



# SOLANO COUNTY

## Legislative Committee Meeting

### Committee

Supervisor Linda J. Seifert (Chair)  
Supervisor Erin Hannigan

### Staff

Michelle Heppner

**March 7, 2016  
1:30 p.m.**

**Solano County Administration Center  
Sixth Floor Conference Center, Room 6003  
675 Texas Street  
Fairfield, CA 94533**

## AGENDA

- I. **Public Comment** (Items not on the agenda)
- II. **Discussion of Federal Bills and consider making a recommendation (Waterman & Associates)**
  - a. Budget/FY 2017 Appropriations Update
  - b. Drought Bill Update
- III. **Update from Solano County Legislative Delegation (Legislative representatives)**  
Updates to include proposed or already introduced legislation - Bill List attached (Page 2)
- IV. **Report on State Budget and Legislation and consider making a recommendation for a position on legislation (Paul Yoder)**

### Health & Social Services

[SB 947](#)    ([Pan](#) D)    Public assistance: personal interviews. (Page 15)

### Human Resources

[AB 1812](#)    ([Wagner](#) R)    Public employees' retirement. (Page 17)

### Miscellaneous

[AB 1854](#)    ([Bloom](#) D)    Bail: attorney's fees: forfeited bail. (Page 20)

### **Update on the Transportation and Health Extraordinary Legislative Sessions**

### **Update on new bills introduced**

- IV. Adjourn

## Solano County State Legislative Delegation 2016 Introduced Legislation

Bill ID/Topic	Location	Summary	Position
<a href="#"><b>AB 1559</b></a> <a href="#">Dodd D</a>  State Board of Equalization: returns and payment: extension: disaster.	2/1/2016-A. REV. & TAX 2/1/2016-Referred to Com. on REV. & TAX.	Existing law authorizes the State Board of Equalization for good cause to extend the time, not to exceed one month, for a taxpayer, and to extend the time for more than one month for specified persons if a budget for the state has not been adopted by a specified date, to submit any return or pay any amount required to be paid under provisions of the Sales and Use Tax Law, the Motor Vehicle Fuel Tax Law, Use Fuel Tax Law, Cigarette and Tobacco Products Tax Law, Alcoholic Beverage Tax Law, Timber Yield Tax, Energy Resources Surcharge Law, Emergency Telephone Users Surcharge Act, Hazardous Substances Tax Law, Integrated Waste Management Fee Law, Oil Spill Response, Prevention, and Administration Fees Law, Underground Storage Tank Maintenance Fee Law, Fee Collection Procedures Law, and Diesel Fuel Tax Law, under specified conditions. This bill would authorize the board, in the case of a disaster, to allow an extension for up to 3 months under the same conditions as the extension for good cause. This bill contains other related provisions.	
<a href="#"><b>AB 1591</b></a> <a href="#">Frazier D</a>  Transportation funding.	2/1/2016-A. TRANS. 2/1/2016-Referred to Coms. on TRANS. and REV. & TAX.	Existing law provides various sources of funding for transportation purposes, including funding for the state highway system and the local street and road system. These funding sources include, among others, fuel excise taxes, commercial vehicle weight fees, local transactions and use taxes, and federal funds. Existing law imposes certain registration fees on vehicles, with revenues from these fees deposited in the Motor Vehicle Account and used to fund the Department of Motor Vehicles and the Department of the California Highway Patrol. Existing law provides for the monthly transfer of excess balances in the Motor Vehicle Account to the State Highway Account. This bill would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria to ensure efficient use of the funds available for the program. The bill would provide for the deposit of various funds for the program in the Road Maintenance and Rehabilitation Account, which the bill would create in the State Transportation Fund, including revenues attributable to a \$0.225 per gallon increase in the motor vehicle fuel (gasoline) tax imposed by the bill, including an inflation adjustment as provided, an increase of \$38 in the annual vehicle registration fee, and a new \$165 annual vehicle registration fee applicable to zero-emission motor vehicles, as defined. This bill contains other related provisions and other existing laws.	
<a href="#"><b>AB 1592</b></a> <a href="#">Bonilla D</a>  Autonomous vehicles: pilot project.	2/1/2016-A. TRANS. 2/1/2016-Referred to Com. on TRANS.	Existing law permits the operation of an autonomous vehicle on public roads for testing purposes if, among other requirements, the driver is seated in the driver's seat and is capable of taking immediate manual control of the vehicle in the event of an autonomous technology failure or other emergency. This bill would, notwithstanding the above provision, authorize the Contra Costa Transportation Authority to conduct a pilot project for the testing of autonomous vehicles that are not equipped with a steering wheel, a brake pedal, an accelerator, or an operator inside the vehicle, if the testing is conducted only at specified locations and the autonomous vehicle operates at speeds of less than 35 miles per hour. This bill contains other related provisions.	
<a href="#"><b>AB 1655</b></a> <a href="#">Dodd D</a>	2/4/2016-A. HEALTH 2/4/2016-Referred to Com. on HEALTH.	Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded	

Medi-Cal: beneficiary maintenance needs: personal needs allowance.		by federal Medicaid provisions. Qualified individuals under the Medi-Cal program include medically needy persons and medically needy family persons who meet the required eligibility criteria, including applicable income and share of cost requirements. Existing law prohibits medically needy persons or medically needy family persons from receiving health care services during any month in which their share of cost has not been met. This bill would increase the personal needs allowance amount from \$35 to \$80 per month while a person is a patient as described above, and instead would require the department to annually increase this amount based on the percentage increase in the California Consumer Price Index. Because counties are required to make Medi-Cal eligibility determinations, and this bill would expand eligibility by increasing the personal needs allowance and would increase the responsibility of counties in determining Medi-Cal eligibility, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.	
<a href="#"><b>AB 1665</b></a> <a href="#"><u>Bonilla D</u></a>  Transactions and use taxes: County of Alameda, County of Contra Costa, and Contra Costa Transportation Authority.	2/8/2016-A. L. GOV. 2/10/2016-Introduced measure version corrected.	Existing law authorizes the County of Alameda and the County of Contra Costa to impose a transactions and use tax for the support of countywide transportation programs at a rate of no more than 0.5% that, in combination with other specified taxes, exceeds the combined rate of all these taxes that may be imposed, if certain requirements are met, including a requirement that the ordinance proposing the transactions and use tax be submitted to, and approved by, the voters. Existing law repeals this authority on December 31, 2020, if the ordinance is not approved by the voters by that date. This bill would extend this taxing authority of the County of Alameda until December 31, 2024, and would shift this same taxing authority, as so extended, from the County of Contra Costa to the Contra Costa Transportation Authority.	
<a href="#"><b>AB 1667</b></a> <a href="#"><u>Dodd D</u></a>  Home Care Services Consumer Protection Act.	2/4/2016-A. HUM. S. 2/4/2016-Referred to Com. on HUM. S.	Existing law establishes the Home Care Services Consumer Protection Act, which provides for the licensure and regulation of home care organizations, as defined, by the State Department of Social Services, and for the registration of home care aides. Violation of the act is a misdemeanor. Existing law requires background clearances for home care aides and home care organizations, as specified. Existing law authorizes an individual who possesses, among other things, a valid Alien Registration Card, and who has submitted an application, to initiate a background examination to be either a registered home care aide or to be a licensed home care organization. This bill would, among other things, make the provisions of the act applicable to home care aide domestic referral agencies, as defined, including licensure, fees, enforcement and fines, and regulation of registered home care aides having agreements with those agencies. The bill would require a home care aide domestic referral agency to provide specified information to a person to whom a home care aide is referred, including specified information about the person's potential employer responsibilities. The bill would authorize any individual who possesses either a valid Alien Registration Receipt Card or valid Permanent Resident Card to initiate a background examination to be either a registered home care aide or to be a licensed home care organization or a licensed home care aide domestic referral agency. The bill would also authorize a person who is a current licensee or employee in a facility licensed by the department, a certified foster parent, a certified administrator, or a registered TrustLine provider to transfer his or her current criminal record clearance or exemption for purposes of licensure under these provisions, as long as he or she fulfills certain requirements,	

		<p>including signing a declaration verifying his or her identity under the penalty of perjury. Because the bill creates new crimes by expanding the act to include home care aide referral agencies and requiring a specified declaration to be signed under the penalty of perjury, it would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	
<b><u>AB 1670</u></b> <u>Dodd</u> D  Alcoholic beverages: licenses.	2/4/2016-A. G.O. 2/4/2016-Referred to Com. on G.O.	Existing law, the Alcoholic Beverage Control Act, regulates the application, issuance, and suspension of alcoholic beverage licenses by the Department of Alcoholic Beverage Control. The act provides that a violation of its provisions is a misdemeanor, unless otherwise specified. This bill would additionally authorize the department to issue 5 additional new original on-sale general licenses per year to a bona fide public eating place with a seating capacity of 25 or more diners, for a period of 5 years. The bill would prohibit more than 25 of those licenses from being issued. This bill contains other related provisions and other existing laws.	
<b><u>AB 1692</u></b> <u>Bonilla</u> D  County employees' retirement: Contra Costa County.	2/8/2016-A. P.E., R. & S.S. 2/8/2016-Referred to Com. on P.E., R., & S.S.	The California Public Employees' Pension Reform Act of 2013 (PEPRA) generally requires a public retirement system, as defined, to modify its pension plan or plans to comply with the act and, among other things, prohibits a public employer that offers a defined benefit pension plan from exceeding specified retirement formulas for new members, as defined. The County Employees Retirement Law of 1937 (CERL) authorizes counties to establish retirement systems pursuant to its provisions in order to provide pension benefits to county and district employees. CERL, among other things, authorizes the Board of Supervisors of Contra Costa County to make a Tier Three retirement plan applicable to certain nonsafety officers and employees for whom the board is the governing body, as specified, and sets forth the terms and conditions of disability retirement allowances for Tier Three members. This bill would authorize the Board of Supervisors of Contra Costa County to apply those terms and conditions to nonsafety officers and employees who are new members subject to the retirement formulas specified in PEPRA and for whom the board is the governing body.	
<b><u>AB 1704</u></b> <u>Dodd</u> D  Water rights.	2/8/2016-A. W., P. & W. 2/8/2016-Referred to Com. on W., P., & W.	Existing law requires applicants for appropriation of water for small domestic, small irrigation, or livestock stockpond use to register with the State Water Resources Control Board, as specified. Existing law requires the registration to include a certification that the registrant has contacted a representative of the Department of Fish and Wildlife and has agreed to comply with conditions set forth by the Department of Fish and Wildlife. This bill would, instead, require the registrant to provide a copy of the registrant's registration form to the Department of Fish and Wildlife and agree to general conditions, as specified. This bill contains other related provisions and other existing laws.	
<b><u>AB 1755</u></b> <u>Dodd</u> D  The Open and Transparent Water Data Act.	2/18/2016-A. W., P. & W. 2/18/2016-Referred to Com. on W., P., & W.	Existing law imposes on the Department of Water Resources various duties with respect to water in the state. Under existing law, the State Water Resources Control Board administers a water rights program pursuant to which the state board grants permits and licenses to appropriate water. Existing law regulates water transfers and authorizes a permittee or licensee to change the point of diversion, place of use, or purpose of use due to a transfer or exchange of water or water rights if certain conditions are met. This bill would enact the Open and Transparent Water Data Act. The act would require the department to establish a public benefit corporation that would create and manage (1) a statewide water information accounting system to improve the ability of the state to meet the growing demand for water supply	

		<p>reliability and healthy ecosystems, that, among things, would integrate existing water data information from multiple databases and (2) an online water transfer information clearinghouse for water transfer information that would include, among other things, a database of historic water transfers and transfers pending responsible agency approval and a public forum to exchange information on water market issues. This bill contains other existing laws.</p>	
<u><a href="#">AB 1774</a></u> <u>Bonilla</u> D  Clinical laboratories: licensure.	2/18/2016-A. B.&P. 2/18/2016-Referred to Com. on B. & P.	<p>Existing federal law, the Clinical Laboratory Improvement Amendments of 1988 (CLIA) requires the federal Centers for Medicare and Medicaid Services to certify and regulate clinical laboratories that perform testing on humans. Complaints against individual laboratories are directed to the state. This bill would repeal the laws requiring a clinical laboratory to be licensed and inspected by the department, including the licensing fee. The bill would also make conforming changes. This bill contains other existing laws.</p>	
<u><a href="#">AB 1783</a></u> <u>Dodd</u> D  School facilities: nonstructural earthquake hazards: annual assessment.	2/18/2016-A. ED. 2/18/2016-Referred to Com. on ED.	<p>Existing law, the Field Act, generally requires the Department of General Services to supervise the design and construction of, the reconstruction or alteration of, or the addition to, a school building to ensure, among other things, that plans and specifications comply with adopted rules and regulations and building standards, including those relating to seismic safety. Existing law requires the Office of Emergency Services, in cooperation with the State Department of Education, the Department of General Services, and the Alfred E. Alquist Seismic Safety Commission, to develop an educational pamphlet for use by school personnel to identify and mitigate the risks posed by nonstructural earthquake hazards. This bill would require each school district, county office of education, and charter school, on or before January 1, 2018, to develop a plan for the annual inspection of the contents in each of its school buildings for purposes to assess whether the contents comply with the guidelines set forth in the pamphlet, to identify school building contents that do not comply with the guidelines, and to develop corrective actions to bring noncompliant content into compliance. The bill would require, among other things, that the plan be developed in consultation with specified persons, that it designate the responsible person or persons who will perform the assessment and develop the corrective action plans for noncompliant contents, and that it include a cost estimate for the annual assessment. The bill would require each school district, county office of education, and charter school to complete its initial annual assessment on or before January 1, 2019, and to complete each subsequent annual assessment on or before January 1 of each year thereafter. The bill would require, within 60 days of completing an assessment for each school building, a checklist of compliant and noncompliant contents to be presented to the governing board of the school district, the county board of education, or the governing body of the charter school, as applicable, with a set of recommended corrective actions to bring all noncompliant contents into compliance with the published guidelines and a recommended schedule to implement the corrective actions, as specified. By imposing additional duties on local educational agency officials, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	
<u><a href="#">AB 1811</a></u> <u>Dodd</u> D  Fertilizer: organic	2/25/2016-A. AGRI. 2/25/2016-From committee chair, with author's amendments:	<p>Existing law generally regulates fertilizing materials, as defined and which includes organic input material, and provides for the licensure of individuals who manufacture or distribute fertilizing materials. Existing law requires organic input material manufacturers to be inspected at least once per year. Existing law authorizes the</p>	

input material: inspections.	Amend, and re-refer to Com. on AGRI. Read second time and amended.	Secretary of Food and Agriculture to perform site inspections of organic input material manufacturing processes used to validate label nutrient guarantees, claims, and compliance with specified federal standards during the registration process, and to accept inspections performed by a 3rd-party organization recognized by the National Organic Program for out-of-state organic input material manufacturers. Existing law requires all inspection records obtained by the 3rd-party organization to be made available to the secretary upon request. This bill would eliminate the requirement that organic input material manufacturers be inspected at least once per year, and would delete the limitation that the secretary is authorized to perform site inspections of organic input material manufacturing processes only during the registration process. The bill would authorize the Department of Food and Agriculture to accept inspections performed by a 3rd-party organization approved by the secretary for organic input material manufacturers. The bill would require all inspection records obtained by a contracted 3rd-party organization to be made available to the secretary upon request.	
<b><a href="#">AB 1813</a></b> <u>Frazier</u> D  High-Speed Rail Authority: membership.	2/25/2016-A. TRANS. 2/25/2016-Referred to Com. on TRANS.	Existing law creates the High-Speed Rail Authority with specified powers and duties relative to development and implementation of a high-speed train system. The authority is composed of 9 members, including 5 members appointed by the Governor, and 2 members each appointed by the Senate Committee on Rules and the Speaker of the Assembly. This bill would additionally provide for appointment of one Member of the Senate by the Senate Committee on Rules and one Member of the Assembly by the Speaker of the Assembly to serve as ex officio members of the authority. The bill would provide that the ex officio members shall participate in the activities of the authority to the extent that participation is not incompatible with their positions as Members of the Legislature.	
<b><a href="#">AB 1890</a></b> <u>Dodd</u> D  Discrimination: equal pay: state contracting.	2/25/2016-A. L. & E. 2/25/2016-Referred to Com. on L. & E.	Existing law subjects an employer who is, or wishes to become, a contractor with the state for public works, or for goods or services, to various nondiscrimination requirements. Existing law authorizes requiring an employer to submit a nondiscrimination program to the Department of Fair Employment and Housing for approval and certification prior to becoming a contractor or subcontractor with the state, as well as requiring the provision of periodic reports of contractor or subcontractor compliance with that program. This bill would enact the Equal Pay for Equal Work Act of 2016. The bill would require an employer with 100 or more employees in the state and a contract with the state of 30 days or more to submit a description of its nondiscrimination program to the department and to submit periodic reports, no more than annually, on a schedule to be determined by the department, of its compliance with that program. The bill would authorize the department to require approval and certification of the program. The bill would permit the department to require an employer with fewer than 100 employees in state or a contract of less than 30 days to submit a nondiscrimination report. The bill would require the department to define an employee for these purposes. The bill would require the nondiscrimination program to include policies and procedures designed to ensure equal employment opportunities for all applicants and employees, an analysis of employment selection procedures, and a workforce analysis, as specified. The bill would specify that its provisions are not to be construed to negate certain exemptions established by regulation that predate its enactment or to require the department to reevaluate the validity of these exemptions, as specified. The bill would make a statement of legislative findings.	

<b><a href="#">AB 1914</a></b> <a href="#">Bonilla D</a>  Public postsecondary education: access codes.	2/25/2016-A. HIGHER ED. 2/25/2016-Referred to Com. on HIGHER ED.	Existing law, known as the Donahoe Higher Education Act, sets forth the missions and functions of the segments of postsecondary education in this state. The California State University, under the administration of the Trustees of the California State University, the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, and the University of California, under the administration of the Regents of the University of California, constitute the 3 segments of public postsecondary education in this state. Provisions of the Donahoe Higher Education Act apply to the University of California only to the extent that the regents act, by appropriate resolution, to make those provisions applicable. This bill would add to this chapter a provision that requires the trustees and the board of governors, and requests the regents, to adopt policies for their respective segments regarding when it is acceptable for a faculty member to require students to purchase an access code, as defined. The bill would require that the policies adopted pursuant to the bill include, but not necessarily be limited to, a prohibition of any requirement that students be required to purchase an access code for purposes of accessing resources that are otherwise available to these students or for performing functions, as defined, that can be otherwise accomplished at no cost to these students on their campuses. The bill would express the intent of the Legislature that the faculty of the public postsecondary segments be encouraged to consider free or inexpensive options in selecting academic materials to assign to their students. This bill contains other related provisions and other existing laws.	
<b><a href="#">AB 1962</a></b> <a href="#">Dodd D</a>  Criminal proceedings: mental competence.	2/25/2016-A. PUB. S. 2/25/2016-Referred to Com. on PUB. S.	Existing law prohibits a person from being tried or adjudged to punishment while that person is mentally incompetent. Existing law establishes a process by which a defendant's mental competency is evaluated, which includes requiring the court to appoint a psychiatrist or licensed psychologist, and any other expert the court may deem appropriate. This bill would require psychiatrists, licensed psychologists, and any other expert the court deems appropriate to have forensic experience.	
<b><a href="#">AB 2092</a></b> <a href="#">Frazier D</a>  Abandoned Watercraft Abatement Fund: grants.	2/17/2016-A. PRINT 2/18/2016-From printer. May be heard in committee March 19.	Existing law makes it an infraction punishable by a maximum \$3,000 fine, and a minimum \$1000 fine, for a person to abandon a vessel upon a public waterway or public or private property without the express or implied consent of the owner or person in lawful possession or control of the property, except for the urgent and immediate concern for the safety of those aboard the vessel. Existing law requires 80% of those fines imposed and collected to be deposited in the Abandoned Watercraft Abatement Fund, and used, upon appropriation by the Legislature, for grants to local agencies for, among other purposes, removal as a public nuisance of abandoned vessels. Existing law prohibits the grants from being used for abatement, removal, storage, or disposal of commercial vessels. This bill would delete that prohibition and thereby authorize grants to be used for abatement, removal, storage, or disposal of commercial vessels.	
<b><a href="#">AB 2107</a></b> <a href="#">Frazier D</a>  Department of Motor Vehicles: electronic vehicle registration services: interstate carrier partnership.	2/17/2016-A. PRINT 2/18/2016-From printer. May be heard in committee March 19.	Existing law authorizes the Department of Motor Vehicles, in order to continue improving the quality of products and services it provides to its customers, to establish contracts for electronic programs that allow qualified private industry partners to join the department in providing services that include processing and payment programs for vehicle registration and titling transactions. This bill would authorize the department to enter into an interstate carrier partnership with an interstate carrier partner, if the partner meets specified requirements, and would authorize the department to enter into contractual agreements with 3 specified types	

		<p>of partnerships. The bill would authorize the department to adopt regulations to carry out the purposes of these provisions, including, but not limited to, establishing fees and safeguards for privacy and protecting information authorized for release, and to establish the maximum amount that an interstate carrier partner may charge its customers in providing the services authorized under these provisions.</p>	
<a href="#"><b>AB 2149</b></a> <a href="#"><u>Bonilla</u></a> D	2/17/2016-A. PRINT 2/18/2016-From printer. May be heard in committee March 19.	Existing law, the California Finance Lenders Law, provides for the licensure and regulation of finance lenders and brokers by the Commissioner of Business Oversight and makes a willful violation of its provisions a crime. Existing law, until January 1, 2018, establishes the Pilot Program for Increased Access to Responsible Small Dollar Loans for the purpose of allowing greater access for responsible installment loans in principal amounts of at least \$300 and less than \$2,500. Existing law, on or before January 1, 2017, requires the commissioner to post a report on his or her Internet Web site containing specified information including a recommendation whether the program should be continued after January 1, 2018. This bill would require, on or before January 1, 2018, the commissioner to also post a report that provides the number of borrowers who were students and obtained loans for specified purposes.	
<a href="#"><b>AB 2170</b></a> <a href="#"><u>Frazier</u></a> D	2/18/2016-A. PRINT 2/19/2016-From printer. May be heard in committee March 20.	The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Proposition 1B) created the Trade Corridors Improvement Fund and provided for allocation by the California Transportation Commission of \$2 billion in bond funds for infrastructure improvements on highway and rail corridors that have a high volume of freight movement, and specified categories of projects eligible to receive these funds. Existing law continues the Trade Corridors Improvement Fund in existence in order to receive revenues from sources other than the bond act for these purposes. This bill would require revenues apportioned to the state from the National Highway Freight Program established by the federal Fixing America's Surface Transportation Act to be deposited in the Trade Corridors Improvement Fund.	
<a href="#"><b>AB 2195</b></a> <a href="#"><u>Bonilla</u></a> D	2/18/2016-A. PRINT 2/19/2016-From printer. May be heard in committee March 20.	The Massage Therapy Act, until January 1, 2017, provides for certification of massage practitioners and massage therapists by the California Massage Therapy Council. Existing law also provides for the council to be governed by an interim board of directors until September 15, 2015, and for the appointment of a new board of directors having 4-year terms. This bill would extend the operation of these provisions until January 1, 2019, and make nonsubstantive changes to delete obsolete provisions related to the interim board.	
<a href="#"><b>AB 2205</b></a> <a href="#"><u>Dodd</u></a> D	2/18/2016-A. PRINT 2/19/2016-From printer. May be heard in committee March 20.	Existing law, until January 1, 2017, requires that when a statute imposes 3 possible terms of imprisonment, the choice of the appropriate term to impose is within the court's discretion. Existing law authorizes a court, when sentencing a person to county jail for a felony, to commit the person to county jail for either the full term in custody, as specified, or to suspend the execution of a concluding portion of the term selected at the court's discretion. Under existing law, this period of suspended execution is supervised by the county probation officer and is known as mandatory supervision. Existing law prohibits any time period which is suspended because a person has absconded from being credited toward the period of supervision. This bill would extend the operation of the sentencing term provisions described above until January 1, 2020. This bill would revise those provisions to prohibit the period of time during any revocation, summary or otherwise, of mandatory supervision from bring credited toward any period of supervision, remain in custody for a period longer than the term of supervision. This bill contains other related provisions and other existing laws.	

<a href="#"><b>AB 2209</b></a> <a href="#"><u>Bonilla</u></a> D  Health care coverage: clinical care pathways.	2/18/2016-A. PRINT 2/19/2016-From printer. May be heard in committee March 20.	Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care. A willful violation of the act is a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. Existing law requires health care service plan contracts and health insurance policies to provide coverage for specified benefits. This bill would prohibit, on and after January 1, 2017, a health care service plan or health insurer that provides hospital, medical, or surgical expenses from implementing clinical care pathways, as defined, for use by providers in order to manage an enrollee's or insured's care. Because a willful violation of this prohibition by a health care service plan would be a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.	
<a href="#"><b>AB 2289</b></a> <a href="#"><u>Frazier</u></a> D  Department of Transportation: capital improvement projects.	2/18/2016-A. PRINT 2/19/2016-From printer. May be heard in committee March 20.	Existing law requires the Department of Transportation to prepare a state highway operation and protection program for the expenditure of transportation funds for major capital improvements that are necessary to preserve and protect the state highway system and that include capital projects relative to maintenance, safety, and rehabilitation of state highways and bridges that do not add a new traffic lane to the system. This bill would add to the program capital projects relative to the operation of those state highways and bridges.	
<a href="#"><b>AB 2411</b></a> <a href="#"><u>Frazier</u></a> D  Transportation revenues.	2/19/2016-A. PRINT 2/22/2016-Read first time.	Article XIX of the California Constitution restricts the expenditure of revenues from taxes imposed by the state on fuels used in motor vehicles upon public streets and highways to street and highway and certain mass transit purposes. Existing law requires certain miscellaneous revenues deposited in the State Highway Account that are not restricted as to expenditure by Article XIX of the California Constitution to be transferred to the Transportation Debt Service Fund in the State Transportation Fund, as specified, and requires the Controller to transfer from the fund to the General Fund an amount of those revenues necessary to offset the current year debt service made from the General Fund on general obligation transportation bonds issued pursuant to Proposition 116 of 1990. This bill would delete the transfer of these miscellaneous revenues to the Transportation Debt Service Fund, thereby eliminating the offsetting transfer to the General Fund for debt service on general obligation transportation bonds issued pursuant to Proposition 116 of 1990. The bill, subject to a specified exception, would instead require the miscellaneous revenues to be retained in the State Highway Account and to be used solely for transportation expenditures consistent with the restrictions for expenditure of fuel tax revenues in Article XIX of the California Constitution.	
<a href="#"><b>AB 2583</b></a> <a href="#"><u>Frazier</u></a> D  Sacramento-San Joaquin Delta Reform Act of 2009.	2/19/2016-A. PRINT 2/22/2016-Read first time.	Existing law, the Sacramento-San Joaquin Delta Reform Act of 2009, establishes the Delta Stewardship Council and requires the council to develop, adopt, and commence implementation of a comprehensive management plan for the Delta, known as the Delta Plan. This bill would add a definition of the California Water Fix to the act. This bill contains other related provisions and other existing laws.	
<a href="#"><b>AB 2680</b></a> <a href="#"><u>Bonilla</u></a> D  Parent, pupil, and family engagement	2/19/2016-A. PRINT 2/22/2016-Read first time.	Existing law states various legislative findings and declarations, including that it is essential to our democratic form of government that parents and guardians of schoolage children attending public schools and other citizens participate in improving public education institutions, that specifically involving parents and guardians of pupils in the education process is fundamental to a healthy system of public education, and	

support and services: plans.	<p>that family and school collaborative efforts are most effective when they involve parents and guardians in a variety of roles at all grade levels, from preschool through high school. This bill would, subject to funding being provided for purposes of this act in the annual Budget Act, require local educational agencies, including county offices of education, charter schools, alternative education programs and schools, state special schools, and state subsidized preschools and child development programs, that elect to participate in family, parent, and pupil engagement support and services to develop a plan that addresses at least one specified parent, pupil, and family engagement elements relating to active and meaningful participation and training. If a local educational agency accepts funds appropriated in the annual Budget Act for purposes of those provisions, as a condition of receiving those funds, the school district, county office of education, or charter school would be required to develop an additional plan that aligns to the school district's or county office of education's local control and accountability plan or specified elements of the charter school's petition that delineates how funds apportioned for purposes of this section, if they are apportioned, would be spent, as specified. If funds are appropriated in the annual Budget Act for these purposes, the bill would authorize the school district, county office of education, or charter school to expend those funds in the 2016-17 fiscal year to the 2018-19 fiscal year, inclusive, and would require the funds to be intended to supplement, not supplant, funds used by the school district, county office of education, or charter school for parent, pupil, and family engagement. The bill would provide that the funds, if appropriated, would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.</p>	
<u><a href="#">AB 2697</a></u> <u><a href="#">Bonilla</a></u> D  Redevelopment dissolution: successor agencies: disposal of assets and properties.	2/19/2016-A. PRINT 2/22/2016-Read first time.	Existing law dissolved redevelopment agencies and community development agencies as of February 1, 2012, and provides for the designation of successor agencies to wind down the affairs of the dissolved redevelopment agencies and to, among other things, dispose of all assets and properties of the former redevelopment agency in an expeditious manner aimed at maximizing value. This bill would require a successor agency, prior to the disposal of land of the former redevelopment agency, to send a written offer to sell for the purposes of developing low- and moderate-income housing to any local public entity within whose jurisdiction the land is located, as specified. The bill would additionally require the sale of land of the former redevelopment agency to be subject to certain requirements relating to affordable housing. By imposing new duties on local officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.
<u><a href="#">AB 2774</a></u> <u><a href="#">Frazier</a></u> D  Classification of state lands.	2/19/2016-A. PRINT 2/22/2016-Read first time.	Existing law establishes the State Lands Commission and prescribes the membership, functions, and duties of the commission with regard to the protection, preservation, and management of state lands. Existing law authorizes the commission, from time to time, to classify any or all state land for its different possible uses and, when it is deemed advisable, to require any officer, organization, agency, or institution of the state government to make that classification. This bill would make nonsubstantive changes in those provisions relating to the classification of state lands.
<u><a href="#">AB 2784</a></u> <u><a href="#">Frazier</a></u> D  Construction defect	2/19/2016-A. PRINT 2/22/2016-Read first time.	Existing law prescribes definitions and requirements for certain civil actions relating to construction defect litigation and limits claims to violations of specified standards. This bill would make a nonsubstantive change to these provisions.

litigation.			
<b><a href="#">SB 885</a></b> <a href="#">Wolk D</a>  Construction contracts: indemnity.	1/28/2016-S. JUD. 1/28/2016-Referred to Com. on JUD.	Existing law makes specified provisions in construction contracts void and unenforceable, including provisions that purport to indemnify the promisee against liability for damages for death or bodily injury to persons, injury to property, or any other loss arising from the sole negligence or willful misconduct of the promisee or the promisee's agents who are directly responsible to the promisee, or for defects in design furnished by those persons. This bill would specify, for construction contracts entered into on or after January 1, 2017, that a design professional, as defined, only has the duty to defend claims that arise out of, or pertain or relate to, negligence, recklessness, or willful misconduct of the design professional. Under the bill, a design professional would not have a duty to defend claims against any other person or entity arising from a construction project, except that person or entity's reasonable defense costs arising out of the design professional's degree of fault, as specified. The bill would prohibit waiver of these provisions and would provide that any clause in a contract that requires a design professional to defend claims against other persons or entities is void and unenforceable. The bill would provide Legislative findings and declarations in support of these provisions.	
<b><a href="#">SB 1006</a></b> <a href="#">Wolk D</a>  Firearm Violence Research Center.	2/18/2016-S. ED. 2/25/2016-Set for hearing March 16.	Existing law establishes and funds various research centers and programs in conjunction with the University of California. This bill would enact the California Firearm Violence Research Act. The bill would declare the intent of the Legislature that the Regents of the University of California establish the California Firearm Violence Research Center to research firearm-related violence. The bill would declare legislative intent regarding the principles by which the university would administer the center and award research funds, as prescribed. The bill would require the university to report, on or before December 31, 2017, and every 5 years thereafter, specified information regarding the activities of the center and information pertaining to research grants. The bill would require the center to provide copies of its research publications to the Legislature. The bill would specify that its provisions would apply to the university only to the extent that the Regents, by resolution, make any of the provisions of the bill applicable to the university.	
<b><a href="#">SB 1119</a></b> <a href="#">Wolk D</a>  Surplus state property: County of Napa.	2/25/2016-S. G.O. 2/25/2016-Referred to Com. on G.O.	Existing law authorizes the Director of General Services to sell or exchange, at fair market value based upon an appraisal approved by the Department of General Services, all or part of a specified parcel of state property only to the County of Napa upon those terms, conditions, reservations, and exceptions the director determines are in the best interest of the state, by January 1, 2015, and subject to other requirements. Existing law requires reimbursement of the Department of General Services for any cost or expense incurred in the disposition of the property from the proceeds of the disposition of the property. Existing law requires the proceeds from this sale to be deposited in the Deficit Recovery Bond Retirement Sinking Fund Subaccount until the bonds associated with this subaccount are finally paid. This bill would extend the period within which the sale described above may be made to January 1, 2021. The bill would revise the reference to the Deficit Recovery Bond Retirement Sinking Fund Subaccount, given that the principal and interest on the bonds has been provided and no more bonds are outstanding. Consistent with requirements of the California Constitution, the bill would direct that proceeds be paid into the Special Fund for Economic Uncertainties, which is continuously appropriated. By depositing money in a continuously appropriated fund, the bill would make an	

		appropriation. This bill contains other related provisions.	
<a href="#"><b>SB 1120</b></a> <a href="#">Wolk D</a>  Director of General Services: Medical Facility at Vacaville: lease.	2/25/2016-S. G.O. 2/25/2016-Referred to Com. on G.O.	Existing law authorizes the Director of General Services to lease specified property located within the Medical Facility at Vacaville to a nonprofit corporation for the purpose of conducting an educational and work program for persons with intellectual disabilities consistent with specified requirements. This bill would authorize the director to lease property to a public entity under the same terms. The bill would authorize the lease to be renewed for a term not exceeding 50 years.	
<a href="#"><b>SB 1274</b></a> <a href="#">Wolk D</a>  University of California: Innovation Acceleration Fund.	2/19/2016-S. PRINT 2/22/2016-From printer. May be acted upon on or after March 23. Read first time.	Existing law establishes the University of California, under the administration of the Regents of the University of California, as one of the segments of public postsecondary education in this state. This bill would express the Legislature's intent to enact legislation to create an Innovation Acceleration Fund at the University of California to apply existing research efforts to solving California's most pressing public policy issues and to establish a robust innovation infrastructure at its campuses to accelerate local economic development and job creation.	
<a href="#"><b>SB 1317</b></a> <a href="#">Wolk D</a>  Conditional use permit: groundwater extraction facility.	2/19/2016-S. PRINT 2/22/2016-From printer. May be acted upon on or after March 23. Read first time.	The California Constitution requires the reasonable and beneficial use of water and that the conservation of the water resources of the state is to be exercised with a view to the reasonable and beneficial use of the water in the interest of the people and for the public welfare. Existing law, the Sustainable Groundwater Management Act, requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. This bill, by July 1, 2017, would require a city or county overlying a basin designated as a high- or medium-priority basin to establish a process for the issuance of conditional use permits for the development of a groundwater extraction facility in order to prevent a new groundwater extraction facility from contributing to or creating an undesirable result, as prescribed. By increasing the duties of cities and counties, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.	
<a href="#"><b>SB 1318</b></a> <a href="#">Wolk D</a>  Local government: drinking water infrastructure or services: wastewater infrastructure or services.	2/19/2016-S. PRINT 2/22/2016-From printer. May be acted upon on or after March 23. Read first time.	The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 governs the procedures for the formation and change of organization of cities and special districts. This bill would prohibit the commission from authorizing a city or a district to extend drinking water infrastructure or services or wastewater infrastructure or services until it has extended those services to all disadvantaged communities within or adjacent to its sphere of influence, as specified, or has entered into an agreement to extend those services to those disadvantaged communities, unless specified conditions are met. The bill would prohibit the commission from approving a sphere of influence update where there exists a disadvantaged unincorporated community within or adjacent to the city or special district's sphere of influence that lacks safe drinking water infrastructure or services or adequate wastewater infrastructure or services unless specified conditions are met. This bill contains other related provisions and other existing laws.	

<a href="#"><b>SB 1340</b></a> <a href="#">Wolk D</a>  Water Conservation in Landscaping Act	2/19/2016-S. PRINT 2/22/2016-From printer. May be acted upon on or after March 23. Read first time.	Existing law, the Water Conservation in Landscaping Act, requires the Department of Water Resources to update a specified model water efficient landscape ordinance by regulation and prescribes various requirements for the updated model ordinance. Existing law requires each local agency to adopt either the updated model water efficient landscape ordinance or an ordinance that is at least as effective in conserving water as the updated model ordinance. If the local agency does not make a selection, the model ordinance shall apply within the jurisdiction of the local agency. The bill would add to the model water efficient landscape ordinance a permit requirement for the installation, expansion, or replacement of specified automatic irrigation systems for a landscape project on or after July 1, 2017. The bill would allow the governing body of a local agency to adopt an ordinance prescribing fees for filing an application for the permit, subject to the restrictions that the fees not exceed the amount reasonably required to review applications and issue the permits and that the fees not be levied for general revenue purposes.	
<a href="#"><b>SB 1350</b></a> <a href="#">Wolk D</a>  Agricultural lands: greenhouse gases: Healthy Soils Program.	2/19/2016-S. PRINT 2/22/2016-From printer. May be acted upon on or after March 23. Read first time.	The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include in its regulations the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the State Air Resources Board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature. Existing law requires the State Air Resources Board to develop guidance on reporting and quantification methods for state agencies receiving an appropriation from the Greenhouse Gas Reduction Fund. This bill would change the number of members on the panel from 5 to 7 members and would require that the secretary appoint 5 members, instead of 3, of these members. The bill would require that, of the members appointed by the secretary, at least 2 members, instead of one, have a minimum of 5 years of training and experience in the field of agriculture, and at least one member have training and experience in on-farm management practices that reduce greenhouse gas emissions, sequester carbon, or both. This bill contains other related provisions and other existing laws.	
<a href="#"><b>SB 1386</b></a> <a href="#">Wolk D</a>  Resource conservation: working and natural lands.	2/19/2016-S. PRINT 2/22/2016-From printer. May be acted upon on or after March 23. Read first time.	The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act requires all state agencies to consider and implement strategies to reduce their greenhouse gas emissions. This bill would declare it to be the policy of the state that the protection and management of natural and working lands, as defined, are a key strategy in meeting the state's greenhouse gas reduction goals, and would require all relevant state agencies, departments, boards, and commissions to consider this policy when revising, adopting, or establishing policies, regulations, expenditures, and grant criteria relating to the protection and management of natural and working lands.	
<a href="#"><b>SB 1396</b></a> <a href="#">Wolk D</a>  Inner Coast Range Conservancy.	2/19/2016-S. PRINT 2/22/2016-From printer. May be acted upon on or after March 23. Read first time.	Existing law establishes various conservancies in the Natural Resources Agency to acquire, manage, direct the management of, and conserve public lands in the state. This bill would establish the Inner Coast Range Conservancy in the agency to undertake various activities related to the Inner Coast Range Region, as defined, and would prescribe the management, powers, and duties of the conservancy. The bill would create the Inner Coast Range Conservancy Fund in the State Treasury. Moneys	

		in the fund would be available, upon appropriation, for the purposes of the conservancy.	
<a href="#"><b>SB 1414</b></a> <a href="#"><u>Wolk D</u></a>  Public Utilities Commission: energy efficiency programs.	2/19/2016-S. PRINT 2/22/2016-From printer. May be acted upon on or after March 23. Read first time.	Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. The Reliable Electric Service Investments Act states the intent of the Legislature that the commission continue to administer cost-effective energy efficiency programs that produce cost-effective energy savings, reduce customer demand, and contribute to the safe and reliable operation of the electrical distribution grid. Under the act, in order to receive a rebate or incentive offered by a public utility for an energy efficiency improvement or for the installation of energy efficient components, equipment, or appliances in buildings, the recipient is required to certify that the improvement or installation complied with any applicable permitting requirements and, if a contractor performed the installation or improvement, that the contractor holds the appropriate license for the work performed. This bill would additionally require the recipient of an energy efficiency rebate or incentive to provide proof of permit closure and certify that the improvement or installation complied with any specifications or requirements set forth in the California Building Standards Code. The bill would also more specifically identify the commission's statutory authority for supervising cost-effective energy efficiency programs.	

**Total Measures: 43**

**Introduced by Senator Pan**

February 3, 2016

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An act to amend Section 11052.5 of the Welfare and Institutions Code, relating to public social services.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 947, as introduced, Pan. Public assistance: personal interviews.

Existing law provides for protection, care, and assistance for people of the state by providing appropriate aid and services to the needy and distressed. Programs established for this purpose include the California Work Opportunity and Responsibility to Kids program (CalWORKs), which provides cash assistance and other social services to needy families, using federal Temporary Assistance for Needy Families (TANF) block grant program, state, and county funds. Existing law prohibits an applicant from being granted public assistance under CalWORKs until he or she is personally interviewed by the county human services agency or state hospital staff. Existing law also requires the county department to verify if an applicant is incapable of acting on his or her own behalf by personal contact with the applicant before aid is authorized.

This bill would authorize the county human services agency to conduct this personal interview telephonically or through electronic means. The bill would require a personal interview to be conducted if requested by an applicant or recipient. The bill would delete the requirement that the county department verify an applicant is incapable of acting on his or her own behalf.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. This act shall be known, and may be cited, as the  
2 County Option of Efficient Interviewing of CalWORKs Applicants  
3 Act of 2016.

4 SEC. 2. Section 11052.5 of the Welfare and Institutions Code  
5 is amended to read:

6 11052.5. ~~No~~-(a) An applicant shall *not* be granted public  
7 assistance under ~~Chapters 2 Chapter 2~~ (commencing with Section  
8 11200) and 5 (~~commenceing with Seetion 13000~~) of this part until  
9 he or she is first personally interviewed by the office of the county  
10 department *human services agency* or state staff for patients in  
11 state hospitals.~~The personal~~

12 (b) *In lieu of an in-person personal interview as required under*  
13 *subdivision (a), the county may elect to conduct the interview*  
14 *required by this section telephonically or through other electronic*  
15 *means. The interview shall be conducted promptly following the*  
16 *application for assistance. If an applicant is incapable of acting in*  
17 ~~his or her own behalf, the county department shall verify this fact~~  
18 ~~by personal contact with the applicant before aid is authorized.~~ As  
19 used in this section, the term public assistance does not include  
20 health care as provided by Chapter 7 (commencing with Section  
21 14000).

22 The

23 (c) *The interview conducted pursuant to this section shall occur*  
24 *within seven days after the time of application unless there are*  
25 *extenuating circumstances that justify further delay.*

26 (d) *A personal interview shall be conducted if requested by an*  
27 *applicant.*

**ASSEMBLY BILL**

**No. 1812**

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**Introduced by Assembly Member Wagner**

February 8, 2016

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An act to add Section 7514.7 to the Government Code, relating to public employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

AB 1812, as introduced, Wagner. Public employees' retirement.

Existing state and local public retirement systems provide defined benefits based on age at retirement, service credit, and final compensation. Existing law defines final compensation for various employment classifications in connection with the benefits provided by these systems.

This bill would prohibit the retirement benefit paid to a member of any public retirement system whose service is not included in the federal social security system from exceeding \$100,000. The bill would prohibit the retirement benefit paid to a member of any public retirement system whose service is included in the federal social security system from exceeding \$80,000. The bill would require that those amounts be adjusted annually by each public retirement system using the Consumer Price Index for All Urban Consumers.

This bill would apply the above-described provisions to a public employee who is first employed by a public agency and becomes a member of any public retirement system on or after January 1, 2017.

This bill would specify that if any of these provisions are in conflict with a memorandum of understanding that is current and in effect on January 1, 2017, the memorandum of understanding would be controlling while it remains in effect, but that upon expiration of that

memorandum of understanding, these provisions would be controlling and would not be superseded by a subsequent memorandum of understanding.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 7514.7 is added to the Government Code,  
2 to read:

3 7514.7. (a) (1) The retirement benefit paid to a member of  
4 any public retirement system whose service is not included in the  
5 federal system shall not exceed one hundred thousand dollars  
6 (\$100,000) per year, adjusted by each system annually for inflation  
7 using the Consumer Price Index for All Urban Consumers.

8 (2) The retirement benefit paid to a member of any public  
9 retirement system whose service is included in the federal system  
10 shall not exceed eighty thousand dollars (\$80,000) per year,  
11 adjusted by each system annually for inflation using the Consumer  
12 Price Index for All Urban Consumers.

13 (b) Notwithstanding any other law or any provision of an expired  
14 memorandum of understanding, this section shall apply to a public  
15 employee who is employed by a public agency for the first time  
16 and becomes a member of a public retirement system on or after  
17 January 1, 2017.

18 (c) This section shall not apply to:

19 (1) Former public employees employed before January 1, 2017,  
20 who return to employment in the same public agency on or after  
21 January 1, 2017.

22 (2) State employees hired prior to January 1, 2017, who were  
23 subject to Section 20281.5 during the first 24 months of state  
24 employment.

25 (3) Public employees on an approved leave of absence employed  
26 prior to January 1, 2017, who return to active employment on or  
27 after January 1, 2017.

28 (d) For purposes of this section, the following definitions shall  
29 apply:

30 (1) "Federal system" means the old age, survivors, disability,  
31 and health insurance provisions of the Social Security Act.

1       (2) “Public agency” means the state or a county, city, city and  
2 county, district, school district, authority, university, or any public  
3 or municipal corporation, political subdivision, or other public  
4 agency of the state, or any department, division, bureau, board,  
5 commission, agency, or instrumentality of any of these entities.

6       (3) “Public employee” means any person employed by any  
7 public agency.

8       (4) “Public retirement system” means all state and local public  
9 retirement systems, excluding the University of California  
10 Retirement System and any retirement systems created for a charter  
11 city or charter county.

12     (e) If this section is in conflict with a memorandum of  
13 understanding that is current and in effect on January 1, 2017, the  
14 memorandum of understanding shall be controlling while it remains  
15 in effect. Upon expiration of the memorandum of understanding  
16 that is in effect and current on January 1, 2017, this section shall  
17 be controlling and shall not be superseded by a subsequent  
18 memorandum of understanding.

**ASSEMBLY BILL**

**No. 1854**

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**Introduced by Assembly Member Bloom**

February 10, 2016

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An act to amend Section 1305.3 of the Penal Code, relating to bail.

LEGISLATIVE COUNSEL'S DIGEST

AB 1854, as introduced, Bloom. Bail: attorney's fees: forfeited bail.

Existing law sets forth procedures under which the court is authorized to declare forfeited the undertaking of bail or the money or property deposited as bail if, without sufficient excuse, a defendant fails to appear for certain proceedings. Existing law requires the district attorney, county counsel, or applicable prosecuting agency to recover, out of the forfeited bail money, the costs incurred in successfully opposing a motion to vacate the forfeiture prior to the division of the forfeited bail money between the cities and counties in accordance with specified provisions.

This bill would require the district attorney, county counsel, or applicable prosecuting agency to, in addition, recover attorney's fees out of the forfeited bail money.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 1305.3 of the Penal Code is amended to  
2     read:

3       1305.3. The district attorney, county counsel, or applicable  
4     prosecuting agency, as the case may be, shall recover, out of the

1 forfeited bail money, the costs *and attorney's fees* incurred in  
2 successfully opposing a motion to vacate the forfeiture and in  
3 collecting on the summary judgment prior to the division of the  
4 forfeited bail money between the cities and counties in accordance  
5 with Section ~~1463~~, *1463.001*.