as well as status reports to the State Board. This bill would also prohibit a public water system from being deemed in violation of the primary drinking water standard for hexavalent chromium while implementing an approved compliance plan or while state board action on its proposed and submitted compliance plan is pending.

Status: Chapter 272, Statutes of 2015

FAMILY, DOMESTIC PARTNERSHIPS, ADOPTIONS, CHILD CUSTODY AND SUPPORT

AB-365 (Cristina Garcia) - Child custody proceedings: testimony by electronic means.

This bill requires the court to allow a party, whose deportation or detention by the federal Department of Homeland Security materially affects his or her ability to appear at a child custody proceeding, to present testimony and evidence, and participate in mandatory child custody mediation, by electronic means.

Status: Chapter 69, Statutes of 2015

AB-380 (Waldron) - Marriage: putative spouses.

This bill requires the court, only upon request of a party who is declared a putative spouse, to divide the quasi-marital property that would have been community property or quasi-community property if the marriage was valid as if it were community property.

Status: Chapter 196, Statutes of 2015

AB-439 (Bloom) - Protective orders: batterer's program.

This bill requires a restrained party, who has been ordered to participate in a batterer's program, to register for the program by the deadline ordered by the court, or within 30 days if no deadline is indicated. This bill requires that at the time of enrollment, the restrained party sign all necessary program consent forms for the program to release specified documents, including attendance

records, to the court and the protected party, and to provide the court and the protected party with specified information regarding the program. This bill additionally requires the Judicial Council, by July 1, 2016, revise or promulgate forms as necessary to effectuate the above provisions.

Status: Chapter 72, Statutes of 2015

AB-610 (Jones-Sawyer) - Child support: suspension of support order.

This bill, an urgency measure, until January 1, 2020, specifies that the suspension of a child support order occurs by operation of law for any period exceeding 90 consecutive days in which an obligor is incarcerated or involuntarily institutionalized, subject to specified exceptions. This bill requires the Department of Child Support Services and the Judicial Council to evaluate the effectiveness of the administrative adjustment process and report to the Legislature by January 1, 2019.

Status: Chapter 629, Statutes of 2015

AB-960 (Chiu) - Parentage: assisted reproduction.

This bill provides that the donor of semen provided to a licensed physician or to a licensed sperm bank for use in assisted reproduction shall be treated as if he were not the natural parent of a child thereby conceived, unless otherwise agreed to in a writing prior to the conception of the child. This bill also provides, if the semen is not provided to a licensed physician or a licensed sperm bank for use in assisted reproduction by a woman other than the donor's spouse, the donor shall be treated in law as if he were not the natural parent of the child if either: (1) the donor and the woman agreed in a writing prior to conception that the donor would not be a parent; or (2) a court finds by clear and convincing evidence that the child was conceived through assisted reproduction and that, prior to the conception of the child, the woman and the donor had an oral agreement that the donor would not be a parent.

Status: Chapter 566, Statutes of 2015

AB-1049 (Patterson) - Parent and child relationship.

This bill states that a person's offer or refusal to sign a voluntary declaration of paternity may be considered as a factor, but shall not be determinative as to the issue of legal parentage in any proceedings regarding the establishment or termination of parental rights. This bill additionally requires a nonattorney donor facilitator to direct his or her client to deposit client funds in an independent, bonded escrow account or a trust account maintained by an attorney.

Status: Chapter 91, Statutes of 2015

AB-1519 (Committee on Judiciary) - Judiciary omnibus: family support.

This bill makes various changes to the Family Code, including: (1) providing that the Department of Child Support Services (DCSS) has no obligation to determine whether an account at the financial institution of the recipient's choice is a qualifying account, as defined; (2) allowing, effective July 1, 2016, a local child support agency to electronically file pleadings, as specified; (3) clarifying that a petitioner is required to serve the preliminary declaration of disclosure either concurrently with the petition for legal separation or within 60 days of filing the petition or response; and (4) ratifying the authority of the Judicial Council to convert 10 subordinate judicial officer (SJO) positions to judgeships in the 2015-16 fiscal year, as specified.

Status: Chapter 416, Statutes of 2015

SB-28 (Wieckowski) - Spousal support factors: domestic violence conviction.

This bill clarifies that pleas of nolo contendere to allegations of domestic violence are included in a documented history of domestic violence that a court must consider when making an award of

spousal support.

Status: Chapter 137, Statutes of 2015

SB-340 (Anderson) - Dissolution: disclosure.

This bill provides that a preliminary declaration of disclosure is not required by a petitioner if the petitioner served the summons and petition by publication or posting pursuant to court order and the respondent has defaulted. This bill requires, when a petitioner has served the summons and petition by publication or posting pursuant to court order and the respondent files a response prior to default judgment being entered, the petitioner to serve the respondent with a preliminary declaration of disclosure within 30 days of the response being filed. This bill makes other related, conforming changes.

Status: Chapter 46, Statutes of 2015

SB-414 (Jackson) - Marriage.

While in this Committee, this bill would have replaced references to a “husband” or “wife” with references to a “spouse,” and made other conforming and related changes to the Family Code. Subsequently, this bill was substantially amended to make several changes to state law regarding oil spill preparedness, prevention, and response.

Status: Chapter 609, Statutes of 2015. Gutted, now: Oil spill response.

SB-585 (Leyva) - Insurance payments: interception.

This bill would have, beginning July 1, 2016, created the Insurance Payment Intercept Program within the Department of Insurance, and would have required the Department of Child Support Services to facilitate a data match system using automated data exchanges through which an insurer or self-insurer would be required to report, prior to the payment of a claim, the name, address, and, if known, date of birth and social security number or other taxpayer identification number for each claimant who owes past due support, as specified.

This bill would also have required the Insurance Commissioner to give written notice of alleged noncompliance specifying a reasonable time during which the insurer or self-insurer is required to correct the noncompliance. The bill would require the Commissioner to impose a fine, not to exceed \$1,000, for each violation if an insurer or self-insurer fails to correct the noncompliance within the specified timeframe, and to issue an order requiring the violator to comply with that requirement.

Status: Held in the Assembly Insurance Committee

SB-594 (Wieckowski) - Child custody.

This bill specifies that a child custody evaluation, investigation, or assessment, and any resulting report, may only be considered by the court if the evaluation, investigation, or assessment, and any resulting report, is conducted in accordance with the minimum requirements.

Status: Chapter 130, Statutes of 2015

SB-646 (Jackson) - Uniform Interstate Family Support Act.

This bill revises and recasts the Uniform Interstate Family Support Act (UIFSA) to provide guidelines for the registration, recognition, enforcement, and modification of foreign support orders from countries that are parties to the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance (2007 Hague Convention). This bill identifies the Department of Child Support Services as the agency designated by the United States central authority, as defined, to perform specific functions under the Convention. This bill makes other

technical, clarifying, and conforming changes.

Status: Chapter 493, Statutes of 2015

GOVERNMENT AGENCIES: PUBLIC RECORDS ACT AND BROWN ACT

AB-169 (Maienschein) - Local government: public records: Internet.

This bill establishes open format requirements for posting a public record if a local agency, except a school district, maintains an “open data” Internet Resource, including, but not limited to, an Internet Web site, Internet Web page, or Internet Web portal, and voluntarily posts the public record.

Status: Chapter 737, Statutes of 2015

AB-709 (Gipson) - Charter schools.

This bill requires charter schools to comply with the open meeting and public disclosure requirements under the Ralph M. Brown Act (Brown Act), Bagley-Keene Open Meeting Act (Bagley-Keene Act), the California Public Records Act (CPRA), and the conflict of interest disclosure requirements under the Political Reform Act (PRA).

Status: Senate Inactive File

SB-272 (Hertzberg) - The California Public Records Act: local agencies: inventory.

The California Public Records Act requires state and local agencies to make public records available for inspection by the public, with specified exceptions. This bill requires each local agency, with specified exceptions, to create a catalog of enterprise systems, as defined, post that catalog on the local agency’s Internet Web site, and make the catalog publicly available upon request in the office of the clerk of the agency’s legislative body. This bill specifies a schedule by which local agencies must complete and update catalogs of their data system, and provides local agencies with an alternative to publicly disclosing specified information in cases where public disclosure would not serve the public interest.

Status: Chapter 795, Statutes of 2015

SB-421 (Hancock) - Refineries: turnarounds.

This bill deletes the requirement that the court award attorneys’ fees to the party who prevails in an action to compel or prohibit the disclosure of petroleum refinery turnaround information by the Division of Occupational Safety and Health (Division). This bill also clarifies that a petroleum refinery employer or a person requesting the disclosure of turnaround information may intervene in an action to prohibit or compel the disclosure of the turnaround information. This bill makes clarifying changes to trade secret protection of the information requested to be disclosed and the appropriate service to be provided to a petroleum refinery employer of an action filed requesting release of information.

Status: Chapter 314, Statutes of 2015

HEALTH CARE ISSUES

AB-193 (Maienschein) - Mental health: conservatorship hearings.

This bill would have authorized the probate court, after an evidentiary hearing attended by a proposed conservatee and/or his counsel, to order an investigation for a Lanterman-Petris Short (LPS) Act conservatorship, as specified, if the court determines that a person for whom a probate conservatorship has been established may be gravely disabled and is unwilling or incapable of accepting treatment voluntarily. This bill would have required the officer providing conservatorship investigation to petition the superior court in the patient’s county of residence to establish a conservatorship if he or she concurs with the recommendation of the court, and to file a copy of his

or her report with the court. This bill was vetoed by the Governor who expressed concern that the bill would bypass the clinical expertise of the professionals currently in charge of county mental health facilities.

Status: Vetoed by the Governor

AB-503 (Rodriguez) - Emergency medical services.

This bill permits a hospital to release patient-identifiable medical information to an emergency medical services provider, to the local emergency medical services agency, or to the Emergency Medical Services Authority, for quality assessment and improvement purposes.

Status: Chapter 362, Statutes of 2015

AB-521 (Nazarian) - HIV testing.

This bill would have required a patient who has been admitted as an inpatient to a hospital through the emergency department and has blood drawn after being admitted to the hospital, and who has consented, to be offered an HIV test. This bill was vetoed by the Governor who expressed that the provisions of the bill were not the best approach to identifying those who are undiagnosed with HIV, and limited resources would be better spent on education and outreach.

Status: Vetoed by the Governor

AB-1129 (Burke) - Emergency medical services: data and information system.

This bill requires an emergency medical care provider, when submitting data to a local emergency medical services agency (LEMSA), to use an electronic health record system that is compatible with specified standards, and that includes those data elements that are required by the LEMSA. This bill prohibits a LEMSA from mandating that a provider use a specific electronic health record system.

Status: Chapter 377, Statutes of 2015

AB-1337 (Linder) - Medical records: electronic delivery.

This bill creates an authorization form for disclosure of health information by medical providers, and requires electronic medical records requested prior to the filing of any action or appearance of a defendant in an action to be provided electronically if requested in an electronic format, and if it is readily producible in that format.

Status: Chapter 528, Statutes of 2015

SB-19 (Wolk) - Physician Orders for Life Sustaining Treatment form: statewide registry.

This bill establishes a Physician Orders for Life Sustaining Treatment (POLST) eRegistry Pilot operated by the California Emergency Medical Services Authority for the purpose of collecting a POLST form received from a physician, or his or her designee, and disseminating the information in the form to authorized persons.

Status: Chapter 504, Statutes of 2015

SB-145 (Pan) - Health facilities: patient transporting.

When before our Committee, this bill would have prohibited hospitals from causing a patient who, in the judgment of the attending physician, is at risk of serious injury or death as a result of clinical alcohol intoxication, to be transported to another location, except when the patient is medically stabilized or transferred to another licensed health facility. This bill was substantially amended in the Assembly Health Committee to require the Department of Health Care Services (DHCS) to annually

reimburse the Robert F. Kennedy Farmworkers Medical Plan (RFK Medical Plan) for claim payments that exceed \$70,000.

Status: Chapter 712, Statutes of 2015. Gutted, now: Robert F. Kennedy Farm Workers Medical Plan.

HOUSING LAW, LANDLORD/TENANT, AND MOBILEHOMES

AB-418 (Chiu) - Tenancy: termination: victims of violent crime.

This bill extends indefinitely the authorization to use documentation from a qualified third party based on information received by that third party while acting in his or her professional capacity, as specified, to support a notice to terminate a tenancy when the tenant or a household member becomes the victim of domestic violence, sexual assault, stalking, human trafficking, or abuse of an elder or dependent adult. This bill reduces from 30 to 14 days the obligation of a tenant who becomes a victim, as specified, to pay rent after providing the landlord with notice to terminate the tenancy, and states that thereafter the tenant shall be released from any rent payment obligation under their lease or rental agreement without penalty.

Status: Chapter 70, Statutes of 2015

AB-551 (Nazarian) - Rental property: bed bugs.

This bill requires landlords to provide prospective tenants with specified information about bed bugs, prohibits tenants from bringing items infested with bed bugs onto a property, and requires tenants who find bed bug infestations to notify their landlord within seven days. This bill requires a landlord to retain the services of a pest control operator after receiving notification of an infestation, and if an infestation is confirmed requires the landlord to contract with a pest control operator to prepare and implement a bed bug treatment program and a bed bug management plan. This bill prohibits a landlord from renting or leasing a vacant dwelling unit that the landlord knows, or reasonably should know, has a bed bug infestation.

Status: Senate Inactive File

AB-723 (Rendon) - Rental property: plumbing fixtures: replacement.

This bill would require the lease of a single-family residential real property or any portion of a multifamily residential real property or commercial real property that is entered into, renewed, or amended after January 1, 2016, to contain a provision in which the property owner discloses his or her responsibility to replace all noncompliant plumbing fixtures with water-conserving plumbing fixtures on or before January 1, 2017, or January 1, 2019, respectively.

Status: Held in the Senate Appropriations Committee

AB-999 (Daly) - Mobilehomes: disposal.

This bill would amend the Mobilehome Residency Law to, among other things, authorize the management of a mobilehome park to enforce a warehouse lien and to designate a mobilehome for disposal without requiring the management or other person enforcing the lien to pay past or current vehicle license fees or to obtain a tax clearance certificate. This bill would also authorize the management of a mobilehome park to dispose of an abandoned mobilehome and its contents without requiring the management to pay past or current vehicle license fees or to obtain a tax clearance certificate. This bill would require the management of a mobilehome park to notify the county tax collector in the county in which the mobilehome park is located that management will either apply to have the mobilehome designated for disposal after a warehouse lien sale or dispose of the abandoned mobilehome and its contents.

Status: Chapter 376, Statutes of 2015

AB-1448 (Lopez) - Personal energy conservation: real property restrictions.

This bill requires a landlord to allow a tenant to use a clothesline or drying rack in the private area of a tenant's rental tenancy if certain conditions are met, including that the clothesline or drying rack will not interfere with the maintenance of the rental property. This bill voids, or makes unenforceable, any provision of a governing document in a common interest development that prohibits an owner's ability to use a clothesline or drying rack in the owner's backyard. This bill requires a tenant to receive approval of the clothesline or drying rack, or the type of clothesline or drying rack, from the landlord, in order to use the clothesline or drying rack.

Status: Chapter 602, Statutes of 2015

SB-244 (Vidak) - Mobilehomes: injunctions.

This bill strikes the January 1, 2016, sunset date attached to the authorization to petition for an order enjoining a continuing or recurring violation of any reasonable rule or regulation of a mobilehome park within the limited jurisdiction of the superior court.

Status: Chapter 176, Statutes of 2015

SB-328 (Hueso) - Landlords: notice of pesticide use.

This bill requires a landlord or a landlord's agent to provide affected tenants with advance written notice of the use of pesticides at a dwelling unit if the landlord or authorized agent applies any pesticide without a licensed pest control operator. This bill requires the posting of a similar notice at least 24 hours prior to applying a pesticide in a common area without a licensed pest control operator, unless the pest poses an immediate threat to health and safety, in which case the notice would be required to be posted as soon as practicable, but not later than one hour after the pesticide is applied.

Status: Chapter 278, Statutes of 2015

SB-419 (McGuire) - Mobilehomes: homeowners: sale.

This bill amends the Mobilehome Residency Law (1) to authorize the seller of a mobilehome to display a "for sale" sign of a generally accepted yard-arm type design or L-frame design, (2) to allow for the display of an "open house" sign and the holding of an open house in accordance with park rules, (3) to require the management of a mobilehome park, upon request, to provide in writing the information and standards management will use to review a prospective homeowner, and (4) to specify that park management may withhold approval of a prospective homeowner for reasons based upon fraud, deceit, or concealment of material facts. This bill provides mobilehome park management with discretion to authorize the holding of "open houses" and to require the use of a step-in L-frame sign when advertising a mobilehome for sale.

Status: Chapter 288, Statutes of 2015

SB-775 (Allen) - Tenancy: rent control: certification.

Existing law, the Petris Act, requires jurisdictions with a local ordinance or charter controlling residential rent prices that requires the registration of rents to provide for the certification of permissible rent levels according to a specified process. This bill would amend the Petris Act to state that its rent level certification provisions would not apply to tenancies commencing on or after January 1, 1999, for which the owner of the property may establish initial rent under the Costa-Hawkins Rental Housing Act, except as specified.

Status: Assembly Inactive File

IMMIGRATION

AB-60 (Gonzalez) - Immigration services.

This bill clarifies the existing prohibition on the advance payment of fees for immigration reform act services before the enactment of an immigration reform act, as specified, by expanding the definition of "immigration reform act" to include the President's executive actions on immigration, as specified, and makes related conforming changes.

Status: Chapter 6, Statutes of 2015

SJR-5 (Nguyen) - Vietnam: humanitarian resettlement.

This resolution urges the President and Vice President of the United States and the United States Congress to reauthorize the Humanitarian Resettlement Program and the Orderly Departure Program to allow disabled veterans of the South Vietnamese Army currently living in the Socialist Republic of Vietnam to enter the United States.

Status: Resolution Chapter 94, Statutes of 2015

SJR-14 (Gaines) - Islamic State in Iraq and Syria: religious and other persecution.

This measure would declare that there is an urgent need to protect religious minorities and other vulnerable groups from persecution by the Sunni Islamist terrorist group the Islamic State in Iraq and Syria (ISIS) as it exercises its control over areas in Syria and Iraq. This measure would also:

- (1) urge President Obama's administration to expedite visa processing for Syria and Iraq's minority groups and to lift the refugee quota cap in order to streamline the process of accepting them into the United States as refugees;
- (2) urge Congress to pass House Resolution 1568 which also urges the U.S. to act swiftly on behalf of religious minorities that are under the constant threat of persecution;
- (3) urge Congress to amend HR 1568 to include calls for the protection of victims of persecution based on biological or preferred sexuality, gender, ethnicity, race, nationality, or religious affiliation; and
- (4) call on the United States Department of State to work with, among others, the Kurdistan Regional Government, the Iraqi central government, and neighboring countries to help secure safe havens for those claiming amnesty from Iraq.

Status: Held in the Senate Judiciary Committee

INTELLECTUAL PROPERTY

AJR-9 (Chang) - Patent reform.

This resolution urges the President and the Congress of the United States to craft a balanced and workable approach to reduce incentives for and minimize unnecessary patent litigation while ensuring that legitimate patent enforcement rights are protected and maintained.

Status: Resolution Chapter 123, Statutes of 2015

SB-681 (Hill) - Civil law: patents.

This bill would make it unlawful to send a written communication stating that the recipient may have infringed on a United States patent if, in bad faith, the sender makes specified statements, seeks compensation for specified conduct, or fails to include specified information in the communication. This bill would also provide specific remedies for sending such unlawful communications, and would specify that those remedies may only be obtained by the Attorney General or an attorney acting on behalf of the state.

This bill was subsequently gutted and amended to address a different subject.

Status: Senate Inactive File. Gutted, now: Corporation taxes: deduction: gas corporations.

MINORS, JUVENILE COURTS, AND DEPENDENCY PROCEEDINGS

AB-217 (Maienschein) - Juvenile law: hearings.

This bill requires the court to inform a minor, if the minor is present at the juvenile hearing, of his or her right to address the court and participate in the hearing.

Status: Chapter 36, Statutes of 2015

AB-260 (Lopez) - Foster care: parenting youth.

This bill establishes a declaration of the legislature that a child shall not be considered to be at risk of abuse or neglect solely on the basis of information concerning the parent's or parents' placement history, past behaviors, or health or mental health diagnoses occurring prior to the pregnancy, as specified, and prohibits that history from being used in deciding a child's placement, unless the court deems it materially relevant.

Status: Chapter 511, Statutes of 2015

AB-424 (Beth Gaines) - Court appointed child advocates: wards.

This bill authorizes the appointment of a court appointed special advocate (CASA) in a juvenile delinquency proceeding, and provides that a CASA shall be considered court personnel for purposes of inspecting the case file of a dependent child or ward of the juvenile court.

Status: Chapter 71, Statutes of 2015

AB-879 (Burke) - Juveniles: court proceedings: notice.

This bill allows, until January 1, 2019, notice of juvenile dependency hearings to be made by electronic mail if the county and the court choose to permit service by electronic mail, and the person to be served has consented to service by electronic mail by signing a specified form, as provided.

Status: Chapter 219, Statutes of 2015

SB-12 (Beall) - Foster youth.

This bill would have permitted a nonminor who was subject to an order for foster care placement at the time he or she is adjudged a ward of the court, but was held in secure confinement on the day he or she attained 18 years of age, to petition the court to resume dependency jurisdiction pursuant to the California Fostering Connections to Success Act.

Status: Held in the Assembly Appropriations Committee

SB-68 (Liu) - Minor or nonminor dependent parents: reunification services.

This bill requires the court in making its determination whether to return a child, who was removed from his or her parent's custody, back to the physical custody of his or her parents, to take into account the particular barriers to a minor parent or nonminor dependent parent.

Status: Chapter 284, Statutes of 2015

SB-238 (Mitchell, Beall) - Foster care: psychotropic medication.

This bill requires certification and training programs for foster parents, child welfare social workers, group home administrators, public health nurses, dependency court judges and court appointed council to include training on psychotropic medication, trauma, and behavioral health, as specified, for children receiving child welfare services. This bill requires the Judicial Council to amend and adopt rules of court and develop appropriate forms pertaining to the authorization of psychotropic medication for foster youth, on or before July 1, 2016.

Status: Chapter 534, Statutes of 2015

SB-253 (Monning) - Juveniles: psychotropic medication.

This bill would have provided that an order of the juvenile court authorizing psychotropic medication shall require clear and convincing evidence that administration of the medication is based on the best interest of the child and a determination of the court of specified documentation and confirmations from the prescribing physician. This bill would have also prohibited the authorization of psychotropic medications without a second independent medical opinion under specified circumstances. Additionally, this bill would have required the court to conduct a review to determine specified information regarding the efficacy of the child's treatment plan, no later than 60 days after authorization for psychotropic medication, or at the next review hearing, as specified.

Status: Assembly Inactive File

SB-316 (Mitchell) - Dependency proceedings: counsel.

This bill would have prohibited counsel representing a child or nonminor dependent in dependency proceedings from having a caseload that exceeds 77 clients, unless the counsel has the assistance of a social worker or investigator, as specified, in which case the caseload shall not exceed 188 clients. This bill would have additionally removed a requirement that the Judicial Council promulgate rules of court to establish caseload standards.

Status: Held in the Assembly Judiciary Committee

SB-731 (Leno) - Foster children: housing: gender identity.

This bill requires foster children and nonminor dependents in out-of-home care to be placed according to their gender identity, regardless of the gender or sex listed in their court or child welfare records. Additionally, this bill adds the above requirement to the foster care bill of rights.

Status: Chapter 805, Statutes of 2015

MISCELLANEOUS

AB-525 (Holden, Atkins, Dodd, Wilk) - Franchise relations: renewal and termination.

This bill revises the rights and responsibilities of franchisors and franchisees, as currently specified in the California Franchise Relations Act (CFRA), as to the termination of a franchise agreement, compensation to the franchisee pursuant to a termination or nonrenewal of the franchise agreement, and the sale, transfer or assignment of a franchise by the franchisee and makes other minor and clarifying changes.

Status: Chapter 776, Statutes of 2015

AB-556 (Irwin) - Charitable trusts: regulation and enforcement.

This bill establishes additional 10 year statutes of limitations for the Attorney General (AG) to bring an action (1) pursuant to specified involuntary trust laws under the Civil Code; (2) arising out of a violation of the Uniform Supervision of Trustees and Fundraisers for Charitable Purposes Act (Charitable Purposes Act), pursuant to specified involuntary trust laws, or pursuant to the Nonprofit Corporation Law; and (3) against a person who aids or abets a violation of the Charitable Purposes Act, specified involuntary trust laws, or Nonprofit Public Benefit Corporations laws. This bill also modifies the Charitable Purposes Act's definitions of "commercial fundraiser for charitable purposes" and "fundraising counsel for charitable purposes," as specified.

Status: Chapter 299, Statutes of 2015

AB-1146 (Jones) - Skateboard parks.

This bill extends the existing qualified immunity that applies to local public agencies that operate public skateboarding parks for injuries as the result of recreational skateboarding to also apply to other wheeled recreational devices, as defined.

Status: Chapter 221, Statutes of 2015

AB-1267 (Bloom) - Lawsuits, liens, and other encumbrances.

This bill prohibits a person from filing or recording a lawsuit, lien, or other encumbrance against any person or entity, knowing that it is false, with the intent to harass the person or entity or, in the case of a public officer or employee, to influence or hinder the person in discharging his or her official duties. This bill authorizes a court to issue a civil penalty not to exceed \$5,000 for violating the prohibition, and allows any person or entity subject to a lien or other encumbrance filed or recorded in violation of the prohibition to petition the superior court for an order directing the claimant to show cause why the lien or other encumbrance should not be stricken and other relief should not be granted.

Status: Chapter 208, Statutes of 2015

AB-1323 (Frazier) - Marine debris: removal and disposal.

This bill authorizes a public agency to remove and dispose of marine debris after 10 days if the marine debris is floating, sunk, partially sunk, or beached in or on a public waterway, public beach, or on state tidelands or submerged lands, as specified.

Status: Chapter 645, Statutes of 2015

AJR-9 (Chang) - Patent reform.

This resolution urges the President and the Congress of the United States to craft a balanced and workable approach to reduce incentives for and minimize unnecessary patent litigation while ensuring that legitimate patent enforcement rights are protected and maintained.

Status: Resolution Chapter 123, Statutes of 2015

SB-161 (Vidak) - Uniform Fraudulent Transfer Act.

This bill renames the existing Uniform Fraudulent Transfer Act to the Uniform Voidable Transactions Act and adopts various changes to the act based on updates made to the underlying model act by the National Conference of Commissioners on Uniform State Laws. Among other things, the bill:

- substitutes references to “fraudulent” with “voidable;”
- modifies the test for insolvency and repeals the insolvency test for partnerships;
- specifies various burdens of proof in making or defending a claim for relief;
- adds a choice of law rule for claims of the nature governed by the act;
- adds new and modernizes existing definitions; and
- revises cross-references and makes other technical or non-substantive changes.

This bill specifies that the modifications made to this Act apply only to a right of action that accrued, transfer made, or obligation incurred, on or after the effective date of this bill.

Status: Chapter 44, Statutes of 2015

SB-672 (Hernandez) - Discovery: pharmacy review committees.

This bill adds pharmacists to the Evidence Code’s list of organized medical committees and peer review bodies whose proceedings and records are currently exempt from discovery in civil litigation.

Status: Chapter 274, Statutes of 2015

SJR-18 (Wolk) - Small unmanned aircraft systems.

This resolution urges the President of the United States and the United States Secretary of Transportation to allow for the operation of small unmanned aircraft systems by farmers and rangeland managers pursuant to emergency rules adopted by the Administration.

Status: Held in the Assembly Privacy and Consumer Protection Committee

NOTARIES

AB-1036 (Quirk) - Notaries public: acceptance of identification.

This bill authorizes a notary public to rely on any inmate identification issued by a sheriff's department to prove the identity of an individual in custody in a local detention facility.

Status: Chapter 42, Statutes of 2015

PRIVACY

AB-56 (Quirk) - Unmanned aircraft systems.

This bill would prohibit law enforcement agencies from using an unmanned aircraft system, obtaining an unmanned aircraft system from another public agency by contract, loan, or other arrangement, or using information obtained from an unmanned aircraft system used by another public agency, unless certain requirements are met. To use an unmanned aircraft system, among other things, law enforcement agencies would be required to develop and make available to the public a policy on the use of the system, as well as comply with that policy. This bill would prohibit a law enforcement agency from using an unmanned aircraft system to surveil private property unless, among other things, the law enforcement agency obtains a search warrant, and would require images, footage, or data obtained through the use of an unmanned aircraft system under these provisions to be permanently destroyed within one year, except as specified. Unless authorized by federal law, this bill would also prohibit a person or entity, including a public agency, or a person or entity under contract to a public agency, from equipping or arming an unmanned aircraft system with a weapon.

Status: Senate-Inactive File

AB-83 (Gatto) – Personal data.

This bill expands the definition of “personal information” for which businesses must implement and maintain reasonable security procedures and practices in order to protect the information from unauthorized access, destruction, use, modification, or disclosure. Specifically, this bill adds geophysical location information, tax identification numbers, passport numbers, biometric information, health insurance information, usernames or email addresses in combination with passwords or other specified authentication credentials, and signatures to the list of protected personal information. This bill also establishes certain minimum criteria for the reasonable security procedures and practices that must be followed, including identifying reasonably foreseeable internal and external risks and regularly assessing the sufficiency of security safeguards in place to control those risks.

Status: Senate-Inactive File

AB-259 (Dababneh) - Personal information: privacy.

Existing law requires California agencies that own or license computerized data that includes personal information to provide affected individuals with notice of breaches that may have

compromised the security of that data. In addition to notification, this bill would require an agency, if it was the source of the breach and if the breach compromised a person's social security number, driver's license number, or California identification card number, to provide the person with identity theft prevention and mitigation services at no cost for at least 12 months.

Status: Held in the Senate Appropriations Committee

AB-265 (Holden) - Consumer protection: buy-here-pay-here dealers.

This bill amends existing disclosure requirements for buy-here-pay-here dealers by requiring dealers to provide a warning 10 days before using starter interrupt technology, or five days before using the technology for all weekly payment term contracts, and a final warning no less than 48 hours before using the technology to remotely shut down a vehicle. This bill also increases the penalty assessed for violating buy-here-pay-here dealer disclosure requirements to \$2,000 per occurrence.

Status: Chapter 179, Statutes of 2015

AB-503 (Rodriguez) - Emergency medical services.

This bill permits a hospital to release patient-identifiable medical information to an emergency medical services provider, to the local emergency medical services agency, or to the Emergency Medical Services Authority, for quality assessment and improvement purposes.

Status: Chapter 362, Statutes of 2015

AB-856 (Calderon) - Invasion of privacy.

This bill renders a person liable for physical invasion of privacy when that person knowingly enters upon the land of another, including by entry into the airspace above the land, without permission in order to capture any type of visual image, sound recording, or other physical impression of a person engaging in a private, personal, or familial activity and the invasion occurs in a manner that is offensive to a reasonable person.

Status: Chapter 521, Statutes of 2015

AB-964 (Chau) - Civil law: privacy.

This bill defines the word "encrypted" as used in California's Data Breach Notification Law to mean rendered unusable, unreadable, or indecipherable to an unauthorized person through a security technology or methodology generally accepted in the field of information security.

Status: Chapter 522, Statutes of 2015

AB-1116 (Committee on Privacy and Consumer Protection) - Connected televisions.

This bill prohibits the operation of a voice recognition feature within a connected television without first prominently informing, during the initial setup or installation of a connected television, either the user or the person designated by the user to perform the initial setup or installation of the connected television. This bill also prohibits for advertising purposes the use or sale of certain recordings that are collected by a connected television for the purpose of improving its voice recognition feature.

Status: Chapter 524, Statutes of 2015

AB-1287 (Chiu) - Vehicles: parking violations.

Existing law, until January 1, 2016, authorizes the City and County of San Francisco (San Francisco) to install automated forward-facing parking control devices on city-owned public transit vehicles for the purpose of video imaging parking violations occurring in transit-only traffic lanes.

This bill would repeal the sunset date for San Francisco's authority to install these parking control devices, thereby extending the operation of that authority indefinitely.

Status: Chapter 485, Statutes of 2015

AB-1541 (Committee on Privacy and Consumer Protection) - Privacy: personal information.

This bill revises the definition of personal information to include health insurance information, as defined, and a username or email address combined with a password or security question and answer for access to an online account.

Status: Chapter 96, Statutes of 2015

SB-26 (Hernandez) - California Health Care Cost and Quality Database.

This bill would require the Secretary of California Health and Human Services to enter into a contract with one or more independent, nonprofit organizations to develop and administer the California Health Care Cost and Quality Database. The bill would require certain health care entities, including health care service plans, to provide medical claims, cost, and quality information to the California Health Care Cost and Quality Database in order to create a publicly available web-based, searchable database. The bill would require all data disclosures to comply with all applicable state and federal laws for the protection of the privacy and security of data and would prohibit the public disclosure of any unaggregated, individually identifiable health information. This bill would also require the Secretary to convene a review committee to, among other things, develop the parameters for implementing and administering the California Health Care Cost and Quality Database.

Status: Held in the Senate Appropriations Committee

SB-34 (Hill) - Automated license plate recognition systems: use of data.

This bill would place restrictions on the use of Automated License Plate Recognition (ALPR) technology by both public and private sector users. Specifically, this bill would:

- add ALPR data to the list of personal information covered by California's Data Breach Notification Law;
- specify data security protocols for the use and storage of ALPR data;
- require ALPR operators and users to implement and maintain a usage and privacy policy consistent with respect for individuals' privacy and civil liberties;
- require ALPR operators to maintain a record documenting access to ALPR data; and
- require public agencies to hold a public meeting with public comment prior to implementing an ALPR program.

Status: Chapter 532, Statutes of 2015

SB-142 (Jackson) - Civil law: unmanned aerial vehicles.

This bill states that the operation of an unmanned aerial vehicle less than 350 feet above ground in the airspace overlying the property of another, without permission or legal authority, constitutes trespass. This bill specifies that it does not impair or limit existing rights of law enforcement personnel, employees of governmental agencies, or other public or private entities to enter land by operating an unmanned aerial vehicle within the airspace overlying the real property of another. In his veto message, Governor Brown noted that while drone technology raises novel issues that merit

careful examination, this bill could expose the occasional hobbyist and the FAA-approved commercial user alike to burdensome litigation and new causes of action.

Status: Vetoed by the Governor

SB-206 (Gaines) - Vehicle information systems.

This bill would prohibit the California Air Resources Board from obtaining locational data from a vehicle's computer system except for use in implementing California's vehicular smog abatement program known as Smog Check.

Status: Held in the Senate Appropriations Committee

SB-570 (Jackson) - Personal information: privacy: breach.

This bill modifies the existing data breach notification requirement for agencies and persons or businesses conducting business in California that own or license computerized data that includes personal information. Specifically, this bill requires these entities, in the event of a data breach, to provide affected individuals with a notice entitled "Notice of Data Breach," in which required content is presented under the following headings: "What Happened," "What Information Was Involved," "What We Are Doing," "What You Can Do," and "For More Information." This bill states that additional information may be provided to supplement the required notice, and provides a model security breach notification form that entities may use to comply with formatting requirements. This bill also clarifies the requirements for providing substitute notice of a data breach, and makes other technical and clarifying changes to the Data Breach Notification Law.

Status: Chapter 543, Statutes of 2015

SB-741 (Hill) - Mobile communications: privacy.

This bill would prohibit a local agency from acquiring or using cellular communications interception technology, as defined, unless its legislative body adopts a resolution or ordinance authorizing the use or acquisition of that technology. This bill would provide that adoption of such a resolution or ordinance may only occur at a regularly scheduled public meeting at which members of the public are afforded an opportunity to comment. This bill would also specify that the resolution or ordinance must set forth the policies of the local agency pertaining to the use of cellular communications interception technology, as specified.

Status: Chapter 659, Statutes of 2015

PROBATE, TRUSTS AND ESTATES, CONSERVATORSHIPS AND GUARDIANSHIPS

AB-139 (Gatto) - Nonprobate transfers: revocable transfer upon death deeds.

This bill creates a new nonprobate residential real property transfer instrument, the "Simple Revocable Transfer on Death Deed," which would be effective upon death of the transferor. This bill sunsets on January 1, 2021.

Status: Chapter 293, Statutes of 2015

AB-436 (Jones) - Guardian or conservator: powers and duties.

This bill requires a court, upon granting or denying authority to a conservator for the placement of a conservatee in a secured residential care facility or administration of medications for the care and treatment of dementia, to discharge the court-appointed attorney or order the continuation of the legal representation of the conservatee.

Status: Chapter 197, Statutes of 2015

AB-548 (Cristina Garcia) - Estates: administrators.

This bill removes the January 1, 2016, sunset, thus, extending the authorization indefinitely, for a court to have authorization to appoint an administrator nominated by a non-U.S. relative to administer a decedent's estate.

Status: Chapter 54, Statutes of 2015

AB-691 (Calderon) - The Privacy Expectation Afterlife and Choices Act.

This bill establishes the Privacy Expectation Afterlife and Choices Act and provides procedures for the disclosure of electronic communication records, information, or contents, as specified, of a deceased user of an electronic communication service or remote computing service.

Status: Senate Inactive File

AB-900 (Levine) - Juveniles: special immigrant juvenile status.

This bill authorizes a court to appoint a guardian, or extend a guardianship, for an unmarried individual who is between 18 and 21 years of age in connection with a petition to make the necessary findings regarding special immigrant juvenile status, as specified, with the consent of the proposed ward.

Status: Chapter 694, Statutes of 2015

AB-1085 (Gatto) - Personal representatives: conservators and attorneys-in-fact.

This bill authorizes the court to issue an order that specifically grants a conservator the power to enforce the conservatee's rights to receive visitors, telephone calls, and personal mail, or that directs the conservator to allow those visitors, telephone calls, and personal mail, and requires a conservator to provide notice of a conservatee's death by mailing a copy of the notice to all persons entitled to notice, as specified, and by filing a proof of service with the court, unless otherwise ordered by the court. This bill also requires an attorney-in-fact, who is named by a person (principal) to handle the principal's health matters, upon the death of the principal, to inform those individuals, whose names are provided by the principal to the attorney-in-fact, of the principal's death.

Status: Chapter 92, Statutes of 2015

SB-269 (Vidak) - Conservator appointments: compensation.

This bill authorizes a person, who has successfully petitioned for the appointment of a third-party conservator, and the person's attorney, to petition the court for an order fixing and allowing compensation for services rendered and reimbursement for costs incurred in connection with the appointment of the conservator. This bill provides that any compensation and costs shall be charged to the conservatee's estate.

Status: Held in the Assembly Judiciary Committee

SB-589 (Block) - Voting: voter registration: individuals with disabilities and conservatees.

This bill prohibits disqualifying a conservatee from voting if he or she would need to complete an affidavit for voter registration with reasonable accommodations. This bill provides that a person is presumed competent to vote regardless of his or her conservatorship status and clarifies the judicial procedures through which an individual with a disability or under a conservatorship would lose his or her ability to vote. In order to deem a person mentally incompetent and disqualified from voting, this bill requires a court to make a finding of clear and convincing evidence that the person cannot communicate, with or without reasonable accommodations, a desire to participate in the vote process.

Status: Chapter 736, Statutes of 2015

SB-785 (Morrell) - Estates and trusts: creditor's claim.

This bill clarifies the definitions of "probate estate" and "trust estate" for purposes of filing a petition by a trustee for the payments of claims, debts, and expenses from a revocable trust of the deceased settlor.

Status: Chapter 48, Statutes of 2015

REAL PROPERTY

AB-807 (Mark Stone) - Real estate transfer fees: recorded documents.

This bill makes declaratory and clarifying changes to existing law pertaining to the disclosure of real estate transfer fees, including, among other things, providing that transfer fees due at times other than upon the transfer or sale of a property are subject to disclosure under existing law. This bill specifies that transfer fees may not be recorded through incorporation by reference to another document, and specifies that transfer fees must be separately recorded from any other covenants, conditions, and restrictions.

Status: Chapter 634, Statutes of 2015

AB-905 (Beth Gaines) - Time-shares: public report: real property inspection.

This bill modifies the Vacation Ownership and Time-share Act of 2004 to authorize required copies of public reports pertaining to time-share interests and required copies of disclosures pertaining to exchange programs to be provided in a digital format at the discretion of the purchaser. This bill also exempts licensed real estate brokers or salespersons from the duty to conduct a reasonably competent and diligent visual inspection of a time-share property and to disclose all facts materially affecting the value or desirability of the property to a prospective purchaser when the property has not been previously occupied, and, as a condition of transfer, the prospective purchaser would receive a copy of the public report.

Status: Chapter 88, Statutes of 2015

AB-1390 (Alejo, Gomez, Perea) - Groundwater: comprehensive adjudication.

This bill creates special procedures for the comprehensive determination of rights to extract groundwater in a basin. Among other things, this bill specifies the persons who would be required to be defendants in such adjudications, the method for serving and noticing affected parties, requirements for the production of initial disclosures and for the use of expert witnesses, and powers for the reviewing court to issue a preliminary injunction, stay, or stipulated judgment.

Status: Chapter 672, Statutes of 2015

SB-119 (Hill) - Protection of subsurface installations.

This bill would make several changes to laws governing subsurface excavations, including prohibiting an excavator that damages a subsurface installation due to an inaccurate field mark by an operator from being liable for damages, replacement costs, or other expenses arising from damage to the subsurface installation, provided the excavator complied with all pre-excavation notification requirements and procedures. This bill would also, among other things, direct specified state agencies to adopt programs to enforce violations of provisions relating to excavation, and would create the California Underground Facilities Safe Excavation Advisory Committee to investigate alleged violations relating to the protection of underground infrastructure. In his veto message, Governor Brown noted that while telecommunications and cable companies have resisted providing explicit enforcement authority to the Public Utilities Commission over excavation safety, the Commission, not the Contractors' State Licensing Board, has the necessary technical expertise and should be given the authority to enforce and regulate excavation activities near subsurface installations.

Status: Vetoed by the Governor

SB-188 (Hancock) - Municipal utility district: utility charges: delinquencies.

Existing law, until January 1, 2016, authorizes municipal utility districts to file a lien on real property for unpaid water and sewer utility charges rendered to a lessee, tenant, or subtenant, which may be collected on the tax roll in the same manner as property taxes. This bill would eliminate that sunset date, thus extending the lien authority indefinitely.

Status: Chapter 270, Statutes of 2015

SB-226 (Pavley) - Sustainable Groundwater Management Act: groundwater adjudication.

This bill would establish special procedures for courts to use in determining rights to groundwater under the Sustainable Groundwater Management Act (SGMA). This bill would specify procedures for, among other things, allowing the state to intervene in a comprehensive groundwater adjudication, determining rights to groundwater in specified basins, and approving settlements apportioning groundwater rights in basins regulated under SGMA.

Status: Chapter 676, Statutes of 2015

SB-582 (Hall) - Electrified fences.

This bill authorizes an owner of real property to install and operate an electrified fence on his or her property if the property is not in a residential zone, the fence meets specified requirements, and a local ordinance does not prohibit its installation and operation. This bill specifies requirements for authorized electrified fences including minimum standards for warning signs, fence placement, and operating characteristics.

Status: Chapter 273, Statutes of 2015

TORT LIABILITY

AB-15 (Holden) - Limitation of actions: human rights abuses.

This bill extends the existing statute of limitations for victims of human trafficking to bring a civil action from seven years, and, in the case of minors, from eight to 10 years after the plaintiff attains the age of majority. This bill also creates a 10 year statute of limitation to bring 1) an action for assault, battery, or both, where the conduct constituting the assault or battery would also constitute specified acts of torture, genocide, a war crime, attempted extrajudicial killing, or crimes against humanity; 2) an action for wrongful death, where the death arises out of conduct constituting any of the acts described above, or where the death would constitute an extrajudicial killing under the federal Torture Victim Protection Act of 1991; 3) an action for specified takings of property in violation of international law; and 4) an action seeking benefits under an insurance policy where the insurance claim arises out of any of the conduct described above.

Status: Chapter 474, Statutes of 2015

AB-560 (Gomez) - Civil actions: immigration status.

This bill specifies that the immigration status of a minor child seeking recovery under any applicable law is irrelevant to the issues of liability or remedy, except for employment-related prospective injunctive relief that would directly violate federal law. This bill generally prohibits discovery or other inquiry in a civil action or proceeding relating to a minor child's immigration status except as specified. This bill further states that its provisions are declaratory of existing law and that the express application of this act to minors is not intended to imply that adults are not likewise protected by existing law in the same circumstances.

Status: Chapter 151, Statutes of 2015

AB-998 (Wagner) - Civil law: libel: damages.

This bill expands the existing “correction statute,” which limits damages for libel and slander when a newspaper or radio broadcast issues a retraction, by applying it, instead, to daily or weekly news publications, as defined. This bill also includes specified legislative findings.

Status: Chapter 343, Statutes of 2015

SB-14 (Lara) - Sexual battery: consent defense: minor’s sexual conduct.

This bill prohibits the use of consent as a defense in any sexual battery civil action involving a minor victim where the person committing the sexual battery is an adult who is in a position of authority, as defined. This bill prohibits the use of any evidence of the minor’s sexual conduct with the adult perpetrator, except in limited circumstances.

Status: Chapter 128, Statutes of 2015

SB-128 (Wolk, Monning) - End of life.

This bill would have enacted the End of Life Option Act to permit a qualified adult with capacity to make medical decisions, who has been diagnosed with a terminal disease, as specified, to receive a prescription for an aid-in-dying drug to be self-administered by the individual for the purpose of ending his or her life, if certain conditions are met. Such conditions include, for example: that the qualified adult make two oral requests, a minimum of 15 days apart and provide a signed written request witnessed by two individuals to his or her attending physician; that the attending physician refer the patient to an independent, consulting physician to confirm diagnosis and capacity of the patient to make medical decisions; and that the attending physician refer the patient for a mental health specialist assessment if there are indications of a mental disorder.

This bill would have established procedures that both seek to effectuate informed decisions and protect individuals from obtaining such medication as a result of coercion or undue influence. This bill would have provided the qualified individual with a broad right of rescission; would have authorized providers to decline the patient’s request, for reasons of conscience, morality, or ethics; and would have included various immunities and protections against sanctions for participating health care providers and non-participating providers, as specified. This bill would have also included requirements for unused aid-in-dying medications; specified the effect that participation in activities authorized by the bill would have on wills, contracts, and insurance policies; and established various reporting requirements. Lastly, this bill would have made it a felony to: (1) knowingly alter or forge a request for a drug to end an individual’s life without his or her authorization or concealing or destroying a withdrawal or a rescission of a request for an aid-in-dying drug if the act is done with the intent or effect of causing the individual’s death; or (2) knowingly coerce or exert undue influence on an individual to request an aid in dying drug for the purpose of ending his or her life.

Status: Assembly-In Committee Process - Health

SB-168 (Gaines, Jackson) - Unmanned aircraft systems.

This bill would have provided specified emergency responders with immunity from civil liability for any damage to an unmanned aircraft system, if the damage was caused while the emergency responder was providing, and the unmanned aircraft system was interfering with, the operation, support, or enabling of specified emergency services. This bill also would have made it unlawful to knowingly, intentionally, or recklessly operate an unmanned aircraft or unmanned aircraft system in a

manner that prevents or delays the extinguishment of a fire, or in any way interferes with the efforts of firefighters to control, contain, or extinguish a fire, as specified. This bill was vetoed due to Governor Brown's concern that the bill, like other drones-related bills he similarly vetoed, criminalizes conduct that is already proscribed, thereby complicating matters without any commensurate benefit.

Status: Vetoed by the Governor

SB-287 (Hueso) - Automated external defibrillators (AEDs).

This bill requires certain occupied buildings with capacities of 200 persons or greater, as specified, constructed on or after January 1, 2017, to have an automated external defibrillator (AED) on the premises. This bill requires a person or entity that acquires an AED for emergency care to comply with specified existing law regarding AEDs, and would exempt the person or entity from liability for civil damages resulting from any acts or omissions in the rendering of emergency care by use of an AED if those requirements have been met.

Status: Chapter 449, Statutes of 2015

SB-658 (Hill) - Automated external defibrillators.

This bill expands existing civil liability protections which are contingent upon compliance with specified maintenance, training, and notice requirements, for persons or entities that acquire an automated external defibrillator (AED) for emergency use, by repealing or reducing various requirements, including repealing requirements that employees complete training, and reducing inspection requirements from once every 30 days to once every 90 days.

Status: Chapter 264, Statutes of 2015

SB-738 (Huff) - Pupil health: epinephrine auto-injectors: liability limitation.

This bill provides that an authorizing physician and surgeon shall not be subject to professional review, be liable in a civil action, or be subject to criminal prosecution for the issuance of a prescription or order pursuant to existing law (which requires public schools to obtain a prescription for epinephrine auto-injectors from an authorizing physician and surgeon, as defined, for use in emergencies) unless the physician and surgeon's issuance of the prescription or order constitutes gross negligence or willful or malicious conduct.

Status: Chapter 132, Statutes of 2015

UNCLAIMED PROPERTY

AB-355 (Eduardo Garcia) - Unclaimed property: safe deposit boxes.

This bill authorizes the State Controller to mail a separate notice to an apparent owner of a United States savings bond, war bond, or military award inside a safe deposit box or other safekeeping repository whose name is shown on or can be associated with the contents of a safe deposit box or other safekeeping repository and is different from the name of the reported owner. This bill incorporates provisions found in other sections of the Unclaimed Property Law pertaining to notices, such as prohibiting the inclusion of photographs of elected officials on notices, as well as authorizing the controller to request information from other state or local government agencies for the limited purpose of locating owners of unclaimed property. This bill states that the costs for sending additional notices pursuant to this section shall be subject to the level of appropriation in the annual Budget Act.

Status: Chapter 297, Statutes of 2015

UNFAIR COMPETITION AND BUSINESS PRACTICES/ANTI-TRUST

AB-1178 (Achadjian) - Vehicles: manufacturers and distributors.

Existing law prohibits a vehicle manufacturer or distributor from taking or threatening to take an adverse action against a dealer pursuant to an export or sale-for-resale prohibition because the dealer sold or leased a vehicle to a customer who either exported the vehicle to a foreign country or resold the vehicle, unless the export or sale-for-resale prohibition policy was provided to the dealer in writing prior to the sale or lease, and the dealer knew or reasonably should have known of the customer's intent to export or resell the vehicle in violation of the prohibition.

This bill would recast the above prohibition to make it unlawful to take or threaten to take any adverse action against a dealer pursuant to an export or sale-for-resale prohibition because the dealer sold or leased a vehicle to a customer who either exported the vehicle to a foreign country or resold the vehicle in violation of the prohibition unless the export or sale-for-resale prohibition policy was provided to the dealer in writing at least 48 hours before the sale or lease of the vehicle and the dealer knew or reasonably should have known of the customer's intent to export or resell the vehicle in violation of the prohibition. The bill would provide that a rebuttable presumption is established that the dealer did not have reason to know of the customer's intent to export or resell the vehicle if the dealer causes the vehicle to be registered in this or any other state, and collects or causes to be collected any applicable sales or use tax due to this state. The bill would, in any proceeding in which a challenge to an adverse action is at issue, require the burden of proof to be on the manufacturer, manufacturer branch, distributor, or distributor branch. This bill would also authorize the New Motor Vehicle Board to hear protests by an association challenging the legality of an export or sale-for-resale prohibition policy of a manufacturer, manufacturer branch, distributor, or distributor branch, and would establish procedures for hearing those protests.

Status: Chapter 526, Statutes of 2015

SB-681 (Hill) - Civil law: patents.

This bill would make it unlawful to send a written communication stating that the recipient may have infringed on a United States patent if, in bad faith, the sender makes specified statements, seeks compensation for specified conduct, or fails to include specified information in the communication. This bill would also provide specific remedies for sending such unlawful communications, and would specify that those remedies may only be obtained by the Attorney General or an attorney acting on behalf of the state.

This bill was subsequently gutted and amended to address a different subject.

Status: Senate Inactive File. Gutted, now: Corporation taxes: deduction: gas corporations.