



**STATE CAPITOL**  
P.O. BOX 942849  
SACRAMENTO, CA 94249-0124  
(916) 319-2800

**CHIEF ADMINISTRATIVE OFFICER**  
LIA LOPEZ

**Assembly  
California Legislature  
Committee on Rules**

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CHAIR**

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LOW, EVAN  
MAIENSCHIN, BRIAN  
TING, PHILIP Y.  
WALDRON, MARIE

ARAMBULA, JOAQUIN (D-ALT)  
DIXON, DIANE (R-ALT)

Monday, January 29, 2024  
10 minutes prior to Session  
State Capitol, Room 126

**CONSENT AGENDA**

**BILL REFERRALS**

1. Bill Referrals

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**RESOLUTIONS**

2. ACR-123 (McCarty) Anesthesiologist Week.
3. ACR-131 (Muratsuchi) National School Counseling Week. (refer/hear)
4. ACR-132 (Santiago) CalEITC Awareness Week. (refer/hear)
5. ACR-134 (Wood) National Mentoring Month. (refer/hear)
6. SCR-94 (Dodd) Data Privacy Week and Day. (refer/hear)

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**REQUEST TO ADD URGENCY CLAUSE**

7. SB 551 (Portantino) Beverage containers: recycling

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BRIAN MAIENSCHIN  
PHILIP Y. TING  
MARIE WALDRON  
JOAQUIN ARAMBULA (D-ALT.)  
DIANE B. DIXON (R-ALT.)

# Memo

**To:** Rules Committee Members  
**From:** Michael Erke, Bill Referral Consultant  
**Date:** 1/26/2024  
**Re:** Consent Bill Referrals

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Since you received your preliminary list of bill referrals, the referral recommendation for AB 1788, AB 1839, and AB 1855 has changed. ACR 134 has been added to the referral list.

REFERRAL OF BILLS TO COMMITTEE

01/29/2024

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	Committee:
<u>AB 1788</u>	PUB. S.
<u>AB 1788</u>	P. & C.P.
<u>AB 1801</u>	H. & C.D.
<u>AB 1801</u>	L. GOV.
<u>AB 1813</u>	H. & C.D.
<u>AB 1820</u>	H. & C.D.
<u>AB 1820</u>	L. GOV.
<u>AB 1826</u>	C. & C.
<u>AB 1827</u>	L. GOV.
<u>AB 1828</u>	REV. & TAX.
<u>AB 1829</u>	U. & E.
<u>AB 1830</u>	HEALTH
<u>AB 1832</u>	L. & E.
<u>AB 1832</u>	PUB. S.
<u>AB 1833</u>	AGRI.
<u>AB 1835</u>	H. & C.D.
<u>AB 1835</u>	L. GOV.
<u>AB 1838</u>	W., P., & W.
<u>AB 1839</u>	HIGHER ED.
<u>AB 1839</u>	PUB. S.
<u>AB 1840</u>	H. & C.D.
<u>AB 1841</u>	HIGHER ED.
<u>AB 1842</u>	HEALTH
<u>AB 1843</u>	L. & E.
<u>AB 1844</u>	INS.
<u>AB 1845</u>	PUB. S.
<u>AB 1846</u>	JUD.
<u>AB 1848</u>	PUB. S.
<u>AB 1850</u>	W., P., & W.
<u>AB 1851</u>	E.S. & T.M.
<u>AB 1851</u>	ED.
<u>AB 1852</u>	L. GOV.
<u>AB 1853</u>	L. GOV.
<u>AB 1854</u>	M. & V.A.
<u>AB 1855</u>	L. GOV.
<u>AB 1855</u>	HIGHER ED.
<u>AB 1856</u>	PUB. S.
<u>AB 1857</u>	NAT. RES.
<u>AB 1859</u>	PUB. S.
<u>AB 1860</u>	REV. & TAX.
<u>AB 1861</u>	AGRI.
<u>AB 1862</u>	B. & P.
<u>AB 1866</u>	NAT. RES.
<u>AB 1867</u>	REV. & TAX.

<u>AB 1868</u>	REV. & TAX.
<u>AB 1869</u>	G.O.
<u>ACR 128</u>	RLS.
<u>ACR 129</u>	RLS.
<u>ACR 130</u>	RLS.
<u>ACR 131</u>	RLS.
<u>ACR 132</u>	RLS.
<u>ACR 133</u>	RLS.
<u>ACR 134</u>	RLS.
<u>SCR 94</u>	RLS.
<u>SCR 95</u>	RLS.
<u>SCR 97</u>	RLS.

AMENDED IN ASSEMBLY JANUARY 22, 2024

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

**Assembly Concurrent Resolution**

**No. 123**

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**Introduced by Assembly Member McCarty**

January 12, 2024

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Assembly Concurrent Resolution No. 123—Relative to Anesthesiologist Week.

LEGISLATIVE COUNSEL’S DIGEST

ACR 123, as amended, McCarty. Anesthesiologist Week.

This measure would designate the week of January 28, 2024, to February 3, 2024, inclusive, as Anesthesiologist Week.

Fiscal committee: no.

- 1 WHEREAS, Anesthesiologists are guardians of patient safety  
2 in health care: in the operating room, in the delivery room, in the  
3 intensive care unit, in pain management clinics, and on the front  
4 lines battling the opioid epidemic; and  
5 WHEREAS, Years of education and training prepare  
6 anesthesiologists to navigate life-and-death moments, transitioning  
7 from the operating room to the emergency room and acting as  
8 perioperative medicine experts for the most sick of patients; and  
9 WHEREAS, Anesthesiologists were made for this moment,  
10 playing a critical role in keeping patients safe in this state and  
11 community, whether caring for COVID-19 patients, managing a  
12 crisis during surgery or labor and delivery, or providing pain  
13 management for complex pain syndromes; and  
14 WHEREAS, Annually in the United States, more than 100  
15 million operations and procedures are performed with anesthesia,

98

1 and anesthesiologists play a critical role in a patient’s well-being  
2 before, during, and after surgical procedures and make patient  
3 safety their top priority; and

4 WHEREAS, Anesthesiologists are medical doctors that have  
5 completed 4 years of medical school, the highest levels of training  
6 during anesthesiology residency, and between 12,000 and 16,000  
7 hours of training prior to practicing independently; and

8 WHEREAS, Anesthesiologists have been leaders in patient  
9 safety, as anesthesiology is cited as the only medical specialty to  
10 have significantly improved patient safety; and

11 WHEREAS, An anesthesiologist’s duties include evaluating a  
12 patient’s current health status prior to receiving anesthesia to ensure  
13 the best outcome, administering anesthesia, monitoring the patient  
14 during surgery, and assessing the patient after the procedure is  
15 completed; and

16 WHEREAS, This spectrum of patient care constitutes the  
17 perioperative surgical home, which the American Society of  
18 Anesthesiologists has identified as an innovative model in patient  
19 care where the anesthesiologist directs the anesthesia care team to  
20 provide support to the patient throughout all aspects of surgical  
21 care and procedures; and

22 WHEREAS, There is up to a 20-percent reduction in adverse  
23 events when anesthesiologists lead the anesthesia care team; and

24 WHEREAS, ~~A statewide public opinion survey completed in~~  
25 ~~2023 by Seven Letter Insight out of Washington, D.C. found that~~  
26 ~~70 percent of California patients prefer to have an anesthesiologist~~  
27 ~~administer their anesthesia levels compared to a nurse; *The*~~  
28 ~~*American Medical Association completed a public opinion survey*~~  
29 ~~*that concluded that 70 percent of patients want a physician to*~~  
30 ~~*administer and monitor anesthesia levels; and*~~

31 WHEREAS, Anesthesia is safer than ever before, yet there  
32 remains potential for complications and side effects during  
33 procedures, and anesthesiologists have the advanced training and  
34 expertise to help minimize these risks, monitor for any problems,  
35 and make life-saving decisions; and

36 WHEREAS, During surgeries or procedures, when seconds  
37 count, anesthesiologists have the highest degree of training to  
38 respond to emergencies and ensure the best patient outcomes; and

39 WHEREAS, The California Society of Anesthesiologists is a  
40 physician organization with over 3,000 members dedicated to

1 promoting the highest standards of the profession of  
2 anesthesiology, fostering excellence through continuing medical  
3 education, and serving as an advocate for anesthesiologists and  
4 their patients; now, therefore, be it

5 *Resolved by the Assembly of the State of California, the Senate*  
6 *thereof concurring,* That the Legislature hereby designates the  
7 week of January 28, 2024, to February 3, 2024, inclusive, as  
8 Anesthesiologist Week; and be it further

9 *Resolved,* That the Chief Clerk of the Assembly transmit copies  
10 of this resolution to the author for appropriate distribution.

O

Date of Hearing: January 29, 2024

ASSEMBLY COMMITTEE ON RULES  
Blanca Pacheco, Chair  
ACR 123 (McCarty) – As Amended January 22, 2024

**SUBJECT:** Anesthesiologist Week.

**SUMMARY:** Designates the week of January 28, 2024, to February 3, 2024, inclusive, as Anesthesiologist Week. Specifically, **this resolution** makes the following legislative findings:

- 1) Annually in the United States, more than 100 million operations and procedures are performed with anesthesia, and anesthesiologists play a critical role in a patient's well-being before, during, and after surgical procedures and make patient safety their top priority.
- 2) Anesthesiologists are guardians of patient safety in health care: in the operating room, in the delivery room, in the intensive care unit, in pain management clinics, and on the front lines battling the opioid epidemic.
- 3) Anesthesiologists are medical doctors that have completed 4 years of medical school, and between 12,000 and 16,000 hours of training before practicing independently.
- 4) Their years of education and training prepare anesthesiologists to navigate life-and-death moments, transitioning from the operating room to the emergency room and acting as perioperative medicine experts for the most sick of patients.
- 5) Anesthesiologists have been leaders in patient safety, as anesthesiology is cited as the only medical specialty to have significantly improved patient safety.
- 6) Anesthesiologists were made for this moment, playing a critical role in keeping patients safe in California, whether caring for COVID-19 patients, managing a crisis during surgery or labor and delivery, or providing pain management for complex pain syndromes.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on file

**Analysis Prepared by:** Michael Erke / RLS. / (916) 319-2800



**Assembly Concurrent Resolution**

**No. 131**

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**Introduced by Assembly Member Muratsuchi**

January 22, 2024

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Assembly Concurrent Resolution No. 131—Relative to National School Counseling Week.

LEGISLATIVE COUNSEL’S DIGEST

ACR 131, as introduced, Muratsuchi. National School Counseling Week.

This measure would recognize February 5, 2024, to February 9, 2024, as National School Counseling Week.

Fiscal committee: no.

- 1 WHEREAS, California school counselors are employed in public  
2 and private schools to help pupils reach their full potential; and  
3 WHEREAS, All children and youth can learn with the  
4 appropriate supports, and have the absolute right to an education  
5 that meets their needs; and  
6 WHEREAS, Children’s mental health and resilience are  
7 interconnected with their learning and postsecondary success; and  
8 WHEREAS, School counselors provide services and coordinate  
9 programs to improve school climate and increase pupils’ feelings  
10 of connectedness within the school setting; and  
11 WHEREAS, School counselors deliver a range of services to  
12 reduce mental health stigma, identify risk factors and warning  
13 signs of pupils at risk for mental health and behavioral disorders,  
14 and provide counseling services to strengthen pupils’ prospects  
15 for school and life success; and

1 WHEREAS, School counselors address trauma caused by racial  
2 injustice and are positioned in school settings to promote equity,  
3 healing, and support for all pupils; and  
4 WHEREAS, School counselors provide high-quality career  
5 education programs from kindergarten through grade 12 that  
6 promote the link between learning and future career choices,  
7 including career technical education; and  
8 WHEREAS, School counselors counsel secondary pupils to  
9 satisfy the A–G curricular requirements for college admissions  
10 and encourage participation in college preparation programs,  
11 including, but not limited to, Advancement Via Individual  
12 Determination (AVID), Early College, Advanced Placement, and  
13 International Baccalaureate programs, by increasing pupils’  
14 awareness of potential careers associated with interests and talents  
15 so they may become productive members of society; and  
16 WHEREAS, California school counselors support and consult  
17 with parents, teachers, and other educators to help youth explore  
18 their potential and set realistic goals for themselves; and  
19 WHEREAS, The citizens of California should recognize the  
20 vital role that the over 12,000 school counselors play in the social,  
21 emotional, career, and academic development of our children;  
22 now, therefore, be it  
23 *Resolved by the Assembly of the State of California, the Senate*  
24 *thereof concurring*, That the Legislature recognizes February 5,  
25 2024, to February 9, 2024, as National School Counseling Week;  
26 and be it further  
27 *Resolved*, That the Chief Clerk of the Assembly transmit copies  
28 of this resolution to the author for appropriate distribution.

O

Date of Hearing: January 29, 2024

ASSEMBLY COMMITTEE ON RULES  
Blanca Pacheco, Chair  
ACR 131 (Muratsuchi) – As Introduced January 22, 2024

**SUBJECT:** National School Counseling Week.

**SUMMARY:** Recognizes February 5, 2024, to February 9, 2024, as National School Counseling Week. Specifically, **this resolution** makes the following legislative findings:

- 1) School counselors provide services and coordinate programs to improve school climate and increase pupils' feelings of connectedness within the school setting.
- 2) All children and youth can learn with the appropriate supports, and have the absolute right to an education that meets their needs. Children's mental health and resilience are interconnected with their learning and postsecondary success.
- 3) School counselors deliver a range of services to reduce mental health stigma, identify risk factors and warning signs of pupils at risk for mental health and behavioral disorders, and provide counseling services to strengthen pupils' prospects for school and life success.
- 4) School counselors address trauma caused by racial injustice and are positioned in school settings to promote equity, healing, and support for all pupils.
- 5) School counselors provide high-quality career education programs at all grade levels to promote the link between learning and future career choices, including career technical education.
- 6) California school counselors support and consult with parents, teachers, and other educators to help youth explore their potential and set realistic goals for themselves.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on file

**Analysis Prepared by:** Michael Erke / RLS. / (916) 319-2800

**Assembly Concurrent Resolution**

**No. 132**

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**Introduced by Assembly Member Santiago**

January 22, 2024

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Assembly Concurrent Resolution No. 132—Relative to CalEITC Awareness Week.

LEGISLATIVE COUNSEL’S DIGEST

ACR 132, as introduced, Santiago. CalEITC Awareness Week.

This measure would proclaim the week of January 26, 2024, through February 2, 2024, as CalEITC Awareness Week.

Fiscal committee: no.

1     WHEREAS, The California Earned Income Tax Credit  
2     (CalEITC), a refundable tax credit, was enacted in 2015 and, along  
3     with the federal Earned Income Tax Credit (EITC), is one of the  
4     most effective tools we have to fight poverty for Californians; and  
5     WHEREAS, Over one in three Californians struggle to meet  
6     basic needs, according to United Ways of California’s Real Cost  
7     Measure report. The report calculates the “Real Cost Measure,”  
8     which factors the costs of housing, food, health care, child care,  
9     and other basic needs for a measure of what it takes to make ends  
10    meet in California that is more accurate than the official poverty  
11    measure. An estimated 3,700,000 households in California have  
12    an income that falls below the Real Cost Measure, and 97 percent  
13    of those households have at least one working adult. The CalEITC  
14    could help families improve their financial stability now and into  
15    the future; and

1 WHEREAS, Individual Taxpayer Identification Number (ITIN)  
2 holders are ineligible for the majority of federal tax benefits, but  
3 California has made the groundbreaking decision to open benefits  
4 like the CalEITC and Young Child Tax Credit to ITIN holders.  
5 This is especially important as fifty-seven percent of households  
6 led by someone without United States citizenship live below the  
7 Real Cost Measure; and

8 WHEREAS, Fifty-four percent of households in California with  
9 children under six years of age fall below the Real Cost Measure  
10 and the Young Child Tax Credit is available to all CalEITC-eligible  
11 families with children under six years of age; and

12 WHEREAS, Research shows that the EITC can improve child  
13 and maternal health and spur local economic growth. Children in  
14 families that receive the EITC perform better in both the short and  
15 the long term; now, therefore, be it

16 *Resolved by the Assembly of the State of California, the Senate*  
17 *thereof concurring*, That the Legislature proclaims January 26,  
18 2024, through February 2, 2024, as CalEITC Awareness Week;  
19 and be it further

20 *Resolved*, That the Chief Clerk of the Assembly transmit copies  
21 of this resolution to the author for appropriate distribution.

O

Date of Hearing: January 29, 2024

ASSEMBLY COMMITTEE ON RULES  
Blanca Pacheco, Chair  
ACR 132 (Santiago) – As Introduced January 22, 2024

**SUBJECT:** CalEITC Awareness Week.

**SUMMARY:** Proclaims January 26, 2024, through February 2, 2024, as CalEITC Awareness Week. Specifically, **this resolution** makes the following legislative findings:

- 1) The California Earned Income Tax Credit (CalEITC), a refundable tax credit, was enacted in 2015 and, along with the federal Earned Income Tax Credit (EITC), is one of the most effective tools we have to fight poverty for Californians.
- 2) Over one in three Californians struggle to meet basic needs, according to United Ways of California’s Real Cost Measure report. The report calculates the “Real Cost Measure,” which factors the costs of housing, food, health care, child care, and other basic needs for a measure of what it takes to make ends meet in California that is more accurate than the official poverty measure. An estimated 3,700,000 households in California have an income that falls below the Real Cost Measure, and 97 percent of those households have at least one working adult.
- 3) Individual Taxpayer Identification Number (ITIN) holders are ineligible for the majority of federal tax benefits, but California has made the groundbreaking decision to open benefits like the CalEITC and Young Child Tax Credit to ITIN holders. This is especially important as fifty-seven percent of households led by someone without United States citizenship live below the Real Cost Measure.
- 4) Fifty-four percent of households in California with children under six years of age fall below the Real Cost Measure and the Young Child Tax Credit is available to all CalEITC-eligible families with children under six years of age.
- 5) Research shows that the EITC can improve child and maternal health and spur local economic growth. Children in families that receive the EITC perform better in both the short and the long term.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on file

**Analysis Prepared by:** Michael Erke / RLS. / (916) 319-2800

**Assembly Concurrent Resolution**

**No. 134**

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**Introduced by Assembly Member Wood**

January 25, 2024

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Assembly Concurrent Resolution No. 134—Relative to National Mentoring Month.

LEGISLATIVE COUNSEL’S DIGEST

ACR 134, as introduced, Wood. National Mentoring Month.

This measure would declare that the month of January 2024 be recognized as National Mentoring Month, would thank those who participate in quality mentoring programs, and would call upon residents to help close the gap between the availability of mentors and the number of children facing challenging circumstances, as specified.

Fiscal committee: no.

- 1 WHEREAS, In 2024, Big Brothers Big Sisters of the North  
2 Coast, CASA of Humboldt, and Boys & Girls Clubs of the  
3 Redwoods celebrate 142 combined years of service provided to  
4 the youth in County of Humboldt. Together, it is recognized that  
5 the future of County of Humboldt rests on the success of its youth;  
6 and  
7 WHEREAS, A mentor is a caring, consistent presence who  
8 devotes time to help a young person develop personal strength and  
9 achieve their potential through a structured and trusting  
10 relationship. Quality mentoring encourages positive choices,  
11 promotes self-esteem, supports academic achievement, and  
12 introduces young people to new ideas; and

1 WHEREAS, Research shows that young people matched with  
2 a caring adult through a quality mentoring program are 55 percent  
3 more likely to be enrolled in college, 81 percent more likely to  
4 report participating regularly in extracurricular activities and sports,  
5 78 percent more likely to volunteer, and twice as likely to say they  
6 held a leadership position than those who did not have a mentor;  
7 and

8 WHEREAS, Youth development experts agree that mentoring  
9 is critical to the social, emotional, and cognitive development of  
10 youth, helping them navigate the path to adulthood more  
11 successfully; and

12 WHEREAS, Our community has a number of community  
13 volunteers, teachers, advocates, and many others who support the  
14 mentoring movement and work selflessly to improve our children’s  
15 odds for success; now, therefore, be it

16 *Resolved by the Assembly of the State of California, the Senate*  
17 *thereof concurring*, That the Legislature hereby recognizes January  
18 2024 as National Mentoring Month; and be it further

19 *Resolved*, That the Legislature thanks all of our heroes who  
20 participate in quality mentoring programs to equip our youth with  
21 the tools to lead healthy and productive lives; and be it further

22 *Resolved*, That the Legislature calls on residents to help close  
23 the gap between the availability of mentors and the number of  
24 children facing challenging circumstances who would love to spend  
25 time with a Big Brother, Big Sister, CASA volunteer, or Boys &  
26 Girls Clubs of the Redwoods mentor. It takes little to be big for  
27 National Mentoring Month; and be it further

28 *Resolved*, That the Chief Clerk of the Assembly transmit copies  
29 of this resolution to the author for appropriate distribution.

O



Date of Hearing: January 29, 2024

ASSEMBLY COMMITTEE ON RULES  
Blanca Pacheco, Chair  
ACR 134 (Wood) – As Introduced January 25, 2024

**SUBJECT:** National Mentoring Month.

**SUMMARY:** Recognizes January 2024 as National Mentoring Month, and thanks all of the heroes who participate in quality mentoring programs to equip our youth with the tools to lead healthy and productive lives. Specifically, **this resolution** makes the following legislative findings:

- 1) A mentor is a caring, consistent presence who devotes time to help a young person develop personal strength and achieve their potential through a structured and trusting relationship. Quality mentoring encourages positive choices, promotes self-esteem, supports academic achievement, and introduces young people to new ideas.
- 2) Research shows that young people matched with a caring adult through a quality mentoring program are 55 percent more likely to be enrolled in college, 81 percent more likely to report participating regularly in extracurricular activities and sports, 78 percent more likely to volunteer, and twice as likely to say they held a leadership position than those who did not have a mentor.
- 3) Youth development experts agree that mentoring is critical to the social, emotional, and cognitive development of youth, helping them navigate the path to adulthood more successfully.
- 4) Our community has a number of community volunteers, teachers, advocates, and many others who support the mentoring movement and work selflessly to improve our children's odds for success.
- 5) In 2024, Big Brothers Big Sisters of the North Coast, CASA of Humboldt, and Boys & Girls Clubs of the Redwoods celebrate 142 combined years of service provided to the youth in County of Humboldt. Together, it is recognized that the future of County of Humboldt rests on the success of its youth.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on file

**Analysis Prepared by:** Michael Erke / RLS. / (916) 319-2800

AMENDED IN SENATE JANUARY 17, 2024

**Senate Concurrent Resolution**

**No. 94**

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**Introduced by Senator Dodd**

**(Coauthors: ~~Senators Alvarado-Gil and Rubio~~ *Alvarado-Gil, Hurtado, McGuire, Newman, Nguyen, Niello, Ochoa Bogh, Portantino, Rubio, Seyarto, and Wahab*)**

**(Coauthors: Assembly Members *Alanis, Alvarez, Essayli, Mike Fong, Lackey, Jim Patterson, and Wood*)**

January 3, 2024

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Senate Concurrent Resolution No. 94—Relative to Data Privacy Week.

LEGISLATIVE COUNSEL'S DIGEST

SCR 94, as amended, Dodd. Data Privacy Week and Day.

This measure would designate, in perpetuity, the 4th week of January as Data Privacy Week and the last Sunday of January as Data Privacy Day.

Fiscal committee: no.

- 1 WHEREAS, The Legislature adopted landmark privacy
- 2 legislation in 2018, the California Consumer Privacy Act of 2018
- 3 (CCPA), guaranteeing California consumers key privacy rights
- 4 ~~such as~~ *rights, including* the right to access, delete, and stop the
- 5 sale of their personal information; and
- 6 WHEREAS, In November 2020, over 9,000,000 Californians
- 7 voted to approve Proposition 24, the California Privacy Rights
- 8 Act, providing California consumers with the strongest privacy
- 9 protections in the United States; and

1 WHEREAS, The passage of Proposition 24 created the  
2 California Privacy Protection Agency, the country’s first regulator  
3 with full administrative powers focused on privacy and data  
4 protection; and

5 WHEREAS, The California Privacy Protection Agency is tasked  
6 with protecting Californians’ fundamental privacy rights and  
7 promoting public awareness and understanding of these rights,  
8 including the rights of minors with respect to their own  
9 information; now, therefore, be it

10 *Resolved by the Senate of the State of California, the Assembly*  
11 *thereof concurring*, That the fourth week of January is hereby  
12 designated, in perpetuity, as Data Privacy Week; and be it further

13 *Resolved*, That the Legislature designates, in perpetuity, the last  
14 Sunday of January as Data Privacy Day; and be it further

15 *Resolved*, That the Secretary of the Senate transmit copies of  
16 this resolution to the author for appropriate distribution.

O

Date of Hearing: January 29, 2024

ASSEMBLY COMMITTEE ON RULES  
Blanca Pacheco, Chair  
SCR 94 (Dodd) – As Amended January 17, 2024

**SENATE VOTE:** 39-0

**SUBJECT:** Data Privacy Week and Day.

**SUMMARY:** Designates, in perpetuity, the 4th week of January as Data Privacy Week and the last Sunday of January as Data Privacy Day. Specifically, **this resolution** makes the following legislative findings:

- 1) The Legislature adopted landmark privacy legislation in 2018, the California Consumer Privacy Act of 2018 (CCPA), guaranteeing California consumers key privacy rights, including the right to access, delete, and stop the sale of their personal information.
- 2) In November 2020, over 9 million Californians voted to approve Proposition 24, the California Privacy Rights Act, providing California consumers with the strongest privacy protections in the United States.
- 3) The passage of Proposition 24 created the California Privacy Protection Agency, the country's first regulator with full administrative powers focused on privacy and data protection.
- 4) The California Privacy Protection Agency is tasked with protecting Californians' fundamental privacy rights and promoting public awareness and understanding of these rights, including the rights of minors with respect to their own information.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on file

**Analysis Prepared by:** Michael Erke / RLS. / (916) 319-2800

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# California State Senate

ANTHONY J. PORTANTINO  
SENATOR

TWENTY-FIFTH SENATE DISTRICT



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MUTUAL TRADE, ART, AND  
CULTURAL EXCHANGE  
CHAIR

January 26, 2024

The Honorable Blanca Pacheco, Chair  
Assembly Rules Committee  
State Capitol, Room 3016  
Sacramento, CA 95814

RE: Urgency Clause Amendment Request for SB 551

Dear Chairwoman Pacheco,

I respectfully request permission to amend Senate Bill 551 with an urgency clause. SB 551 would authorized certain beverage manufacturers to comply with the postconsumer recycled plastic content requirements and the virgin plastic and postconsumer recycled plastic reporting requirements by submitting a consolidated report with aggregated information that covers one or more beverage manufacturers.

The narrow interpretation of “beverage manufacture” in the context of AB 793 (2020) to mean every individual bottling plant has created challenges in compliance and a burdensome reporting process. The ability to report across all product lines will simplify reporting and create standard reporting practices.

If there are any questions or concerns regarding this request, please do not hesitate to contact me or my Legislative Director, Tara McGee, who can be reached at 916-651-4025 or [Tara.McGee@sen.ca.gov](mailto:Tara.McGee@sen.ca.gov).

Thank you for your attention to this matter,

ANTHONY J. PORTANTINO  
Senator, 25th District

# PROPOSED AMENDMENTS

**RN 24 05365 05**  
**01/16/24 05:48 PM**  
**SUBSTANTIVE**

PROPOSED AMENDMENTS TO SENATE BILL NO. 551

AMENDED IN ASSEMBLY JUNE 15, 2023

AMENDED IN SENATE MAY 1, 2023

**SENATE BILL**

**No. 551**

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**Introduced by Senator Portantino**  
**(Coauthors: Senators Roth, Umberg, and Wilk)**  
(Coauthors: Assembly Members Jackson, Lackey, Quirk-Silva,  
Luz Rivas, and Blanca Rubio)

February 15, 2023

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An act to amend Section 5604 of the Welfare and Institutions Code, relating to mental health. ~~add Section 14549.9 to the Public Resources Code, relating to beverage containers, and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 551, as amended, Portantino. ~~Mental health boards. Beverage containers: recycling.~~

*The California Beverage Container Recycling and Litter Reduction Act requires plastic beverage containers sold by a beverage manufacturer, as specified, to contain a specified average percentage of postconsumer recycled plastic per year. The act requires the manufacturer of a beverage sold in a plastic beverage container subject to the California Redemption Value to report to the Department of Resources Recycling and Recovery certain information about the amounts of virgin plastic and postconsumer recycled plastic used for plastic beverage containers subject to the California Redemption Value for sale in the state in the previous calendar year. Existing law provides*



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**Amendment 1**

**Amendment 2**

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*that a violation of the act or a regulation adopted pursuant to the act is a crime.*

*This bill would authorize certain beverage manufacturers to comply with the postconsumer recycled plastic content requirements and the virgin plastic and postconsumer recycled plastic reporting requirements by submitting a consolidated report with aggregated information that covers one or more beverage manufacturers, as specified. The bill would authorize the department to adopt regulations to implement the bill's provisions, as specified. Because these provisions would expand the scope of a crime, the bill would impose a state-mandated local program.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

*This bill would declare that it is to take effect immediately as an urgency statute.*

~~Existing law, the Bronzan-McCorquodale Act, contains provisions governing the operation and financing of community mental health services in every county through locally administered and locally controlled community mental health programs. Existing law requires each community mental health service to have a mental health board, as specified. Existing law encourages counties to appoint members of the community who represent specific groups, including county offices of education and hospitals. Existing law requires a member of the board to abstain from voting on any issue in which the member has a financial interest.~~

~~This bill would require one member of a mental health board's membership to be employed by a local educational agency, and at least one member to be an individual who is 25 years of age or younger in counties with a mental health board membership of 5 to 8 members. The bill would require 2 members of the board to be employed by a local educational agency and at least 2 members to be 25 years of age or younger in counties with a mental health board membership of 9 to 15 members. The bill would require at least 2 members of the board to be employed by a local educational agency and at least two members to be 25 years of age or younger in counties with a mental health board membership of 16 or more members. The bill would require counties to give a strong preference to appointing members of the board who~~

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~~have experience providing mental health services to students. The bill would state that the intent of the Legislature is for youth appointments to a mental health board to address or prevent health and mental health disparities or inequities through representation of vulnerable, underserved, and marginalized communities. The bill would also authorize a person to represent more than one membership type on a mental health board. The bill would delete county offices of education from the list of representatives from which counties are encouraged to appoint board members. The bill would prohibit more than 49% of the members of a county's mental health board from owning or operating an organization or business that financially benefits from a proposed or adopted Mental Health Services Act plan. By placing a new requirement on counties, this bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.~~

~~Vote: majority  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.~~

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

- + *SECTION 1. Section 14549.9 is added to the Public Resources Code, to read:*
- + *14549.9. (a) A beverage manufacturer may comply with the requirements of Section 14547 and subdivision (a) of Section 14549.3 by submitting a consolidated report with aggregated information that covers one or more beverage manufacturers if those beverage manufacturers share rights to the same brands or the products of which are distributed, marketed, or manufactured by a single reporting beverage manufacturer. The beverage manufacturer that submits the consolidated report and all beverage manufacturers covered under the consolidated report shall be responsible for the report's content.*
- + *(b) The department may adopt regulations as necessary to implement subdivision (a). Until January 1, 2025, the adoption*

**Amendment 3**

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+ and readoption of regulations to implement subdivision (a) shall  
+ be deemed to be an emergency and necessary for the immediate  
+ preservation of the public peace, health and safety, or general  
+ welfare for purposes of Sections 11346.1 and 11349.6 of the  
+ Government Code, and the department is hereby exempted from  
+ the requirement that it describe facts showing the need for  
+ immediate action and from review of the emergency regulations  
+ by the Office of Administrative Law.

+ 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. This act is an urgency statute necessary for the  
+ immediate preservation of the public peace, health, or safety within  
+ the meaning of Article IV of the California Constitution and shall  
+ go into immediate effect. The facts constituting the necessity are:

+ In order to justly and properly report compliance with existing  
+ law and provide accurate information to the Department of  
+ Resources Recycling and Recovery and to California consumers  
+ in order to protect the integrity of the program, it is necessary that  
+ this act take effect immediately.

Page 2 1 SECTION 1. Section 5604 of the Welfare and Institutions Code  
2 is amended to read:

Page 3 1 ~~5604. (a) (1) Each community mental health service shall~~  
2 ~~have a mental health board consisting of 10 to 15 members,~~  
3 ~~depending on the preference of the county, appointed by the~~  
4 ~~governing body, except that boards in counties with a population~~  
5 ~~of fewer than 80,000 may have a minimum of five members. A~~  
6 ~~county with more than five supervisors shall have at least the same~~  
7 ~~number of members as the size of its board of supervisors. This~~  
8 ~~section does not limit the ability of the governing body to increase~~  
9 ~~the number of members above 15.~~

10 (2) (A) ~~The board shall serve in an advisory role to the~~  
11 ~~governing body, and one member of the board shall be a member~~  
12 ~~of the local governing body. Local mental health boards may~~

**Amendment 4**

**PROPOSED AMENDMENTS**

Page 3 13 ~~recommend appointees to the county supervisors. The board~~  
14 ~~membership should reflect the diversity of the client population~~  
15 ~~in the county to the extent possible.~~  
16 ~~(B) Fifty percent of the board membership shall be consumers,~~  
17 ~~or the parents, spouses, siblings, or adult children of consumers,~~  
18 ~~who are receiving or have received mental health services. At least~~  
19 ~~20 percent of the total membership shall be consumers, and at least~~  
20 ~~20 percent shall be families of consumers.~~  
21 ~~(C) (i) In counties with a population of 100,000 or more, at~~  
22 ~~least one member of the board shall be a veteran or veteran~~  
23 ~~advocate. In counties with a population of fewer than 100,000, the~~  
24 ~~county shall give a strong preference to appointing at least one~~  
25 ~~member of the board who is a veteran or a veteran advocate.~~  
26 ~~(ii) To comply with clause (i), a county shall notify its county~~  
27 ~~veterans service officer about vacancies on the board, if a county~~  
28 ~~has a veterans service officer.~~  
29 ~~(D) (i) (I) In counties with a mental health board membership~~  
30 ~~of five to eight members, one member of the board shall be~~  
31 ~~employed by a local educational agency, and at least one member~~  
32 ~~of the board shall be an individual who is 25 years of age or~~  
33 ~~younger.~~

Page 4 3 ~~(H) In counties with a mental health board membership of 9 to~~  
4 ~~15 members, 2 members of the board shall be employed by a local~~  
5 ~~educational agency, and at least 2 members of the board shall be~~  
6 ~~individuals who are 25 years of age or younger.~~  
7 ~~(III) In counties with a mental health board of 16 or more~~  
8 ~~members, at least 2 members of the board shall be employed by a~~  
9 ~~local educational agency, and at least 2 members of the board shall~~  
10 ~~be individuals who are 25 years of age or younger.~~  
11 ~~(ii) (I) Counties shall give a strong preference when appointing~~  
12 ~~a local educational agency member to individuals who have~~  
13 ~~experience providing mental health services to students.~~  
14 ~~(H) It is the intent of the Legislature that youth appointments~~  
15 ~~to a mental health board should address or prevent health and~~  
16 ~~mental health disparities or inequities through representation of~~  
17 ~~vulnerable, underserved, and marginalized communities.~~  
18 ~~(E) In addition to the requirements in subparagraphs (B), (C),~~  
19 ~~and (D), counties are encouraged to appoint individuals who have~~  
20 ~~experience with, and knowledge of, the mental health system. This~~  
21 ~~would include members of the community that engage with~~

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Page 4 22 ~~individuals living with mental illness in the course of daily~~  
23 ~~operations, such as representatives of large and small businesses,~~  
24 ~~hospitals, hospital districts, physicians practicing in emergency~~  
25 ~~departments, city police chiefs, county sheriffs, and community~~  
26 ~~and nonprofit service providers.~~  
27 ~~(F) An individual may represent more than one of the~~  
28 ~~membership types specified in subparagraphs (B), (C), (D), and~~  
29 ~~(E).~~  
30 ~~(3) (A) In counties with a population that is fewer than 80,000,~~  
31 ~~at least one member shall be a consumer and at least one member~~  
32 ~~shall be a parent, spouse, sibling, or adult child of a consumer who~~  
33 ~~is receiving, or has received, mental health services.~~  
34 ~~(B) Notwithstanding subparagraph (A), a board in a county with~~  
35 ~~a population that is fewer than 80,000 that elects to have the board~~  
36 ~~exceed the five-member minimum permitted under paragraph (1)~~  
37 ~~shall be required to comply with paragraph (2).~~  
38 ~~(b) The mental health board shall review and evaluate the local~~  
39 ~~public mental health system, pursuant to Section 5604.2, and advise~~  
40 ~~the governing body on community mental health services delivered~~  
Page 5 1 ~~by the local mental health agency or local behavioral health agency,~~  
2 ~~as applicable.~~  
3 ~~(c) The term of each member of the board shall be for three~~  
4 ~~years. The governing body shall equitably stagger the appointments~~  
5 ~~so that approximately one-third of the appointments expire in each~~  
6 ~~year.~~  
7 ~~(d) If two or more local agencies jointly establish a community~~  
8 ~~mental health service pursuant to Article 1 (commencing with~~  
9 ~~Section 6500) of Chapter 5 of Division 7 of Title 1 of the~~  
10 ~~Government Code, the mental health board for the community~~  
11 ~~mental health service shall consist of an additional two members~~  
12 ~~for each additional agency, one of whom shall be a consumer or~~  
13 ~~a parent, spouse, sibling, or adult child of a consumer who has~~  
14 ~~received mental health services.~~  
15 ~~(e) (1) Except as provided in paragraph (2), a member of the~~  
16 ~~board or the member's spouse shall not be a full-time or part-time~~  
17 ~~county employee of a county mental health service, an employee~~  
18 ~~of the State Department of Health Care Services, or an employee~~  
19 ~~of, or a paid member of the governing body of, a mental health~~  
20 ~~contract agency.~~

**PROPOSED AMENDMENTS**

Page 5 21 ~~(2) A consumer of mental health services who has obtained~~  
22 ~~employment with an employer described in paragraph (1) and who~~  
23 ~~holds a position in which the consumer does not have any interest,~~  
24 ~~influence, or authority over any financial or contractual matter~~  
25 ~~concerning the employer may be appointed to the board. The~~  
26 ~~member shall abstain from voting on any financial or contractual~~  
27 ~~issue concerning the member’s employer that may come before~~  
28 ~~the board.~~

29 ~~(f) (1) Members of the board shall abstain from voting on any~~  
30 ~~issue in which the member has a financial interest as defined in~~  
31 ~~Section 87103 of the Government Code.~~

32 ~~(2) No more than 49 percent of the members of a county’s~~  
33 ~~mental health board may own or operate an organization or~~  
34 ~~business that financially benefits from a proposed or adopted~~  
35 ~~Mental Health Services Act plan.~~

36 ~~(g) If it is not possible to secure membership as specified in this~~  
37 ~~section from among persons who reside in the county, the~~  
38 ~~governing body may substitute representatives of the public interest~~  
39 ~~in mental health who are not full-time or part-time employees of~~  
40 ~~the county mental health service, the State Department of Health~~  
Page 6 1 ~~Care Services, or on the staff of, or a paid member of the governing~~  
2 ~~body of, a mental health contract agency.~~

3 ~~(h) The mental health board may be established as an advisory~~  
4 ~~board or a commission, depending on the preference of the county.~~

5 ~~(i) For purposes of this section, “veteran advocate” means either~~  
6 ~~a parent, spouse, or adult child of a veteran, or an individual who~~  
7 ~~is part of a veterans organization, including the Veterans of Foreign~~  
8 ~~Wars or the American Legion.~~

9 ~~SEC. 2. If the Commission on State Mandates determines that~~  
10 ~~this act contains costs mandated by the state, reimbursement to~~  
11 ~~local agencies and school districts for those costs shall be made~~  
12 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~  
13 ~~4 of Title 2 of the Government Code.~~

O