

AMENDMENTS TO ASSEMBLY BILL NO. 2205

Amendment 1

In the title, in line 1, strike out "amend Section 17250 of" and insert:
add Section 17201.1 to

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 17201.1 is added to the Revenue and Taxation Code, to read:

17201.1. To the extent that the transportation improvement fee imposed by Chapter 6 (commencing with Section 11050) of Part 5 is a personal property tax, as defined in Section 164(b)(1) of the Internal Revenue Code, relating to personal property taxes, it is deductible pursuant to subdivision (a) of Section 17201 in the same manner as the vehicle licensee fee imposed by Chapter 2 (commencing with Section 10751) of Part 5.

Amendment 3

On page 1, strike out lines 1 to 10, inclusive, and strike out pages 2 and 3



AMENDMENTS TO ASSEMBLY BILL NO. 2206

Amendment 1

In the title, in line 1, strike out "9250" and insert:

4453

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 4453 of the Vehicle Code is amended to read:

4453. (a) The registration card shall contain upon its face, the date issued, the name and residence or business address or mailing address of the owner and of the legal owner, if any, the registration number assigned to the vehicle, and a description of the vehicle as complete as that required in the application for registration of the vehicle.

(b) The following motor vehicles shall be identified as such on the face of the registration card whenever the department is able to ascertain that fact at the time application is made for initial registration or transfer of ownership of the vehicle:

(1) A motor vehicle rebuilt and restored to operation that was previously declared to be a total loss salvage vehicle because the cost of repairs exceeds the retail value of the vehicle.

(2) A motor vehicle rebuilt and restored to operation that was previously reported to be dismantled pursuant to Section 11520.

(3) A motor vehicle previously registered to a law enforcement agency and operated in law enforcement work.

(4) A motor vehicle formerly operated as a taxicab.

(5) A motor vehicle manufactured outside of the United States and not intended by the manufacturer for sale in the United States.

(6) A park trailer, as described in Section 18009.3 of the Health and Safety Code, that when moved upon the highway is required to be moved under a permit pursuant to Section 35780.

(7) A motor vehicle that has been reacquired under circumstances described in subdivision (c) of Section 1793.23 of the Civil Code, a vehicle with out-of-state titling documents reflecting a warranty return, or a vehicle that has been identified by an agency of another state as requiring a warranty return title notation, pursuant to the laws of that state. The notation made on the face of the registration and pursuant to this subdivision shall state "Lemon Law Buyback."

(c) The registration card shall display, as a separate line item, the amount of the transportation improvement fee, as defined in Section 11050 of the Revenue and Taxation Code, that is included in the total cost to register the vehicle.

(e)

(d) The director may modify the form, arrangement, and information appearing on the face of the registration card and may provide for standardization and abbreviation



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of fictitious or firm names on the registration card whenever the director finds that the efficiency of the department will be promoted by so doing.

Amendment 3

On page 1, strike out lines 1 to 8, inclusive, and strike out page 2

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AMENDMENTS TO ASSEMBLY BILL NO. 2210

Amendment 1

In the title, in line 1, strike out "8240" and insert:

68075.6

Amendment 2

In the title, strike out line 2 and insert:

postsecondary education.

Amendment 3

On page 1, before line 1, insert:

SECTION 1. Section 68075.6 of the Education Code is amended to read:

68075.6. (a) The Legislature finds and declares all of the following:

(1) The wars in Afghanistan, Iraq, Syria, and other countries have displaced many families, causing many of them to flee their homes in search of a better life. Between 2011 and March 2017, more than 36,000 refugees entered California, with nearly 8,000 of them entering in 2016.

(2) Under the National Defense Authorization Act for Fiscal Year 2006, certain Afghan and Iraqi nationals were provided special immigrant status in the United States. Through the end of 2015, more than 37,000 individuals were granted special immigrant visa (SIV) status under this program. Between 2011 and March 2017, 9,200 SIV holders resettled in California.

(3) Under the federal Afghan Allies Protection Act of 2009, certain Afghan nationals were provided special immigrant status in the United States.

~~(3)~~

(4) Many of these families have escaped war and persecution in order to improve the lives of their families, but encounter numerous barriers, such as the cost of higher education, when assimilating into the United States. Access to institutions of higher education will ensure that students from these families are able to pursue their educational goals and rebuild and improve their lives and the lives of their families.

(b) Notwithstanding any other law:

(1) A student of the California Community Colleges who has a special immigrant visa that has been granted a status under Section 1244 of Public Law ~~110-181~~ or 110-181, under Public Law 109-163, or under Section 602(b) of Title VI of Division F of Public Law 111-8, or is a refugee admitted to the United States under Section 1157 of Title 8 of the United States Code, and who, upon entering the United States, settled in California, shall be exempt from paying the nonresident tuition fee required by Section 76140 for the length of time he or she lives in this state up to the minimum time necessary to become a resident.



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(2) A community college district may report a student, who is exempt from nonresident tuition pursuant to this section and who is enrolled as a student in that district, as a full-time equivalent student for apportionment purposes.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

Amendment 4

On page 1, strike out lines 1 to 10, inclusive, and strike out page 2

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AMENDMENTS TO ASSEMBLY BILL NO. 2211

Amendment 1

In the title, in line 1, strike out “relating to the Capital Access Loan Program.” and insert:

to add Sections 12812.7 and 12812.8 to the Government Code, and to amend Section 25244.17.2 of the Health and Safety Code, relating to climate change.

Amendment 2

On page 2, before line 1, insert:

SECTION 1. The Legislature finds and declares both of the following:

(a) Small businesses and small nonprofit organizations often lack the technical expertise to develop grant and financing options.

(b) For the state to meet its air quality goals, every business and community must have the same opportunity to compete for funding that is available to meet those air quality goals.

SEC. 2. Section 12812.7 is added to the Government Code, to read:

12812.7. (a) For purposes of this section, the following definitions apply:

(1) “Fund” means the Greenhouse Gas Reduction Fund established pursuant to Section 16428.8.

(2) “Secretary” means the Secretary for Environmental Protection.

(3) “Small business” shall have the same meaning as defined in Section 14837.

(b) The Green Assistance Program is hereby established within the California Environmental Protection Agency to be administered by the secretary. The program shall do all of the following:

(1) Provide technical assistance, including assistance with the development of competitive project proposals, to small businesses and small nonprofit organizations applying for an allocation of moneys from the fund.

(2) Assist small businesses in applying for funding for energy upgrades to meet and exceed the greenhouse gas emission reduction target established pursuant to Section 38566 of the Health and Safety Code.

(3) Advise small businesses in complying with all applicable federal, state, and local air quality laws.

(4) Identify state agencies with appropriate grant programs.

(5) Coordinate existing local programs to reduce greenhouse gas emissions with new programs receiving moneys from the fund.

SEC. 3. Section 12812.8 is added to the Government Code, to read:

12812.8. (a) The California Green Business Program is hereby established within the California Environmental Protection Agency to be administered by the Secretary for Environmental Protection. The program shall provide support and assistance to green business certification programs operated by local governments that certify small- and medium-sized businesses that voluntarily adopt environmentally



preferable business practices, including, but not limited to, increased energy efficiency, reduced greenhouse gas emissions, water conservation, and waste reduction.

(b) The California Green Business Program, established pursuant to subdivision (a), may do any of the following:

(1) Assist local governments in the development and implementation of guidelines and structures that establish and promote a level of consistency among green business certification programs throughout the state.

(2) Promote the early adoption of environmental initiatives at participating businesses and provide a publicly recognizable incentive for participating businesses to make their operations more sustainable and profitable in order to gain measurable environmental outcomes.

(3) Develop technical guidance on greenhouse gas emissions reduction measures, conduct industry studies and pilot projects, establish metrics, and provide policy coordination for the green business certification programs operated by local governments.

(4) Develop tools, templates, and outreach campaigns on behalf of the green business certification programs operated by local governments to encourage business participation and public recognition of the certification as a reliable indicator of sustainability.

(5) Support, through staffing and contacts, the funding for on-the-ground professionals specializing in technical assistance for small- and medium-sized businesses seeking green business certification and for public involvement to recruit additional participating businesses.

(6) Support, in collaboration with the Green Assistance Program established pursuant to Section 12812.7, the provision of technical assistance to small businesses and small nonprofit organizations to develop project proposals for grant programs receiving moneys from the Greenhouse Gas Reduction Fund, created pursuant to Section 16428.8.

(7) Provide for collaboration between the green business certification programs operated by local governments and state agencies that operate small business efficiency and economic development programs, including the Governor's Office of Business and Economic Development and the Department of Community Services and Development, and with the Public Utilities Commission, the State Energy Resources Conservation and Development Commission, the Department of Water Resources, and the boards, offices, and departments within the California Environmental Protection Agency. The nature of the collaboration may include attempting to meet and measure state-mandated conservation efforts at small- and medium-sized businesses; developing methods to collect, measure, and report on environmental outcomes; and using green businesses as the early adopters of environmental initiatives that lead to greenhouse gas emissions reductions.

(8) Maintain and enhance a common network database integrating measurable pollution reductions and cost savings to businesses seeking green business certification through the local government programs and add participating businesses that receive the certification to a directory of certified green businesses that would be used to promote the certified businesses both to other businesses that are seeking to green their supply chain and to consumers seeking to support sustainable businesses.

(9) Position certified green businesses as supply-chain partners for state, national, and international companies seeking green supply-chain partners.

(10) Solicit the participation of additional local government programs and facilitate the startup of new local programs, including extra support and a specific prioritized focus on assistance for disadvantaged communities that lack local funding and resources to develop a program.

(11) Provide funding to local government programs for staff support and provide additional resources and funding for direct rebates and grants to certified green businesses.

SEC. 4. Section 25244.17.2 of the Health and Safety Code is amended to read:

25244.17.2. (a) ~~(1)~~The department may provide pollution prevention training and resources to CUPAs, small business development corporations, business environmental assistance centers, and other regional and local government environmental programs so that they can provide technical assistance to businesses in identifying and applying methods of pollution prevention.

~~(2)~~

~~(b)~~ The activities conducted pursuant to ~~paragraph (1)~~ subdivision (a) shall emphasize activities necessary to implement Sections 25244.17 and 25244.17.1.

~~(b)~~ As part of implementing the program authorized by this section, the department may develop a California Green Business Program that provides support and assistance to programs operated by local governments to meet the requirement of subdivision (c) and that would voluntarily certify small businesses that adopt environmentally preferable business practices, including, but not limited to, increased energy efficiency, reduced greenhouse gas emissions, promotion of water conservation, and reduced waste generation. The department's California Green Business Program may do any or all of the following:

~~(1)~~ Assist the network of statewide local government programs in implementing guidelines and structures that establish and promote a level of consistency among green business programs across the state.

~~(2)~~ Support, through staffing and contracts, the development and maintenance of a statewide database to register small businesses granted green business certification, or its equivalent, pursuant to a local government program, and track measurable pollution reductions and cost savings.

~~(3)~~ Solicit participation of additional local programs and facilitate the startup of new local programs.

~~(4)~~ Develop technical guidance on pollution prevention measures, conduct industry studies and pilot projects, and provide policy coordination for the participating local programs.

~~(5)~~ Collaborate with relevant state agencies that operate small business efficiency and economic development programs, including, but not limited to, the Department of Resources Recycling and Recovery, the Public Utilities Commission, the State Energy Resources Conservation and Development Commission, the State Air Resources Board, and the Department of Water Resources.

~~(e)~~ The department may provide support and assistance to a local government program to enable the program to meet all of the following requirements:

~~(1)~~ The program will be operated by a local government or its designee.

(2) The program will adopt industry-specific standards for green business certification, or its equivalent, in consultation with the other participants in the California Green Business Program.

(3) The program will grant a small business that voluntarily applies to the program a green business certification or its equivalent, only upon a determination by the program operator or designee that the business is a small business, as determined by the program, and complies with the industry-specific standards for green business certification adopted pursuant to paragraph (2).

(4) The program will grant a green business certification, or its equivalent, to small businesses, as determined by the program, in accordance with all of the following requirements:

(A) Before the program grants green business certification or its equivalent, the program conducts an evaluation to verify compliance with the appropriate green business certification standards adopted pursuant to paragraph (2).

(B) A green business certification or its equivalent is granted only to an individual location of a small business.

(C) A green business certification or its equivalent is granted to an individual small business only for a limited time period, and, after the elapse of that time period, the small business is required to reapply for that certification.

(D) Compliance with applicable federal, state, and local environmental laws and regulations is required as a condition of receiving a green business certification or its equivalent.

(d) The department may determine, in consultation with the advisory committee, the most effective methods to promote implementation of pollution prevention education programs by CUPAs, small business development corporations, business environmental assistance centers, and other regional and local government environmental programs. Program elements may include, but are not limited to, all of the following:

(1) Sponsoring workshops, conferences, technology fairs, and other training events.

(2) Sponsoring regional training groups, such as the regional hazardous waste reduction committees.

(3) Developing and distributing educational materials, such as short descriptions of successful pollution prevention projects and materials explaining how pollution prevention has been used by businesses to achieve compliance with environmental laws enforced by local governments.

(4) Developing site review checklists, training manuals, and technical resource manuals and using those resources to train CUPAs, small business development corporations, business environmental assistance centers, and other regional and local government environmental programs.

(5) Preparing and distributing resource lists such as lists of vendors, consultants, or providers of financial assistance for pollution prevention projects.

(6) Serving as an information clearinghouse to support telephone and onsite consultants with local governments.

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Amendment 3
On page 2, strike out lines 1 to 6, inclusive

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AMENDMENTS TO ASSEMBLY BILL NO. 2213

Amendment 1

In the title, in line 1, strike out "Section 30312" and insert:

Sections 28475, 30312, and 30314

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 28475 of the Penal Code is amended to read:

28475. Information compiled from the list described in Section 28450 shall be made available for the following purposes:

(a) Requests from local, state, and federal law enforcement agencies and the duly constituted city, county, and city and county licensing authorities.

(b) When the information is requested by a person licensed pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code for determining the validity of the license for firearm shipments.

(c) When the information is requested by a licensed ammunition vendor to determine the validity of the license for an ammunition sale.

Amendment 3

On page 1, in line 1, strike out "SECTION 1." and insert:

SEC. 2.

Amendment 4

On page 2, in line 35, after the period insert:

For purposes of this paragraph, "head of the agency" shall include the lead procurement officer for an ammunition purchase contract, the head of procurement for the agency, or the head of any local field office of the agency, provided that the authorization is written on the official letterhead of the agency and provides a telephone number or other means of verifying its authenticity.

Amendment 5

On page 3, between lines 33 and 34, insert:

(12) A person licensed as a private patrol operator or registered as a security guard or patrolperson by the Bureau of Security and Investigative Services of the Department of Consumer Affairs, who holds a valid firearm permit issued pursuant to Chapter 11.5 (commencing with Section 7580) of Division 3 of the Business and



Professions Code and who purchases or receives ammunition for use in the normal course and scope of his or her business or employment.

Amendment 6

On page 3, below line 34, insert:

SEC. 3. Section 30314 of the Penal Code is amended to read:

30314. (a) Commencing January 1, 2018, a resident of this state shall not bring or transport into this state any ammunition that he or she purchased or otherwise obtained from outside of this state unless he or she first has that ammunition delivered to a licensed ammunition vendor for delivery to that resident pursuant to the procedures set forth in Section 30312.

(b) Subdivision (a) does not apply to any of the following:

(1) An ammunition vendor.

(2) A sworn peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, or sworn federal law enforcement officer, who is authorized to carry a firearm in the course and scope of the officer's duties.

(3) An importer or manufacturer of ammunition or firearms who is licensed to engage in business pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto.

(4) A person who is on the centralized list of exempted federal firearms licensees maintained by the Department of Justice pursuant to Article 6 (commencing with Section 28450) of Chapter 6 of Division 6.

(5) A person who is licensed as a collector of firearms pursuant to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code and the regulations issued pursuant thereto, whose licensed premises are within this state, and who has a current certificate of eligibility issued by the Department of Justice pursuant to Section 26710.

(6) A person who acquired the ammunition from a spouse, registered domestic partner, or immediate family member as defined in Section 16720.

(7) A person licensed as a private patrol operator or registered as a security guard or patrolperson by the Bureau of Security and Investigative Services of the Department of Consumer Affairs, who holds a valid firearm permit issued pursuant to Chapter 11.5 (commencing with Section 7580) of Division 3 of the Business and Professions Code and who purchases or receives ammunition for use in the normal course and scope of his or her business or employment.

(c) A violation of this section is an infraction for any first time offense, and either an infraction or a misdemeanor for any subsequent offense.



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AMENDMENTS TO ASSEMBLY BILL NO. 2216

Amendment 1

In the title, in line 1, strike out "Section 5848.5 of the Welfare and Institutions Code," strike out line 2 and insert:

Section 8590.7 of the Government Code, relating to human trafficking, and making an appropriation therefor.

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 8590.7 of the Government Code is amended to read:
8590.7. (a) There is hereby created in the State Treasury the Human Trafficking Victims Assistance Fund. Moneys in the fund, including any interest earned, shall only be expended to support programs for victims of human trafficking pursuant to the requirements of this article and for reimbursement of costs incurred by the office in connection with its duties under this section. Of the amounts appropriated to the fund, no more than 5 percent shall be applied for reimbursement of costs incurred by the office in connection with its duties.

(b) The office shall do all of the following:

(1) Be responsible for overseeing the grant program.

(2) Award grants based on the following:

(A) The capability of the qualified nonprofit organization to provide comprehensive services.

(B) The stated goals and objectives of the qualified nonprofit organization.

(C) The number of people to be served and the needs of the community.

(D) Evidence of community support.

(E) Other criteria the office deems appropriate that is consistent with the requirements of this paragraph.

(3) Publish deadlines and written procedures for qualified nonprofit organizations to apply for the grants.

(c) The sum of ten million dollars (\$10,000,000) is hereby appropriated from the General Fund to the office for the purpose of awarding grants to support programs for victims of human trafficking.

Amendment 3

On page 1, strike out lines 1 and 2 and strike out pages 2 to 13, inclusive



AMENDMENTS TO ASSEMBLY BILL NO. 2241

Amendment 1

In the title, in line 1, strike out “amend Section 10608 of” and insert:
add Section 12407 to

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 12407 is added to the Water Code, to read:
12407. The department, the state board, and the Department of Fish and Wildlife shall work to improve the open and transparent access to data by reducing the fractured or duplicative reporting of the same or similar data to multiple governmental agencies or departments, and by reducing the reporting burden on entities providing data to governmental agencies.

Amendment 3

On page 1, strike out lines 1 to 7, inclusive, and strike out page 2



AMENDMENTS TO ASSEMBLY BILL NO. 2242

Amendment 1

In the title, in line 1, strike out "amend Section 10610.2 of" and insert:

add Section 10631.5 to

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 10631.5 is added to the Water Code, to read:

10631.5. (a) In addition to the requirements of Section 10631, an urban water supplier shall include in its urban water management plan an assessment of the reliability of its water service to its customers during normal, dry, and multiple dry years, including a repeat of the five consecutive historic driest years the urban water supplier has experienced.

(b) As part of an assessment of the reliability of water service described in subdivision (a), an urban water supplier shall consider the reliability of its water service given the combination of supplies available to it, possible supply augmentation measures it is able to take, and the demand management measures it would likely implement in those scenarios.

Amendment 3

On page 1, strike out lines 1 to 6, inclusive, and strike out page 2



AMENDMENTS TO ASSEMBLY BILL NO. 2246

Amendment 1

In the title, in line 1, strike out "amend Section 50474.21 of the Government Code, relating", strike out line 2 and insert:

add Section 1939.02 to the Civil Code, relating to vehicles.

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 1939.02 is added to the Civil Code, to read:

1939.02. Notwithstanding any other law, the following terms shall include, but not be limited to, a personal vehicle sharing program, as defined in Section 11580.24 of the Insurance Code:

(a) "Rental company" as defined in Section 1939.01.

(b) "Rental car company" as defined in Section 11752 of the Vehicle Code.

(c) "Rental company" or "rental car company" as used in Article 6 (commencing with Section 50470) of Chapter 2 of Part 1 of Division 1 of Title 5 of the Government Code.

(d) "Business within the passenger rental category" as used in Section 13995.65.5 of the Government Code.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

Amendment 3

On page 1, strike out lines 1 to 5, inclusive, and strike out pages 2 to 4, inclusive



AMENDMENTS TO ASSEMBLY BILL NO. 2250

Amendment 1

In the title, in line 1, strike out "relating to public social services." and insert:
to add Section 7446 to the Penal Code, relating to children of incarcerated parents.

Amendment 2

On page 2, before line 1, insert:

SECTION 1. Section 7446 is added to the Penal Code, to read:

7446. (a) The Board of State and Community Corrections shall convene a working group regarding the needs of children of incarcerated parents, as specified in paragraph (3) of subdivision (b), in order to develop policy and fiscal recommendations for meeting those needs. The working group shall include, but not be limited to, representatives from all of the following:

- (1) The Department of Corrections and Rehabilitation.
- (2) The State Department of Education.
- (3) The State Department of Social Services.
- (4) The State Department of Health Care Services.
- (5) The Judicial Council.
- (6) The Commission on Peace Officer Standards and Training.
- (7) The California State Sheriffs' Association.
- (8) The Chief Probation Officers of California.
- (9) Children of incarcerated parents and their advocacy groups, including, but not limited to, the San Francisco Children of Incarcerated Parents Partnership, the Alameda County Children of Incarcerated Parents Partnership, Project Avary, and Project WHAT!.

(b) The working group shall do all of the following:

(1) By January 1, 2020, develop guidelines using the needs described in paragraph (3) as a set of guiding principles for policy and procedure decisions that impact children of incarcerated parents in the areas of corrections, education, child welfare, mental health, the courts, law enforcement, and probation.

(2) By January 1, 2020, make policy and fiscal recommendations to the Legislature for potential revisions to state law that would adhere to those aforementioned guidelines.

(3) Examine the unique needs of children of incarcerated parents, which include, but are not limited to, the child's need for all of the following:

(A) To be kept informed and protected from additional trauma at the time of parental arrest.

(B) To be heard and respected by decisionmakers when decisions are made about the child.

(C) To be considered when decisions are made about the child's parent.

(D) To be cared for in the absence of the child's parent in a way that prioritizes the child's physical, mental, and emotional needs.



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- (E) To speak with, see, and touch the incarcerated parent.
- (F) To be provided support through local services and programs geared toward the needs of children with incarcerated parents.
- (G) To not be judged, labeled, or blamed for the parent's incarceration.
- (H) To have a lifelong relationship with the incarcerated parent.

Amendment 3
On page 2, strike out lines 1 to 4, inclusive

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AMENDMENTS TO ASSEMBLY BILL NO. 2258

Amendment 1

In the title, in line 1, strike out "amend Section 56381 of the Government Code," and insert:

add and repeal Section 75131 of the Public Resources Code,

Amendment 2

On page 1, before line 1, insert:

SECTION 1. The Legislature hereby finds and declares:

(a) Local agency formation commissions play a critical role in the logical formation of local agency boundaries, the promotion of orderly development, and the efficient and effective provision of services.

(b) It is the intent of the Legislature in adding Section 75131 to the Public Resources Code to assist local agency formation commissions in initiating studies of existing government agencies and their provision of services and to consider action based on the results of these studies, including dissolving inactive districts, for the purpose of creating streamlined local government services and improved efficiency in service delivery.

SEC. 2. Section 75131 is added to the Public Resources Code, to read:

75131. (a) (1) The council shall establish and administer a local agency formation commissions grant program for the purposes described in subdivision (b).

(2) Program funding shall be subject to appropriation in the annual Budget Act.

(3) Program funds provided to participating local agency formation commissions shall be used to supplement, and not supplant, existing funding and staffing levels.

(4) Program funds provided to participating local agency formation commissions shall not be used to conduct a service review of municipal services pursuant to Section 56430 of the Government Code.

(5) All local agency formation commissions shall be eligible to participate in the program.

(b) The council shall award grants to local agency formation commissions for any of the following purposes:

(1) The payment of costs associated with initiating and completing the dissolution of inactive districts, as defined in Section 56042 of the Government Code, pursuant to Section 56879 of the Government Code.

(2) The payment of costs associated with a study prepared pursuant to Section 56378 of the Government Code of the services provided within a county by a public agency to do either or both of the following:

(A) Identify if there are any efficiencies to be gained in the provision of services.

(B) Determine what alternatives, if any, exist for improving efficiency and affordability of infrastructure and service delivery.

(3) The payment of costs to do any of the following:



(A) Initiate an action, described in paragraph (2) of subdivision (a) of Section 56375, other than the dissolution of an inactive district, based on determinations found in a study prepared pursuant to Section 56378 of the Government Code, as approved by the commission.

(B) Develop and implement reorganization plans with timelines for expected outcomes.

(C) Incentivize service providers to work with the local agency formation commission to develop and implement reorganization plans with timelines for expected outcomes.

(c) (1) In order to obtain a grant award pursuant to paragraph (1) of subdivision (b), a local agency formation commission shall submit to the council an application for reimbursement of the costs of the dissolution proceedings, in the form and manner specified by the council. At a minimum, the application shall include all of the following:

(A) The notification provided to the commission by the Controller of the inactive district(s) and the requirement to initiate dissolution proceedings.

(B) A full budget accounting for costs of the dissolution.

(C) All reports and documents pertaining to the final dissolution action.

(2) The council shall review the application for reimbursement and, provided all documentation is in order, issue reimbursement to the local agency formation commission within 60 days of receipt of the application.

(d) (1) In order to obtain a grant award pursuant to paragraph (2) of subdivision (b) for purposes of conducting a study, a local agency formation commission shall submit to the council an application, in the form and manner specified by the council. At a minimum, the application shall include all of the following:

(A) A resolution adopted by the commission authorizing submission of the grant application and a commitment to review and consider the recommendations and potential actions contained in the study.

(B) A full budget accounting for estimated costs of the study to be performed.

(C) A full explanation of the reason for the study.

(D) The most recent completed municipal service review or study in which determinations were made by the local agency formation commission indicating the agency to be studied is a candidate for a change of organization or reorganization.

(2) The council shall review the applications submitted pursuant to paragraph (1), select the program participants based on criteria that furthers the purposes of this section, and notify the participants of their selection within two months of receiving the application. Funds shall be issued by the council to the local agency formation commission within 60 days of notification.

(3) A local agency formation commission that receives a grant pursuant to paragraph (2) of subdivision (b) shall commence the study within 30 days of receipt of funding and shall complete the study within two years of commencing the study. Upon completion of the study, the local agency formation commission shall do all of the following:

(A) Submit to the council a final report within 30 days of the completion of the study and the commission's adoption of a resolution making determinations. The report shall be in the form and manner specified by the council. At a minimum, the report shall include all of the following:

- (i) The full study conducted.
 - (ii) The resolution making determinations as adopted by the local agency formation commission.
 - (iii) A full budget accounting report of the funds used.
 - (iv) A reimbursement of any unexpended funds.
 - (v) The local agency formation commission's plan for future action based on the study's conclusions.
- (B) Upon the request of the council, participating local agency formation commissions shall provide the council with any supplemental information necessary to substantiate the information contained in the report submitted pursuant to this subdivision.
- (e) (1) A local agency formation commission that elects to apply for a grant pursuant to paragraph (3) of subdivision (b) shall submit to the council an application, in the form and manner specified by the council. At a minimum, the application shall include all of the following:
- (A) A resolution adopted by the commission authorizing submission of the application for purposes defined in the application.
 - (B) Change of organization or reorganization plans with timelines for expected outcomes.
 - (C) A full budget accounting for estimated costs of the action to be performed.
 - (D) The most recent completed study in which determinations were made by the local agency formation commission indicating the agency should be reorganized or dissolved, or, if there exists a municipal services review or study with like determinations that is no more than five years old.
- (2) The council shall review the applications submitted pursuant to paragraph (3) of subdivision (b), select the program participants based on criteria that furthers the purposes of this section, and notify the participants of their selection within two months of receiving the application. Funds shall be issued by the council to the local agency formation commission within 60 days of notification.
- (3) A local agency formation commission that receives funds pursuant to paragraph (3) of subdivision (b) shall commence action within 30 days of receipt of funding.
- (4) A local agency formation commission that receives funds pursuant to paragraph (3) of subdivision (b) shall hold a public hearing to consider the change of organization or reorganization, and if approved, order the change of organization or reorganization unless a majority of protest exists pursuant to subdivision (c) of Section 57077 of the Government Code. Upon completion of the change of organization or reorganization, the local agency formation commission that receives funds pursuant to paragraph (3) of subdivision (b) shall do both of the following:
- (A) Submit to the council a final report within 30 days of the final action. The report shall be in the form and manner specified by the council. At a minimum, the report shall include all of the following:
 - (i) The final action taken by the local agency formation commission.
 - (ii) If proceedings were terminated as a result of protest, all necessary information pertinent to support that fact.
 - (iii) All reports and documents pertaining to the final action or protest action.
 - (iv) A full budget accounting report of the funds used.

(v) The reimbursement of any unexpended funds.

(B) Upon the request of the council, the participating local agency formation commission shall provide the council with any supplemental information necessary to substantiate the information contained in the report submitted pursuant to this subdivision.

(f) The Legislature finds and declares that there is a compelling public interest in allowing the council to implement and administer this section as expeditiously as possible, and to thereby accelerate local agency formation commission efforts. The regulations adopted by the council for purposes of this section shall be exempt from the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) for the purpose of carrying out the duties enumerated in this section.

(g) For the purposes of this section, "local agency formation commission" means a local agency formation commission that operates in a county pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Division 3 (commencing with Section 56000) of Title 5 of the Government Code).

(h) This section shall be repealed on December 31, 2023.

Amendment 3

On page 1, strike out lines 1 to 7, inclusive, and strike out pages 2 to 5, inclusive

AMENDMENTS TO ASSEMBLY BILL NO. 2266

Amendment 1

In the title, in line 1, strike out "10610.2" and insert:

10620

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 10620 of the Water Code is amended to read:

10620. (a) Every urban water supplier shall prepare and adopt an urban water management plan in the manner set forth in Article 3 (commencing with Section 10640).

(b) Every person that becomes an urban water supplier shall adopt an urban water management plan within ~~one year~~ two years after it has become an urban water supplier.

(c) An urban water supplier indirectly providing water shall not include planning elements in its water management plan as provided in Article 2 (commencing with Section 10630) that would be applicable to urban water suppliers or public agencies directly providing water, or to their customers, without the consent of those suppliers or public agencies.

(d) (1) An urban water supplier may satisfy the requirements of this part by participation in areawide, regional, watershed, or basinwide urban water management planning where those plans will reduce preparation costs and contribute to the achievement of conservation and efficient water use.

(2) Each urban water supplier shall coordinate the preparation of its plan with other appropriate agencies in the area, including other water suppliers that share a common source, water management agencies, and relevant public agencies, to the extent practicable.

(e) The urban water supplier may prepare the plan with its own staff, by contract, or in cooperation with other governmental agencies.

(f) An urban water supplier shall describe in the plan water management tools and options used by that entity that will maximize resources and minimize the need to import water from other regions.

Amendment 3

On page 1, strike out lines 1 and 2 and strike out page 2



AMENDMENTS TO ASSEMBLY BILL NO. 2272

Amendment 1

In the title, in line 1, strike out "149" and insert:

411

Amendment 2

In the title, in line 2, strike out "transportation." and insert:

highways.

Amendment 3

On page 1, before line 1, insert:

SECTION 1. Section 411 of the Streets and Highways Code is amended to read:

411. (a) Route 111 is from:

(1) The international border south of Calexico to Route 78 near Brawley, passing east of Heber.

(2) Route 78 near Brawley to Route 86 via the north shore of the Salton Sea.

(3) The western city limits of Cathedral City to Route 10 near Whitewater.

(b) The relinquished former portions of Route 111 within the unincorporated area of the County of Riverside and the Cities of Cathedral City, Coachella, Indian Wells, Indio, La Quinta, Palm Desert, and Rancho Mirage are not state highways and are not eligible for adoption under Section 81. For the relinquished former portions of Route 111, the County of Riverside and the Cities of Cathedral City, Coachella, Indian Wells, Indio, La Quinta, and Palm Desert, as applicable, shall maintain within their respective jurisdictions signs directing motorists to the continuation of Route 111 and shall ensure the continuity of traffic flow on the relinquished portions of Route 111, including any traffic signal progression.

(c) (1) The commission may relinquish to the City of Palm Springs any portion, or the entirety, of Route 111 within its city limits or sphere of influence, upon terms and conditions the commission finds to be in the best interests of the state, if the department and the city enter into an agreement providing for that relinquishment.

(2) A relinquishment under this subdivision shall become effective on the date following the county recorder's recordation of the relinquishment resolution containing the commission's approval of the terms and conditions of the relinquishment.

(3) On and after the effective date of the relinquishment, all of the following shall occur:

(A) Any portion of Route 111 relinquished pursuant to this subdivision shall cease to be a state highway.

(B) Any portion of Route 111 relinquished pursuant to this subdivision shall be ineligible for future adoption under Section 81.



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Substantive

(C) For any portion of Route 111 relinquished pursuant to this subdivision, the City of Palm Springs shall maintain signs within its city limits or sphere of influence directing motorists to the continuation of Route 111.

Amendment 4

On page 1, strike out lines 1 to 8, inclusive, and strike out page 2

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AMENDMENTS TO ASSEMBLY BILL NO. 2279

Amendment 1

In the title, in line 1, strike out "amend" and insert:

add

Amendment 2

In the title, in line 1, strike out "501 of" and insert:

21168.15 to

Amendment 3

In the title, in line 2, strike out "state parks." and insert:

environmental quality.

Amendment 4

On page 1, before line 1, insert:

SECTION 1. Section 21168.15 is added to the Public Resources Code, to read: 21168.15. (a) This section shall only apply to a housing project for which an environmental impact report has been certified.

(b) In any action or proceeding to attack, review, set aside, void, or annul the certification of an environmental impact report for a housing project or the granting of a housing project's approval, the court shall not stay or enjoin the construction or operation of the housing project unless the court finds either of the following:

(1) The continued construction or operation of the housing project presents an imminent threat to public health and safety.

(2) The housing project contains unforeseen important Native American artifacts or unforeseen important historical, archaeological, or ecological values that would be materially, permanently, and adversely affected by the continued construction or operation of the housing project unless the court stays or enjoins the construction or operation of the housing project.

(c) If the court finds that paragraph (1) or (2) of subdivision (b) is satisfied, the court shall only enjoin those specific activities associated with the housing project that present an imminent threat to public health and safety or that would materially, permanently, and adversely affect unforeseen important Native American artifacts or unforeseen important historical, archaeological, or ecological values.

(d) An action or proceeding to attack, set aside, void, or annul a determination, finding, or decision of the lead agency or responsible agency granting subsequent project approval for a housing project included in the environmental impact report shall be subject to the judicial remedy limitations of this section.



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Substantive

(e) When an action or proceeding brought pursuant to this section challenges a portion of a housing project and that portion is severable from the housing project, the court may enter an order as to those portions of the housing project that includes one or more of the remedies set forth in Section 21168.9.

(f) The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

Amendment 5

On page 1, strike out lines 1 to 9, inclusive, and strike out page 2

AMENDMENTS TO ASSEMBLY BILL NO. 2280

Amendment 1

In the title, strike out lines 1 and 2 and insert:

An act to amend Section 1797.225 of the Health and Safety Code, relating to public health.

Amendment 2

On page 2, before line 1, insert:

SECTION 1. Section 1797.225 of the Health and Safety Code is amended to read:

1797.225. (a) A local EMS agency may adopt policies and procedures for calculating and reporting ambulance patient offload time, as defined in subdivision (b) of Section 1797.120.

(b) A local EMS agency that adopts policies and procedures for calculating and reporting ambulance patient offload time pursuant to subdivision (a) shall do ~~at~~ both of the following:

(1) Use the statewide standard methodology for calculating and reporting ambulance patient offload time developed by the authority pursuant to Section 1797.120.

(2) Establish criteria for the reporting of, and quality assurance followup for, a nonstandard patient offload time, as defined in subdivision (c).

(c) The authority, on or before July 1, 2020, and annually thereafter, shall report to the Legislature, in accordance with Section 9795 of the Government Code, the information reported by the local EMS agencies regarding nonstandard patient offload times. The report shall include any local EMS associated costs attributed to the nonstandard patient offload times.

~~(e)~~

(d) (1) For the purposes of this section, a “nonstandard patient offload time” means that the ambulance patient offload time for a patient exceeds ~~a~~ the period of time designated in the criteria established by the local EMS agency pursuant to paragraph (2) of subdivision (b).

(2) “Nonstandard patient offload time” does not include instances in which the ambulance patient offload time exceeds the period set by the local EMS agency due to acts of God, natural disasters, or manmade disasters.

Amendment 3

On page 2, strike out lines 1 to 30, inclusive, and strike out page 3



AMENDMENTS TO ASSEMBLY BILL NO. 2282

Amendment 1

In the title, in line 1, strike out "Section" and insert:

Sections

Amendment 2

In the title, in line 1, after "432.3" insert:

and 1197.5

Amendment 3

On page 2, in line 2, after the period insert:

For purposes of this section, "pay scale" means a salary or hourly wage range. For purposes of this section "reasonable request" means a request made after an applicant has completed an initial interview with the employer.

Amendment 4

On page 2, between lines 19 and 20, insert:

(i) Nothing in this section shall prohibit an employer from asking an applicant about his or her salary expectation for the position being applied for.

Amendment 5

On page 2, in line 20, strike out "(i)" and insert:

(j)

Amendment 6

On page 2, in line 21, strike out "salary, by itself," and insert:

salary



Amendment 7

On page 2, below line 22, insert:

(k) For purposes of this section, the term “applicant” or “applicant for employment” means an individual who is seeking employment with the employer and is not currently employed with that employer in any capacity or position.

SEC. 2. Section 1197.5 of the Labor Code is amended to read:

1197.5. (a) An employer shall not pay any of its employees at wage rates less than the rates paid to employees of the opposite sex for substantially similar work, when viewed as a composite of skill, effort, and responsibility, and performed under similar working conditions, except where the employer demonstrates:

(1) The wage differential is based upon one or more of the following factors:

(A) A seniority system.

(B) A merit system.

(C) A system that measures earnings by quantity or quality of production.

(D) A bona fide factor other than sex, such as education, training, or experience.

This factor shall apply only if the employer demonstrates that the factor is not based on or derived from a sex-based differential in compensation, is job related with respect to the position in question, and is consistent with a business necessity. For purposes of this subparagraph, “business necessity” means an overriding legitimate business purpose such that the factor relied upon effectively fulfills the business purpose it is supposed to serve. This defense shall not apply if the employee demonstrates that an alternative business practice exists that would serve the same business purpose without producing the wage differential.

(2) Each factor relied upon is applied reasonably.

(3) The one or more factors relied upon account for the entire wage differential.

~~Prior salary shall not, by itself, justify any disparity in compensation.~~

(4) Prior salary shall not justify any disparity in compensation. Nothing in this section shall be interpreted to mean that an employer may not make a compensation decision based on a current employee’s existing salary, so long as any wage differential resulting from that compensation decision is justified by one or more of the factors in this subdivision.

(b) An employer shall not pay any of its employees at wage rates less than the rates paid to employees of another race or ethnicity for substantially similar work, when viewed as a composite of skill, effort, and responsibility, and performed under similar working conditions, except where the employer demonstrates:

(1) The wage differential is based upon one or more of the following factors:

(A) A seniority system.

(B) A merit system.

(C) A system that measures earnings by quantity or quality of production.

(D) A bona fide factor other than race or ethnicity, such as education, training, or experience. This factor shall apply only if the employer demonstrates that the factor is not based on or derived from a race- or ethnicity-based differential in compensation, is job related with respect to the position in question, and is consistent with a business necessity. For purposes of this subparagraph, “business necessity” means an overriding legitimate business purpose such that the factor relied upon effectively fulfills the

business purpose it is supposed to serve. This defense shall not apply if the employee demonstrates that an alternative business practice exists that would serve the same business purpose without producing the wage differential.

(2) Each factor relied upon is applied reasonably.

(3) The one or more factors relied upon account for the entire wage differential.

~~Prior salary shall not, by itself, justify any disparity in compensation.~~

(4) Prior salary shall not justify any disparity in compensation. Nothing in this section shall be interpreted to mean that an employer may not make a compensation decision based on a current employee's existing salary, so long as any wage differential resulting from that compensation decision is justified by one or more of the factors listed in this subdivision.

(c) Any employer who violates subdivision (a) or (b) is liable to the employee affected in the amount of the wages, and interest thereon, of which the employee is deprived by reason of the violation, and an additional equal amount as liquidated damages.

(d) The Division of Labor Standards Enforcement shall administer and enforce this section. If the division finds that an employer has violated this section, it may supervise the payment of wages and interest found to be due and unpaid to employees under subdivision (a) or (b). Acceptance of payment in full made by an employer and approved by the division shall constitute a waiver on the part of the employee of the employee's cause of action under subdivision (h).

(e) Every employer shall maintain records of the wages and wage rates, job classifications, and other terms and conditions of employment of the persons employed by the employer. All of the records shall be kept on file for a period of three years.

(f) Any employee may file a complaint with the division that the wages paid are less than the wages to which the employee is entitled under subdivision (a) or (b) or that the employer is in violation of subdivision (k). The complaint shall be investigated as provided in subdivision (b) of Section 98.7. The division shall keep confidential the name of any employee who submits to the division a complaint regarding an alleged violation of subdivision (a), (b), or (k) until the division establishes the validity of the complaint, unless the division must abridge confidentiality to investigate the complaint. The name of the complaining employee shall remain confidential if the complaint is withdrawn before the confidentiality is abridged by the division. The division shall take all proceedings necessary to enforce the payment of any sums found to be due and unpaid to these employees.

(g) The department or division may commence and prosecute, unless otherwise requested by the employee or affected group of employees, a civil action on behalf of the employee and on behalf of a similarly affected group of employees to recover unpaid wages and liquidated damages under subdivision (a) or (b), and in addition shall be entitled to recover costs of suit. The consent of any employee to the bringing of any action shall constitute a waiver on the part of the employee of the employee's cause of action under subdivision (h) unless the action is dismissed without prejudice by the department or the division, except that the employee may intervene in the suit or may initiate independent action if the suit has not been determined within 180 days from the date of the filing of the complaint.

(h) An employee receiving less than the wage to which the employee is entitled under this section may recover in a civil action the balance of the wages, including

interest thereon, and an equal amount as liquidated damages, together with the costs of the suit and reasonable attorney's fees, notwithstanding any agreement to work for a lesser wage.

(i) A civil action to recover wages under subdivision (a) or (b) may be commenced no later than two years after the cause of action occurs, except that a cause of action arising out of a willful violation may be commenced no later than three years after the cause of action occurs.

(j) If an employee recovers amounts due the employee under subdivision (c), and also files a complaint or brings an action under subdivision (d) of Section 206 of Title 29 of the United States Code which results in an additional recovery under federal law for the same violation, the employee shall return to the employer the amounts recovered under subdivision (c), or the amounts recovered under federal law, whichever is less.

(k) (1) An employer shall not discharge, or in any manner discriminate or retaliate against, any employee by reason of any action taken by the employee to invoke or assist in any manner the enforcement of this section. An employer shall not prohibit an employee from disclosing the employee's own wages, discussing the wages of others, inquiring about another employee's wages, or aiding or encouraging any other employee to exercise his or her rights under this section. Nothing in this section creates an obligation to disclose wages.

(2) Any employee who has been discharged, discriminated or retaliated against, in the terms and conditions of his or her employment because the employee engaged in any conduct delineated in this section may recover in a civil action reinstatement and reimbursement for lost wages and work benefits caused by the acts of the employer, including interest thereon, as well as appropriate equitable relief.

(3) A civil action brought under this subdivision may be commenced no later than one year after the cause of action occurs.

(l) As used in this section, "employer" includes public and private employers. Section 1199.5 does not apply to a public employer.

AMENDMENTS TO ASSEMBLY BILL NO. 2302

Amendment 1

In the title, in line 1, after "act" insert:

to amend Section 11166 of the Penal Code,

Amendment 2

In the title, in line 1, strike out "child abuse." and insert:

mandated reporters.

Amendment 3

On page 1, strike out lines 1 and 2 and insert:

SECTION 1. Section 11166 of the Penal Code is amended to read:

11166. (a) Except as provided in subdivision (d), and in Section 11166.05, a mandated reporter shall make a report to an agency specified in Section 11165.9 whenever the mandated reporter, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. The mandated reporter shall make an initial report by telephone to the agency immediately or as soon as is practicably possible, and shall prepare and send, fax, or electronically transmit a written followup report within 36 hours of receiving the information concerning the incident. The mandated reporter may include with the report any nonprivileged documentary evidence the mandated reporter possesses relating to the incident.

(1) For purposes of this article, "reasonable suspicion" means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing, when appropriate, on his or her training and experience, to suspect child abuse or neglect. "Reasonable suspicion" does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect; any "reasonable suspicion" is sufficient. For purposes of this article, the pregnancy of a minor does not, in and of itself, constitute a basis for a reasonable suspicion of sexual abuse.

(2) The agency shall be notified and a report shall be prepared and sent, faxed, or electronically transmitted even if the child has expired, regardless of whether or not the possible abuse was a factor contributing to the death, and even if suspected child abuse was discovered during an autopsy.

(3) A report made by a mandated reporter pursuant to this section shall be known as a mandated report.

(b) If, after reasonable efforts, a mandated reporter is unable to submit an initial report by telephone, he or she shall immediately or as soon as is practicably possible, by fax or electronic transmission, make a one-time automated written report on the



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form prescribed by the Department of Justice, and shall also be available to respond to a telephone followup call by the agency with which he or she filed the report. A mandated reporter who files a one-time automated written report because he or she was unable to submit an initial report by telephone is not required to submit a written followup report.

(1) The one-time automated written report form prescribed by the Department of Justice shall be clearly identifiable so that it is not mistaken for a standard written followup report. In addition, the automated one-time report shall contain a section that allows the mandated reporter to state the reason the initial telephone call was not able to be completed. The reason for the submission of the one-time automated written report in lieu of the procedure prescribed in subdivision (a) shall be captured in the Child Welfare Services/Case Management System (CWS/CMS). The department shall work with stakeholders to modify reporting forms and the CWS/CMS as is necessary to accommodate the changes enacted by these provisions.

(2) This subdivision shall not become operative until the CWS/CMS is updated to capture the information prescribed in this subdivision.

(3) This subdivision shall become inoperative three years after this subdivision becomes operative or on January 1, 2009, whichever occurs first.

(4) On the inoperative date of these provisions, a report shall be submitted to the counties and the Legislature by the State Department of Social Services that reflects the data collected from automated one-time reports indicating the reasons stated as to why the automated one-time report was filed in lieu of the initial telephone report.

(5) ~~Nothing in this section shall~~ This section does not supersede the requirement that a mandated reporter first attempt to make a report via telephone, or that agencies specified in Section 11165.9 accept reports from mandated reporters and other persons as required.

(c) A mandated reporter who fails to report an incident of known or reasonably suspected child abuse or neglect as required by this section is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by a fine of one thousand dollars (\$1,000) or by both that imprisonment and fine. If a mandated reporter either fails to report an incident under this section known by the mandated reporter to be sexual assault as defined in Section 11165.1, or if the mandated reporter intentionally conceals his or her failure to report an incident known by the mandated reporter to be abuse or severe neglect under this section, the failure to report is a continuing offense until an agency specified in Section 11165.9 discovers the offense.

(d) (1) A clergy member who acquires knowledge or a reasonable suspicion of child abuse or neglect during a penitential communication is not subject to subdivision (a). For the purposes of this subdivision, "penitential communication" means a communication, intended to be in confidence, including, but not limited to, a sacramental confession, made to a clergy member who, in the course of the discipline or practice of his or her church, denomination, or organization, is authorized or accustomed to hear those communications, and under the discipline, tenets, customs, or practices of his or her church, denomination, or organization, has a duty to keep those communications secret.

(2) ~~Nothing in this subdivision shall be construed to~~ This subdivision does not modify or limit a clergy member's duty to report known or suspected child abuse or

neglect when the clergy member is acting in some other capacity that would otherwise make the clergy member a mandated reporter.

(3) (A) On or before January 1, 2004, a clergy member or any custodian of records for the clergy member may report to an agency specified in Section 11165.9 that the clergy member or any custodian of records for the clergy member, prior to January 1, 1997, in his or her professional capacity or within the scope of his or her employment, other than during a penitential communication, acquired knowledge or had a reasonable suspicion that a child had been the victim of sexual abuse and that the clergy member or any custodian of records for the clergy member did not previously report the abuse to an agency specified in Section 11165.9. The provisions of Section 11172 shall apply to all reports made pursuant to this paragraph.

(B) This paragraph shall apply even if the victim of the known or suspected abuse has reached the age of majority by the time the required report is made.

(C) The local law enforcement agency shall have jurisdiction to investigate any report of child abuse made pursuant to this paragraph even if the report is made after the victim has reached the age of majority.

(e) (1) A commercial film, photographic print, or image processor who has knowledge of or observes, within the scope of his or her professional capacity or employment, any film, photograph, videotape, negative, slide, or any representation of information, data, or an image, including, but not limited to, any film, filmstrip, photograph, negative, slide, photocopy, videotape, video laser disc, computer hardware, computer software, computer floppy disk, data storage medium, CD-ROM, computer-generated equipment, or computer-generated image depicting a child under 16 years of age engaged in an act of sexual conduct, shall, immediately or as soon as practicably possible, telephonically report the instance of suspected abuse to the law enforcement agency located in the county in which the images are seen. Within 36 hours of receiving the information concerning the incident, the reporter shall prepare and send, fax, or electronically transmit a written followup report of the incident with a copy of the image or material attached.

(2) A commercial computer technician who has knowledge of or observes, within the scope of his or her professional capacity or employment, any representation of information, data, or an image, including, but not limited to, any computer hardware, computer software, computer file, computer floppy disk, data storage medium, CD-ROM, computer-generated equipment, or computer-generated image that is retrievable in perceivable form and that is intentionally saved, transmitted, or organized on an electronic medium, depicting a child under 16 years of age engaged in an act of sexual conduct, shall immediately, or as soon as practicably possible, telephonically report the instance of suspected abuse to the law enforcement agency located in the county in which the images or materials are seen. As soon as practicably possible after receiving the information concerning the incident, the reporter shall prepare and send, fax, or electronically transmit a written followup report of the incident with a brief description of the images or materials.

(3) For purposes of this article, "commercial computer technician" includes an employee designated by an employer to receive reports pursuant to an established reporting process authorized by subparagraph (B) of paragraph (43) of subdivision (a) of Section 11165.7.

(4) As used in this subdivision, "electronic medium" includes, but is not limited to, a recording, CD-ROM, magnetic disk memory, magnetic tape memory, CD, DVD, thumbdrive, or any other computer hardware or media.

(5) As used in this subdivision, "sexual conduct" means any of the following:

(A) Sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex or between humans and animals.

(B) Penetration of the vagina or rectum by any object.

(C) Masturbation for the purpose of sexual stimulation of the viewer.

(D) Sadomasochistic abuse for the purpose of sexual stimulation of the viewer.

(E) Exhibition of the genitals, pubic, or rectal areas of a person for the purpose of sexual stimulation of the viewer.

(f) Any mandated reporter who knows or reasonably suspects that the home or institution in which a child resides is unsuitable for the child because of abuse or neglect of the child shall bring the condition to the attention of the agency to which, and at the same time as, he or she makes a report of the abuse or neglect pursuant to subdivision (a).

(g) Any other person who has knowledge of or observes a child whom he or she knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to an agency specified in Section 11165.9. For purposes of this section, "any other person" includes a mandated reporter who acts in his or her private capacity and not in his or her professional capacity or within the scope of his or her employment.

(h) When two or more persons, who are required to report, jointly have knowledge of a known or suspected instance of child abuse or neglect, and when there is agreement among them, the telephone report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report.

(i) (1) The reporting duties under this section are individual, and no supervisor or administrator may impede or inhibit the reporting duties, and no person making a report shall be subject to any sanction for making the report. However, internal procedures to facilitate reporting and apprise supervisors and administrators of reports may be established provided that they are not inconsistent with this article. An internal policy shall not direct an employee to allow his or her supervisor to file or process a mandated report under any circumstances.

(2) The internal procedures shall not require any employee required to make reports pursuant to this article to disclose his or her identity to the employer.

(3) Reporting the information regarding a case of possible child abuse or neglect to an employer, supervisor, school principal, school counselor, coworker, or other person shall not be a substitute for making a mandated report to an agency specified in Section 11165.9.

(j) (1) A county probation or welfare department shall immediately, or as soon as practicably possible, report by telephone, fax, or electronic transmission to the law enforcement agency having jurisdiction over the case, to the agency given the responsibility for investigation of cases under Section 300 of the Welfare and Institutions Code, and to the district attorney's office every known or suspected instance of child

abuse or neglect, as defined in Section 11165.6, except acts or omissions coming within subdivision (b) of Section 11165.2, or reports made pursuant to Section 11165.13 based on risk to a child that relates solely to the inability of the parent to provide the child with regular care due to the parent's substance abuse, which shall be reported only to the county welfare or probation department. A county probation or welfare department also shall send, fax, or electronically transmit a written report thereof within 36 hours of receiving the information concerning the incident to any agency to which it makes a telephone report under this subdivision.

(2) A county probation or welfare department shall immediately, and in no case in more than 24 hours, report to the law enforcement agency having jurisdiction over the case after receiving information that a child or youth who is receiving child welfare services has been identified as the victim of commercial sexual exploitation, as defined in subdivision (d) of Section 11165.1.

(3) When a child or youth who is receiving child welfare services and who is reasonably believed to be the victim of, or is at risk of being the victim of, commercial sexual exploitation, as defined in Section 11165.1, is missing or has been abducted, the county probation or welfare department shall immediately, or in no case later than 24 hours from receipt of the information, report the incident to the appropriate law enforcement authority for entry into the National Crime Information Center database of the Federal Bureau of Investigation and to the National Center for Missing and Exploited Children.

(k) A law enforcement agency shall immediately, or as soon as practicably possible, report by telephone, fax, or electronic transmission to the agency given responsibility for investigation of cases under Section 300 of the Welfare and Institutions Code and to the district attorney's office every known or suspected instance of child abuse or neglect reported to it, except acts or omissions coming within subdivision (b) of Section 11165.2, which shall be reported only to the county welfare or probation department. A law enforcement agency shall report to the county welfare or probation department every known or suspected instance of child abuse or neglect reported to it which is alleged to have occurred as a result of the action of a person responsible for the child's welfare, or as the result of the failure of a person responsible for the child's welfare to adequately protect the minor from abuse when the person responsible for the child's welfare knew or reasonably should have known that the minor was in danger of abuse. A law enforcement agency also shall send, fax, or electronically transmit a written report thereof within 36 hours of receiving the information concerning the incident to any agency to which it makes a telephone report under this subdivision.

AMENDMENTS TO ASSEMBLY BILL NO. 2307

Amendment 1

In the title, in line 1, strike out "185035" and insert:

185020

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 185020 of the Public Utilities Code is amended to read: 185020. (a) There is in the Transportation Agency a High-Speed Rail Authority.

(b) (1) The authority is composed of 11 members as follows:

(A) Five members appointed by the ~~Governor~~ Governor, with the advice and consent of the Senate.

(B) Two members appointed by the Senate Committee on Rules.

(C) Two members appointed by the Speaker of the Assembly.

(D) One Member of the Senate appointed by the Senate Committee on Rules and one Member of the Assembly appointed by the Speaker of the Assembly shall be ex officio members without vote and shall participate in the activities of the authority to the extent that participation is not incompatible with their positions as Members of the Legislature.

(2) For the purposes of making appointments to the authority pursuant to subparagraphs (A), (B), and (C) of paragraph (1), the Governor, the Senate Committee on Rules, and the Speaker of the Assembly shall take into consideration geographical diversity to ensure that all regions of the state are adequately represented.

(c) Except as provided in subdivision (d), and until their successors are appointed, members of the authority, other than ex officio members, shall hold office for terms of four years. A vacancy shall be filled by the appointing power making the original appointment, by appointing a member to serve the remainder of the term.

(d) (1) On and after January 1, 2001, the terms of all persons who are then members of the authority shall expire, but those members may continue to serve until they are reappointed or until their successors are appointed. In order to provide for evenly staggered terms, persons appointed or reappointed to the authority after January 1, 2001, shall be appointed to initial terms to expire as follows:

(A) Of the five persons appointed by the Governor, one shall be appointed to a term that expires on December 31, 2002, one shall be appointed to a term that expires on December 31, 2003, one shall be appointed to a term that expires on December 31, 2004, and two shall be appointed to terms that expire on December 31, 2005.

(B) Of the two persons appointed by the Senate Committee on Rules, one shall be appointed to a term that expires on December 31, 2002, and one shall be appointed to a term that expires on December 31, 2004.

(C) Of the two persons appointed by the Speaker of the Assembly, one shall be appointed to a term that expires on December 31, 2003, and one shall be appointed to a term that expires on December 31, 2005.



(2) Following expiration of each of the initial terms provided for in this subdivision, the term shall expire every four years thereafter on December 31.

(e) Members of the authority are subject to the Political Reform Act of 1974 (Title 9 (commencing with Section 81000) of the Government Code).

(f) From among its voting members, the authority shall elect a chairperson, who shall preside at all meetings of the authority, and a vice chairperson to preside in the absence of the chairperson. The chairperson shall serve a term of one year.

(g) Five voting members of the authority constitute a quorum for taking any action by the authority.

Amendment 3

On page 1, strike out lines 1 to 5, inclusive, and strike out page 2

AMENDMENTS TO ASSEMBLY BILL NO. 2318

Amendment 1

On page 2, in line 32, strike out "who"

Amendment 2

On page 2, in line 35, after "but" insert:

is

Amendment 3

On page 2, between lines 36 and 37, insert:

(6) The person holds a valid license to carry the firearm pursuant to Chapter 4 (commencing with Section 26150) of Division 5 of Title 4 of Part 6, is carrying the firearm to, from, or in a church, synagogue, or other building used as a place of worship on the grounds of a public school providing instruction in kindergarten or grades 1 to 12, inclusive, the person has the written permission of the school district superintendent, the superintendent's designee, or equivalent school authority, and subject to the following:

- (A) A request for written permission may be denied.
- (B) The written permission shall be valid for no longer than one year.
- (C) The permission may be revoked at any time.
- (D) A person is only authorized to carry the firearm on school grounds pursuant to this paragraph during the time of worship.

(7) The person holds a valid license to carry the firearm pursuant to Chapter 4 (commencing with Section 26150) of Division 5 of Title 4 of Part 6, is carrying the firearm to, from, or in a church, synagogue, or other building used as a place of worship on the grounds of a private school providing instruction in kindergarten or grades 1 to 12, inclusive, the person has the written permission of the school authority, and subject to the following:

- (A) A request for written permission may be denied.
- (B) The written permission shall be valid for no longer than the school authority specifies.
- (C) The permission may be revoked at any time.
- (D) A person is only authorized to carry the firearm on school grounds pursuant to this paragraph during the times specified by the school authority.



AMENDMENTS TO ASSEMBLY BILL NO. 2334

Amendment 1

In the title, in line 1, strike out "amend Section 6409.1 of" and insert:

add Sections 6410.1 and 6410.2 to

Amendment 2

On page 1, before line 1, insert:

SECTION 1. The Legislature finds and declares all of the following:

(a) The United States Department of Labor's Occupational Safety and Health Administration adopted the Improve Tracking of Workplace Injuries and Illnesses rule in 2016.

(b) The Improve Tracking of Workplace Injuries and Illness rule is an important step to improve workplace safety through expanded access to timely, establishment-specific injury and illness information for employers, employees, employee representatives, potential employees, customers, and public health researchers.

(c) In late fall of 2017, the United States Department of Labor's Occupational Safety and Health Administration issued a Notice of Proposed Rulemaking to relax these workplace injury and illness reporting requirements.

(d) To help increase awareness and understanding of workplace health and safety issues, existing state law requires specified employers, including fire departments and state and local governments, to report occupational injuries and illnesses to the Division of Occupational Safety and Health and subsequently post annual summaries of those work-related injuries and illnesses in a visible, easily accessible area at each worksite.

(e) While posting of injury information at each worksite is important, specific workplace injury and illness information is not accessible to the public and prospective employees in an easily accessible database on the Internet.

(f) Reporting employers are required to maintain injury and illness records for five years, but there is no requirement that such records or their related annual summaries be separately provided to or maintained by a central clearinghouse, where the public may view, sort, and track the information in an easily accessible format online.

(g) Workplace illness and injury reporting should be robust and easily accessible. Public access to workplace injury and illness data will provide opportunities to advance the fields of injury and illness causation and prevention research.

SEC. 2. Section 6410.1 is added to the Labor Code, to read:

6410.1. It is the intent of the Legislature that the division maintain strong workplace injury and illness reporting standards.

SEC. 3. Section 6410.2 is added to the Labor Code, to read:

6410.2. (a) Employers who are required to keep injury and illness records under Article 2 (commencing with Section 14300) of Subchapter 1 of Chapter 7 of Division 1 of Title 8 of the California Code of Regulations shall electronically submit to the division the following completed forms no later than February 1 each year:



(1) Log of Work-Related Injuries and Illnesses Form 300.

(2) Summary of Work-Related Injuries and Illnesses Form 300A.

(3) Injury and Illness Incident Report Form 301.

(b) No later than January 1, 2020, the division shall develop a searchable database on its Internet Web site of Forms 300A submitted by employers pursuant to this section.

(c) Within 90 days of receipt of Forms 300A pursuant to this section, the division shall post the forms on the database described in subdivision (b).

(d) The division shall maintain the records submitted by employers pursuant to subdivision (a) for five years.

(e) Nothing in this section shall be interpreted to require the disclosure of information prohibited under Section 6412.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

Amendment 3

On page 1, strike out lines 1 to 8, inclusive, and strike out page 2

AMENDMENTS TO ASSEMBLY BILL NO. 2336

Amendment 1

In the title, in line 1, strike out "44280" and insert:

44299.91

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 44299.91 of the Health and Safety Code is amended to read:

44299.91. Of the funds appropriated pursuant to Item 3900-001-6053 of Section 2.00 of the Budget Act of 2007, the ~~State Air Resources Board~~ state board shall allocate the funds in accordance with all of the following:

(a) All schoolbuses in operation in the state of model year 1976 or earlier shall be replaced.

(b) (1) The funds remaining after the allocation made pursuant to subdivision (a) shall be apportioned to ~~local air quality management districts and air pollution control~~ districts based on the number of schoolbuses of model years 1977 to 1986, inclusive, that are in operation within each district.

(2) Each district shall determine the percentage of its allocation to spend between replacement of schoolbuses of model years 1977 to 1986, inclusive, and retrofit of schoolbuses of any model year. Of the funds spent by a district for replacement of schoolbuses pursuant to this paragraph, a district shall replace the oldest schoolbuses of model years 1977 to 1986, inclusive, within the district. Of the funds spent by a district for retrofit of schoolbuses pursuant to this paragraph, a district shall retrofit the most polluting schoolbuses within the district.

(c) All schoolbuses replaced pursuant to this section shall be scrapped.

(d) These funds shall be administered by either the ~~California Energy Commission~~ State Energy Resources Conservation and Development Commission or the ~~local air~~ district.

(e) If a ~~local air~~ district's funds, including accrued interest, are not committed by an executed contract as reported to the ~~State Air Resources Board~~ state board on or before June 30, 2012, then those funds shall be transferred, on or before January 1, 2013, to another ~~local air~~ district that demonstrates an ability to expend the funds by January 1, 2014. In implementing this section, the ~~State Air Resources Board~~ state board in consultation with the ~~local air~~ districts shall, by September 30, 2012, establish a list of potential recipient ~~local air~~ districts, prioritizing ~~local air~~ districts with the most polluting schoolbuses and the greatest need for schoolbus funding.

(f) Each allocation made pursuant to this section to a ~~local air~~ district shall provide enough funding for at least one project to be implemented pursuant to the Lower-Emission School Bus Program adopted by the ~~State Air Resources Board~~ state board. In the event a ~~local air~~ district has unspent funds as of January 1, 2014, the ~~local~~



~~air~~ district shall work with the ~~State Air Resources Board~~ state board to transfer the unspent funds to an alternative ~~local air~~ district with existing demand.

(g) Funds made available pursuant to this chapter to a ~~local air~~ district shall be expended by June 30, 2014.

(h) All funds not expended by a ~~local air~~ district by June 30, 2014, shall be returned to the ~~State Air Resources Board~~ state board.

(i) Funds authorized by the ~~State Air Resources Board~~ state board during or subsequent to the 2013–14 fiscal year shall be allocated to ~~local air~~ districts by prioritizing to retrofit or replace the most polluting schoolbuses in that operate in districts that are designated federal extreme nonattainment, followed by small ~~local air~~ districts first first, and then medium ~~local air~~ districts districts, as defined by the ~~State Air Resources Board~~ state board. Each allocation shall provide sufficient funding for at least one project to be implemented pursuant to the Lower-Emission School Bus Program adopted by the ~~State Air Resources Board~~ state board. If a ~~local air~~ district has unspent funds within six months of the expenditure deadline, the ~~local air~~ district shall work with the ~~State Air Resources Board~~ state board to transfer those funds to an alternative ~~local air~~ district with existing demand.

Amendment 3

On page 1, strike out lines 1 to 3, inclusive, and strike out page 2

AMENDMENT TO ASSEMBLY BILL NO. 2344

Amendment 1

On page 2, below line 28, insert:

(f) For a child who has been removed from the physical custody of a relative or friend pursuant to subdivision (a), the court shall develop a process by which the child may be returned to the physical custody of the relative or friend and by which qualifying foster care payments may be continued, only if the court makes a finding that the home is suitable for the child's return.

SEC. 2. To the extent that this act has an overall effect of increasing the costs already borne by a local agency for programs or levels of service mandated by the 2011 Realignment Legislation within the meaning of Section 36 of Article XIII of the California Constitution, it shall apply to local agencies only to the extent that the state provides annual funding for the cost increase. Any new program or higher level of service provided by a local agency pursuant to this act above the level for which funding has been provided shall not require a subvention of funds by the state or otherwise be subject to Section 6 of Article XIII B of the California Constitution.



AMENDMENTS TO ASSEMBLY BILL NO. 2351

Amendment 1

In the title, in line 1, strike out "amend Section 99000 of the Education Code, relating to", strike out line 2 and insert:

add Article 4.5 (commencing with Section 69575) to Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code, and to add Sections 17043.5 and 19602.6 to the Revenue and Taxation Code, relating to public education, and making an appropriation therefor.

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Article 4.5 (commencing with Section 69575) is added to Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code, to read:

Article 4.5. Higher Education Assistance Fund

69575. (a) The Higher Education Assistance Fund is hereby created in the State Treasury to receive all revenues, net of refunds, derived from the tax imposed under Section 17043.5 of the Revenue and Taxation Code. Notwithstanding Section 13340 of the Government Code, moneys in the fund are hereby continuously appropriated to the Student Aid Commission without regard to fiscal years for allocation for the funding of student financial assistance for in-state undergraduate students enrolled at the University of California, the California State University, and the California Community Colleges and who are not subject to nonresident tuition and fees.

(b) Nothing in the establishment of this fund shall be construed to modify the obligation of public postsecondary institutions to provide student financial assistance.

(c) Nothing in this section shall be construed to modify or reduce the existing authority or responsibility of the Office of the Chancellor of the California Community Colleges or the Student Aid Commission.

(d) The funding established pursuant to this section shall be utilized to expand the availability of student financial assistance to eligible students attending public postsecondary educational institutions in the state. These funds shall supplement, and not supplant, existing state, federal, or private funds currently utilized to provide student financial assistance.

SEC. 2. Section 17043.5 is added to the Revenue and Taxation Code, to read:

17043.5. (a) For each taxable year beginning on or after January 1, 2020, in addition to any other taxes imposed by this part, a tax shall be imposed at the rate of 1 percent on that portion of a taxpayer's taxable income in excess of one million dollars (\$1,000,000).

(b) For purposes of applying Part 10.2 (commencing with Section 18401), the tax imposed under this section shall be treated as if imposed under Section 17041.

(c) The following shall not apply to the tax imposed by this section:



- (1) The provisions of Section 17039, relating to the allowance of credits.
- (2) The provisions of Section 17041, relating to filing status and recomputation of the income tax brackets.
- (3) The provisions of Section 17045, relating to joint returns.

SEC. 3. Section 19602.6 is added to the Revenue and Taxation Code, to read: 19602.6. (a) The estimated revenue from the additional tax imposed under Section 17043.5 for the applicable fiscal year, as determined under subparagraph (B) of paragraph (3) of subdivision (c), shall be deposited to the Higher Education Assistance Fund (HEA Fund) on a monthly basis, subject to an annual adjustment as described in this section.

(b) (1) Beginning with the 2020–21 fiscal year and for each fiscal year thereafter, the Controller shall deposit on a monthly basis in the HEA Fund an amount equal to the applicable percentage of net personal income tax receipts as defined in paragraph (4).

(2) (A) Except as provided in subparagraph (B), the applicable percentage referred to in paragraph (1) shall be 1.76 percent.

(B) For the 2020–21 fiscal year, the applicable percentage shall be 0.70 percent.

(3) Beginning with the 2020–21 fiscal year, monthly deposits to the HEA Fund pursuant to this subdivision are subject to suspension pursuant to subdivision (f).

(4) For purposes of this subdivision, “net personal income tax receipts” refers to amounts received by the Franchise Tax Board and the Employment Development Department under the Personal Income Tax Law, as reported by the Franchise Tax Board to the Department of Finance pursuant to law, regulation, procedure, and practice (commonly referred to as the “102 Report”) in effect on the effective date of the act establishing this section.

(c) No later than March 1, 2022, and each March 1 thereafter, the Department of Finance, in consultation with the Franchise Tax Board, shall determine the annual adjustment amount for the following fiscal year.

(1) The “annual adjustment amount” for any fiscal year shall be an amount equal to the amount determined by subtracting the “revenue adjustment amount” for the applicable revenue adjustment fiscal year, as determined by the Franchise Tax Board under paragraph (3), from the “tax liability adjustment amount” for the applicable tax liability adjustment tax year, as determined by the Franchise Tax Board under paragraph (2).

(2) (A) (i) The “tax liability adjustment amount” for a tax year is equal to the amount determined by subtracting the estimated tax liability increase from the additional tax imposed under Section 17043.5 for the applicable year under subparagraph (B) from the amount of the actual tax liability increase from the additional tax imposed under Section 17043.5 for the applicable tax year, based on the returns filed for that tax year.

(ii) For purposes of the determinations required under this paragraph, actual tax liability increase from the additional tax means the increase in tax liability resulting from the tax of 1 percent imposed under Section 17043.5, as reflected on the original returns filed by October 15 of the year after the close of the applicable tax year.

(iii) The applicable tax year referred to in this paragraph means the 12-calendar month taxable year beginning on January 1 of the year that is two years before the beginning of the fiscal year for which an annual adjustment amount is calculated.

(B) (i) The estimated tax liability increase from the additional tax for the following tax years is:

Tax Year	Estimated Tax Liability Increase From The Additional Tax
2021	\$ _____
2022	\$ _____
2023	\$ _____
2024	\$ _____

(ii) The “estimated tax liability increase from the additional tax” for the tax year beginning in 2025 and each tax year thereafter shall be determined by applying an annual growth rate of 7 percent to the “estimated tax liability increase from additional tax” of the immediately preceding tax year.

(3) (A) The “revenue adjustment amount” is equal to the amount determined by subtracting the “estimated revenue from the additional tax” for the applicable fiscal year, as determined under subparagraph (B), from the actual amount transferred for the applicable fiscal year.

(B) (i) The “estimated revenue from the additional tax” for the following applicable fiscal years is:

Applicable Fiscal Year	Estimated Revenue From Additional Tax
2020–21	\$ _____
2021–22	\$ _____
2022–23	\$ _____
2023–24	\$ _____

(ii) The “estimated revenue from the additional tax” for the applicable 2023–24 fiscal year and each applicable fiscal year thereafter shall be determined by applying an annual growth rate of 7 percent to the “estimated revenue from the additional tax” of the immediately preceding applicable fiscal year.

(iii) The applicable fiscal year referred to in this paragraph means the fiscal year that is two years before the fiscal year for which an annual adjustment amount is calculated.

(d) The Department of Finance shall notify the Legislature and the Controller of the results of the determinations required under subdivision (c) no later than 10 business days after the determinations are final.

(e) If the annual adjustment amount for a fiscal year is a positive number, the Controller shall transfer that amount from the General Fund to the HEA Fund on July 1 of that fiscal year.

(f) If the annual adjustment amount for a fiscal year is a negative number, the Controller shall suspend monthly transfers to the HEA Fund for that fiscal year, as otherwise required by paragraph (1) of subdivision (b), until the total amount of

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suspended deposits for that fiscal year equals the amount of the negative annual adjustment amount for that fiscal year.

SEC. 4. The provisions of this act shall only become operative if Assembly Constitutional Amendment 13 of the 2017–18 Regular Session is approved by the voters and becomes operative.

Amendment 3

On page 1, strike out lines 1 to 7, inclusive, and strike out page 2

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AMENDMENTS TO ASSEMBLY BILL NO. 2359

Amendment 1

On page 1, in line 4, strike out "shall"

Amendment 2

On page 2, in line 10, strike out "shall be" and insert:

is

Amendment 3

On page 3, in line 24, strike out "(1)"

Amendment 4

On page 3, strike out lines 32 to 40, inclusive, on page 4, strike out lines 1 to 4, inclusive, and insert:

(h) For purposes of this section, "good cause" includes, but is not limited to, instances in which the prosecuting attorney assigned to any of the following cases has another trial, preliminary hearing, or motion to suppress in progress in that court or another court:

- (1) A case involving murder, as defined in subdivision (a) of Section 187.
- (2) A case being handled in the California Career Criminal Prosecution Program pursuant to Sections 999b to 999h, inclusive.
- (3) A case involving a person with a developmental disability who is either the victim of, or a material witness to, a violent felony or a serious felony.
- (4) Cases alleging that the following have occurred:
 - (A) Stalking, as defined in Section 646.9.
 - (B) A violation of one or more of the sections specified in subdivision (a) of Section 11165.1 or Section 11165.6.
 - (C) Domestic violence, as defined in Section 13700.
 - (D) A hate crime, as defined in Title 11.6 (commencing with Section 422.55) of Part 1.
- (5) A continuance granted under this subdivision shall be limited to a maximum of 10 court days.

Amendment 5

On page 4, in line 5, strike out "(3)" and insert:

(i)



Amendment 6

On page 4, in line 6, strike out "subdivision" and insert:

section

Amendment 7

On page 4, in line 11, strike out "(h)" and insert:

(j)

Amendment 8

On page 4, in line 19, strike out "(i)" and insert:

(k)

Amendment 9

On page 4, in line 24, strike out "(j)" and insert:

(l)

Amendment 10

On page 4, in line 26, strike out "must" and insert:

shall

Amendment 11

On page 4, in line 28, strike out "(k)" and insert:

(m)

Amendment 12

On page 4, between lines 33 and 34, insert:

(n) For purposes of this section, the following definitions apply:

(1) "Person with a developmental disability" means a person described in subdivision (d) of Section 667.9.

(2) "Serious felony" means an offense enumerated in subdivision (c) of Section 1192.7.

(3) "Violent felony" means an offense enumerated in subdivision (c) of Section 667.5.

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Amendment 13
On page 4, in line 34, strike out "(1)" and insert:

(o)

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AMENDMENTS TO ASSEMBLY BILL NO. 2374

Amendment 1

In the heading, in line 1, strike out "Member" and insert:

Members

Amendment 2

In the heading, in line 1, after "Kiley" insert:

and Quirk

Amendment 3

In the title, in line 1, after "act" insert:

to add Chapter 8 (commencing with Section 99350) to Part 65 of Division 14 of Title 3 of the Education Code,

Amendment 4

On page 1, before line 1, insert:

SECTION 1. The Legislature finds and declares all of the following:

(a) The First Amendment to the United States Constitution states that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

(b) The First Amendment prohibits, with narrowly defined exceptions, governmental entities such as state universities from restricting free speech.

(c) In 2016, University of California President Janet Napolitano wrote that "the sanctity of free speech in our country is hardly guaranteed — at least not on our college campuses, where freedom of expression and the free flow of ideas should incubate discovery and learning" and warned about "how far we have moved from freedom of speech on campuses to freedom from speech."

(d) Furthermore, President Napolitano urged that "the way to deal with extreme, unfounded speech is not with less speech — it is with more speech, informed by facts and persuasive argument. Educating students from an informed 'more speech' approach as opposed to silencing an objectionable speaker should be one of academia's key roles."

(e) In a 2016 speech at Howard University, former President Barack Obama stated, "There's been a trend around the country of trying to get colleges to disinvite speakers with a different point of view, or disrupt a politician's rally. Don't do that — no matter how ridiculous or offensive you might find the things that come out of their



mouths... There will be times when you shouldn't compromise your core values, your integrity, and you will have the responsibility to speak up in the face of injustice. But listen. Engage. If the other side has a point, learn from them. If they're wrong, rebut them. Teach them. Beat them on the battlefield of ideas."

(f) On September 23, 2016, the Chancellor of the University of California at Irvine issued the following statement on "Rights of Free Speech and Academic Freedom:"

"Freedom of speech is a bedrock value of our constitutional system and is at the core of this university's mission. Courts have recognized that First Amendment principles 'acquire a special significance in the university setting, where the free and unfettered interplay of competing views is essential to the institution's educational mission.' The University of California is also committed to upholding and preserving academic freedom, which for the faculty encompasses freedom of inquiry and research, freedom of teaching, and freedom of expression and publication.

Free speech requires us to accept that we will be exposed to viewpoints, arguments or forms of expression that make us uncomfortable or even offend us. It is in precisely these circumstances that free speech often serves its most vital purpose, especially in an educational context. Throughout history, speech that challenges conventional wisdom has been a driving force for progress. Speech that makes us uneasy may compel us to reconsider our own strongly held views – in fact, a willingness to reconsider strongly held views is one of the reasons why people pursue higher education. Hearing offensive viewpoints provides opportunities for those sentiments to be exposed, engaged and rebutted.

Universities exist to provide the conditions for hard thought and difficult debate so that individuals can develop the capacity for independent judgment. This cannot happen if universities attempt to shield people from ideas and opinions they might find unwelcome, or if members of the university community try to silence or interfere with speakers with whom they disagree. As U.S. Supreme Court Justice Louis Brandeis advised in his famous *Whitney v. California* opinion in 1927, 'If there be time to expose through discussion the falsehood and fallacies, to avert the evil by the processes of education, the remedy to be applied is more speech, not enforced silence.'

Of course, freedom of speech is not and cannot be absolute. While there is no hate speech exception to First Amendment protections, threats, harassment, 'fighting words,' incitement and defamatory speech are not protected. Freedom of speech does not mean a right to say anything at any place and any time. There can and must be restrictions on the time, place and manner of speech, but the campus is committed to ensuring the availability of places for speeches and protests. And so we will safeguard freedom of speech. But in addition, I hope we will keep in mind the need to nurture other norms and practices in order for us to perform the distinctive mission of the university.

It is of value to society if there is a place where people decide that they will work together to create a scholarly community dedicated to rigorous inquiry, evidence-based reasoning, logical argumentation, experimentation, and a willingness to reassess one's perspective in light of new evidence and arguments.

These beliefs and practices – these scholarly norms – are inextricably linked to related values, including a genuine desire to engage competing perspectives and learn

from those who have had different experiences or who hold different viewpoints. It is because of these values that we attempt to resolve (or at least better understand) disagreements through reasoned and sustained conversation, debate and the acquisition of new knowledge. They also prompt us to speak out in support of each other when members of our community are subject to hateful, discriminatory or inflammatory personal attacks.

If our commitment to freedom and democracy leads us to defend the rights of free speech, our commitment to scholarly inquiry and education leads us to promote norms and practices that enable us to learn from each other in an atmosphere of positive engagement and mutual respect.”

(g) The Committee on Freedom of Expression at the University of Chicago, a private university, was appointed in July 2014 by President Robert J. Zimmer and Provost Eric D. Isaacs “in light of recent events nationwide that have tested institutional commitments to free and open discourse.” The Committee’s charge was to draft a statement “articulating the University’s overarching commitment to free, robust, and uninhibited debate and deliberation among all members of the University’s community.”

(h) At least 16 universities across the country have adopted a version of the University of Chicago statement on free speech, which reads as follows:

“Because the institution is committed to free and open inquiry in all matters, it guarantees all members of the institution’s community the broadest possible latitude to speak, write, listen, challenge, and learn. Except insofar as limitations on that freedom are necessary to the functioning of the institution, the institution fully respects and supports the freedom of all members of the institution community ‘to discuss any problem that presents itself.’

Of course, the ideas of different members of the institution’s community will often and quite naturally conflict. But it is not the proper role of the institution to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. Although the institution greatly values civility, and although all members of the institution’s community share in the responsibility for maintaining a climate of mutual respect, concerns about civility and mutual respect can never be used as a justification for closing off discussion of ideas, however offensive or disagreeable those ideas may be to some members of our community.

The freedom to debate and discuss the merits of competing ideas does not, of course, mean that individuals may say whatever they wish, wherever they wish. The institution may restrict expression that violates the law, that falsely defames a specific individual, that constitutes a genuine threat or harassment, that unjustifiably invades substantial privacy or confidentiality interests, or that is otherwise directly incompatible with the functioning of the institution. In addition, the institution may reasonably regulate the time, place, and manner of expression to ensure that it does not disrupt the ordinary activities of the institution. But these are narrow exceptions to the general principle of freedom of expression, and it is vitally important that these exceptions never be used in a manner that is inconsistent with the institution’s commitment to a completely free and open discussion of ideas.

In a word, the institution's fundamental commitment is to the principle that debate or deliberation may not be suppressed because the ideas put forth are thought by some or even by most members of the institution community to be offensive, unwise, immoral, or wrong-headed. It is for the individual members of the institution's community, not for the institution as an institution, to make those judgments for themselves, and to act on those judgments not by seeking to suppress speech, but by openly and vigorously contesting the ideas that they oppose. Indeed, fostering the ability of members of the institution's community to engage in such debate and deliberation in an effective and responsible manner is an essential part of the institution's educational mission.

As a corollary to the institution's commitment to protect and promote free expression, members of the institution's community must also act in conformity with the principle of free expression. Although members of the institution's community are free to criticize and contest the views expressed on campus, and to criticize and contest speakers who are invited to express their views on campus, they may not obstruct or otherwise interfere with the freedom of others to express views they reject or even loathe. To this end, the institution has a solemn responsibility not only to promote a lively and fearless freedom of debate and deliberation, but also to protect that freedom when others attempt to restrict it."

(i) Several campuses of the California State University and the University of California have already adopted free speech statements consistent with the principles articulated by the Chancellor of the University of California, Irvine, and the statement formally adopted by University of Chicago.

SEC. 2. Chapter 8 (commencing with Section 99350) is added to Part 65 of Division 14 of Title 3 of the Education Code, to read:

CHAPTER 8. FREE SPEECH ON CAMPUS ACT OF 2018

99350. This act shall be known, and may be cited, as the Free Speech on Campus Act of 2018.

99351. A campus of the California Community Colleges or the California State University shall, and a campus of the University of California is requested to, do all of the following:

(a) Make and disseminate a free speech statement that affirms the importance of, and the campus's commitment to promoting, freedom of expression. The statement shall include assurances that students and controversial speakers will be protected from exclusionary behavior that violates freedom of expression.

(b) Supplement the statement required pursuant to subdivision (a) with educational programming, including, but not limited to, online resources. The educational programming may be part of student orientation or classroom instruction, or may be delivered in another setting where it will effectively reach students. The educational programming shall include all of the following:

(1) Descriptions of campus policies, procedures, and protocols that protect freedom of expression and prohibit exclusionary behavior.

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(2) Lessons that teach and encourage the expression of a wide range of views in a productive and respectful manner.

(3) Lessons that inculcate an understanding of the First Amendment to the United States Constitution and its role in supporting the academic mission of the campus.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

Amendment 5

On page 1, strike out lines 1 and 2

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AMENDMENTS TO ASSEMBLY BILL NO. 2378

Amendment 1

In the title, strike out lines 1 and 2 and insert:

An act to add and repeal Section 39720.1 of the Health and Safety Code, relating to greenhouse gases.

Amendment 2

On page 1, before line 1, insert:

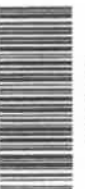
SECTION 1. Section 39720.1 is added to the Health and Safety Code, to read:
39720.1. (a) No later than January 1, 2020, the state board, in consultation with the State Department of Public Health, shall submit a report to the Joint Legislative Budget Committee quantifying for each program that has received moneys from the fund the public health impacts of each of those programs.

(b) A report to be submitted pursuant to this section shall be submitted in compliance with Section 9795 of the Government Code.

(c) Pursuant to Section 10231.5 of the Government Code, this section is repealed on January 1, 2024.

Amendment 3

On page 1, strike out lines 1 and 2 and strike out page 2



AMENDMENTS TO ASSEMBLY BILL NO. 2385

Amendment 1

On page 2, strike out lines 12 to 15, inclusive, and insert:

(2) Post in a prominent location on the publishers' Internet Web sites, where it is readily available to college faculty, students, and departments, both of the following types of information:

Amendment 2

On page 2, strike out lines 19 and 20 and insert:

(B) A detailed description of how the newest edition differs from the previous edition, including an initial summary of content changes such as reordered, renamed, added, or deleted chapters. The description shall detail changes in each chapter, including but not limited to, additions, subtractions, and revisions. The description shall apply to changes in text, illustrations, statistics, graphics, and any other component of the chapter. The state urges online textbook sellers to add to their Internet Web sites links to the publishers' descriptions established pursuant to this subparagraph.

Amendment 3

On page 4, below line 7, insert:

(e) The Assembly Higher Education Committee and the Senate Committee on Education may field complaints from students about textbooks for which the publishers' Internet Web sites do not contain the information described in paragraph (2) of subdivision (b). Either committee, or both committees, may forward the most egregious cases to the Joint Legislative Audit Committee for investigation of those complaints.



AMENDMENTS TO ASSEMBLY BILL NO. 2394

Amendment 1

In the title, strike out lines 1 and 2 and insert:

An act to add Section 17132.9 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 17132.9 is added to the Revenue and Taxation Code, to read:

17132.9. Gross income shall not include retirement pay received by a taxpayer from the federal government for military service performed in the Armed Forces of the United States, the reserve component of the Armed Forces of the United States, or the National Guard.

SEC. 2. This act provides for a tax levy within the meaning of Article IV of the California Constitution and shall go into immediate effect.

Amendment 3

On page 1, strike out lines 1 to 5, inclusive, and strike out pages 2 and 3



AMENDMENTS TO ASSEMBLY BILL NO. 2418

Amendment 1

In the title, in line 1, after "act" insert:

to add Part 5 (commencing with Section 75250) to Division 44 of the Public Resources Code,

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Part 5 (commencing with Section 75250) is added to Division 44 of the Public Resources Code, to read:

PART 5. CALIFORNIA SMART CITY CHALLENGE GRANT PROGRAM

75250. The California Smart City Challenge Grant Program is hereby established to enable municipalities to compete for grant funding for emerging transportation technologies to serve their transportation system needs.

75251. It is the intent of the Legislature that the program demonstrate how advanced data and intelligent transportation system (ITS) technologies and applications can be used to meet all of the following program goals:

- (a) Reduce congestion.
- (b) Keep travelers safe.
- (c) Establish environmental and climate change goals.
- (d) Enhance mobility.
- (e) Connect underserved communities.
- (f) Support economic vitality.
- (g) Attract private investment.
- (h) Spur innovation.

75252. (a) The California Transportation Commission, in consultation with the California Smart City Challenge Workgroup formed pursuant to Section 75253, shall develop guidelines for the program and may revise them as necessary. The commission shall adopt the guidelines following at least two public hearings.

(b) The guidelines shall include project selection criteria and define the types of projects eligible for funding through the program. The guidelines shall require that an eligible project serve one or more of the goals described in Section 75251 and may favor a project that serves more than one of those goals.

(c) The guidelines shall not be subject to the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

75253. The California Transportation Commission shall form the California Smart City Challenge Workgroup to provide the commission with guidance on program matters including, but not limited to, the development of and subsequent revisions to the guidelines developed pursuant to Section 75252, schedules and procedures, project



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selection criteria, performance measures, and evaluations. The workgroup may include, but shall not be limited to, representatives of local governmental agencies, local transportation organizations, and the University of California's Institute of Transportation Studies.

75254. Implementation of this part is contingent upon an appropriation in the annual Budget Act for purposes of the California Smart City Challenge Grant Program.

Amendment 3

On page 1, strike out lines 1 to 4, inclusive, and strike out page 2

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AMENDMENTS TO ASSEMBLY BILL NO. 2425

Amendment 1

In the title, strike out lines 1 and 2 and insert:

An act to amend Sections 441 and 470 of the Revenue and Taxation Code, relating to taxation.

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 441 of the Revenue and Taxation Code is amended to read:

441. (a) Each person owning taxable personal property, other than a manufactured home subject to Part 13 (commencing with Section 5800), having an aggregate cost of one hundred thousand dollars (\$100,000) or more for any assessment year shall file a signed property statement with the assessor. Every person owning personal property that does not require the filing of a property statement or real property shall, upon request of the assessor, file a signed property statement. Failure of the assessor to request or secure the property statement does not render any assessment invalid.

(b) The property statement shall be declared to be true under the penalty of perjury and filed annually with the assessor between the lien date and 5 p.m. on April 1. The penalty provided by Section 463 applies for property statements not filed by May 7. If May 7 falls on a Saturday, Sunday, or legal holiday, a property statement that is mailed and postmarked on the next business day shall be deemed to have been filed between the lien date and 5 p.m. on May 7. If, on the dates specified in this subdivision, the county's offices are closed for the entire day, that day is considered a legal holiday for purposes of this section.

(c) The property statement may be filed with the assessor through the United States mail, properly addressed with postage prepaid. For purposes of determining the date upon which the property statement is deemed filed with the assessor, the date of postmark as affixed by the United States Postal Service, or the date certified by a bona fide private courier service on the envelope containing the application, shall control. This subdivision shall be applicable to every taxing agency, including, but not limited to, a chartered city and county, or chartered city.

(d) (1) At any time, as required by the assessor for assessment purposes, every person shall make available for examination information or records regarding his or her property or any other personal property located on premises he or she owns or controls. In this connection details of property acquisition transactions, construction and development costs, rental income, and other data relevant to the determination of an estimate of value are to be considered as information essential to the proper discharge of the assessor's duties.

(2) (A) This subdivision shall also apply to an owner-builder or an owner-developer of new construction that is sold to a third party, is constructed on



behalf of a third party, or is constructed for the purpose of selling that property to a third party.

(B) The owner-builder or owner-developer of new construction described in subparagraph (A), shall, within 45 days of receipt of a written request by the assessor for information or records, provide the assessor with all information and records regarding that property. The information and records provided to the assessor shall include the total consideration provided either by the purchaser or on behalf of the purchaser that was paid or provided either, as part of or outside of the purchase agreement, including, but not limited to, consideration paid or provided for the purchase or acquisition of upgrades, additions, or for any other additional or supplemental work performed or arranged for by the owner-builder or owner-developer on behalf of the purchaser.

(3) The assessor may require that the information or records described in this subdivision be provided to the assessor by mail or in electronic format, if available.

(e) In the case of a corporate owner of property, the property statement shall be signed either by an officer of the corporation or an employee or agent who has been designated in writing by the board of directors to sign the statements on behalf of the corporation.

(f) In the case of property owned by a bank or other financial institution and leased to an entity other than a bank or other financial institution, the property statement shall be submitted by the owner bank or other financial institution.

(g) The assessor may refuse to accept any property statement he or she determines to be in error.

(h) If a taxpayer fails to provide information to the assessor pursuant to subdivision (d) and introduces any requested materials or information at any assessment appeals board hearing, the assessor may request and shall be granted a continuance for a reasonable period of time. The continuance shall extend the two-year period specified in subdivision (c) of Section 1604 for a period of time equal to the period of the continuance.

(i) Notwithstanding any other provision of law, every person required to file a property statement pursuant to this section shall be permitted to amend that property statement until May 31 of the year in which the property statement is due, for errors and omissions not the result of willful intent to erroneously report. The penalty authorized by Section 463 does not apply to an amended statement received prior to May 31, provided the original statement is not subject to penalty pursuant to subdivision (b). The amended property statement shall otherwise conform to the requirements of a property statement as provided in this article.

(j) This subdivision shall apply to the oil, gas, and mineral extraction industry only. Any information that is necessary to file a true, correct, and complete statement shall be made available by the assessor, upon request, to the taxpayer by mail or at the office of the assessor by February 28. For each business day beyond February 28 that the information is unavailable, the filing deadline in subdivision (b) shall be extended in that county by one business day, for those statements affected by the delay. In no case shall the filing deadline be extended beyond June 1 or the first business day thereafter.

(k) The assessor may accept the filing of a property statement by the use of electronic media. In lieu of the signature required by subdivision (a) and the declaration

under penalty of perjury required by subdivision (b), property statements filed using electronic media shall be authenticated pursuant to methods specified by the assessor and approved by the board. Electronic media includes, but is not limited to, computer modem, magnetic media, optical disk, and facsimile machine.

(l) (1) After receiving the notice required by Section 1162, the manager in control of a fleet of fractionally owned aircraft shall file with the lead county assessor's office one signed property statement for all of its aircraft that have acquired situs in the state, as described in Section 1161.

(2) Flight data required to compute fractionally owned aircraft allocation under Section 1161 shall be segregated by airport.

(m) (1) After receiving the notice required by paragraph (5) of subdivision (b) of Section 1153.5, a commercial air carrier whose certificated aircraft is subject to Article 6 (commencing with Section 1150) of Chapter 5 shall file with the lead county assessor's office designated under Section 1153.5 one signed property statement for its personal property at all airport locations and fixtures at all airport locations.

(2) Each commercial air carrier may file one schedule for all of its certificated aircraft that have acquired situs in this state under Section 1151.

(3) Flight data required to compute certificated aircraft allocation under Section 1152 and subdivision (g) of Section 202 of Title 18 of the California Code of Regulations shall be segregated by airport location.

(4) Beginning with the 2006 assessment year, a commercial air carrier may file a statement described in this subdivision electronically by means of the California Assessor's Standard Data Record (SDR) network. If the SDR is not equipped to accept electronic filings for the 2006 assessment year, an air carrier may file a printed version of its property statement for that year with its lead county assessor's office.

(5) This subdivision shall remain operative only until December 31, 2016.

SEC. 2. Section 470 of the Revenue and Taxation Code is amended to read:

470. (a) Upon request of an assessor, a person owning, claiming, possessing, or controlling property subject to local assessment shall make available ~~at his or her principal place of business, principal location or principal address in California or at a place mutually agreeable to the assessor and the person, by mail, or electronic format if available,~~ a true copy of business records relevant to the amount, cost, and value of all property that he or she owns, claims, possesses, or controls within the county.

(b) In the case of a taxpayer that has its principal place of business outside of California and has been requested to make business records available pursuant to subdivision (a), that taxpayer may, as an alternative to making the requested business records available pursuant to the terms of that subdivision, pay the county the amount of reasonable and ordinary expenses for food, lodging, transportation, and other related items incurred by the assessor's representative, in traveling to the place outside California where the requested business records are available for examination and performing his or her official duties with respect to the examination of those records.

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Amendment 3
On page 1, strike out lines 1 to 6, inclusive

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AMENDMENTS TO ASSEMBLY BILL NO. 2429

Amendment 1

In the title, in line 1, strike out "amend Section 5800 of the Civil Code, relating to common", strike out line 2 and insert:

add Chapter 6.5 (commencing with Section 585) to Part 1 of Division 1 of the Insurance Code, relating to insurance.

Amendment 2

On page 1, before line 1, insert:

SECTION 1. The Legislature finds and declares that it is the policy of this state that prompt settlements of civil actions and insurance claims are encouraged as beneficial to claimants, policyholders, and insurers, and that tactics, including unreasonable time-limited demands designed to create subsequent claims for extra-contractual damages, be eliminated. Both policyholders and insurers doing business in this state are entitled to the opportunity to timely and fairly investigate claims presented without the risk of creating additional liability exposure. This policy benefits the citizens of the state because it allows insurers to discharge their obligations to protect policyholders and promotes settlements that are fair and reasonable.

SEC. 2. Chapter 6.5 (commencing with Section 585) is added to Part 1 of Division 1 of the Insurance Code, to read:

CHAPTER 6.5. TIME-LIMITED DEMANDS

585. For purposes of this chapter, the following definitions apply:

(a) "Insurer" means the insurance carrier of the tort-feasor, or the first-party insurer to which the demand for settlement is being made, or the third-party insurer of the tort-feasor.

(b) "Time-limited demand" means an offer to settle a claim for property damage, personal injury, bodily injury, or wrongful death made by or on behalf of a claimant to a tort-feasor with a liability insurance policy for purposes of settling a claim against the tort-feasor within or above the policyholder's coverage limit, which by its terms must be accepted within a specified period of time.

(c) "Tort-feasor" means a person alleged to have caused or contributed to cause property damage, personal injury, bodily injury, or wrongful death to a claimant.

586. (a) A time-limited demand shall be in writing and shall include a reference to this section. The demand shall be labeled "Time-Limited Demand: Time Sensitive" and shall be sent certified mail, return receipt requested, to the claims department of the tort-feasor's liability insurer and, if known or reasonably should be known, in care of the insurer's representative assigned to handle any claim for property damage, personal injury, bodily injury, or wrongful death made by or on behalf of a claimant to a tort-feasor with a liability insurance policy.



(b) A time-limited demand shall include all of the following information:

(1) The time period within which the offer shall remain open for acceptance by the insurer, which shall not be less than 60 days, or the business day following the 60th day if that day falls on a weekend or holiday, from the date that the written demand is received by the insurer.

(2) The entire amount of monetary payment requested for a full and final settlement of the claim.

(3) The date and location of the loss.

(4) The claim number, if known.

(5) A detailed description of all known and reasonably anticipated damages or injuries sustained by the claimant.

(6) The party or parties to be released if the time-limited demand is accepted.

(7) A detailed description of the claims to be released if the time-limited demand is accepted.

(8) A detailed explanation of the legal theory of liability against the tort-feasor or each tort-feasor if the demand is presented to multiple tort-feasors.

(9) An offer of a full and final unconditional release for the tort-feasor from all present and future liability arising out of the occurrence giving rise to the claim for property damage, personal injury, bodily injury, or wrongful death.

(10) Information regarding the absence of insurance for any uninsured person or motor vehicle involved in the occurrence giving rise to the claim.

(11) The name of the insurer of any other at-fault person or motor vehicle.

(12) Written confirmation that an insurer of a person or motor vehicle that has been determined to be partially or wholly at-fault has offered its policy limits in accordance with its obligation under the policy contract.

(13) Disclosure of eligibility, or information sufficient to verify eligibility, for Medicare, Medicaid, or any other federal or state benefit program, and any other known liens or assignments granted by the claimant that apply to any of the damages claimed.

(14) Disclosure of the applicability of Section 3333.4 of the Civil Code to the claimant, if applicable.

587. (a) A time-limited demand shall include the following documentation to support the claim for damages or injuries, or both, as follows:

(1) If the claimant asserts a claim for personal injury or bodily injury, the documentation shall include all of the following:

(A) A list of the names, addresses, phone numbers, and email addresses of all health care providers who provided treatment to, or evaluation of, the claimant or decedent for injuries suffered from the date of the injury until the date of the time-limited demand and for any physical or emotional preexisting condition or disability that the claimant alleges was made worse as a result of the occurrence giving rise to the claim.

(B) Nonredacted medical records, treatment logs and notes, and bills from all health care providers who provided treatment to, or evaluation of, the claimant or decedent for injuries suffered from the date of injury until the date of the time-limited demand and for any physical or emotional preexisting condition or disability that the claimant alleges was made worse as a result of the occurrence giving rise to the claim.

(C) The claimant's signed and dated written authorization under the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA), sufficient to

allow the insurer to obtain records from the health care providers listed pursuant to subparagraph (A).

(2) If the claimant asserts a claim for loss of wages, earnings, compensation, or profits, the documentation shall include all of the following:

(A) A list of names, addresses, phone numbers, and email addresses of all the claimant's employers at the time the claimant was first injured until the date of the time-limited demand.

(B) Complete, nonredacted employment records, tax records, and any written, signed, and dated authorizations sufficient to allow the insurer to obtain records from those employers and tax agencies. Records from employers and tax records shall be provided to document the loss claimed.

(3) If the claimant asserts a claim for property damage, the documentation shall include all of the following:

(A) A detailed list of property damage and any photographs, repair estimates, or other documentation substantiating the value and condition of the property damaged.

(B) Any necessary signed and dated releases or written authorizations sufficient to allow the insurer to obtain records substantiating the property damage.

(b) The recipient of a time-limited demand shall have the right to provide a proposed release, seeking clarification or additional information regarding terms, liens, subrogation claims, standing to release claims, medical bills, billing statements, including all explanations of benefits and payments accepted by health care providers for treatment or evaluation for all known injuries sustained by the claimant, medical records, preexisting medical conditions, and other relevant facts. An attempt to seek clarification or additional information shall not be deemed a counteroffer or a rejection of the time-limited demand, and any time limit imposed in the demand shall be deemed tolled and extended for a minimum of 30 days or until the clarification or additional information is received by the insurer.

(c) The claimant shall have the duty to provide any missing documentation requested by the insurer and the time limit imposed by the time-limited demand shall be deemed tolled and extended for a minimum of 30 days or until the clarification or additional information is received by the insurer.

588. (a) An insurer that receives a time-limited demand may accept the time-limited demand by providing written acceptance of the material terms, delivered or postmarked to the claimant or the claimant's representative within the time period set forth in the demand. Written acceptance shall not limit the insurer's rights to seek a proposed release, additional information, or clarification, as set forth in subdivisions (b) and (c) of Section 587.

(b) The person or entity providing payment to satisfy the material terms of the time-limited demand may elect to provide payment to the claimant or to Medicare, Medicaid, or any other federal or state benefit program, or to any other known lienholder or assignee granted rights by the claimant that apply to any of the damages claimed. Payment may be made by any of the following methods:

- (1) Money order.
- (2) Wire transfer.
- (3) A cashier's check issued by a bank or other financial institution.
- (4) A draft or bank check issued by an insurance company.
- (5) An electronic funds transfer or other method of electronic payment.

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589. In any action, claim, or matter, a time-limited demand that does not strictly comply with the terms of this chapter shall not be considered a reasonable opportunity to settle for the insurer and shall not be admissible to allege any damages that result from noncompliance with, or failure to accept, the time-limited demand.

Amendment 3
On page 1, strike out lines 1 to 7, inclusive, and strike out pages 2 and 3

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AMENDMENTS TO ASSEMBLY BILL NO. 2447

Amendment 1

In the title, strike out line 1 and insert:

An act to amend Section 21092 of, and to add Chapter 2.8 (commencing with Section 21099.50) to Division 13 of, the Public Resources Code, relating to land use.

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 21092 of the Public Resources Code is amended to read:
21092. (a) A lead agency that is preparing an environmental impact report or a negative declaration or making a determination pursuant to subdivision (c) of Section 21157.1 shall provide public notice of that fact within a reasonable period of time prior to certification of the environmental impact report, adoption of the negative declaration, or making the determination pursuant to subdivision (c) of Section 21157.1.

(b) (1) The notice shall specify the period during which comments will be received on the draft environmental impact report or negative declaration, and shall include the date, time, and place of any public meetings or hearings on the proposed project, a brief description of the proposed project and its location, the significant effects on the environment, if any, anticipated as a result of the project, the address where copies of the draft environmental impact report or negative declaration, and all documents referenced in the draft environmental impact report or negative declaration, are available for review, and a description of how the draft environmental impact report or negative declaration can be provided in an electronic format.

(2) This section shall not be construed in any manner that results in the invalidation of an action because of the alleged inadequacy of the notice content if there has been substantial compliance with the notice content requirements of this section.

(3) The notice required by this section shall be given to the last known name and address of all organizations and individuals who have previously requested notice, and shall also be given by at least one of the following procedures:

(A) Publication, no fewer times than required by Section 6061 of the Government Code, by the public agency in a newspaper of general circulation in the area affected by the proposed project. If more than one area will be affected, the notice shall be published in the newspaper of largest circulation from among the newspapers of general circulation in those areas.

(B) Posting of notice by the lead agency on- and off-site in the area where the project is to be located.

(C) Direct mailing to the owners and occupants of contiguous property shown on the latest equalized assessment roll.

(c) For a project involving the burning of municipal wastes, hazardous waste, or refuse-derived fuel, including, but not limited to, tires, meeting the qualifications of subdivision (d), notice shall be given to all organizations and individuals who have



previously requested notice and shall also be given by at least the procedures specified in subparagraphs (A), (B), and (C) of paragraph (3) of subdivision (b). In addition, notification shall be given by direct mailing to the owners and occupants of property within one-fourth of a mile of any parcel or parcels on which is located a project subject to this subdivision.

(d) The notice requirements of subdivision (c) apply to both of the following:

(1) The construction of a new facility.

(2) The expansion of an existing facility that burns hazardous waste which would increase its permitted capacity by more than 10 percent. For purposes of this paragraph, the amount of expansion of an existing facility shall be calculated by comparing the proposed facility capacity with whichever of the following is applicable:

(A) The facility capacity approved in the facility's hazardous waste facilities permit pursuant to Section 25200 of the Health and Safety Code or its grant of interim status pursuant to Section 25200.5 of the Health and Safety Code, or the facility capacity authorized in any state or local agency permit allowing the construction or operation of a facility for the burning of hazardous waste, granted before January 1, 1990.

(B) The facility capacity authorized in the facility's original hazardous waste facilities permit, grant of interim status, or any state or local agency permit allowing the construction or operation of a facility for the burning of hazardous waste, granted on or after January 1, 1990.

(e) (1) For a project involving a subject land use, as identified pursuant to subdivision (b) of Section 21099.51, that is located within one-half mile of a disadvantaged community, as identified pursuant to Section 39711 of the Health and Safety Code, notice shall be given to all organizations and individuals who have previously requested notice and shall also be given by at least the procedures specified in subparagraphs (A), (B), and (C) of paragraph (3) of subdivision (b). In addition, notification shall be given by direct mailing to the owners and occupants of property within one-half of a mile of any parcel or parcels on which is located a project subject to this subdivision and to all schools located within one mile of any parcel or parcels on which is located a project subject to this subdivision. In addition to English, the notice provided pursuant to this subdivision shall be provided in all threshold languages, as defined in Section 1810.410 of Title 9 of the California Code of Regulations.

(2) The subdivision applies to a project for which an environmental review is commenced on or after July 1, 2019.

(e)

(f) The notice requirements specified in subdivision (b) or (c) shall not preclude a public agency from providing additional notice by other means if the agency so desires, or from providing the public notice required by this section at the same time and in the same manner as public notice otherwise required by law for the project.

SEC. 2. Chapter 2.8 (commencing with Section 21099.50) is added to Division 13 of the Public Resources Code, to read:

CHAPTER 2.8. SPECIAL REQUIREMENTS FOR SUBJECT LAND USES

21099.50. For purposes of this chapter, the following definition applies:

(a) "Disadvantaged community" means a community identified as a disadvantaged community pursuant to Section 39711 of the Health and Safety Code.

(b) "Project" means a project that involves a subject land use located within one-half mile of a disadvantaged community.

(c) "Subject land use" means a land use identified by the Office of Environmental Health Hazard Assessment pursuant to Section 21099.51.

(d) "Threshold language" has the same definition as set forth in Section 1810.410 of Title 9 of the California Code of Regulations.

21099.51. No later than June 30, 2019, the Office of Environmental Health Hazard Assessment shall do both of the following:

(a) (1) Publish a map that identifies disadvantaged communities and areas within one-half mile radius surrounding the disadvantaged communities.

(2) The Office of Environmental Health Hazard Assessment shall update the map concurrently with any revisions of the identification of disadvantaged communities made pursuant to Section 39711 of the Health and Safety Code.

(b) Publish a list of subject land uses that have a propensity to generate or result in public exposure to onsite and offsite toxic air contaminants, odors, water contamination, hazardous materials, or other environmental pollution or impacts that can lead to negative public health effects or adversely affect the quality of life or the use and enjoyment of housing in the vicinity of the land use.

21099.52. (a) In addition to any notices required pursuant to this division, within 30 days of the receipt of an application for a project and prior to making any determination regarding the level of environmental review for the project or the eligibility of the project for an exemption, an addendum to a certified environmental impact report or adopted negative declaration, a supplemental environmental impact report, or a subsequent environmental impact report, the lead agency shall do both of the following:

(1) Provide a notice of application to the last known name and address of all organizations and individuals who have previously requested notice.

(2) Provide a notice of application, by direct mail, to the owners and occupants of property located within one-half mile of any parcel or parcels, and to any schools located within one mile of any parcel or parcels, on which is located a project subject to this section.

(b) The notice shall include all of the following:

(1) A brief description of the project and its location.

(2) A description of any opportunities to provide oral or written comments on the project.

(3) A description of how oral and written comments on the project may be provided to the lead agency.

(4) A description of how additional information or materials relating to the project may be obtained.

(c) In addition to English, the notice shall be provided in all threshold languages.

(d) This section applies to a project for which the environmental review commences on or after July 1, 2019.

21099.53. (a) Notwithstanding Section 21080.4, 21104, or 21153, a lead agency shall call at least one scoping meeting for a project.

(b) (1) The lead agency shall mail or deliver notice of the scoping meeting to all of the following:

(A) Entities specified in paragraphs (1) to (5), inclusive, of subdivision (b) of Section 21083.9.

(B) All owners and occupants of properties located within one-half mile of the project site.

(C) All schools located within one mile of the project site.

(2) The notice shall include all of the following:

(A) A brief description of the proposed project and its location.

(B) The date, time, and location of the scoping meeting for the project.

(C) A brief description of the purpose of the scoping meeting.

(D) Any other opportunities for the public to provide written and oral comments on the project.

(3) In addition to English, the notice provided pursuant to subparagraph (B) or (C) of paragraph (1) shall be provided in all threshold languages.

(c) (1) (A) The lead agency shall conduct a scoping meeting at a location within one mile of the project site.

(B) If, after making a good faith effort, the lead agency is unable to secure a location for the scoping meeting within one mile of the project site, the lead agency may hold the meeting at another location that meets both of the following requirements:

(i) The meeting location is readily accessible to residents of disadvantaged communities located in or next to the project site.

(ii) The meeting location is located within one-half miles of a transit stop.

(2) If the scoping meeting is held on a weekday, the scoping meeting shall be held between the hours of 5 p.m. and 8 p.m.

(d) At the scoping meeting, the lead agency shall do both of the following:

(1) Provide a description of the project and any information known about the project's potential environmental impacts.

(2) Take public comments regarding potential project impacts, project alternatives, and mitigation measures that would avoid or reduce any project impacts.

(e) Oral and written comments obtained at the scoping meeting conducted pursuant to this section shall be deemed a part of the record of proceedings, shall be included in any initial study or environmental review documents prepared pursuant to this division, and shall be considered by the lead agency prior to the approval of the project.

(f) This section applies to a project for which the environmental review commences on or after July 1, 2019.

21099.54. (a) In addition to the requirements of Section 21081, a public agency shall not approve or carry out a project for which an environmental impact report has been certified that identifies one or more environmental impacts that would occur if the project is approved or carried out unless the public agency finds that the approval or carrying out of the project does not constitute intentional discrimination, or result in a discriminatory effect, based on classes of persons protected pursuant to Section 12955 of the Government Code.

(b) This section applies to a project for which the environmental review commences on or after July 1, 2019.

93436

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RN 18 08855 PAGE 5
Substantive

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

Amendment 3
On page 1, strike out lines 1 to 5, inclusive

- 0 -

AMENDMENTS TO ASSEMBLY BILL NO. 2453

Amendment 1

In the title, in line 1, after "act" insert:

to amend Section 17074.25 of the Education Code, and to add Section 44391.3 to the Health and Safety Code,

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 17074.25 of the Education Code is amended to read:

17074.25. (a) A modernization apportionment may be used for an improvement to extend the useful life of, or to enhance the physical environment of, the school. The improvement may only include the cost of design, engineering, testing, inspection, plan checking, construction management, demolition, construction, the replacement of portable classrooms, necessary utility costs, utility connection and other fees, the purchase and installation of air-conditioning equipment and insulation materials and related costs, furniture and equipment, including telecommunication equipment to increase school security, fire safety improvements, playground safety improvements, the identification, assessment, or abatement of hazardous asbestos, seismic safety improvements, and the upgrading of electrical systems or the wiring or cabling of classrooms in order to accommodate educational technology. A modernization grant may not be used for costs associated with acquisition and development of real property or for routine maintenance and repair.

(b) A modernization apportionment may also be used for the cost of designs and materials that promote the efficient use of energy and water, the maximum use of natural lighting and indoor air quality, the use of recycled materials and materials that emit a minimum of toxic substances, the use of acoustics conducive to teaching and learning, and other characteristics of high-performance schools.

(c) A modernization apportionment may be used to limit pupil exposure to harmful air pollutants by updating air filtration systems.

SEC. 2. Section 44391.3 is added to the Health and Safety Code, to read:

44391.3. (a) Schools located in communities with facilities identified pursuant to Section 44391.2 may work with districts to identify school sites for air quality adaptation efforts.

(b) Schools located near a facility designated by a district as a high priority category may be eligible for a grant as part of a community emissions reduction program, adopted pursuant to Section 44391.2, to implement air quality mitigation efforts, including, but not limited to, either of the following:

- (1) Air filter upgrades or installations.
- (2) Vegetation buffer planting.



11238

03/07/18 08:11 PM
RN 18 08638 PAGE 2
Substantive

Amendment 3
On page 1, strike out lines 1 to 3, inclusive, and strike out page 2

- 0 -

AMENDMENTS TO ASSEMBLY BILL NO. 2490

Amendment 1

In the title, in line 1, strike out "130500 of the Health and Safety Code," strike out line 2 and insert:

103577 of the Health and Safety Code, relating to vital records.

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 103577 of the Health and Safety Code is amended to read:

103577. (a) ~~On or after July 1, 2015, each~~ Each local registrar or county ~~recorder~~ recorder, or the State Registrar, shall, without an issuance fee or any other associated fee, issue a certified record of live birth to any person who can verify his or her status as a homeless person or a homeless child or youth. A homeless services provider that has knowledge of a person's housing status shall verify a person's status for the purposes of this subdivision. In accordance with all other application requirements as set forth in Section 103526, a request for a certified record of live birth made pursuant to this subdivision shall be made by a homeless person or a homeless child or youth on behalf of themselves, or by any person lawfully entitled to request a certified record of live birth on behalf of a child, if the child has been verified as a homeless person or a homeless child or youth pursuant to this section. A person applying for a certified record of live birth under this subdivision is entitled to one birth record, per application, for each eligible person verified as a homeless person or a homeless child or youth. For purposes of this subdivision, an affidavit developed pursuant to subdivision (b) shall constitute sufficient verification that a person is a homeless person or a homeless child or youth. A person applying for a certified record of live birth under this subdivision shall not be charged a fee for verification of his or her eligibility.

(b) The State Department of Public Health shall develop an affidavit attesting to an applicant's status as a homeless person or homeless child or youth. For purposes of this section, the affidavit shall not be deemed complete unless it is signed by both the person making a request for a certified record of live birth pursuant to subdivision (a) and a homeless services provider that has knowledge of the applicant's housing status.

(c) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement and administer this section through an all-county letter or similar instructions from the director or State Registrar without taking regulatory action.

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

(1) A "homeless child or youth" has the same meaning as the definition of "homeless children and youths" as set forth in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.).



(2) A “homeless person” has the same meaning as the definition of that term set forth in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.).

(3) A “homeless services provider” includes:

(A) A governmental or nonprofit agency receiving federal, state, or county or municipal funding to provide services to a “homeless person” or “homeless child or youth,” or that is otherwise sanctioned to provide those services by a local homeless continuum of care organization.

(B) An attorney licensed to practice law in this state.

(C) A local educational agency liaison for homeless children and youth, pursuant to Section 11432(g)(1)(J)(ii) of Title 42 of the United States Code, or a school social worker.

(D) A human services provider or public social services provider funded by the State of California to provide homeless children or youth services, health services, mental or behavioral health services, substance use disorder services, or public assistance or employment services.

(E) A law enforcement officer designated as a liaison to the homeless population by a local police department or sheriff’s department within the state.

Amendment 3

On page 1, strike out lines 1 to 4, inclusive, and strike out page 2

AMENDMENTS TO ASSEMBLY BILL NO. 2492

Amendment 1

In the title, in line 1, strike out "amend Section 44280" and insert:

add Article 7 (commencing with Section 43900) to Chapter 4 of Part 5 of Division 26

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Article 7 (commencing with Section 43900) is added to Chapter 4 of Part 5 of Division 26 of the Health and Safety Code, to read:

Article 7. Medium Duty Trucks

43900. (a) The state board shall adopt a pilot program to provide grants for emissions repairs and testing for class 3 medium duty trucks that have a gross vehicle weight rating of between 10,000 and 14,000 pounds. The state board shall adopt guidelines that include all of the following:

- (1) Modeled after existing, successful emission testing programs.
- (2) Administered by districts designated as federal extreme nonattainment.
- (3) (A) Award grants to fleet owners whose annual receipts are less than _____

dollars (\$_____).

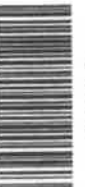
(B) An applicant shall provide tax returns to verify income eligibility.

(4) Operate, to the extent feasible, with the enhanced fleet modernization program (Article 11 (commencing with Section 44125) of Chapter 5) and the motor vehicle inspection program (Chapter 5 (commencing with Section 44000)).

(b) The state board, where applicable, shall ensure coordination, integration, and partnerships with other programs authorized by this division that target disadvantaged communities, as identified pursuant to Section 39711, and receive moneys from the Greenhouse Gas Reduction Fund, created pursuant to Section 16428.8 of the Government Code.

Amendment 3

On page 1, strike out lines 1 to 3, inclusive, and strike out page 2



AMENDMENTS TO ASSEMBLY BILL NO. 2497

Amendment 1

In the title, in line 1, strike out "Section 1501 of the Food and Agricultural Code," strike out line 2 and insert:

Section 1656.1 of the Civil Code, to amend Section 49602 of, to add Sections 38006 and 49605 to, and to add Article 8 (commencing with Section 49390) to Chapter 8 of Part 27 of Division 4 of Title 2 of, the Education Code, to add Sections 16026, 16027, and 29180.5 to the Penal Code, and to add Part 16 (commencing with Section 36001) to Division 2 of the Revenue and Taxation Code, relating to firearms, and making an appropriation therefor.

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 1656.1 of the Civil Code is amended to read:

1656.1. (a) Whether a retailer may add sales tax reimbursement to the sales price of the tangible personal property sold at retail to a purchaser depends solely upon the terms of the agreement of sale. It shall be presumed that the parties agreed to the addition of sales tax reimbursement to the sales price of tangible personal property sold at retail to a purchaser if:

(1) The agreement of sale expressly provides for such addition of sales tax reimbursement;

(2) Sales tax reimbursement is shown on the sales check or other proof of sale; or

(3) The retailer posts in his or her premises in a location visible to purchasers, or includes on a price tag or in an advertisement or other printed material directed to purchasers, a notice to the effect that reimbursement for sales tax will be added to the sales price of all items or certain items, whichever is applicable.

(b) It shall be presumed that the property, the gross receipts from the sale of which is subject to the sales tax, is sold at a price which includes tax reimbursement if the retailer posts in his or her premises, or includes on a price tag or in an advertisement (whichever is applicable) one of the following notices:

(1) "All prices of taxable items include sales tax reimbursement computed to the nearest mill."

(2) "The price of this item includes sales tax reimbursement computed to the nearest mill."

(c) (1) The State Board of Equalization California Department of Tax and Fee Administration shall prepare and make available for inspection and duplication or reproduction a sales tax reimbursement schedule which shall be identical with the following tables up to the amounts specified therein: set forth the various rates of tax then in effect as applied to price ranges from one cent (\$.01) to at least one dollar (\$1.00).



4³/₄ percent

Price		Tax
.01	.10	.00
.11	.31	.01
.32	.52	.02
.53	.73	.03
.74	.94	.04
.95	1.15	.05

5 percent

Price		Tax
.01	.09	.00
.10	.29	.01
.30	.49	.02
.50	.69	.03
.70	.89	.04
.90	1.09	.05

5¹/₄ percent

Price		Tax
.01	.09	.00
.10	.28	.01
.29	.47	.02
.48	.66	.03
.67	.85	.04
.86	1.04	.05

5¹/₂ percent

Price		Tax
.01	.09	.00
.10	.27	.01
.28	.45	.02
.46	.63	.03
.64	.81	.04
.82	.99	.05
1.00	1.18	.06

5³/₄ percent

Price		Tax
.01	.08	.00
.09	.26	.01
.27	.43	.02
.44	.60	.03
.61	.78	.04
.79	.95	.05

.96 1.1306

6 percent

Price	Tax
.01 .08	.00
.09 .24	.01
.25 .41	.02
.42 .58	.03
.59 .74	.04
.75 .91	.05
.92 1.08	.06

6¹/₄ percent

Price	Tax
.01 .07	.00
.08 .23	.01
.24 .39	.02
.40 .55	.03
.56 .71	.04
.72 .87	.05
.88 1.03	.06

6¹/₂ percent

Price	Tax
.01 .07	.00
.08 .23	.01
.24 .38	.02
.39 .53	.03
.54 .69	.04
.70 .84	.05
.85 .99	.06
1.00 1.15	.07

6³/₄ percent

Price	Tax
.01 .07	.00
.08 .22	.01
.23 .37	.02
.38 .51	.03
.52 .66	.04
.67 .81	.05
.82 .96	.06
.97 1.11	.07

7 percent

Price	Tax
.01-.07	.00
.08-.21	.01
.22-.35	.02
.36-.49	.03
.50-.64	.04
.65-.78	.05
.79-.92	.06
.93-1.07	.07

7 $\frac{1}{4}$ percent

Price	Tax
.01-.06	.00
.07-.20	.01
.21-.34	.02
.35-.48	.03
.49-.62	.04
.63-.75	.05
.76-.89	.06
.90-1.03	.07

7 $\frac{1}{2}$ percent

Price	Tax
.01-.06	.00
.07-.19	.01
.20-.33	.02
.34-.46	.03
.47-.59	.04
.60-.73	.05
.74-.86	.06
.87-.99	.07
1.00-1.13	.08

(2) Reimbursement on sales prices in excess of those shown in the schedules prepared pursuant to paragraph (1) may be computed by applying the applicable tax rate to the sales price, rounded off to the nearest cent by eliminating any fraction less than one-half cent and increasing any fraction of one-half cent or over to the next higher cent.

(3) If sales tax reimbursement is added to the sales price of tangible personal property sold at retail, the retailer shall use a schedule provided by the board, or a schedule approved by the board.

(d) The presumptions created by this section are rebuttable presumptions.

(e) For purposes of this section, as applied to Part 16 (commencing with Section 36001) of Division 2 of the Revenue and Taxation Code, sales tax reimbursement shall refer to reimbursement for the tax imposed by that part, and tangible personal property shall include firearms and ammunition as defined under that part.

SEC. 2. Section 38006 is added to the Education Code, to read:

38006. (a) Each school maintaining grades 9 to 12, inclusive, may, pursuant to Section 16026 of the Penal Code, apply to the Department of Justice for a grant from the School Gun Violence Protection Fund to contract with, employ, or have assigned to the school a school resource officer to be on campus during school hours and during sanctioned school events that are after school hours.

(b) For purposes of this section, the following definitions apply:

(1) "School" means a school of a school district or county office of education or a charter school.

(2) "School resource officer" means an individual who is a peace officer as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code and who is either of the following:

(A) Employed by a school.

(B) Employed by a local or state law enforcement agency and contracts with or is assigned to a school.

SEC. 3. Article 8 (commencing with Section 49390) is added to Chapter 8 of Part 27 of Division 4 of Title 2 of the Education Code, to read:

Article 8. Reporting of Threats of Mass Casualties at Schools

49390. For purposes of this article, the following definitions apply:

(a) "Mandated reporter" includes any of the following:

(1) A teacher.

(2) An instructional aide.

(3) A teacher's aide or teacher's assistant employed by a school.

(4) A classified employee of a school.

(5) A certificated pupil personnel employee of a school.

(6) An employee of a county office of education whose duties bring the employee into contact with children on a regular basis.

(7) An employee of a school district police or security department.

(8) A school resource officer, as defined in Section 38006.

(9) An athletic coach, athletic administrator, or athletic director employed by a school.

(10) A school counselor that provides education counseling pursuant to Section 49600 or 49605.

(b) "School" means a school of a school district or county office of education or a charter school maintaining kindergarten or any of grades 1 to 12, inclusive.

49391. (a) A mandated reporter shall report whenever the mandated reporter, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes any threat or perceived threat by a pupil to use a firearm or any other means of force to inflict mass casualties at a school during school hours or after school hours.

(b) A mandated reporter shall report any threat or perceived threat as described in subdivision (a) immediately, or as soon as possible, to the local law enforcement agency that has jurisdiction over the geographical area of the school and to the Department of Justice. The local law enforcement agency and the Department of Justice shall each keep a record of the threats or perceived threats reported to it.

(c) When two or more mandated reporters jointly have knowledge of a threat or perceived threat as described in subdivision (a), and when there is agreement among them, the report required by this section may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report.

(d) As a result of receiving a report of a threat or perceived threat pursuant to subdivision (b), the Department of Justice may flag an individual involved in the threat or the perceived threat in a firearms registry that notifies the Department of Justice if the individual tries to purchase a firearm.

49392. A mandated reporter who fails to report a threat or perceived threat as required by this article is guilty of a misdemeanor punishable by up to six months of confinement in a county jail, or by a fine of one thousand dollars (\$1,000), or by both that imprisonment and fine. If a mandated reporter intentionally conceals his or her failure to report an incident known by the mandated reporter to be a threat or perceived threat as described in this article, the failure to report is a continuing offense until the local law enforcement agency or the Department of Justice discovers the offense.

SEC. 4. Section 49602 of the Education Code is amended to read:

49602. (a) Any information of a personal nature disclosed by a pupil 12 years of age or older in the process of receiving counseling from a school counselor as specified in Section 49600 is confidential. Any information of a personal nature disclosed to a school counselor by a parent or guardian of a pupil who is 12 years of age or older and who is in the process of receiving counseling from a school counselor as specified in Section 49600 is confidential. The information shall not become part of the pupil record, as defined in subdivision (b) of Section 49061, without the written consent of the person who disclosed the confidential information. The information shall not be revealed, released, discussed, or referred to, except as follows:

(a)

(1) Discussion with psychotherapists as defined by Section 1010 of the Evidence Code, other health care providers, or the school nurse, for the sole purpose of referring the pupil for treatment.

(b)

(2) Reporting of child abuse or neglect as required by Article 2.5 (commencing with Section ~~11165~~ 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code.

(3) Reporting of a threat or perceived threat by a pupil to use a firearm or any other means of force to inflict mass casualties at a school as required by Article 8 (commencing with Section 49390) of Chapter 8.

(c)

(4) Reporting information to the principal or parents of the pupil when the school counselor has reasonable cause to believe that disclosure is necessary to avert a clear and present danger to the health, safety, or welfare of the pupil or the following other persons living in the school community: administrators, teachers, school staff, parents, pupils, and other school community members.

(d)

(5) Reporting information to the principal, other persons inside the school, as necessary, the parents of the pupil, and other persons outside the school when the pupil

indicates that a crime, involving the likelihood of personal injury or significant or substantial property losses, will be or has been committed.

(e)

(6) Reporting information to one or more persons specified in a written waiver after this written waiver of confidence is read and signed by the pupil and preserved in the pupil's file.

Notwithstanding

(b) Notwithstanding the provisions of this section, a school counselor shall not disclose information deemed to be confidential pursuant to this section to the parents of the pupil when the school counselor has reasonable cause to believe that the disclosure would result in a clear and present danger to the health, safety, or welfare of the pupil.

Notwithstanding

(c) Notwithstanding the provisions of this section, a school counselor shall disclose information deemed to be confidential pursuant to this section to law enforcement agencies when ordered to do so by order of a court of law, to aid in the investigation of a crime, or when ordered to testify in any administrative or judicial proceeding.

Nothing

(d) Nothing in this section shall be deemed to limit access to pupil records as provided in Section 49076.

Nothing

(e) Nothing in this section shall be deemed to limit the counselor from conferring with other school staff, as appropriate, regarding modification of the pupil's academic program.

It

(f) It is the intent of the Legislature that counselors use the privilege of confidentiality under this section to assist the pupil whenever possible to communicate more effectively with parents, school staff, and others.

No

(g) No person required by this section to keep information discussed during counseling confidential shall incur any civil or criminal liability as a result of keeping that information confidential.

As

(h) As used in this section, "information of a personal nature" does not include routine objective information related to academic and career counseling.

SEC. 5. Section 49605 is added to the Education Code, to read:

49605. (a) Each school maintaining grades 6 to 8, inclusive, or grades 7 and 8 shall have a school counselor as specified in Section 49600 onsite during school hours when children are present with the primary responsibility of detecting and reporting the early warning signs of threats of violence to the school or its pupils.

(b) A school described in subdivision (a) may apply to the Department of Justice for funding for a counselor required by this section from the School Gun Violence Prevention Fund, pursuant to Section 16027 of the Penal Code.

(c) For purposes of this section, "school" means a school of a school district or county office of education or a charter school.

SEC. 6. Section 16026 is added to the Penal Code, to read:

16026. (a) There is hereby established in the State Treasury the School Gun Violence Protection Fund to receive moneys pursuant to Section 36041 of the Revenue and Taxation Code and Section 29180.5 of the Penal Code. Notwithstanding Section 13340 of the Government Code, all moneys in the School Gun Violence Protection Fund shall be continuously appropriated without regard to fiscal years to the Department of Justice for the purpose of awarding grants for school resource officers pursuant to Section 38006 of the Education Code.

(b) The department shall adopt regulations governing the application for and awarding of grants made pursuant to this section.

(c) In awarding a grant pursuant to this section, the department shall give priority to schools that have not had a school resource officer program as of January 1, 2017.

SEC. 7. Section 16027 is added to the Penal Code, to read:

16027. There is hereby established in the State Treasury the School Gun Violence Prevention Fund to receive moneys pursuant to Section 36041 of the Revenue and Taxation Code. Notwithstanding Section 13340 of the Government Code, all moneys in the School Gun Violence Prevention Fund shall be continuously appropriated without regard to fiscal years to the Department of Justice for the purpose of funding school counselors required by Section 49605 of the Education Code.

SEC. 8. Section 29180.5 is added to the Penal Code, to read:

29180.5. (a) A person shall not manufacture or assemble a firearm in violation of Section 29180 with the intent to sell that firearm.

(b) The manufacture or assembly of five or fewer firearms in violation of this section is punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding one thousand dollars (\$1,000), or by both that imprisonment and fine, or by imprisonment pursuant to subdivision (h) of Section 1170.

(c) The manufacture or assembly of more than five firearms in violation of this section is punishable by imprisonment pursuant to subdivision (h) of Section 1170.

(d) All moneys, negotiable instruments, securities, property interests, or other things of value furnished or intended to be furnished by any person in exchange for a firearm assembled or manufactured in violation of this section, all proceeds traceable to such an exchange, and all firearms, firearm components, tools, parts, personal or real property, or other instrumentalities used or intended to be used to facilitate any violation of this section are subject to forfeiture.

(e) (1) If the prosecuting agency proceeds under subdivision (a), that agency shall, in conjunction with the criminal proceeding, file a petition for forfeiture with the superior court of the county in which the defendant has been charged that shall allege that the defendant has violated subdivision (a) and the property is forfeitable pursuant to subdivision (d).

(2) The prosecuting agency shall make service of process of a notice regarding that petition upon every individual who may have a property interest in the alleged proceeds, and that notice shall state that any interested party may file a verified claim with the superior court stating the amount of the party's claimed interest and an affirmation or denial of the prosecuting agency's allegation.

(3) If the notices cannot be served by registered mail or personal delivery, the notices shall be published for at least three consecutive weeks in a newspaper of general circulation in the county where the property is located.

(4) If the property alleged to be subject to forfeiture is real property, the prosecuting agency shall, at the time of filing the petition for forfeiture, record a lis pendens in each county in which real property alleged to be subject to forfeiture is located.

(5) The judgment of forfeiture shall not affect the interest of any third party in real property that was acquired prior to the recording of the lis pendens.

(6) All notices shall set forth the time within which a claim of interest in the property seized is required to be filed pursuant to this section.

(f) Any person claiming an interest in the property or proceeds seized may, at any time within 30 days from the date of the first publication of the notice of seizure, or within 30 days after receipt of the actual notice, file with the superior court of the county in which the action is pending a verified claim stating his or her interest in the property or proceeds. A verified copy of the claim shall be given by the claimant to the Attorney General, or the district or city attorney, whichever is the prosecuting agency of the underlying crime.

(g) (1) If, at the end of the time set forth in subdivision (f), an interested person, other than the defendant, has not filed a claim, the court, upon a motion, shall declare that the person has defaulted upon his or her alleged interest, and that interest shall be subject to forfeiture upon proof of the elements of subdivision (d).

(2) The defendant may admit or deny that the property is subject to forfeiture pursuant to this section. If the defendant fails to admit or deny, or fails to file a claim of interest in the property or proceeds, the court shall enter a response of denial on behalf of the defendant.

(h) (1) The forfeiture proceeding shall be set for hearing in the superior court in which the underlying criminal offense will be tried.

(2) If the defendant is found guilty of the underlying offense, the issue of forfeiture shall be promptly tried, either before the same jury or before a new jury, in the discretion of the court, unless waived by the consent of all parties.

(i) At the forfeiture hearing, the prosecuting agency shall have the burden of establishing beyond a reasonable doubt that the defendant was engaged in a violation of subdivision (a) and that the property comes within the provisions of subdivision (d).

(j) Concurrent with, or subsequent to, the filing of the petition, the prosecuting agency may move the superior court for the following pendente lite orders to preserve the status quo of the property alleged in the petition of forfeiture:

(1) An injunction to restrain all interested parties and enjoin them from transferring, encumbering, hypothecating, or otherwise disposing of that property.

(2) Appointment of a receiver to take possession of, care for, manage, and operate the assets and properties so that the property may be maintained and preserved.

(k) (1) No preliminary injunction may be granted or receiver appointed without notice to the interested parties and a hearing to determine that the order is necessary to preserve the property, pending the outcome of the criminal proceedings, and that there is probable cause to believe that the property alleged in the forfeiture proceedings are proceeds or property interests forfeitable under subdivision (d). However, a temporary restraining order may issue pending that hearing pursuant to the provisions of Section 527 of the Code of Civil Procedure.

(2) Notwithstanding any other law, the court, when granting or issuing these orders may order a surety bond or undertaking to preserve the property interests of the

interested parties. The court shall, in making its orders, seek to protect the interest of those who may be involved in the same enterprise as the defendant, but who have not violated subdivision (a).

(l) If the trier of fact at the forfeiture hearing finds that the alleged property or proceeds are forfeitable pursuant to subdivision (d), and that the defendant was convicted of a violation of subdivision (a), the court shall declare that property or proceeds forfeited to the state or local governmental entity, subject to distribution as provided in subdivision (n).

(m) (1) If the trier of fact at the forfeiture hearing finds that the alleged property is forfeitable pursuant to subdivision (d) but does not find that a person holding a valid lien, mortgage, security interest, or interest under a conditional sales contract acquired that interest with actual knowledge that the property was to be used for a purpose for which forfeiture is permitted, and the amount due to that person is less than the appraised value of the property, that person may pay to the state or the local governmental entity that initiated the forfeiture proceeding the amount of the registered owner's equity, which shall be deemed to be the difference between the appraised value and the amount of the lien, mortgage, security interest, or interest under a conditional sales contract. Upon that payment, the state or local governmental entity shall relinquish all claims to the property.

(2) If the holder of the interest elects not to make that payment to the state or local governmental entity, the property shall be deemed forfeited to the state or local governmental entity.

(3) The appraised value shall be determined as of the date judgment is entered either by agreement between the legal owner and the governmental entity involved, or if they cannot agree, then by a court-appointed appraiser for the county in which the action is brought.

(4) If the amount due to a person holding a valid lien, mortgage, security interest, or interest under a conditional sales contract is less than the value of the property and the person elects not to make payment to the governmental entity, the property shall be sold at public auction by the Department of General Services or by the local governmental entity which shall provide notice of that sale by one publication in a newspaper published and circulated in the city, community, or locality where the sale is to take place. Proceeds of the sale shall be distributed pursuant to subdivision (n).

(n) Notwithstanding that no response or claim has been filed pursuant to subdivision (f), in all cases where property is forfeited pursuant to this section and is sold by the Department of General Services or a local governmental entity, the property forfeited or the proceeds of the sale shall be distributed by the state or local governmental entity, as follows:

(1) To the bona fide or innocent purchaser, conditional sales vendor, or holder of a valid lien, mortgage, or security interest, if any, up to the amount of his or her interest in the property or proceeds, when the court declaring the forfeiture orders a distribution to that person. The court shall endeavor to discover all those lienholders and protect their interests and may, at its discretion, order the proceeds placed in escrow for a period not to exceed 60 additional days to ensure that all valid claims are received and processed.

(2) To the Department of General Services or local governmental entity for all expenditures made or incurred by it in connection with the sale of the property, including

expenditures for any necessary repairs, storage, or transportation of any property seized under this section.

(3) All remaining funds are to be remitted to the state to be deposited in the School Gun Violence Protection Fund.

SEC. 9. Part 16 (commencing with Section 36001) is added to Division 2 of the Revenue and Taxation Code, to read:

PART 16. FIREARM AND AMMUNITION TAX LAW

CHAPTER 1. GENERAL PROVISIONS AND DEFINITIONS

36001. The part shall be known, and may be cited, as the Firearm and Ammunition Tax Law.

36002. For purposes of this part:

(a) "Ammunition" means one or more loaded cartridges consisting of a primed case, propellant, and with one or more projectiles. "Ammunition" does not include blanks.

(b) "Antique firearm" means any firearm not designed or redesigned for using rimfire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898. This includes any matchlock, flintlock, percussion cap, or similar type of ignition system, or any replica thereof, whether actually manufactured before or after the year 1898, or any firearm manufactured in or before 1898 that uses fixed ammunition no longer manufactured in the United States and not readily available in the ordinary channels of commercial trade.

(c) "Department" means the California Department of Tax and Fee Administration.

(d) "Firearm" means a device, designed to be used as a weapon, from which is expelled through a barrel, a projectile by the force of an explosion or other form of combustion. "Firearm" includes the frame or receiver of the weapon. "Firearm" does not include an antique firearm.

(e) "Law enforcement agency" means any department or agency of the state or of any county, city, or other political subdivision thereof that employs any peace officer that is authorized to carry a firearm while on duty, or any department or agency of the federal government or a federally recognized Indian tribe with jurisdiction that has tribal land in California, that employs any police officer or criminal investigator authorized to carry a firearm while on duty.

(f) "Peace officer" means any person described in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code that is authorized to carry a firearm on duty, or any police officer or criminal investigator employed by the federal government or a federally recognized Indian tribe with jurisdiction that has tribal land in California, that is authorized to carry a firearm while on duty.

(g) "Retailer engaged in business in this state" has the same meaning as defined in Section 6203.

36009. Unless the context otherwise requires, the definitions provided in Chapter 1 (commencing with Section 6001) of Part 1 of Division 2 govern the construction of this part.

CHAPTER 2. IMPOSITION OF TAX

36011. (a) In addition to the tax imposed under Chapter 2 (commencing with Section 6051) of Part 1, for the privilege of selling a firearm at retail there is hereby imposed a tax upon all retailers at the rate of ___ percent of the gross receipts of any retailer from the sale of all firearms sold at retail in this state on or after January 1, 2019.

(b) In addition to the tax imposed under Chapter 2 (commencing with Section 6051) of Part 1, for the privilege of selling ammunition at retail there is hereby imposed a tax upon all retailers at the rate of ___ percent of the gross receipts of any retailer from the sale of all ammunition sold at retail in this state on or after January 1, 2019.

36012. (a) In addition to the tax imposed under Chapter 3 (commencing with Section 6201) of Part 1, an excise tax is hereby imposed on the storage, use, or other consumption in this state of a firearm purchased from any retailer on or after January 1, 2019, for the storage, use, or other consumption in this state at the rate of ___ percent of the sales price of the firearm.

(b) In addition to the tax imposed under Chapter 3 (commencing with Section 6201) of Part 1, an excise tax is hereby imposed on the storage, use, or other consumption in this state of ammunition purchased from any retailer on or after January 1, 2019, for the storage, use, or other consumption in this state at the rate of ___ percent of the sales price of the ammunition.

(c) Every person storing, using, or otherwise consuming in this state a firearm or ammunition purchased from a retailer is liable for the tax. His or her liability is not extinguished until the tax has been paid to this state except that a receipt from a retailer engaged in business in this state or from a retailer who is authorized by the department, under the rules and regulations as it may prescribe, to collect the tax and who is, for the purposes of this part relating to the use tax, regarded as a retailer engaged in business in this state, given to the purchaser pursuant to subdivision (d) is sufficient to relieve the purchaser from further liability for the tax to which the receipt refers.

(d) Every retailer engaged in business in this state and making sales of tangible personal property for storage, use, or other consumption in this state, not exempted under Chapter 3 (commencing with Section 36021), shall, at the time of making the sales or, if the storage, use, or other consumption of a firearm or ammunition is not then taxable hereunder, at the time the storage, use, or other consumption becomes taxable, collect the tax from the purchaser and give to the purchaser a receipt therefor in the manner and form prescribed by the department.

(e) The tax required to be collected by the retailer and any amount unreturned to the customer which is not tax but was collected from the customer under the representation by the retailer that it was tax constitutes debts owed by the retailer to this state.

(f) It is unlawful for any retailer to advertise or hold out or state to the public or to any customer, directly or indirectly, that the tax or any part thereof will be assumed or absorbed by the retailer or that it will not be added to the selling price of the property sold or that if added it or any part thereof will be refunded.

(g) The tax required to be collected by the retailer from the purchaser shall be displayed separately from the list price, the price advertised in the premises, the marked price, or other price on the sales check or other proof of sales.

(h) Any person violating subdivision (d), (f), or (g) is guilty of a misdemeanor.

CHAPTER 3. EXEMPTIONS

36021. There are exempted from the taxes imposed by this part, the sale of, or the storage, use, or other consumption of, any firearm or ammunition purchased by any peace officer or by any law enforcement agency employing that peace officer, for use in the normal course of employment.

36022. (a) The storage, use, or other consumption in this state of firearms, the gross receipts from the sale of which the purchaser establishes to the satisfaction of the department were included in the measure of the sales tax imposed by subdivision (a) of Section 36011, is exempted from the excise tax imposed pursuant to subdivision (a) of Section 36012.

(b) The storage, use, or other consumption in this state of ammunition, the gross receipts from the sale of which the purchaser establishes to the satisfaction of the department were included in the measure of the sales tax imposed by subdivision (b) of Section 36011, is exempted from the excise tax imposed pursuant to subdivision (b) of Section 36012.

CHAPTER 4. COLLECTION AND ADMINISTRATION

36031. The department shall administer and collect the tax imposed by this part pursuant to the Fee Collection Procedures Law (Part 30 (commencing with Section 55001)). For purposes of this part, the references in the Fee Collection Procedures Law to "fee" shall include the tax imposed by this part and references to "feepayer" shall mean any person liable for the payment of the taxes imposed under this part and collected pursuant to that law.

36032. The taxes imposed by this part are due and payable to the department quarterly on or before the last day of the month next succeeding each quarterly period of three months.

36033. On or before the last day of the month following each quarter period, a return for the preceding quarterly period shall be filed with the department.

CHAPTER 5. DISPOSITION OF PROCEEDS

36041. (a) All amounts required to be paid pursuant to subdivision (a) of Section 36011 and subdivision (a) of Section 36012 shall be paid to the department in the form of remittances payable to the department, and those revenues, net of refunds and costs of administration, shall be deposited in the School Gun Violence Protection Fund, established pursuant to Section 16026 of the Penal Code.

(b) All amounts required to be paid pursuant to subdivision (b) of Section 36011 and subdivision (b) of Section 36012 shall be paid to the department in the form of remittances payable to the department, and those revenues, net of refunds and costs of

administration, shall be deposited in the School Gun Violence Prevention Fund, established pursuant to Section 16027 of the Penal Code.

SEC. 10. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

Amendment 3

On page 1, strike out lines 1 to 9, inclusive, and strike out page 2

AMENDMENTS TO ASSEMBLY BILL NO. 2498

Amendment 1

In the title, in line 1, strike out "amend Section 44874 of" and insert:

add and repeal Article 14 (commencing with Section 33480) of Chapter 3 of Part 20 of Division 2 of Title 2 of

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Article 14 (commencing with Section 33480) is added to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, to read:

Article 14. School Social Worker Pilot Program

33480. (a) Subject to moneys appropriated by the Legislature for the purposes of this section, the department shall administer the School Social Worker Pilot Program. Under the pilot program, the department shall provide a multiyear grant award to one school district in each of the Counties of Alameda, Riverside, San Benito, San Joaquin, and Shasta to fund a social worker at each eligible school within the school district for the 2019–20 fiscal year to the 2023–24 fiscal year, inclusive.

(b) A school district within the Counties of Alameda, Riverside, San Benito, San Joaquin, and Shasta may apply for the grant pursuant to subdivision (c).

(c) The department shall develop an application process and criteria for determining grant recipients on a competitive basis, including that priority should be given to school districts with higher pupil dropout and absenteeism rates and higher percentage of pupils eligible for free or reduced-price meals.

(d) For purposes of this section, "eligible school" means a school that meets both of the following:

(1) The school has higher pupil dropout and absenteeism rates than the state average, as determined by the department.

(2) The school has a higher percentage of pupils eligible for free or reduced-price meals than the state average, as determined by the department.

33481. This article shall become inoperative on July 1, 2024, and, as of January 1, 2025, is repealed.

Amendment 3

On page 1, strike out lines 1 to 9, inclusive

