AMENDMENTS TO ASSEMBLY BILL NO. 2108

Amendment 1

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

Members McCarty and Gonzalez Fletcher

Amendment 2

In the heading, below line 1, insert:

(Coauthors: Assembly Members Bonta, Mullin, Nazarian, Quirk, Ting, and Weber)

Amendment 3

In the title, in line 1, strike out "amend Section 1569.265 of" and insert:

add Article 2.7 (commencing with Section 124240) to Chapter 4 of Part 2 of Division 106 of

Amendment 4

In the title, in line 2, strike out "care facilities for the elderly." and insert:

youth athletics.

Amendment 5

On page 2, before line 1, insert:

SECTION 1. Article 2.7 (commencing with Section 124240) is added to Chapter 4 of Part 2 of Division 106 of the Health and Safety Code, to read:

Article 2.7. Safe Youth Football Act

124240. (a) This article shall be known, and may be cited, as the Safe Youth Football Act.

(b) As used in this article:

(1) "Play" includes, but is not necessarily limited to, participation in a football game, scrimmage, or practice in which tackling occurs.

(2) "Tackling" means physically impeding the forward movement of a player who is in possession of the ball to the extent that either of the following occurs:

(A) The player's forward movement is stopped, and the player is unable to resume this forward movement.

(B) Some part of the player's body, other than his or her hands or feet, is forced to touch the ground.

(3) "Youth sports organization" means an organization, business, nonprofit entity, or local governmental agency that sponsors or conducts amateur sports competition, training, camps, or clubs.

124241. On and after January 1, 2020, only a person who is at least 12 years of age shall be allowed to play tackle football with a youth sports organization.

Amendment 6
On page 2, strike out lines 1 to 9, inclusive

AMENDMENTS TO ASSEMBLY BILL NO. 2109

Amendment 1

In the title, in line 1, strike out "Section 48208 of the Education Code, relating to", strike out line 2 and insert:

Sections 48206.3, 48207, 48208, and 51225.5 of, to add Sections 48207.3 and 48207.5 to, and to repeal Section 48206.5 of, the Education Code, relating to pupils.

Amendment 2

On page 2, before line 1, insert:

SECTION 1. Section 48206.3 of the Education Code is amended to read:

48206.3. (a) ~~Except for those pupils receiving individual instruction provided pursuant to Section 48206.5, a~~ A pupil with a temporary disability ~~which~~ that makes attendance in the regular day classes or alternative education program in which the pupil is enrolled impossible or inadvisable shall receive individual instruction provided by the school district in which the pupil is deemed to reside.

(b) For purposes of this section and Sections 48206.5, 48207, 48207.3, 48207.5, and 48208, the following terms have the following meanings:

(1) "Individual instruction" means instruction provided to an individual pupil in the pupil's home, in a hospital or other residential health facility, excluding state hospitals, or under other circumstances prescribed by regulations adopted for that purpose by the ~~State Board of Education.~~ state board.

(2) "Temporary disability" means a physical, mental, or emotional disability incurred while a pupil is enrolled in regular day classes or an alternative education program, and after which the pupil can reasonably be expected to return to regular day classes or the alternative education ~~program without special intervention.~~ program. A temporary disability shall not include a disability for which a pupil is identified as an individual with exceptional needs pursuant to Section 56026.

(c) (1) For purposes of computing average daily attendance pursuant to Section ~~42238.5,~~ 42238.05, each clock hour of teaching time devoted to individual instruction shall count as one day of attendance.

(2) No pupil shall be credited with more than five days of attendance per calendar week, or more than the total number of calendar days that regular classes are maintained by the school district in any fiscal year.

(d) Notice of the availability of ~~individualized~~ individual instruction shall be given pursuant to Section ~~48980.~~ 48980, and shall include information regarding a pupil's eligibility for, and the duration of, individual instruction.

SEC. 2. Section 48206.5 of the Education Code is repealed.

~~48206.5. Any school district which, prior to January 1, 1986, maintained a program to provide individual instruction to pupils enrolled in regular day classes or an alternative education program offered by the district who have a temporary disability may continue the program as it existed prior to January 1, 1986.~~

SEC. 3. Section 48207 of the Education Code is amended to read:

48207. (a) Notwithstanding Section 48200, a pupil with a temporary ~~disability~~ disability, who is in a hospital or other residential health facility, excluding a state hospital, ~~which is~~ located outside of the school district in which the pupil's parent or guardian ~~resides~~ resides, shall be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located.

(b) Notwithstanding any other law, a school district or charter school may continue to enroll a pupil with a temporary disability who is receiving individual instruction in a hospital or other residential health facility in order to facilitate the timely reentry of the pupil in his or her prior school after the hospitalization has ended, or in order to provide a partial week of instruction to a pupil who is receiving individual instruction in a hospital or other residential health facility, for fewer than five days of instruction per week, or the equivalent, as described in subdivision (c) of Section 48206.3.

(c) (1) A pupil with a temporary disability who remains enrolled in a school district other than the school district of residence or a charter school pursuant to subdivision (b) while also receiving individual instruction in a hospital or other residential health facility may only be counted by the school district or charter school of enrollment for purposes of computing average daily attendance pursuant to Section 42238.05 for days on which the pupil is in attendance in that school district or charter school.

(2) A pupil with a temporary disability who remains enrolled in a school district other than the school district of residence or a charter school pursuant to subdivision (b) while also receiving individual instruction in a hospital or other residential health facility may only be counted by the school district of residence for purposes of computing average daily attendance pursuant to Section 42238.05 for days on which the pupil is receiving individual instruction in a hospital or other residential health facility.

(d) The total attendance counted for purposes of computing average daily attendance pursuant to Section 42238.05 for a pupil with a temporary disability, including days of attendance in a hospital or other residential health facility, shall not exceed five days per week, or the equivalent, as described in subdivision (c) of Section 48206.3.

(e) For days during which a pupil who remains enrolled in a school district or charter school pursuant to this section is receiving instruction in a hospital or other residential health facility, the pupil shall not be considered absent by the school district or charter school and the pupil's parent or guardian shall not be referred to a school attendance review board.

SEC. 4. Section 48207.3 is added to the Education Code, to read:

48207.3. (a) A pupil receiving individual instruction who is well enough to return to a school shall be allowed to return to the school, including a charter school, that he or she attended immediately before receiving individual instruction, if the pupil returns during the school year in which the individual instruction was initiated.

(b) A pupil who attends a school operated by a school district or a charter school, who is subsequently enrolled in individual instruction in a hospital or other residential health facility for a partial week, shall be entitled to attend school in his or her school district of residence, or receive individual instruction provided by the school district of residence in the pupil's home, on days in which he or she is not receiving individual

instruction in a hospital or other residential health facility, if he or she is well enough to do so.

SEC. 5. Section 48207.5 is added to the Education Code, to read:

48207.5. Individual instruction in a pupil's home pursuant to Section 48206.3 shall commence no later than five working days after a school district has determined that the pupil shall receive this instruction.

Amendment 3

On page 2, in line 1, strike out "SECTION 1." and insert:

SEC. 6.

Amendment 4

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

individual

Amendment 5

On page 2, in line 12, strike out "individualized" and insert:

individual

Amendment 6

On page 2, in line 12, strike out "Individualized" and insert:

Individual

Amendment 7

On page 2, in line 15, strike out "individualized" and insert:

individual

Amendment 8

On page 2, in line 20, strike out "individualized" and insert:

individual

Amendment 9
On page 2, in line 23, strike out "individualized" and insert:

individual

Amendment 10
On page 2, in line 27, strike out "42238.5," and insert:

42238.05,

Amendment 11
On page 2, in line 28, strike out "individualized" and insert:

individual

Amendment 12
On page 2, in line 28, strike out "commenced." and insert:

commenced, except as provided in Section 48207.

SEC. 7. Section 51225.5 of the Education Code is amended to read:

51225.5. (a) (1) The governing board of ~~any~~ a school district maintaining a high school may confer honorary high school diplomas upon foreign exchange students from other countries who have not completed the course of study ordinarily required for graduation, and who are returning to their home countries following the completion of one academic school year in a school district in the state. ~~Honorary high school diplomas awarded pursuant to this section shall be clearly distinguishable from the regular diplomas of graduation awarded by the district.~~

(2) The governing board of a school district maintaining a high school may confer an honorary high school diploma upon a pupil who is terminally ill.

(b) An honorary high school diploma awarded pursuant to this section shall be clearly distinguishable from the regular diploma of graduation awarded by the school district.

SEC. 8. 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.

AMENDMENTS TO ASSEMBLY BILL NO. 2123

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

An act to amend Section 10010 of the Elections Code, relating to elections.

Amendment 2
On page 1, before line 1, insert:

SECTION 1. Section 10010 of the Elections Code is amended to read:

10010. (a) A political subdivision that changes from an at-large method of election to a district-based election, or that establishes district-based elections, shall do all of the following before a public hearing at which the governing body of the political subdivision votes to approve or defeat an ordinance establishing district-based elections:

(1) Before drawing a draft map or maps of the proposed boundaries of the districts, the political subdivision shall hold at least two public hearings over a period of no more than 30 days, at which the public is invited to provide input regarding the composition of the districts. Before these hearings, the political subdivision may conduct outreach to the public, including to non-English-speaking communities, to explain the districting process and to encourage public participation.

(2) After all draft maps are drawn, the political subdivision shall publish and make available for release at least one draft map and, if members of the governing body of the political subdivision will be elected in their districts at different times to provide for staggered terms of office, the potential sequence of the elections. The political subdivision shall also hold at least two additional hearings over a period of no more than 45 days, at which the public is invited to provide input regarding the content of the draft map or maps and the proposed sequence of elections, if applicable. The first version of a draft map shall be published at least seven days before consideration at a hearing. If a draft map is revised at or following a hearing, it shall be published and made available to the public for at least seven days before being adopted.

(b) In determining the final sequence of the district elections conducted in a political subdivision in which members of the governing body will be elected at different times to provide for staggered terms of office, the governing body shall give special consideration to the purposes of the California Voting Rights Act of 2001, and it shall take into account the preferences expressed by members of the districts.

(c) This section applies to, but is not limited to, a proposal that is required due to a court-imposed change from an at-large method of election to a district-based election.

(d) For purposes of this section, the following terms have the following meanings:

(1) "At-large method of election" has the same meaning as set forth in subdivision (a) of Section 14026.

(2) "District-based election" has the same meaning as set forth in subdivision (b) of Section 14026.

(3) "Political subdivision" has the same meaning as set forth in subdivision (c) of Section 14026.

(e) (1) Before commencing an action to enforce Sections 14027 and 14028, a prospective plaintiff shall send by certified mail a written notice to the clerk of the political subdivision against which the action would be brought asserting that the political subdivision's method of conducting elections may violate the California Voting Rights Act of 2001.

(2) A prospective plaintiff shall not commence an action to enforce Sections 14027 and 14028 within 45 days of the political subdivision's receipt of the written notice described in paragraph (1).

(3) (A) Before receiving a written notice described in paragraph (1), or within 45 days of receipt of a notice, a political subdivision may pass a resolution outlining its intention to transition from at-large to district-based elections, specific steps it will undertake to facilitate this transition, and an estimated time frame for doing so.

(B) If a political subdivision passes a resolution pursuant to subparagraph (A), a prospective plaintiff shall not commence an action to enforce Sections 14027 and 14028 within 90 days of the resolution's passage.

(C) (i) A political subdivision and the prospective plaintiff who first sends a notice pursuant to paragraph (1) may enter into a written agreement to extend the time period described in subparagraph (B) for up to an additional 90 days in order to provide additional time to conduct public outreach, encourage public participation, and receive public input. The written agreement shall include a requirement that the district boundaries be established no later than six months before the political subdivision's next general election.

(ii) A political subdivision that enters into a written agreement pursuant to clause (i) shall prepare, and shall make available on its Internet Web site, a tentative schedule of the public outreach events and the public hearings held pursuant to this section. If a political subdivision does not maintain an Internet Web site, the political subdivision shall make the tentative schedule available to the public upon request.

(iii) This subparagraph applies only to a political subdivision that enters into a written agreement for a time extension pursuant to clause (i) when changing from at-large to district-based elections.

(f) (1) If a political subdivision adopts an ordinance establishing district-based elections pursuant to subdivision (a), a prospective plaintiff who sent a written notice pursuant to paragraph (1) of subdivision (e) before the political subdivision passed its resolution of intention may, within 30 days of the ordinance's adoption, demand reimbursement for the cost of the work product generated to support the notice. A prospective plaintiff shall make the demand in writing and shall substantiate the demand with financial documentation, such as a detailed invoice for demography services. A political subdivision may request additional documentation if the provided documentation is insufficient to corroborate the claimed costs. A political subdivision shall reimburse a prospective plaintiff for reasonable costs claimed, or in an amount to which the parties mutually agree, within 45 days of receiving the written demand, except as provided in paragraph (2). In all cases, the amount of the reimbursement shall not exceed the cap described in paragraph (3).

(2) If more than one prospective plaintiff is entitled to reimbursement, the political subdivision shall reimburse the prospective plaintiffs in the order in which they sent a written notice pursuant to paragraph (1) of subdivision (e), and the 45-day time period described in paragraph (1) shall apply only to reimbursement of the first prospective plaintiff who sent a written notice. The cumulative amount of reimbursements to all prospective plaintiffs shall not exceed the cap described in paragraph (3).

(3) The amount of reimbursement required by this section is capped at $30,000, as adjusted annually to the Consumer Price Index for All Urban Consumers, United States city average, as published by the United States Department of Labor.

Amendment 3

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

Kevin Mullin

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AMENDMENTS TO ASSEMBLY BILL NO. 2155

Amendment 1
In the title, in line 1, strike out "82025" and insert:

84305

Amendment 2
On page 1, before line 1, insert:

SECTION 1. Section 84305 of the Government Code is amended to read:

84305. (a) (1) Except as provided in subdivision (b), a candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee shall not send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of the mailing in no less than 6-point type that is in a color or print that contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the candidate's, candidate controlled committee established for an elective office for the controlling candidate's, or political party committee's address is a matter of public record with the Secretary of State.

(2) Except as provided in subdivision (b), a committee, other than a candidate controlled committee established for an elective office for the controlling candidate or a political party committee, shall not send a mass mailing that is not required to include a disclosure pursuant to Section 84502 unless the name, street address, and city of the committee is shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of the mailing in no less than 6-point type that is in a color or print that contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the committee's address is a matter of public record with the Secretary of State.

(b) If the sender of the mass mailing is a single candidate or committee, the name, street address, and city of the candidate or committee need only be shown on the outside of each piece of mail.

(c) (1) A candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee shall not send a mass electronic mailing unless the name of the candidate or committee is shown in the electronic mailing preceded by the words "Paid for by" in at least the same size font as a majority of the text in the electronic mailing.

(2) A committee, other than a candidate controlled committee established for an elective office for the controlling candidate or a political party committee, shall not send a mass electronic mailing ~~that is not required to include a disclosure pursuant to Section 84502 or 84504.3 unless the name of the committee is shown in the electronic mailing preceded by the words "Paid for by" in at least the same size font as a majority of the text in the electronic mailing.~~ unless it includes the disclosures required by Sections 84502, 84503, and 84506.5, as applicable.

(d) If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall be included in addition to the information required by subdivision (a).

(e) For purposes of this section, the following terms have the following meaning:

(1) "Mass electronic mailing" means sending more than two hundred substantially similar pieces of electronic mail within a calendar month.

(2) "Sender" means the candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee who pays for the largest portion of expenditures attributable to the designing, printing, and posting of the mailing which are reportable pursuant to Sections 84200 to 84217, inclusive.

(3) To "pay for" a share of the cost of a mass mailing means to make, to promise to make, or to incur an obligation to make, any payment: (A) to any person for the design, printing, postage, materials, or other costs of the mailing, including salaries, fees, or commissions, or (B) as a fee or other consideration for an endorsement or, in the case of a ballot measure, support or opposition, in the mailing.

(f) This section does not apply to a mass mailing ~~or mass electronic mailing~~ that is paid for by an independent expenditure.

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.

SEC. 3. The Legislature finds and declares that this bill furthers the purposes of the Political Reform Act of 1974 within the meaning of subdivision (a) of Section 81012 of the Government Code.

Amendment 3

On page 1, strike out lines 1 to 4, inclusive, and strike out pages 2 to 6, inclusive

AMENDMENTS TO ASSEMBLY BILL NO. 2159

Amendment 1

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

to amend Section 15630.1 of the Welfare and Institutions Code,

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 15630.1 of the Welfare and Institutions Code is amended to read:

15630.1. (a) ~~As used in this section, "mandated reporter of suspected financial abuse of an elder or dependent adult" means all officers and employees of financial institutions.~~ For purposes of this section, the following definitions apply:

~~(b) As used in this section, the term "financial institution" means any of the following:~~

(1) "Financial abuse" means financial abuse as defined in Section 15610.30.

(2) "Financial institution" means any of the following:

~~(1)~~

(A) A depository institution, as defined in Section 3(c) of the Federal Deposit Insurance Act (12 U.S.C. Sec. 1813(c)).

~~(2)~~

(B) An institution-affiliated party, as defined in Section 3(u) of the Federal Deposit Insurance Act (12 U.S.C. Sec. 1813(u)).

~~(3)~~

(C) A federal credit union or state credit union, as defined in Section 101 of the Federal Credit Union Act (12 U.S.C. Sec. 1752), including, but not limited to, an institution-affiliated party of a credit union, as defined in Section 206(r) of the Federal Credit Union Act (12 U.S.C. Sec. 1786(r)).

~~(c) As used in this section, "financial abuse" has the same meaning as in Section 15610.30.~~

(3) "Mandated reporter of suspected financial abuse of an elder or dependent adult" means either of the following:

(A) An officer or employee of a financial institution.

(B) A money transmitter.

(4) "Money transmitter" means a person or entity engaged in either of the following:

(A) Selling or issuing payment instruments, as defined in subdivision (s) of Section 2003 of the Financial Code.

(B) Receiving money for transmission, as defined in subdivision (u) of Section 2003 of the Financial Code.

~~(d)~~

(b) (1) ~~Any~~ A mandated reporter of suspected financial abuse of an elder or dependent adult who has direct contact with the elder or dependent adult or who reviews

or approves the elder or dependent adult's financial documents, records, or transactions, in connection with providing financial services with respect to an elder or dependent adult, and who, within the scope of his or her employment or professional practice, has observed or has knowledge of an incident, that is directly related to the transaction or matter that is within that scope of employment or professional practice, that reasonably appears to be financial abuse, or who reasonably suspects that abuse, based solely on the information before him or her at the time of reviewing or approving the document, record, or transaction in the case of mandated reporters who do not have direct contact with the elder or dependent adult, shall report the known or suspected instance of financial abuse by telephone or through a confidential Internet reporting tool, as authorized pursuant to Section 15658, immediately, or as soon as practicably possible. If reported by telephone, a written report shall be sent, or an Internet report shall be made through the confidential Internet reporting tool established in Section 15658, within two working days to the local adult protective services agency or the local law enforcement agency.

(2) When two or more mandated reporters jointly have knowledge or reasonably suspect that financial abuse of an elder or a dependent adult for which the report is mandated has occurred, and when there is an agreement among them, the telephone report or Internet report, as authorized by Section 15658, may be made by a member of the reporting team who is selected by mutual agreement. A single report may be made and signed by the selected member of the reporting team. ~~Any~~ A member of the team who has knowledge that the member designated to report has failed to do so shall thereafter make that report.

(3) If the mandated reporter knows that the elder or dependent adult resides in a long-term care facility, as defined in Section 15610.47, the report shall be made to the local ombudsman or local law enforcement agency.

~~(c)~~

(c) An allegation by the elder or dependent adult, or any other person, that financial abuse has occurred is not sufficient to trigger the reporting requirement under this section if both of the following conditions are met:

(1) The mandated reporter of suspected financial abuse of an elder or dependent adult is aware of no other corroborating or independent evidence of the alleged financial abuse of an elder or dependent adult. The mandated reporter of suspected financial abuse of an elder or dependent adult is not required to investigate any accusations.

(2) In the exercise of his or her professional judgment, the mandated reporter of suspected financial abuse of an elder or dependent adult reasonably believes that financial abuse of an elder or dependent adult did not occur.

~~(f)~~

(d) Failure to report financial abuse under this section shall be subject to a civil penalty not exceeding one thousand dollars ($1,000) or if the failure to report is willful, both a civil penalty not exceeding five thousand dollars ~~($5,000), which~~ ($5,000) and full reimbursement to the victim for the financial loss suffered as a result of the financial abuse. The civil penalty and full reimbursement, if applicable, shall be paid by the financial institution that is the employer of the mandated ~~reporter~~ reporter, by the money transmitter, or, as applicable, by the employer of the money transmitter, to the party bringing the action. Subdivision (h) of Section 15630 ~~shall~~ does not apply to violations of this section.

~~(g)~~

(e) (1) The civil penalty provided for in subdivision ~~(f)~~ (d) shall be recovered only in a civil action brought against the financial ~~institution~~ institution, the money transmitter, or the employer of the money transmitter, by the Attorney General, district attorney, or county counsel. ~~No~~ An action shall not be brought under this section by any person other than the Attorney General, district attorney, or county counsel. Multiple actions for the civil penalty ~~may~~ shall not be brought for the same violation.

(2) ~~Nothing in the~~ The Financial Elder Abuse Reporting Act of 2005 shall not be construed to limit, expand, or otherwise modify any civil liability or remedy that may exist under this or any other law.

~~(h)~~

(f) As used in this section, "suspected financial abuse of an elder or dependent adult" occurs when a person who is required to report under paragraph (1) of subdivision ~~(a)~~ (b) observes or has knowledge of behavior or unusual circumstances or transactions, or a pattern of behavior or unusual circumstances or transactions, that would lead an individual with like training or experience, based on the same facts, to form a reasonable belief that an elder or dependent adult is the victim of financial ~~abuse as defined in Section 15610.30.~~ abuse.

~~(i)~~

(g) Reports of suspected financial abuse of an elder or dependent adult made by an employee or officer of a financial institution or by a money transmitter pursuant to this section are covered under subdivision (b) of Section 47 of the Civil Code.

~~(j)~~

(h) (1) A mandated reporter of suspected financial abuse of an elder or dependent adult is authorized to not honor a power of attorney described in Division 4.5 (commencing with Section 4000) of the Probate Code as to an attorney-in-fact, if the mandated reporter of suspected financial abuse of an elder or dependent adult makes a report to an adult protective services agency or a local law enforcement agency of any state that the principal may be subject to financial abuse, as described in this chapter or as defined in similar laws of another state, by that attorney-in-fact or person acting for or with that attorney-in-fact.

(2) If a mandated reporter of suspected financial abuse of an elder or dependent adult does not honor a power of attorney as to an attorney-in-fact pursuant to paragraph (1), the power of attorney shall remain enforceable as to every other attorney-in-fact also designated in the power of attorney about whom a report has not been made.

(3) For purposes of this subdivision, the terms "principal" and "attorney-in-fact" ~~shall~~ have the same meanings as those terms are used in Division 4.5 (commencing with Section 4000) of the Probate Code.

Amendment 3

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

AMENDMENTS TO ASSEMBLY BILL NO. 2168

Amendment 1

In the title, in line 1, strike out "amend Section 56320.1 of" and insert:

add Chapter 3.9 (commencing with Section 44790) to Part 25 of Division 3 of Title 2 of

Amendment 2

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

education, and making an appropriation therefor.

Amendment 3

On page 1, before line 1, insert:

SECTION 1. Chapter 3.9 (commencing with Section 44790) is added to Part 25 of Division 3 of Title 2 of the Education Code, to read:

CHAPTER 3.9. SPECIAL EDUCATION TEACHER GRANT PROGRAM

44790. The sum of two million dollars ($2,000,000) in carryover funding from the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) is hereby appropriated to the Superintendent on a one-time basis, available for encumbrance until June 30, 2022, to make grants to local educational agencies or consortia of local educational agencies to assist those agencies to recruit and retain high-quality special education teachers. A local educational agency or consortia of local educational agencies may apply for a grant to be used for a program aimed at solving the special education teacher shortage, with a specific aim at recruiting and retaining high-quality special education teachers.

44790.2. To receive a grant under this chapter, a local educational agency or consortia of local educational agencies shall submit to the Superintendent an application at a time, in a manner, and containing information, prescribed by the Superintendent.

44790.4. The Superintendent shall conduct an evaluation of the programs funded under this chapter to determine the effectiveness of those programs in recruiting and retaining high-quality special education teachers.

44790.6. A local educational agency or consortia of local educational agencies that receive a grant under this chapter shall provide matching funds in an amount equal to 100 percent of grant funds provided to the local educational agency or consortia of local educational agencies under this chapter to carry out the activities supported by the grant, which may be provided by community partners, institutions of higher education, or others. The requirement to provide matching funds pursuant to this section may be waived by the Superintendent if he or she finds that a matching requirement

would create a financial hardship for the local educational agency or consortia of local educational agencies.

Amendment 4
On page 1, strike out lines 1 to 6, inclusive, and strike out page 2

AMENDMENTS TO ASSEMBLY BILL NO. 2186

Amendment 1

In the title, strike out line 1 and insert:

An act to add and repeal Article 3.2 (commencing with Section 44480) of Chapter 3 of Part 25 of Division 3 of Title 2 of the Education Code, relating to education finance, and making an appropriation therefor.

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Article 3.2 (commencing with Section 44480) is added to Chapter 3 of Part 25 of Division 3 of Title 2 of the Education Code, to read:

Article 3.2. Science, Technology, Engineering, and Mathematics (STEM) Teacher Preparation, Recruitment, and Professional Development

44480. (a) For the 2018–19 fiscal year, the sum of fifty million dollars ($50,000,000) is hereby appropriated from the General Fund to the department to establish the Early Science, Technology, Engineering, and Mathematics (STEM) Professional Learning Grants Program. The purpose of the grant program is to enable local educational agencies to provide transitional kindergarten to grade 8, inclusive, teachers, principals, and other school leaders with high-quality, evidence-based professional development opportunities in order to improve standards-based STEM pedagogical content knowledge, strategies, and leadership. This funding shall be available for encumbrance until June 30, 2023.

(b) A grant awarded pursuant to this section shall be used to develop, replicate, or expand evidence-based professional development programs that do one or more of the following:

(1) Increase teacher quality and effectiveness.

(2) Improve pupil learning and achievement.

(3) Expand access to and equity within STEM learning environments.

(4) Build the capacity of local educational agency STEM teams, including teachers, principals, and other school leaders.

(5) Effectively integrate technology into curriculum and instruction.

(6) Increase the digital literacy of pupils.

(7) Support the use of formative assessments to inform and improve instruction.

(8) Evaluate programmatic impact and outcomes.

(9) Disseminate promising practices.

(c) The Early STEM Professional Learning Grants Program shall be administered by the department in consultation with the Commission on Teacher Credentialing. The department shall issue one-time grants to applicants through a competitive process.

(d) The department shall allocate grant funding to eligible local educational agencies, including county offices of education, school districts, schools established

pursuant to Part 26.8 (commencing with Section 47600) of Division 4, or a consortia of local educational agencies for purposes of providing professional development services to teachers, principals, or other school leaders who satisfy the requirements of subdivision (e). Grant recipients may partner with community colleges, public or private four-year institutions of postsecondary education, and professional organizations or nonprofit organizations with STEM education expertise.

(e) A teacher, principal, or other school leader shall be eligible for professional development services pursuant to subdivision (b) if he or she provides, supports, or supervises STEM instruction or curriculum, as defined by the department, in any grades, transitional kindergarten to grade 8, inclusive.

(f) (1) In awarding funding to eligible grant applicants pursuant to subdivision (c), the department shall adopt criteria demonstrating an applicant's ability to provide professional development services. The adopted criteria shall include, but are not limited to, all of the following:

(A) Demonstrated commitment to STEM education and STEM professional development.

(B) Demonstrated capability to improve or update the knowledge and skills of a teacher, principal, or other school leader relating to standards-based STEM pedagogical content, strategies, and leadership.

(C) The availability of staff with demonstrated experience and knowledge of standards-based STEM pedagogical content, strategies, and leadership for purposes of providing professional development programs.

(D) Demonstrated management and support services necessary to efficiently and effectively use funding provided under subdivision (b).

(E) Capacity to conduct an evaluation of a professional development program offered by the applicant for the purpose of identifying areas of strength, areas requiring improvement, and recommendations for making improvement.

(2) In awarding funding to eligible grant applicants pursuant to subdivision (c), the department shall give priority consideration to grant applicants that include an arts education component in their STEM education.

(g) The department shall ensure grant recipients selected for purposes of this section, to the maximum extent possible, are balanced with regard to geographic regions and urban and rural settings.

(h) On or before January 1, 2024, grant recipients shall report to the department on the number of participants served by their professional development program, the local educational agency in which the participants were employed, the grade level taught by the participants, and whether the participants are still working at least 50 percent of the time in a STEM setting in their local educational agency.

(i) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202, for the 2018–19 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the 2018–19 fiscal year.

44481. (a) For the 2018–19 fiscal year, the sum of fifty million dollars ($50,000,000) is hereby appropriated from the General Fund to the Commission on

Teacher Credentialing to establish the Science, Technology, Engineering, and Mathematics (STEM) Teacher Residency Grant Program to provide one-time competitive grants to local educational agencies to develop new, or expand existing, teacher residency programs that recruit and support the preparation of teachers of STEM subjects and related subjects, as determined and defined by the commission. This funding shall be available for encumbrance until June 30, 2023.

(b) The commission shall make one-time grants to local educational agencies or a consortia of local educational agencies to establish new, or expand existing, teacher residency programs. Grant recipients shall work with one or more commission-accredited teacher preparation programs and may work with other community partners or non-profit organizations to develop and implement programs of preparation and mentoring for resident teachers who will be supported through program funds and subsequently employed by the sponsoring local educational agency.

(c) Grants allocated pursuant to subdivision (b) shall be up to twenty thousand dollars ($20,000) per teacher candidate in the residency program of the jurisdiction of the local educational agency or consortium, matched by that local educational agency or consortium on a dollar-for-dollar basis. Grant program funding shall be used for, but not limited to, any of the following: teacher preparation costs, stipends for mentor teachers, stipends for teacher candidates, and mentoring and beginning teacher induction costs following initial preparation.

(d) A grant recipient shall not use more than 5 percent of a grant award for program administration costs.

(e) (1) A grant recipient shall provide a 100 percent match of grant funding in the form of one or both of the following:

(A) One dollar ($1) for every one dollar ($1) of grant funding received that is to be used in a manner consistent with allowable grant activities pursuant to subdivision (c).

(B) An in-kind match of mentor teacher personnel costs or other personnel costs related to the STEM Teacher Residency Grant Program.

(2) Notwithstanding subdivision (c) or paragraph (1), the commission may waive the local match requirement if it would cause a financial hardship for the local educational agency or consortium, as determined by the commission.

(f) For purposes of this section, the following terms have the following meanings:

(1) "Commission" means the Commission on Teacher Credentialing.

(2) "Experienced mentor teacher" is an educator who meets all of the following requirements:

(A) Has at least three years of teaching experience and a clear teaching credential in a STEM or STEM-related subject, as determined and defined by the commission.

(B) Has a record of successful teaching as demonstrated, at a minimum, by satisfactory annual performance evaluations for the preceding three years.

(C) Receives specific training for the mentor teacher role, and engages in ongoing professional learning and networking with other mentors.

(D) Receives compensation or appropriate release time, or both, to serve as a mentor in the initial preparation or beginning teacher induction component of the teacher residency program.

(3) "Teacher residency program" is a local educational agency-based program that partners with one or more teacher preparation programs accredited by the

commission and in which a prospective teacher teaches at least one-half time alongside a teacher of record, who is designated as the experienced mentor teacher, for at least one full academic year while engaging in initial preparation coursework.

(g) Grant recipients shall do all of the following:

(1) Ensure that candidates are prepared to earn a preliminary single subject or career technical education teaching credential in a STEM or STEM-related subject, as determined and defined by the commission, upon completion of the program.

(2) Ensure that candidates are provided instruction in all of the following:

(A) Teaching of the content area or areas in which the teacher will become certified to teach.

(B) Planning, curriculum development, and assessment.

(C) Learning and child development.

(D) Management of the classroom environment.

(E) Use of culturally responsive practices, supports for language development, and supports for serving pupils with disabilities.

(F) Professional responsibilities, including interaction with families and colleagues.

(3) Provide each candidate mentoring and beginning teacher induction support following the completion of the initial credential program necessary to obtain a clear credential and ongoing professional development and networking opportunities during his or her first years of teaching.

(4) Prepare candidates to teach in the same local educational agency in which they will work, learning the instructional initiatives and curriculum of the local educational agency.

(5) Group teacher candidates in cohorts to facilitate professional collaboration among residents, and place candidates in teaching schools or professional development programs that are organized to support a high-quality teacher learning experience in a supportive work environment.

(h) A grant applicant may consist of one or more, or any combination, of the following:

(1) A school district.

(2) A county office of education.

(3) A school established pursuant to Part 26.8 (commencing with Section 47600) of Division 4.

(4) A regional occupational center or program operated by a joint powers authority.

(i) To receive a grant, an applicant shall submit an application to the commission at a time, in a manner, and containing information prescribed by the commission.

(j) When selecting grant recipients, the commission shall do all of the following:

(1) Require applicants to demonstrate a need for STEM teachers, as defined by the commission, and to propose to establish a new, or expand an existing, teacher residency program that recruits, prepares, and supports teachers to teach STEM or STEM-related subjects, as determined and defined by the commission, in a school within the jurisdiction of the sponsoring local educational agency or consortium.

(2) Give first priority consideration to grant applicants that include an arts education component in their STEM education.

(3) Give second priority consideration to grant applicants with one or more schools that exhibit one or more of the following characteristics:

(A) A school where 50 percent or more of the enrolled pupils are eligible for free and reduced-price meals.

(B) A school where at least 5 percent of the teachers are misassigned, as determined by the commission, or working on a short-term staffing permit, a short-term intern permit, or a waiver.

(C) A school that is located in either a rural location or a densely populated region.

(D) A school with a cumulative voluntary teacher attrition rate that exceeded 20 percent over the three preceding school years.

(k) A candidate in a teacher residency program sponsored by a grant provided pursuant to subdivision (b) shall agree in writing to be placed as a teacher of record in a school within the local educational agency or consortium that sponsored the candidate for a period of at least four school years beginning with the school year that begins after the candidate successfully completes the initial year of preparation and obtains a preliminary teaching credential. A candidate who fails to earn a preliminary credential or complete the period of the placement shall reimburse the sponsoring local educational agency or consortium the amount of grant funding invested in the candidate's residency training. The amount to be reimbursed shall be adjusted proportionately to reflect the service provided if the candidate taught at least one year, but less than four years, at the sponsoring local educational agency or consortium.

(*l*) If a candidate is unable to complete a school year of teaching, that school year may still be counted toward the required four complete and consecutive school years if any of the following occur:

(1) The candidate has completed at least one-half of the school year.

(2) The employer deems the candidate to have fulfilled his or her contractual requirements for the school year for the purposes of salary increases, probationary or permanent status, and retirement.

(3) The candidate was not able to teach due to the financial circumstances of the local educational agency, including a decision to not reelect the employee for the next succeeding school year.

(4) The candidate has a condition covered under the federal Family and Medical Leave Act of 1993 (29 U.S.C. Sec. 2601 et seq.) or similar state law.

(5) The candidate was called or ordered to active duty status for more than 30 days as a member of a reserve component of the Armed Forces of the United States.

(m) For purposes of administering the grant program pursuant to this section, the commission shall do all of the following:

(1) Determine the number of grants to be awarded and the total amount awarded to each grant applicant.

(2) Require grant recipients to submit program and expenditure reports, as specified by the commission, as a condition of receiving grant funds.

(3) Annually review each grant recipient's program and expenditure reports to determine if any candidate has failed to meet his or her commitment pursuant to subdivision (k).

(n) If the commission determines or is informed that a sponsored candidate failed to meet his or her commitment to teach pursuant to subdivision (k), the commission

shall confirm with the grant recipient the applicable cost to be recovered from the candidate.

(o) The commission shall notify the department to reduce the grant recipient's next principal apportionment by the amount of grant funding that the grant recipient may recover from the candidate. If the grant recipient is a consortium of local educational agencies, the department shall reduce each local educational agency's principal apportionment by a proportional amount based on each local educational agency's average daily attendance as of the second principal apportionment for the preceding fiscal year.

(p) Grant recipients may recover from a sponsored candidate who fails to complete the period of placement the amount of grant funding invested in the candidate's residency training. The amount to be recovered shall be adjusted proportionately to reflect the service provided if the candidate taught at least one year, but less than four years, at the sponsoring local educational agency.

(q) Grant recipients shall not charge a teacher resident a fee to participate in a teacher residency program.

(r) The commission may allocate up to one million five hundred thousand dollars ($1,500,000) of the amount appropriated pursuant to subdivision (a) to capacity grants that shall be awarded on a competitive basis to local educational agencies or consortia of local educational agencies partnering with institutions of higher education to expand or create teacher residency programs that lead to more credentialed teachers in STEM or STEM-related subjects, as determined and defined by the commission. The commission shall determine the number of grants to be awarded and the amount of the applicable grants; however, individual capacity grants shall not exceed seventy-five thousand dollars ($75,000) per grant recipient.

(s) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202, for the 2018–19 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the 2018–19 fiscal year.

44482. (a) For the 2018–19 fiscal year, the sum of fifty million dollars ($50,000,000) is hereby appropriated from the General Fund to the Commission on Teacher Credentialing to establish the Science, Technology, Engineering, and Mathematics (STEM) Local Solution Grants Program to provide one-time competitive grants to local educational agencies to develop and implement new, or expand existing, locally identified solutions that address a local need for teachers of STEM and STEM-related subjects, as determined and defined by the commission. This funding shall be available for encumbrance through June 30, 2023, and available for liquidation through June 30, 2026.

(b) A grant awarded pursuant to this section shall be up to twenty thousand dollars ($20,000) per teacher participant that the identified solution proposes to support, matched by that local educational agency or consortium on a dollar-for-dollar basis. Grant program funding may be used for local efforts to recruit, develop, and retain teachers of STEM and STEM-related subjects, as determined and defined by the commission, that include, but are not limited to, teacher career pathways, signing

bonuses, service awards, student debt payment, living stipends, or other transformational solutions that address a local need for teachers of STEM and STEM-related subjects.

(c) A grant recipient shall not use more than 5 percent of a grant award for program administration costs.

(d) (1) A grant recipient shall provide a 100 percent match of grant funding in the form of one or both of the following:

(A) One dollar ($1) for every one dollar ($1) of grant funding received that is to be used in a manner consistent with allowable grant activities pursuant to subdivision (b).

(B) An in-kind match related to allowable grant activities pursuant to subdivision (b).

(2) Notwithstanding subdivision (b) or paragraph (1), the commission may waive the local match requirement if it would cause a financial hardship for the local educational agency or consortium, as determined by the commission.

(e) An applicant may consist of one or more, or any combination, of the following:

(1) A school district.

(2) A county office of education.

(3) A school established pursuant to Part 26.8 (commencing with Section 47600) of Division 4.

(4) A regional occupational center or program operated by a joint powers authority.

(f) To receive a grant, an applicant shall submit to the commission an application at a time, in a manner, and containing information prescribed by the commission.

(g) A grant recipient shall not use funds from a grant award to support teacher candidates participating in a program supported by an award from the STEM Teacher Residency Grant Program established pursuant to Section 44481.

(h) (1) When selecting grant recipients, the commission shall require applicants to demonstrate a local need for teachers of STEM and STEM-related subjects, as determined and defined by the commission, and present a plan that proposes one or more solutions that address that local need.

(2) In awarding funding to eligible grant applicants pursuant to this section, the commission shall give priority consideration to grant applicants that include an arts education component in their STEM education.

(i) For purposes of administering the grant program pursuant to this section, the commission shall do all of the following:

(1) Determine the number of grants to be awarded and the total amount awarded to each grant applicant.

(2) Require grant recipients to annually report the status and progress of the identified solution and to submit a final implementation report within three years of receiving a grant award that describes the outcomes and effectiveness of the identified solution.

(3) Allocate 90 percent of funding to each grant recipient at the time of the initial grant award and allocate the final 10 percent of grant funding upon receipt of the final implementation report. If the grantee fails to provide the final implementation report pursuant to paragraph (2), the grantee shall not receive the final 10 percent of the grant award.

(j) For purposes of this section, "commission" means the Commission on Teacher Credentialing.

(k) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202, for the 2018–19 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the 2018–19 fiscal year.

44483. (a) For the 2018–19 fiscal year, the sum of twenty million dollars ($20,000,000) is hereby appropriated from the General Fund to the department to establish the Science, Technology, Engineering, and Mathematics (STEM) Education for Rural Schools Grants Program to provide one-time competitive grants to rural local educational agencies to provide professional learning opportunities to teachers, principals, and other school leaders to develop high-quality STEM teaching and learning opportunities for pupils. This funding shall be available for encumbrance through June 30, 2023, and available for liquidation through June 30, 2026.

(b) A grant awarded pursuant to this section shall be used to do one or more of the following:

(1) Increase the capacity of teachers, principals, and other school leaders to support the STEM teaching and learning of pupils.

(2) Develop and support networks and mentoring opportunities between local educational agencies in order to provide a robust system of support for the development, implementation, and replication of innovative and standards-based STEM teaching and learning.

(3) Provide high-quality, evidence-based professional development to teachers, principals, and other school leaders to improve standards-based STEM pedagogical content, knowledge, strategies, and leadership.

(4) Support regional teams to develop and implement high-quality STEM teaching and learning environments.

(c) A grant recipient shall not use more than 5 percent of a grant award for program administration costs.

(d) (1) An applicant may consist of one or more, or any combination, of the following:

(A) A rural school district.

(B) A rural county office of education.

(C) A rural school established pursuant to Part 26.8 (commencing with Section 47600) of Division 4.

(2) The department shall define rural for purposes of the grant program, and shall establish criteria consistent with the purposes of the grant program in subdivision (a).

(e) To receive a grant, an applicant shall submit to the department an application at a time, in a manner, and containing information prescribed by the department.

(f) For purposes of administering the grant program pursuant to this section, the department shall do all of the following:

(1) Determine the number of grants to be awarded and the total amount awarded to each grant applicant.

(2) Give priority consideration to grant applicants that include an arts education component in their STEM education.

(3) Require grant recipients to submit a final report to the department within three years of receiving a grant award that describes the outcomes and effectiveness of the program.

(g) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202, for the 2018–19 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the 2018–19 fiscal year.

44484. (a) For the 2018–19 fiscal year, the sum of thirty million dollars ($30,000,000) is hereby appropriated from the General Fund to the department to establish the Computer Science Education for Schools Grants Program to provide one-time competitive grants to local educational agencies to integrate rigorous computer science education into their academic program for kindergarten and grades 1 to 12, inclusive. This funding shall be available for encumbrance through June 30, 2023, and available for liquidation through June 30, 2026.

(b) For purposes of this grant program, the Legislature finds and declares all of the following:

(1) Rigorous computer science education is not just about access to computers; it is about innovation and development of technology.

(2) Computer science education builds pupils' computational and critical thinking skills, which enables them to create, and not simply use, the next generation of technological tools.

(3) This fundamental knowledge is needed to prepare pupils for the 21st century regardless of their ultimate field of study or occupation.

(c) A grant awarded pursuant to this section shall be used to do one or more of the following:

(1) Develop and implement a plan that specifies what computer science education is and how the training and curriculum is to be implemented at the school site so that all pupils will have access to it.

(2) Provide ongoing professional learning opportunities in order to increase the capacity of teachers within the local educational agency that are qualified to teach computer science, as determined and defined by the Commission on Teacher Credentialing. This grant may support teachers to become part of a professional learning community that may include stipends for teachers, travel reimbursements, and coaching.

(3) Provide opportunities for pupils to be introduced to computer science education in the elementary grades.

(4) Provide equity-minded computer science courses to pupils in grades 9 to 12, inclusive, that meet state board-approved computer science education standards or, in the absence of standards, courses that prepare pupils for college and career readiness.

(5) Ensure all high schools offer rigorous computer science education.

(6) Promote equity and access to computer science education by increasing access for all pupils, including English learners, pupils with disabilities, low-income pupils, and pupils who are currently underrepresented in computer science.

(7) Expand community support for computer science education, particularly by developing partnerships with local organizations involving pupils and families, business and industry, community-based and non-profit organizations, and postsecondary educational institutions.

(8) Identify public or private partners that will provide technical support.

(d) The Computer Science Education for Schools Grants Program shall be administered by the department, and the department shall issue grants to eligible applicants through a competitive process.

(e) In awarding funding to eligible grant applicants pursuant to this section, the department, shall give priority consideration to grant applicants that include an arts education component in their computer science education.

(f) (1) The department shall allocate grant funding to eligible local educational agencies, including county offices of education, school districts, schools established pursuant to Part 26.8 (commencing with Section 47600) of Division 4, or a consortia of local educational agencies, for any of the purposes authorized in subdivision (c). Grant recipients are encouraged to partner with community colleges, public or private four-year institutions of postsecondary education, and professional organizations or nonprofit organizations with computer science education expertise in order to build a K-16 pipeline that is sustainable in the long term.

(2) Grant funding may be used to provide local educational agencies with adequate broadband connectivity and infrastructure and access to hardware and software.

(g) The grant program established pursuant to this section is intended to respond to the urgent needs of schools and shall support and not supplant the efforts of the computer science strategic implementation advisory panel currently developing recommendations for the state.

(h) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202, for the 2018–19 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the 2018–19 fiscal year.

44485. (a) For the 2018–19 fiscal year, the sum of two million dollars ($2,000,000) is hereby appropriated from the General Fund to the department to accomplish both of the following:

(1) Study and evaluate the feasibility of assessing pupils in the subject of science in additional grades before grade 5, but not in lieu of assessing pupils in grade 5. This study and evaluation shall include, but are not limited to, a review of all of the following:

(A) The impact of increased instructional time for science and its predictability of future pupil academic performance and achievement.

(B) Performance tasks for individual pupils and the utility of those tasks to measure school-wide and school district-level performance in science.

(C) Adaptive assessments in science.

(2) Survey a representative sample of local educational agencies, including county offices of education, school districts, and schools established pursuant to Part 26.8 (commencing with Section 47600) of Division 4, regarding the amount of mathematics and science instructional time provided to all pupils during the school

year. The survey shall request and gather information regarding the qualifications of the teacher and a description of the mathematics and science instruction provided to pupils.

(b) (1) On or before January 1, 2020, the department shall complete the study and survey described in subdivision (a) and submit a report of its findings to the Legislature and Director of Finance.

(2) The report required to be submitted pursuant to paragraph (1) shall be submitted in compliance with Section 9795 of the Government Code.

44486. This article shall remain in effect only until January 1, 2027, and as of that date is repealed.

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 3

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

AMENDMENTS TO ASSEMBLY BILL NO. 2212

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

Sections

Amendment 2
In the title, in line 1, after "113789" insert:

and 113895

Amendment 3
On page 3, below line 36, insert:

SEC. 2. Section 113895 of the Health and Safety Code is amended to read:
113895. "Retail" means the storing, preparing, serving, manufacturing, packaging, transporting, salvaging, or otherwise handling food for dispensing or sale directly to the consumer or indirectly through a delivery service. "Retail" includes a subscription-based meal delivery service that provides customers with recipes and preportioned ingredients needed to prepare those recipes at home.

SEC. 3. 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.

AMENDMENTS TO ASSEMBLY BILL NO. 2217

Amendment 1
In the title, in line 1, strike out "17001" and insert:

17053.88.5

Amendment 2
On page 1, before line 1, insert:

SECTION 1. Section 17053.88.5 of the Revenue and Taxation Code is amended to read:

17053.88.5. (a) In the case of a qualified taxpayer who donates fresh fruits or fresh vegetables to a food bank located in California under Chapter 5 (commencing with Section 58501) of Part 1 of Division 21 of the Food and Agricultural Code, for taxable years beginning on or after January 1, 2017, and before January 1, 2022, there shall be allowed as a credit against the "net tax," defined by Section 17039, an amount equal to 15 percent of the qualified value of those fresh fruits or fresh vegetables.

(b) For purposes of this section:

(1) "Qualified taxpayer" means the person responsible for planting a crop, managing the crop, and harvesting the crop from the land.

(2) (A) "Qualified value" shall be calculated by using the weighted average wholesale price based on the qualified taxpayer's total like grade wholesale sales of the donated item sold within the calendar month of the qualified taxpayer's donation.

(B) If no wholesale sales of the donated item have occurred in the calendar month of the qualified taxpayer's donation, the "qualified value" shall be equal to the nearest regional wholesale market price for the calendar month of the donation based upon the same grade products as published by the United States Department of Agriculture's Agricultural Marketing Service or its successor.

(c) If the credit allowed by this section is claimed by the qualified taxpayer, any deduction otherwise allowed under this part for that amount of the cost paid or incurred by the qualified taxpayer that is eligible for the credit shall be reduced by the amount of the credit provided in subdivision (a).

(d) The donor shall provide to the nonprofit organization the qualified value of the donated fresh fruits or fresh vegetables and information regarding the origin of where the donated fruits or vegetables were grown, and upon receipt of the donated fresh fruits or fresh vegetables, the nonprofit organization shall provide a certificate to the donor. The certificate shall contain a statement signed and dated by a person authorized by that organization that the product is donated under Chapter 5 (commencing with Section 58501) of Part 1 of Division 21 of the Food and Agricultural Code. The certificate shall also contain the type and quantity of product donated, the name of donor or donors, the name and address of the donee nonprofit organization, and, as provided by the donor, the qualified value of the donated fresh fruits or fresh vegetables and its origins. Upon the request of the Franchise Tax Board, the qualified taxpayer shall provide a copy of the certification to the Franchise Tax Board.

(e) The credit allowed by this section may be claimed only on a timely filed original return.

(f) In the case where the credit allowed by this section exceeds the "net tax," the excess may be carried over to reduce the "net tax" in the following year, and for the six succeeding years if necessary, until the credit has been exhausted.

(g) In accordance with Section 41, the purpose of the credit is to increase fresh fruits and vegetable donations to food banks. Using the information available to the Franchise Tax Board from the certificates required under subdivision (d) and subdivision (d) of Section 23688.5, the Franchise Tax Board shall report to the Legislature on or before ~~December~~ July 1, 2019, and each ~~December~~ July 1 thereafter until the inoperative date specified in subdivision (h), regarding the utilization of the credit authorized by this section and Section 23688.5. The Franchise Tax Board shall also include in the report the qualified value of the fresh fruits and fresh vegetables donated, the county in which the products originated, and the month the donation was made.

(h) (1) A report required to be submitted pursuant to subdivision (g) shall be submitted in compliance with Section 9795 of the Government Code.

(2) The requirement for submitting a report imposed under subdivision (g) is inoperative on January 1, 2021, pursuant to Section 10231.5 of the Government Code.

(i) This section shall be repealed on December 1, 2022.

Amendment 3

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

AMENDMENTS TO ASSEMBLY BILL NO. 2225

Amendment 1

In the title, in line 1, strike out "relating to public agencies." and insert:

to amend Section 12168.7 of the Government Code, relating to state government.

Amendment 2

On page 1, before line 1, insert:

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

(a) Use of cloud storage for any business operation is a benefit to the state and to local public entities.

(b) There is within the Government Operations Agency the Department of Technology under the supervision of the Director of Technology, who also serves as the State Chief Information Officer. The department is generally responsible for the approval and oversight of information technology projects by, among other things, consulting with state agencies during initial project planning to ensure that project proposals are based on well-defined programmatic needs.

(c) There is within the Department of Technology the Office of Information Security, under the supervision of the Chief of the Office of Information Security. The office provides direction for information security and privacy to state government agencies.

(d) The Secretary of State is required to approve and adopt appropriate standards established by the American National Standards Institute.

SEC. 2. Section 12168.7 of the Government Code is amended to read:

12168.7. (a) The ~~California~~ Legislature hereby recognizes the need to adopt uniform statewide standards for the purpose of storing and recording permanent documents in electronic media.

(b) In order to ensure that uniform statewide standards remain current and relevant, the Department of Technology and the Secretary of State shall approve and adopt appropriate ~~standards established by the American National Standards Institute.~~ uniform statewide standards for the purpose of storing and recording permanent documents in electronic media.

(c) The standards specified in subdivision (b) shall include a requirement that a trusted system be utilized. For this purpose and for purposes of Sections 25105, 26205, 26205.1, 26205.5, 26907, 27001, 27322.2, 34090.5, and 60203, Section 102235 of the Health and Safety Code, and Section 10851 of the Welfare and Institutions Code, "trusted system" means a combination of technologies, policies, and procedures for which there is no plausible scenario in which a document retrieved from or reproduced by the system could differ substantially from the document that is originally stored.

(d) A cloud computing storage service that complies with International Organization for Standardization ISO/IEC 27001:2013, or other applicable industry-recognized standard relating to security techniques and information security

management, and provides administrative users with controls to prevent stored records from being overwritten, deleted, or altered shall be considered a trusted system.

(e) A trusted system shall comply with applicable standards articulated in the State Administrative Manual and the Statewide Information Management Manual. This requirement applies to state agencies and does not apply to local government entities.

(f) For purposes of this section "cloud computing" ~~is defined by the National Institute of Standards and Technology Special Publication 800-145 or a successor publication, and includes the service and deployment models referenced therein.~~ shall be defined by the Department of Technology based on industry-recognized standards, consistent with the intent of this section.

(g) State officials shall ensure that microfilming, electronic data imaging, and photographic reproduction are done in compliance with the minimum standards or guidelines, or both, as recommended by the American National Standards Institute for recording of permanent records.

(h) Nothing in this section shall prohibit a local government entity from adopting applicable standards articulated in the State Administrative Manual and the Statewide Information Management Manual for purposes of utilizing a trusted system as defined in subdivision (c).

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

AMENDMENTS TO ASSEMBLY BILL NO. 2225

Amendment 1

In the title, in line 1, strike out "relating to public agencies." and insert:

to amend Section 12168.7 of the Government Code, relating to state government.

Amendment 2

On page 1, before line 1, insert:

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

(a) Use of cloud storage for any business operation is a benefit to the state and to local public entities.

(b) There is within the Government Operations Agency the Department of Technology under the supervision of the Director of Technology, who also serves as the State Chief Information Officer. The department is generally responsible for the approval and oversight of information technology projects by, among other things, consulting with state agencies during initial project planning to ensure that project proposals are based on well-defined programmatic needs.

(c) There is within the Department of Technology the Office of Information Security, under the supervision of the Chief of the Office of Information Security. The office provides direction for information security and privacy to state government agencies.

(d) The Secretary of State is required to approve and adopt appropriate standards established by the American National Standards Institute.

SEC. 2. Section 12168.7 of the Government Code is amended to read:

12168.7. (a) The ~~California~~ Legislature hereby recognizes the need to adopt uniform statewide standards for the purpose of storing and recording permanent documents in electronic media.

(b) In order to ensure that uniform statewide standards remain current and relevant, the Department of Technology and the Secretary of State shall approve and adopt appropriate ~~standards established by the American National Standards Institute.~~ uniform statewide standards for the purpose of storing and recording permanent documents in electronic media.

(c) The standards specified in subdivision (b) shall include a requirement that a trusted system be utilized. For this purpose and for purposes of Sections 25105, 26205, 26205.1, 26205.5, 26907, 27001, 27322.2, 34090.5, and 60203, Section 102235 of the Health and Safety Code, and Section 10851 of the Welfare and Institutions Code, "trusted system" means a combination of technologies, policies, and procedures for which there is no plausible scenario in which a document retrieved from or reproduced by the system could differ substantially from the document that is originally stored.

(d) A cloud computing storage service that complies with International Organization for Standardization ISO/IEC 27001:2013, or other applicable industry-recognized standard relating to security techniques and information security

management, and provides administrative users with controls to prevent stored records from being overwritten, deleted, or altered shall be considered a trusted system.

(e) A trusted system shall comply with applicable standards articulated in the State Administrative Manual and the Statewide Information Management Manual. This requirement applies to state agencies and does not apply to local government entities.

(f) For purposes of this section "cloud computing" ~~is defined by the National Institute of Standards and Technology Special Publication 800-145 or a successor publication, and includes the service and deployment models referenced therein.~~ shall be defined by the Department of Technology based on industry-recognized standards, consistent with the intent of this section.

(g) State officials shall ensure that microfilming, electronic data imaging, and photographic reproduction are done in compliance with the minimum standards or guidelines, or both, as recommended by the American National Standards Institute for recording of permanent records.

(h) Nothing in this section shall prohibit a local government entity from adopting applicable standards articulated in the State Administrative Manual and the Statewide Information Management Manual for purposes of utilizing a trusted system as defined in subdivision (c).

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

AMENDMENTS TO ASSEMBLY BILL NO. 2261

Amendment 1

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

repeal and add

Amendment 2

On page 2, before line 1, insert:

SECTION 1. Section 45258 of the Education Code is repealed.

~~45258. In addition to the exemptions authorized in Section 45256, there shall be exempt from the classified service positions established for the employment of community representatives in advisory or consulting capacities for not more than 90 working days, or a total of 720 hours, in a fiscal year, provided that:~~

~~(1) The authorized duties are not those normally assigned to a class of positions in the classified service.~~

~~(2) The authorized duties are approved by the personnel commission in advance of employment.~~

~~(3) A regular classified employee of the school district shall not receive a concurrent appointment to such a position.~~

SEC. 2. Section 45258 is added to the Education Code, to read:

45258. Positions established for the employment of community representatives in advisory or consulting capacities shall be considered part of the classified service.

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 3

On page 2, strike out lines 1 to 17, inclusive

AMENDMENTS TO ASSEMBLY BILL NO. 2284

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

An act to amend Section 19596.1 of the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

Amendment 2
On page 2, before line 1, insert:

SECTION 1. Section 19596.1 of the Business and Professions Code is amended to read:

19596.1. (a) Notwithstanding any other ~~provision of~~ law, the board may authorize a harness or quarter horse association conducting a race meeting to accept wagers on the results of out-of-state or out-of-country harness or quarter horse races and, with the board's approval and with the concurrence of the horsemen's and horsewomen's organization contracting with the association, other designated harness or quarter horse races during the period it is conducting the racing meeting, if all of the following conditions are met:

(1) The authorization complies with federal laws, including, but not limited to, Chapter 57 (commencing with Section 3001) of Title 15 of the United States Code.

(2) Wagering is offered only within the racing ~~inclosure~~ enclosure and only within 36 hours of the running of the out-of-state feature race.

(3) The association conducts at least seven live races, and imports not more than 10 races on those days during a racing meeting when live races are being run, except as provided in subdivision (b).

(4) If only one breed of horse specified in this section is being raced on a given day, then the association conducting the live racing may import those races ~~which~~ that would otherwise be simulcast by the association ~~which~~ that is not racing. After the usual deductions, including the portion for the racing association, the portion remaining for purses from these races shall be distributed equally for purses for harness ~~horsemen~~ and quarter horse ~~horsemen.~~ horsemen and horsewomen.

(5) ~~No~~ A quarter horse or harness racing association shall not accept wagers on out-of-state or out-of-country quarter horse or harness races commencing before 5:30 p.m., Pacific standard time, without the consent of any thoroughbred association or fair that is then conducting a live racing meeting in this state.

(b) An association that is authorized to import races pursuant to subdivision (a) may, at its sole discretion, import fewer than the maximum number of harness or quarter horse races authorized in paragraph (3) of subdivision (a). For up to ~~two~~ three races per night, for each race that is not imported under the maximum authorized by paragraph (3) of subdivision (a) on a particular night of racing, the association may add a race to the number of races allowable under the maximum authorization on another night of racing. However, no more than ~~two~~ three races may be added under this subdivision to the number allowable on a single night, and the total number of imported races over

a calendar year may not exceed the total number of imported races authorized pursuant to paragraphs (3) and (4) of subdivision (a).

Amendment 3
On page 2, strike out lines 1 to 33, inclusive, and strike out pages 3 and 4

AMENDMENTS TO ASSEMBLY BILL NO. 2310

Amendment 1
In the title, in line 1, strike out "Section 20469" and insert:

Section 20516

Amendment 2
On page 2, before line 1, insert:

SECTION 1. Section 20516 of the Government Code is amended to read:

20516. (a) Notwithstanding any other provision of this part, with or without a change in benefits, a contracting agency and its employees may agree, in writing, to share the costs of the employer contribution. The cost sharing pursuant to this section shall also apply for related nonrepresented employees as approved in a resolution passed by the contracting agency.

(b) The collective bargaining agreement or memorandum of understanding ratified by the employee bargaining unit and the governing body of the contracting agency shall specify the exact percentage of member compensation that shall be paid toward the current service cost of the benefits by ~~members.~~ members or the methodology for calculating that cost-sharing rate. The member contributions shall be contributions over and above normal contributions otherwise required by this part and shall be treated as normal contributions for all purposes of this part. The contributions shall be uniform, except as described in subdivision (c), with respect to all members within each of the following classifications: local miscellaneous members, local police officers, local firefighters, county peace officers, and all local safety members other than local police officers, local firefighters, and county peace officers. The balance of any costs shall be paid by the contracting agency and shall be credited to the employer's account. An employer shall not use impasse procedures to impose member cost sharing on any contribution amount above that which is authorized by law.

(c) Member cost sharing may differ by classification for groups of employees subject to different levels of benefits pursuant to Sections 7522.20, 7522.25, and 20475, or by a recognized collective bargaining unit if agreed to in a memorandum of understanding reached pursuant to the applicable collective bargaining laws.

(d) This section shall not apply to any contracting agency nor to the employees of a contracting agency until the agency elects to be subject to this section by contract or by amendment to its contract made in the manner prescribed for approval of contracts. Contributions provided by this section shall be withheld from member compensation or otherwise collected when the contract amendment becomes effective. Once the contracting agency elects to be subject to this section, contract amendments shall not be required to effectuate cost sharing in subsequent collective bargaining agreements or memoranda of understanding ratified by the employee bargaining unit and the governing body of the agency; provided, however, that if a collective bargaining agreement or memorandum of understanding sets forth a methodology for calculating the cost-sharing rate instead of an exact percentage, the contracting agency shall provide

the retirement system with a signed side letter ratified by the employee bargaining unit and the agency indicating the exact percentage at least 90 days prior to the effective date of the cost-sharing rate as set forth in the signed side letter.

(e) For the purposes of this section, all contributions, liabilities, actuarial interest rates, and other valuation factors shall be determined on the basis of actuarial assumptions and methods that, in the aggregate, are reasonable and that, in combination, offer the actuary's best estimate of anticipated experience under this system.

(f) Nothing in this section shall preclude a contracting agency and its employees from independently agreeing in a memorandum of understanding to share the costs of any benefit, in a manner inconsistent with this section. However, any agreement in a memorandum of understanding that is inconsistent with this section shall not be part of the contract between this system and the contracting agency.

(g) If, and to the extent that, the board determines that a cost-sharing agreement under this section would conflict with Title 26 of the United States Code, the board may refuse to approve the agreement.

(h) Nothing in this section shall require a contracting agency to enter into a memorandum of understanding or collective bargaining agreement with a bargaining representative in order to increase the amount of member contributions when such a member contribution increase is authorized by other provisions under this part.

Amendment 3
On page 2, strike out lines 1 to 20, inclusive

AMENDMENTS TO ASSEMBLY BILL NO. 2312

Amendment 1

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

to amend Sections 17059.2 and 23689 of the Revenue and Taxation Code,

Amendment 2

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

taxation, to take effect immediately, tax levy.

Amendment 3

On page 1, before line 1, insert:

SECTION 1. Section 17059.2 of the Revenue and Taxation Code is amended to read:

17059.2. (a) (1) For each taxable year beginning on and after January 1, 2014, and before January 1, 2025, there shall be allowed as a credit against the "net tax," as defined in Section 17039, an amount as determined by the committee pursuant to paragraph (2) and approved pursuant to Section 18410.2.

(2) The credit under this section shall be allocated by GO-Biz with respect to the 2013–14 fiscal year through and including the 2017–18 fiscal year. The amount of credit allocated to a taxpayer with respect to a fiscal year pursuant to this section shall be as set forth in a written agreement between GO-Biz and the taxpayer and shall be based on the following factors:

(A) The number of jobs the taxpayer will create or retain in this state.

(B) The compensation paid or proposed to be paid by the taxpayer to its employees, including wages and fringe benefits.

(C) The amount of investment in this state by the taxpayer.

(D) The extent of unemployment or poverty in the area according to the United States Census in which the taxpayer's project or business is proposed or located.

(E) The incentives available to the taxpayer in this state, including incentives from the state, local government, and other entities.

(F) The incentives available to the taxpayer in other states.

(G) The duration of the proposed project and the duration the taxpayer commits to remain in this state.

(H) The overall economic impact in this state of the taxpayer's project or business.

(I) The strategic importance of the taxpayer's project or business to the state, region, or locality.

(J) The opportunity for future growth and expansion in this state by the taxpayer's business.

(K) The extent to which the anticipated benefit to the state exceeds the projected benefit to the taxpayer from the tax credit.

(3) The written agreement entered into pursuant to paragraph (2) shall include:

(A) Terms and conditions that include the taxable year or years for which the credit allocated shall be allowed, a minimum compensation level, and a minimum job retention period.

(B) Provisions indicating whether the credit is to be allocated in full upon approval or in increments based on mutually agreed upon milestones when satisfactorily met by the taxpayer.

(C) Provisions that allow the committee to recapture the credit, in whole or in part, if the taxpayer fails to fulfill the terms and conditions of the written agreement.

(b) For purposes of this section:

(1) "Committee" means the California Competes Tax Credit Committee established pursuant to Section 18410.2.

(2) "GO-Biz" means the Governor's Office of Business and Economic Development.

(c) For purposes of this section, GO-Biz shall do the following:

(1) Give priority to a taxpayer whose project or business is located or proposed to be located in an area of high unemployment or poverty.

(2) Negotiate with a taxpayer the terms and conditions of proposed written agreements that provide the credit allowed pursuant to this section to a taxpayer.

(3) Provide the negotiated written agreement to the committee for its approval pursuant to Section 18410.2.

(4) Inform the Franchise Tax Board of the terms and conditions of the written agreement upon approval of the written agreement by the committee.

(5) Inform the Franchise Tax Board of any recapture, in whole or in part, of a previously allocated credit upon approval of the recapture by the committee.

(6) Post on its Internet Web site all of the following:

(A) The name of each taxpayer allocated a credit pursuant to this section.

(B) The estimated amount of the investment by each taxpayer.

(C) The estimated number of jobs created or retained.

(D) The amount of the credit allocated to the taxpayer.

(E) The amount of the credit recaptured from the taxpayer, if applicable.

(F) The primary location where the taxpayer has committed to increasing the net number of jobs or make investments. The primary location shall be listed by city or, in the case of unincorporated areas, by county.

(G) Information that identifies each tax credit award that was given a priority for being located in a high unemployment or poverty area, pursuant to paragraph (1).

(H) Information that identifies each tax credit award that is being counted toward the requirement of paragraph (3) of subdivision (g).

(7) When determining whether to enter into a written agreement with a taxpayer pursuant to this section, GO-Biz may consider other factors, including, but not limited to, the following:

(A) The financial solvency of the taxpayer and the taxpayer's ability to finance its proposed expansion.

(B) The taxpayer's current and prior compliance with federal and state laws.

(C) Current and prior litigation involving the taxpayer.

(D) The reasonableness of the fee arrangement between the taxpayer and any third party providing any services related to the credit allowed pursuant to this section.

(E) Any other factors GO-Biz deems necessary to ensure that the administration of the credit allowed pursuant to this section is a model of accountability and transparency and that the effective use of the limited amount of credit available is maximized.

(d) For purposes of this section, the Franchise Tax Board shall do all of the following:

(1) (A) Except as provided in subparagraph (B), review the books and records of all taxpayers allocated a credit pursuant to this section to ensure compliance with the terms and conditions of the written agreement between the taxpayer and GO-Biz.

(B) In the case of a taxpayer that is a "small business," as defined in Section 17053.73, review the books and records of the taxpayer allocated a credit pursuant to this section to ensure compliance with the terms and conditions of the written agreement between the taxpayer and GO-Biz when, in the sole discretion of the Franchise Tax Board, a review of those books and records is appropriate or necessary in the best interests of the state.

(2) Notwithstanding Section 19542:

(A) Notify GO-Biz of a possible breach of the written agreement by a taxpayer and provide detailed information regarding the basis for that determination.

(B) Provide information to GO-Biz with respect to whether a taxpayer is a "small business," as defined in Section 17053.73.

(e) In the case where the credit allowed under this section exceeds the "net tax," as defined in Section 17039, for a taxable year, the excess credit may be carried over to reduce the "net tax" in the following taxable year, and succeeding five taxable years, if necessary, until the credit has been exhausted.

(f) Any recapture, in whole or in part, of a credit approved by the committee pursuant to Section 18410.2 shall be treated as a mathematical error appearing on the return. Any amount of tax resulting from that recapture shall be assessed by the Franchise Tax Board in the same manner as provided by Section 19051. The amount of tax resulting from the recapture shall be added to the tax otherwise due by the taxpayer for the taxable year in which the committee's recapture determination occurred.

(g) (1) The aggregate amount of credit that may be allocated in any fiscal year pursuant to this section and Section 23689 shall be an amount equal to the sum of subparagraphs (A), (B), and (C), less the amount specified in subparagraphs (D) and (E):

(A) Thirty million dollars ($30,000,000) for the 2013–14 fiscal year, one hundred fifty million dollars ($150,000,000) for the 2014–15 fiscal year, and two hundred million dollars ($200,000,000) for each fiscal year from 2015–16 to 2017–18, inclusive.

(B) The unallocated credit amount, if any, from the preceding fiscal year.

(C) The amount of any previously allocated credits that have been recaptured.

(D) The amount estimated by the Director of Finance, in consultation with the Franchise Tax Board and the ~~State Board of Equalization,~~ California Department of Tax and Fee Administration, to be necessary to limit the aggregation of the estimated amount of exemptions claimed pursuant to Section 6377.1 and of the amounts estimated to be claimed pursuant to this section and Sections 17053.73, 23626, and 23689 to no more than seven hundred fifty million dollars ($750,000,000) for either the current fiscal year or the next fiscal year.

(i) The Director of Finance shall notify the Chairperson of the Joint Legislative Budget Committee of the estimated annual allocation authorized by this paragraph. Any allocation pursuant to these provisions shall be made no sooner than 30 days after written notification has been provided to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the committees of each house of the Legislature that consider appropriations, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may determine.

(ii) In no event shall the amount estimated in this subparagraph be less than zero dollars ($0).

(E) (i) For the 2015–16 fiscal year and each fiscal year thereafter, the amount of credit estimated by the Director of Finance to be allowed to all qualified taxpayers for that fiscal year pursuant to subparagraph (A) or subparagraph (B) of paragraph (1) of subdivision (c) of Section 23636.

(ii) If the amount available per fiscal year pursuant to this section and Section 23689 is less than the aggregate amount of credit estimated by the Director of Finance to be allowed to qualified taxpayers pursuant to subparagraph (A) or subparagraph (B) of paragraph (1) of subdivision (c) of Section 23636, the aggregate amount allowed pursuant to Section 23636 shall not be reduced and, in addition to the reduction required by clause (i), the aggregate amount of credit that may be allocated pursuant to this section and Section 23689 for the next fiscal year shall be reduced by the amount of that deficit.

(iii) It is the intent of the Legislature that the reductions specified in this subparagraph of the aggregate amount of credit that may be allocated pursuant to this section and Section 23689 shall continue if the repeal dates of the credits allowed by this section and Section 23689 are removed or extended.

(2) (A) In addition to the other amounts determined pursuant to paragraph (1), the Director of Finance may increase the aggregate amount of credit that may be allocated pursuant to this section and Section 23689 by up to twenty-five million dollars ($25,000,000) per fiscal year through the 2017–18 fiscal year. The amount of any increase made pursuant to this paragraph, when combined with any increase made pursuant to paragraph (2) of subdivision (g) of Section 23689, shall not exceed twenty-five million dollars ($25,000,000) per fiscal year through the 2017–18 fiscal year.

(B) It is the intent of the Legislature that the Director of Finance increase the aggregate amount under subparagraph (A) in order to mitigate the reduction of the amount available due to the credit allowed to all qualified taxpayers pursuant to subparagraph (A) or (B) of paragraph (1) of subdivision (c) of Section 23636.

(3) Each fiscal year, 25 percent of the aggregate amount of the credit that may be allocated pursuant to this section and Section 23689 shall be reserved for small business, as defined in Section 17053.73 or 23626.

(4) Each fiscal year, no more than 20 percent of the aggregate amount of the credit that may be allocated pursuant to this section shall be allocated to any one taxpayer.

(5) (A) Each fiscal year, up to 50 percent of the unallocated credit amount, if any, from the preceding fiscal year may be reserved as a preliminary allocation to taxpayers that create or retain regionally significant manufacturing jobs. To receive a preliminary allocation, the city, county, or city and county that is competing for the

creation or retention of the manufacturing jobs shall apply to GO-Biz on behalf of the taxpayer.

(B) It is the intent of the Legislature to enact legislation that would apply the changes made to this section by the act adding this subparagraph to any future extension of this credit.

(h) GO-Biz may prescribe rules and regulations as necessary to carry out the purposes of this section. Any rule or regulation prescribed pursuant to this section may be by adoption of an emergency regulation in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(i) A written agreement between GO-Biz and a taxpayer with respect to the credit authorized by this section shall comply with existing law on the date the agreement is executed.

(j) (1) Upon the effective date of this section, the Department of Finance shall estimate the total dollar amount of credits that will be claimed under this section with respect to each fiscal year from the 2013–14 fiscal year to the 2024–25 fiscal year, inclusive.

(2) The Franchise Tax Board shall annually provide to the Joint Legislative Budget Committee, by no later than March 1, a report of the total dollar amount of the credits claimed under this section with respect to the relevant fiscal year. The report shall compare the total dollar amount of credits claimed under this section with respect to that fiscal year with the department's estimate with respect to that same fiscal year. If the total dollar amount of credits claimed for the fiscal year is less than the estimate for that fiscal year, the report shall identify options for increasing annual claims of the credit so as to meet estimated amounts.

(k) This section is repealed on December 1, 2025.

SEC. 2. Section 23689 of the Revenue and Taxation Code is amended to read:

23689. (a) (1) For each taxable year beginning on and after January 1, 2014, and before January 1, 2025, there shall be allowed as a credit against the "tax," as defined in Section 23036, an amount as determined by the committee pursuant to paragraph (2) and approved pursuant to Section 18410.2.

(2) The credit under this section shall be allocated by GO-Biz with respect to the 2013–14 fiscal year through and including the 2017–18 fiscal year. The amount of credit allocated to a taxpayer with respect to a fiscal year pursuant to this section shall be as set forth in a written agreement between GO-Biz and the taxpayer and shall be based on the following factors:

(A) The number of jobs the taxpayer will create or retain in this state.

(B) The compensation paid or proposed to be paid by the taxpayer to its employees, including wages and fringe benefits.

(C) The amount of investment in this state by the taxpayer.

(D) The extent of unemployment or poverty in the area according to the United States Census in which the taxpayer's project or business is proposed or located.

(E) The incentives available to the taxpayer in this state, including incentives from the state, local government, and other entities.

(F) The incentives available to the taxpayer in other states.

(G) The duration of the proposed project and the duration the taxpayer commits to remain in this state.

(H) The overall economic impact in this state of the taxpayer's project or business.

(I) The strategic importance of the taxpayer's project or business to the state, region, or locality.

(J) The opportunity for future growth and expansion in this state by the taxpayer's business.

(K) The extent to which the anticipated benefit to the state exceeds the projected benefit to the taxpayer from the tax credit.

(3) The written agreement entered into pursuant to paragraph (2) shall include:

(A) Terms and conditions that include the taxable year or years for which the credit allocated shall be allowed, a minimum compensation level, and a minimum job retention period.

(B) Provisions indicating whether the credit is to be allocated in full upon approval or in increments based on mutually agreed upon milestones when satisfactorily met by the taxpayer.

(C) Provisions that allow the committee to recapture the credit, in whole or in part, if the taxpayer fails to fulfill the terms and conditions of the written agreement.

(b) For purposes of this section:

(1) "Committee" means the California Competes Tax Credit Committee established pursuant to Section 18410.2.

(2) "GO-Biz" means the Governor's Office of Business and Economic Development.

(c) For purposes of this section, GO-Biz shall do the following:

(1) Give priority to a taxpayer whose project or business is located or proposed to be located in an area of high unemployment or poverty.

(2) Negotiate with a taxpayer the terms and conditions of proposed written agreements that provide the credit allowed pursuant to this section to a taxpayer.

(3) Provide the negotiated written agreement to the committee for its approval pursuant to Section 18410.2.

(4) Inform the Franchise Tax Board of the terms and conditions of the written agreement upon approval of the written agreement by the committee.

(5) Inform the Franchise Tax Board of any recapture, in whole or in part, of a previously allocated credit upon approval of the recapture by the committee.

(6) Post on its Internet Web site all of the following:

(A) The name of each taxpayer allocated a credit pursuant to this section.

(B) The estimated amount of the investment by each taxpayer.

(C) The estimated number of jobs created or retained.

(D) The amount of the credit allocated to the taxpayer.

(E) The amount of the credit recaptured from the taxpayer, if applicable.

(F) The primary location where the taxpayer has committed to increasing the net number of jobs or make investments. The primary location shall be listed by city or, in the case of unincorporated areas, by county.

(G) Information that identifies each tax credit award that was given a priority for being located in a high unemployment or poverty area, pursuant to paragraph (1).

(H) Information that identifies each tax credit award that is being counted toward the requirement of paragraph (3) of subdivision (g).

(7) When determining whether to enter into a written agreement with a taxpayer pursuant to this section, GO-Biz may consider other factors, including, but not limited to, the following:

(A) The financial solvency of the taxpayer and the taxpayer's ability to finance its proposed expansion.

(B) The taxpayer's current and prior compliance with federal and state laws.

(C) Current and prior litigation involving the taxpayer.

(D) The reasonableness of the fee arrangement between the taxpayer and any third party providing any services related to the credit allowed pursuant to this section.

(E) Any other factors GO-Biz deems necessary to ensure that the administration of the credit allowed pursuant to this section is a model of accountability and transparency and that the effective use of the limited amount of credit available is maximized.

(d) For purposes of this section, the Franchise Tax Board shall do all of the following:

(1) (A) Except as provided in subparagraph (B), review the books and records of all taxpayers allocated a credit pursuant to this section to ensure compliance with the terms and conditions of the written agreement between the taxpayer and GO-Biz.

(B) In the case of a taxpayer that is a "small business," as defined in Section 23626, review the books and records of the taxpayer allocated a credit pursuant to this section to ensure compliance with the terms and conditions of the written agreement between the taxpayer and GO-Biz when, in the sole discretion of the Franchise Tax Board, a review of those books and records is appropriate or necessary in the best interests of the state.

(2) Notwithstanding Section 19542:

(A) Notify GO-Biz of a possible breach of the written agreement by a taxpayer and provide detailed information regarding the basis for that determination.

(B) Provide information to GO-Biz with respect to whether a taxpayer is a "small business," as defined in Section 23626.

(e) In the case where the credit allowed under this section exceeds the "tax," as defined in Section 23036, for a taxable year, the excess credit may be carried over to reduce the "tax" in the following taxable year, and succeeding five taxable years, if necessary, until the credit has been exhausted.

(f) Any recapture, in whole or in part, of a credit approved by the committee pursuant to Section 18410.2 shall be treated as a mathematical error appearing on the return. Any amount of tax resulting from that recapture shall be assessed by the Franchise Tax Board in the same manner as provided by Section 19051. The amount of tax resulting from the recapture shall be added to the tax otherwise due by the taxpayer for the taxable year in which the committee's recapture determination occurred.

(g) (1) The aggregate amount of credit that may be allocated in any fiscal year pursuant to this section and Section 17059.2 shall be an amount equal to the sum of subparagraphs (A), (B), and (C), less the amount specified in subparagraphs (D) and (E):

(A) Thirty million dollars ($30,000,000) for the 2013–14 fiscal year, one hundred fifty million dollars ($150,000,000) for the 2014–15 fiscal year, and two hundred million dollars ($200,000,000) for each fiscal year from 2015–16 to 2017–18, inclusive.

(B) The unallocated credit amount, if any, from the preceding fiscal year.

(C) The amount of any previously allocated credits that have been recaptured.

(D) The amount estimated by the Director of Finance, in consultation with the Franchise Tax Board and the ~~State Board of Equalization,~~ California Department of

Tax and Fee Administration, to be necessary to limit the aggregation of the estimated amount of exemptions claimed pursuant to Section 6377.1 and of the amounts estimated to be claimed pursuant to this section and Sections 17053.73, 17059.2, and 23626 to no more than seven hundred fifty million dollars ($750,000,000) for either the current fiscal year or the next fiscal year.

(i) The Director of Finance shall notify the Chairperson of the Joint Legislative Budget Committee of the estimated annual allocation authorized by this paragraph. Any allocation pursuant to these provisions shall be made no sooner than 30 days after written notification has been provided to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the committees of each house of the Legislature that consider appropriations, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may determine.

(ii) In no event shall the amount estimated in this subparagraph be less than zero dollars ($0).

(E) (i) For the 2015–16 fiscal year and each fiscal year thereafter, the amount of credit estimated by the Director of Finance to be allowed to all qualified taxpayers for that fiscal year pursuant to subparagraph (A) or subparagraph (B) of paragraph (1) of subdivision (c) of Section 23636.

(ii) If the amount available per fiscal year pursuant to this section and Section 17059.2 is less than the aggregate amount of credit estimated by the Director of Finance to be allowed to qualified taxpayers pursuant to subparagraph (A) or subparagraph (B) of paragraph (1) of subdivision (c) of Section 23636, the aggregate amount allowed pursuant to Section 23636 shall not be reduced and, in addition to the reduction required by clause (i), the aggregate amount of credit that may be allocated pursuant to this section and Section 17059.2 for the next fiscal year shall be reduced by the amount of that deficit.

(iii) It is the intent of the Legislature that the reductions specified in this subparagraph of the aggregate amount of credit that may be allocated pursuant to this section and Section 17059.2 shall continue if the repeal dates of the credits allowed by this section and Section 17059.2 are removed or extended.

(2) (A) In addition to the other amounts determined pursuant to paragraph (1), the Director of Finance may increase the aggregate amount of credit that may be allocated pursuant to this section and Section 17059.2 by up to twenty-five million dollars ($25,000,000) per fiscal year through the 2017–18 fiscal year. The amount of any increase made pursuant to this paragraph, when combined with any increase made pursuant to paragraph (2) of subdivision (g) of Section 17059.2, shall not exceed twenty-five million dollars ($25,000,000) per fiscal year through the 2017–18 fiscal year.

(B) It is the intent of the Legislature that the Director of Finance increase the aggregate amount under subparagraph (A) in order to mitigate the reduction of the amount available due to the credit allowed to all qualified taxpayers pursuant to subparagraph (A) or (B) of paragraph (1) of subdivision (c) of Section 23636.

(3) Each fiscal year, 25 percent of the aggregate amount of the credit that may be allocated pursuant to this section and Section 17059.2 shall be reserved for "small business," as defined in Section 17053.73 or 23626.

(4) Each fiscal year, no more than 20 percent of the aggregate amount of the credit that may be allocated pursuant to this section shall be allocated to any one taxpayer.

(5) (A) Each fiscal year, up to 50 percent of the unallocated credit amount, if any, from the preceding fiscal year may be reserved as a preliminary allocation to taxpayers that create or retain regionally significant manufacturing jobs. To receive a preliminary allocation, the city, county, or city and county that is competing for the creation or retention of the manufacturing jobs shall apply to GO-Biz on behalf of the taxpayer.

(B) It is the intent of the Legislature to enact legislation that would apply the changes made to this section by the act adding this subparagraph to any future extension of this credit.

(h) GO-Biz may prescribe rules and regulations as necessary to carry out the purposes of this section. Any rule or regulation prescribed pursuant to this section may be by adoption of an emergency regulation in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(i) (1) A written agreement between GO-Biz and a taxpayer with respect to the credit authorized by this section shall not restrict, broaden, or otherwise alter the ability of the taxpayer to assign that credit or any portion thereof in accordance with Section 23663.

(2) A written agreement between GO-Biz and a taxpayer with respect to the credit authorized by this section must comply with existing law on the date the agreement is executed.

(j) (1) Upon the effective date of this section, the Department of Finance shall estimate the total dollar amount of credits that will be claimed under this section with respect to each fiscal year from the 2013–14 fiscal year to the 2024–25 fiscal year, inclusive.

(2) The Franchise Tax Board shall annually provide to the Joint Legislative Budget Committee, by no later than March 1, a report of the total dollar amount of the credits claimed under this section with respect to the relevant fiscal year. The report shall compare the total dollar amount of credits claimed under this section with respect to that fiscal year with the department's estimate with respect to that same fiscal year. If the total dollar amount of credits claimed for the fiscal year is less than the estimate for that fiscal year, the report shall identify options for increasing annual claims of the credit so as to meet estimated amounts.

(k) This section is repealed on December 1, 2025.

SEC. 3. This act provides for a tax levy within the meaning of Article IV of the California Constitution and shall go into immediate effect.

Amendment 4

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

AMENDMENTS TO ASSEMBLY BILL NO. 2314

Amendment 1

In the title, in line 1, strike out "relating to private employment." and insert:

to add Section 1455 to the Labor Code, relating to domestic workers.

Amendment 2

On page 1, before line 1, insert:

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

(a) As recognized by the State of California in Resolution Chapter 119 of the Statutes of 2010, it is the policy of the state to encourage and protect the rights of domestic work employees.

(b) Domestic work has become a core part of Californians' lives. Two million households in California rely on domestic workers to provide care for children, housecleaning, and support for seniors and people with disabilities. The vast majority of domestic workers are women of color and immigrants and are particularly vulnerable to unlawful employment practices.

(c) Because domestic workers care for the most important elements of their employers' lives, their families and homes, it is in the interest of employees, employers, and the people of the State of California to ensure that the rights of domestic workers are respected, protected, and enforced.

(d) The domestic work industry is fractured and diverse, with employment arrangements ranging from single families that directly hire occasional house cleaners to caregivers employed full time through private home care agencies. Many domestic work employers do not research or seek advice regarding the standards to set for hours, pay, or benefits for their employees.

(e) Domestic work remains a low-wage and largely underregulated industry. Domestic workers usually work alone, behind closed doors, and out of the public eye, leaving them isolated, vulnerable to abuse and exploitation by some employers, and unable to advocate collectively for better working conditions. Four in ten employers pay low wages, which are defined as two-thirds of the median full-time wage in California. One in six domestic work employers fail to pay minimum wage. A substantial number of domestic workers do not complain about these violations because they are afraid they would lose their jobs. This fear has been augmented by the current national political climate and its focus on increased immigration enforcement, further exacerbating the challenges of enforcement of wage laws.

(f) The demand for domestic work will continue to grow due to the aging of the population and the increased reliance on home care. The number of personal care aides alone is expected to grow by 35.8 percent between 2014 and 2024, which is significantly faster than the growth rate for other occupations in California.

SEC. 2. Section 1455 is added to the Labor Code, to read:

1455. (a) The Division of Labor Standards Enforcement shall establish and maintain a Domestic Work Enforcement Pilot Program in collaboration with qualified

organizations. The program shall increase the capacity and expertise of the division to improve education and enforcement of labor standards in the domestic work industry. The program shall include, but not be limited to, the following:

(1) Education and training for domestic work employees and employers addressing minimum wage, overtime, sick leave, recordkeeping, wage adjudication, and retaliation.

(2) Training for domestic worker leaders to provide peer-to-peer support and wraparound service referrals to domestic work employees who have elected to file wage claims or take other actions seeking remedy from employers.

(3) Development of core training curriculum to be used in the education and training of domestic work employees and employers.

(4) Provision of technical and legal assistance to domestic work employees through a statewide telephone help line and the promotion of the help line to domestic worker populations.

(5) Development of an online resource hub to provide information for employers on state labor laws and guidelines on fair employment.

(6) Creation of enforcement positions that ensure education regarding, and compliance with, laws governing the domestic work industry and that promote higher standards in the industry

(b) For the purposes of this section, "qualified organization" means:

(1) A nonprofit organization that has a minimum of five years of experience working with domestic work employees or employers.

(2) An organization that works with a nonprofit organization that has a minimum of five years of experience working with domestic work employees or employers.

(c) Qualified organizations that collaborate under subdivision (a) shall issue reports and meet quarterly with the Division of Labor Standards Enforcement to review the implementation and success of the program.

Amendment 3

On page 1, strike out lines 1 and 2

AMENDMENTS TO ASSEMBLY BILL NO. 2320

Amendment 1
In the title, in line 1, strike out "56430" and insert:

66483

Amendment 2
In the title, strike out line 2 and insert:

land use.

Amendment 3
On page 1, before line 1, insert:

SECTION 1. Section 66483 of the Government Code is amended to read:

66483. (a) There may be imposed by local ordinance a requirement for the payment of fees for purposes of defraying the actual or estimated costs of constructing planned drainage facilities for the removal of surface and storm waters from local or neighborhood drainage areas and of constructing planned sanitary sewer facilities for local sanitary sewer areas, subject to the following conditions:

~~(a)~~

(1) The ordinance has been in effect for a period of at least ~~30~~ 60 days prior to the filing of the tentative map or parcel map if no tentative map is required.

~~(b)~~

(2) The ordinance refers to a drainage or sanitary sewer plan adopted for a particular drainage or sanitary sewer area which contains an estimate of the total costs of constructing the local drainage or sanitary sewer facilities required by the plan, and a map of ~~such~~ the area showing its boundaries and the location of such facilities.

~~(c)~~

(3) The drainage or sanitary sewer plan, in the case of a city situated in a county having a countywide general drainage or sanitary sewer plan, has been determined by resolution of the legislative body of the county to be in conformity with ~~such~~ a county plan; or in the case of a city situated in a county ~~not having such~~ that does not have a plan but in a district ~~having such~~ that has a plan, has been determined by resolution of the ~~legislaive~~ legislative body of the district to be in conformity with the district general plan; or in the case of a city situated in a county ~~having such~~ that has a plan and in a district ~~having such~~ that has a plan, has been determined by resolution of the legislative body of the county to be in conformity with ~~such a~~ the plan and by resolution of the legislative body of the district to be in conformity with the district general plan.

~~(d)~~

(4) The costs, whether actual or estimated, are based upon findings by the legislative body which has adopted the local plan, that subdivision and development of property within the planned local drainage area or local sanitary sewer area will

require construction of the facilities described in the drainage or sewer plan, and that the fees are fairly apportioned within such areas either on the basis of benefits conferred on property proposed for subdivision or on the need for such facilities created by the proposed subdivision and development of other property within such areas.

~~(e)~~

(5) The fee as to any property proposed for subdivision within ~~such~~ a local area does not exceed the pro rata share of the amount of the total actual or estimated costs of all facilities within ~~such~~ the area ~~which~~ that would be assessable on ~~such~~ the property if ~~such~~ the costs were apportioned uniformly on a per-acre basis.

~~(f)~~

(6) The drainage or sanitary sewer facilities planned are in addition to existing facilities serving the area at the time of the adoption of ~~such~~ a plan for the area.

~~Such fees~~

(b) Fees charged pursuant to this section shall be paid to the local public agencies which provide drainage or sanitary sewer facilities, and shall be deposited by ~~such~~ those agencies into a "planned local drainage facilities fund" and a "planned local sanitary sewer fund," respectively. Separate funds shall be established for each local drainage and sanitary sewer area. Moneys in ~~such~~ those funds shall be expended solely for the construction or reimbursement for construction of local drainage or sanitary sewer facilities within the area from which the fees comprising the fund were collected, or to reimburse the local agency for the cost of engineering and administrative services to form the district and design and construct the facilities. The local ordinance may provide for the acceptance of considerations in lieu of the payment of fees.

(c) A local agency imposing or requesting the imposition of, fees pursuant to this section, including the agencies providing the facilities, may advance money from its general fund to pay the costs of constructing ~~such~~ facilities within a local drainage or sanitary sewer area and reimburse the general fund for ~~such~~ those advances from the planned local drainage or sanitary sewer facilities fund for the local drainage or sanitary sewer area in which the drainage or sanitary sewer facilities were constructed.

(d) A local agency receiving fees pursuant to this section may incur an indebtedness for the construction of drainage or sanitary sewer facilities within a local drainage or sanitary sewer ~~area;~~ area, provided that the sole security for repayment of ~~such~~ that indebtedness shall be moneys in the planned local drainage or sanitary sewer facilities fund.

Amendment 4

On page 1, strike out lines 1 and 2 and strike out pages 2 and 3

AMENDMENTS TO ASSEMBLY BILL NO. 2333

Amendment 1

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

to add Section 8587.13 to the Government Code,

Amendment 2

On page 2, in line 3, after "a" insert:

natural disaster or

Amendment 3

On page 2, below line 3, insert:

SEC. 2. Section 8587.13 is added to the Government Code, to read:

8587.13. (a) The office shall establish a mental health deputy director to ensure individuals have access to necessary mental health services and supports in the aftermath of a natural disaster or declaration of a state of emergency.

(b) The deputy director shall collaborate with the Director of Health Care Services to coordinate the delivery of trauma-related support to individuals affected by a natural disaster or state of emergency.

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AMENDMENTS TO ASSEMBLY BILL NO. 2348

Amendment 1

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

to amend Section 3460 of the Fish and Game Code,

Amendment 2

In the title, in line 1, strike out "winter-flooded rice." and insert:

wildlife.

Amendment 3

On page 2, between lines 27 and 28, insert:

SEC. 2. Section 3460 of the Fish and Game Code is amended to read:

3460. (a) (1) Subject to appropriation pursuant to Section 3467, the director may enter into contracts with nonpublic entities ~~which~~ that are owners of record, or with lessees, who have the owners of record execute the contract, of land determined by the director to be important for the conservation of waterfowl. The contract shall enforceably restrict the use of the land for the conservation of waterfowl and their habitat consistent with Section 8 of Article XIII of the California Constitution.

(2) In accordance with paragraph (1), the director may enter into contracts with nonpublic entities that are owners of record, or with lessees, who have the owners of record execute the contract, of productive agricultural rice lands that are winter-flooded and that are determined by the director to be important for the conservation of waterfowl.

(b) The director shall give priority to contracts that have the greatest potential for restoring, enhancing, and protecting high quality waterfowl habitat, especially that which is subject to destruction, drastic modification, or significant curtailment of habitat values.

(c) Contracts entered into pursuant to this section are not subject to Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code.

Amendment 4

On page 2, strike out lines 28 to 30, inclusive

AMENDMENTS TO ASSEMBLY BILL NO. 2376

Amendment 1

In the title, in line 1, strike out "relating to mortgage loan modification." and insert:

to amend Section 526a of the Code of Civil Procedure, relating to civil actions.

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 526a of the Code of Civil Procedure is amended to read:

526a. (a) An action to obtain a judgment, restraining and preventing any illegal expenditure of, waste of, or injury to, the estate, funds, or other property of a county, town, city or city and county of the state, may be maintained against any officer thereof, or any agent, or other person, acting in its behalf, either by a ~~citizen~~ resident therein, or by a corporation, who is assessed for and is liable to pay, or, within one year before the commencement of the action, has paid, a tax ~~therein. This~~ that funds the defendant government, including, but not limited to, the following:

(1) An income tax.

(2) A sales tax initially paid by a consumer to a retailer.

(3) A property tax paid by a tenant or lessee to a landlord or lessor pursuant to the terms of a written lease.

(4) A use tax.

(5) A property tax.

(6) A business licenses tax.

(b) This section does not affect any right of action in favor of a county, city, town, or city and county, or any public officer; provided, that no injunction shall be granted restraining the offering for sale, sale, or issuance of any municipal bonds for public improvements or public utilities.

(c) An action brought pursuant to this section to enjoin a public improvement project shall take special precedence over all civil matters on the calendar of the court except those matters to which equal precedence on the calendar is granted by law.

(d) For purposes of this section, "resident" means a person who lives, works, or attends school in the jurisdiction of the defendant government.

Amendment 3

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

AMENDMENTS TO ASSEMBLY BILL NO. 2382

Amendment 1
In the title, in line 1, strike out "29805" and insert:

16520

Amendment 2
On page 1, before line 1, insert:

SECTION 1. Section 16520 of the Penal Code is amended to read:

16520. (a) As used in this part, "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.

(b) As used in the following provisions, "firearm" includes the frame or receiver of the weapon:

(1) Section 16550.
(2) Section 16730.
(3) Section 16960.
(4) Section 16990.
(5) Section 17070.
(6) Section 17310.
(7) Sections 26500 to 26588, inclusive.
(8) Sections 26600 to 27140, inclusive.
(9) Sections 27400 to 28000, inclusive.
(10) Section 28100.
(11) Sections 28400 to 28415, inclusive.
(12) Sections 29010 to 29150, inclusive.
(13) Section 29180.
(14) Sections 29610 to 29750, inclusive.
(15) Sections 29800 to 29905, inclusive.
(16) Sections 30150 to 30165, inclusive.
(17) Section 31615.
(18) Sections 31705 to 31830, inclusive.
(19) Sections 34355 to 34370, inclusive.
(20) Sections 8100, 8101, and 8103 of the Welfare and Institutions Code.

(c) As used in the following provisions, "firearm" also includes a rocket, rocket propelled projectile launcher, or similar device containing an explosive or incendiary material, whether or not the device is designed for emergency or distress signaling purposes:

(1) Section 16750.
(2) Subdivision (b) of Section 16840.
(3) Section 25400.
(4) Sections 25850 to 26025, inclusive.
(5) Subdivisions (a), (b), and (c) of Section 26030.

(6) Sections 26035 to 26055, inclusive.

(d) As used in the following provisions, "firearm" does not include an unloaded antique firearm:

(1) Subdivisions (a) and (c) of Section 16730.
(2) Section 16550.
(3) Section 16960.
(4) Section 17310.
(5) Chapter 6 (commencing with Section 26350) of Division 5 of Title 4.
(6) Chapter 7 (commencing with Section 26400) of Division 5 of Title 4.
(7) Sections 26500 to 26588, inclusive.
(8) Sections 26700 to 26915, inclusive.
(9) Section 27510.
(10) Section 27530.
(11) Section 27540.
(12) Section 27545.
(13) Sections 27555 to 27585, inclusive.
(14) Sections 29010 to 29150, inclusive.
(15) Section 25135.
(16) Section 29180.

(e) As used in Sections 34005 and 34010, "firearm" does not include a destructive device.

(f) As used in Sections 17280 and 24680, "firearm" has the same meaning as in Section 922 of Title 18 of the United States Code.

(g) As used in Sections 29010 to 29150, inclusive, "firearm" includes the unfinished frame or receiver of a weapon that can be readily converted to the functional condition of a finished frame or receiver.

(h) As used in this section, "frame" and "receiver" means that part of a firearm which provides housing for the hammer, bolt, or breechblock, and firing mechanism, and which is usually threaded at its forward portion to receive the barrel, and includes a frame or receiver blank, casting, or machined body that requires further machining or molding to be used as part of a functional weapon so long as it has been designed and is clearly identifiable as being used exclusively as part of a functional weapon.

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 7, inclusive, and strike out page 2

AMENDMENT TO ASSEMBLY BILL NO. 2591

Amendment 1

On page 11, below line 37, insert:

(j) A hospital that is owned by the City of Long Beach may submit a seismic safety extension application pursuant to subdivision (g) before January 1, 2025, notwithstanding earlier deadlines in that subdivision. The submitted application shall include the timetable required pursuant to subdivision (g).

SEC. 2. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances surrounding the surrender of the Community Hospital of Long Beach to the City of Long Beach by the private provider who formerly operated that facility.

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AMENDMENTS TO ASSEMBLY BILL NO. 2607

Amendment 1

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

to add and repeal Chapter 5 (commencing with Section 1850) of Division 8 of the Military and Veterans Code,

Amendment 2

On page 2, before line 1, insert:

SECTION 1. It is the intent of the Legislature to expand the United States Department of Veterans Affairs medical foster home program in California by authorizing the United States Department of Veterans Affairs facilities in the state to establish medical foster homes that are exempt from regulation under the California Residential Care Facilities for the Elderly Act, the California Community Care Facilities Act, and Chapter 3.01 (commencing with Section 1568.01) of Division 2 of the Health and Safety Code.

SEC. 2. Chapter 5 (commencing with Section 1850) is added to Division 8 of the Military and Veterans Code, to read:

CHAPTER 5. MEDICAL FOSTER HOME PILOT PROGRAM

1850. This chapter shall be known and may be cited as the Medical Foster Home Pilot Program.

1851. The following definitions shall apply for purposes of this chapter:

(a) "Medical foster home" has the same meaning as that term is defined in Section 17.73 of Title 38 of the Code of Federal Regulations.

(b) "Medical foster home caregiver" means the primary person who provides care to a veteran resident in a medical foster home.

(c) "USDVA facility" means a United States Department of Veterans Affairs facility.

(d) "Veteran resident" has the same meaning as that term is defined in Section 17.73 of Title 38 of the Code of Federal Regulations.

1852. A USDVA facility may establish a medical foster home program in California pursuant to this chapter no sooner than June 1, 2019. A medical foster home established pursuant to that program is not subject to licensure or regulation under the California Residential Care Facilities for the Elderly Act (Chapter 3.2 (commencing with Section 1569) of Division 2 of the Health and Safety Code), the California Community Care Facilities Act (Chapter 3 (commencing with Section 1500) of Division 2 of the Health and Safety Code), or Chapter 3.01 (commencing with Section 1568.01) of Division 2 of the Health and Safety Code if all of the following requirements are satisfied:

(a) The medical foster home meets the requirements of Sections 17.73 and 17.74 of Title 38 of the Code of Federal Regulations.

(b) The USDVA facility submits or has submitted a proposal to establish a medical foster home program to the Director of Home and Community-Based Care in Geriatrics and Extended Care Services in the Central Office of the USDVA and that director authorizes or has authorized the program.

(c) The USDVA facility establishing the foster home agrees to be subject to the jurisdiction of the California State Auditor for the purpose of evaluating the program created under this chapter. Consistent with this agreement, the USDVA facility shall provide data, information, and case files as requested by the California State Auditor to perform all of his or her duties in evaluating the program created under this chapter.

(d) To ensure the safety of California's veterans, a medical foster home caregiver or an individual, other than a veteran resident, who is over 18 years of age and is residing in the medical foster home shall register as an independent home care aide and undergo a background examination as required by Section 1854.

1853. It is the intent of the Legislature that the California State Auditor, through a request to the Joint Legislative Audit Committee, conduct an audit that assesses and evaluates the pilot program created by this chapter no sooner than January 1, 2020. It is the intent of the Legislature that the audit be used to do both of the following:

(a) Evaluate the success of the pilot program by confirming that the USDVA facilities are meeting their goals and standards.

(b) Make recommendations to the Legislature regarding the continuation of the program, including, but not limited to, recommendations regarding changes or reforms needed for improvement of the program.

1854. (a) A person initiating a background examination under this chapter shall register as an independent home care aide. As provided in Article 4 (commencing with Section 1796.21) of Chapter 13 of Division 2 of the Health and Safety Code, the person shall submit his or her fingerprints to the Department of Justice by electronic transmission in a manner approved by the State Department of Social Services, unless exempt under subdivision (d), and shall submit to the State Department of Social Services a signed declaration, under penalty of perjury, regarding any prior criminal convictions pursuant to Section 1522 of the Health and Safety Code and a completed home care aide application.

(b) A law enforcement agency or other local agency authorized to take fingerprints may charge a reasonable fee to offset the costs of fingerprinting for the purposes of this section. The fee revenues shall be deposited in the Fingerprint Fees Account.

(c) The Department of Justice shall use the fingerprints to search state and Federal Bureau of Investigation criminal offender record information pursuant to Section 1522 of the Health and Safety Code.

(d) A person who is a current licensee or employee in a facility licensed by the State Department of Social Services, a certified foster parent, a certified administrator, or a registered TrustLine provider is not required to submit fingerprints to the Department of Social Services, and may transfer his or her current criminal record clearance or exemption pursuant to paragraph (1) of subdivision (h) of Section 1522 of the Health and Safety Code. The person shall instead submit to the State Department of Social Services, along with the person's registration application, a copy of the

person's identification card described in Section 1796.22 of the Health and Safety Code and sign a declaration verifying the person's identity.

1855. This chapter shall remain in effect only until January 1, 2022, and as of that date is repealed.

SEC. 3. 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 2, strike out lines 1 to 3, inclusive

AMENDMENTS TO ASSEMBLY BILL NO. 2629

Amendment 1
In the title, in line 1, strike out "90" and insert:

104.17

Amendment 2
On page 1, before line 1, insert:

SECTION 1. Section 104.17 of the Streets and Highways Code is amended to read:

104.17. (a) The department may provide information regarding, and may lease, airspace under the interchange of Route 4 and Route 5 in San Joaquin County and on the northeast corner of Route 101 and De La Vina Street in the County of Santa Barbara, to a city, county, or other political subdivision or another state agency for emergency shelter or feeding program purposes. ~~Property may be leased pursuant to this section only if there is no buyer.~~ The lease shall be for one dollar ($1) per month. The lease amount may be paid in advance of the term covered in order to reduce the administrative costs associated with the payment of the monthly rental fee.

~~Any~~

(b) A lease executed pursuant to this section shall also provide for the cost of administering the lease.

~~The~~

(c) The administrative fee shall not exceed five hundred dollars ($500) per year unless the department determines that a higher administrative fee is necessary.

~~(b)~~

(d) The Legislature finds and declares that the lease of real property pursuant to this section serves a public purpose.

~~(c) Any~~

(e) A lease executed pursuant to subdivision (a) for airspace under the interchange of Route 4 and Route 5 in San Joaquin County shall provide for the rescission of existing leases of this airspace between the department and the City of Stockton and for the refunding of any rent paid pursuant to those leases for periods commencing on or after January 1, 1988. Upon the request of the City of Stockton, the department may renew the lease executed pursuant to subdivision (a) for the airspace described in this subdivision for the period requested by the ~~city, but not to exceed 10 years, and may, subsequent to that renewal, agree to not more than two additional renewals of not more than 10 years each.~~ city.

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

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AMENDMENTS TO ASSEMBLY BILL NO. 2644

Amendment 1

In the title, in line 1, strike out "amend Section 2105 of the Elections" and insert:

add Section 37222.20 to the Education Code, and to add Section 6729 to the Government

Amendment 2

In the title, strike out line 2 and insert:

Dolores Huerta Day.

Amendment 3

On page 1, before line 1, insert:

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

(a) Activist and labor leader Dolores Huerta has worked her entire life to improve social and economic conditions for farmworkers, is a leader in the fight against discrimination, and is a defender of civil rights, equal rights, and dignity for all.

(b) Dolores Huerta was born Dolores Clara Fernández on April 10, 1930, in Dawson, New Mexico.

(c) Dolores Huerta's father, Juan Fernández, a farmworker and miner by trade, was a union activist who ran for political office and won a seat in the New Mexico State Legislature in 1938. Dolores Huerta's mother, Alicia Fernández, had an independent and entrepreneurial spirit and was active in numerous civic organizations and the church. She used her 70-room hotel to provide housing to low-wage workers.

(d) Dolores Huerta spent most of her childhood and early adult life in Stockton, California, with her two brothers and their mother, following her parents' divorce.

(e) While Dolores Huerta was a student at Stockton High School, she was active in numerous school clubs and the Girl Scouts. Upon graduating she earned a provisional teaching credential. She taught until she could no longer bear to see her students come to school with empty stomachs and bare feet, and thus began her lifelong journey of working to correct economic injustice.

(f) Dolores Huerta found her calling as an organizer while serving in the leadership of the Stockton chapter of the Community Service Organization (CSO), and founded the Agricultural Workers Association. She set up voter registration drives and pressed local governments for barrio improvements.

(g) During this time, Dolores Huerta met César Chávez, a fellow CSO official, who had become its director.

(h) In 1962, both Dolores Huerta and César Chávez lobbied to have the CSO expand its efforts to help farmworkers, but the organization was only focused on urban issues.

(i) As a result, César Chavez and Dolores Huerta resigned from the CSO, and cofounded the National Farm Workers Association. Dolores Huerta's organizing skills were essential to the growth of the association.

(j) The two made a great team. César Chávez was the dynamic leader and speaker, while Dolores Huerta was the skilled organizer and tough negotiator.

(k) Dolores Huerta overcame the many challenges she faced as a woman. She remained the most talented negotiator securing services for farmworkers in California in 1963 in the form of Aid to Families with Dependent Children and disability insurance, an unparalleled feat of the times.

(*l*) The Agricultural Workers Organizing Committee was an integral part of the farmworkers original organizing, and was formed by Filipino workers. The Agricultural Workers Organizing Committee was led by Larry Itliong, Philip Vera Cruz, Pete Velasco, and Andy Imutan, all of whom were instrumental to the farm labor movement.

(m) In 1965, the Agricultural Workers Organizing Committee and the National Farm Workers Association combined to become the United Farm Workers Organizing Committee, later known as the United Farm Workers (UFW). That year, the union took on the Coachella Valley grape growers.

(n) Dolores Huerta was also instrumental in the enactment of the Agricultural Labor Relations Act of 1975. This was the first law of its kind in the United States, granting farmworkers in California the right to collectively organize and bargain for better wages and working conditions.

(o) While the farmworkers lacked financial capital, they were able to wield significant economic power through hugely successful boycotts and at the ballot box with grassroots campaigning. As the principal legislative advocate, Dolores Huerta became one of the UFW's most visible spokespersons. Robert F. Kennedy acknowledged her help in winning the 1968 California Democratic Presidential primary, moments before he was shot in Los Angeles.

(p) Dolores Huerta advocated for the entire family's participation in the movement because of the involvement of men, women, and children together in the fields picking, thinning, and hoeing. Thus, the practice of nonviolence was not only a philosophy but a very necessary approach in providing for the safety of all. Nonetheless, her life and the safety of those around her were in jeopardy on countless occasions.

(q) During the 1980s, Dolores Huerta served as vice president of the UFW and cofounded the UFW's radio station. She continued to speak for a variety of causes, advocating for a comprehensive immigration policy and better health conditions for farmworkers.

(r) The most widely-known phrase "Sí se puede" was a phrase first used by Dolores Huerta in the farmworker movement.

(s) In 1988, at age 58, she nearly lost her life when she was beaten by San Francisco police at a rally protesting the policies of then-presidential candidate George H. W. Bush. She suffered four broken ribs and a ruptured spleen.

(t) Public outrage resulted in the San Francisco Police Department changing its policies regarding crowd control and police discipline.

(u) Following a lengthy recovery, Dolores Huerta took a leave of absence from the union to focus on women's rights, traveling the country for two years on behalf of the Feminist Majority, encouraging Latinas to run for office. The campaign resulted

in a significant increase in the number of women representatives at the local, state, and federal levels.

(v) At age 83, Dolores Huerta continues to work tirelessly, developing leaders and advocating for the working poor, women, and children. As founder and president of the Dolores Huerta Foundation, she travels across the country advocating in campaigns and legislation that support equality and defend civil rights. She continues to be a voice for social justice and public policy.

(w) Dolores Huerta continues to lecture and speak out on a variety of social issues involving immigration, income inequality, and the rights of women and Latinos.

(x) Dolores Huerta teaches the concept of personal power that needs to be coupled with responsibility and cooperation to create the changes needed to improve the lives of the working poor.

(y) Dolores Huerta has been honored for her work as a fierce advocate for farmworkers, immigrants, the working poor, and women.

(z) There are four elementary schools in California named after Dolores Huerta, the most recent being the Dolores Huerta International Academy in Fontana, California.

(aa) Dolores Huerta was inducted into the California Hall of Fame in March of 2013. She has received numerous awards, among them: the Eleanor Roosevelt Human Rights Award from President Bill Clinton in l998, Ms. Magazine's One of the Three Most Important Women of l997, Ladies' Home Journal's 100 Most Important Women of the 20th Century, the Puffin Foundation's Award for Creative Citizenship: Labor Leader Award 1984, the Kern County Woman of The Year Award from the California State Legislature, the Ohtli Award from the Mexican Government, the James Smithson Award of the Smithsonian Institution, and nine honorary doctorates from universities throughout the United States.

(ab) Dolores Huerta received the Ellis Island Medal of Freedom Award and was inducted into the National Women's Hall of Fame in 1993. That year proved bittersweet for her as she also experienced the passing of her beloved friend César Chávez.

(ac) In 2012, President Barack Obama bestowed Dolores Huerta with her most prestigious award, the Presidential Medal of Freedom, the highest civilian award in the United States. Upon receiving this award she said, "The freedom of association means that people can come together in organization to fight for solutions to the problems they confront in their communities. The great social justice changes in our country have happened when people came together, organized, and took direct action. It is this right that sustains and nurtures our democracy today. The civil rights movement, the labor movement, the women's movement, and the equality movement for our LGBT brothers and sisters are all manifestations of these rights. I thank President Obama for raising the importance of organizing to the highest level of merit and honor."

(ad) The accomplishments and contributions of Dolores Huerta should be properly memorialized within the history and culture of the United States. Dolores Huerta deserves proper recognition for her numerous sacrifices in the name of justice and the amelioration of severely inadequate working conditions.

SEC. 2. Section 37222.20 is added to the Education Code, to read:

37222.20. (a) April 10 of each year is designated and set apart as Dolores Huerta Day, a day having special significance pursuant to Section 37222.

(b) On Dolores Huerta Day, all public schools and educational institutions are encouraged to conduct exercises remembering the life of Dolores Huerta, recognizing

her accomplishments, and familiarizing pupils with the contributions she made to this state.

SEC. 3. Section 6729 is added to the Government Code, to read:

6729. The Governor annually shall proclaim April 10 as Dolores Huerta Day.

Amendment 4

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

AMENDMENTS TO ASSEMBLY BILL NO. 2659

Amendment 1

On page 5, in line 39, strike out "court. The juvenile" and insert:

court, or the criminal court pursuant to subparagraph (C). The

Amendment 2

On page 6, in line 8, strike out "Prior" and insert:

Except as provided in subparagraph (C), prior

Amendment 3

On page 6, between lines 11 and 12, insert:

(C) (i) The juvenile court or the criminal court may release information from the juvenile case file to a criminal prosecutor or a criminal defense attorney of record if the court determines that the file contains information that is material to a current criminal prosecution. For purposes of this subparagraph, "material" and "materiality" refers to information that is inculpatory, is exculpatory, impeaches a witness, tends to negate the guilt of the accused, mitigates the offense, or mitigates the sentence.

(ii) This subparagraph does not require disclosure prohibited by federal or California laws or rules, as interpreted by case law or court orders, including Sections 1040, 1041, and 1042 of the Evidence Code. This subparagraph shall not be applied in a manner inconsistent with statutory or constitutional provisions governing discovery in California courts.

(iii) The petitioner under this subparagraph shall submit a declaration under penalty of perjury in support of the release that demonstrates the materiality of the records. If the petitioner has a copy of the requested juvenile records, the petitioner shall also submit a proposed redacted copy of the juvenile records sought to be released. Before the juvenile court or the criminal court releases information pursuant to this subparagraph, a court order issued by the court shall comply with subparagraph (D).

(D) A court order issued pursuant to subparagraph (C) shall be signed by the parties who will receive a copy of the redacted juvenile case file. The order shall state all of the following restrictions:

(i) All information obtained under the order, and any copies made thereof, shall be in the constructive possession and custody of the issuing court and shall be returned to the court at the conclusion of any related case proceedings, including any appeals or writs.

(ii) Use of information obtained under the order is limited to the related case listed on the order.

(iii) The petitioner may make such copies of the information obtained under the order as are necessary for the preparation and presentation in the related case. Those copies shall be delivered to the issuing court at the conclusion of the related case.

(iv) The information may be reviewed by the petitioner herein. It may also be reviewed by any expert or investigator retained by the petitioner. An expert or investigator reviewing the information shall sign a declaration under penalty of perjury acknowledging that he or she is familiar with the terms of the order. That declaration shall be delivered to the court at the conclusion of the proceedings.

(v) The information obtained under the order shall be kept in a confidential manner and shall not be released to members of the media or other individuals not directly connected with these proceedings or the related case.

(vi) All reasonable expenses incurred in the production of the information shall be the responsibility of the party seeking the production.

(vii) Copies of released information shall be disclosed only to the parties listed on the order, or to an expert or investigator described in clause (iv). All parties in receipt of the information are subject to the terms of the order.

(viii) Records or information obtained shall not be made part of any other court file that is open to the public, unless by court order or as allowed by law. If it is necessary for any records or information to become part of a court or other public agency file that is open to the public, those materials shall be maintained in a separate sealed envelope, bearing the statement that the contents are juvenile court records and are available by judicial or administrative order only.

Amendment 4

On page 6, in line 20, after the comma insert:

or the prior approval of the criminal court pursuant to subparagraph (C) of paragraph (3),

Amendment 5

On page 9, below line 5, insert:

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.

AMENDMENTS TO ASSEMBLY BILL NO. 2671

Amendment 1

In the title, in line 1, strike out "Section 11349.3 of" and insert:

Sections 11343.4 and 11349.3 of, and to add and repeal Chapter 3.6 (commencing with Section 11366) of Part 1 of Division 3 of Title 2 of,

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 11343.4 of the Government Code is amended to read:

11343.4. (a) Except as otherwise provided in subdivision (b), a regulation or an order of repeal required to be filed with the Secretary of State shall become effective on a quarterly basis as follows:

(1) January 1 if the regulation or order of repeal is filed on September 1 to November 30, inclusive.

(2) April 1 if the regulation or order of repeal is filed on December 1 to February 29, inclusive.

(3) July 1 if the regulation or order of repeal is filed on March 1 to May 31, inclusive.

(4) October 1 if the regulation or order of repeal is filed on June 1 to August 31, inclusive.

(b) The effective dates in subdivision (a) shall not apply in all of the following:

(1) The effective date is specifically provided by the statute pursuant to which the regulation or order of repeal was adopted, in which event it becomes effective on the day prescribed by the statute.

(2) A later date is prescribed by the state agency in a written instrument filed with, or as part of, the regulation or order of repeal.

(3) The agency makes a written request to the office demonstrating good cause for an earlier effective date, in which case the office may prescribe an earlier date.

(4) (A) A regulation adopted by the Fish and Game Commission that is governed by Article 2 (commencing with Section 250) of Chapter 2 of Division 1 of the Fish and Game Code.

(B) A regulation adopted by the Fish and Game Commission that requires a different effective date in order to conform to a federal regulation.

(5) When the Legislature enacts a statute to override the regulation.

Amendment 3

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

SEC. 2.

Amendment 4
On page 1, in line 3, after "(a)" insert:

(1)

Amendment 5
On page 2, between lines 2 and 3, insert:

(2) The office shall submit a copy of each major regulation submitted to the Secretary of State pursuant to paragraph (1) to each house of the Legislature for review.

Amendment 6
On page 2, below line 23, insert:

SEC. 3. Chapter 3.6 (commencing with Section 11366) is added to Part 1 of Division 3 of Title 2 of the Government Code, to read:

CHAPTER 3.6. REGULATORY REFORM

Article 1. Findings and Declarations

11366. The Legislature finds and declares all of the following:

(a) The Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340), Chapter 4 (commencing with Section 11370), Chapter 4.5 (commencing with Section 11400), and Chapter 5 (commencing with Section 11500)) requires agencies and the Office of Administrative Law to review regulations to ensure their consistency with law and to consider impacts on the state's economy and businesses, including small businesses.

(b) However, the act does not require agencies to individually review their regulations to identify overlapping, inconsistent, duplicative, or out-of-date regulations that may exist.

(c) At a time when the state's economy is slowly recovering, unemployment and underemployment continue to affect all Californians, especially older workers and younger workers who received college degrees in the last seven years but are still awaiting their first great job, and with state government improving but in need of continued fiscal discipline, it is important that state agencies systematically identify, publicly review, and eliminate overlapping, inconsistent, duplicative, or out-of-date regulations, both to ensure laws are more efficiently implemented and enforced and to reduce unnecessary and outdated rules and regulations.

Article 2. Definitions

11366.1. For the purposes of this chapter, the following definitions shall apply:

(a) "State agency" means a state agency, as defined in Section 11000, except those state agencies or activities described in Section 11340.9.

(b) "Regulation" has the same meaning as provided in Section 11342.600.

Article 3. State Agency Duties

11366.2. On or before January 1, 2021, each state agency shall do all of the following:

(a) Review all provisions of the California Code of Regulations adopted by that state agency.

(b) Identify any regulations that are duplicative, overlapping, inconsistent, or out of date.

(c) Adopt, amend, or repeal regulations to reconcile or eliminate any duplication, overlap, inconsistencies, or out-of-date provisions, and shall comply with the process specified in Article 5 (commencing with Section 11346) of Chapter 3.5, unless the addition, revision, or deletion is without regulatory effect and may be done pursuant to Section 100 of Title 1 of the California Code of Regulations.

(d) Hold at least one noticed public hearing, which shall be noticed on the Internet Web site of the state agency, for the purposes of accepting public comment on proposed revisions to its regulations.

(e) Notify the appropriate policy and fiscal committees of each house of the Legislature of the revisions to regulations that the state agency proposes to make at least 30 days prior to initiating the process under Article 5 (commencing with Section 11346) of Chapter 3.5 or Section 100 of Title 1 of the California Code of Regulations.

(g) (1) Report to the Governor and the Legislature on the state agency's compliance with this chapter, including the number and content of regulations the state agency identifies as duplicative, overlapping, inconsistent, or out of date, and the state agency's actions to address those regulations.

(2) The report shall be submitted in compliance with Section 9795 of the Government Code.

11366.3. (a) On or before January 1, 2021, each agency listed in Section 12800 shall notify a department, board, or other unit within that agency of any existing regulations adopted by that department, board, or other unit that the agency has determined may be duplicative, overlapping, or inconsistent with a regulation adopted by another department, board, or other unit within that agency.

(b) A department, board, or other unit within an agency shall notify that agency of revisions to regulations that it proposes to make at least 90 days prior to a noticed public hearing pursuant to subdivision (d) of Section 11366.2 and at least 90 days prior to adoption, amendment, or repeal of the regulations pursuant to subdivision (c) of Section 11366.2. The agency shall review the proposed regulations and make recommendations to the department, board, or other unit within 30 days of receiving the notification regarding any duplicative, overlapping, or inconsistent regulation of another department, board, or other unit within the agency.

11366.4. An agency listed in Section 12800 shall notify a state agency of any existing regulations adopted by that agency that may duplicate, overlap, or be inconsistent with the state agency's regulations.

11366.45. This chapter shall not be construed to weaken or undermine in any manner any human health, public or worker rights, public welfare, environmental, or other protection established under statute. This chapter shall not be construed to affect the authority or requirement for an agency to adopt regulations as provided by statute. Rather, it is the intent of the Legislature to ensure that state agencies focus more efficiently and directly on their duties as prescribed by law so as to use scarce public dollars more efficiently to implement the law, while achieving equal or improved economic and public benefits.

Article 4. Chapter Repeal

11366.5. This chapter shall remain in effect only until January 1, 2022, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2022, deletes or extends that date.

AMENDMENTS TO ASSEMBLY BILL NO. 2673

Amendment 1

In the title, in line 1, strike out "amend Section 234.2 of" and insert:

add Section 234.6 to

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 234.6 is added to the Education Code, to read:

234.6. (a) On or before May 31, 2019, the Superintendent shall develop and issue mandatory protocol to local educational agencies regarding how to advise schools within the local educational agencies' jurisdiction to proceed in a situation in which a severe bullying complaint has been substantiated. The protocol shall include, but is not limited to, all of the following:

(1) Conducting an investigation into the allegation.

(2) Conflict resolution strategies, including both of the following:

(A) Informal conferences with the parties.

(B) Referrals of involved parties to the appropriate school counseling services.

(3) Internal review of school compliance with the state's priorities for school climate.

(b) The protocol adopted pursuant to this section is not subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(c) For purposes of this section, the following terms have the following meanings:

(1) "Local educational agency" means a school district, county office of education, or charter school.

(2) "Severe bullying complaint" means a situation in which both of the following occur:

(A) A parent or guardian of a pupil has contacted a school to file a complaint and seek redress regarding an instance of harassment or bullying of his or her child by another pupil.

(B) A school has reasonable suspicion that a pupil has done either of the following:

(i) Used threatening words or behavior or engaged in disorderly behavior.

(ii) Displayed any writing, sign, or other visible representation that is threatening, abusive, or insulting.

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

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AMENDMENTS TO ASSEMBLY BILL NO. 2677

Amendment 1

In the title, in line 1, strike out "5001 of the Fish and Game Code, relating", strike out line 2 and insert:

2025.220 of the Code of Civil Procedure, relating to depositions.

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 2025.220 of the Code of Civil Procedure is amended to read:

2025.220. (a) A party desiring to take the oral deposition of any person shall give notice in writing. The deposition notice shall state all of the ~~following:~~ following, in at least 12-point type:

(1) The address where the deposition will be taken.

(2) The date of the deposition, selected under Section 2025.270, and the time it will commence.

(3) The name of each deponent, and the address and telephone number, if known, of any deponent who is not a party to the action. If the name of the deponent is not known, the deposition notice shall set forth instead a general description sufficient to identify the person or particular class to which the person belongs.

(4) The specification with reasonable particularity of any materials or category of materials, including any electronically stored information, to be produced by the deponent.

(5) Any intention by the party noticing the deposition to record the testimony by audio or video technology, in addition to recording the testimony by the stenographic method as required by Section 2025.330 and any intention to record the testimony by stenographic method through the instant visual display of the testimony. If the deposition will be conducted using instant visual display, a copy of the deposition notice shall also be given to the deposition officer. Any offer to provide the instant visual display of the testimony or to provide rough draft transcripts to any party which is accepted prior to, or offered at, the deposition shall also be made by the deposition officer at the deposition to all parties in attendance. Any party or attorney requesting the provision of the instant visual display of the testimony, or rough draft transcripts, shall pay the reasonable cost of those services, which may be no greater than the costs charged to any other party or attorney.

(6) Any intention to reserve the right to use at trial a video recording of the deposition testimony of a treating or consulting physician or of ~~any~~ an expert witness under subdivision (d) of Section 2025.620. In this event, the operator of the video camera shall be a person who is authorized to administer an oath, and shall not be financially interested in the action or be a relative or employee of any attorney of any of the parties.

(7) The form in which any electronically stored information is to be produced, if a particular form is desired.

(8) (A) A statement disclosing the existence of a contract, if any is known to the noticing party, between the noticing party or a third party who is financing all or part of the action and either of the following for any service beyond the noticed deposition:

(i) The deposition officer.

(ii) The entity providing the services of the deposition officer.

(B) A statement disclosing that the party noticing the deposition, or a third party financing all or part of the action, directed his or her attorney to use a particular officer or entity to provide services for the deposition, if applicable.

(b) Notwithstanding subdivision (a), where under Article 4 (commencing with Section 2020.410) only the production by a nonparty of business records for copying is desired, a copy of the deposition subpoena shall serve as the notice of deposition.

Amendment 3

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

AMENDMENTS TO ASSEMBLY BILL NO. 2685

Amendment 1
In the title, in line 1, strike out "42230" and insert:

13202.7

Amendment 2
In the title, strike out line 2 and insert:

vehicles.

Amendment 3
On page 1, before line 1, insert:

SECTION 1. Section 13202.7 of the Vehicle Code is amended to read:

13202.7. (a) Any minor under the age of 18 years, but 13 years of age or older, who is an habitual truant within the meaning of Section 48262 of the Education Code, or who is adjudged by the juvenile court to be a ward of the court under subdivision (b) of Section 601 of the Welfare and Institutions Code, may have his or her driving privilege suspended for one year by the court. If the minor does not yet have the privilege to drive, the court may order the department to delay issuing the privilege to drive for one year subsequent to the time the person becomes legally eligible to drive. However, if there is no further truancy in the 12-month period, the court, upon petition of the person affected, may modify the order imposing the delay of the driving privilege. For each successive time the minor is found to be an habitual truant, the court may suspend the minor's driving privilege for a minor possessing a driver's license, or delay the eligibility for the driving privilege for those not in possession of a driver's license, for one additional year.

(b) Whenever the juvenile court suspends a minor's driving privilege pursuant to subdivision (a), the court may require all driver's licenses held by the minor to be surrendered to the court. The court shall, within 10 days following the surrender of the license, transmit a certified abstract of the findings, together with any driver's licenses surrendered, to the department.

(c) When the juvenile court is considering suspending or delaying a minor's driving privilege pursuant to subdivision (a), the court shall consider whether a personal or family hardship exists that requires the minor to have a driver's license for ~~his or her own, or a member of his or her family's, employment or for~~ medically related purposes.

(d) When the juvenile court is considering suspending or delaying a minor's driving privilege pursuant to subdivision (a), the court shall consider whether the minor has employment or education obligations that require the minor to have a driver's license.

(1) Instead of ordering the suspension or delay of a minor's driving privilege, a court may restrict the minor's driving privilege, for not more than 6 months, to necessary travel to and from the minor's place of employment or education.

(2) If the juvenile court finds that driving a motor vehicle is necessary for the minor to perform his or her employment duties, the court may allow the minor to drive in that scope of employment.

(3) The juvenile court may also consider whether a family hardship exists that requires the minor to have a driver's license for his or her family's employment.

~~(d)~~

(e) The suspension, restriction, or delay of a minor's driving privilege pursuant to this section shall be in addition to any other penalty imposed by law on the minor.

Amendment 4

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

AMENDMENTS TO ASSEMBLY BILL NO. 2686

Amendment 1

In the title, in line 1, strike out "relating to student financial aid." and insert:

to add Section 49419 to the Education Code, relating to pupil health.

Amendment 2

On page 1, before line 1, insert:

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

(a) The mental health needs of thousands of pupils go unnoticed. These are the pupils who suffer in silence, often dropping out of school and falling victim to addiction, homelessness, suicide, or other tragic outcomes due to unaddressed mental health issues.

(b) In 2012, the Superintendent of Public Instruction, Tom Torlakson, convened the Student Mental Health Policy Workgroup to develop policy recommendations that promote early identification, referral, coordination, and access to quality mental health services for pupils.

(c) While some of the state's vulnerable youth are in specialized programs, most of the pupils with mental health challenges are in regular classrooms. In both situations, many of the educators and staff for these programs lack training to identify pupils in need, make referrals, and, as appropriate, to help pupils overcome or manage the mental health barriers they face every day of their lives. Adding to the problem, educators and staff may become stressed and overwhelmed by the mental health challenges of pupils.

(d) Statewide action is needed to expand training throughout California so that all school administrators and staff can become "gatekeepers" and "first responders" who help address the significant pupil mental health needs in all regions. School-based, family-oriented services should be emphasized in order to reduce stigma and increase follow through with referrals to improve pupil mental health.

(e) While some parts of the state have benefited from mental health training on a small scale, limited budgets have restricted the reach of training that is critically needed in all districts. Federal grant funds are now available for pilot programs in school districts and county offices of education to help disseminate mental health training throughout the state.

SEC. 2. Section 49419 is added to the Education Code, to read:

49419. (a) The governing board or body of a local educational agency, as defined in subdivision (e), that serves pupils in kindergarten or any of grades 1 to 12, inclusive, shall, before the beginning of the 2019–20 school year, adopt a training policy on pupil mental health for its school administrators and staff. The policy shall be developed in consultation with school and community stakeholders and school-employed mental health professionals.

(b) A training policy on pupil mental health shall address the training to be provided to school administrators and staff, that shall, at a minimum, identify mental health issues in pupils as the mental health issues arise, especially during adolescence,

to provide professional development relating to pupil mental health to educators, and to provide information resources relating to pupil mental health to community members.

(c) (1) Materials approved by a local educational agency as part of a training policy on pupil mental health for school administrators and staff shall include how to identify appropriate mental health services, both at the schoolsite and within the larger community, and when and how to refer youth and their families to those services.

(2) Materials approved for training as described in paragraph (1) may include programs that can be completed through self-review.

(d) A training policy on pupil mental health shall be written to ensure that a school administrator or staff member acts only within the authorization and scope of his or her credential or license. Nothing in this section shall be construed as authorizing or encouraging a school administrator or staff member to diagnose or treat mental illness unless he or she is specifically licensed and employed to do so.

(e) For purposes of this section, "local educational agency" means a county office of education, school district, state special school, or charter school.

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 3

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

AMENDMENTS TO ASSEMBLY BILL NO. 2691

Amendment 1

In the title, strike out line 1 and insert:

An act to add Article 7 (commencing with Section 33390) to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, relating to pupil health.

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Article 7 (commencing with Section 33390) is added to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, to read:

Article 7. Trauma-Informed Schools Initiative

33390. For purposes of this article, the following terms have the following meanings:

(a) "ACEs" means adverse childhood experiences.

(b) "Student Mental Health Policy Workgroup" means the workgroup convened in 2012 by the Superintendent, Tom Torlakson, to develop policy recommendations that promote early identification, referral, coordination, and access to quality mental health services for pupils.

(c) "Trauma-informed care approach" means an approach that involves understanding of ACEs and responding to the symptoms of chronic interpersonal trauma and traumatic stress across the lifespan of an individual.

(d) "Trauma-informed school" means a public school, including a charter school, that does all of the following:

(1) Realizes the widespread impact of trauma and understands potential paths for recovery from trauma.

(2) Recognizes the signs and symptoms of trauma in pupils, teachers, and staff.

(3) Responds to trauma by fully integrating knowledge about trauma into the school's policies, procedures, and practices.

(4) Seeks to actively resist retraumatization.

33392. There is hereby established within the department the Trauma-Informed Schools Initiative to address the impact of ACEs on the educational outcomes of California pupils.

33394. (a) To implement the Trauma-Informed Schools Initiative, the department shall, on or before December 31, 2019, do both of the following:

(1) (A) Provide information regarding the trauma-informed care approach to school districts and charter schools.

(B) Develop a guide for public schools, including charter schools, on how to become trauma-informed schools.

(C) Offer training on the trauma-informed care approach to school districts and charter schools, which shall include the guide developed pursuant to subparagraph (B).

(D) Develop and post online an Internet Web site about the Trauma-Informed Schools Initiative that includes information for public schools, including charter schools, and parents and guardians regarding the trauma-informed care approach and the guide developed pursuant to subparagraph (B).

(2) Work with regional campuses of the University of California and the California State University to coordinate the offering of trauma-informed clinical care hours by students of those campuses at schoolsites of public schools, including charter schools, maintaining kindergarten or any of grades 1 to 12, inclusive, for pupils of those schools and the families of those pupils.

(b) The department, with the Student Mental Health Policy Workgroup, shall consult with the State Department of Health Care Services and the State Department of Social Services for assistance in implementing subdivision (a).

33396. Each school district and charter school shall provide the Internet Web address of the Internet Web site developed and posted by the department pursuant to subparagraph (D) of paragraph (1) of subdivision (a) of Section 33394 to parents and guardians of the pupils of the school district or charter school in accordance with Section 48980 for school districts.

33398. Nothing in this article shall be construed as authorizing or encouraging an employee of a public school, including a charter school, maintaining kindergarten or any of grades 1 to 12, inclusive, or a student of the University of California or California State University to diagnose or treat mental illness unless the employee or student is specifically licensed and authorized to do so.

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

AMENDMENTS TO ASSEMBLY BILL NO. 2692

Amendment 1
In the title, strike out line 1 and insert:

An act to add Chapter 4.7 (commencing with Section 116770) to Part 12 of Division 104 of the Health and Safety Code, relating to drinking water.

Amendment 2
On page 1, before line 1, insert:

SECTION 1. Chapter 4.7 (commencing with Section 116770) is added to Part 12 of Division 104 of the Health and Safety Code, to read:

CHAPTER 4.7. CALIFORNIA SAFE DRINKING WATER REVOLVING LOAN ACT

Article 1. General Provisions

116770. This chapter shall be known, and may be cited, as the California Safe Drinking Water Revolving Loan Act.

116770.1. For purposes of this chapter, "public water system" has the same meaning as set forth in Section 113275.

Article 2. California Safe Drinking Water Revolving Loan Program

116771. The Treasurer shall develop and implement the California Safe Drinking Water Revolving Loan Program to provide loans to public water systems to address critical water infrastructure needs of those public water systems.

Article 3. California Safe Drinking Water Revolving Loan Fund

116772. There is hereby established in the State Treasury the California Safe Drinking Water Revolving Loan Fund. Moneys in the fund, upon appropriation by the Legislature, shall be expended by the Treasurer for the implementation of this chapter.

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

AMENDMENTS TO ASSEMBLY BILL NO. 2706

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

Sections

Amendment 2
In the title, in line 1, after "1766" insert:

and 1767.35

Amendment 3
On page 1, in line 4, strike out "(b) of this section," and insert:

(b),

Amendment 4
On page 2, in line 3, strike out "any" and insert:

either

Amendment 5
On page 2, in line 14, strike out "The following provisions" and insert:

This subdivision

Amendment 6
On page 2, in line 16, strike out "Department of Corrections and Rehabilitation,"

Amendment 7
On page 2, between lines 24 and 25, insert:

(2) The probation department of the committing county shall participate in the ward's reentry case conference with the Division of Juvenile Justice. The probation department is encouraged to participate in the ward's reentry case conference in person, unless in-person participation is not practical, in which case the probation department may participate by video conferencing.

Amendment 8
On page 2, in line 25, strike out "(2)" and insert:

(3)

Amendment 9
On page 2, in line 31, strike out "(3)" and insert:

(4)

Amendment 10
On page 3, in line 19, strike out "(4)" and insert:

(5)

Amendment 11
On page 3, in line 26, strike out "(5)" and insert:

(6)

Amendment 12
On page 3, in line 39, strike out "(6)" and insert:

(7)

Amendment 13
On page 4, in line 20, strike out "(7)" and insert:

(8)

Amendment 14
On page 4, in line 24, strike out "(8)" and insert:

(9)

Amendment 15
On page 4, in line 39, after "public" insert:

all of

Amendment 16
On page 5, below line 19, insert:

SEC. 2. Section 1767.35 of the Welfare and Institutions Code is amended to read:

1767.35. (a) ~~For a~~ A ward discharged from the Division of Juvenile ~~Facilities~~ Justice to the jurisdiction of the committing ~~court, that person~~ court may be detained by ~~probation,~~ probation for the purpose of initiating proceedings to modify the ward's conditions of supervision entered pursuant to paragraph ~~(6)~~ (7) of subdivision (b) of Section 1766 if there is probable cause to believe that the ward has violated any of the court-ordered conditions of supervision. Within 15 days of detention, the committing court shall conduct a modification hearing for the ward. Pending the hearing, the ward may be detained by probation. At the hearing authorized by this subdivision, at which the ward shall be entitled to representation by counsel, the court shall consider the alleged violation of conditions of supervision, the risks and needs presented by the ward, and the supervision programs and sanctions that are available for the ward. Modification may include, as a sanction for a finding of a serious violation or a series of repeated violations of the conditions of supervision, an order for the reconfinement of a ward under 18 years of age in a juvenile facility, or for the reconfinement of a ward 18 years of age or older in a juvenile ~~facility~~ facility, as authorized by Section 208.5, ~~or for the reconfinement of a ward 18 years of age or older~~ in a local adult ~~facility~~ facility, as authorized by subdivision (b), or under the custody of the Division of Juvenile ~~Facilities~~ Justice, as authorized by subdivision (c). The ward shall be fully informed by the court of the terms, conditions, responsibilities, and sanctions that are relevant to the order that is adopted by the court. The procedure of the supervision modification hearing, including the detention status of the ward in the event continuances are ordered by the court, shall be consistent with the rules, rights, and procedures applicable to delinquency disposition hearings, as described in Article 17 (commencing with Section 675) of Chapter 2 of Part 1 of Division 2.

(b) Notwithstanding any other law, subject to Chapter 1.6. (commencing with Section 1980), and consistent with the maximum periods of time set forth in Section 731, in any case in which a person who was committed ~~to~~ to, and discharged ~~from~~ from, the ~~Department of Corrections and Rehabilitation,~~ Division of Juvenile ~~Facilities~~ Justice to the jurisdiction of the committing court attains 18 years of age prior to being discharged from the division or during the period of supervision by the committing court, the court may, upon a finding that the ward violated his or her conditions of supervision and after consideration of the recommendation of the probation officer and pursuant to a hearing conducted according to ~~the provisions of~~ subdivision (a), order that the person be delivered to the custody of the sheriff for a period not to exceed a total of 90 days, as a custodial sanction consistent with the reentry goals and requirements imposed by the court pursuant to paragraph ~~(6)~~ (7) of subdivision (b) of Section 1766. Notwithstanding any other law, the sheriff may allow the person to come into and remain in contact with other adults in the county jail or in any other county correctional facility in which he or she is housed.

(c) Notwithstanding any other law and subject to Chapter 1.6 (commencing with Section 1980), in any case in which a person who was committed to and discharged

from the ~~Department of Corrections and Rehabilitation,~~ Division of Juvenile ~~Facilities,~~ Justice to the jurisdiction of the committing court, the ~~juvenile~~ court may, upon a finding that the ward violated his or her conditions of supervision and after consideration of the recommendation of the probation officer and pursuant to a hearing conducted according to ~~the provisions of~~ subdivision (a), order that the person be returned to the custody of the ~~Department of Corrections and Rehabilitation,~~ Division of Juvenile ~~Facilities;~~ Justice for a specified amount of time no shorter than 90 days and no longer than one year. This return shall be a sanction consistent with the reentry goals and requirements imposed by the court pursuant to paragraph ~~(6)~~ (7) of subdivision (b) of Section 1766. A decision to return a ward to the custody of the Division of Juvenile ~~Facilities can~~ Justice shall only be made pursuant to the court making both of the following findings: ~~(1) that appropriate~~

(1) Appropriate local options and programs have been ~~exhausted, and (2) that the~~ exhausted.

(2) The ward has available confinement time that is greater than or equal to the length of the return.

(d) Upon ordering a ward to the custody of the Division of Juvenile ~~Facilities,~~ Justice, the court shall send to the ~~Division of Juvenile Facilities~~ division a copy of its order along with a copy of the ward's probation plans and history while under the supervision of the county.

~~(e) This section shall become operative on January 1, 2013.~~

SEC. 3. 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. 2711

Amendment 1

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

An act to add Section 97.80 to the Revenue and Taxation Code, relating to local government finance.

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 97.80 is added to the Revenue and Taxation Code, to read:

97.80. (a) Notwithstanding any other law, for the 2019–20 fiscal year and for each fiscal year thereafter, the auditor of the County of Orange shall do both of the following:

(1) Increase the total amount of ad valorem property tax revenue that is otherwise required to be allocated to the county by the county equity amount.

(2) (A) Decrease the total amount of ad valorem property tax revenue that is otherwise required to be allocated to the county's Educational Revenue Augmentation Fund by the county equity amount.

(B) If, for any fiscal year, there is not enough ad valorem property tax revenue that is otherwise required to be allocated to a county Educational Revenue Augmentation Fund for the auditor to complete the allocation reduction required by subparagraph (A), the auditor shall additionally reduce the total amount of ad valorem property tax revenue that is otherwise required to be allocated to all school districts in the county for that fiscal year by an amount equal to the difference between the county equity amount and the amount of ad valorem property tax revenue that is otherwise required to be allocated to the county Educational Revenue Augmentation Fund for that fiscal year. This reduction for each school district in the county shall be the percentage share of the total reduction that is equal to the proportion that the total amount of ad valorem property tax revenue that is otherwise required to be allocated to the school district bears to the total amount of ad valorem property tax revenue that is otherwise required to be allocated to all school districts in a county. For purposes of this subparagraph, "school districts" do not include any districts that are excess tax school entities, as defined in Section 95.

(C) Any reduction in the amount of ad valorem property tax revenues deposited in the county's Educational Revenue Augmentation Fund as a result of subparagraph (A) shall be applied exclusively to reduce the amounts that are allocated from that fund to school districts and county offices of education, and shall not be applied to reduce the amounts of ad valorem property tax revenues that are otherwise required to be allocated from that fund to community college districts.

(b) For purposes of this section:

(1) For the 2019–20 fiscal year, "county equity amount" means one percent of the total amount of property tax revenue otherwise required to be allocated to the county Educational Revenue Augmentation Fund.

(2) For the 2020–21 fiscal year, and each fiscal year thereafter, "county equity amount" means the sum of the following three amounts:

(A) The county equity amount for the prior fiscal year.

(B) The product of the two following amounts:

(i) The amount described in subparagraph (A).

(ii) The percentage change from the prior fiscal year to the current fiscal year in gross taxable assessed valuation within the jurisdiction of the County of Orange, as reflected in the equalized assessment roll for those fiscal years.

(C) If the county property tax threshold amount is less than 12 percent of countywide ad valorem property tax revenues and the percentage change from the prior fiscal year to the current fiscal year in gross taxable assessed valuation within the jurisdiction of the County of Orange, as reflected in the equalized assessment roll for those fiscal years, is greater than three percent, then the product of the following two amounts:

(i) The total amount of property tax revenue otherwise required to be allocated to the county Educational Revenue Augmentation Fund.

(ii) The percentage change from the prior fiscal year to the current fiscal year in gross taxable assessed valuation within the jurisdiction of the County of Orange, as reflected in the equalized assessment roll for those fiscal years, minus 3 percent.

(3) "County property tax threshold amount" equals the sum of the following two amounts:

(A) County of Orange's allocation of countywide ad valorem property tax revenues, which are not subject to Section 6503.1 of the Government Code.

(B) The county equity amount for the prior year.

(c) For the 2019–20 fiscal year and each fiscal year thereafter, ad valorem property tax revenue allocations made pursuant to Sections 96.1 and 96.5, or any successor to either of those provisions, shall not incorporate the allocation adjustments made by this section.

SEC. 2. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique inequities experienced from fiscal year to fiscal year by the County of Orange that, of all the counties in the state, was allocated the lowest percentage of countywide ad valorem property tax revenues as determined by the State Board of Equalization in its Annual Report for the 2015–16 fiscal year.

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 3
On page 1, strike out lines 1 and 2 and strike out pages 2 and 3

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AMENDMENTS TO ASSEMBLY BILL NO. 2726

Amendment 1

In the title, in line 1, strike out "amend Section 24503 of" and insert:

add Section 351 to

Amendment 2

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

electricity.

Amendment 3

On page 1, before line 1, insert:

SECTION 1. Section 351 is added to the Public Utilities Code, to read:

351. (a) The Independent System Operator shall develop and administer dispatch rules that apply the cost of compliance with California's market-based compliance mechanism for limiting emissions of greenhouse gases to all electrical generation located outside of California that serves the demand of customers in California. The rules shall do all of the following:

(1) Apply to any generation directly dispatched by the Independent System Operator through wholesale markets it manages, including the energy imbalance market.

(2) Prevent leakage and resource shuffling by capturing the impacts of any secondary dispatch of resources attributable to electricity usage by customers in California.

(3) Be consistent with the accounting and compliance requirements administered by the State Air Resources Board pursuant to the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code).

(b) The Independent System Operator shall consult and coordinate with the State Air Resources Board in the development and implementation of the dispatch rules adopted pursuant to subdivision (a).

Amendment 4

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

AMENDMENTS TO ASSEMBLY BILL NO. 2740

Amendment 1

In the title, in line 1, strike out "amend Section 490.5" and insert:

add Chapter 2.97 (commencing with Section 1001.91) to Title 6 of Part 2

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Chapter 2.97 (commencing with Section 1001.91) is added to Title 6 of Part 2 of the Penal Code, to read:

CHAPTER 2.97. RETAIL THEFT EDUCATION DIVERSION PROGRAM

1001.91. For the purposes of this chapter, the following terms have the following meanings:

(a) "Merchandise" means any personal property, capable of manual delivery, displayed, held or offered for retail sale by a merchant.

(b) "Merchant" means an owner or operator, and the agent, consignee, employee, lessee, or officer of an owner or operator, of any premises used for the retail purchase or sale of any personal property capable of manual delivery.

(c) "Restitution" means the retail value of the merchandise stolen.

1001.92. A district attorney may create within his or her office a prearrest, retail theft education diversion program pursuant to this chapter for persons who are suspected of theft of merchandise that does not exceed nine hundred fifty dollars ($950) in value from a merchant. The program may be conducted by the district attorney or by or with a private entity pursuant to an agreement with the district attorney.

1001.93. (a) The district attorney shall determine if the case is one that is appropriate to be referred to the program based on the requirements of this chapter and other criteria established by the district attorney.

(b) A person alleged to have stolen merchandise as part of an organized retail theft effort or conspiracy shall not be eligible for referral to the program.

(c) A person with more than one prior conviction for retail theft shall not be eligible for referral to the program.

1001.94. The district attorney may agree to forego prosecution on the retail theft, pending all of the following:

(a) Completion of a class or classes conducted in person or online by the district attorney or private entity under agreement with the district attorney.

(b) Full restitution made to the victim of the theft to hold offenders accountable for victims' losses as a result of criminal conduct.

(c) Full payment of any fees assessed, as applicable.

1001.95. (a) Nothing in this chapter or any other statute prevents a participating district attorney or a private entity that conducts a qualifying program from collecting a fee from each program participant for the reasonable costs of the program.

(b) Nothing in this chapter precludes a fee imposed pursuant to this chapter from being reduced or waived based on the participant's ability to pay.

Amendment 3

On page 1, strike out lines 1 to 10, inclusive, and strike out pages 2 to 6, inclusive

AMENDMENTS TO ASSEMBLY BILL NO. 2754

Amendment 1
In the title, in line 1, strike out "3903" and insert:

30106

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

coastal resources.

Amendment 3
On page 1, before line 1, insert:

SECTION 1. Section 30106 of the Public Resources Code is amended to read:

30106. (a) (1) "Development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of ~~such~~ that land by a public agency for public recreational use; change in the intensity of use of water, or of access ~~thereto;~~ to that water; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).

~~As~~

(2) "Development" does not include routine and ongoing agricultural activities, as defined in subdivision (b) of Section 786.1 of Title 14 of the California Code of Regulations, unless the commission makes a finding that the activity has a substantial impact on protected coastal resources.

(b) As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

Amendment 4
On page 1, strike out lines 1 to 5, inclusive

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AMENDMENTS TO ASSEMBLY BILL NO. 2773

Amendment 1

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

An act to add and repeal Section 1577.6 of the Code of Civil Procedure, relating to unclaimed property.

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 1577.6 is added to the Code of Civil Procedure, to read:

1577.6. (a) The Controller shall establish a program for the voluntary disclosure of unclaimed for the purpose of resolving and compromising claims for unclaimed property that is otherwise owing to the state under this chapter.

(b) A holder of unclaimed property that has exceeded its dormancy period that has not reported the property in accordance with applicable reporting deadlines may enroll into the unclaimed property voluntary disclosure program by doing all of the following:

(1) Executing a participation agreement with the Controller in a format accepted by the Controller.

(2) Accurately reviewing its books and records, and reporting all unclaimed property due to the Controller for the past 10 years, starting from the date when the holder's intent to enter into an agreement under the program was accepted by the Controller.

(3) Making payment of the property in full, or entering into a payment plan, within 12 months from the date the holder's intent to enter into an agreement under the program was accepted by the Controller, or by another date determined by the Controller.

(c) The Controller shall waive interest and penalty charges otherwise owed under Sections 1576 and 1577 for holders who are accepted into the unclaimed property voluntary disclosure program, complete the voluntary disclosures in good faith, and act consistently with program requirements.

(d) The Controller shall determine eligibility for the unclaimed property voluntary disclosure program. A holder is ineligible to participate in the program if the holder is the subject of an audit or investigation of compliance with this chapter at the time the request for participation is made.

(e) The Controller shall not audit the holder for the periods covered by a voluntary disclosure agreement under this section, unless the Controller reasonable determines that the holder has made a fraudulent or willful misrepresentation as to a voluntary disclosure.

(f) The Controller may adopt regulations for the implementation and enforcement of the unclaimed property voluntary disclosure program.

(g) This section shall remain in effect only until January 1, 2024, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2024, deletes or extends that date.

Amendment 3
On page 1, strike out lines 1 to 11, inclusive, and strike out pages 2 to 4, inclusive

AMENDMENTS TO ASSEMBLY BILL NO. 2819

Amendment 1

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

to add and repeal Article 8 (commencing with Section 92682) of Chapter 6 of Part 57 of Division 9 of Title 3 of the Education Code,

Amendment 2

On page 2, below line 9, insert:

SEC. 2. The Legislature finds and declares all of the following:

(a) According to United States Equal Employment Opportunity Commission (EEOC), "employment in computer science and engineering is growing at twice the rate of the national average. These jobs tend to provide higher pay and better benefits, and they have been more resilient to economic downturns than other private sector industries over the past decade. In addition, jobs in the high tech industry have a strong potential for growth."

(b) The commission also found that the high tech sector employs about one-fourth of United States professionals and about 5 to 6 percent of the total labor force.

(c) Analysis has shown that highly ranked universities graduate African American and Latino computer science and computer engineering majors at twice the rate that leading technology companies hire them.

(d) The EEOC study shows that compared to overall private industry, the high tech sector employed a larger share of Whites (63.5 percent to 68.5 percent), Asian Americans (5.8 percent to 14 percent), and men (52 percent to 64 percent), and a smaller share of African Americans (14.4 percent to 7.4 percent), Hispanics (13.9 percent to 8 percent), and women (48 percent to 36 percent).

(e) The study also showed that in the tech sector nationwide, whites are represented at a higher rate in the executives category, which typically encompasses the highest level jobs in the organization.

(f) According to a report by the Ascend Foundation, Asian Americans were the least likely to be promoted to manager or executive positions in San Francisco Bay area technology companies.

(g) According to a study by the EEOC, fewer than 1 percent of Silicon Valley executives and managers are African American.

(h) According to a report by McKinsey and Company, for every 10 percent increase in racial and ethnic diversity on the senior-executive team, earnings before interest and taxes rise 0.8 percent.

(i) A study by Dalberg Global Development Advisors found that the high tech industry could generate an additional $300–$370 billion each year if the racial or ethnic diversity of tech companies' workforces reflected that of the talent pool.

(j) Therefore, it is the intent of the Legislature to urge, by January 2022, every publicly held high tech corporation in California with nine or more director seats have a minimum of three people from underrepresented communities on its board, every

publicly held corporation in California with five to eight director seats have a minimum of two people from underrepresented communities on its board, and every publicly held corporation in California with fewer than five director seats have a minimum of one person from an underrepresented community on its board.

SEC. 3. Article 8 (commencing with Section 92682) is added to Chapter 6 of Part 57 of Division 9 of Title 3 of the Education Code, to read:

Article 8. Diversity Study of Technology Companies

92682. (a) The University of California is requested to conduct a biannual study on the racial and ethnic diversity of the board of directors and employees of California high technology companies. The study is requested to include all of the following:

(1) The number of people employed by the high technology industry of each race or ethnicity.

(2) The number of people employed by the high technology industry of each gender.

(3) The number of people employed by the high technology industry that are employed as executives, senior officials, or managers categorized by race and gender.

(4) The number of people on all companies' boards of directors categorized by race and gender.

(5) The number of people employed by the high technology industry categorized by job type, including management, technical, and administration, broken down by racial or ethnic and gender demographics.

(b) The University of California is requested to post a report of the study on its Internet Web site on or before January 1, 2020, and every two years thereafter, until January 1, 2030.

92682.1. This article is repealed on January 1, 2030.

AMENDMENTS TO ASSEMBLY BILL NO. 2825

Amendment 1

In the title, in line 1, strike out "Section 1788" and insert:

Sections 1788.1, 1788.2, 1788.10, 1788.11, 1788.12, 1788.13, 1788.14, 1788.15, 1788.16, 1788.17, 1788.18, 1788.50, 1788.52, 1788.54, 1788.56, 1788.58, and 1788.60,

Amendment 2

In the title, strike out line 2 and insert:

collection and buying.

Amendment 3

On page 1, before line 1, insert:

SECTION 1. Section 1788.1 of the Civil Code is amended to read:

1788.1. (a) The Legislature makes the following findings:

(1) The banking and credit system and grantors of credit to consumers are dependent upon the collection of just and owing debts. Unfair or deceptive collection practices undermine the public confidence which is essential to the continued functioning of the banking and credit system and sound extensions of credit to consumers.

(2) There is need to ensure that debt collectors and debtors exercise their responsibilities to one another with fairness, ~~honesty~~ honesty, and due regard for the rights of the other.

(b) It is the purpose of this title to prohibit debt collectors from engaging in unfair or deceptive acts or practices in the collection of consumer debts and nonconsensual obligations to pay, and to require debtors to act fairly in entering into and honoring ~~such~~ debts, as specified in this title.

SEC. 2. Section 1788.2 of the Civil Code is amended to read:

1788.2. (a) Definitions and rules of construction set forth in this section are applicable for the purpose of this title.

(b) The term "debt collection" means any act or practice in connection with the collection of consumer ~~debts.~~ debts and nonconsensual obligations to pay.

(c) The term "debt collector" means any person who, in the ordinary course of business, regularly, on behalf of himself or herself or others, engages in debt collection. The term includes any person who composes and sells, or offers to compose and sell, forms, letters, and other collection media used or intended to be used for debt collection, but does not include an attorney or counselor at law.

(d) The term "debt" means money, property or their equivalent which is due or owing or alleged to be due or owing from a natural person to another person.

(e) The term "consumer credit transaction" means a transaction between a natural person and another person in which property, services or money is acquired on credit

by that natural person from such other person primarily for personal, family, or household purposes.

(f) The terms "consumer debt" and "consumer credit" mean money, property or their equivalent, due or owing or alleged to be due or owing from a natural person by reason of a consumer credit transaction.

(g) The term "person" means a natural person, partnership, corporation, limited liability company, trust, estate, cooperative, association or other similar entity.

(h) Except as provided in Section 1788.18, the term "debtor" means a natural person from whom a debt collector seeks to collect a consumer debt ~~which~~ or nonconsensual obligation to pay that is due and owing or alleged to be due and owing from ~~such~~ the person.

(i) The term "creditor" means a person who extends consumer credit to a debtor.

(j) The term "consumer credit report" means any written, oral or other communication of any information by a consumer reporting agency bearing on a consumer's creditworthiness, credit standing, credit capacity, character, general reputation, personal characteristics or mode of living ~~which~~ that is used or expected to be used or collected in whole or in part for the purpose of serving as a factor in establishing the consumer's eligibility for (1) credit or insurance to be used primarily for person, family, or household purposes, or (2) employment purposes, or (3) other purposes authorized under any applicable federal or state law or regulation. The term does not include (a) any report containing information solely as to transactions or experiences between the consumer and the person making the report; (b) any authorization or approval of a specific extension of credit directly or indirectly by the issuer of a credit card or similar device; or (c) any report in which a person who has been requested by a third party to make a specific extension of credit directly or indirectly to a consumer conveys his or her decision with respect to that request, if the third party advises the consumer of the name and address of the person to whom the request was made and ~~such~~ the person makes the disclosures to the consumer required under any applicable federal or state law or regulation.

(k) The term "consumer reporting agency" means any person ~~which,~~ who, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages, in whole or in part, in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer credit reports to third parties, and ~~which~~ that uses any means or facility for the purpose of preparing or furnishing consumer credit reports.

(*l*) The term "lien" has the same meaning as in Section 2872.

(m) The term "nonconsensual obligation to pay" means (1) the charges underlying a lien created by operation of law under Section 2881, including towing and storage charges under Section 22851 of the Vehicle Code; (2) unpaid parking penalties under Section 40220 of the Vehicle Code; or (3) past due residential rent and associated late fees.

SEC. 3. Section 1788.10 of the Civil Code is amended to read:

1788.10. No debt collector shall collect or attempt to collect a consumer debt or nonconsensual obligation to pay by means of the following conduct:

(a) The use, or threat of use, of physical force or violence or any criminal means to cause harm to the person, or the reputation, or the property of any person;

(b) The threat that the failure to pay a consumer debt or nonconsensual obligation to pay will result in an accusation that the debtor has committed a crime ~~where such~~ if the accusation, if made, would be false;

(c) The communication of, or threat to communicate to any person the fact that a debtor has engaged in conduct, other than the failure to pay a consumer ~~debt, which~~ debt or nonconsensual obligation to pay that the debt collector knows or has reason to believe will defame the debtor;

(d) The threat to the debtor to sell or assign to another person the obligation of the debtor to pay a consumer ~~debt,~~ debt or nonconsensual obligation to pay, with an accompanying false representation that the result of ~~such~~ the sale or assignment would be that the debtor would lose any defense to the consumer ~~debt;~~ debt or nonconsensual obligation to pay;

(e) The threat to any person that nonpayment of the consumer debt or nonconsensual obligation to pay may result in the arrest of the debtor or the seizure, garnishment, ~~attachment~~ attachment, or sale of any property or the garnishment or attachment of wages of the debtor, unless ~~such~~ that action is in fact contemplated by the debt collector and permitted by the law; or

(f) The threat to take any action against the debtor ~~which~~ that is prohibited by this title.

SEC. 4. Section 1788.11 of the Civil Code is amended to read:

1788.11. No debt collector shall collect or attempt to collect a consumer debt or nonconsensual obligation to pay by means of the following practices:

(a) Using obscene or profane ~~language;~~ language.

(b) Placing telephone calls without disclosure of the caller's identity, provided that an employee of a licensed collection agency may identify himself or herself by using his or her registered alias name as long as he or she correctly identifies the agency he ~~represents;~~ or she represents.

(c) Causing expense to any person for long distance telephone calls, telegram ~~fees~~ fees, or charges for other similar communications, by misrepresenting to ~~such~~ the person the purpose of ~~such~~ the telephone call, ~~telegram~~ telegram, or similar ~~communication;~~ communication.

(d) Causing a telephone to ring repeatedly or continuously to annoy the person ~~called; or~~ called.

(e) Communicating, by telephone or in person, with the debtor ~~with such frequency~~ so frequently as to be unreasonable and to constitute an harassment to the debtor under the circumstances.

SEC. 5. Section 1788.12 of the Civil Code is amended to read:

1788.12. No debt collector shall collect or attempt to collect a consumer debt or nonconsensual obligation to pay by means of the following practices:

(a) Communicating with the debtor's employer regarding the debtor's consumer debt or nonconsensual obligation to pay unless ~~such a~~ that communication is necessary to the collection of the ~~debt,~~ debt or nonconsensual obligation to pay or unless the debtor or his attorney has consented in writing to ~~such~~ the communication. A communication is necessary to the collection of the debt or nonconsensual obligation to pay only if it is made for the purposes of verifying the debtor's employment, locating the debtor, or effecting garnishment, after judgment, of the debtor's wages, or in the case of a medical debt for the purpose of discovering the existence of medical insurance.

Any such communication, other than a communication in the case of a medical debt by a health care provider or its agent for the purpose of discovering the existence of medical insurance, shall be in writing unless ~~such~~ the written communication receives no response within 15 days and shall be made only as many times as is necessary to the collection of the ~~debt.~~ debt or nonconsensual obligation to pay. Communications to a debtor's employer regarding a debt or nonconsensual obligation to pay shall not contain language that would be improper if the communication were made to the debtor. One communication solely for the purpose of verifying the debtor's employment may be oral without prior written contact.

(b) Communicating information regarding a consumer debt or nonconsensual obligation to pay to any member of the debtor's family, other than the debtor's spouse or the parents or guardians of the debtor who is either a minor or who resides in the same household with ~~such~~ a parent or guardian, prior to obtaining a judgment against the debtor, ~~except where~~ unless the purpose of the communication is to locate the debtor, or ~~where~~ if the debtor or his attorney has consented in writing to ~~such communication;~~ the communication.

(c) Communicating to any person any list of debtors ~~which~~ that discloses the nature or existence of a consumer ~~debt,~~ debt or nonconsensual obligation to pay, commonly known as "deadbeat lists", or advertising any consumer debt or nonconsensual obligation to pay for sale, by naming the ~~debtor; or~~ debtor.

(d) Communicating with the debtor by means of a written communication that displays or conveys any information about the consumer debt or nonconsensual obligation to pay, or the debtor other than the name, ~~address~~ address, and telephone number of the debtor and the debt collector and ~~which~~ that is intended both to be seen by any other person and also to embarrass the debtor.

(e) Notwithstanding the foregoing provisions of this section, the disclosure, ~~publication~~ publication, or communication by a debt collector of information relating to a consumer debt or nonconsensual obligation to pay, or the debtor to a consumer reporting agency or to any other person reasonably believed to have a legitimate business need for ~~such~~ the information shall not be deemed to violate this title.

SEC. 6. Section 1788.13 of the Civil Code is amended to read:

1788.13. No debt collector shall collect or attempt to collect a consumer debt or nonconsensual obligation to pay by means of the following practices:

(a) Any communication with the debtor other than in the name either of the debt collector or the person on whose behalf the debt collector is ~~acting;~~ acting.

(b) Any false representation that any person is an attorney or counselor at ~~law;~~ law.

(c) Any communication with a debtor in the name of an attorney or counselor at law or upon stationery or like written instruments bearing the name of the attorney or counselor at law, unless ~~such~~ the communication is by an attorney or counselor at law or ~~shall have~~ has been approved or authorized by ~~such~~ an attorney or counselor at ~~law;~~ law.

(d) The representation that any debt collector is vouched for, bonded by, affiliated with, or is an instrumentality, ~~agent~~ agent, or official of any federal, ~~state~~ state, or local government or any agency of federal, ~~state~~ state, or local government, unless the collector is actually employed by the particular governmental agency in question and is acting on behalf of ~~such~~ the agency in the debt collection ~~matter;~~ matter.

(e) The false representation that the consumer debt or nonconsensual obligation to pay may be increased by the addition of attorney's fees, investigation fees, service fees, finance charges, or other charges if, in fact, ~~such~~ those fees or charges may not legally be added to the existing ~~obligation;~~ obligation.

(f) The false representation that information concerning a debtor's failure or alleged failure to pay a consumer debt or nonconsensual obligation to pay has ~~been~~ been, or is about to ~~be~~ be, referred to a consumer reporting ~~agency;~~ agency.

(g) The false representation that a debt collector is a consumer reporting ~~agency;~~ agency.

(h) The false representation that collection letters, ~~notices~~ notices, or other printed forms are being sent by or on behalf of a claim, credit, ~~audit~~ audit, or legal ~~department;~~ department.

(i) The false representation of the true nature of the business or services being rendered by the debt ~~collector;~~ collector.

(j) The false representation that a legal proceeding has been, is about to be, or will be instituted unless payment of a consumer debt or nonconsensual obligation to pay is ~~made;~~ made.

(k) The false representation that a consumer debt or nonconsensual obligation to pay has been, is about to be, or will be sold, assigned, or referred to a debt collector for ~~collection; or~~ collection.

(*l*) Any communication by a licensed collection agency to a debtor demanding money unless the claim is actually assigned to the collection agency.

SEC. 7. Section 1788.14 of the Civil Code is amended to read:

1788.14. No debt collector shall collect or attempt to collect a consumer debt or nonconsensual obligation to pay by means of the following practices:

(a) Obtaining an affirmation from a debtor of a consumer debt ~~which~~ or nonconsensual obligation to pay that has been discharged in bankruptcy, without clearly and conspicuously disclosing to the debtor, in writing, at the time ~~such~~ the affirmation is sought, the fact that the debtor is not legally obligated to make ~~such affirmation;~~ the affirmation.

(b) Collecting or attempting to collect from the debtor the whole or any part of the debt collector's fee or charge for services rendered, or other expense incurred by the debt collector in the collection of the consumer ~~debt;~~ debt or nonconsensual obligation to pay, except as permitted by ~~law; or~~ law.

(c) Initiating communications, other than statements of account, with the debtor with regard to the consumer ~~debt;~~ debt or nonconsensual obligation to pay, when the debt collector has been previously notified in writing by the debtor's attorney that the debtor is represented by ~~such~~ the attorney with respect to the consumer debt or nonconsensual obligation to pay and ~~such~~ that notice includes the attorney's name and address and a request by ~~such~~ the attorney that all communications regarding the consumer debt or nonconsensual obligation to pay be addressed to ~~such~~ the attorney, unless the attorney fails to answer correspondence, return telephone calls, or discuss the obligation in question. This subdivision shall not apply ~~where~~ if prior approval has been obtained from the debtor's attorney, or ~~where~~ if the communication is a response in the ordinary course of business to a debtor's inquiry.

SEC. 8. Section 1788.15 of the Civil Code is amended to read:

1788.15. (a) No debt collector shall collect or attempt to collect a consumer debt or nonconsensual obligation to pay by means of judicial proceedings ~~when~~ if the debt collector knows that service of process, where essential to jurisdiction over the debtor or his property, has not been legally effected.

(b) No debt collector shall collect or attempt to collect a consumer ~~debt,~~ debt or nonconsensual obligation to pay other than one reduced to judgment, by means of judicial proceedings in a county other than the county in which the debtor has incurred the consumer debt or nonconsensual obligation to pay or the county in which the debtor resides at the time ~~such~~ the proceedings are instituted, or resided at the time the debt or nonconsensual obligation to pay was incurred.

SEC. 9. Section 1788.16 of the Civil Code is amended to read:

1788.16. It is unlawful, with respect to attempted collection of a consumer ~~debt,~~ debt or nonconsensual obligation to pay, for a debt collector, creditor, or an attorney, to send a communication ~~which~~ that simulates legal or judicial process or ~~which~~ that gives the appearance of being authorized, issued, or approved by a governmental agency or attorney ~~when~~ if it is not. Any violation of the provisions of this section is a misdemeanor punishable by imprisonment in the county jail not exceeding six months, or by a fine not exceeding two thousand five hundred dollars ~~($2,500)~~ ($2,500), or by both.

SEC. 10. Section 1788.17 of the Civil Code is amended to read:

1788.17. Notwithstanding any other provision of this title, every debt collector collecting or attempting to collect a consumer debt or nonconsensual obligation to pay shall comply with the provisions of Sections 1692b to 1692j, inclusive, of, and shall be subject to the remedies in Section 1692k of, Title 15 of the United States Code. However, subsection (11) of Section 1692e and Section 1692g shall not apply to any person specified in paragraphs (A) and (B) of subsection (6) of Section 1692a of Title 15 of the United States Code or that person's principal. The references to federal codes in this section refer to those codes as they read January 1, 2001.

SEC. 11. Section 1788.18 of the Civil Code is amended to read:

1788.18. (a) Upon receipt from a debtor of all of the following, a debt collector shall cease collection activities until completion of the review provided in subdivision (d):

(1) A copy of a police report filed by the debtor alleging that the debtor is the victim of an identity theft crime, including, but not limited to, a violation of Section 530.5 of the Penal Code, for the specific debt or nonconsensual obligation to pay being collected by the debt collector.

(2) The debtor's written statement that the debtor claims to be the victim of identity theft with respect to the specific debt or nonconsensual obligation to pay being collected by the debt collector.

(b) The written statement described in paragraph (2) of subdivision (a) shall consist of any of the following:

(1) A Federal Trade Commission's Affidavit of Identity Theft.

(2) A written statement that contains the content of the Identity Theft Victim's Fraudulent Account Information Request offered to the public by the California Office of Privacy Protection.

(3) A written statement that certifies that the representations are true, correct, and contain no material omissions of fact to the best knowledge and belief of the person

submitting the certification. A person submitting the certification who declares as true any material matter pursuant to this subdivision that he or she knows to be false is guilty of a misdemeanor. The statement shall contain or be accompanied by the following, to the extent that an item listed below is relevant to the debtor's allegation of identity theft with respect to the debt or nonconsensual obligation to pay in question:

(A) A statement that the debtor is a victim of identity theft.

(B) A copy of the debtor's driver's license or identification card, as issued by the state.

(C) Any other identification document that supports the statement of identity theft.

(D) Specific facts supporting the claim of identity theft, if available.

(E) Any explanation showing that the debtor did not incur the ~~debt.~~ debt or nonconsensual obligation to pay.

(F) Any available correspondence disputing the debt or nonconsensual obligation to pay after transaction information has been provided to the debtor.

(G) Documentation of the residence of the debtor at the time of the alleged ~~debt.~~ debt or nonconsensual obligation to pay This may include copies of bills and statements, such as utility bills, tax statements, or other statements from businesses sent to the debtor, showing that the debtor lived at another residence at the time the debt or nonconsensual obligation to pay was incurred.

(H) A telephone number for contacting the debtor concerning any additional information or questions, or direction that further communications to the debtor be in writing only, with the mailing address specified in the statement.

(I) To the extent the debtor has information concerning who may have incurred the debt, the identification of any person whom the debtor believes is responsible.

(J) An express statement that the debtor did not authorize the use of the debtor's name or personal information for incurring the ~~debt.~~ debt or nonconsensual obligation to pay.

(K) The certification required pursuant to this paragraph shall be sufficient if it is in substantially the following form:

"I certify the representations made are true, correct, and contain no material omissions of fact.

_____ _____ "

(Date and Place) (Signature)

(c) If a debtor notifies a debt collector orally that he or she is a victim of identity theft, the debt collector shall notify the debtor, orally or in writing, that the debtor's claim must be in writing. If a debtor notifies a debt collector in writing that he or she is a victim of identity theft, but omits information required pursuant to subdivision (a) or, if applicable, the certification required pursuant to paragraph (3) of subdivision (b), if the debt collector does not cease collection activities, the debt collector shall provide written notice to the debtor of the additional information that is required, or the certification required pursuant to paragraph (3) of subdivision (b), as applicable, or send the debtor a copy of the Federal Trade Commission's Affidavit of Identity Theft form.

(d) Within 10 business days of receiving the complete statement and information described in subdivision (a), the debt collector shall, if it furnished adverse information about the debtor to a consumer credit reporting agency, notify the consumer credit reporting agency that the account is disputed, and initiate a review considering all of the information provided by the debtor and other information available to the debt collector in its file or from the creditor. The debt collector shall send notice of its determination to the debtor no later than 10 business days after concluding the review. The debt collector may recommence debt collection activities only upon making a good faith determination that the information does not establish that the debtor is not responsible for the specific debt or nonconsensual obligation to pay in question. The debt collector's determination shall be made in a manner consistent with the provisions of subsection (1) of Section 1692 of Title 15 of the United States Code, as incorporated by Section 1788.17 of this code. The debt collector shall notify the debtor in writing of that determination and the basis for that determination before proceeding with any further collection activities. The debt collector's determination shall be based on all of the information provided by the debtor and other information available to the debt collector in its file or from the creditor.

(e) No inference or presumption that the debt or nonconsensual obligation to pay is valid or invalid, or that the debtor is liable or not liable for the ~~debt,~~ debt or nonconsensual obligation to pay, shall arise if the debt collector decides after the review described in subdivision (d) to cease or recommence the debt collection activities. The exercise or nonexercise of rights under this section is not a waiver of any other right or defense of the debtor or debt collector.

(f) The statement and supporting documents that comply with subdivision (a) may also satisfy, to the extent those documents meet the requirements of, the notice requirement of paragraph (5) of subdivision (c) of Section 1798.93.

(g) A debt collector who ceases collection activities under this section and does not recommence those collection activities shall do all of the following:

(1) If the debt collector has furnished adverse information to a consumer credit reporting agency, notify the agency to delete that information no later than 10 business days after making its determination.

(2) Notify the creditor no later than 10 business days after making its determination that debt collection activities have been terminated based upon the debtor's claim of identity theft.

(h) A debt collector who has possession of documents that the debtor is entitled to request from a creditor pursuant to Section 530.8 of the Penal Code is authorized to provide those documents to the debtor.

(i) Notwithstanding subdivision (h) of Section 1788.2, for the purposes of this section, "debtor" means a natural person, firm, association, organization, partnership, business trust, company, corporation, or limited liability company from which a debt collector seeks to collect a debt or a nonconsensual obligation to pay that is due and owing or alleged to be due and owing from the person or entity. The remedies provided by this title shall apply equally to violations of this section.

SEC. 12. Section 1788.50 of the Civil Code is amended to read:

1788.50. (a) As used in this title:

(1) "Debt buyer" means a person or entity that is regularly engaged in the business of purchasing charged-off consumer debt or charged-off nonconsensual obligations to

pay for collection purposes, whether it collects the debt or nonconsensual obligation to pay itself, hires a third party for collection, or hires an attorney-at-law for collection litigation. "Debt buyer" does not mean a person or entity that acquires a charged-off consumer debt or charged-off nonconsensual obligation to pay incidental to the purchase of a portfolio predominantly consisting of consumer debt or nonconsensual obligations to pay that has not been charged off.

(2) "Charged-off consumer debt" means a consumer debt that has been removed from a creditor's books as an asset and treated as a loss or expense.

(3) "Charged-off nonconsensual obligation to pay" means a nonconsensual obligation to pay that has been removed from a debt owner's books as an asset and treated as a loss or expense.

(b) The acquisition by a check services company of the right to collect on a paper or electronic check instrument, including an Automated Clearing House item, that has been returned unpaid to a merchant does not constitute a purchase of delinquent consumer debt under this title.

(c) Terms defined in Title 1.6C (commencing with Section 1788) shall apply to this title.

(d) (1) This title shall apply to debt buyers with respect to all consumer debt sold or resold on or after January 1, 2014.

(2) This title shall apply to debt buyers with respect to all nonconsensual obligations to pay that are sold or resold on or after January 1, 2019.

SEC. 13. Section 1788.52 of the Civil Code is amended to read:

1788.52. (a) A debt buyer shall not make any written statement to a debtor in an attempt to collect a consumer debt or nonconsensual obligation to pay unless the debt buyer possesses the following information:

(1) That the debt buyer is the sole owner of the debt or nonconsensual obligation to pay at issue or has authority to assert the rights of all owners of the ~~debt.~~ debt or nonconsensual obligation to pay.

(2) The debt ~~balance~~ balance, or nonconsensual obligation to pay balance, at charge off and an explanation of the amount, nature, and reason for all post-charge-off interest and fees, if any, imposed by the charge-off creditor or any subsequent purchasers of the ~~debt.~~ debt or nonconsensual obligation to pay. This paragraph shall not be deemed to require a specific itemization, but the explanation shall identify separately the charge-off balance, the total of any post-charge-off interest, and the total of any post-charge-off fees.

(3) The date of default or the date of the last payment.

(4) The name and an address of the charge-off creditor at the time of charge off, and the charge-off creditor's account number associated with the ~~debt.~~ debt or nonconsensual obligation to pay. The charge-off creditor's name and address shall be in sufficient form so as to reasonably identify the charge-off creditor.

(5) The name and last known address of the debtor as they appeared in the charge-off creditor's records prior to the sale of the ~~debt.~~ debt or nonconsensual obligation to pay. If the debt was sold prior to January 1, 2014, the name and last known address of the debtor as they appeared in the debt owner's records on December 31, 2013, shall be sufficient. If the nonconsensual obligation to pay was sold prior to January 1, 2019, the name and last known address of the debtor as they appeared in the debt owner's records on December 31, 2018, shall be sufficient.

(6) The names and addresses of all persons or entities that purchased the debt or nonconsensual obligation to pay after charge off, including the debt buyer making the written statement. The names and addresses shall be in sufficient form so as to reasonably identify each ~~such~~ purchaser.

(b) A debt buyer shall not make any written statement to a debtor in an attempt to collect a consumer debt or nonconsensual obligation to pay unless the debt buyer has access to a copy of a contract or other document evidencing the debtor's agreement to the ~~debt.~~ debt or nonconsensual obligation to pay. If the claim is based on debt or a nonconsensual obligation to pay for which no signed contract or agreement exists, the debt buyer shall have access to a copy of a document provided to the debtor while the account was active, demonstrating that the debt or nonconsensual obligation to pay was incurred by the debtor. For a revolving credit account, the most recent monthly statement recording a purchase transaction, last payment, or balance transfer shall be deemed sufficient to satisfy this requirement.

(c) A debt buyer shall provide the information or documents identified in subdivisions (a) and (b) to the debtor without charge within 15 calendar days of receipt of a debtor's written request for information ~~regarding the debt~~ about or proof of the ~~debt.~~ debt or nonconsensual obligation to pay. If the debt buyer cannot provide the information or documents within 15 calendar days, the debt buyer shall cease all collection of the debt or nonconsensual obligation to pay until the debt buyer provides the debtor the information or documents described in subdivisions (a) and (b). Except as provided otherwise in this title, the request by the debtor shall be consistent with the validation requirements contained in Section 1692g of Title 15 of the United States Code. A debt buyer shall provide all debtors with whom it has contact an active postal address to which these requests can be sent. A debt buyer may also provide an active email address to which these requests can be sent and through which information and documents can be delivered, if the parties agree.

(d) (1) A debt buyer shall include with its first written communication with the debtor in no smaller than 12-point type, a separate prominent notice that provides:

"You may request records showing the following: (1) that [insert name of debt buyer] has the right to seek collection of the ~~debt;~~ debt or nonconsensual obligation to pay; (2) the debt or nonconsensual obligation to pay balance, including an explanation of any interest charges and additional fees; (3) the date of default or the date of the last payment; (4) the name of the charge-off creditor and the account number associated with the ~~debt;~~ debt or nonconsensual obligation to pay; (5) the name and last known address of the debtor as it appeared in the charge-off creditor's or debt buyer's records prior to the sale of the ~~debt,~~ debt or nonconsensual obligation to pay, as appropriate; and (6) the names of all persons or entities that have purchased the ~~debt.~~ debt or nonconsensual obligation to pay. You may also request from us a copy of the contract or other document evidencing your agreement to the ~~debt.~~ debt or nonconsensual obligation to pay.

"A request for these records may be addressed to: [insert debt buyer's active mailing address and email address, if applicable]."

(2) When collecting on a time-barred debt or nonconsensual obligation to pay where the debt or nonconsensual obligation to pay is not past the date for obsolescence provided for in Section 605(a) of the federal Fair Credit Reporting Act (15 U.S.C. Sec. 1681c):

"The law limits how long you can be sued on a ~~debt.~~ debt or nonconsensual obligation to pay. Because of the age of your ~~debt,~~ debt or nonconsensual obligation to pay, we will not sue you for it. If you do not pay the ~~debt,~~ debt or nonconsensual obligation to pay, [insert name of debt buyer] may [continue to] report it to the credit reporting agencies as unpaid for as long as the law permits this reporting."

(3) When collecting on a time-barred debt or nonconsensual obligation to pay where the debt or nonconsensual obligation to pay is past the date for obsolescence provided for in Section 605(a) of the federal Fair Credit Reporting Act (15 U.S.C. Sec. 1681c):

"The law limits how long you can be sued on a ~~debt.~~ debt or nonconsensual obligation to pay. Because of the age of your ~~debt,~~ debt or nonconsensual obligation to pay, we will not sue you for it, and we will not report it to any credit reporting agency."

(e) If a language other than English is principally used by the debt buyer in the initial oral contact with the debtor, the notice required by subdivision (d) shall be provided to the debtor in that language within five working days.

(f) In the event of a conflict between the requirements of subdivision (d) and federal law, so that it is impracticable to comply with both, the requirements of federal law shall prevail.

SEC. 14. Section 1788.54 of the Civil Code is amended to read:

1788.54. (a) All settlement agreements between a debt buyer and a debtor shall be documented in open court or otherwise reduced to writing. The debt buyer shall ensure that a copy of the written agreement is provided to the debtor.

(b) A debt buyer that receives payment on a debt or nonconsensual obligation to pay shall provide, within 30 calendar days, a receipt or monthly statement, to the debtor. The receipt or statement shall clearly and conspicuously show the amount and date paid, the name of the entity paid, the current account number, the name of the charge-off creditor, the account number issued by the charge-off creditor, and the remaining balance owing, if any. The receipt or statement may be provided electronically if the parties agree.

(c) A debt buyer that accepts a payment as payment in full, or as a full and final compromise of the ~~debt,~~ debt or nonconsensual obligation to pay, shall provide, within 30 calendar days, a final statement that complies with subdivision (b). A debt buyer shall not sell an interest in a resolved ~~debt,~~ debt or nonconsensual obligation to pay or any personal or financial information related to the resolved ~~debt.~~ debt or nonconsensual obligation to pay.

SEC. 15. Section 1788.56 of the Civil Code is amended to read:

1788.56. A debt buyer shall not bring suit or initiate an arbitration or other legal proceeding to collect a consumer debt or nonconsensual obligation to pay if the applicable statute of limitations on the debt buyer's claim has expired.

SEC. 16. Section 1788.58 of the Civil Code is amended to read:

1788.58. In an action brought by a debt buyer on a consumer ~~debt.~~ debt or nonconsensual obligation to pay:

(a) The complaint shall allege all of the following:

(1) That the plaintiff is a debt buyer.

(2) The nature of the underlying debt and the consumer transaction or transactions or nonconsensual obligation to pay from which it is derived, in a short and plain statement.

(3) That the debt buyer is the sole owner of the debt or nonconsensual obligation to pay at issue, or has authority to assert the rights of all owners of the ~~debt.~~ debt or nonconsensual obligation to pay.

(4) The debt ~~balance~~ balance, or nonconsensual obligation to pay balance, at charge off and an explanation of the amount, nature, and reason for all post-charge-off interest and fees, if any, imposed by the charge-off creditor or any subsequent purchasers of the ~~debt.~~ debt or nonconsensual obligation to pay. This paragraph shall not be deemed to require a specific itemization, but the explanation shall identify separately the charge-off balance, the total of any post-charge-off interest, and the total of any post-charge-off fees.

(5) The date of default or the date of the last payment.

(6) The name and an address of the charge-off creditor at the time of charge off and the charge-off creditor's account number associated with the ~~debt.~~ debt or nonconsensual obligation to pay. The charge-off creditor's name and address shall be in sufficient form so as to reasonably identify the charge-off creditor.

(7) The name and last known address of the debtor as they appeared in the charge-off creditor's records prior to the sale of the ~~debt.~~ debt or nonconsensual obligation to pay. If the debt was sold prior to January 1, 2014, the debtor's name and last known address as they appeared in the debt owner's records on December 31, 2013, shall be sufficient. If the nonconsensual obligation to pay was sold prior to January 1, 2019, the debtor's name and last known address as they appeared in the debt owner's records on December 31, 2018, shall be sufficient.

(8) The names and addresses of all persons or entities that purchased the debt or nonconsensual obligation to pay after charge off, including the plaintiff debt buyer. The names and addresses shall be in sufficient form so as to reasonably identify each such purchaser.

(9) That the debt buyer has complied with Section 1788.52.

(b) A copy of the contract or other document described in subdivision (b) of Section 1788.52 shall be attached to the complaint.

(c) The requirements of this title shall not be deemed to require the disclosure in public records of personal, financial, or medical information, the confidentiality of which is protected by any state or federal law.

SEC. 17. Section 1788.60 of the Civil Code is amended to read:

1788.60. (a) In an action initiated by a debt buyer, no default or other judgment may be entered against a debtor unless business records, authenticated through a sworn

declaration, are submitted by the debt buyer to the court to establish the facts required to be alleged by paragraphs (3) to (8), inclusive, of subdivision (a) of Section 1788.58.

(b) No default or other judgment may be entered against a debtor unless a copy of the contract or other document described in subdivision (b) of Section 1788.52, authenticated through a sworn declaration, has been submitted by the debt buyer to the court.

(c) In any action on a consumer ~~debt,~~ debt or nonconsensual obligation to pay, if a debt buyer plaintiff seeks a default judgment and has not complied with the requirements of this title, the court shall not enter a default judgment for the plaintiff and may, in its discretion, dismiss the action.

(d) Except as provided in this title, this section is not intended to modify or otherwise amend the procedures established in Section 585 of the Code of Civil Procedure.

SEC. 18. 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 4

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

AMENDMENTS TO ASSEMBLY BILL NO. 2833

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

An act to amend Section 17053.5 of 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 17053.5 of the Revenue and Taxation Code is amended to read:

17053.5. (a) (1) For a qualified renter, there shall be allowed a credit against his or her "net tax," as defined in Section 17039. The amount of the credit shall be as follows:

(A) For spouses filing joint returns, heads of household, and surviving spouses, as defined in Section 17046, if adjusted gross income is fifty thousand dollars ($50,000) or less, the credit shall be equal ~~to one hundred twenty dollars ($120) if adjusted gross income is fifty thousand dollars ($50,000) or less.~~ to:

(i) For taxable years beginning before January 1, 2019, one hundred twenty dollars ($120).

(ii) For taxable years beginning on or after January 1, 2019, the greater of one hundred twenty dollars ($120) or 20 percent of the median rent in the county where the premises are located at which the qualified renter rented and occupied as his or her principal place of residence for the longest period during the taxable year. If the qualified renter rented and occupied premises as his or her principal place of residence located in different counties for equal periods during the taxable year, such that no rental period is longer than another, the credit shall be determined based on the premises located in the county with the highest median rent.

(B) For other individuals, if adjusted gross income is twenty-five thousand dollars ($25,000) or less, the credit shall be equal ~~to sixty dollars ($60) if adjusted gross income is twenty-five thousand dollars ($25,000) or less.~~ to:

(i) For taxable years beginning before January 1, 2019, sixty dollars ($60).

(ii) For taxable years beginning on or after January 1, 2019, the greater of sixty dollars ($60) or 10 percent of the median rent in the county where the premises are located at which the qualified renter rented and occupied as his or her principal place of residence for the longest period during the taxable year. If the qualified renter rented and occupied premises as his or her principal place of residence located in different counties for equal periods during the taxable year, such that no rental period is longer than another, the credit shall be determined based on the premises located in the county with the highest median rent.

(2) Except as provided in subdivision (b), spouses shall receive but one credit under this section. If the spouses file separate returns, the credit may be taken by either or equally divided between them, except as follows:

(A) If one spouse was a resident for the entire taxable year and the other spouse was a nonresident for part or all of the taxable year, the resident spouse shall be allowed one-half the credit allowed to married persons and the nonresident spouse shall be permitted one-half the credit allowed to married persons, prorated as provided in subdivision (e).

(B) If both spouses were nonresidents for part of the taxable year, the credit allowed to married persons shall be divided equally between them subject to the proration provided in subdivision (e).

(b) For spouses, if each spouse maintained a separate place of residence and resided in this state during the entire taxable year, each spouse will be allowed one-half the full credit allowed to married persons provided in subdivision (a).

(c) For purposes of this section, a "qualified renter" means an individual who satisfies both of the following:

(1) Was a resident of this state, as defined in Section 17014.

(2) Rented and occupied premises in this state which constituted his or her principal place of residence during at least 50 percent of the taxable year.

(d) "Qualified renter" does not include any of the following:

(1) An individual who for more than 50 percent of the taxable year rented and occupied premises that were exempt from property taxes, except that an individual, otherwise qualified, is deemed a qualified renter if he or she or his or her landlord pays possessory interest taxes, or the owner of those premises makes payments in lieu of property taxes that are substantially equivalent to property taxes paid on properties of comparable market value.

(2) An individual whose principal place of residence for more than 50 percent of the taxable year is with another person who claimed that individual as a dependent for income tax purposes.

(3) An individual who has been granted or whose spouse has been granted the homeowners' property tax exemption during the taxable year. This paragraph does not apply to an individual whose spouse has been granted the homeowners' property tax exemption if each spouse maintained a separate residence for the entire taxable year.

(e) An otherwise qualified renter who is a nonresident for any portion of the taxable year shall claim the credits set forth in subdivision (a) at the rate of one-twelfth of those credits for each full month that individual resided within this state during the taxable year.

(f) A person claiming the credit provided in this section shall, as part of that claim, and under penalty of perjury, furnish that information as the Franchise Tax Board prescribes on a form supplied by the board.

(g) The credit provided in this section shall be claimed on returns in the form as the Franchise Tax Board may from time to time prescribe.

(h) For purposes of this section, "premises" means a house or a dwelling unit used to provide living accommodations in a building or structure and the land incidental thereto, but does not include land only, unless the dwelling unit is a mobilehome. The credit is not allowed for any taxable year for the rental of land upon which a mobilehome is located if the mobilehome has been granted a homeowners' exemption under Section 218 in that year.

(i) This section shall become operative on January 1, 1998, and applies to any taxable year beginning on or after January 1, 1998.

(j) For each taxable year beginning on or after January 1, 1999, the Franchise Tax Board shall recompute the adjusted gross income amounts set forth in subdivision (a). The computation shall be made as follows:

(1) The Department of Industrial Relations shall transmit annually to the Franchise Tax Board the percentage change in the California Consumer Price Index for all items from June of the prior calendar year to June of the current year, no later than August 1 of the current calendar year.

(2) The Franchise Tax Board shall compute an inflation adjustment factor by adding 100 percent to the portion of the percentage change figure which is furnished pursuant to paragraph (1) and dividing the result by 100.

(3) The Franchise Tax Board shall multiply the amount in subparagraph (B) of paragraph (1) of subdivision ~~(d)~~ (a) for the preceding taxable year by the inflation adjustment factor determined in paragraph (2), and round off the resulting products to the nearest one dollar ($1).

(4) In computing the amounts pursuant to this subdivision, the amounts provided in subparagraph (A) of paragraph (1) of subdivision (a) shall be twice the amount provided in subparagraph (B) of paragraph (1) of subdivision (a).

(k) (1) On or before January 1, 2020, and on or before January 1 each year thereafter, the county assessor shall determine the median rent in the county for the previous calendar year and provide that data to the Franchise Tax Board.

(2) On or before January 31, 2020, and on or before January 31 each year thereafter, the Franchise Tax Board, using the data provided from each county assessor's office pursuant to paragraph (1), shall calculate the amount of the credit allowed pursuant to this section by county for each taxable year, commencing with taxable years beginning on January 1, 2019. The Franchise Tax Board shall publish its determinations on its Internet Web site to notify taxpayers.

(*l*) For taxable years beginning on or after January 1, 2019, if the amount allowable as a credit under this section exceeds the tax liability computed under this part for the taxable year, the excess shall be credited against other amounts due, if any, and the balance, if any, upon appropriation by the Legislature, shall be paid from the Tax Relief and Refund Account and refunded to the taxpayer.

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.

SEC. 3. 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

AMENDMENTS TO ASSEMBLY BILL NO. 2846

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

to add Section 7161 to the Health and Safety Code,

Amendment 2
In the title, in line 1, strike out "health." and insert:

health, and making an appropriation therefor.

Amendment 3
On page 2, before line 1, insert:

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

(a) Increasing general awareness and participation among all Californians in organ and tissue donation is a high priority for public health, but it is also a high priority to ensure equity among who receives donated organs and tissues. While Californians donate their organs and tissues regardless of their financial circumstances, their ability to receive them can be limited by their income and access to health insurance or benefits.

(b) California is home to a large immigrant population that is estimated to include over 2 million undocumented immigrants. Undocumented immigrants who are residents of California have the ability to obtain a California driver's license and therefore participate in a statewide organ and tissue donation program facilitated by the Department of Motor Vehicles. Since undocumented immigrants have been able to obtain a California driver's license, the organ and tissue registry has benefited from a dramatic increase in participation of new registered donors. Many undocumented immigrants, however, cannot benefit from receiving a donated organ or tissue transplant because they do not have health insurance or benefits to assist in paying the costs of the necessary medical procedures.

(c) All Californians, including those who cannot afford an organ or tissue transplant, should have an equitable ability to benefit from a statewide organ and tissue registry supported by the state.

SEC. 2. Section 7161 is added to the Health and Safety Code, to read:

7161. (a) There is in the State Treasury the Organ Transplant Equity Fund for the purpose of accepting moneys to support the program established pursuant to this section. Private donations may be deposited into the Organ Transplant Equity Fund.

(b) The State Department of Public Health shall establish a program to reimburse hospitals for the costs of performing organ and tissue transplants for individuals who do not have health insurance or a government provided health care benefit, including Medi-Cal or Medicare.

(c) (1) On or before January 1, 2021, the State Department of Public Health shall report to the committees of the California State Senate and Assembly with jurisdiction

over health care issues on the outcomes of the program established pursuant to this section.

(2) The report required pursuant to subdivision (a) shall be submitted in compliance with Section 9795 of the Government Code.

SEC. 3. (a) The sum of ten million dollars ($10,000,000) is hereby appropriated from the General Fund to the State Department of Public Health for the purpose of funding the program established in Section 7161 of the Health and Safety Code.

(b) The Controller shall transfer the ten million dollars ($10,000,000) appropriated pursuant to subdivision (a) to the Organ Transplant Equity Fund, established pursuant to Section 7161 of the Health and Safety Code.

Amendment 4

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

AMENDMENTS TO ASSEMBLY BILL NO. 2849

Amendment 1

In the title, in line 1, strike out "amend Section 9001 of" and insert:

add Section 33345.1 to

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 33345.1 is added to the Public Resources Code, to read:

33345.1. (a) The Sierra Nevada Watershed Improvement Program is hereby established, to be administered by the conservancy, to restore the health and resilience of the watersheds and communities of the region. In implementing this program, the conservancy shall coordinate and collaborate with other state agencies, federal agencies, and local entities and stakeholders.

(b) The conservancy shall take all of the following actions to increase the pace and scale of scientifically based restoration activities:

(1) Increase investment in watershed restoration in all parts of the region.

(2) Address constraints affecting policy and processes that increase the cost and complexity of the restoration process.

(3) Support development of additional infrastructure to utilize material removed as part of restoration.

(c) In implementing the program, the conservancy may focus on a specific geographical area, which may be known and identified as the Tahoe-Central Sierra Initiative Area, to test new ways of accomplishing the program objectives and goals described in subdivision (b). Notwithstanding Section 33341, the conservancy may test new funding, policy, planning, and implementation approaches within the area covered by the initiative with the intent of broadening the scope of the initiative to apply to the entire program area.

Amendment 3

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