



CHLA Legislative Status Report Report Date: 5/22/2009

AB 5 (Evans) **Civil discovery: Electronic Discovery Act.** (I-12/01/2008 [html](#) [pdf](#))

Status:04/30/2009-Referred to Com. on JUD.

Current Location:04/30/2009-S JUD.

Calendar Events:06/09/09 1 p.m. - Room 112 SEN JUDICIARY

Summary: The Civil Discovery Act permits a party to a civil action to obtain discovery, as specified, by inspecting documents, tangible things, and land or other property in the possession of any other party to the action. Existing law requires the party to whom an inspection demand has been directed to respond separately to each item or category of item by any of certain responses, including a statement that the party will comply with the particular demand for inspection by the date set for inspection pursuant to a specified provision. This bill would establish procedures for a person to obtain discovery of electronically stored information, as defined, in addition to documents, tangible things, and land or other property, in the possession of any other party to the action. This bill would permit discovery by the means of copying, testing, or sampling, in addition to inspection, of documents, tangible things, land or other property, or electronically stored information. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 55 (Jeffries) **Water supply planning.** (I-12/04/2008 [html](#) [pdf](#))

Status:05/01/2009-Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 02/05/2009)

Current Location:05/01/2009-A 2 YEAR

Calendar Events:

Summary: Existing law requires a city or county that determines a project is subject to the California Environmental Quality Act to identify any public water system that may supply water for the project and to request those public water systems to prepare a specified water supply assessment. If no public water system is identified, the city or county is required to prepare the water supply assessment. This bill would revise that definition of "project" to provide that specified business, commercial, hotel or motel, industrial, manufacturing, and mixed-use developments are within the scope of that definition only if the projected water demand of the development would be equivalent to, or greater than, the amount of water required by a 500 dwelling unit project, as determined by the public water system. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 59 (Jeffries) **Alcoholic beverages: proof of age: military identification cards.** (A-05/11/2009 [html](#) [pdf](#))

Status:05/18/2009-In Senate. Read first time. To Com. on RLS. for assignment.

Current Location:05/18/2009-S RLS.

Calendar Events:

Summary: The Alcoholic Beverage Control Act makes it a misdemeanor for any person under the age of 21 years to purchase any alcoholic beverage or consume any alcoholic beverage in any on-sale premises. The act also subjects a holder of a license to sell alcoholic beverages to criminal



prosecution and suspension or revocation of that license if the licensee sells any alcoholic beverages to any person under the age of 21 years. Existing law provides that a licensee's acceptance of bona fide evidence, as defined, constitutes a defense to any action against the licensee. Existing law requires that evidence to contain a description of the person. This bill would provide that, if the military identification card lacks a physical description, but does include date of birth and a photo, further proof of majority shall not be required. This bill contains other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 109 (Feuer) Outdoor advertising: digital advertising displays. (A-04/23/2009 [html](#) [pdf](#))

Status:05/01/2009-Failed Deadline pursuant to Rule 61(a)(2). (Last location was G.O. on 04/27/2009)

Current Location:05/01/2009-A 2 YEAR

Calendar Events:

Summary:

Existing law, the Outdoor Advertising Act, provides for the regulation by the Department of Transportation of advertising displays, as defined, within view of public highways, as specified. This bill would prohibit an advertising display that is visible from a state, county, or city highway, as specified, from being constructed as, or converted, enhanced, improved, modified, modernized, or altered into, a digital advertising display, as defined, unless it complies with a specified permitting process. The bill, until January 1, 2012, would also prohibit an official highway changeable message sign, as defined, from being constructed as, or converted, enhanced, improved, modified, modernized, or altered into, a digital advertising display for the purpose of displaying messages other than official traffic operations or public safety messages. The bill would also prohibit the painting, installation, or application of a supergraphic, as defined, to an exterior building wall until the State Fire Marshal promulgates safety regulations governing these signs. The bill would provide for civil penalties for a violation of these provisions and provide other remedies for enforcement. The bill would also state the intent of the Legislature.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim	Oppose			

AB 141 (Tran) Employment: working hours. (I-01/22/2009 [html](#) [pdf](#))

Status:05/01/2009-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & E. on 02/26/2009)

Current Location:05/01/2009-A 2 YEAR

Calendar Events:

Summary:

Existing law, with certain exceptions, establishes 8 hours as a day's work and a 40-hour workweek, and requires payment of prescribed overtime compensation for additional hours worked. Existing law authorizes the adoption by 2/3 of employees in a work unit of alternative workweek schedules providing for workdays no longer than 10 hours within a 40-hour workweek. This bill would permit an individual nonexempt employee to request an employee-selected flexible work schedule providing for workdays up to 10 hours per day within a 40-hour workweek, and would allow an employer to implement this schedule without any obligation to pay overtime compensation. The bill would require the Division of Labor Standards Enforcement of the Department of Industrial Relations to enforce this provision and adopt regulations.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim	Support			

AB 212 (Saldana) Energy: building standards: zero net energy buildings. (I-02/02/2009 [html](#) [pdf](#))

Status:04/29/2009-In committee: Set, first hearing. Referred to APPR. Suspense file.

Current Location:04/29/2009-A APPR. SUSPENSE FILE

Calendar Events:05/28/09 Upon adjournment of session - Room 4202 ASM APPROPRIATIONS SUSPENSE

Summary:

The Warren-Alquist State Energy Resources Conservation and Development Act requires the State Energy Resources Conservation and Development Commission to adopt building design

and construction standards and energy and water conservation standards to reduce the wasteful, uneconomic, inefficient, or unnecessary consumption of energy, including energy associated with the use of water. This bill would require the commission to adopt, in collaboration with specified parties, building design and construction standards and energy and water conservation standards to require new residential constructions commenced on or after January 1, 2020, or on a date by which the commission determines that the use of photovoltaic technology is cost effective, whichever is later, to be zero net energy buildings, as defined.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 227 (Cook) Labor standards: consultation unit. (I-02/04/2009 [html](#) [pdf](#))

Status:05/01/2009-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & E. on 04/22/2009)

Current Location:05/01/2009-A 2 YEAR

Calendar Events:

Summary: Existing law establishes the Division of Labor Standards Enforcement in the Department of Industrial Relations for the enforcement of labor laws. This bill would establish in the division the Labor Standards Consultation Unit for the purpose of providing consulting services to an employer or employee regarding compliance with labor standards. The bill would authorize the unit to charge a requester a fee for consulting services provided, not to exceed the actual cost to the unit, and to fund its operation from grants obtained from for-profit or not-for-profit nongovernmental entities. The bill would prohibit the division from citing an employer for a violation of any labor standard, order, or regulation discovered as a result of an employer requesting or accepting services from the unit pursuant to the bill if the employer remedies the violation within 30 days.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 228 (Huffman) Energy: outdoor lighting efficiency. (A-04/20/2009 [html](#) [pdf](#))

Status:05/18/2009-In Senate. Read first time. To Com. on RLS. for assignment.

Current Location:05/18/2009-S RLS.

Calendar Events:

Summary: Existing law requires the State Energy Resources Conservation and Development Commission to adopt regulations on minimum energy efficiency standards for lighting that would reduce the average statewide electrical energy consumption by not less than 25% from the 2007 levels for outdoor lighting by 2018. Existing law requires the commission to consult with the Department of Transportation to ensure that outdoor lighting standards that affect the department are compatible with the department's policies and standards for safety and illumination levels on state highways. This bill would require the commission, by December 31, 2011, to adopt minimum energy efficiency standards that would achieve the above reduction for outdoor lighting as soon as practicable, but no later than January 1, 2018. The bill would also eliminate the requirement that the commission consult with the department.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 340 (Knight) Income taxes: credits: hiring credit. (A-05/12/2009 [html](#) [pdf](#))

Status:05/19/2009-In committee: Set, second hearing. Hearing canceled at the request of author.

Current Location:05/13/2009-A REV. & TAX

Calendar Events:

Summary: The Personal Income Tax Law and the Bank and Corporation Tax Law authorize various credits against the taxes imposed by those laws. This bill would, under both laws, for taxable years beginning on and after January 1, 2009, and before January 1, 2013, authorize a credit to a qualified employer of either \$3,000 or \$5,000, as specified, for each qualified employee, as

defined, employed by the qualified employer during the taxable year. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 361 (Lowenthal, Bonnie) Workers' compensation: treatment authorization. (A-05/14/2009 [html](#) [pdf](#))

Status:05/18/2009-In Senate. Read first time. To Com. on RLS for assignment.

Current Location:05/18/2009-S RLS.

Calendar Events:

Summary:

Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of his or her employment. Existing law requires every employer to establish a medical treatment utilization review process, in compliance with specified requirements, either directly or through its insurer or an entity with which the employer or insurer contracts for these services. This bill provides that, regardless of whether an employer has established a medical provider network or entered into a contract with a health care organization, an employer that authorizes medical treatment shall not rescind or modify that authorization after the medical treatment has been provided for any reason, including, but not limited to, the employer's subsequent determination that the physician who treated the employee was not eligible to treat that injured employee. This bill provides that its provisions shall not be construed to expand or alter the benefits available under, or the terms and conditions of, any contract, including, but not limited to, existing medical provider network and health care organization contracts. The bill would also provide that its provisions shall not be construed to impact the ability of the employer to transfer treatment of an injured employee into a medical provider network or health care organization. This bill contains other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 493 (Tran) Employment and Benefits Appeals Board. (A-04/02/2009 [html](#) [pdf](#))

Status:05/01/2009-Failed Deadline pursuant to Rule 61(a)(2). (Last location was INS. on 04/22/2009)

Current Location:05/01/2009-A 2 YEAR

Calendar Events:

Summary:

Existing law establishes in the Employment Development Department the Unemployment Insurance Appeals Board to review the decisions of administrative law judges regarding petitions for unemployment insurance benefits. Existing law establishes within the Labor and Workforce Development Agency the California Occupational Safety and Health Appeals Board to conduct hearings when an employer served with a special order relating to occupational safety and health appeals that order, and also establishes the Workers' Compensation Appeals Board which has jurisdiction to determine workers' compensation claims of an employee for injuries sustained in the course of his or her employment. This bill would abolish the Unemployment Insurance Appeals Board, the California Occupational Safety and Health Appeals Board, and the Workers' Compensation Appeals Board and transfer their duties to the Employment and Benefits Appeals Board, which this bill would create in the Labor and Workforce Development Agency. The bill would make conforming changes to existing law.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 514 (De Leon) Employment: lactation accommodation. (A-04/02/2009 [html](#) [pdf](#))

Status:05/13/2009-In committee: Set, first hearing. Referred to APPR. suspense file.

Current Location:05/14/2009-A APPR. SUSPENSE FILE

Calendar Events:05/28/09 Upon adjournment of session - Room 4202 ASM APPROPRIATIONS SUSPENSE

Summary:

Existing law requires an employer to provide a reasonable amount of break time for lactation purposes and specifies that the break time, if possible, shall run concurrently with any break time already provided to the employee. Under existing law, break time is unpaid if it does not run concurrently with the employee's authorized rest time. Existing law authorizes the Labor Commissioner to issue a citation for the violation of these provisions but exempts the violation from criminal prosecution . This bill would , instead, require an employer to provide a 20-minute paid rest period for lactation purposes during each 4-hour work period, immediately preceding or following the employee's rest period, and would specify that compliance with this requirement does not satisfy or affect an employer's separate obligation to provide a meal or rest period required by statute, an Industrial Welfare Commission order, or a collective bargaining agreement .

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 516 (Niello) Workers' compensation: temporary disability. (I-02/24/2009 [html](#) [pdf](#))

Status:05/06/2009-From INS.: Failed passage Reconsideration granted.

Current Location:05/06/2009-A INS.

Calendar Events:

Summary:

Existing workers' compensation law generally requires employers to secure the payment of workers' compensation, including medical treatment, for injuries incurred by their employees that arise out of, or in the course of, employment. Existing law provides certain methods for determining workers' compensation benefits payable to a worker or his or her dependents for purposes of temporary disability, permanent total disability, permanent partial disability, and in case of death. Existing law requires, in computing average annual earnings for the purposes of temporary disability indemnity and permanent total disability indemnity only, that the average weekly earnings be taken, for injuries occurring on or after January 1, 2006, at not less than \$189, nor more than \$1,260 or 1.5 times the state average weekly wage, whichever is greater, and, commencing January 1, 2007, and each January thereafter, requires that those limits be increased by an amount equal to the percentage increase in the state average weekly wage as compared to the prior year. This bill would require, for injuries occurring on or after January 1, 2010, for temporary disability, that the benefit amounts payable to an injured worker be not less than an amount equal to the employee's weekly earnings from all employers, nor more than \$1,260, or 1.5 times the state average wage, whichever is greater.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 527 (Fuentes) Employee complaints: proceedings: payroll records. (A-04/13/2009 [html](#) [pdf](#))

Status:04/30/2009-Referred to Com. on L. & I.R.

Current Location:04/30/2009-S L. & I.R.

Calendar Events:

Summary:

Under existing law, the Labor Commissioner is authorized to investigate employee complaints and to provide a hearing in an action to recover wages, penalties, and other demands for compensation. This bill would provide that if the Labor Commissioner finds that payroll records submitted for any pay period relating to any claim or complaint brought pursuant to the commissioner's authority have been intentionally falsified, all payroll records relating to that claim or complaint must be presumed false and disregarded.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim	Oppose			

AB 615 (Niello) Workers' compensation. (A-04/16/2009 [html](#) [pdf](#))

Status:05/01/2009-Failed Deadline pursuant to Rule 61(a)(2). (Last location was INS. on 04/20/2009)

Current Location:05/01/2009-A 2 YEAR

Calendar Events:

Summary:

Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of his or her employment. This bill would delete the above-described definition of first aid in existing law and would authorize the administrative director to adopt regulations to define various terms, as specified. Until these regulations are adopted, the bill would define medical treatment and first aid . This bill contains other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 709 (Lieu) Charter-party carriers of passengers: driver background checks. (A-04/22/2009 [html](#) [pdf](#))

Status:05/06/2009-In committee: Set, first hearing. Referred to APPR. suspense file.

Current Location:05/06/2009-A APPR. SUSPENSE FILE

Calendar Events:05/28/09 Upon adjournment of session - Room 4202 ASM APPROPRIATIONS SUSPENSE

Summary:

The Transportation Security Administration of the United States Department of Transportation, administered by the Under Secretary of Transportation for Security, is responsible for carrying out measures to ensure aviation security, including hiring, training, and retention of personnel for the security screening of passengers and baggage and conducting background checks for individuals with access to secure areas of airports regularly serving an air carrier holding a certificate issued by the Secretary of Transportation. Individuals with specified criminal backgrounds or other factors as determined by the under secretary, are disqualified from employment with an air carrier or airport operator, where they will have access to secured areas. The under secretary is required to adopt measures to improve secured-area access control, including working with airport operators to strengthen access control points in secured areas, including air traffic control operations areas, maintenance areas, crew lounges, baggage handling areas, concessions, and catering delivery areas. This bill would require the commission to adopt rules for criminal history background checks of drivers, or applicants to be a driver, for a charter-party carrier of passengers that provides passenger transportation to and from any airport regularly serving an air carrier holding a certificate issued by the United States Secretary of Transportation (commercial airport) and would disqualify persons convicted of specified crimes from being drivers. The bill would require that the rules adopted by the commission do the following: (1) require that each driver, and each applicant who is offered employment as a driver, of a charter-party carrier providing passenger transportation to and from a commercial airport submit fingerprints and other pertinent information for the purpose of obtaining criminal history information, (2) require that a charter-party carrier of passengers only employ as drivers those individuals that have successfully completed the criminal history background investigation, (3) require the charter-party carrier of passengers provide an identification credential to each employee, or applicant that becomes an employee, that successfully completes the criminal background investigation process, and (4) require all drivers that are employed by a charter-party carrier of passengers to carry identification credentials at all times on airport property. The bill would require any applicant for certification or a permit to operate as a charter-party carrier of passengers to certify that its drivers have successfully completed a criminal history background check and have been issued an identification credential in accordance with the above-described requirements. The bill would prohibit the governing body of any airport from imposing requirements on charter-party carriers providing transportation to and from the airport regarding criminal background checks on drivers, but would authorize the governing body to request a list of all drivers to whom identification credentials have been issued. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 793 (Jones) Employment: discrimination. (A-04/29/2009 [html](#) [pdf](#))

Status:05/18/2009-In Senate. Read first time. To Com. on RLS. for assignment.

Current Location:05/18/2009-S RLS.

Calendar Events:

Summary: Existing law contains provisions that define unlawful discrimination and employment practices and establish procedures for an employee who has suffered discrimination or other unlawful practices, as defined, to file a complaint with the Fair Employment and Housing Department, or under certain circumstances, to bring a civil action against his or her employer. This bill would specify when a cause of action for unlawful discrimination or unlawful employment practice with respect to compensation accrues for determining whether a complaint was filed within statutory deadlines.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 838 (Swanson) Occupational safety and health. (1-02/26/2009 [html](#) [pdf](#))

Status:05/06/2009-In committee: Set, first hearing. Referred to APPR. suspense file.

Current Location:05/06/2009-A APPR. SUSPENSE FILE

Calendar Events:05/28/09 Upon adjournment of session - Room 4202 ASM APPROPRIATIONS SUSPENSE

Summary: The existing California Occupational Safety and Health Act of 1973 was enacted to assure safe and healthful working conditions by authorizing the enforcement of effective standards, assisting and encouraging employers to maintain safe and healthful working conditions, and by providing for research, information, education, training, and enforcement in the field of occupational safety and health. The Occupational Safety and Health Board, an independent entity within the Department of Industrial Relations, has exclusive authority to adopt occupational safety and health standards within the state. This bill would require the Occupational Safety and Health Standards Board, by July 1, 2011, to adopt a standard for controlling the risk of occurrence of heat illness where employees work indoors.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim	Oppose			

AB 842 (Swanson) Employment. (1-02/26/2009 [html](#) [pdf](#))

Status:05/06/2009-In committee: Set, first hearing. Referred to APPR. suspense file.

Current Location:05/06/2009-A APPR. SUSPENSE FILE

Calendar Events:05/28/09 Upon adjournment of session - Room 4202 ASM APPROPRIATIONS SUSPENSE

Summary: Existing law provides that an employer, with certain exceptions, may not order a mass layoff, relocation, or termination, as defined, at a covered establishment without giving 60 days' prior written notice to employees and the Employment Development Department and other local agencies, as well as complying with specified federal guidelines. This bill would increase the layoff notice period from 60 to 90 days. This bill would require employers, when notice is given, to provide employees with information regarding benefits and services available to them once the notice of layoff is given. This bill would also require employers that give notice of a mass layoff, relocation, or termination to provide sufficient meeting space for the provision of rapid response activity, as defined, and to allow providers of rapid response activity services and affected employees to meet for not less than one hour for such services to be provided. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 849 (Swanson) Family and medical leave. (1-02/26/2009 [html](#) [pdf](#))

Status:05/06/2009-In committee: Set, first hearing. Referred to APPR. suspense file.

Current Location:05/06/2009-A APPR. SUSPENSE FILE

Calendar Events:05/28/09 Upon adjournment of session - Room 4202 ASM APPROPRIATIONS SUSPENSE

Summary: Existing law, the Moore-Brown-Roberti Family Rights Act, makes it an unlawful employment practice for an employer, as defined, to refuse to grant a request by an eligible employee to take

up to 12 workweeks of unpaid protected leave during any 12-month period (1) to bond with a child who was born to, adopted by, or placed for foster care with, the employee, (2) to care for the employee's parent, spouse, or child who has a serious health condition, as defined, or (3) because the employee is suffering from a serious health condition rendering him or her unable to perform the functions of the job. Under the act, "child" means a biological, adopted, foster, or stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under 18 years of age or an adult dependent child. The act defines "parent" to mean the employee's biological, foster, or adoptive parent, stepparent, legal guardian, or other person who stood in loco parentis to the employee when the employee was a child. This bill would increase the circumstances under which an employee is entitled to protected leave pursuant to the Family Rights Act by (1) eliminating the age and dependency elements from the definition of "child," thereby permitting an employee to take protected leave to care for his or her independent adult child suffering from a serious health condition, (2) expanding the definition of "parent" to include an employee's parent-in-law, and (3) permitting an employee to also take leave to care for a seriously ill grandparent, sibling, grandchild, or domestic partner, as defined.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim	Oppose			

AB 943 (Mendoza) Employment: credit reports. (A-04/14/2009 [html](#) [pdf](#))

Status:05/18/2009-Read second time. To third reading.

Current Location:05/18/2009-A THIRD READING

Calendar Events:05/26/09 180 ASM ASSEMBLY THIRD READING FILE

Summary:

The federal Fair Credit Reporting Act (FCRA) and the state Consumer Credit Reporting Agencies Act define and regulate consumer credit reports and authorize the use of consumer credit reports for employment purposes, pursuant to specified requirements. The FCRA provides that it does not preempt state law, except as specifically provided or to the extent that state laws are inconsistent with its provisions. This bill would prohibit an employer, with the exception of certain financial institutions, from obtaining a consumer credit report for employment purposes unless the information is (1) substantially job-related, meaning that the position of the person for whom the report is sought has access to money, other assets, or confidential information, and (2) the position of the person for which the person is sought is a managerial position, a position in a city, county, or both city and county, that of a sworn peace officer or other law enforcement position, or a position for which the information contained in the report is required to be disclosed by law or to be obtained by the employer. This bill contains other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim	Oppose			

AB 1000 (Ma) Employment: paid sick days. (I-02/27/2009 [html](#) [pdf](#))

Status:05/13/2009-In committee: Set, first hearing. Referred to APPR. suspense file.

Current Location:05/14/2009-A APPR. SUSPENSE FILE

Calendar Events:05/28/09 Upon adjournment of session - Room 4202 ASM APPROPRIATIONS SUSPENSE

Summary:

Existing law authorizes employers to provide their employees paid sick leave. This bill would provide that an employee who works in California for 7 or more days in a calendar year is entitled to paid sick days, as defined, which shall be accrued at a rate of no less than one hour for every 30 hours worked. An employee would be entitled to use accrued sick days beginning on the 90th calendar day of employment. The bill would require employers to provide paid sick days, upon the request of the employee, for diagnosis, care, or treatment of health conditions of the employee or an employee's family member, or for leave related to domestic violence or sexual assault. An employer would be prohibited from discriminating or retaliating against an employee who requests paid sick days. The bill would require employers to satisfy specified posting and notice and recordkeeping requirements. The bill would also make conforming changes. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim	Oppose			

AB 1001 (Skinner) **Employment: familial status protection.** (A-04/14/2009 [html](#) [pdf](#))

Status:05/13/2009-In committee: Set, first hearing. Referred to APPR. suspense file.

Current Location:05/14/2009-A APPR. SUSPENSE FILE

Calendar Events:05/28/09 Upon adjournment of session - Room 4202 ASM APPROPRIATIONS SUSPENSE

Summary: Existing law, the California Fair Employment and Housing Act, protects and safeguards the right and opportunity of all persons to seek, obtain, and hold employment without discrimination or abridgment on account of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, or sexual orientation. This bill would include "familial status" as an additional basis upon which the right to seek, obtain, and hold employment cannot be denied. The bill would, for employment purposes, define "familial status" as having or providing care for a child, domestic partner, grandchild, grandparent, parent, parent-in-law, sibling, or spouse.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 1019 (Beall) **Alcohol-Related Services Program.** (A-04/29/2009 [html](#) [pdf](#))

Status:05/01/2009-Failed Deadline pursuant to Rule 61(a)(2). (Last location was HEALTH on 04/30/2009)

Current Location:05/01/2009-A 2 YEAR

Calendar Events:

Summary: Existing law requires the State Department of Alcohol and Drug Programs to perform various functions and duties with respect to the development and implementation of state and local substance abuse treatment programs. This bill would, in addition, establish the Alcohol-Related Services Program and the Alcohol-Related Services Program Fund and would authorize the State Board of Equalization to assess and collect specified fees from every person who is engaged in business in this state and sells alcoholic beverages for resale, as prescribed. The bill would require the fees to be deposited into the fund and would continuously appropriate those moneys exclusively for the alcohol-related services programs established pursuant to this bill. The bill would authorize the State Department of Alcohol and Drug Programs to establish, or contract or provide grants for the establishment of, component services under the program.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim	Oppose			

AB 1020 (Emmerson) **Public swimming pools: anti-entrapment devices and systems.** (A-05/20/2009 [html](#) [pdf](#))

Status:05/21/2009-Re-referred to Com. on APPR.

Current Location:05/21/2009-A APPR.

Calendar Events:05/28/09 Upon adjournment of session - Room 4202 ASM APPROPRIATIONS

Summary: Under existing law, public wading pools, as defined, are required to equip drain suction outlets with specified anti-entrapment grates to prevent physical entrapment of the bathers. Under existing law, the Swimming Pool Safety Act, public swimming pools are exempted from that act's requirements that newly constructed pools be equipped with specified safety features, including anti-entrapment grates for drain suction outlets. This bill would require a public swimming pool, as defined, to be equipped with anti-entrapment devices or systems that meet ASME/ANSI or ASTM performance standards, as specified. It would also require a public swimming pool with a single main drain that is not an unblockable drain to meet at least one of the specified standards. The bill would impose timeframes by which its requirements must be met. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim	Watch			

AB 1082 **(Torrico) Sales and use taxes: Domestic Violence Prevention and Sexual Abuse Fund: Domestic Abuser Surveillance Fund.** (A-04/15/2009 [html](#) [pdf](#))

Status:04/21/2009-In committee: Set, first hearing. Hearing canceled at the request of author.

Current Location:04/22/2009-A HEALTH

Calendar Events:

Summary: The Sales and Use Tax Law imposes a tax on the sale of or the storage, use, or other consumption of tangible personal property in this state at specified rates. This bill would, in addition, impose a tax on the sale of , or the storage, use, or other consumption of, tangible personal property that is harmful matter, as defined, in this state at a rate of 12 %. This bill would create the Domestic Violence and Sexual Abuse Prevention Fund and the Domestic Abuser Surveillance Fund and would require that all revenues, less refunds, derived from the 12% tax be transferred to each fund in a specified percentage . This bill would continuously appropriate all of the money in the Domestic Violence and Sexual Abuse Prevention Fund to the State Department of Public Health and the California Emergency Management Agency for programs preventing domestic violence and assisting victims of sexual assault , sexual crimes, and domestic violence, and in the Domestic Abuser Surveillance Fund to the Department of Corrections and Rehabilitation to fund a system for the electronic surveillance of domestic abusers and stalkers. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 1093 **(Yamada) Workers' compensation.** (A-04/28/2009 [html](#) [pdf](#))

Status:05/07/2009-Read second time. To third reading.

Current Location:05/07/2009-A THIRD READING

Calendar Events:05/26/09 110 ASM ASSEMBLY THIRD READING FILE

Summary: Existing workers' compensation law generally requires employers to secure the payment of workers' compensation, including medical treatment, for injuries incurred by their employees that arise out of, and in the course of, employment. This bill would provide that for purposes of determining whether to grant or deny a workers' compensation claim, if an employee is injured or killed by a 3rd party in the course of the employee's employment, no personal relationship or personal connection shall be deemed to exist between the employee and the 3rd party based only on a determination that the 3rd party injured or killed the employee solely because of the 3rd party's personal beliefs relating to his or her perception of the employee's sex, race, color, religion, ancestry, national origin, marital status, or sexual orientation.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 1094 **(Conway) Disposal of personal information.** (A-04/21/2009 [html](#) [pdf](#))

Status:04/30/2009-Read second time. To third reading.

Current Location:04/30/2009-A THIRD READING

Calendar Events:05/26/09 104 ASM ASSEMBLY THIRD READING FILE

Summary: Existing law requires a business to take all reasonable steps to destroy, or arrange for the destruction of, a customer's records within its custody or control containing personal information that is no longer to be retained by the business by shredding, erasing, or otherwise modifying the personal information in those records to make it unreadable or undecipherable through any means. Existing law provides for specified civil remedies for a violation of these provisions. This bill would, instead, require a business to take all reasonable steps to dispose, or arrange for the disposal, of an individual's records within its custody or control containing personal information when the records are no longer to be retained by the business by taking any of the actions described above. The bill would exempt from these provisions information that is made available to the general public from federal, state, or local government records. The bill would provide that a cause of action shall not lie against a business that comes into possession of abandoned

records containing personal information and that disposes of those records in accordance with these provisions. The bill would set forth findings regarding records that end up in the possession of a storage company or commercial landlord, and would provide that it is the intent of the Legislature to create a safe harbor for such a record custodian who properly disposes of the records. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 1137 (Harkey) California tourism. (I-02/27/2009 [html](#) [pdf](#))

Status:03/02/2009-Read first time.

Current Location:02/27/2009-A PRINT

Calendar Events:

Summary: Existing law requires the California Travel and Tourism Commission to establish one or more industry marketing advisory committees, which may include noncommissioners as members. The industry marketing advisory committees are required to be structured so that they include, to the maximum extent feasible and reasonable, representation from every geographic region of the state and every segment of the state's travel and tourism industry. The commission is required to establish procedures for the operation of the industry marketing advisory committees that will provide appropriate opportunity for every geographic region of the state and every segment of the travel and tourism industry to offer advice and recommendations to the commission relative to the development of its written marketing plan. This bill would make a technical, nonsubstantive change to this provision.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 1191 (Conway) Alcoholic beverages: proof of age: passports. (A-03/27/2009 [html](#) [pdf](#))

Status:05/18/2009-In Senate. Read first time. To Com. on RLS. for assignment.

Current Location:05/18/2009-S RLS.

Calendar Events:

Summary: The Alcoholic Beverage Control Act makes it a misdemeanor for any person under the age of 21 years to purchase any alcoholic beverage or consume any alcoholic beverage in any on-sale premises. The act also subjects a holder of a license to sell alcoholic beverages to criminal prosecution and suspension or revocation of that license if the licensee sells any alcoholic beverages to any person under 21 years of age. Existing law provides that a licensee's acceptance of bona fide evidence, as defined, constitutes a defense to any action against the licensee. This bill would authorize the acceptance of a valid passport, issued by the United States government or a foreign government, as bona fide evidence that a person is 21 years of age or older. This bill makes findings and declaration with regard to the importance of tourism to California.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 1235 (Hayashi) Security officers: meal periods. (A-05/18/2009 [html](#) [pdf](#))

Status:05/19/2009-Re-referred to Com. on APPR. pursuant to Joint Rule 10.5.

Current Location:05/19/2009-A APPR.

Calendar Events:05/28/09 Upon adjournment of session - Room 4202 ASM APPROPRIATIONS

Summary: The Private Security Services Act provides for the licensure and regulation of private patrol operators by the Bureau of Security and Investigative Services in the Department of Consumer Affairs. Under existing law, security guards and street patrolpersons are employed by private patrol operators to perform specified functions. This bill would provide that the above prohibitions regarding meal periods do not apply to a registered security officer who is employed by a registered private patrol operator if the security officer is covered by a valid collective

bargaining agreement containing specified provisions . This bill contains other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 1288 **(Fong) Employment: hiring practices: electronic employment verification.** (A-05/04/2009 [html](#) [pdf](#))

Status:05/11/2009-Read second time. To third reading.

Current Location:05/11/2009-A THIRD READING

Calendar Events:05/26/09 122 ASM ASSEMBLY THIRD READING FILE

Summary: The E-Verify Program of the United States Department of Homeland Security, in partnership with the United States Social Security Administration, enables participating employers to use the program, on a voluntary basis, to verify that the employees they hire are authorized to work in the United States. The bill would prohibit the state, or a city, county, city and county, or special district, from requiring an employer other than one of those government entities to use an electronic employment verification system except when required by federal law or as a condition of receiving federal funds .

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim	Support			

AB 1291 **(Niello) Unclaimed property.** (A-04/02/2009 [html](#) [pdf](#))

Status:05/06/2009-In committee: Set, first hearing. Referred to APPR. suspense file.

Current Location:05/06/2009-A APPR. SUSPENSE FILE

Calendar Events:05/28/09 Upon adjournment of session - Room 4202 ASM APPROPRIATIONS SUSPENSE

Summary: Existing law, the Unclaimed Property Law, governs the disposition of unclaimed property, including the escheat of certain property to the state. Those provisions require a person holding funds or other property escheated to the state to report to the Controller certain information regarding the property and the owner. This bill would modify the actions that, if not taken by the owner for more than 3 years, lead to the escheat of the property described above by adding to those actions the receipt of tax reports or regular statements by mail from the banking organization, financial organization, or business association regarding the funds, deposit, account, or plan. The bill would provide that receipt of a report or statement by the owner shall be presumed if the organization or association sent the report or statement to the owner by first-class mail and the report or statement was not returned. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 1298 **(Coto) Unemployment Insurance Program.** (I-02/27/2009 [html](#) [pdf](#))

Status:05/01/2009-Failed Deadline pursuant to Rule 61(a)(2). (Last location was INS. on 03/31/2009)

Current Location:05/01/2009-A 2 YEAR

Calendar Events:

Summary: Existing law excludes from the definition of "wages," for purposes of the unemployment insurance law, remuneration in excess of \$7,000 paid to an individual by an employer during any calendar year, with respect to employment. This bill would, for the calendar year beginning on January 1, 2009, revise this provision to exclude remuneration in excess of \$16,600 paid to an individual by an employer during that calendar year and would, for each calendar year thereafter, exclude remuneration paid to an individual by an employer during that calendar year in excess of the greater of \$16,600 or an amount equal to 1/3 of the annualized state average weekly wage, as defined. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 1312 (Swanson) Defibrillators. (A-05/12/2009 [html](#) [pdf](#))

Status:05/18/2009-In Senate. Read first time. To Com. on RLS. for assignment.

Current Location:05/18/2009-S RLS.

Calendar Events:

Summary: Existing law, until July 1, 2012, requires every health studio, as defined, to acquire an automatic external defibrillator, provides immunity for use or nonuse of the devices, except as specified, and establishes standards for the devices, including, but not limited to, maintenance and staff training regarding proper use. This bill would extend the application of these provisions to July 1, 2014 . The bill would also, beginning July 1, 2010, apply these requirements and this immunity to golf courses and amusement parks, as defined.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 1342 (Evans) Local taxation: income taxes: vehicle license fees. (A-04/13/2009 [html](#) [pdf](#))

Status:05/01/2009-Failed Deadline pursuant to Rule 61(a)(2). (Last location was REV. & TAX on 04/27/2009)

Current Location:05/01/2009-A 2 YEAR

Calendar Events:

Summary: Existing law authorizes various local governmental entities to impose local taxes for various purposes. This bill would authorize the board of supervisors of any county, by ordinance, to propose to the voters either a local personal income tax or a local vehicle license fee, or both, in accordance with specified requirements.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 1358 (Hill) Product management: disposable food containers. (A-05/05/2009 [html](#) [pdf](#))

Status:05/21/2009-In committee: Hearing postponed by committee. (Refers to 5/20/2009 hearing)

Current Location:05/20/2009-A APPR.

Calendar Events:05/28/09 Upon adjournment of session - Room 4202 ASM APPROPRIATIONS

Summary: The California Integrated Waste Management Act of 1989, administered by the California Integrated Waste Management Board, among other things, prohibits a person from selling a food or beverage container in this state that is labeled with the term "compostable" or "marine degradable," unless the food or beverage container meets certain requirements. This bill would define terms for its purposes and , beginning January 1, 2012, prohibit a food vendor from dispensing prepared food to a customer in a disposable polystyrene food container .

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 1421 (Swanson) Employment: work hours. (A-04/14/2009 [html](#) [pdf](#))

Status:05/06/2009-In committee: Set, first hearing. Referred to APPR. suspense file.

Current Location:05/06/2009-A APPR. SUSPENSE FILE

Calendar Events:05/28/09 Upon adjournment of session - Room 4202 ASM APPROPRIATIONS SUSPENSE

Summary: Under existing law, 8 hours of labor constitutes a workday. Existing law provides that time spent commuting to and from the first place at which an employee's presence is required by the employer is not part of a workday when the employee commutes in a vehicle that is owned, leased, or subsidized by the employer and is used for ridesharing. This bill would provide that time spent in transit on a facility-provided conveyance from a remote employee parking location to and from the place at which an employee's presence is required by the employer shall be considered to be part of a workday when the employee is employed at an airport, amusement park, sports venue, or entertainment venue , as these places of employment are defined by the North American Industry Classification System or its predecessor . This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim	Oppose			

AB 1466 (Bass) Employee wages. (I-02/27/2009 [html](#) [pdf](#))

Status:03/02/2009-Read first time.

Current Location:02/27/2009-A PRINT

Calendar Events:

Summary: Existing law requires that employers pay wages to their employees, twice per calendar month, on days designated in advance as regular paydays. However, employees defined as executive, administrative, or professional may be paid once per month. This bill would make a nonsubstantive change to this provision.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 1486 (Furutani) Sales and use taxes: consumer: nonprofit membership organizations. (A-05/21/2009 [html](#) [pdf](#))

Status:05/21/2009-Read second time and amended.

Current Location:05/21/2009-A APPR.

Calendar Events:05/28/09 Upon adjournment of session - Room 4202 ASM APPROPRIATIONS

Summary: The Sales and Use Tax Law imposes a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. That law, with certain exceptions, defines a retailer as a seller who makes any retail sale of tangible personal property and as a person who makes more than 2 retail sales of tangible personal property during any 12-month period, and defines a retail sale as a sale of tangible personal property for any purpose other than resale in the regular course of business. This bill would , until January 1, 2015, provide that a membership organization, as described in Section 501(c) of the Internal Revenue Code, is the consumer, and not a retailer, of tangible personal property meeting certain requirements that it provides to its members , so that the retail sale subject to tax is the sale of tangible personal property to the membership organization. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 1562 (Committee on Labor and Employment) Employment: garnishment of wages. (I-03/11/2009 [html](#) [pdf](#))

Status:05/18/2009-In Senate. Read first time. To Com. on RLS. for assignment.

Current Location:05/18/2009-S RLS.

Calendar Events:

Summary: Under existing law, an employer may not terminate an employee because garnishment of an employee's wages has been threatened or an employee's wages have been subjected to garnishment for the payment of one judgment. This bill would prohibit an employer from terminating an employee because garnishment of the employee's wages has been threatened or the employee's wages have been subjected to garnishment for the payment of 5 or fewer judgments at any one time.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 1563 (Committee on Labor and Employment) Employment: contracts or agreements for labor or services. (A-04/14/2009 [html](#) [pdf](#))

Status:05/18/2009-In Senate. Read first time. To Com. on RLS. for assignment.

Current Location:05/18/2009-S RLS.

Calendar Events:

Summary: Existing law prohibits a person or entity from entering into a contract or agreement for labor or services with a construction, farm labor, garment, janitorial, or security guard contractor where the person or entity knows or should know that the contract or agreement does not include funds sufficient to allow the contractor to comply with all applicable local, state, and federal laws or regulations governing the labor or services to be provided. The Division of Labor Standards Enforcement, within the Department of Industrial Relations, is charged with the responsibility of enforcing minimum labor standards under state law. The division's Bureau of Field Enforcement is responsible for investigating and enforcing statutes relating to the above targeted areas. The Economic and Employment Enforcement Coalition, composed of the division and other state and federal agencies, combines and coordinates investigative and enforcement efforts of the various agencies targeting the underground economy. This bill would provide that in an investigation by the Economic and Employment Enforcement Coalition or the Bureau of Field Enforcement involving a labor contractor employing 15 or more workers in any of these 5 targeted areas, if the Division of Labor Standards Enforcement has a reasonable suspicion that a violation of potential financial significance, as defined, has been committed or cited by the division, the division must obtain the relevant terms of the contract from the contractor and make a written record thereof, as well as a record of whether there is a likelihood that the applicable contract violates those provisions requiring adequate funding. The bill also would require the division to make a record of its reasons supporting its decision to either file or not file a legal action.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

AB 1579 (Committee on Governmental Organization) Alcoholic beverage control: licensees: operating permits. (I-03/23/2009 [html](#) [pdf](#))

Status:05/18/2009-Read second time. To third reading.

Current Location:05/18/2009-A THIRD READING

Calendar Events:05/26/09 143 ASM ASSEMBLY THIRD READING FILE

Summary: Existing law authorizes the Department of Alcoholic Beverage Control, in its discretion, to issue an interim retail permit to an applicant for any retail license to operate the premises during the period an application for a license at the premises is pending, subject to specified conditions. This bill would revise the authorization of the Department of Alcoholic Beverage Control to, in its discretion, issue an interim operating permit to an applicant for any license to operate the premises during the period an application for a license at the premises is pending, subject to specified condition applicable to all licensees or retail licensees only. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

ABX2 5 (Gaines) Employment: alternative workweek schedules. (C-02/20/2009 [html](#) [pdf](#))

Status:02/20/2009-Chaptered by Secretary of State - Chapter No. 3, Statutes of 2009

Current Location:02/20/2009-A CHAPTERED

Calendar Events:

Summary: Existing law authorizes an employer to propose an alternative workweek schedule, as defined, that may be either a single, standard work schedule or part of a menu of work schedule options offered to the employees. Under existing law, approval by secret ballot election of at least 2/3 of the affected employees in a work unit is required for adoption of an alternative workweek schedule. This bill would define "work unit" for purposes of these provisions and would authorize inclusion of a regular schedule of 8-hour days in the menu of work schedule options, with specified overtime compensation. The bill would authorize employees, with the consent of their employer, to move on a weekly basis from one work schedule to another on the adopted menu

of work schedule options.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

ABX3 23 (Coto) Unemployment insurance: extended benefits. (C-03/27/2009 [html](#) [pdf](#))

Status:03/27/2009-Chaptered by Secretary of State. Chapter 22, Statutes of 2009-10 Third Extraordinary Session.

Current Location:03/27/2009-A CHAPTERED

Calendar Events:

Summary:

Existing law provides that, for purposes of eligibility for federal-state extended benefits, an individual have earnings that exceed either 40 times his or her most recent weekly benefit amount or 1.5 times the highest quarter in the base period, and precludes the implementation of the alternative eligibility requirement for federal-state extended benefits unless the Director of the Employment Development Department determines that these provisions have been approved by the United States Department of Labor. The bill would provide for the payment of temporary federal-state EUC benefits authorized under the Supplemental Appropriations Act of 2008, the Unemployment Compensation Extension Act of 2008, and the American Recovery and Reinvestment Act of 2009 to eligible individuals in this state for weeks of unemployment on or after February 1, 2009, and continuing until the week ending 3 weeks prior to the last week for which specified provisions providing for 100% federal sharing authorized under the American Recovery and Reinvestment Act of 2009, except as provided, if specified economic indicators trigger the payment of those benefits. Because the bill would provide for the payment of additional amounts from the Unemployment Fund, a continuously appropriated special fund, it would make an appropriation. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

ABX3 29 (Coto) Unemployment insurance. (C-03/27/2009 [html](#) [pdf](#))

Status:03/27/2009-Chaptered by Secretary of State. Chapter 23, Statutes of 2009-10 Third Extraordinary Session.

Current Location:03/27/2009-A CHAPTERED

Calendar Events:

Summary:

Under existing law, unemployment compensation benefits are based on wages paid in a base period that is calculated according to the month within which the benefit year begins. This bill would, for new claims filed on or after a specified date, but no later than April 3, 2011, for which a valid claim or benefit year cannot be established under the currently defined base periods, establish alternative base periods, as provided. This bill would also require a claimant to submit specified information regarding wages to the Employment Development Department via an affidavit, under specified conditions. The bill would require the department to implement the technical changes necessary to establish claims under the alternate base period, as specified, as soon as possible, but no later than April 3, 2011. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 20 (Simitian) Personal information: privacy. (A-03/04/2009 [html](#) [pdf](#))

Status:05/11/2009-To Com. on JUD.

Current Location:05/11/2009-A JUD.

Calendar Events:

Summary:

Existing law requires any agency, and any person or business conducting business in California, that owns or licenses computerized data that includes personal information, as defined, to disclose in specified ways, any breach of the security of the system or data, as defined, following discovery or notification of the security breach, to any California resident whose unencrypted personal information was, or is reasonably believed to have been, acquired by an

unauthorized person. This bill would require any agency, person, or business that must issue a security breach notification pursuant to existing law to fulfill certain additional requirements pertaining to the security breach notification, as specified. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 35 (Oropeza) Food donations. (A-05/04/2009 [html](#) [pdf](#))

Status:05/18/2009-Placed on APPR suspense file.

Current Location:05/18/2009-S APPR. SUSPENSE FILE

Calendar Events:05/28/09 Upon adjournment of session - Room TBA SEN APPROPRIATIONS SUSPENSE

Summary: Existing law, with specified exceptions, exempts a food facility that donates any food that is fit for human consumption at the time it was donated to a nonprofit charitable organization or a food bank from liability for any damage or injury resulting from the consumption of the donated food. This bill would require the Governor to designate a state agency to establish and maintain a clearinghouse database that enables a food bank or a nonprofit organization, as defined, that has an interest in receiving nonperishable and perishable food donations to contact a food facility, as defined, that has an interest in donating food. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim	Oppose_Unless_Amended			

SB 107 (Walters) Sales and use taxes: exemption: nonprofit organization: mandatory gratuities. (I-01/27/2009 [html](#) [pdf](#))

Status:05/13/2009-Placed on REV. & TAX. suspense file.

Current Location:05/14/2009-S REV. & TAX SUSPENSE FILE

Calendar Events:

Summary: The Sales and Use Tax Law imposes a tax on the gross receipts from the sale in this state of, or the storage, use, or other consumption in this state of, tangible personal property. That law provides various exemptions from that tax. This bill would exempt from sales and use tax, the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, a mandatory gratuity, tip, or service charge that is charged to a nonprofit organization, as defined, by a hotel, caterer, restaurant, or similar establishment for a meal, food, or beverages. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 120 (Lowenthal) Residential tenancies. (I-02/02/2009 [html](#) [pdf](#))

Status:05/11/2009-To Coms. on JUD. and U. & C.

Current Location:05/11/2009-A JUD.

Calendar Events:

Summary: Existing law prohibits a landlord from willfully causing the interruption or termination of any utility service furnished to a tenant, with the intent of terminating the occupancy, regardless of whether the utility service is under the control of the landlord. Existing law also prohibits a landlord from willfully preventing a tenant from gaining reasonable access to the property by changing the locks, removing doors or windows, or removing from the premises the tenant's personal property, as specified, with the intent of terminating the occupancy. This bill would define a landlord and a tenant for purposes of the provisions governing tenancies. The bill would define a landlord for purposes of these provisions to specifically include an interest acquired pursuant to provisions governing mortgage defaults, as specified. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 131 (Wiggins) Alcoholic beverages: tied-house restrictions. (A-04/29/2009 [html](#) [pdf](#))

Status:05/14/2009-To Com. on G.O.

Current Location:05/14/2009-A G.O.

Calendar Events:

Summary: The Alcoholic Beverage Control Act contains limitations on sales commonly known as "tied-house" restrictions, which generally prohibit a manufacturer, winegrower, manufacturer's agent, California winegrower's agent, rectifier, distiller, bottler, importer, or wholesaler from furnishing, giving, or lending any money or other thing of value to any person engaged in operating, owning, or maintaining any off-sale licensed premises. Existing law provides that, for purposes of these provisions, the listing of the names, addresses, telephone numbers or e-mail addresses, or both, or Internet Web site addresses, of two or more unaffiliated on-sale retailers selling wine or brandy, or both, and operating and licensed as bona fide public eating places selling the wine or brandy produced, distributed or imported by a nonretail industry member in response to a direct inquiry from a consumer received by telephone, by mail, by electronic Internet inquiry or in person does not constitute a thing of value or prohibited inducement to the listed on-sale retailer, if specified conditions are met. This bill would revise the direct inquiry provisions to include any electronic inquiries from consumers. This bill would also make technical, nonsubstantive changes to this provision.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 145 (DeSaulnier) Workers' compensation. (A-04/27/2009 [html](#) [pdf](#))

Status:04/28/2009-Read second time. To third reading.

Current Location:04/28/2009-S THIRD READING

Calendar Events:05/26/09 17 SEN SENATE BILLS-THIRD READING FILE

Summary: Existing workers' compensation law generally requires employers to secure the payment of workers' compensation, including medical treatment, for injuries incurred by their employees that arise out of, and in the course of, employment. This bill would provide that no workers' compensation claim shall be denied because the employee's injury or death was related to the employee's race, religious creed, color, national origin, age, gender, marital status, sex, sexual orientation, or genetic characteristics . This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 156 (Wright) Insurance: fraud prevention and detection. (A-05/20/2009 [html](#) [pdf](#))

Status:05/21/2009-In Assembly. Read first time. Held at Desk.

Current Location:05/21/2009-A DESK

Calendar Events:

Summary: Existing law generally provides for the prevention, detection, and investigation of insurance fraud. Under existing law, insurers are required to disclose to an authorized governmental agency information relative to incidents of workers' compensation fraud, as specified. This bill would authorize the Department of Insurance or a district attorney to convene meetings with an insurance company to discuss a specific insurance fraud and would provide that any person sharing information pursuant to that authorization would be protected from civil liability, as specified.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 173 (Florez) Food safety: testing and recalls. (A-05/06/2009 [html](#) [pdf](#))

Status:05/19/2009-Set for hearing May 26.

Current Location:05/06/2009-S APPR.

Calendar Events:05/26/09 11 a.m. - Room 3191 SEN APPROPRIATIONS

Summary:

Existing law, the Sherman Food, Drug, and Cosmetic Law, authorizes, for purposes of enforcement of the law, an authorized agent of the State Department of Public Health to, among other things, enter any factory, warehouse, or establishment in which any food is manufactured, packed, or held, enter any vehicle that is being used to transport or hold the food, and inspect any factory, warehouse, establishment, vehicle, or place, and all pertinent equipment, raw material, finished and unfinished materials, containers, and labeling in the factory, warehouse, establishment, vehicle, or place. Existing law authorizes the agent to secure any sample or specimen of any food, as specified. It is unlawful for any person to refuse to permit entry or inspection, the taking of samples or other evidence, or access to copying of any record as authorized by this part, or to conceal the samples or evidence, or withhold evidence concerning them. A violation of the law is a misdemeanor. This bill would require every food grower or food processor that subjects food that it grows or processes to testing to determine the presence of a microbe, pathogen, poisonous chemical, or other harmful substance that may cause food-borne disease to maintain accurate records with the results of these tests, as specified, and report to the department test results that indicate the presence of a microbe, pathogen, poisonous chemical, or other harmful substance that may cause food-borne disease. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 183 (Lowenthal) Residential building safety. (A-05/06/2009 [html](#) [pdf](#))

Status:05/21/2009-From committee: Be placed on second reading file pursuant to Senate Rule 28.8 and be amended.

Current Location:05/18/2009-S SECOND READING

Calendar Events:05/26/09 1 SEN SENATE BILLS-SECOND READING FILE

Summary:

Existing law requires certain transferors of real property improved with 1 to 4 dwelling units, as well as transferors of mobilehomes and manufactured homes, to make specified disclosures to prospective transferees regarding the characteristics of the property and prescribes forms for the purpose of making these disclosures. Existing law requires the transferor of real property containing a single-family dwelling to provide transferees written notice of compliance with specified requirements for the installation of smoke detectors. Existing law requires the seller of any real property containing a water heater to certify in writing to a prospective purchaser compliance with specified safety requirements related to those water heaters. This bill would revise the disclosure forms, described above, to provide a seller certification that the property, at the close of escrow, will be in compliance with the requirements for smoke detectors and water heaters, described above, and to remove these provisions from elsewhere in the forms. The bill would also revise the disclosure forms to add a disclosure regarding carbon monoxide devices and a statement specifying that installation of a listed appliance, device, or amenity is not a precondition to sale or transfer. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 186 (DeSaulnier) Workers' compensation: medical treatment: predesignation of physician. (I-02/17/2009 [html](#) [pdf](#))

Status:05/11/2009-To Com. on INS.

Current Location:05/11/2009-A INS.

Calendar Events:

Summary:

Existing workers' compensation law generally requires employers to secure the payment of workers' compensation, including medical treatment, for injuries incurred by their employees that

arise out of, or in the course of, employment. Existing law, until December 31, 2009, provides an employee with the right to be treated by his or her personal physician from the date of injury if specified requirements are met, including a requirement that the physician agrees to be predesignated. This bill would delete the December 31, 2009, repeal date for those provisions pertaining to an employee's predesignation of a personal physician.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 187 (Benoit) Employment: working hours. (I-02/18/2009 [html](#) [pdf](#))

Status:05/13/2009-Reconsideration granted. (Ayes 5. Noes 0. Page 876.)

Current Location:05/13/2009-S APPR.

Calendar Events:

Summary: Existing law, with certain exceptions, establishes 8 hours as a day's work and a 40-hour workweek, and requires payment of prescribed overtime compensation for additional hours worked. Existing law authorizes the adoption by 2/3 of employees in a work unit of alternative workweek schedules providing for workdays no longer than 10 hours within a 40-hour workweek. This bill would permit an individual nonexempt employee to request an employee-selected flexible work schedule providing for workdays up to 10 hours per day within a 40-hour workweek, and would allow an employer to implement this schedule without any obligation to pay overtime compensation. The bill would require the Division of Labor Standards Enforcement in the Department of Industrial Relations to enforce this provision and adopt regulations.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 209 (Corbett) Civil actions: disabled access. (I-02/23/2009 [html](#) [pdf](#))

Status:05/11/2009-To Com. on JUD.

Current Location:05/11/2009-A JUD.

Calendar Events:

Summary: Existing law requires a court, with respect to an action involving a construction-related accessibility claim, to issue an order that, among other things, grants a 90-day stay of the proceedings with respect to that claim, schedules an early evaluation conference, and directs the defendant to file with the court under seal and serve on the plaintiff a copy of any relevant Certified Access Specialist inspection report, which shall be subject to a protective court order, as specified, if the defendant has satisfied certain requirements relating to inspection of the site at issue. Existing law requires the early evaluation conferences be conducted by a superior court judge or commissioner, or a court early evaluation conference officer, as defined. This bill would instead require the Certified Access Specialist inspection report to remain confidential and would allow disclosure only to the parties to the action, the parties' attorneys, and others necessary to the settlement of the case, as specified. The bill would also require the report to remain confidential throughout the stay and until the conclusion of the claim, unless there is a showing of good cause by any party. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 222 (Ducheny) Unemployment compensation: wages. (I-02/23/2009 [html](#) [pdf](#))

Status:04/16/2009-Hearing postponed by committee. (Refers to 4/15/2009 hearing)

Current Location:03/09/2009-S L. & I.R.

Calendar Events:

Summary: Existing unemployment insurance law requires each employee to make a contribution, as defined, to the Unemployment Fund with respect to wages paid by the employer to the employees, as provided. This bill would revise this provision to exclude remuneration in excess of \$21,000. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 241 (Runner) Retail food facilities. (A-04/14/2009 [html](#) [pdf](#))

Status:05/21/2009-To Com. on HEALTH.

Current Location:05/21/2009-A HEALTH

Calendar Events:

Summary: The California Retail Food Code provides for the regulation of health and sanitation standards for retail food facilities, including mobile food facilities and satellite food service, as defined, by the State Department of Public Health. Under existing law, local health agencies are primarily responsible for enforcing this code. A violation of these provisions is punishable as a misdemeanor. This bill would revise this definition to include the shell egg of an avian species, as specified, except a balut and an egg product. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim	Support			

SB 242 (Yee) Civil rights: language restrictions. (I-02/24/2009 [html](#) [pdf](#))

Status:05/11/2009-To Com. on JUD.

Current Location:05/11/2009-A JUD.

Calendar Events:

Summary: The Unruh Civil Rights Act generally prohibits business establishments from discriminating on the basis of sex, race, color, religion, ancestry, national origin, disability, or medical condition. The act provides civil remedies for violations of its provisions. Under the California Fair Employment Housing Act, it is an unlawful employment practice for an employer to adopt or enforce a policy that prohibits the use of any language in the workplace, except if that policy is justified by business necessity, as defined, and prescribed notice of the policy and consequences for violation of the policy is given to employees. This bill would make it a violation of the Unruh Civil Rights Act to adopt or enforce a policy that limits or prohibits the use of any language in a business establishment, unless the language is justified by a business necessity, as defined, and notification has been provided of the circumstances and the time when the language restriction is to be observed and of the consequences for its violation. The bill would define business necessity to require, among other things, that the language restriction is necessary to the safe and efficient operation of the business and that an equally effective, but less discriminatory, alternative practice does not exist. The bill would provide for an award of damages, and attorney's fees as may be determined by the court, for a violation of its provisions.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 287 (Calderon) Meal periods. (I-02/24/2009 [html](#) [pdf](#))

Status:05/01/2009-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & I.R. on 04/29/2009)

Current Location:05/01/2009-S 2 YEAR

Calendar Events:

Summary: Existing law requires an employer to provide an employee who works more than 5 hours in a workday with a meal period of not less than 30 minutes, unless the employee works no more than 6 hours in a workday and the meal period is waived by mutual consent. An employer also is required to provide an employee who works more than 10 hours in a workday with a 2nd meal period of not less than 30 minutes, unless the employee works no more than 12 hours, the first meal period was not waived, and the 2nd meal period is waived by mutual consent. The Industrial Welfare Commission (IWC) of the Department of Industrial Relations adopts and amends wage orders that, among other things, specify how meal periods are required to be

provided to covered employees within various industries, including the procedures for providing employees with on-duty meal periods. This bill would revise the statutory requirements for the provision of meal periods to specify that the requirements apply only to employees subject to the meal period provisions of an order of the IWC. The statutory requirements for providing the meal periods would be revised to specify that a meal period based on working more than 5 hours in a workday is required to be provided before the employee completes 6 hours of work, unless the existing waiver provision is invoked. The waiver provision for the 2nd meal period would be changed to provide an exception for different provisions within IWC wage orders in effect as of January 1, 2009, and to permit the employer and employee to agree to waive either the first or the 2nd meal period if the employee otherwise is entitled to 2 meal periods. The bill also would specify conditions under which on-duty meal periods are permitted rather than meal periods in which the employee is relieved of all duty. The meal period provisions of a valid collective bargaining agreement would be required to be implemented for covered employees rather than the statutory requirements. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim	Co-Sponsor			

SB 313 (DeSaulnier) Workers' compensation: penalty assessments. (A-04/27/2009 [html](#) [pdf](#))

Status:05/20/2009-To Special Consent Calendar.

Current Location:05/20/2009-S CONSENT CALENDAR

Calendar Events:05/26/09 89 SEN SPECIAL CONSENT CALENDAR #6

Summary:

Existing law requires every employer, except the state, to secure the payment of workers' compensation. Existing law requires the Director of Industrial Relations to issue and serve on any employer that has failed to secure the payment of workers' compensation a stop order prohibiting the use of employee labor. Under existing law, at the time the stop order is issued and served, the director is required to issue and serve a penalty assessment order requiring the uninsured employer to pay to the director, for deposit into the State Treasury to the credit of the continuously appropriated Uninsured Employers Benefits Trust Fund, the sum of \$1,000 per employee employed at the time the order is issued and served. Existing law provides that in lieu of the aforementioned penalty assessment, at any time that the director determines that an employer has been uninsured for a period in excess of one week during the calendar year preceding the director's determination, the director may issue and serve a penalty assessment order that requires the uninsured employer to pay to the director, for deposit into the State Treasury to the credit of the Uninsured Employers Benefits Trust Fund, the greater of (1) twice the amount the employer would have paid in workers' compensation premiums during the period the employer was uninsured or (2) the sum of \$1,000 per employee employed during the period the employer was uninsured. This bill would increase the penalty assessment to \$1,500. The bill would specifically provide that any additional moneys collected as a result of the increase in the penalty assessments pursuant to the bill shall be deposited in the State Treasury to the credit of the Uninsured Employers Benefits Trust Fund, but that the moneys be available only upon appropriation by the Legislature. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 328 (Dutton) Flat tax. (A-05/18/2009 [html](#) [pdf](#))

Status:04/02/2009-From committee with author's amendments. Read second time. Amended. Re-referred to Com. on RLS.

Current Location:05/18/2009-S RLS.

Calendar Events:

Summary:

Existing law imposes specified taxes. This bill would make legislative findings and declarations relating to this state's taxes, and declare the Legislature's intent to establish a flat personal income tax and corporate tax at a revenue-neutral rate .

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 355 (Romero) Economy hotels: police calls. (A-04/16/2009 [html](#) [pdf](#))

Status:05/04/2009-Set, first hearing. Hearing canceled at the request of author.

Current Location:04/16/2009-S B., P. & E.D.

Calendar Events:

Summary: Existing law provides for special business regulations for certain businesses. This bill would make legislative findings regarding the rate of crime at economy hotels. The bill would require any person operating one or more economy hotels in California to post, on the Internet Web site operated by that person for the purpose of taking reservations for the hotel, the total number of calls for police service and the ratio of calls for police service per guest room during the most recent calendar year. The bill would require that the information be posted at the front desk of each economy hotel in a conspicuous location for public inspection. The bill would also require an online travel company, as defined, doing business in California to obtain that information from an economy hotel in California and to post the information on its Internet Web site listing for the economy hotel.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim	Oppose			

SB 356 (Wright) Regulations: small businesses. (A-05/11/2009 [html](#) [pdf](#))

Status:05/18/2009-Placed on APPR suspense file.

Current Location:05/18/2009-S APPR. SUSPENSE FILE

Calendar Events:05/28/09 Upon adjournment of session - Room TBA SEN APPROPRIATIONS SUSPENSE

Summary: The Administrative Procedure Act generally sets forth the requirements for the adoption, publication, review, and implementation of regulations by state agencies. An agency that is considering adopting, amending, or repealing a regulation is authorized to consult with interested persons before initiating regulatory action. An agency is required to involve parties who would be subject to the regulation, before publishing a notice of proposed action, if the proposed regulations involve complex proposals or a large number of proposals. This bill would require an agency considering such an action to consult with those persons and would delete the condition that the agency involve those parties if the proposal is large or complex. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim	Support			

SB 380 (Dutton) Meal periods. (I-02/26/2009 [html](#) [pdf](#))

Status:05/01/2009-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & I.R. on 03/12/2009)

Current Location:05/01/2009-S 2 YEAR

Calendar Events:

Summary: Existing law requires an employer to provide an employee who works more than 5 hours in a workday with a meal period of not less than 30 minutes, unless the employee works no more than 6 hours in a workday and the meal period is waived by mutual consent. An employer also is required to provide an employee who works more than 10 hours in a workday with a second meal period of not less than 30 minutes, unless the employee works no more than 12 hours, the first meal period was not waived, and the 2nd meal period is waived by mutual consent. The Industrial Welfare Commission (IAC) of the Department of Industrial Relations adopts and amends wage orders that, among other things, specify how meal periods are required to be provided to covered employees within various industries, including the procedures for providing employees with on-duty meal periods. This bill would revise the statutory requirements for the provision of meal periods to specify that the requirements apply only to employees subject to the meal period provisions of an order of the IWC. The statutory requirements for providing the meal periods would be revised to specify that a meal period based on working more than 5 hours in a

workday is required to be provided before the employee completes 6 hours of work, unless the existing waiver provision is invoked. The waiver provision for the 2nd meal period would be changed to provide an exception for different provisions within IWC wage orders in effect as of January 1, 2009, and to permit the employer and employee to agree to waive either the first or the 2nd meal period if the employee otherwise is entitled to 2 meal periods. The bill also would specify conditions under which on-duty meal periods are permitted rather than meal periods in which the employee is relieved of all duty. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim	Support			

SB 404 (Benoit) Employment: information for employees. (A-05/19/2009 [html](#) [pdf](#))

Status:05/21/2009-In Assembly. Read first time. Held at Desk.

Current Location:05/21/2009-A DESK

Calendar Events:

Summary: Existing law requires an employer to provide its employees with specified information regarding their wages either semimonthly or at the time of each wage payment. This bill would clarify that the employer may provide the wage information either on a detachable part of the payment made to the employee or on a separate page .

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 407 (Padilla) Property transfers: plumbing fixtures replacement. (A-05/20/2009 [html](#) [pdf](#))

Status:05/20/2009-Read second time. Amended. To third reading.

Current Location:05/20/2009-S THIRD READING

Calendar Events:05/26/09 65 SEN SENATE BILLS-THIRD READING FILE

Summary: Existing law authorizes public entities that supply water, by the adoption of an ordinance or resolution pursuant to specified procedures, to adopt and enforce a water conservation program. Existing law requires certain disclosures to be made upon the transfer of real estate. Existing law requires that all water closets or urinals sold or installed in the state use no more than an average of 1.6 gallons or one gallon per flush, respectively. This bill would require that, on and after January 1, 2014, all plumbing fixtures in any residential or commercial real property that are not water-conserving plumbing fixtures be replaced prior to the time of sale or transfer by the property owner with water-conserving plumbing fixtures, as defined, with specified exceptions. The bill would include within these exceptions, among others, a sale or a transfer pursuant to nonjudicial foreclosure and a sale or transfer in which the requirements of this article would impose a significant, financial hardship on the seller or transferor. The bill would require that compliance with this requirement be included as a condition of escrow for any sale or transfer. The bill would require a seller or transferor of real property to certify to the prospective purchaser or transferee, in writing, that the requirement has been satisfied. The bill would except from its provisions registered historical sites, certain transfers, including those between specified family members, and transfers in which a licensed plumber certifies that, due to the age or configuration of the property or its plumbing, installation of water-conserving plumbing fixtures is not technically feasible. The bill would require a real estate agent to disclose the requirements described above and would provide that an agent has no other liability in this connection. The bill would also make a statement of findings and declarations.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 443 (Pavley) Supermarkets: cleaning products: reviews. (A-05/05/2009 [html](#) [pdf](#))

Status:05/19/2009-Set for hearing May 26.

Current Location:05/05/2009-S APPR.

Calendar Events:05/26/09 11 a.m. - Room 3191 SEN APPROPRIATIONS

Summary: Existing law regulates environmental health issues, including food, drugs, occupational safety, and consumer products. This bill would require the Office of Environmental Health Hazard Assessment (OEHHA) to conduct reviews, as defined, that evaluate the potential harm to the public, supermarket employees, custodial staff, and the environment from cleaning products that are used to clean supermarkets. This bill would prohibit the reviews from duplicating or overlapping or conflicting with existing statutory and regulatory requirements and programs. This bill would require, when a review is being performed, a supermarket and a manufacturer of a cleaning product to provide specified information regarding cleaning products to the OEHHA upon request. The bill would require the OEHHA to compile a report, by December 31, 2011, of the results of the reviews and post the report on its Internet Web site.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 453 (Padilla) Food safety. (A-04/21/2009 [html](#) [pdf](#))

Status:05/11/2009-Placed on APPR suspense file.

Current Location:05/11/2009-S APPR. SUSPENSE FILE

Calendar Events:05/28/09 Upon adjournment of session - Room TBA SEN APPROPRIATIONS SUSPENSE

Summary: The California Uniform Retail Food Law provides for the regulation of health and sanitation standards for retail food facilities by the State Department of Public Health. Under existing law, a violation of these provisions is a misdemeanor. Local health agencies are primarily responsible for enforcing this law. This bill would require at least one of the accredited food safety certification examinations to be offered online. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 486 (Simitian) Medical waste: sharps waste. (A-04/02/2009 [html](#) [pdf](#))

Status:05/14/2009-In Assembly. Read first time. Held at Desk.

Current Location:05/14/2009-A DESK

Calendar Events:

Summary: The California Integrated Waste Management Act of 1989 requires a city's or a county's household hazardous waste element to include a program containing specified components for the safe collection, treatment, and disposal of sharps waste generated by households. The act requires the Integrated Waste Management Board, in consultation with specified entities, to develop model programs for the collection and proper disposal of drug waste. This bill would require, on or before July 1, 2010, and annually thereafter, a pharmaceutical manufacturer that sells or distributes medication that is self-injected at home through the use of hypodermic needles and other similar devices to submit to the board a plan for the safe collection and destruction of home-generated sharps waste containing specified elements. The bill would require the manufacturer and the board to post and maintain the plan on their respective Internet Web sites.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 567 (Dutton) Outdoor advertising displays. (A-03/31/2009 [html](#) [pdf](#))

Status:05/01/2009-Failed Deadline pursuant to Rule 61(a)(2). (Last location was T. & H. on 04/13/2009)

Current Location:05/01/2009-S 2 YEAR

Calendar Events:

Summary: The Outdoor Advertising Act regulates placement of advertising signs adjacent to and within specified distances of highways that are part of the national system of interstate and defense highways and federal aid highways. That act prohibits advertising displays from being placed or

maintained on property adjacent to a section of a freeway that has been landscaped, with certain exceptions. This bill would authorize an advertising display adjacent to a section of a landscaped freeway by a city, county, or public education facility subject to specified conditions.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 601 (Padilla) Retail tobacco licenses. (A-05/18/2009 [html](#) [pdf](#))

Status:05/18/2009-From committee with author's amendments. Read second time. Amended. Re-referred to Com. on APPR.

Current Location:05/18/2009-S APPR. SUSPENSE FILE

Calendar Events:05/28/09 Upon adjournment of session - Room TBA SEN APPROPRIATIONS SUSPENSE

Summary: The California Cigarette and Tobacco Products Licensing Act of 2003 requires a retailer to obtain a license from the State Board of Equalization to engage in the sale of cigarette and tobacco products in this state. A retailer owning more than one retail location must obtain a separate license for each retail location. This bill would specify that a new license may not be issued to a retailer for a retail location that is located within 600 feet of a school, except as specified, and would limit the issuance of licenses to retailers for a traditional retail location, as defined. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 602 (Padilla) Retail tobacco sales: licenses. (A-05/18/2009 [html](#) [pdf](#))

Status:05/18/2009-From committee with author's amendments. Read second time. Amended. Re-referred to Com. on APPR.

Current Location:05/18/2009-S APPR. SUSPENSE FILE

Calendar Events:05/28/09 Upon adjournment of session - Room TBA SEN APPROPRIATIONS SUSPENSE

Summary: The California Cigarette and Tobacco Products Licensing Act of 2003 requires a retailer to obtain a license from the State Board of Equalization to engage in the sale of cigarette and tobacco products in this state, requires a retailer to obtain a separate license for each retail location, and authorizes the board to suspend or revoke the license of a retailer that is in violation of the act. This bill would prohibit the board from issuing a new license to a retailer for a retail location in an area of overconcentration, as defined. The bill would authorize the board to issue a new license if the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body determines that public convenience or necessity would be served by the issuance. The bill would require that determination to be made within 90 days of notification of a completed application, as specified, except that if the local governing body, or its designated subordinate officer or body, did not make a determination within 90 days, the State Board of Equalization would be authorized to issue a license if the applicant shows that public convenience or necessity would be served by the issuance. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 603 (Padilla) Retail tobacco sales: licenses. (A-05/18/2009 [html](#) [pdf](#))

Status:05/18/2009-From committee with author's amendments. Read second time. Amended. Re-referred to Com. on APPR.

Current Location:05/18/2009-S APPR. SUSPENSE FILE

Calendar Events:05/28/09 Upon adjournment of session - Room TBA SEN APPROPRIATIONS SUSPENSE

Summary: The California Cigarette and Tobacco Products Licensing Act of 2003 requires a retailer to obtain a license from the State Board of Equalization to engage in the sale of cigarette and tobacco products in this state, and requires retailer licensees to pay a one-time license fee of \$100, no renewal fee, and a reinstatement fee of \$100 if the license is renewed after lapse, and authorizes the board to suspend or revoke the license of any retailer of tobacco products that is in violation of the act. This bill would limit the number of new retail licenses available, as specified. The bill would set the renewal fee at \$100. This bill would allow, under specified

circumstances, a retailer to transfer an existing license to another person for continued use at the same location upon the sale or transfer of the business holding the license, if the business is in an area where the number of current licenses exceeds the specified limit. This bill contains other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 705 (Lowenthal) Employee rights: exhaustion of administrative remedies. (A-05/19/2009 [html](#) [pdf](#))

Status:05/19/2009-From committee with author's amendments. Read second time. Amended. Re-referred to Com. on APPR. Set for hearing May 26.

Current Location:05/19/2009-S APPR.

Calendar Events:05/26/09 11 a.m. - Room 3191 SEN APPROPRIATIONS

Summary: Under existing law, where a statute provides an employment right and sets forth administrative procedures that must be followed to redress a violation of that right, an employee must first exhaust those administrative procedures before seeking redress from the courts in a civil action. Additionally, decisional law has required employees to exhaust an employer's administrative remedies to redress violations of statutory law even where the statute creating the right does not require the exhaustion as a prerequisite to the filing of a civil action. This bill would provide that exhaustion of an employer's internal administrative remedies or judicial review of a decision of an administrative agency is not a precondition, and does not need to be judicially reviewed by a petition for a writ of mandate, for the filing of a civil action alleging a violation of a right that the Legislature determines to be based on a fundamental public policy of the state.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 741 (Maldonado) Proprietary security services. (A-04/13/2009 [html](#) [pdf](#))

Status:05/14/2009-In Assembly. Read first time. Held at Desk.

Current Location:05/14/2009-A DESK

Calendar Events:

Summary: Existing law, the Proprietary Security Services Act, requires a person who meets the definition of a proprietary private security officer to register with the Department of Consumer Affairs. Existing law requires a proprietary private security officer to complete training in security officer skills within a specified period of time. Existing law authorizes, except as otherwise specified, a registered person to request review by a private security disciplinary review committee, to contest the assessment of fines or to appeal the denial, revocation, or suspension of a registration. This bill would revise and recast these provisions by requiring, on and after January 1, 2011, proprietary private security officers and proprietary private security employers, as defined, to register with the department. The bill would require applicants for registration to apply to the department on forms provided by the department and would require these applications to include, among other things, a \$50 fee for officers and a \$75 fee for employers as well as fingerprints for the officer application. The bill would require that, upon approval of an application by the Director of Consumer Affairs, officer and employer applicants be issued a registration card or registration certificate, respectively. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 773 (Florez) Workers' compensation: disability benefits. (A-05/19/2009 [html](#) [pdf](#))

Status:05/21/2009-Re-referred to Com. on RLS. Withdrawn from committee. Re-referred to Com. on APPR.

Current Location:05/21/2009-S APPR.

Calendar Events:05/26/09 11 a.m. - Room 3191 SEN APPROPRIATIONS

Summary: Existing law establishes a workers' compensation system, administered by the Administrative

Director of the Division of Workers' Compensation, that generally requires employers to secure the payment of workers' compensation, including medical treatment, for injuries incurred by their employees that arise out of, and in the course of, employment. Existing law provides certain methods for determining workers' compensation benefits payable to a worker or his or her dependents for purposes of temporary disability, permanent total disability, permanent partial disability, and in case of death. This bill would state the intent of the Legislature to enact legislation that would adjust the amount of permanent partial disability benefits paid to workers in order to ensure that the benefits are fair, adequate, and more favorably aligned when compared with permanent partial disability benefits paid to workers in other states. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 782 (Yee) Residential tenancies: domestic violence. (A-05/13/2009 [html](#) [pdf](#))

Status:05/13/2009-Read second time. Amended. To third reading.

Current Location:05/13/2009-S THIRD READING

Calendar Events:05/26/09 35 SEN SENATE BILLS-THIRD READING FILE

Summary:

Existing law governs the hiring of real property based on the terms of the agreement, or on the behavior of the parties. Under existing law, a tenant may notify the landlord in writing that he or she, or a household member, was a victim of an act of domestic violence, sexual assault, or stalking, and intends to terminate the tenancy. The tenant is released from any rent payment obligation 30 days following the giving of the notice, or as specified. This bill would create a defense to an action for possession under the unlawful detainer provisions described above , except as specified, if the court determines that (1) the tenant or the tenant's household member is a victim of an act or acts that constitute domestic violence, sexual assault, or stalking, and (2) the notice to vacate is substantially based upon the act or acts against the tenant or a tenant's household member that constitute domestic violence, sexual assault, or stalking, including, but not limited to, an action for possession based on complaints of noise, disturbances, or repeated presence of police. The bill would require a landlord to retain in strictest confidence all information regarding any act or acts of domestic violence, sexual assault, or stalking that is received in confidence from a tenant or a tenant's household member who is a victim, except as specified. This bill contains other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim				

SB 789 (Steinberg) Labor representatives: elections. (A-04/14/2009 [html](#) [pdf](#))

Status:05/07/2009-From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 5. Noes 2.) Re-referred to Com. on APPR.

(Hearing Date: May 6.)

Current Location:05/07/2009-A APPR.

Calendar Events:

Summary:

Existing law prohibits employers from engaging in unfair labor practices, including interfering in the election by agricultural employees of labor representatives to engage in collective bargaining for the designated bargaining units. Existing law also provides criminal and civil penalties for any employer or person who engages in unfair labor practices as determined by the Agricultural Labor Relations Board and the courts. This bill would permit agricultural employees, as an alternative procedure, to select their labor representatives by submitting a petition to the board accompanied by representation cards signed by a majority of the bargaining unit. The board would be required to conduct an immediate investigation to determine whether to certify the labor organization as the exclusive bargaining representative for the particular agricultural employees. Within 5 days after receiving a petition, the board would be required to make a nonappealable administrative decision. If the board determined that the representation cards meet specified criteria, then the labor organization would be certified as the exclusive bargaining representative. If the board determined that the representation cards were deficient, it would

notify the labor organization of the deficiency and grant the labor organization 30 days to submit additional cards. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim	Oppose			

SB 807 (Benoit) Employment: meal and rest periods. (A-04/02/2009 [html](#) [pdf](#))

Status:05/01/2009-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & I.R. on 04/29/2009)

Current Location:05/01/2009-S 2 YEAR

Calendar Events:

Summary:

Under existing law an employer is prohibited from requiring an employee to work during a meal or rest period mandated by an applicable order of the Industrial Welfare Commission and is required to pay a nonexempt employee one additional hour's pay at the employee's regular rate of compensation upon failure to provide the mandated meal or rest period. This bill would provide that the payment to the employee for failure to provide a mandated meal or rest period is a statutory penalty and does not constitute additional wages to the employee. The bill also would clarify that an employer provides a meal or rest period by making one available to the employee without interfering with its use. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim	Support			

SB 810 (Leno) Single-payer health care coverage. (A-04/23/2009 [html](#) [pdf](#))

Status:05/04/2009-Placed on APPR suspense file.

Current Location:05/04/2009-S APPR. SUSPENSE FILE

Calendar Events:05/28/09 Upon adjournment of session - Room TBA SEN APPROPRIATIONS SUSPENSE

Summary:

Existing law does not provide a system of universal health care coverage for California residents. Existing law provides for the creation of various programs to provide health care services to persons who have limited incomes and meet various eligibility requirements. These programs include the Healthy Families Program administered by the Managed Risk Medical Insurance Board, and the Medi-Cal program administered by the State Department of Health Care Services. Existing law provides for the regulation of health care service plans by the Department of Managed Health Care and health insurers by the Department of Insurance. This bill would establish the California Healthcare System to be administered by the newly created California Healthcare Agency under the control of a Healthcare Commissioner appointed by the Governor and subject to confirmation by the Senate. The bill would make all California residents eligible for specified health care benefits under the California Healthcare System, which would, on a single-payer basis, negotiate for or set fees for health care services provided through the system and pay claims for those services. The bill would provide that a resident of the state with a household income, as specified, at or below 200% of the federal poverty level would be eligible for the type of benefits provided under the Medi-Cal program. The bill would require the commissioner to seek all necessary waivers, exemptions, agreements, or legislation to allow various existing federal, state, and local health care payments to be paid to the California Healthcare System, which would then assume responsibility for all benefits and services previously paid for with those funds. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
CHLA	RHeim	Oppose			