



CPPCA Board of Directors – Legislative Update

December 15, 2020

Legislature Reconvenes to Swear in Newly Elected Members

On December 7, the California State Legislature returned from its Fall Recess to hold an organizational session to swear in newly elected members. The Assembly's swearing-in ceremony was held at the Golden 1 Center Arena in Sacramento to reduce the number of members in the State Capitol Building during the COVID-19 pandemic, while State Senators held their hearing in the Senate chambers.

The Assembly re-elected Speaker Anthony Rendon to continue his role as Speaker of the Assembly, and the Senate re-elected President pro Tempore Toni Atkins to continue her role as President Pro Tempore of the State Senate. Upon adjournment of this organizational session, legislators may now introduce legislation for the 2021-2022 session.

Senator Atkins stated that the focus of this year will be on COVID-19 and economic relief and recovery. She mentioned that some of the first bills introduced this session will be an affordable housing package, as well as bills that address wildfire and emergency preparedness, systemic racism, and broadband access.

Speaker Rendon said that one of the key issues that the Legislature will embark on is peace officer decertification. He also said that the State must continue its work on climate change and wildfires by limiting emissions and devoting equal attention to environmental justice. He also said that California must tackle broadband access.

AG Xavier Becerra Nominated by President-elect Biden to Be US Health and Human Services Secretary

On December 7, President-elect Biden's transition team announced that Xavier Becerra has been nominated to serve on the president-elect's Cabinet as Secretary of Health and Human Services. The Governor now has two pending appointments to fill the vacancies for Vice-President Elect Kamala Harris' congressional seat and the California Attorney General.

Key Upcoming Legislative Dates and Deadlines

- Jan. 1 - Statutes passed in 2020 take effect (unless otherwise stated).
- Jan. 4 - Legislature reconvenes.
- Jan. 10 - Budget must be submitted by Governor.
- Jan. 22 - Last day to submit bill requests to the Office of Legislative Counsel

Bills of Interest

Below is a list of bills that have been introduced thus far in the session that we are tracking on behalf of CPPCA. The Legislature has until February 19 for all bills to be introduced.

Measure	Topic	Status	Summary
<u>AB 17</u> <u>Cooper</u> D	Peace officers: disqualification from employment.	12/8/2020-From printer. May be heard in committee January 7.	Current law disqualifies certain persons from holding office or being employed as a peace officer, including any person who has been convicted of a felony. This bill would state the intent of the Legislature to amend this provision governing the disqualification of certain persons from holding office or being employed as a peace officer.
<u>AB 23</u> <u>Chen</u> R	Benefits: eligibility determination: inmates.	12/8/2020-From printer. May be heard in committee January 7.	Would, beginning July 1, 2021, require the Employment Development Department, as part of its process for determining eligibility for unemployment insurance benefits, cross-check all claimant information with state and county correctional facility inmate data in an effort to detect fraudulent applications.
<u>AB 26</u> <u>Holden</u> D	Peace officers: use of force.	12/8/2020-From printer. May be heard in committee January 7.	Current law requires each law enforcement agency, on or before January 1, 2021, to maintain a policy that provides a minimum standard on the use of force. Current law requires that policy, among other things, to require that officers report potential excessive force to a superior officer when present and observing another officer using force that the officer believes to be unnecessary, and to require that officers intercede when present and observing another officer using force that is clearly beyond that which is necessary, as specified. This bill would require those law enforcement policies to require those officers to immediately report potential excessive force, and to intercede when present and observing an officer using excessive force, as defined.
<u>AB 27</u>	Homeless children	12/8/2020-From	Current law requires a local educational agency

<u>Rivas, Luz</u> D	and youths and unaccompanied youths: reporting.	printer. May be heard in committee January 7.	liaison for homeless children and youths to ensure that public notice of the educational rights of homeless children and youths is disseminated in schools within the liaison's local educational agency that provide services pursuant to the McKinney-Vento Homeless Assistance Act. This bill would require a local educational agency to ensure that each school within the local educational agency identifies all homeless children and youths and unaccompanied youths, as defined, enrolled at the school, administer a housing questionnaire, as specified, for purposes of identifying homeless children and youths and unaccompanied youths, and annually provide the housing questionnaire to all parents or guardians of pupils and unaccompanied youths of the local educational agency.
<u>AB 31</u> <u>Lackey</u> R	Child abuse.	12/8/2020-From printer. May be heard in committee January 7.	Would state the intent of the Legislature to enact legislation relating to child abuse and neglect.
<u>AB 38</u> <u>Cooper</u> D	Statewide bail schedule.	12/8/2020-From printer. May be heard in committee January 7.	Would require the Judicial Council to prepare, adopt, and annually revise a statewide bail schedule for all bailable felony offenses and for all misdemeanor and infraction offenses except Vehicle Code infractions, as specified.
<u>AB 46</u> <u>Rivas, Luz</u> D	California Youth Empowerment Act.	12/8/2020-From printer. May be heard in committee January 7.	Would create the California Youth Empowerment Act to address, among other issues, the growing need to engage youth directly with policymakers. The bill would establish the California Youth Empowerment Commission in state government consisting of 25 voting commissioners between 14 and 25 years of age and meeting specified requirements, with 21 members appointed by the Governor, 2 at-large members appointed by the Senate Committee on Rules, and 2 at-large members appointed by the Speaker of the Assembly, along with several ex officio, nonvoting members from various geographic regions of the state. The bill would establish the commission to be advisory in nature, for the main purpose of providing meaningful opportunities for civic engagement to improve the quality of life for California's disconnected and disadvantaged youth.
<u>AB 48</u> <u>Gonzalez, Lorena</u> D	Law enforcement: kinetic energy projectiles and chemical agents.	12/8/2020-From printer. May be heard in committee January	Would prohibit the use of kinetic energy projectiles or chemical agents, as defined, by any law enforcement agency to disperse any assembly, protest, or demonstration, except in compliance

		7.	with specified standards set by the bill, and would prohibit their use solely due to a violation of an imposed curfew, verbal threat, or noncompliance with a law enforcement directive. The bill would prohibit the use of chloroacetophenone tear gas or 2-chlorobenzalmalononitrile gas by law enforcement agencies to disperse any assembly, protest, or demonstration. The bill would include in the standards for the use of kinetic energy projectiles and chemical agents to disperse gatherings the requirement that, among other things, those weapons only be used to defend against a threat to life or serious bodily injury to any individual, including a peace officer.
<u>AB 60</u> <u>Salas</u> D	Law enforcement.	12/8/2020-From printer. May be heard in committee January 7.	Would disqualify a person from being employed as a peace officer if that person has been convicted of, or has been adjudicated by a military tribunal as having committed an offense that would have been a felony if committed in this state. The bill would also disqualify any person who has been certified as a peace officer by the Commission on Peace Officer Standards and Training and has had that certification revoked by the commission.
<u>AB 89</u> <u>Jones-Sawyer</u> D	Peace officers: minimum qualifications.	12/8/2020-From printer. May be heard in committee January 7.	Current law requires peace officers in this state to meet specified minimum standards, including age and education requirements. This bill would increase the minimum qualifying age from 18 to 25 years of age. This bill would permit an individual under 25 years of age to qualify for employment as a peace officer if the individual has a bachelor's or advanced degree from an accredited college or university. The bill would provide legislative findings in support of the measure.
<u>AB 94</u> <u>Jones-Sawyer</u> D	Correctional officers.	12/8/2020-From printer. May be heard in committee January 7.	Current law establishes the Commission on Correctional Peace Officer Standards and Training (CPOST) within the Department of Corrections and Rehabilitation and requires the CPOST to develop, approve, and monitor standards for the selection and training of state correctional peace officers. This bill would state the intent of the Legislature to enact legislation to require all correctional officers to receive annual mental health evaluations.
<u>SB 2</u> <u>Bradford</u> D	Peace officers: certification: civil rights.	12/8/2020-From printer. May be acted upon on or after January 7.	Would state the intent of the Legislature to enact legislation amending the Tom Bane Civil Rights Act and to provide a decertification process for peace officers.
<u>SB 16</u>	Peace officers:	12/8/2020-From	Would, commencing July 1, 2022, make every

<u>Skinner</u> D	release of records.	printer. May be acted upon on or after January 7.	incident involving use of force to make a member of the public comply with an officer, force that is unreasonable, or excessive force subject to disclosure. The bill would, commencing July 1, 2022, require records relating to sustained findings of unlawful arrests and unlawful searches to be subject to disclosure. The bill would, commencing July 1, 2022, also require the disclosure of records relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency that a peace officer or custodial officer engaged in conduct involving prejudice or discrimination on the basis of specified protected classes. The bill would require the retention of all complaints and related reports or findings currently in the possession of a department or agency. The bill would require that records relating to an incident in which an officer resigned before an investigation is completed to also be subject to release.
<u>SB 17</u> <u>Pan</u> D	Public health crisis: racism.	12/8/2020-From printer. May be acted upon on or after January 7.	Current law requires the Office of Health Equity to develop department-wide plans to close the gaps in health status and access to care among the state's diverse racial and ethnic communities, women, persons with disabilities, and the lesbian, gay, bisexual, transgender, queer, and questioning communities, as specified. Current law requires the office to work with the Health in All Policies Task Force to assist state agencies and departments in developing policies, systems, programs, and environmental change strategies that have population health impacts by, among other things, prioritizing building cross-sectoral partnerships within and across departments and agencies to change policies and practices to advance health equity. This bill would state the intent of the Legislature to enact legislation to require the department, in collaboration with the Health in All Policies Program, the Office of Health Equity, and other relevant departments, agencies, and stakeholders, to address racism as a public health crisis.
<u>SB 24</u> <u>Caballero</u> D	Domestic violence: protective orders: information pertaining to a child.	12/8/2020-From printer. May be acted upon on or after January 7.	Current law authorizes a court to issue an order enjoining a party from engaging in specified acts against another party, including threatening or harassing that party, and, in the discretion of the court, against other named family or household members. An intentional or knowing violation of this order is punishable as a misdemeanor. This

			bill would authorize a court to issue an ex parte order restraining a party from accessing records and information pertaining to the health care, education, daycare, or employment of a minor child of the parties, and would require the Judicial Council to develop or update any other forms or rules of court that are necessary to implement this provision. The bill would require the third party to develop protocols relating to the enforcement of the order, as specified.
<u>SB 39</u> <u>Grove R</u>	Fraudulent claims: inmates.	12/8/2020-From printer. May be acted upon on or after January 7.	Would require the Department of Corrections and Rehabilitation to provide the names and social security numbers of current inmates to the Employment Development Department for the purposes of preventing payments on fraudulent claims for unemployment compensation benefits. Because this bill would expand the group of persons who can be convicted for knowingly furnishing state summary criminal history information to unauthorized persons, it would expand the scope of an existing crime and therefore impose a state-mandated local program.
<u>SB 71</u> <u>McGuire D</u>	Infractions: community service: education programs.	12/9/2020-Introduced. To Com. on RLS. for assignment. To print.	Current law authorizes a court to sentence a person convicted of an infraction to perform community service in lieu of the total fine, as defined, that would otherwise be imposed, upon a showing that payment of the total fine would pose a hardship on the defendant or the person's family. This bill would additionally authorize the court to allow a person to participate in educational programs to satisfy community service hours.