



FDAC Legislative Status Report

Report Date: 8/17/2012

AB 340 (Furutani) Public employees' retirement. (A-09/07/2011 [html](#) [pdf](#))

Status:10/13/2011-Assembly Members Allen, Furutani, and Silva appointed to Conference Committee.

Current Location:10/13/2011-A CONFERENCE COMMITTEE

Calendar Events:08/20/12 319 ASM IN CONFERENCE
08/20/12 108 SEN IN CONFERENCE (ASSEMBLY BILLS)

Summary: The State Teachers' Retirement System, the Public Employees' Retirement System, the Judges' Retirement System, and the Judges Retirement System II provide pension benefits based in part upon credited service. Under existing law, counties and districts, as defined, may provide retirement benefits to their employees pursuant to the County Employees Retirement Law of 1937. This bill would declare the intent of the Legislature to convene a conference committee to craft responsible, comprehensive legislation to reform state and local pension systems in a manner that reflects both the legitimate needs of public employees and the fiscal circumstances of state and local governments.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 491 (Miller) Public roads: fire suppression. (A-07/06/2012 [html](#) [pdf](#))

Status:08/13/2012-Read second time. Ordered to third reading. Ordered to inactive file at the request of Senator La Malfa.

Current Location:08/13/2012-S INACTIVE FILE

Calendar Events:

Summary: Existing law authorizes a county board of supervisors, after adopting a resolution, as specified, determining that the general county interest demands the improvement or repair of a privately owned road, to improve or repair that road and to pay for those improvements or repairs in a like manner as improvements or repairs of county highways. This bill, until January 1, 2017, would grant a board of supervisors the same authority with respect to improvement and repair of a public road that is not a county highway or part of the county maintained system, if necessary for purposes of fire suppression.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim				

AB 578 (Hill) Public utilities: natural gas pipelines: safety. (A-05/30/2012 [html](#) [pdf](#))

Status:08/16/2012-From committee: Do pass. (Ayes 7. Noes 0.) (August 16).

Current Location:08/16/2012-S SECOND READING

Calendar Events:08/20/12 43 SEN ASSEMBLY BILLS-SECOND READING FILE

Summary: Under existing law, the Public Utilities Commission has regulatory authority over public utilities. The Public Utilities Act authorizes the commission to

ascertain and fix just and reasonable standards, classifications, regulations, practices, measurements, or services to be furnished, imposed, observed, and followed by specified public utilities, including gas corporations. Existing law authorizes the commission to fix the rates and charges for every public utility, and requires that those rates and charges be just and reasonable. The Natural Gas Pipeline Safety Act of 2011 designates the commission as the state authority responsible for regulating and enforcing intrastate gas pipeline transportation and pipeline facilities pursuant to federal law, including the development, submission, and administration of a state pipeline safety program certification for natural gas pipelines. Because this bill would require the commission to issue orders or adopt rules to implement any safety recommendation by the NTSB relative to natural gas pipeline safety that the commission determines to be appropriate and a violation of these orders or rules would be a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support			

AB 666 (Jeffries) **Special death benefits: Riverside County.** (A-05/09/2012 [html](#) [pdf](#))

Status:07/06/2012-Failed Deadline pursuant to Rule 61(b)(13). (Last location was S. P.E. & R. on 5/24/2012)

Current Location:07/06/2012-S DEAD

Calendar Events:

Summary: The Public Employees' Retirement Law (PERL) requires the Public Employees' Retirement System to be liable for either a basic or special death benefit upon the death of a member, as specified. Among other circumstances, PERL authorizes the special death benefit to be payable when there is a qualifying survivor if the deceased was a patrol, state peace officer/firefighter, state safety, state industrial, or local safety member, if his or her death was industrial. This bill would authorize the special death benefit to be payable if the deceased was a Riverside County Sheriff's Department Correctional Deputy or a Correctional Corporal, if his or her death occurred as a direct result of injury arising out of and in the course of his or her official duties with the Riverside County Sheriff's Department, and if there was a qualifying survivor. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support			

AB 1050 (Ma) **Telecommunications: prepaid mobile telephony services: state surcharge.** (A-08/08/2012 [html](#) [pdf](#))

Status:08/08/2012-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on GOV. & F.

Current Location:08/08/2012-S G. & F.

Calendar Events:

Summary: The existing Emergency Telephone Users Surcharge Act generally imposes a surcharge on amounts paid by every person in the state for intrastate telephone service to provide revenues sufficient to fund "911" emergency telephone system costs. Before July 1, 2013, amounts are determined annually by the California Technology Agency, and on and after that date, by the Department of Technology, and upon collection are paid to the State Board of Equalization on a monthly basis by the telephone service supplier and are deposited into the State Treasury to the credit of the State Emergency Telephone Number Account in the General Fund, to be expended

for limited purposes, including to pay the Department of General Services for its costs in administration of the "911" emergency telephone number system. This bill would enact the Prepaid Mobile Telephony Services Surcharge and Collection Act. The bill would establish a prepaid MTS surcharge, as defined, based upon a percentage of the sales price of each retail transaction that occurs in this state for prepaid mobile telephony services, as defined. The prepaid MTS surcharge would include the emergency telephone users surcharge, as defined, and PUC surcharges, as defined. The bill would require a seller, as defined, to collect the prepaid MTS surcharge, as provided, from a prepaid consumer, as defined, and remit the amounts collected to the State Board of Equalization pursuant to the Fee Collection Procedures Law. The bill would require the board, after deducting its administrative expenses, to deposit the amounts collected in the Prepaid Mobile Telephony Services Surcharge Fund, which the bill would establish in the State Treasury, as provided. The bill would require the PUC to annually compute the PUC's reimbursement fee and 6 universal service program fees, to post notice of those fees on its Internet Web site, and to notify the State Board of Equalization of the amounts, which would be adjusted, as specified, and which together would be the PUC surcharges. The bill would require the California Technology Agency to annually compute, as specified, the intrastate portion of the 911 surcharge to be collected on prepaid mobile telephony services to post notice of those charges and to notify the State Board of Equalization of the amount, which would be the emergency telephone users surcharge. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 1145 (Cedillo) Workers' compensation: permanent disability benefits. (A-01/04/2012 [html](#) [pdf](#))

Status:08/16/2012-From committee: Do pass. (Ayes 5. Noes 2.) (August 16).

Current Location:08/16/2012-S SECOND READING

Calendar Events:08/20/12 47 SEN ASSEMBLY BILLS-SECOND READING FILE

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, for injuries that cause permanent partial disability and occur on or after January 1, 2004, provides supplemental job displacement benefits in the form of a nontransferable voucher for education-related retraining or skill enhancement for an injured employee who does not return to work for the employer within 60 days of the termination of temporary disability, in accordance with a prescribed schedule based on the percentage of an injured employee's disability. Existing law provides an exception for employers who meet specified criteria. This bill would provide that the above provisions shall apply to injuries occurring on or after January 1, 2004, and before January 1, 2013. The bill would require that within 10 days of the last payment of temporary disability, the employer provide to the employee information that provides notice of rights pursuant to these provisions. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Oppose			

AB 1184 (Gatto) Public employees' retirement benefits. (A-08/22/2011 [html](#) [pdf](#))

Status:09/09/2011-Ordered to inactive file at the request of Assembly Member Ma.

Current Location:09/09/2011-A INACTIVE FILE
Calendar Events:

Summary: The Public Employees' Retirement Law (PERL) creates the Public Employees' Retirement System (PERS), which provides a defined benefit to its employees based on age at retirement, service credit, and final or highest compensation paid to the employee. Existing law authorizes any public agency to participate in, and make its employees members of, PERS by contract. In the case of an employee who has been employed by one or more contracting public agencies, retirement benefits distributed to that employee are based on the highest final compensation under any system, and each system makes a separate retirement payment to the employee based upon the number of years that the employee worked for each of those agencies. This bill would state the intent of the Legislature that a contracting agency not experience a significant increase in actuarial liability due to increased compensation paid by another contracting agency to a nonrepresented employee. The bill would require the Board of Administration of PERS to develop guidelines in this regard and to implement program changes to ensure that a contracting agency that creates a significant increase in actuarial liability due to increased compensation bears the associated liability. The bill would require the system actuary to assess an increase in liability in this regard to the employer that created it at the time the increase is determined and to make adjustments to that employer's rates as needed. The bill would apply these requirements to any significant increase in actuarial liability due to increased compensation paid to a nonrepresented employee regardless of when the increase in compensation occurred. The bill would require the board to report to the Legislature on the implementation of these provisions. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 1245 (Williams) Emergency medical services. (A-07/11/2011 [html](#) [pdf](#))

Status:09/08/2011-In Senate. Held at Desk.

Current Location:09/08/2011-S DESK

Calendar Events:

Summary: Existing law , the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, which governs local emergency medical service systems. The act establishes the Emergency Medical Services Authority (EMSA), which is responsible for the coordination and integration of all state agencies concerning emergency medical services. This bill would authorize the EMSA to adopt regulations for the state approval of standards for an emergency medical responder course, as provided. The bill would provide that it would not be construed to prohibit the Department of the California Highway Patrol, Cal-Fire, or any other public safety agency that provides training to its law enforcement or firefighting personnel, from administering training programs pursuant to specified laws and regulations or prohibit personnel of these agencies from providing services that were the subject of these training programs . This bill contains other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Oppose			

AB 1345 (Lara) Local government: audits. (E-08/16/2012 [html](#) [pdf](#))

Status:08/16/2012-Senate amendments concurred in. To Engrossing and Enrolling.

Current Location:08/16/2012-A ENROLLMENT

Calendar Events:

Summary: The federal Single Audit Act of 1984 requires any nonfederal entity, defined as a state, local government, or nonprofit organization, that expends \$300,000 or more in federal money to prepare an annual audit that meets certain specifications and transmit that audit to specified federal agencies. Existing law requires the Controller to receive every audit report prepared by any local public agency, pursuant to the federal Single Audit Act of 1984, and review those reports for compliance with federal law before forwarding them to the designated state agency. This bill would require the annual audit reports made pursuant to the federal Single Audit Act of 1984 to be submitted to the Controller within 9 months after the end of the period audited or pursuant to applicable federal or state law. This bill would authorize the Controller to appoint a qualified certified public accountant or public accountant to complete an audit report if a local agency, as defined, fails to submit the audit report to the Controller by the specified date. The bill would require the Controller to first notify a local agency of its failure to submit the audit report and give the local agency a reasonable amount of time to submit the report before appointing a certified public accountant or public accountant. The bill would require the Controller to report certain misconduct and nondisclosures to the California Board of Accountancy. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 1387 (Solorio) Emergency medical services. (A-09/02/2011 [html](#) [pdf](#))

Status:09/09/2011-Ordered to inactive file at the request of Senator Kehoe.

Current Location:09/09/2011-S INACTIVE FILE

Calendar Events:

Summary: Existing law establishes the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, which governs local emergency medical service systems and establishes the Emergency Medical Services Authority, which is responsible for the coordination and integration of all state activities concerning emergency medical services. The act requires a county to enter into a written agreement with a city or fire district that contracted for, or provided, as of June 1, 1980, prehospital emergency medical services regarding the provision of these services for the city or fire district, as specified. The act requires, until an agreement is reached, prehospital emergency medical services to be continued at not less than the existing level, unless reduced by the city council or the governing body of the fire district, as specified. This bill would continue the authorization of a city or fire district that had continuously contracted for or provided prehospital emergency medical services (EMS) since June 1, 1980, to contract for or provide the administration of the same type of prehospital EMS that it has continuously provided or contracted for during that time, within the geographical service area that it continuously served during that time, if the city or fire district makes a formal written request to the local EMS agency prior to January 1, 2014, and if specified conditions are met. The bill would authorize a city or fire district to increase its geographical area if specified conditions are met. The bill would prohibit a local EMS agency from creating an exclusive operating area for a type of prehospital EMS provided or contracted for by a city or fire district that is providing continuing prehospital EMS. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 1492 (Committee on Budget) Budget Act of 2012. (A-08/07/2012 [html](#) [pdf](#))

Status:08/16/2012-Read second time. Ordered to third reading.

Current Location:08/16/2012-S THIRD READING

Calendar Events:08/20/12 362 SEN ASSEMBLY BILLS-THIRD READING FILE

Summary: Existing law, with certain exceptions, makes any person who negligently or in violation of the law sets a fire, or who fails or refuses to correct a fire hazard prohibited by law, liable for the fire suppression costs and for the costs of providing rescue or emergency medical services, and provides for collection of the charge. Under existing law, public agencies participating in fire suppression, rescue, or emergency medical services may bring a civil action to recover costs incurred by those agencies. This bill would provide that, in a civil action by a public agency to recover damages caused by a fire, pecuniary damages must be quantifiable and not unreasonable in relation to the prefire fair market value of the property, taking into consideration the ecological and environmental value of the property to the public. The bill would limit the pecuniary damages that the public agency may recover to specified ecological and environmental damages and certain restoration and rehabilitation costs, replacement or acquisition costs, or diminution in value of property as a result of the fire, including lost timber value, and short-term costs related to immediate damages resulting from the fire. Further, the bill would prohibit a public agency from seeking to enhance the claim for environmental damages under other provisions of law permitting civil damages for injuries to trees and timber. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim				

AB 1511 (Bradford) Real property: disclosures: transmission pipelines. (C-07/13/2012 [html](#) [pdf](#))

Status:07/13/2012-Chaptered by the Secretary of State, Chapter Number 91, Statutes of 2012

Current Location:07/13/2012-A CHAPTERED

Calendar Events:

Summary: Existing law requires certain natural hazard disclosures to be made upon the transfer of residential real property, as specified, and prescribes the manner and the form of the disclosures. This bill would require all contracts for the sale of residential real property entered into on or after July 1, 2013, to contain a specified notice pertaining to gas and hazardous liquid transmission pipelines. The bill would provide that nothing in the notice requirement would alter any existing duty under any other statute or decisional law imposed upon the seller or broker of the residential real property, as specified.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support			

AB 1551 (Torres) Insurance: public safety employees: accidents. (A-07/05/2012 [html](#) [pdf](#))

Status:08/16/2012-From committee: Do pass. (Ayes 7. Noes 0.) (August 16).

Current Location:08/16/2012-S SECOND READING

Calendar Events:08/20/12 58 SEN ASSEMBLY BILLS-SECOND READING FILE

Summary: Existing law provides that no insurer shall, in issuing or renewing a private automobile insurance policy to a peace officer, member of the Department of the California Highway Patrol, or firefighter, with respect to his or her operation of a private motor vehicle, increase the premium on that policy for

the reason that the insured or applicant for insurance has been involved in an accident while operating an authorized emergency vehicle, as defined, in the performance of his or her duty during the hours of his or her employment. This bill would also provide that no insurer shall, in issuing or renewing a private automobile insurance policy to a peace officer, member of the Department of the California Highway Patrol, or firefighter, with respect to his or her operation of a private passenger motor vehicle, increase the premium on that policy for the reason that the insured or applicant for insurance has been involved in an accident while operating his or her private passenger motor vehicle in the performance of his or her duty at the request or direction of the employer. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Oppose			

AB 1566 **(Wieckowski) Aboveground storage tanks: enforcement.** (A-05/25/2012 [html](#) [pdf](#))

Status:08/16/2012-Do pass as amended.

Current Location:08/16/2012-S APPR. SUSPENSE FILE

Calendar Events:

Summary: The Aboveground Petroleum Storage Act (act) defines, for purposes of the act, an "aboveground storage tank" as a tank that has the capacity to store 55 gallons or more of petroleum and that is substantially or totally above the surface of the ground, except as specified. Existing law requires every county to apply to the Secretary for Environmental Protection to be certified to implement the unified hazardous waste and hazardous materials management regulatory program (unified program) and allows a city or local agency to implement the unified program. Existing law requires the unified program agencies (UPAs) to implement that act. This bill would revise the definition of "aboveground storage tank" to include tanks in an underground area, as defined. The bill would also make conforming changes to the definition of the term "tank facility." The bill would require the UPAs to implement the act in accordance with the regulations adopted by the Office of the State Fire Marshal and would authorize the Office of the State Fire Marshal to adopt these regulations, thereby imposing a state-mandated local program by imposing new requirements upon local agencies with regard to the act. The bill would require the office to establish an advisory committee and take other actions with regard to ensuring compliance with local, state, and federal requirements. The bill would also require the office to interpret the act and oversee the implementation of the act by the UPAs and would make conforming changes in that regard. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support			

AB 1567 **(Jeffries) Firefighting equipment: firefighting endorsement.** (C-07/13/2012 [html](#) [pdf](#))

Status:07/13/2012-Chaptered by the Secretary of State, Chapter Number 111, Statutes of 2012

Current Location:07/13/2012-A CHAPTERED

Calendar Events:

Summary: Existing law regulates the operation of firefighting equipment and authorizes the operation of firefighting equipment by a person with a firefighter endorsement who holds a class C license. Existing law requires that to qualify

for a firefighter endorsement an applicant must, among other things, submit a report of medical examination within 4 years preceding the application date. This bill would require that an applicant for a firefighter endorsement submit instead medical information on a form approved by the Department of Motor Vehicles upon application and every 2 years thereafter.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 1585 (John A. Pérez) Community development. (A-08/06/2012 [html](#) [pdf](#))

Status:08/16/2012-Do pass as amended.

Current Location:08/16/2012-S APPR. SUSPENSE FILE

Calendar Events:

Summary: Existing law dissolved redevelopment agencies and community development agencies. Existing law authorizes the city, county, or city and county that authorized the creation of a redevelopment agency to retain the housing assets, functions, and powers previously performed by the redevelopment agency, excluding amounts on deposit in the Low and Moderate Income Housing Fund. This bill would transfer to the Department of Housing and Community Development the responsibility to perform housing functions in the territorial jurisdiction of a former redevelopment agency, if there is no local housing authority in that jurisdiction, the local housing authority selected does not accept the responsibility for performing housing functions, or certain local housing authorities vote, on or before February 15, 2013, to transfer that responsibility to the department due to financial hardship. The bill would create a continuously appropriated fund within the State Treasury, the State Low and Moderate Income Housing Trust Fund, for the transfer of assets of local housing funds for these purposes, as specified, thereby making an appropriation. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch w/ Concerns			

AB 1606 (Perea) Local public employee organizations: impasse procedures. (E-08/16/2012 [html](#) [pdf](#))

Status:08/13/2012-Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 50. Noes 25.).

Current Location:08/13/2012-A ENROLLMENT

Calendar Events:

Summary: The Meyers-Milias-Brown Act contains various provisions that govern collective bargaining of local represented employees, and delegates jurisdiction to the Public Employment Relations Board to resolve disputes and enforce the statutory duties and rights of local public agency employers and employees. The act requires the governing body of a public agency to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations. This bill would instead authorize the employee organization to request that the parties' differences be submitted to a factfinding panel not sooner than 30 days or more than 45 days following the appointment or selection of a mediator pursuant to the parties' agreement to mediate or a mediation process required by a public agency's local rules. The bill would also authorize an employee organization, if the dispute was not submitted to mediation, to request that the parties' differences be submitted to a factfinding panel not later than 30 days following the date that either party provided the

other with a written notice of a declaration of impasse. The bill would specify that the procedural right of an employee organization to request a factfinding panel cannot be expressly or voluntarily waived. The bill would also specify that its provisions are intended to be technical and clarifying of existing law. This bill contains other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 1650 (Portantino) Public utilities: emergency and disaster preparedness. (A-08/06/2012 [html](#) [pdf](#))

Status:08/16/2012-Do pass as amended.

Current Location:08/16/2012-S APPR. SUSPENSE FILE

Calendar Events:

Summary: Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations and water corporations , as defined . This bill would require the commission to establish standards for disaster and emergency preparedness plans within an existing proceeding , as specified. The bill would require an electrical corporation to develop, adopt, and update an emergency and disaster preparedness plan, as specified. The bill would impose a state-mandated local program by requiring every city , county, or city and county within the electrical corporation's service area to designate a point of contact for the electrical corporation to consult with on emergency and disaster preparedness plans. The bill would require a water company regulated by the commission to develop, adopt, and update an emergency and disaster preparedness plan, as specified. The bill would find and declare that county and city participation in the preparation of electrical corporations' emergency and disaster preparedness plans is critical to a statewide emergency response and, thus, is an issue of statewide concern. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support_If_Amended			

AB 1654 (Cook) Public employment: disqualification from employment. (C-07/09/2012 [html](#) [pdf](#))

Status:07/09/2012-Chaptered by the Secretary of State, Chapter Number 54, Statutes of 2012

Current Location:07/09/2012-A CHAPTERED

Calendar Events:

Summary: The California Constitution provides that a person shall be disqualified from holding office if he or she has been convicted of bribery, and directs the Legislature to enact laws to exclude persons convicted of malfeasance in office or other high crimes from office. Under existing statutory law, a person is disqualified from holding any office upon the conviction of specified crimes designated in the Constitution or statute. Existing law enumerates events causing a vacancy in office, including the conviction of a felony or any offense involving a violation of official duties. This bill would disqualify for 5 years a person who employed at will for the purposes of providing services to an elected public officer from any public employment, including, but not limited to, employment with a city, county, district, or any other public agency of this state, if he or she is convicted of a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes arising directly out of his or her duties as a public employee. That 5-year disqualification period would begin at the later of either the person's final

conviction or release from any incarceration.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 1694 (Fuentes) Gas pipeline safety inspections. (C-07/13/2012 [html](#) [pdf](#))

Status:07/13/2012-Chaptered by the Secretary of State, Chapter Number 112, Statutes of 2012

Current Location:07/13/2012-A CHAPTERED

Calendar Events:

Summary: Existing law requires the Public Utilities Commission to undertake a gas safety inspection and enforcement program for mobilehome parks with distribution systems to ensure compliance with the federal pipeline standards, as defined, by propane operators within the state. Existing law requires that the commission conduct an initial inspection, and, if the operator demonstrates compliance, to inspect the system every 5 years. This bill would require that if the operator demonstrates compliance with the initial inspection, additional inspections be made at least once every 7 years pursuant to a risk-based inspection schedule adopted by the commission. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 1701 (Wieckowski) Underground storage tanks: local agencies. (A-08/06/2012 [html](#) [pdf](#))

Status:08/09/2012-From consent calendar. Ordered to third reading.

Current Location:08/09/2012-S THIRD READING

Calendar Events:08/20/12 313 SEN ASSEMBLY BILLS-THIRD READING FILE

Summary: Existing law requires the Secretary for Environmental Protection to implement a unified hazardous waste and hazardous materials management regulatory program. A city or local agency that meets specified requirements is authorized to apply to the secretary to implement the unified program, and every county is required to apply to the secretary to be certified to implement the unified program as a Certified Unified Program Agency (CUPA). This bill would revise the term "local agency" for purposes of the underground storage tank requirements to mean the unified program agency with regard to the implementation of certain provisions regulating underground storage tanks and a city or county for purposes of provisions authorizing corrective action to releases from those tanks. The bill would impose a state-mandated local program by imposing new duties upon local agencies with regard to the implementation of those requirements. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 1715 (Smyth) Underground storage tanks: tank case closure. (E-08/16/2012 [html](#) [pdf](#))

Status:08/16/2012-Senate amendments concurred in. To Engrossing and Enrolling.

Current Location:08/16/2012-A ENROLLMENT

Calendar Events:

Summary: Existing law requires an owner, operator, or other responsible party to take corrective action in response to an unauthorized release of petroleum from an underground storage tank. Under existing law, the State Water Resources Control Board, a regional board, or a local agency may undertake or contract

for corrective action in response to that unauthorized release. The State Water Resources Control Board is authorized to close, or to require the closure of, an underground storage tank case where an unauthorized release has occurred, if the board determines that the corrective action at the site complies with specified requirements. Existing law requires the manager of the Underground Storage Tank Cleanup Fund to annually review certain tank cases and authorizes the manager, with the approval of the tank owner or operator, to make a recommendation to the board for closure of a tank case. If the manager recommends closing a tank case, existing law requires the board to limit reimbursement of subsequently incurred corrective action costs to \$10,000, except as specified. This bill would require the manager, upon a determination that closure of the tank case is appropriate based upon that review, to provide a review summary report to the applicable regional board and local agency and provide opportunity for comment. The bill would prohibit the regional board or local agency from issuing a corrective action directive or enforcing an existing corrective action directive for a tank case for which the manager has provided this review summary report, until the board issues a decision regarding the closure of the tank case, except as specified. The bill would specify that the \$10,000 limit for corrective action costs after tank closure includes costs for groundwater monitoring. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 1736 (Smyth) Local government: open meetings. (A-06/18/2012 [html](#) [pdf](#))

Status:06/18/2012-Read second time and amended. Ordered to third reading.

Current Location:06/18/2012-S THIRD READING

Calendar Events:08/20/12 168 SEN ASSEMBLY BILLS-THIRD READING FILE

Summary: The Ralph M. Brown Act requires each legislative body of a local agency to provide the time and place for holding regular meetings and requires that all meetings of a legislative body be open and public. Under the act, all persons are permitted to attend any meeting of the legislative body of a local agency, unless a closed session is authorized. Under the act, the legislative body of a local agency is authorized to hold closed sessions with the Attorney General, district attorney, agency counsel, sheriff, or chief of police, or their respective deputies, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings, a threat to the security of essential public services, as specified, or a threat to the public's right of access to public services or public facilities. This bill would authorize the legislative body of a local agency to hold these closed sessions with the Governor and other specified individuals. This bill would require a legislative body of a local agency that meets in these specified types of a closed session to include additional information in its posted agenda regarding those in attendance. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 1831 (Dickinson) Local government: hiring practices. (A-06/11/2012 [html](#) [pdf](#))

Status:07/06/2012-Failed Deadline pursuant to Rule 61(b)(13). (Last location was S. G. & F. on 6/28/2012)

Current Location:07/06/2012-S DEAD

Calendar Events:

Summary: Existing law requires the hiring practices and promotional practices of a local agency, as defined, to conform to the federal Civil Rights Act of 1964 and

prohibits any local agency from, as a part of its hiring practices or promotional practices, employing any educational prerequisites or testing or evaluation methods that are not job-related, unless there is no adverse effect. This bill would prohibit a local agency from inquiring into or considering the criminal history of an applicant or including any inquiry about criminal history on any initial employment application. The bill would authorize a local agency to inquire into or consider an applicant's criminal history after the applicant's qualifications have been screened and the agency has determined the applicant meets the minimum employment requirements, as stated in any notice issued for the position. The bill would not apply to a position for which a local agency is otherwise required by law to conduct a criminal history background check or to any position or individual working within a criminal justice agency, as specified . This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 1844 (Campos) Employer use of social media. (A-07/02/2012 [html](#) [pdf](#))

Status:07/02/2012-Read second time and amended. Ordered to third reading.

Current Location:07/02/2012-S THIRD READING

Calendar Events:08/20/12 198 SEN ASSEMBLY BILLS-THIRD READING FILE

Summary: Existing law generally regulates the conduct of employers in the state. This bill would prohibit an employer from requiring or requesting an employee or applicant for employment to disclose a user name or password for the purpose of accessing personal social media , to access personal social media in the presence of the employer, or to divulge any personal social media . This bill would also prohibit an employer from discharging, disciplining, threatening to discharge or discipline, or otherwise retaliating against an employee or applicant for not complying with a request or demand by the employer that violates these provisions.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 1885 (Bonilla) County employees' retirement: reciprocal benefits. (I-02/22/2012 [html](#) [pdf](#))

Status:06/27/2012-Read second time. Ordered to third reading.

Current Location:06/27/2012-S THIRD READING

Calendar Events:08/20/12 186 SEN ASSEMBLY BILLS-THIRD READING FILE

Summary: Under existing law, counties and districts, as defined, may provide retirement benefits to their employees pursuant to the County Employees Retirement Law of 1937. Existing law provides for reciprocity of retirement benefits, as specified, to a member of a county retirement system by reason of his or her membership in another specified public retirement system, as specified. Existing law provides that wherever the reciprocal rights of a member of a county retirement system are conditioned upon reemployment within a specified period after termination of employment covered by another retirement system, the period shall be one year in the case of any member who was reemployed on or after January 1, 1989, and whose termination of employment was due to layoff because of, a lack of work, a lack of funds, or a reduction in workforce. Existing law prohibits that one-year reemployment provision from being operative in any county until the board of supervisors, by resolution adopted by a majority vote, makes the provision applicable in that county. This bill would make that one-year reemployment provision applicable in all counties.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 1944 (Gatto) Emergency medical services: EMT-P discipline. (A-06/28/2012 [html](#) [pdf](#))

Status:08/16/2012-In committee: Held under submission.

Current Location:08/16/2012-S APPR.

Calendar Events:

Summary: Under existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, the Emergency Medical Services Authority is responsible for establishing minimum standards and promulgating regulations for the training and scope of practice for an emergency medical technicians-paramedic (EMT-P) who is licensed under the act. This bill would revise the procedures and requirements for discipline of an EMT-P to require , among other things, certain determinations by the authority or an investigation by the EMT-P employer, as specified, and a determination of disciplinary cause , before the authority may deny, suspend, or revoke a license. This bill would permit only an employer with physician oversight, including by contract, to conduct an investigation. The bill would authorize the medical director of a local EMS agency to refer information regarding conduct that appears to constitute disciplinary cause to the authority and the EMT-P's employer, as specified. The bill would further require, in specified instances, if an EMT-P is unemployed, that the authority conduct an investigation and take disciplinary action, as necessary. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 2041 (Swanson) Regulations: adoption: disability access. (A-08/15/2012 [html](#) [pdf](#))

Status:08/16/2012-Read second time. Ordered to third reading.

Current Location:08/16/2012-S THIRD READING

Calendar Events:08/20/12 371 SEN ASSEMBLY BILLS-THIRD READING FILE

Summary: Existing state and federal law prohibits the exclusion of a qualified individual with a disability, by reason of that disability, from participation in or equal access to the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by a public entity. Federal regulations require a public entity to take appropriate steps to ensure that communications with participants and members of the public with disabilities are as effective as communications with others. These regulations also require a public entity to furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity conducted by a public entity. This bill would require an agency that proposes specified types of regulations to include within the notice of proposed action a specified statement regarding the availability of narrative descriptions for persons with visual or other specified disabilities. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 2224 (Smyth) Public employees' retirement. (I-02/24/2012 [html](#) [pdf](#))

Status:04/26/2012-From committee: That the measure be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study. (Ayes 4. Noes 2.) (April 26).

Current Location:04/26/2012-A RLS.

Calendar Events:

Summary: Existing law establishes the Public Employees' Retirement System (PERS) and the State Teachers' Retirement System (STRS) for the purpose of providing pension benefits to their employees. Existing law also establishes the Judges' Retirement System II which provides pension benefits to elected judges and the Legislators' Retirement System which provides pension benefits to elective officers of the state other than judges and to legislative statutory officers. The County Employees Retirement Law of 1937 authorizes counties to establish retirement systems pursuant to its provisions in order to provide pension benefits to county, city, and district employees. The Regents of the University of California have established the University of California Retirement System as a trust for this purpose. This bill, on and after January 1, 2013, would prohibit a public retirement system from allowing the purchase of additional retirement service credit, as described above. The bill would except from this prohibition an official application to purchase this type of service credit received by the retirement system prior to January 1, 2013. The bill would prohibit any member who does not have at least 5 years of service credit before the operative date of this bill, or any person hired on or after that date, from purchasing additional retirement service credit. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 2281 (Torres) **Emergencies: State 911 Advisory Board.** (A-06/27/2012 [html](#) [pdf](#))

Status:08/16/2012-In committee: Held under submission.

Current Location:08/16/2012-S APPR.

Calendar Events:

Summary: The Warren-911-Emergency Assistance Act requires a local public agency to adopt a plan to implement a 911 emergency telephone response system, and establishes the State 911 Advisory Board to advise on specified subjects relating to the state's 911 emergency telephone response system. The board is comprised of 11 members who are appointed by, and serve at the pleasure of, the Governor. This bill would add 2 members to the advisory board who would be selected by the Legislature, as specified. This bill would also make legislative findings and declarations and eliminate the ability of a member of the advisory board to designate another to act in his or her place. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 2299 (Feuer) **Local government: public safety officials: confidentiality.** (A-06/06/2012 [html](#) [pdf](#))

Status:07/06/2012-Failed Deadline pursuant to Rule 61(b)(13). (Last location was S. G. & F. on 6/13/2012)

Current Location:07/06/2012-S DEAD

Calendar Events:

Summary: Existing law sets forth the duties and powers of the board of supervisors of a county and the county recorder and county assessor of each county. Existing law requires the county recorder to, upon payment of proper fees and taxes,

accept for recordation any instrument, paper, or notice that is authorized or required by statute or court order to be recorded, as specified. Existing law allows any instrument or judgment affecting the title to, or possession of, real property to be recorded. Existing law requires a document that effects or evidences a transfer or encumbrance of an interest in real property to include the name or names in which the interest appears of record. Existing law requires the county recorder of each county to establish a social security truncation program for the redaction of social security numbers to create a public record version of official records. This bill would authorize the board of supervisors of a county to establish a program that requires the names of certain public safety officials to be redacted from any property record of principal residence that is disclosed to the public by that county, except as specified. The bill would authorize a county to charge a fee for participation in the program. The bill would set forth requirements that would apply to the sale of aggregate data. The bill would require a county that establishes a program pursuant to this act to also ensure that the property record of a public safety official is redacted, as defined, in a specified manner when a search is conducted by index by name of the public safety official. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 2451 (John A. Pérez) Workers' compensation: firefighters. (A-04/19/2012 [html](#) [pdf](#))

Status:07/02/2012-Read second time. Ordered to third reading.

Current Location:07/02/2012-S THIRD READING

Calendar Events:08/20/12 200 SEN ASSEMBLY BILLS-THIRD READING FILE

Summary: Existing law specifies the time period within which various proceedings may be commenced under provisions of law relating to workers' compensation. With certain exceptions, a proceeding to collect death benefits is required to be commenced within one year from the date of death or, in some cases, from the last furnishing of benefits. However, no proceedings may be commenced more than 240 weeks from the date of injury. This bill would require that a proceeding to collect those benefits for the death of a firefighter or peace officer from specified medical conditions or diseases, including cancer and tuberculosis, be commenced within one year from the date of death.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Oppose			

AB 2452 (Ammiano) Political Reform Act of 1974: online disclosure. (C-07/13/2012 [html](#) [pdf](#))

Status:07/13/2012-Chaptered by the Secretary of State, Chapter Number 126, Statutes of 2012

Current Location:07/13/2012-A CHAPTERED

Calendar Events:

Summary: The Political Reform Act of 1974 requires specified candidates, committees, slate mailer organizations, and lobbyists, lobbying firms, and lobbyist employers to file campaign statements and reports online or electronically with the Secretary of State, as specified. The act requires certain of these entities to also file campaign statements and reports with local filing officers, as specified. This bill, with certain exceptions, would authorize a local government agency to require an elected officer, candidate, committee, or other person required to file specified statements, reports, or other documents

to file those statements, reports, or other documents online or electronically with a local filing officer. The bill would prescribe criteria that must be satisfied by a local government agency that requires online or electronic filing of statements, reports, or other documents, as specified, including, among others, that the system be available free of charge to filers and to the public for viewing filings, and that the system include a procedure for filers to comply with the requirement that they sign statements and reports under penalty of perjury. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 2459 (Torres) Local emergency telephone systems: appropriate use. (I-02/24/2012 [html](#) [pdf](#))

Status:08/16/2012-In committee: Held under submission.

Current Location:08/16/2012-S APPR.

Calendar Events:

Summary: Existing law, the Warren-911-Emergency Assistance Act, requires every local public agency to establish within its jurisdiction a basic emergency telephone system, and directs the Public Safety Communications Division within the California Technology Agency to coordinate and assist a local public agency to establish that system. This bill would require the California 911 Emergency Communications Office to develop and implement a public education campaign to instruct the public on appropriate and inappropriate uses of the 911 emergency telephone number system.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support			

AB 2474 (Chesbro) Fire prevention fee: state responsibility areas. (A-04/25/2012 [html](#) [pdf](#))

Status:05/25/2012-In committee: Set, second hearing. Held under submission.

Current Location:05/16/2012-A APPR. SUSPENSE FILE

Calendar Events:

Summary: Existing law requires the state to have the primary responsibility for preventing and suppressing fires in areas that the State Board of Forestry and Fire Protection has determined are state responsibility areas. Existing law required the board, on or before September 1, 2011, to adopt emergency regulations to establish a fire prevention fee in an amount not to exceed \$150 to be charged on each structure on a parcel that is within a state responsibility area. The board is required to adjust the fee annually using prescribed methods. This bill would require the board, no later than July 1, 2013, to amend those emergency regulations required to be adopted by the board pursuant to those provisions to provide for a credit against the amount of the fee imposed on each structure on a parcel that is within a state responsibility area based upon specified factors, as prescribed, not to exceed a maximum of \$150. The bill would require the board to adjust the fee taking into account specified factors to ensure that the fee accurately reflects the fire prevention benefits provided. The bill would require the board to, not later than January 1, 2013, and annually thereafter, report to the Legislature on the costs of responding to all fire disasters in state responsibility areas for that year, including specified information. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 2544 (Gordon) Forestry and fire protection: land purchases and property use. (E-08/16/2012 [html](#) [pdf](#))

Status:08/16/2012-Senate amendments concurred in. To Engrossing and Enrolling.

Current Location:08/16/2012-A ENROLLMENT

Calendar Events:

Summary: Existing law authorizes the Department of Forestry and Fire Protection (department), with the approval of the Department of General Services, to purchase land for lookout sites and for other administrative purposes. This bill would delete that authority for the purchase of land for lookout sites or other administrative purposes and would instead authorize the department, to enter into agreements, easements, licenses, or permits to acquire real property rights for the purposes of establishing fire protection, fire prevention, fire suppression, demonstration state forests, pest control, forest and range protection, and enhancement activities and related uses. The bill would require these agreements, easements, licenses, or permits subject to be for no more than fair market value and would require the Department of General Services to sign all applicable certificates of acceptance. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

AB 2559 (Buchanan) Local government: pipeline projects: approval. (A-08/14/2012 [html](#) [pdf](#))

Status:08/15/2012-Ordered to special consent calendar.

Current Location:08/15/2012-S CONSENT CALENDAR

Calendar Events:08/20/12 425 SEN SPECIAL CONSENT CALENDAR #16

Summary: Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including gas corporations, as defined. The Natural Gas Pipeline Safety Act of 2011 designates the commission as the state authority responsible for regulating and enforcing intrastate gas pipeline transportation and pipeline facilities pursuant to federal law. This bill would require a city, county, or city and county to act on an application by a gas corporation that is a public utility for a ministerial pipeline project permit within a public street or highway or any other public right-of-way within 10 business days of determining that an application for the pipeline project, as defined, is complete, except as specified, thereby imposing a state-mandated local program. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support_If_Amended			

AB 2584 (Bradford) Electrical corporations: investigations. (E-08/16/2012 [html](#) [pdf](#))

Status:08/16/2012-Senate amendments concurred in. To Engrossing and Enrolling.

Current Location:08/16/2012-A ENROLLMENT

Calendar Events:

Summary: Under existing law, the Public Utilities Commission (PUC) has regulatory authority over public utilities, including electrical corporations, as defined. Existing law requires the PUC to adopt inspection, maintenance, repair, and replacement standards for the distribution systems of electrical corporations in order to provide high quality, safe, and reliable service. Existing law requires the PUC to conduct a review to determine whether the standards have been met and to perform the review after every major outage. This bill

would require every electrical corporation to cooperate fully with the PUC in an investigation into any major accident or any reportable incident, as defined by the PUC, regardless of pending litigation or other investigations, including, but not limited to, those that may be related to a PUC investigation. The bill would require every electrical corporation to provide the PUC, upon its request, immediate access to specified documents. The bill would require every electrical corporation to preserve any and all documents or evidence it collects as part of its own investigation related to the incident for at least 5 years, or a shorter period of time as authorized by the PUC. The bill would require any and all documents collected by an electrical corporation pursuant to these provisions be catalogued and preserved in an accessible manner for assessment by PUC investigators as determined by the PUC . This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support			

AB 2612 (Achadjian) Courts: witness fees. (A-04/30/2012 [html](#) [pdf](#))

Status:07/03/2012-Read second time. Ordered to third reading.

Current Location:07/03/2012-S THIRD READING

Calendar Events:08/20/12 208 SEN ASSEMBLY BILLS-THIRD READING FILE

Summary: Existing law provides for subpoenaing the attendance of certain public employees, including peace officers and firefighters, with regard to events or transactions they have perceived or investigated in the course of their duties, and for the payment and reimbursement of the public employee's compensation and traveling expenses. Existing law requires the party at whose request the subpoena is issued to reimburse the employing public entity for these costs by tendering the amount of \$150 to the person accepting the subpoena for each day the public employee is required to remain in attendance pursuant to the subpoena. Existing law requires the public entity to refund any excess amount paid, and the party at whose request the subpoena is issued to pay any shortfall, relative to the actual expenses incurred by the public entity in connection with the public employee complying with the subpoena. This bill would increase, from \$150 to \$275 , the amount required to be paid by the party at whose request the subpoena is issued for each day the public employee is required to remain in attendance pursuant to the subpoena.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim				

AB 2660 (Solorio) Vehicles: peace officer vehicles: window tinting or glazing. (C-07/24/2012 [html](#) [pdf](#))

Status:07/24/2012-Chaptered by the Secretary of State, Chapter Number 171, Statutes of 2012

Current Location:07/24/2012-A CHAPTERED

Calendar Events:

Summary: Existing law prohibits a person from driving a motor vehicle with any object or material placed, displayed, installed, affixed, or applied upon the windshield or side or rear windows, with limited exceptions, including for window tinting or glazing that meets specified requirements. Federal law establishes motor vehicle safety standards for glazing material for use in motor vehicles and motor vehicle equipment. This bill would exempt a vehicle operated and owned or leased by a federal, state, or local agency, department, or district that employs peace officers, for use by those peace officers in the performance of their duties, from California law prohibiting or limiting

materials that may be placed, displayed, installed, affixed, or applied to the side or rear windows, commonly referred to as window tinting or glazing.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support>If_Amended			

ACA 4 (Blumenfield) Local government financing: voter approval. (1-12/06/2010 [html](#) [pdf](#))

Status:08/29/2011-Ordered to inactive file at the request of Assembly Member Blumenfield.

Current Location:08/29/2011-A INACTIVE FILE

Calendar Events:

Summary: The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit for a rate imposed by a city, county, city and county, or special district, as defined, to service bonded indebtedness incurred to fund specified public improvements and facilities, or buildings used primarily to provide sheriff, police, or fire protection services, that is approved by 55% of the voters of the city, county, city and county, or special district, as applicable. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support			

ACA 6 (Gatto) Initiative measures: funding source. (A-07/11/2011 [html](#) [pdf](#))

Status:07/14/2011-Read. Refused adoption. (Ayes 50. Noes 23. Page 2329.)

Current Location:07/14/2011-A THIRD READING

Calendar Events:

Summary: The California Constitution provides that the electors may propose statutes or amendments to the state constitution through the initiative process by presenting to the Secretary of State a petition that sets forth the text of the proposed statute or amendment to the Constitution and is certified to have been signed by a certain number of electors. This measure would require the Legislative Analyst to review an initiative measure not later than 15 days after its qualification for the ballot, and report the results of the review to the Secretary of State. This measure would prohibit an initiative measure that the Legislative Analyst determines would result in a net increase in state or local government costs exceeding \$5,000,000, other than costs attributable to the issuance, sale, or repayment of bonds, from being submitted to the electors or having any effect unless the Legislative Analyst determines that the initiative measure provides for additional revenues in an amount that meets or exceeds the net increase in costs. This requirement would provide for an annual adjustment to the amount of that cost threshold, and would not apply to , or have any effect on, an initiative measure that reduces tax revenues or fees .

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

ACA 7 (Feuer) Initiative measures: funding source. (1-12/06/2010 [html](#) [pdf](#))

Status:05/17/2011-In committee: Set, first hearing. Hearing canceled at the request of author.

Current Location:04/14/2011-A E. & R.

Calendar Events:

Summary: The California Constitution provides that the electors may propose statutes or amendments to the state constitution through the initiative process by

presenting to the Secretary of State a petition that sets forth the text of the proposed statute or amendment to the Constitution and is certified to have been signed by a certain number of electors. This measure would prohibit an initiative measure that would result in a net increase in state or local government costs other than costs attributable to the issuance, sale, or repayment of bonds, from being submitted to the electors or having any effect unless and until the Legislative Analyst and the Director of Finance jointly determine that the initiative measure provides for additional revenues in an amount that meets or exceeds the net increase in costs.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

ACA 9 (Gatto) Initiative measures: supermajority requirement. (1-12/09/2010 [html](#) [pdf](#))

Status:04/14/2011-Referred to Com. on E. & R.

Current Location:04/14/2011-A E. & R.

Calendar Events:

Summary: The California Constitution provides that the electors may propose statutes or amendments to the state constitution through the initiative process by presenting to the Secretary of State a petition that sets forth the text of the proposed statute or amendment to the Constitution and is certified to have been signed by a certain number of electors. This measure would require that an initiative that would increase the current vote requirement for an action by either the electors or by the Legislature, or would impose an extraordinary vote requirement for the amendment of an initiative statute by the Legislature without approval by the electors, itself receive the same affirmative vote percentage in order to be approved by the electors.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

ACA 10 (Gatto) Initiative constitutional amendments: qualification and approval. (A-04/09/2012 [html](#) [pdf](#))

Status:08/16/2012-Be adopted. To third reading.

Current Location:08/16/2012-A THIRD READING

Calendar Events:08/20/12 1 ASM ASSEMBLY SECOND READING FILE

Summary: The California Constitution allows the proposal of an initiative measure by presenting to the Secretary of State a petition that sets forth the text of the proposed statute or amendment to the Constitution and is certified to have been signed by electors equal in number to 5% in the case of a statute, and 8% in the case of an amendment to the Constitution, of the votes for all candidates for Governor at the last gubernatorial election. This measure would require, in the case of a petition that proposes an amendment to the Constitution, that the petition include signatures from each of 27 of the Senatorial districts in the State equal in number to 8% of the votes for all candidates for Governor cast in that district at the last gubernatorial election. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

ACA 11 (Gatto) Initiatives: constitutional amendments: voter approval. (A-05/23/2011 [html](#) [pdf](#))

Status:05/27/2011-In committee: Set, first hearing. Referred to APPR. suspense file. Held under submission.

Current Location:05/27/2011-A APPR. SUSPENSE FILE

Calendar Events:

Summary: Existing provisions of the California Constitution provide for the electors to propose amendments to the Constitution by initiative and to adopt or reject them. Any proposed initiative measure submitted to the voters becomes effective if it is approved by a majority of votes cast. This measure would increase the vote requirement from a majority to 55% of the votes cast for the electors to amend the Constitution by an initiative measure, except that this measure would permit the electors to repeal a previously adopted initiative or legislative amendment to the Constitution, including certain subsequent amendments to that constitutional amendment, by an initiative measure passed by a majority vote.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

ACA 12 (Gatto) Statewide initiative measures: legislative amendment. (I-12/09/2010 [html](#) [pdf](#))

Status:01/23/2012-From inactive file. Ordered to third reading.

Current Location:01/23/2012-A THIRD READING

Calendar Events:08/20/12 171 ASM ASSEMBLY THIRD READING FILE

Summary: Existing provisions of the California Constitution provide that the initiative is the power of the electors to propose statutes and amendments to the Constitution and to adopt or reject those proposals. Those provisions require the Secretary of State to submit the measure at the next general election held at least 131 days after it qualifies or at any special statewide election held prior to that general election. The Governor may also call a special statewide election on the measure. This measure would require the Secretary of State to transmit a copy of an initiative measure certified for the ballot to each house of the Legislature no later than 176 days prior to the election at which the measure is to be voted upon. Within 30 days, the Legislature may propose an amended form of the initiative measure by adopting a concurrent resolution. If the Legislature proposes an amended form of the initiative measure, the measure would provide that if the proponent, or a majority of the proponents if there is more than one proponent, of the initiative measure accepts the proposed amendments, the Legislature's proposal would appear on the ballot in place of the certified initiative measure. The measure would require that, if the amended form proposed by the Legislature is not accepted, information regarding the proposed amended form be included in the ballot materials relating to the initiative measure, as prescribed by statute. This bill contains other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

ACA 17 (Logue) State-mandated local programs. (I-02/15/2011 [html](#) [pdf](#))

Status:04/14/2011-Referred to Com. on L. GOV.

Current Location:04/14/2011-A L. GOV.

Calendar Events:

Summary: Under the California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, the state is required to provide a subvention of funds to reimburse the local government. With regard to certain mandates imposed on a city, county, city and county, or special district that have been determine to be payable, the Legislature is required either to appropriate, in the annual Budget Act, the full payable amount of the mandate, determined as specified, or to suspend the

operation of the mandate for the fiscal year. The California Constitution provides that the Legislature is not required to appropriate funds for specified mandates.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support			

ACA 18 (Swanson) Taxation: parcel tax. (A-04/30/2012 [html](#) [pdf](#))

Status:06/20/2012-Read second time. Ordered to third reading.

Current Location:06/20/2012-A THIRD READING

Calendar Events:08/20/12 175 ASM ASSEMBLY THIRD READING FILE

Summary: The California Constitution conditions the imposition of a special tax by a city, county, or special district upon the approval of 2/3 of the voters of the city, county, or special district voting on that tax, and prohibits these entities from imposing an ad valorem tax on real property or a transactions or sales tax on the sale of real property. This measure would alternatively condition the imposition, extension, or increase of a parcel tax by a city, county, or special district for the purpose of funding the maintenance or improvement of fire protection services or police protection services, or both, upon the approval of a majority of its voters voting on the proposition, and would also make conforming changes to related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support			

ACA 22 (Smyth) Public employees' retirement. (I-02/22/2012 [html](#) [pdf](#))

Status:02/23/2012-From printer. May be heard in committee March 24.

Current Location:02/22/2012-A PRINT

Calendar Events:

Summary: Existing law establishes various public agency retirement systems, including the Public Employees' Retirement System (PERS), the State Teachers' Retirement System (STRS), the Judges' Retirement System II, and various county retirement systems pursuant to the County Employees Retirement Law of 1937, among others, and these systems provide defined pension benefits to public employees based on age, service credit, and amount of final compensation. The California Constitution permits a city or county to adopt a charter for purposes of its governance that supersedes general laws of the state in regard to specified subjects, including compensation of city or county employees. The California Constitution also establishes the University of California as a public trust with full powers of organization and government, subject only to specified limitations. Charter cities and the University of California may establish pension plans under their respective independent constitutional authority. These pension systems are funded by employee and employer contributions and investment returns. Existing law provides that public employee pension benefits are a form of deferred compensation, the right to which vests in the employee on contractual principles and is protected from impairment by the California Constitution and the United States Constitution. This measure would require each public retirement system, as defined in statute, to provide one or more hybrid pension plans meeting the requirements of this measure to each public employer that provides its employees a defined benefit pension plan administered by the public retirement system. The measure would require that a hybrid pension plan consist of a defined benefit component and a defined contribution or alternative plan design component, as specified. The measure would require, among other things, that a hybrid pension plan be designed with a goal of

providing annually during retirement, based on a full career in public service, as defined, replacement income of 75% of a public employee's final compensation. The measure would require the Director of Finance, on or before January 1, 2013, to establish initial criteria and requirements for one or more hybrid pension plans, as specified. The measure would require, on and after July 1, 2013, each public retirement system to administer, and make available to each public employer that provides a defined benefit pension plan, one or more hybrid pension plans, except as specified, for public employees hired in each member classification in the public retirement system. This bill contains other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

ACA 26 (Smyth) Public employees' retirement. (I-03/06/2012 [html](#) [pdf](#))

Status:03/07/2012-From printer. May be heard in committee April 6.

Current Location:03/06/2012-A PRINT

Calendar Events:

Summary: Existing law provides that any elected public officer who takes public office, or is reelected to public office, on or after January 1, 2006, who is convicted of any specified felony arising directly out of his or her official duties, forfeits all rights and benefits under, and membership in, any public retirement system in which he or she is a member, effective on the date of final conviction, as specified. This measure would require that a public employee, as defined, who is convicted of any violent felony, serious felony, or a sex offense, as defined, for conduct arising out of, or in the performance of, his or her official duties in pursuit of the office or appointment, or in connection with obtaining salary, disability retirement, service retirement, or other benefits, forfeit retirement benefits attributable to service performed on and after the earliest date of the commission of the felony, as specified. The measure would also require any contributions to the public retirement system made by the public employee on or after that date to be returned, without interest, to the public employee upon the occurrence of a distribution event, as defined, unless otherwise ordered by a court or determined by the pension administrator. The measure would also make related, conforming changes.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

ACR 150 (Block) Fire Safety and Disaster Preparedness Week. (E-08/16/2012 [html](#) [pdf](#))

Status:08/13/2012-Senate amendments concurred in. To Engrossing and Enrolling.

Current Location:08/13/2012-A ENROLLMENT

Calendar Events:

Summary: This measure would declare the week of June 4, 2012, to June 10, 2012, inclusive, as Fire Safety and Disaster Preparedness Week.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim				

SB 31 (Correa) Postgovernment employment: restrictions. (A-06/27/2012 [html](#) [pdf](#))

Status:08/16/2012-Action From APPR. SUSPENSE FILE: Held in APPR..

Current Location:08/16/2012-A APPR.

Calendar Events:

Summary: The Political Reform Act of 1974 prohibits, for a period of one year after the official leaves his or her position, elected and other specified local officials who held positions with a local government agency, as defined, from acting as agents or attorneys for, or otherwise representing, for compensation, any other person, by appearing before, or communicating with, that local government agency, or any committee, subcommittee, or present member of that local government agency, or any officer or employee of the local government agency, if the appearance or communication is made for the purpose of influencing administrative or legislative action, as specified, or influencing any action or proceeding involving the issuance, amendment, awarding, or revocation of a permit, license, grant, or contract, or the sale or purchase of goods or property. This bill, in addition, would apply this prohibition to other public officials serving as members of local governing boards or commissions with decisionmaking authority. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SB 46 (Correa) Public officials: compensation disclosure. (A-06/02/2011 [html](#) [pdf](#))

Status:08/22/2011-In Assembly. Read first time. Held at Desk.

Current Location:08/22/2011-A DESK

Calendar Events:

Summary: Existing provisions of the Political Reform Act of 1974 require certain persons employed by agencies to file annually a written statement of the economic interests they possess during specified periods. The act requires that state agencies promulgate a conflict of interest code that must contain, among other topics, provisions that require designated employees to file statements disclosing reportable investments, business positions, interests in real property, and income. The act requires that every report and statement filed pursuant to the act is a public record and is open to public inspection. This bill would, commencing on January 1, 2013, and continuing until January 1, 2019, require every designated employee and other person, except a candidate for public office, who is required to file a statement of economic interests to include, as a part of that filing, a compensation disclosure form that provides compensation information for the preceding calendar year, as specified. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SB 186 (Kehoe) The Controller. (A-06/19/2012 [html](#) [pdf](#))

Status:08/16/2012-Action From APPR. SUSPENSE FILE: Held in APPR..

Current Location:08/16/2012-A APPR.

Calendar Events:

Summary: Existing law requires the officer of each local agency who has charge of the financial records of the agency to furnish to the Controller a report of all the financial transactions of the local agency during the next preceding fiscal year within 90 days of the close of each fiscal year, as specified. Existing law defines local agency, for purposes of these financial reports to mean any city, county, district, and specified community redevelopment agencies. This bill would also include within the definition of local agency any joint powers agency and would require that joint powers agency to furnish the Controller with the required financial reports. This bill contains other related provisions

and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SB 827 (Simitian) Public employees' retirement. (A-09/07/2011 [html](#) [pdf](#))

Status:10/13/2011-Assembly Members Furutani, Allen, and Silva appointed to Conference Committee.

Current Location:10/13/2011-S CONFERENCE COMMITTEE

Calendar Events:08/20/12 320 ASM IN CONFERENCE
08/20/12 107 SEN IN CONFERENCE (SENATE BILLS)

Summary: The State Teachers' Retirement System, the Public Employees' Retirement System, the Judges' Retirement System, and the Judges Retirement System II provide pension benefits based in part upon credited service. Under existing law, counties and districts, as defined, may provide retirement benefits to their employees pursuant to the County Employees Retirement Law of 1937. This bill would declare the intent of the Legislature to convene a conference committee to craft responsible, comprehensive legislation to reform state and local pension systems in a manner that reflects both the legitimate needs of public employees and the fiscal circumstances of state and local governments.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SB 987 (Negrete McLeod) Public employees' retirement. (A-08/13/2012 [html](#) [pdf](#))

Status:08/14/2012-Read second time. Ordered to third reading.

Current Location:08/14/2012-A THIRD READING

Calendar Events:08/20/12 282 ASM SENATE THIRD READING FILE

Summary: The Public Employees' Retirement Law (PERL) creates the Public Employees' Retirement System (PERS), which provides a defined benefit to its members based on age at retirement, service credit, and final compensation. Existing law also establishes the Judges' Retirement System and the Judges' Retirement System II which provide pension benefits to elected judges and the Legislators' Retirement System which provides pension benefits to elective officers of the state other than judges and to legislative statutory officers. This bill would provide that all references to "spouse," "surviving spouse," or "marriage" in these provisions apply equally to a domestic partner or domestic partnership, as defined, and all rights and responsibilities granted to a spouse or surviving spouse shall be granted equally to a domestic partner, as specified. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SB 996 (Committee on Public Employment and Retirement) County Employees Retirement Law of 1937: heart trouble presumption. (A-03/26/2012 [html](#) [pdf](#))

Status:08/16/2012-Notice of intention to remove from inactive file given by Assembly Member Charles Calderon.

Current Location:07/02/2012-A INACTIVE FILE

Calendar Events:08/20/12 165 ASM UNFINISHED BUSINESS NOTICE OF INTENTION TO REMOVE FROM INACTIVE FILE

Summary: The County Employees Retirement Law of 1937 prescribes the rights, benefits, and duties of members of the retirement systems established pursuant to its provisions. Existing law also provides that if a safety member,

a fireman member, or a member in active law enforcement who has completed 5 years or more of service develops heart trouble, that heart trouble shall be presumed to arise out of and in the course of employment. This bill would clarify that the existing presumption is rebuttable, and would state findings and declarations and the intent of the Legislature in this regard. The bill would make additional nonsubstantive, technical changes.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SB 1002 (Yee) **Public records: electronic format.** (A-06/21/2012 [html](#) [pdf](#))

Status:08/16/2012-Do pass as amended.

Current Location:08/16/2012-A SECOND READING

Calendar Events:08/20/12 80 ASM SENATE SECOND READING FILE

Summary: The California Public Records Act requires state and local agencies to make their records available for public inspection and, upon request of a person, to provide a copy of a public record unless the record is exempt from disclosure. The act requires an agency that has information that constitutes an identifiable public record not otherwise exempt from disclosure that is in an electronic format to make that information available in an electronic format when requested by a person. The act requires the agency to make the information available in an electronic format in which it holds the information. This bill would authorize an agency, upon request, to provide a copy of an electronic record in a format in which the text in the electronic record is searchable by commonly used software. The bill would require the requester to bear the cost of converting the electronic record into a searchable format. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SB 1003 (Yee) **Local government: open meetings: cease and desist letters.** (A-08/13/2012 [html](#) [pdf](#))

Status:08/13/2012-Read third time and amended. Ordered to third reading.

Current Location:08/13/2012-A THIRD READING

Calendar Events:08/20/12 205 ASM SENATE THIRD READING FILE

Summary: Existing law, the Ralph M. Brown Act (Brown Act), requires each legislative body of a local agency to provide the time and place for holding regular meetings and requires that all meetings of a legislative body be open and public and all persons be permitted to attend unless a closed session is authorized. Existing law authorizes the district attorney or any interested person to file an action by mandamus, injunction, or declaratory relief to, among other things, determine the applicability of the act to actions or threatened future actions of the legislative body. This bill would prohibit a district attorney or an interested person from filing an action for an alleged violation of the Brown Act for past actions of a legislative body, unless certain conditions are met, including, but not limited to, a requirement that the district attorney or interested person submit a cease and desist letter to the legislative body being accused of the violation setting forth the alleged violation, and the legislative body has failed to issue an unconditional commitment to cease and desist from the alleged past action within 30 days of receiving the letter. The bill would require the unconditional commitment to cease and desist from the alleged past action to meet certain requirements. The bill would require that an action filed to challenge an alleged violation of the Brown Act pursuant to these provisions be dismissed with prejudice if the

legislative body enters into an unconditional commitment to cease and desist from the alleged past action. The bill would authorize the legislative body to enter into an unconditional commitment to cease and desist from the alleged action at any time, unless the plaintiff succeeds in a civil action against the legislative body and is awarded attorney's fees. The bill would provide that if an action filed to challenge an alleged violation of the Brown Act pursuant to these provisions is dismissed with prejudice because the legislative body has entered into an unconditional commitment to cease and desist from the alleged action after the 30-day period described above, and if the filing of that action caused the legislative body to enter into the unconditional commitment, then a court shall award costs and reasonable attorney fees to the plaintiff. The bill would require a legislative body that wishes to rescind a commitment to do so by a majority vote of the membership of the legislative body.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SB 1098 (La Malfa) Conservation camps: inmate labor. (E-08/16/2012 [html](#) [pdf](#))

Status:08/16/2012-In Senate. Ordered to engrossing and enrolling.

Current Location:08/16/2012-S ENROLLMENT

Calendar Events:

Summary: Existing law requires the Department of Forestry and Fire Protection to utilize inmates and wards assigned to conservation camps, among other things, in performing fire prevention, fire control, and other work of the department. This bill would require the Department of Corrections and Rehabilitation to provide all inmate classification, reclassification, and readmission score sheets in its possession to the Department of Forestry and Fire Protection personnel assigned to the conservation camp in which the inmate is being placed.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SB 1120 (Berryhill) Property-related services. (A-07/03/2012 [html](#) [pdf](#))

Status:08/16/2012-From special consent calendar. Ordered to inactive file on request of Senator Berryhill.

Current Location:08/16/2012-S INACTIVE FILE

Calendar Events:

Summary: The California Constitution, with the exception of fees or charges for sewer, water, and refuse collection services, conditions the imposition or increase of a property-related fee or charge upon approval by either a majority vote of the owners of the properties subject to the fee or charge or, at the option of the agency imposing the fee or charge, by a 2/3 vote of the voters residing in the area affected by the fee or charge. This bill would provide that an agency shall not be obligated to provide subsidies to cure any deficiencies in funding of property-related services provided in the agency's territory , if specified requirements are met. This bill would provide that this prohibition would not apply if the agency's governing board had agreed to subsidize the services before the completion of a majority protest proceeding or election, as specified . This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SB 1241 (Kehoe) Land use: general plan: safety element: fire hazard impacts. (A-06/25/2012 [html](#) [pdf](#))

Status:08/16/2012-Do pass.

Current Location:08/16/2012-A SECOND READING

Calendar Events:08/20/12 34 ASM SENATE SECOND READING FILE

Summary: The Planning and Zoning Law requires the legislative body of a city or county to adopt a comprehensive, long-term general plan that includes various elements, including, among others, a safety element for the protection of the community from unreasonable risks associated with, among other things, wildland and urban fires. The safety element includes requirements for state responsibility areas, as defined, and very high fire hazard severity zones, as defined. This bill would revise the safety element requirements for state responsibility areas and very high fire hazard severity zones, as specified, and require the safety element, upon the next revision of the housing element on or after January 1, 2014, to be reviewed and updated as necessary to address the risk of fire in state responsibility areas and very high fire hazard severity zones, taking into account specified considerations, including, among others, the most recent version of the Office of Planning and Research's "Fire Hazard Planning" document. The bill would also require the office to, at the next update of its general plan guidelines, include these provisions, or a reference to these provisions and any other materials related to fire hazards or fire safety it deems appropriate. By imposing new duties on a city or county with regard to reviewing and updating its general plan, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support			

SB 1357 **(Cannella) Removal from office: grand jury accusation.** (C-07/13/2012 [html](#) [pdf](#))

Status:07/13/2012-Chaptered by the Secretary of State, Chapter Number 134, Statutes of 2012

Current Location:07/13/2012-S CHAPTERED

Calendar Events:

Summary: Existing law provides for the removal of public officers for willful or corrupt misconduct in office. Existing law provides that an accusation in writing against any officer of a district, county, or city for willful or corrupt misconduct in office may be presented by the grand jury of the county for, or in, which the officer accused is elected or appointed. Existing law authorizes the impaneling of an additional grand jury under specified circumstances. Under existing law, an accusation may not be presented without the concurrence of a specified number of grand jurors. This bill would provide that the grand jury presenting the accusation against an officer for willful or corrupt misconduct in office may also be the additional grand jury impaneled pursuant to those provisions. The bill would require the concurrence of 14 grand jurors in a county in which the required number of grand jurors is 23 in order for an accusation of misconduct against an officer, as described above, to be presented.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SB 1365 **(Negrete McLeod) Emergency medical services: immunity.** (C-07/10/2012 [html](#) [pdf](#))

Status:07/09/2012-Chaptered by the Secretary of State, Chapter Number 69, Statutes of 2012

Current Location:07/09/2012-S CHAPTERED

Calendar Events:

Summary: Existing law limits the civil liability of a licensed nurse who in good faith renders emergency care at the scene of an emergency which occurs outside

both the place and the course of that person's employment, as specified. This bill would extend the above-described liability limit applicable to firefighters, police officers or other law enforcement officers, and emergency medical technicians to emergency medical services rendered during an emergency air or ground ambulance transport, and emergency medical services rendered by a registered nurse, as defined, at the scene of an emergency or during an emergency air or ground ambulance transport. This bill contains other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SB 1394 (Lowenthal) Dwelling safety: carbon monoxide and smoke detectors. (A-06/11/2012 [html](#) [pdf](#))

Status:08/13/2012-Read second time. Ordered to third reading.

Current Location:08/13/2012-A THIRD READING

Calendar Events:08/20/12 257 ASM SENATE THIRD READING FILE

Summary: Existing law provides that, subject to exceptions, a smoke detector, approved and listed by the State Fire Marshal, as specified, shall be installed, in accordance with the manufacturer's instructions in each dwelling intended for human occupancy. Existing law requires the owner of each dwelling unit subject to these requirements to supply and install smoke detectors in the locations and in the manner set forth in the manufacturer's instructions, as approved by the State Fire Marshal's regulations, and further requires, in the case of apartment complexes and other multiple-dwelling complexes, that a smoke detector shall be installed in the common stairwells. Existing law requires, for all dwelling units intended for human occupancy, upon the owner's application on or after January 1, 1985, for a permit for alterations, repairs, or additions, exceeding \$1,000, that a smoke detector be installed. Existing law authorizes the State Fire Marshal to adopt regulations exempting dwellings intended for human occupancy with fire sprinkler systems from these provisions, as specified. Existing law requires the owners of hotels, motels, lodging houses, apartment complexes, and other multiple-dwelling complexes to test and maintain smoke detectors, as specified. Existing law provides that a violation of any of these provisions is an infraction. This bill would provide that, for all dwelling units intended for human occupancy for which a building permit is issued on or after January 1, 2014, for alterations, repairs, or additions exceeding \$1,000, the permit issuer shall not sign off on the completion of work until the permittee demonstrates that all smoke alarms required for the dwelling unit are devices currently approved and listed by the State Fire Marshal. The bill would provide that a fire alarm system with smoke alarms installed in accordance with the State Fire Marshal's regulations may be installed in lieu of the devices approved and listed by the State Fire Marshal described above, as specified. The bill would delete the authority of the State Fire Marshal to adopt regulations exempting dwellings intended for human occupancy with fire sprinkler systems from the above-described provisions. The bill would also delete the requirement that the owner of each dwelling unit subject to the above-described provisions must supply and install smoke detectors in the locations and in the manner set forth in the manufacturer's regulations. Instead, the bill would require the owner of a dwelling intended for human occupancy in which one or more units is rented or leased to install additional smoke alarms as needed to ensure that smoke alarms are located in compliance with current building standards on or before January 1, 2016, as specified. The bill would expand the definition of "dwelling units intended for human occupancy" for these purposes to include factory-built housing, as defined. The bill would delete the requirement that a

smoke detector be installed in the common stairwells of apartment complexes and other multiple-dwelling complexes. The bill would, commencing January 1, 2014, require owners of single-family dwellings that are rented or leased to be responsible for testing and maintaining smoke alarms, as specified. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim				

SB 1436 (Lowenthal) Automated external defibrillators. (C-07/10/2012 [html](#) [pdf](#))

Status:07/09/2012-Chaptered by the Secretary of State, Chapter Number 71, Statutes of 2012

Current Location:07/09/2012-S CHAPTERED

Calendar Events:

Summary: Existing law authorizes the Emergency Medical Services Authority to establish minimum training and other standards for the use of automated external defibrillators (AEDs) and generally provides immunity from civil damages in connection with AEDs. Existing law requires persons or entities that acquire AEDs to comply with maintenance, testing, and training requirements, which are scheduled to change on January 1, 2013. Existing law, until January 1, 2013, sets forth tenant notice and other requirements for owners of buildings in which an AED is placed. This bill would extend the operation of these provisions indefinitely.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Support			

SB 1468 (Calderon) Fireworks. (A-06/15/2012 [html](#) [pdf](#))

Status:08/16/2012-Action From APPR. SUSPENSE FILE: Held in APPR..

Current Location:08/16/2012-A APPR.

Calendar Events:

Summary: Existing law authorizes the retail sale of safe and sane fireworks from June 28 to July 6, annually, pursuant to a license issued by the State Fire Marshal, unless otherwise prohibited or regulated by law or ordinance. This bill would express the Legislature's intent, for purposes of determining whether the Legislature should continue to allow safe and sane fireworks for the period immediately before each New Year's Eve, to conduct an enhanced fireworks data collection study in a limited number of jurisdictions. The bill would further declare the Legislature's intent that the cost of the Fireworks Special Data Collection Program be totally funded by voluntary contributions, as specified. The bill would require the State Fire Marshal, on or before December 1 in 2013 and 2014, in consultation with the State Fire Marshal's General Fireworks Advisory Committee, to determine an appropriate sum that does not exceed the amount reasonably necessary for Fireworks Special Data Collection Program activities for targeted jurisdictions and the state for the following year. The bill would require the funding for these activities, from voluntary contributions from the fireworks industry or from federal or private grants, to be collected by the State Fire Marshal for deposit in the Fireworks Special Data Collection Fund, which the bill would create as a continuously appropriated special fund in the State Treasury. Moneys in the fund would be available for actual reasonable costs incurred by the State Fire Marshal and local, participating jurisdictions to develop, implement, analyze, and report the results of the Fireworks Special Data Collection Program and for administrative expenses. By creating a new continuously appropriated special fund, the bill would make an appropriation. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SCA 4 (DeSaulnier) Initiative measures: funding source. (I-12/06/2010 [html](#) [pdf](#))

Status:05/27/2011-Read second time. Ordered to third reading.

Current Location:05/27/2011-S THIRD READING

Calendar Events:08/20/12 151 SEN SENATE BILLS-THIRD READING FILE

Summary: The California Constitution provides that the electors may propose statutes or amendments to the state constitution through the initiative process by presenting to the Secretary of State a petition that sets forth the text of the proposed statute or amendment to the Constitution and is certified to have been signed by a certain number of electors. This measure would prohibit an initiative measure that would result in a net increase in state or local government costs other than costs attributable to the issuance, sale, or repayment of bonds, from being submitted to the electors or having any effect unless and until the Legislative Analyst and the Director of Finance jointly determine that the initiative measure provides for additional revenues in an amount that meets or exceeds the net increase in costs.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SCA 10 (Strickland) Government finance. (A-06/27/2012 [html](#) [pdf](#))

Status:06/27/2012-From committee with author's amendments. Read second time and amended. Re-referred to Com. on GOV. & F.

Current Location:06/27/2012-S G. & F.

Calendar Events:

Summary: Existing provisions of the California Constitution place limitations on the authority of the state or an entity of local government to expend the proceeds of taxes, as defined. These provisions require the state or an entity of local government to establish an appropriations limit for each fiscal year, defined as the total annual appropriations subject to limitation. These provisions prohibit the total annual appropriations subject to limitation from exceeding the appropriations limit of the government entity for the prior year adjusted for a change in the cost of living and the change in population, as defined. If the state incurs excess revenues above its appropriations limit for 2 consecutive fiscal years, the provisions require 50% of the excess revenues to be transferred and allocated to the State School Fund for elementary, high school, and community college purposes, and the remaining 50% of the excess revenues to be returned to the taxpayers pursuant to a revision of tax rates or fee schedules. If an entity of local government incurs excess revenues above its appropriations limit for 2 consecutive fiscal years, the provisions require all of the excess revenues to be returned to the taxpayers pursuant to a revision of tax rates or fee schedules. Existing law provides that appropriations for all qualified capital outlay projects are not appropriations subject to limitation under these provisions. Qualified capital outlay projects are defined by the Legislature. This measure would revise and recast these provisions to provide, on and after July 1, 2013, that the appropriations limit of the state for the expenditure of the proceeds of taxes shall be the total amount of appropriations subject to limitation in the 2010-11 fiscal year. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim				

SCA 13 (Cannella) Public employees' retirement. (A-01/11/2012 [html](#) [pdf](#))

Status:01/11/2012-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.

Current Location:01/11/2012-S RLS.

Calendar Events:

Summary: The California Constitution provides that the retirement board of a public pension or retirement system has plenary authority and fiduciary responsibility for investment of moneys and administration of the system. Existing law establishes various public agency retirement systems, including the Public Employees' Retirement System (PERS), the State Teachers' Retirement System (STRS), the Judges' Retirement System II, and various county retirement systems pursuant to the County Employees Retirement Law of 1937, among others, and these systems provide defined pension benefits to public employees based on age, service credit, and final compensation. The California Constitution permits a city or county to adopt a charter for purposes of its governance that supersedes general laws of the state in regard to specified subjects, including compensation of city or county employees. The California Constitution also establishes the University of California as a public trust with full powers of organization and government, subject only to specified limitations. Charter cities and the University of California may establish pension plans under their respective independent constitutional authority. This measure would provide that any change to the formula used to calculate the pension benefits of a member of a public retirement system, as defined, that results in an increase in the member's pension benefits shall apply only to service performed on and after the operative date of the change, and would prohibit the retroactive application of that change. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SCA 15 (Hancock) Taxation: voter approval. (I-07/14/2011 [html](#) [pdf](#))

Status:02/02/2012-Referred to Coms. on GOV. & F. and E. & C.A.

Current Location:02/02/2012-S G. & F.

Calendar Events:

Summary: The California Constitution requires that a change in state statute, passed by the Legislature, that results in a taxpayer paying a higher tax be imposed in an act that is passed with the approval of not less than 2/3 of the membership of each house of the Legislature. This measure would alternatively allow a change in state statute, passed by the Legislature, that results in a taxpayer paying a higher tax to be imposed in an act passed by a majority of the membership of each house of the Legislature, where that change becomes effective only when submitted to the voters and approved by a majority of the voters voting on that measure at a statewide election. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SCA 18 (Huff) Public employees' retirement. (I-02/22/2012 [html](#) [pdf](#))

Status:03/01/2012-Referred to Coms. on P.E. & R. and E. & C.A.

Current Location:03/01/2012-S P.E. & R.

Calendar Events:

Summary: Existing law establishes various public agency retirement systems, including

the Public Employees' Retirement System (PERS), the State Teachers' Retirement System (STRS), the Judges' Retirement System II, and various county retirement systems pursuant to the County Employees Retirement Law of 1937, among others, and these systems provide defined pension benefits to public employees based on age, service credit, and amount of final compensation. The California Constitution permits a city or county to adopt a charter for purposes of its governance that supersedes general laws of the state in regard to specified subjects, including compensation of city or county employees. The California Constitution also establishes the University of California as a public trust with full powers of organization and government, subject only to specified limitations. Charter cities and the University of California may establish pension plans under their respective independent constitutional authority. These pension systems are funded by employee and employer contributions and investment returns. Existing law provides that public employee pension benefits are a form of deferred compensation, the right to which vests in the employee on contractual principles and is protected from impairment by the California Constitution and the United States Constitution. This measure would require each public retirement system, as defined in statute, to provide one or more hybrid pension plans meeting the requirements of this measure to each public employer that provides its employees a defined benefit pension plan administered by the public retirement system. The measure would require that a hybrid pension plan consist of a defined benefit component and a defined contribution or alternative plan design component, as specified. The measure would require, among other things, that a hybrid pension plan be designed with a goal of providing annually during retirement, based on a full career in public service, as defined, replacement income of 75% of a public employee's final compensation. The measure would require the Director of Finance, on or before January 1, 2013, to establish initial criteria and requirements for one or more hybrid pension plans, as specified. The measure would require, on and after July 1, 2013, each public retirement system to administer, and make available to each public employer that provides a defined benefit pension plan, one or more hybrid pension plans, except as specified, for public employees hired in each member classification in the public retirement system. This bill contains other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SCR 2 (DeSaulnier) Constitutional Convention. (A-04/07/2011 [html](#) [pdf](#))

Status:04/07/2011-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.

Current Location:04/07/2011-S RLS.

Calendar Events:

Summary: Under the California Constitution, the Legislature by rollcall vote entered in the journal, two-thirds of the membership of each house concurring, may submit at a general election the question whether to call a convention to revise the Constitution. If the majority vote yes on that question, within 6 months the Legislature is required to provide for the convention. This measure would propose that the people of the State of California vote at the next statewide general election on the question of whether to call a convention to revise the California Constitution.

Organization	Assigned	Position	Priority	Subject	Groups
FDAC	RHeim	Watch			

SCR 57 (Vargas) Building standards. (1-08/22/2011 [html](#) [pdf](#))

Status:04/19/2012-Hearing canceled at the request of author.

Current Location:02/02/2012-S T. & H.

Calendar Events:

Summary: This measure would urge the Division of the State Architect, in cooperation with the California Building Standards Commission and the Department of Housing and Community Development, to hold hearings to determine if the building codes subject to a scheduled review should be amended to require the installation of devices that shut off natural gas and electrical power in the event of an earthquake at the time of initial construction and major renovations.

Organization	Assigned	Position	Priority	Subject	Groups
<i>FDAC</i>	<i>RHeim</i>	<i>Watch</i>			