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CHIEF ADMINISTRATIVE OFFICER
LIA LOPEZ

Assembly
California Legislature
Committee on Rules

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

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

CONSENT AGENDA

BILL REFERRALS

1. Bill Referrals

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EVAN LOW
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: 6/8/2024
Re: Consent Bill Referrals

Since you received your preliminary list of bill referrals, the following bills have been added to the referral list: SB 7, SB 1143, SB 1234, and SB 1336.

REFERRAL OF BILLS TO COMMITTEE

06/10/2024

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

<u>Assembly Bill No.</u>	<u>Committee:</u>
<u>ACR 207</u>	RLS.
<u>ACR 208</u>	RLS.
<u>ACR 209</u>	RLS.
<u>ACR 210</u>	W., P., & W.
<u>HR 104</u>	RLS.
<u>SB 7</u>	H. & C.D.
<u>SB 7</u>	L. GOV.
<u>SB 978</u>	G.O.
<u>SB 1143</u>	NAT. RES.
<u>SB 1143</u>	E.S. & T.M.
<u>SB 1234</u>	E.S. & T.M.
<u>SB 1234</u>	L. GOV.
<u>SB 1336</u>	G.O.
<u>SCA 1</u>	ELECTIONS
<u>SCR 142</u>	RLS.
<u>SCR 145</u>	RLS.
<u>SCR 154</u>	RLS.
<u>SJR 6</u>	M. & V.A.

Assembly Concurrent Resolution

No. 192

Introduced by Assembly Member Jones-Sawyer
(Principal coauthors: Assembly Members Bonta, Bryan, Gipson,
Holden, Jackson, McCarty, McKinnor, Weber, and Wilson)
(Principal coauthors: Senators Bradford and Smallwood-Cuevas)

May 2, 2024

Assembly Concurrent Resolution No. 192—Relative to Juneteenth.

LEGISLATIVE COUNSEL’S DIGEST

ACR 192, as introduced, Jones-Sawyer. Juneteenth.

This measure would recognize June 19, 2024, as Juneteenth and would urge the people of California to join in celebrating Juneteenth as a day to honor and reflect on the significant role that African Americans have played in the history of the United States and how they have enriched society through their steadfast commitment to promoting unity and equality.

Fiscal committee: no.

1 WHEREAS, Juneteenth, also known as “Juneteenth
2 Independence Day,” “Emancipation Day,” “Emancipation
3 Celebration,” and “Freedom Day,” is the oldest African American
4 holiday observance in the United States; and

5 WHEREAS, Juneteenth, or June 19, 1865, is considered the
6 date when the last slaves in America were freed when General
7 Gordon Granger rode into the City of Galveston, Texas, and issued
8 General Order No. 3, almost two and one-half years after President
9 Lincoln issued the Emancipation Proclamation; and

1 WHEREAS, 2024 marks 159 years of freedom celebrations;
2 and

3 WHEREAS, Juneteenth commemorates the strong survival
4 instinct of African Americans who were first brought to this
5 country stacked and shackled in the bottom of slave ships in a
6 monthlong journey across the Atlantic Ocean known as the “Middle
7 Passage”; and

8 WHEREAS, August 2019 marked 400 years since the first
9 arrival of Africans to colonial America, and the United States
10 Congress has established the 400 Years of African-American
11 History Commission to commemorate the historic heritage and
12 contributions that Americans of African descent have made to help
13 shape the cultural, academic, social, economic, and moral attributes
14 of this nation; and

15 WHEREAS, In August 1619, the first documented Africans
16 arrived in the English colony of Virginia. The group, recorded
17 upon arrival as “20 and odd Negros,” was part of a larger group
18 of West Africans enslaved by Portuguese slave traders. They were
19 on their way to the City of Veracruz, Mexico, aboard a Spanish
20 ship when they were captured off the coast of Mexico by an English
21 privateer ship and transported to Virginia, where they were put
22 ashore at what is now the City of Hampton, Virginia, and sold as
23 involuntary laborers or indentured servants; and

24 WHEREAS, Slavery had not yet been institutionalized, so the
25 Africans were informed they would work under contract for a
26 certain period of time before being granted freedom and the rights
27 afforded other settlers. However, while European indentured
28 servants were listed along with their year of expected freedom, no
29 such information accompanied the names of the African indentured
30 servants; and

31 WHEREAS, On September 22, 1862, President Lincoln issued
32 the celebrated Emancipation Proclamation, warning the rebellious
33 Confederate States that he would declare their slaves “forever free”
34 if those states did not return to the Union by January 1, 1863.
35 Enforcement of the Emancipation Proclamation occurred only in
36 Confederate States that were under Union Army control; and

37 WHEREAS, Even after the lapse of California’s Fugitive Slave
38 Law in 1855, masters informally held enslaved people in California
39 until 1864, and it was not until June 28, 1864, that all fugitive slave
40 laws were officially repealed; and

1 WHEREAS, Prior to the end of the Civil War, on January 31,
2 1865, Congress passed the Thirteenth Amendment to the United
3 States Constitution, which abolished slavery throughout the United
4 States and its territories. Spontaneous celebrations erupted
5 throughout the country when African Americans learned of their
6 freedom; and

7 WHEREAS, Texas, as a part of the Confederacy, was resistant
8 to the Emancipation Proclamation. But on June 18, 1865, Union
9 troops arrived in the City of Galveston, Texas, to take possession
10 of the state and enforce the emancipation of its slaves. Former
11 slaves in Galveston rejoiced in the streets with jubilant celebrations.
12 The following day, June 19, became known as “Juneteenth,” a
13 name derived from a portmanteau of the words “June” and
14 “nineteenth.” Juneteenth celebrations began in Texas the following
15 year; and

16 WHEREAS, Juneteenth education and celebrations declined in
17 America in the early part of the 20th century. But the Civil Rights
18 Movement of the 1950s and 1960s saw a resurgence of interest in
19 Juneteenth, along with renewed community celebrations of the
20 day; and

21 WHEREAS, On January 1, 1980, Juneteenth became an official
22 state holiday in Texas through the efforts of Al Edwards, an African
23 American state legislator. The successful passage of this bill
24 marked Juneteenth as the first emancipation celebration granted
25 official state recognition; and

26 WHEREAS, As of 2022, all 50 states in the country recognize
27 Juneteenth as an official state holiday or day of observance; and

28 WHEREAS, In June of 2020, after the brutal murder of George
29 Floyd, several prominent companies, including Nike, the National
30 Football League, X, and Square, announced plans to offer
31 Juneteenth as a paid holiday to their employees. Further, several
32 financial institutions, including JPMorgan Chase, Northern Trust,
33 Fifth Third Bank, PNC Bank, and Capital One, also announced
34 that they will be closing all or parts of their business early on June
35 19 while paying employees for the full day; and

36 WHEREAS, On June 17, 2021, President Biden signed the
37 Juneteenth National Independence Day Act into law, establishing
38 June 19 as a federal holiday and making it the first federal holiday
39 since the establishment of Martin Luther King Jr. Day in 1983;
40 and

1 WHEREAS, A growing number of American and African
2 American cultural institutions have sponsored Juneteenth cultural
3 events designed to make all Americans aware of this celebration,
4 including the Smithsonian Institution’s National Museum of
5 American History in Washington, D.C., the Chicago Historical
6 Society, the Black Archives of Mid-America in Kansas City, Inc.
7 in the City of Kansas City, Missouri, the California African
8 American Museum in the City of Los Angeles, California, the
9 Henry Ford Museum and Greenfield Village in the City of
10 Dearborn, Michigan, the African American Museum in the City
11 of Dallas, Texas, and the National Juneteenth Observance
12 Foundation. Juneteenth celebrations are a tribute to those African
13 Americans who fought so long for freedom and worked so hard
14 to make the dream of equality a reality; and

15 WHEREAS, California law requires the Governor to proclaim
16 the third Saturday in June of each year to be known as “Juneteenth
17 National Freedom Day: A day of observance” to urge all
18 Californians in celebrating this day to honor and reflect on the
19 significant roles that African Americans have played in the history
20 of the United States and how African Americans have enriched
21 society through their steadfast commitment to promoting freedom,
22 brotherhood, and equality; and

23 WHEREAS, Juneteenth commemorates African American
24 freedom and emphasizes education and achievement. It is a day,
25 a week, and in some areas, a month marked with celebrations,
26 guest speakers, picnics, and family gatherings. It is a time for
27 reflection and rejoicing. It is a time for assessment,
28 self-improvement, and for planning the future; now, therefore, be
29 it

30 *Resolved by the Assembly of the State of California, the Senate*
31 *thereof concurring*, That the Legislature of the State of California
32 hereby recognizes June 19, 2024, as Juneteenth; and be it further

33 *Resolved*, That the Legislature urges the people of California to
34 join in celebrating Juneteenth as a day to honor and reflect on the
35 significant role that African Americans have played in the history
36 of the United States and how they have enriched society through
37 their steadfast commitment to promoting unity and equality; and
38 be it further

- 1 *Resolved*, That the Chief Clerk of the Assembly transmit copies
- 2 of this resolution to the author for appropriate distribution.

O

Date of Hearing: June 10, 2024

ASSEMBLY COMMITTEE ON RULES
Blanca Pacheco, Chair
ACR 192 (Jones-Sawyer) – As Introduced May 2, 2024

SUBJECT: Juneteenth.

SUMMARY: Recognizes June 19, 2024, as Juneteenth; and, urges the people of California to join in celebrating Juneteenth as a day to honor and reflect on the significant role that African Americans have played in the history of the United States, and how they have enriched society through their steadfast commitment to promoting unity and equality. Specifically, **this resolution** makes the following legislative findings:

- 1) Juneteenth, also known as “Juneteenth Independence Day,” “Emancipation Day,” “Emancipation Celebration,” and “Freedom Day,” is the oldest African American holiday observance in the United States.
- 2) Juneteenth, or June 19, 1865, is considered the date when the last slaves in America were freed when General Gordon Granger rode into Galveston, Texas, and issued General Order No. 3, almost two and one-half years after President Lincoln issued the Emancipation Proclamation.
- 3) Juneteenth education and celebrations declined in America in the early part of the 20th century. But the Civil Rights Movement of the 1950s and 1960s saw a resurgence of interest in Juneteenth, along with renewed community celebrations of the day.
- 4) On January 1, 1980, Juneteenth became an official state holiday in Texas through the efforts of Al Edwards, an African American state legislator. The successful passage of this bill marked Juneteenth as the first emancipation celebration granted official state recognition.
- 5) As of 2022, all 50 states in the country recognize Juneteenth as an official state holiday or day of observance.
- 6) California law requires the Governor to proclaim the third Saturday in June of each year to be known as “Juneteenth National Freedom Day: A day of observance,” to urge all Californians in celebrating this day to honor and reflect on the significant roles that African Americans have played in the history of the United States.
- 7) A growing number of American and African American cultural institutions have sponsored Juneteenth cultural events designed to make all Americans aware of this celebration, including the Smithsonian Institution’s National Museum of American History in Washington, D.C., the Chicago Historical Society, the Black Archives of Mid-America in Kansas City, and the California African American Museum in the City of Los Angeles.
- 8) Juneteenth commemorates African American freedom and emphasizes education and achievement. It is a day, a week, and in some areas, a month marked with celebrations, guest speakers, picnics, and family gatherings. It is a time for reflection and rejoicing. It is a time for assessment, self-improvement, and for planning the future.

9) 2024 marks 159 years of freedom celebrations.

FISCAL EFFECT: This resolution is keyed non-fiscal by Legislative Counsel.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

AMENDED IN ASSEMBLY MAY 30, 2024

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

Assembly Concurrent Resolution

No. 196

Introduced by Assembly Member Ta

May 6, 2024

Assembly Concurrent Resolution No. 196—Relative to lung cancer awareness.

LEGISLATIVE COUNSEL’S DIGEST

ACR 196, as amended, Ta. Lung Cancer Awareness.

This measure would proclaim November 2024 as Lung Cancer Awareness Month and the second Saturday of November 2024 as Lung Cancer Screening Day.

Fiscal committee: no.

1 WHEREAS, Lung cancer is the leading cause of cancer-related
2 death among individuals in the California and the United States,
3 accounting for more deaths than colon cancer, breast cancer, and
4 prostate cancer combined; and
5 WHEREAS, *Ninety percent of the 66,835 deaths among*
6 *Californians diagnosed with lung cancer from 2014 to 2019,*
7 *inclusive, were attributable to cigarette smoking, despite*
8 *California’s robust prevention—~~program~~ program, which is*
9 *attributed to accelerating the decline in lung cancer rates faster*
10 *than the rest of the United States. ~~However, California still~~*
11 *California* has the second highest number of new lung cancer cases
12 and second highest number of annual lung cancer deaths in the
13 United States; and

1 WHEREAS, California has local variation for incidence of lung
2 cancer, with 32 of 52 California counties, especially in northern
3 California, having higher lung cancer incidence and mortality rates
4 than the state average; and

5 WHEREAS, Early detection is critical in improving lung cancer
6 mortality and the 5-year survival rate for lung cancer in California
7 is 27.5 percent and with earlier detection, there are higher 5-year
8 survival rates for localized stage (63 percent) than distant stage (8
9 percent); mortality. In California, the overall five-year survival
10 rate for all stages of lung cancer is 25.2 percent. With earlier
11 detection, the five-year survival rates for localized stage (64.8
12 percent) are far better than distant stage diagnoses (8.3 percent);
13 and

14 WHEREAS, ~~Black men have the highest incidence of lung~~
15 ~~cancer and the highest mortality rate from lung cancer in the United~~
16 ~~States, and non-White individuals are 14 percent to 17 percent less~~
17 ~~likely to be diagnosed with lung cancer early; Significant health~~
18 ~~disparities exist for lung cancer survival for all racial and ethnic~~
19 ~~groups. American Indians (46.8 out of 100,000) and Black~~
20 ~~Californians (43 out of 100,000) have the highest incidence of~~
21 ~~lung cancer, as well as the highest mortality rate from lung cancer~~
22 ~~(55.5 out of 100,000 for American Indians and 29.5 out of 100,000~~
23 ~~for Black Californians). All racial and ethnic groups have more~~
24 ~~late-stage diagnoses and fewer local diagnoses than non-Hispanic~~
25 ~~White individuals; and~~

26 WHEREAS, ~~Significant health disparities exist for early-stage~~
27 ~~diagnosis (21.9 percent versus 27.3 percent), and 5-year survival~~
28 ~~(22.3 percent versus 27.4 percent) for Black compared to White~~
29 ~~Californians with similar trends for Latino and indigenous~~
30 ~~Californians; and~~

31 WHEREAS, Since 2013, both the American Cancer Society
32 and the United States Preventive Services Task Force have
33 recommended lung cancer screening using a low dose computed
34 tomography as a safe and effective method to detect lung cancer
35 in its earliest stages and ultimately save lives from lung cancer,
36 and this screening procedure is covered by most insurance plans,
37 including Medi-Cal; and

38 WHEREAS, Anyone between 50 to 80 years of age who is
39 currently smoking or has smoked in the past, is considered higher
40 risk, and should discuss their eligibility for this screening with

1 their health care provider, and people who still smoke should be
2 offered cessation support; and

3 WHEREAS, ~~The~~ *Based on the 2022 Behavioral Risk Factor*
4 *Survey data*, the American Cancer Society estimates that the
5 number of Californians who should be screened annually for lung
6 cancer is about 850,000. However, less than 1 percent of
7 individuals in California at high risk for lung cancer undergo lung
8 cancer screening; and

9 WHEREAS, California's successful tobacco prevention program,
10 which includes cessation services and programs in every county
11 to support tobacco prevention, has contributed to California's lower
12 smoking rate; and

13 WHEREAS, California has a free state quitline, Kickitca.org,
14 and other local support to help people stop using tobacco and ~~them~~
15 ~~from iotine~~ *recover from nicotine* addiction, which is a key
16 treatment to improve the health of people with or without ~~cancer~~;
17 *cancer. When high-quality lung cancer screening is combined with*
18 *sustained tobacco abstinence, lung cancer mortality can be reduced*
19 *by nearly 40 percent*; and

20 WHEREAS, According to a 2022 study, nearly 70 percent of
21 adults are not familiar with lung cancer screening and the low-dose
22 computed tomography scan; and

23 WHEREAS, Educational efforts can increase awareness of lung
24 cancer and lung cancer screening among the general public, patients
25 and their families, and health care workers, thereby increasing the
26 early detection of lung cancer; now, therefore, be it

27 *Resolved by the Assembly of the State of California, the Senate*
28 *thereof concurring*, That the Legislature designates November
29 2024 as Lung Cancer Awareness Month and the second Saturday
30 of November 2024 as Lung Cancer Screening Day; and be it further

31 *Resolved*, That the Legislature promotes efforts to increase
32 awareness of, education about, and research on ~~lung cancer~~
33 ~~screening and treatment, lung cancer risk factors, including for~~
34 ~~those who have never smoked, and for those who are most likely~~
35 ~~to benefit from lung cancer screening, and the mitigation of risk~~
36 ~~factors for lung cancer affecting minorities and individuals who~~
37 ~~have never smoked; the mitigation of risk factors and health~~
38 ~~disparities for lung cancer, lung cancer screening for early~~
39 ~~diagnosis of people at high risk, and those who are mostly likely~~

1 *to benefit from lung cancer screening, and lung cancer treatment*
2 *for better survival of people with lung cancer; and be it further*

3 *Resolved, That the Legislature recognizes the need for research*
4 *on the early screening, diagnosis, and treatment of lung cancer;*
5 *and be it further*

6 *Resolved, That the Legislature champions efforts to increase*
7 *lung cancer screening by raising awareness among, and improving*
8 *equitable access for, individuals who are eligible for lung cancer*
9 *screening; and be it further*

10 *Resolved, That the Legislature encourages the people of*
11 *California to observe Lung Cancer Awareness Month with*
12 *appropriate awareness and educational activities; and be it further*

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

O

Date of Hearing: June 10, 2024

ASSEMBLY COMMITTEE ON RULES
Blanca Pacheco, Chair
ACR 196 (Ta) – As Amended May 30, 2024

SUBJECT: Lung Cancer Awareness.

SUMMARY: Proclaims November 2024 as Lung Cancer Awareness Month and the second Saturday of November 2024 as Lung Cancer Screening Day. Specifically, **this resolution** makes the following legislative findings:

- 1) Lung cancer is the leading cause of cancer-related death among individuals in California and the United States, accounting for more deaths than colon cancer, breast cancer, and prostate cancer combined.
- 2) 90 percent of the 66,835 deaths among Californians diagnosed with lung cancer from 2014 to 2019, inclusive, were attributable to cigarette smoking, despite California’s robust prevention program, which is attributed to accelerating the decline in lung cancer rates faster than the rest of the United States. California has the second highest number of new lung cancer cases and second highest number of annual lung cancer deaths in the United States.
- 3) Early detection is critical in improving lung cancer mortality. In California, the overall five-year survival rate for all stages of lung cancer is 25.2 percent. With earlier detection, the five-year survival rates for localized stage (64.8 percent) are far better than distant stage diagnoses (8.3 percent).
- 4) Significant health disparities exist for lung cancer survival for all racial and ethnic groups. American Indians (46.8 out of 100,000) and Black Californians (43 out of 100,000) have the highest incidence of lung cancer, as well as the highest mortality rate from lung cancer (55.5 out of 100,000 for American Indians and 29.5 out of 100,000 for Black Californians). All racial and ethnic groups have more late-stage diagnoses and fewer local diagnoses than non-Hispanic White individuals.
- 5) Since 2013, both the American Cancer Society and the United States Preventive Services Task Force have recommended lung cancer screening using a low dose computed tomography as a safe and effective method to detect lung cancer in its earliest stages and ultimately save lives from lung cancer. This screening procedure is covered by most insurance plans, including Medi-Cal.
- 6) Anyone between 50 to 80 years of age who is currently smoking or has smoked in the past, is considered higher risk, and should discuss their eligibility for this screening with their health care provider, and people who still smoke should be offered cessation support.
- 7) California’s successful tobacco prevention program, which includes cessation services and programs in every county to support tobacco prevention, has contributed to California’s lower smoking rate.
- 8) California has a free, state quitline, Kickitca.org, and other local support to help people stop using tobacco and recover from nicotine addiction, which is a key treatment to improve the

health of people with or without cancer. When high-quality lung cancer screening is combined with sustained tobacco abstinence, lung cancer mortality can be reduced by nearly 40 percent.

- 9) Educational efforts can increase awareness of lung cancer and lung cancer screening among the general public, patients and their families, and health care workers, thereby increasing the early detection of lung cancer.

FISCAL EFFECT: This resolution is keyed non-fiscal by Legislative Counsel.

REGISTERED SUPPORT / OPPOSITION:

Support

American Cancer Society Cancer Action Network
American Lung Association
California Life Sciences

Opposition

None on file

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



May 23, 2024

The Honorable Tri Ta
California State Assembly
1021 O Street, Suite 5540
Sacramento, CA 95814

RE: ACR 196 (Ta) – Co-sponsor /Support

Dear Assemblymember Ta:

The American Cancer Society Cancer Action Network writes as a proud co-sponsor of your resolution, ACR 196 (Ta), declaring November 2024 Lung Cancer Awareness Month.

ACR 196, Lung Cancer Awareness Month, brings attention to the fact that lung cancer is the leading cause of cancer-related death among individuals in California and the United States, accounting for more deaths than colon, breast, and prostate cancer combined.

Ninety percent of the 66,835 deaths among Californians diagnosed with lung cancer from 2014-2019 were attributable to cigarette smoking, despite California's robust tobacco prevention program. This program is credited with accelerating the decline in lung cancer rates and mortality faster than the rest of the US.

Early detection is critical for improving lung cancer mortality and in California, the overall 5-year survival rate for all stages of lung cancer in California is 25.2%. With earlier detection, the 5-year survival rates for localized stage are far better than distant stage diagnoses.

Significant health disparities exist for lung cancer survival for all racial and ethnic groups. American Indian and Black Californians have the highest incidence of lung cancer as well as the highest mortality rate from lung cancer. All racial and ethnic groups have more late- stage diagnoses and fewer local diagnoses than non-Hispanic White individuals

Based on the 2022 Behavioral Risk Factor Survey data, the American Cancer Society estimates that the number of Californians who should be screened annually for lung cancer is about 850,000. However, less than 1 percent of those individuals in California at high- risk for lung cancer undergo lung cancer screening.

Educational efforts can increase awareness of lung cancer and lung cancer screening among the public, patients and their families, and health care workers, thereby increasing the early detection of lung cancer. However, according to a 2022 study, nearly 70 percent of adults are not familiar with lung cancer screening and the low dose computed tomography scan. ACR 196 will declare November 2024 Lung Cancer Awareness Month and help raise awareness and save more lives. For these reasons, ACS CAN is proud to support ACR 196.

Sincerely,

Autumn J. Ogden Smith

Autumn J. Ogden
Director of State Legislation



May 31, 2024

The Honorable Tri Ta
California State Assembly
1021 O Street, Suite 5540
Sacramento, CA 95814

RE: ACR 196 (Ta) –Support

Dear Assemblymember Ta:

The American Lung Association supports your resolution, ACR 196 (Ta), declaring November 2024 Lung Cancer Awareness Month. ACR 196, Lung Cancer Awareness Month, brings attention to the fact that lung cancer is the leading cause of cancer-related death among individuals in California and the United States, accounting for more deaths than colon, breast, and prostate cancer combined.

Early detection is critical for improving lung cancer mortality and in California, the overall 5-year survival rate for all stages of lung cancer in California is 25.2%. With earlier detection, the 5-year survival rates for localized stage are far better than distant stage diagnoses.

Significant health disparities exist for lung cancer survival for all racial and ethnic groups. American Indian and Black Californians have the highest incidence of lung cancer as well as the highest mortality rate from lung cancer. All racial and ethnic groups have more late- stage diagnoses and fewer local diagnoses than non-Hispanic White individuals.

Educational efforts can increase awareness of lung cancer and lung cancer screening among the public, patients and their families, and health care workers, thereby increasing the early detection of lung cancer. However, according to a 2022 study, nearly 70 percent of adults are not familiar with lung cancer screening and the low dose computed tomography scan. ACR 196 will declare November 2024 Lung Cancer Awareness Month and help raise awareness and save more lives.

For these reasons, the American Lung Association is proud to support ACR 196.

Sincerely,

Kesa Bruce

American Lung Association



June 6th, 2024

The Honorable Tri Ta
California State Assembly
1021 O Street, Suite 5540
Sacramento, CA 95814

RE: ACR 196 (Ta) Lung Cancer Awareness Month – SUPPORT

Dear Assemblymember Ta,

I write to you on behalf of California Life Sciences in proud support of ACR 196 (Ta), which would declare November 2024 as Lung Cancer Awareness Month. California Life Sciences represents over 1,200 entities representing pharmaceutical, biotechnology, medical technology, and academic research institutions throughout California.

With an average 5-year survival rate of 25.2%, lung cancer is the leading cause of cancer-related death both in California and in the United States at large – accounting for more deaths than breast, colon, and prostate cancer combined. However, early detection can dramatically improve the lung cancer survival rate compared to late diagnoses. This is particularly crucial for Black and Native American Californians, who face significant late-stage diagnoses and other health disparities for lung cancer survival compared to their non-Hispanic White peers. Based on the 2022 Behavioral Risk Factor Survey Data, the American Cancer Society estimates that approximately 850,000 Californians should be screened for lung cancer annually. However, less than 1 percent of Californians at high risk for lung cancer undergo regular screening, and nearly 70% of adults are unfamiliar with lung cancer tomography scans.

Educational efforts can promote early detection by increasing awareness of lung cancer screening among the general public, patients and their families, and healthcare workers. Declaring November 2024 as Lung Cancer Awareness Month will raise awareness and save lives. For these reasons, we strongly support ACR 196. If you have any additional questions, please feel free to contact me at schung@califesciences.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Chung".

Sam Chung
Vice President, State Government Relations
California Life Sciences

SACRAMENTO

1201 K Street, Suite 1010
Sacramento, CA 95814
P 916 226 9957

SAN DIEGO

4242 Campus Point Court, Suite 110
San Diego, CA 92121
P 858 551 6677

SOUTH SAN FRANCISCO

685 Gateway Blvd. Suite 100
South San Francisco, CA 94080
P 650 871 3250

LOS ANGELES

4130 Overland Ave.
Culver City, CA 90230
P 858 551 6677

WASHINGTON, DC

1100 H Street, NW, Suite 540
Washington, DC 20005
P 202 743 7566



cc: Members, Assembly Committee on Rules

Assembly Concurrent Resolution

No. 207

Introduced by Assembly Members Aguiar-Curry and Gallagher

June 3, 2024

Assembly Concurrent Resolution No. 207—Relative to Sacramento Valley Ecosystem Awareness Week.

LEGISLATIVE COUNSEL’S DIGEST

ACR 207, as introduced, Aguiar-Curry. Sacramento Valley Ecosystem Awareness Week.

This measure would proclaim the week of June 3, 2024, as Sacramento Valley Ecosystem Awareness Week.

Fiscal committee: no.

1 WHEREAS, The Sacramento Valley is a unique landscape that
2 includes a mosaic of state and national wildlife refuges, privately
3 managed wetlands, farmland, rivers, and streams that support an
4 amazing biodiversity of fish and wildlife species; and

5 WHEREAS, Each year, the Sacramento Valley hosts one of the
6 greatest concentrations of waterfowl in the world, as nearly
7 4,000,000 waterfowl and 250,000 shore birds use the Sacramento
8 Valley as a wintering ground, and approximately one billion birds
9 follow the Pacific Flyway, an ancient avian migratory route that
10 spans from the State of Alaska to South America, on an annual
11 migration through the Sacramento Valley; and

12 WHEREAS, California is the second-largest producer of rice
13 in the United States, and most of California’s rice is grown on
14 approximately 500,000 acres of land located in the Sacramento
15 Valley that contributes over \$1.3 billion to the state economy and

1 provides natural habitat, biodiversity, and nourishment for the
2 approximately 7,000,000 ducks and geese that migrate along the
3 Pacific Flyway each year; and

4 WHEREAS, The rivers of the Sacramento Valley are home to
5 four seasonal runs of Chinook salmon that occur in the spring, fall,
6 late fall, and winter, and the spring and winter runs of Chinook
7 salmon, along with steelhead and green sturgeon, are listed as
8 either threatened or endangered by state or federal agencies; and

9 WHEREAS, Water that flows from the Sierra Nevada, Cascade,
10 and Coast Ranges is managed in the Sacramento Valley to provide
11 flood protection for the region and to provide water for multiple
12 benefits for the natural and working landscapes; and

13 WHEREAS, The people who live, work, and play in the
14 Sacramento Valley are advancing a holistic approach, from ridgetop
15 to river mouth, to restore the ecosystem function of the special
16 landscapes and riverscapes while concurrently securing water
17 supplies for communities, farms, recreation, and hydropower; and

18 WHEREAS, Blending the wisdom of leading scientists with
19 local knowledge to better understand precious water resources and
20 take various actions to integrate the rivers and creeks with the
21 landscapes and communities will help the entire region to thrive;
22 and

23 WHEREAS, The Floodplain Forward Coalition is a diverse
24 coalition of conservation organizations, farmers and other
25 landowners, local governments, water suppliers, and academic
26 institutions that is working to develop and implement projects to
27 spread out and slow down water across the Sacramento Valley
28 landscape as a nature-based solution that mimics natural flood
29 plain processes in order to provide multiple benefits for the
30 environment, migratory birds and fish, and farms, towns, and cities;
31 now, therefore, be it

32 *Resolved by the Assembly of the State of California, the Senate*
33 *thereof concurring*, That the Legislature proclaims the week of
34 June 3, 2024, as Sacramento Valley Ecosystem Awareness Week;
35 and be it further

36 *Resolved*, That the Legislature is fully committed to help the
37 Floodplain Forward Coalition and leaders in the Sacramento Valley
38 to advance functional ecosystems and sustainable water supplies;
39 and be it further

- 1 *Resolved*, That the Chief Clerk of the Assembly transmit copies
- 2 of this resolution to the author for appropriate distribution.

O

Date of Hearing: June 10, 2024

ASSEMBLY COMMITTEE ON RULES
Blanca Pacheco, Chair
ACR 207 (Aguiar-Curry) – As Introduced June 3, 2024

SUBJECT: Sacramento Valley Ecosystem Awareness Week.

SUMMARY: Proclaims the week of June 3, 2024, as Sacramento Valley Ecosystem Awareness Week. Specifically, **this resolution** makes the following legislative findings:

- 1) The Sacramento Valley is a unique landscape that includes a mosaic of state and national wildlife refuges, privately managed wetlands, farmland, rivers, and streams that support an amazing biodiversity of fish and wildlife species.
- 2) Each year, the Sacramento Valley hosts one of the greatest concentrations of waterfowl in the world, as nearly 4 million waterfowl and 250,000 shore birds use the Sacramento Valley as a wintering ground. Approximately one billion birds follow the Pacific Flyway, an ancient avian migratory route that spans from the State of Alaska to South America, on an annual migration through the Sacramento Valley.
- 3) California is the second-largest producer of rice in the United States, and most of California's rice is grown on approximately 500,000 acres of land located in the Sacramento Valley. It contributes over \$1.3 billion to the state economy; and, provides natural habitat, biodiversity, and nourishment for the approximately 7 million ducks and geese that migrate along the Pacific Flyway each year.
- 4) The rivers of the Sacramento Valley are home to four seasonal runs of Chinook salmon that occur in the spring, fall, late fall, and winter, and the spring and winter runs of Chinook salmon, along with steelhead and green sturgeon, are listed as either threatened or endangered by state or federal agencies.
- 5) The people who live, work, and play in the Sacramento Valley are advancing a holistic approach, from ridgetop to river mouth, to restore the ecosystem function of the special landscapes and riverscapes while concurrently securing water supplies for communities, farms, recreation, and hydropower.
- 6) Blending the wisdom of leading scientists with local knowledge to better understand precious water resources and take various actions to integrate the rivers and creeks with the landscapes and communities will help the entire region to thrive.

FISCAL EFFECT: This resolution is keyed non-fiscal by Legislative Counsel.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

Assembly Concurrent Resolution

No. 208

Introduced by Assembly Member Papan

June 3, 2024

Assembly Concurrent Resolution No. 208—Relative to California State Parks Week.

LEGISLATIVE COUNSEL’S DIGEST

ACR 208, as introduced, Papan. California State Parks Week.

This measure would proclaim the Legislature’s support for California State Parks Week, observed the days of June 12, 2024, to June 16, 2024, inclusive, and provide that the Legislature encourages all Californians and visitors to the state to cherish, protect, enjoy, and find inspiration in the diverse holdings within the state park system.

Fiscal committee: no.

- 1 WHEREAS, California’s state parks are a reflection of the state’s
2 history, natural and cultural heritage, and ideals; and
3 WHEREAS, The California state park system contains the
4 largest and most diverse holdings of any state agency in the nation
5 that can model healthy, natural, and sustainable ecosystems and
6 commemorate important cultural traditions or historic events; and
7 WHEREAS, The Department of Parks and Recreation is
8 entrusted with the preservation, management, and interpretation
9 of the resources within the state park system that includes beaches,
10 historic monuments, lakes and reservoirs, lighthouses, museums,
11 natural and cultural preserves, off-highway vehicle recreation
12 areas, and parks, which include over 340 miles of coastline, 5,200
13 miles of trails, and 15,000 campsites; and

1 WHEREAS, These natural and historic places are important to
2 improving and protecting the quality of life for all Californians by
3 providing remarkable recreation and learning opportunities, scenic
4 landscapes and open space, and critical and unique habitat that
5 enables the state to meet its climate goals; and

6 WHEREAS, Continued economic success and enjoyment
7 derived from California’s state park system depends on maintaining
8 clean water, healthy ecosystems, and expanding public access for
9 a growing state; and

10 WHEREAS, California State Parks Week’s theme for 2024 is
11 “This is Where You Live” to encourage Californians to celebrate
12 and recognize the beauty and history of where they live; and

13 WHEREAS, California State Parks Week encourages people to
14 explore new places, nourish their health and well-being, support
15 climate resilience, celebrate community and culture, and care for
16 shared lands; and

17 WHEREAS, California State Parks Week will include the
18 opening of the newest state park in nearly a decade, Dos Rios,
19 which is found in the San Joaquin Valley and will provide both
20 recreational opportunities and protection for critical floodplain
21 habitat; now, therefore, be it

22 *Resolved by the Assembly of the State of California, the Senate*
23 *thereof concurring*, That the Legislature hereby proclaims its
24 support for California State Parks Week, observed the days of June
25 12, 2024, to June 16, 2024, inclusive; and be it further

26 *Resolved*, That the Legislature encourages all Californians and
27 visitors to the state to cherish, protect, enjoy, and find inspiration
28 in the diverse holdings within the state park system; and be it
29 further

30 *Resolved*, That the Chief Clerk of the Assembly transmit copies
31 of this resolution to the author for appropriate distribution
32 throughout the state.

O

Date of Hearing: June 10, 2024

ASSEMBLY COMMITTEE ON RULES
Blanca Pacheco, Chair
ACR 208 (Papan) – As Introduced June 3, 2024

SUBJECT: California State Parks Week.

SUMMARY: Proclaims the days of June 12, 2024, to June 16, 2024, inclusive, as California State Parks Week; and, encourages all Californians and visitors to the state to cherish, protect, enjoy, and find inspiration in the diverse holdings within the state park system. Specifically, **this resolution** makes the following legislative findings:

- 1) California’s state parks are a reflection of the state’s history, natural and cultural heritage, and ideals. The California state park system contains the largest and most diverse holdings of any state agency in the nation that can model healthy, natural, and sustainable ecosystems and commemorate important cultural traditions or historic events.
- 2) The Department of Parks and Recreation is entrusted with the preservation, management, and interpretation of the resources within the state park system that includes beaches, historic monuments, lakes and reservoirs, lighthouses, museums, natural and cultural preserves, off-highway vehicle recreation areas, and parks, which include over 340 miles of coastline, 5,200 miles of trails, and 15,000 campsites.
- 3) These natural and historic places are important to improving and protecting the quality of life for all Californians by providing remarkable recreation and learning opportunities, scenic landscapes and open space, and critical and unique habitat that enables the state to meet its climate goals.
- 4) California State Parks Week’s theme for 2024 is “This is Where You Live” to encourage Californians to celebrate and recognize the beauty and history of where they live.
- 5) California State Parks Week will include the opening of the newest state park in nearly a decade, Dos Rios, which is found in the San Joaquin Valley and will provide both recreational opportunities and protection for critical floodplain habitat.

FISCAL EFFECT: This resolution is keyed non-fiscal by Legislative Counsel.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

House Resolution

No. 104

Introduced by Assembly Member Reyes

June 6, 2024

House Resolution No. 104—Relative to veterans.

1 WHEREAS, In California, our collective efforts are reducing
2 the number of veterans living on our streets, with a 9-percent
3 decrease between 2020 and 2022, from 11,401 to 10,395; and

4 WHEREAS, While this feat is celebrated, there are still
5 thousands of veterans in California who will not have a place to
6 sleep tonight and perhaps many more who are on the verge of
7 homelessness—7.5 percent of veterans in California live below
8 the poverty line; and

9 WHEREAS, Homelessness, suicide, post-traumatic stress
10 disorder, and food insecurity disproportionately affect veterans in
11 California and nationwide; and

12 WHEREAS, California and veteran-serving organizations are
13 working to implement the Veterans Support to Self-Reliance Pilot
14 Program, which will provide much-needed support to vulnerable
15 older veterans; and

16 WHEREAS, In fiscal years 2022 and 2023, County Veterans
17 Service Officers assisted veterans with a total of approximately
18 261,000 claims generating awards of approximately \$458,000,000,
19 including \$1,500,000 through the Staff Sergeant Parker Gordon
20 Fox Suicide Prevention Grant Program, to coordinate suicide
21 prevention services for veterans and their families; and

22 WHEREAS, The Veterans Housing and Homelessness
23 Prevention Program has helped produce over 100 affordable
24 housing developments with 6,389 affordable units since 2014; and

1 WHEREAS, Senate Bill 326 (2023) and Assembly Bill 531
2 (2023) reformed California’s behavioral health system and
3 modernized California’s behavioral health services system with
4 funding dedicated to housing veterans who have behavioral health
5 needs or substance use disorders; and
6 WHEREAS, The Department of Veterans Affairs, the Mental
7 Health Services Oversight and Accountability Commission, and
8 other veteran service providers are also engaged in the process and
9 helping to ensure veterans are a priority in the reform of the
10 behavioral health system; and
11 WHEREAS, California must continue to educate providers and
12 other valued constituencies about veteran cultural competency and
13 expand their local and statewide networks to join with the former
14 MHSA Coalition, state and local veteran organizations, and local
15 public officials to ensure veteran engagement in local Behavioral
16 Health Services Act policy and funding decisions; and
17 WHEREAS, The California Association of Veteran Service
18 Agencies (CAVSA) is a consortium of six nonprofit veteran service
19 providers working together to address the needs of California’s
20 veterans; and
21 WHEREAS, CAVSA works with legislators, regulators, agency
22 staff, and leaders in cities and counties across the state to advocate
23 on behalf of struggling veterans; now, therefore, be it
24 *Resolved by the Assembly of the State of California*, That the
25 Legislature declares the month of June as California Veterans
26 Awareness Month; 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: June 10, 2024

ASSEMBLY COMMITTEE ON RULES
Blanca Pacheco, Chair
HR 104 (Reyes) – As Introduced June 6, 2024

SUBJECT: Veterans.

SUMMARY: Declares the month of June as California Veterans Awareness Month. Specifically, **this resolution** makes the following legislative findings:

- 1) Homelessness, suicide, post-traumatic stress disorder, and food insecurity disproportionately affect veterans in California and nationwide. California and veteran-serving organizations are working to implement the Veterans Support to Self-Reliance Pilot Program, which will provide much-needed support to vulnerable older veterans.
- 2) In California, our collective efforts are reducing the number of veterans living on our streets, with a 9 percent decrease between 2020 and 2022, from 11,401 to 10,395.
- 3) While this feat is celebrated, there are still thousands of veterans in California who will not have a place to sleep tonight and perhaps many more who are on the verge of homelessness—7.5 percent of veterans in California live below the poverty line.
- 4) In fiscal years 2022 and 2023, County Veterans Service Officers assisted veterans with a total of approximately 261,000 claims generating awards of approximately \$458 million, including \$1.5 million through the Staff Sergeant Parker Gordon Fox Suicide Prevention Grant Program, to coordinate suicide prevention services for veterans and their families.
- 5) The Veterans Housing and Homelessness Prevention Program has helped produce over 100 affordable housing developments with 6,389 affordable units since 2014.
- 6) The Department of Veterans Affairs, the Mental Health Services Oversight and Accountability Commission, and other veteran service providers are also engaged in the process and helping to ensure veterans are a priority in the reform of the behavioral health system.
- 7) California must continue to educate providers and other valued constituencies about veteran cultural competency and expand their local and statewide networks to join with the former MHSA Coalition, state and local veteran organizations, and local public officials to ensure veteran engagement in local Behavioral Health Services Act policy and funding decisions.

FISCAL EFFECT: This resolution is keyed non-fiscal by Legislative Counsel.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

Introduced by Senator Umberg

February 7, 2024

Senate Concurrent Resolution No. 110—Relative to peace officers.

LEGISLATIVE COUNSEL’S DIGEST

SCR 110, as introduced, Umberg. California Peace Officers’ Memorial Day.

This measure would proclaim Monday, May 6, 2024, as California Peace Officers’ Memorial Day.

Fiscal committee: no.

1 WHEREAS, Monday, May 6, 2024, is California Peace Officers’
2 Memorial Day, a day Californians observe in commemoration of
3 those noble officers who have tragically sacrificed their lives in
4 the line of duty; and

5 WHEREAS, Although California citizens are indebted to our
6 California peace officers each day of the week, we make particular
7 note of our peace officers’ bravery and dedication, and we share
8 in their losses on California Peace Officers’ Memorial Day; and

9 WHEREAS, Peace officers have a job second in importance to
10 none, and it is a job that is as difficult and dangerous as it is
11 important; and

12 WHEREAS, California peace officers have worked dutifully
13 and selflessly on behalf of the people of this great state, regardless
14 of the peril or hazard to themselves; and

15 WHEREAS, By the enforcement of our laws, these same peace
16 officers have safeguarded the lives and property of the citizens of
17 California and have given their full measure to ensure these citizens
18 the right to be free from crime and violence; and

1 WHEREAS, Special ceremonies and observations on behalf of
2 California peace officers provide all Californians with the
3 opportunity to appreciate the heroic individuals who have dedicated
4 their lives to preserving public safety; now, therefore, be it
5 *Resolved by the Senate of the State of California, the Assembly*
6 *thereof concurring*, That the Legislature recognizes California’s
7 peace officers who were killed in defense of their communities in
8 2023:
9 Deputy Darnell Andrew Calhoun, Riverside County Sheriff’s
10 Office, End of Watch: January 13, 2023.
11 Officer Gonzalo Carrasco, Jr., Selma Police Department, End
12 of Watch: January 31, 2023.
13 Deputy Ryan M. Clinkunbroomer, Los Angeles County Sheriff’s
14 Department, End of Watch: September 16, 2023.
15 Officer Tuan Q. Le, Oakland Police Department, End of Watch:
16 December 29, 2023; and be it further
17 *Resolved*, That the Legislature also recognizes California’s peace
18 officers who were killed in defense of their communities in prior
19 years, but not yet enrolled:
20 Officer Philip T. Sudario, Los Angeles Police Department, End
21 of Watch: January 25, 2021.
22 Sergeant Patricia Elena Guillen, Los Angeles Police Department,
23 End of Watch: January 28, 2021.
24 Sergeant Anthony White, Los Angeles Police Department, End
25 of Watch: April 15, 2021; and be it further
26 *Resolved*, That the Legislature also recognizes California’s
27 distant past honored officer:
28 Detective Donald A. Mason, San Bernardino County Sheriff’s
29 Department, End of Watch: December 23, 1959; and be it further
30 *Resolved*, That the Legislature designates Monday, May 6, 2024,
31 as California Peace Officers’ Memorial Day and urges all
32 Californians to remember those individuals who have given their
33 lives for our safety and express appreciation to those who continue
34 to dedicate themselves to making California a safer place to live
35 and raise our families; and be it further
36 *Resolved*, That the Secretary of the Senate transmit copies of
37 this resolution to the author for appropriate distribution.

O

Date of Hearing: June 10, 2024

ASSEMBLY COMMITTEE ON RULES
Blanca Pacheco, Chair
SCR 110 (Umberg) – As Introduced February 7, 2024

SENATE VOTE: 38-0

SUBJECT: California Peace Officers' Memorial Day.

SUMMARY: Proclaims Monday, May 6, 2024, as California Peace Officers' Memorial Day and urges all Californians to remember those individuals who have given their lives for our safety and express appreciation to those who continue to dedicate themselves to making California a safer place to live and raise our families. Specifically, **this resolution** makes the following legislative findings:

- 1) Monday, May 6, 2024, is California Peace Officers' Memorial Day, a day Californians observe in commemoration of the noble officers who have tragically sacrificed their lives in the line of duty.
- 2) Although California citizens are indebted to our California peace officers each day of the week, we make particular note of our peace officers' bravery and dedication, and we share in their losses on California Peace Officers' Memorial Day.
- 3) Peace officers have a job second in importance to none, and it is a job that is as difficult and dangerous as it is important. California peace officers have worked dutifully and selflessly on behalf of the people of this great state, regardless of the peril or hazard to themselves.
- 4) By the enforcement of our laws, these same peace officers have safeguarded the lives and property of the citizens of California and have given their full measure to ensure these citizens the right to be free from crime and violence.
- 5) Special ceremonies and observations on behalf of California peace officers provide all Californians with the opportunity to appreciate the heroic individuals who have dedicated their lives to preserving public safety.

FISCAL EFFECT: This resolution is keyed non-fiscal by Legislative Counsel.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

AMENDED IN SENATE APRIL 30, 2024

AMENDED IN SENATE MARCH 18, 2024

Senate Concurrent Resolution

No. 119

Introduced by Senator Umberg

(Principal coauthor: Senator Seyarto)

(Coauthor: Senator Roth)

(Coauthors: Assembly Members Alanis, Davies, Flora, Gallagher, Haney, Lackey, Mathis, McCarty, Stephanie Nguyen, Petrie-Norris, Quirk-Silva, Rendon, and Zbur)

February 28, 2024

Senate Concurrent Resolution No. 119—Relative to National Fentanyl Awareness Day.

LEGISLATIVE COUNSEL'S DIGEST

SCR 119, as amended, Umberg. National Fentanyl Awareness Day.

This measure would recognize May 7, 2024, as National Fentanyl Awareness Day.

Fiscal committee: no.

1 WHEREAS, Drug traffickers mass-produce fake or counterfeit
2 pills in an effort to falsely market them as legitimate prescription
3 pills, resulting in deceptions and threats to the American public;
4 and

5 WHEREAS, The United States Drug Enforcement
6 Administration (DEA) has observed a dramatic rise in the number
7 of counterfeit pills containing at least two milligrams of fentanyl,
8 which is considered a deadly dose; and

9 WHEREAS, Seven out of 10 pills with fentanyl tested by the
10 DEA contain a potentially lethal dose; and

97

1 WHEREAS, Illicit fentanyl is the number one cause of
2 accidental death among persons under 55 years of age; and
3 WHEREAS, More than ~~20.4 million~~ *20,400,000* counterfeit
4 pills have been ~~seized~~ *seized*, with most having been laced with
5 illicit fentanyl; and
6 WHEREAS, Fake or counterfeit pills have been identified in
7 all 50 states and the District of Columbia; and
8 WHEREAS, Illicit fentanyl has also been detected in street drugs
9 such as heroin and cocaine; and
10 WHEREAS, In the 12 months ending ~~June, 2023,~~ *June 2023,*
11 over 75,000 people died of fentanyl-related overdoses; and
12 WHEREAS, Over the last 20 years, drug-induced deaths among
13 persons 15 to 35 years of age, inclusive, have increased four-fold,
14 driven largely by the increase in illicit fentanyl drugs in recent
15 years; and
16 WHEREAS, From 2018 to 2022, inclusive, drug overdose and
17 poisoning deaths for persons 15 to 19 years of age, inclusive, grew
18 by 122 percent, twice as fast as the national rate and one of the
19 fastest of all age groups; and
20 WHEREAS, Fake or counterfeit pills are easily accessible and
21 often sold on social media and e-commerce platforms, making
22 them available to ~~teens~~ *teenagers* and youth; and
23 WHEREAS, Eighty percent of ~~teen~~ *teenage* overdose deaths
24 are caused by fentanyl; and
25 WHEREAS, Illicit fentanyl is involved in more youth deaths
26 than all other drug-related deaths combined; and
27 WHEREAS, California has lost over 50,000 people to drug
28 overdose and poisoning in the five-year period ending ~~June, 2023;~~
29 *June 2023;* and
30 WHEREAS, California's drug deaths over the past five years
31 have more than doubled, growing by 117 percent, nearly twice as
32 fast as the national rate; and
33 WHEREAS, ~~Fentanyl involved~~ *Fentanyl-involved* drug deaths
34 in California have grown nearly 10 times over five years, more
35 than five times faster than the national rate; and
36 WHEREAS, California has lost over 1,000 teenagers between
37 the ages of 15 to 19, ~~inclusive,~~ *to drug deaths* over the past five
38 years; and

1 WHEREAS, California's ~~teen~~ *teenage* drug deaths over the past
2 five years have grown by 159 percent, faster than the national rate;
3 and

4 WHEREAS, Fentanyl-involved ~~teen~~ *teenage* drug deaths in
5 California have grown nearly seven times over the past five years,
6 more than twice as fast as the national rate; and

7 WHEREAS, In the 12-month period ending June 2023, 79
8 percent of ~~teen~~ *teenage* drug deaths in California involved fentanyl,
9 while only 61 percent of all California drug deaths involved
10 fentanyl; now, therefore, be it

11 *Resolved by the Senate of the State of California, the Assembly*
12 *thereof concurring*, That the Legislature supports the recognition
13 and goals of National Fentanyl Awareness Day, which includes
14 increasing individual and public awareness of the impact of fake
15 or counterfeit fentanyl pills on families and young people; applauds
16 the work of federal, state, and local law enforcement agencies that
17 work to combat the proliferation of counterfeit pills; encourages
18 the use of existing authorities to proactively stop and prevent the
19 spread of illicit counterfeit pills; and recognizes May 7, 2024, as
20 National Fentanyl Awareness Day; and be it further

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

O

Date of Hearing: June 10, 2024

ASSEMBLY COMMITTEE ON RULES
Blanca Pacheco, Chair
SCR 119 (Umberg) – As Amended April 30, 2024

SENATE VOTE: 37-0

SUBJECT: National Fentanyl Awareness Day.

SUMMARY: Recognizes May 7, 2024, as National Fentanyl Awareness Day to increase individual and public awareness of the impact of fake or counterfeit fentanyl pills on families and young people. Specifically, **this resolution** makes the following legislative findings:

- 1) Drug traffickers mass-produce fake or counterfeit pills in an effort to falsely market them as legitimate prescription pills, resulting in deceptions and threats to the American public.
- 2) The United States Drug Enforcement Administration (DEA) has observed a dramatic rise in the number of counterfeit pills containing at least two milligrams of fentanyl, which is considered a deadly dose.
- 3) Seven out of 10 pills with fentanyl tested by the DEA contain a potentially lethal dose, and illicit fentanyl is the number one cause of accidental death among persons under 55 years of age.
- 4) Fake or counterfeit pills have been identified in all 50 states and the District of Columbia. In the 12 months ending June 2023, over 75,000 people died of fentanyl-related overdoses.
- 5) Fake or counterfeit pills are easily accessible and often sold on social media and e-commerce platforms, making them available to teenagers and youth. 80 percent of teenage overdose deaths are caused by fentanyl, and illicit fentanyl is involved in more youth deaths than all other drug-related deaths combined.
- 6) California has lost over 50,000 people to drug overdose and poisoning in the five-year period ending June 2023. California's drug deaths over the past five years have more than doubled, growing by 117 percent, nearly twice as fast as the national rate.

FISCAL EFFECT: This resolution is keyed non-fiscal by Legislative Counsel.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

Introduced by Senator Laird

March 6, 2024

Senate Concurrent Resolution No. 124—Relative to Cystic Fibrosis Awareness Month.

LEGISLATIVE COUNSEL’S DIGEST

SCR 124, as introduced, Laird. Cystic Fibrosis Awareness Month.
This measure would proclaim the month of May 2024 as Cystic Fibrosis Awareness Month.

Fiscal committee: no.

- 1 WHEREAS, Cystic fibrosis, a chronic and progressive systemic
- 2 disease for which there is no known cure, is the most common
- 3 fatal genetic disease in the United States; and
- 4 WHEREAS, Over 40,000 children and adults in the United
- 5 States have been diagnosed with cystic fibrosis, and more than
- 6 1,000 new cases are diagnosed each year, predominantly through
- 7 newborn screening; and
- 8 WHEREAS, Cystic fibrosis impacts individuals of every race
- 9 and ethnicity, but due to health disparities and newborn screening
- 10 panels that fail to capture rare cystic fibrosis transmembrane
- 11 conductance regulator (CFTR) mutations, many individuals with
- 12 cystic fibrosis are misdiagnosed or diagnosed late; and
- 13 WHEREAS, Due to progress in understanding the disease and
- 14 new therapeutic advances, the average life expectancy for a child
- 15 diagnosed with cystic fibrosis after 2018 is in the mid-50s; and
- 16 WHEREAS, Despite advances in disease understanding and
- 17 new therapies, the median age of death for those with cystic fibrosis
- 18 is the mid-30s; and

1 WHEREAS, The National Institutes of Health estimate that
2 more than 10,000,000 Americans (approximately 1 in 30) are
3 unknowing, symptomless carriers of the cystic fibrosis gene and
4 have high odds of passing the gene to their children; and

5 WHEREAS, Prompt, aggressive treatment of the symptoms of
6 cystic fibrosis can extend the lives of people who have the disease;
7 and

8 WHEREAS, Recent advances in cystic fibrosis research have
9 produced promising leads in gene, mRNA, and drug therapies
10 beneficial to people who have the disease; and

11 WHEREAS, Cystic fibrosis research continues for potential
12 therapies, and a nationwide network of care centers exists to
13 improve the length and quality of life for individuals with cystic
14 fibrosis; however, lives continue to be lost to this disease; and

15 WHEREAS, The Cystic Fibrosis Research Institute (CFRI) was
16 formed in 1975 with a mission to be a global resource for the cystic
17 fibrosis community while pursuing a cure through research,
18 education, advocacy, and support; and

19 WHEREAS, The CFRI provides funding for innovative cystic
20 fibrosis research at medical and academic centers nationwide to
21 expand understanding of the disease process and to seek new
22 therapies and ultimately a cure for this challenging multisystemic
23 disease; and

24 WHEREAS, The CFRI seeks to improve the quality of life for
25 all people with cystic fibrosis in California and the nation, as well
26 as their family members, by providing psychosocial support
27 programs; and

28 WHEREAS, Education of the public about cystic fibrosis,
29 including the symptoms of the disease and its impact upon people
30 of all races and ethnicities, increases knowledge and understanding
31 of cystic fibrosis and promotes early diagnosis, and the CFRI serves
32 as a vital link in providing vital educational resources; and

33 WHEREAS, Support for those impacted by cystic fibrosis, a
34 rare disease, begins with the raising of public awareness, and the
35 CFRI works within the diverse cystic fibrosis community on both
36 the state and national level to advocate for continued research,
37 access to quality care, and the development of new therapies to
38 extend and enhance lives; now, therefore, be it

1 *Resolved by the Senate of the State of California, the Assembly*
2 *thereof concurring,* That the Legislature proclaims the month of
3 May 2024 as Cystic Fibrosis Awareness Month; and be it further

4 *Resolved,* That the Legislature honors the goals and ideals of
5 Cystic Fibrosis Awareness Month so as to promote public
6 awareness and understanding of cystic fibrosis and the diverse
7 communities it impacts; and be it further

8 *Resolved,* That the Legislature encourages early diagnosis and
9 access to quality care for all people with cystic fibrosis to improve
10 the quality of their lives, advocates for increased support for people
11 who have cystic fibrosis and their families, and supports research
12 to find a cure for cystic fibrosis; and be it further

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

O

Date of Hearing: June 10, 2024

ASSEMBLY COMMITTEE ON RULES
Blanca Pacheco, Chair
SCR 124 (Laird) – As Introduced March 6, 2024

SENATE VOTE: 38-0

SUBJECT: Cystic Fibrosis Awareness Month.

SUMMARY: Proclaims the month of May 2024 as Cystic Fibrosis Awareness Month, to promote public awareness and understanding of cystic fibrosis and the diverse communities it impacts. Specifically, **this resolution** makes the following legislative findings:

- 1) Cystic fibrosis, a chronic and progressive systemic disease for which there is no known cure, is the most common fatal genetic disease in the United States.
- 2) Over 40,000 children and adults in the United States have been diagnosed with cystic fibrosis, and more than 1,000 new cases are diagnosed each year, predominantly through newborn screening.
- 3) Cystic fibrosis impacts individuals of every race and ethnicity, but due to health disparities and newborn screening panels that fail to capture rare cystic fibrosis transmembrane conductance regulator (CFTR) mutations, many individuals with cystic fibrosis are misdiagnosed or diagnosed late.
- 4) Despite advances in disease understanding and new therapies, the median age of death for those with cystic fibrosis is the mid-30s. Prompt, aggressive treatment of the symptoms of cystic fibrosis can extend the lives of people who have the disease.
- 5) Education of the public about cystic fibrosis, including the symptoms of the disease and its impact upon people of all races and ethnicities, increases knowledge and understanding of cystic fibrosis and promotes early diagnosis, and the Cystic Fibrosis Research Institute serves as a vital link in providing vital educational resources.

FISCAL EFFECT: This resolution is keyed non-fiscal by Legislative Counsel.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

Introduced by Senator Min

April 8, 2024

Senate Concurrent Resolution No. 131—Relative to Native Hawaiian and Pacific Islander Heritage Month.

LEGISLATIVE COUNSEL’S DIGEST

SCR 131, as introduced, Min. Native Hawaiian and Pacific Islander Heritage Month.

This measure would declare that the Legislature commends Native Hawaiians and Pacific Islanders for their notable accomplishments and contributions to California, recognizes April 2024 as Native Hawaiian and Pacific Islander Heritage Month, recognizes the role that Native Hawaiians and Pacific Islanders have played in the social, economic, and political development of California throughout the state’s history, and encourages all federal, state, and local organizations to promote the preservation of Native Hawaiian and Pacific Islander history and culture, including the preservation of Native Hawaiian and Pacific Islander communities.

Fiscal committee: no.

1 WHEREAS, Making up more than 337,617 community
2 members, the Native Hawaiian and Pacific Islander (NHPI)
3 community in California has the largest and most diverse
4 population of Native Hawaiians and Pacific Islanders in the
5 contiguous United States. In comparison, the NHPI population of
6 California was approximately 221,458 persons in 2000, and
7 289,873 persons in 2010. The NHPI population of today represents
8 an increase of 44,840 persons, or 15.4 percent, from 2010 to 2020,

1 and an increase of 113,255 persons, or 51.1 percent, from 2000 to
2 2020; and

3 WHEREAS, The NHPI community is a vibrant and diverse
4 group of ethnicities that include, but are not limited to, Guamanian
5 or Chamorro, Native Hawaiian, Marshallese, Fijian, Samoan,
6 Tongan, and Papua New Guinean. According to the 2020 United
7 States Census, the fastest growing NHPI group alone or in any
8 combination was the Papua New Guinean population, which
9 increased by 249.3 percent to 1,453 people. The Papua New
10 Guinean, Chuukese, Ni-Vanuatu, Carolinian, Pohnpeian, Kosraean,
11 Marshallese, I-Kiribati, and Yapese populations more than doubled,
12 increasing more than 100 percent in 2020. The Native Hawaiian
13 population grew by 29.1 percent from 527,077 in 2010 to 680,442
14 in 2020. It remained the largest NHPI group in 2020, comprising
15 nearly 43 percent of the NHPI population in the United States. The
16 Samoan population continued to be the second-largest detailed
17 NHPI group alone or in any combination at 256,997, and the
18 second-largest detailed NHPI group alone, at 133,148, representing
19 16.2 percent of the NHPI population alone or in combination and
20 19.3 percent of the NHPI population alone. The Samoan population
21 alone grew by 21.4 percent and the Samoan population alone or
22 in any combination grew by 39.3 percent. Chamorro was the
23 third-largest detailed NHPI group, with 10.2 percent of the NHPI
24 population alone identifying as Chamorro alone, at 70,704, and
25 9.1 percent of the NHPI population alone or in combination
26 identifying as Chamorro at 143,947. The next largest detailed
27 NHPI groups alone or in any combination were Tongan, Fijian,
28 and Marshallese, which all had populations over 50,000; and

29 WHEREAS, In California, the Chuukese population is the fastest
30 growing NHPI-alone group, increasing 296.2 percent to 10,500
31 people from 2010 to 2020. California has the largest proportions
32 of the Samoan, Chamorro, Tongan, and Fijian populations alone
33 or in any combination in the country. The Chamorro population
34 in the County of San Diego was the nation’s largest, at 9,391, and
35 accounted for the second-largest NHPI group alone or in any
36 combination in that county. While these figures refer to
37 monoracial-identifying Native Hawaiians and Pacific Islanders,
38 there are tens of thousands more NHPI individuals across the state
39 who are biracial or multiracial; and

1 WHEREAS, The Treaty of Paris formalized Guam as a United
2 States territory in 1898 and was placed under the jurisdiction of
3 the United States Navy, the United States assumed formal control
4 of Hawai‘i following the passage of the Hawaiian Annexation in
5 1898, and American Samoa became a United States territory by
6 deed of cession in 1900. Because of this, the Chamorros of Guam,
7 the Kānaka Maoli of Hawai‘i, and the Samoans of American Samoa
8 became subjects of the United States. As a result of the
9 militarization on the Pacific Islands, according to AAPI Nexus,
10 Native Hawaiians and Pacific Islanders serve in the military at a
11 higher rate than any other racial group in the United States. Native
12 Hawaiians and Pacific Islanders are the most overrepresented racial
13 group among active duty members, making up a proportion of the
14 military that is almost six times greater than their representation
15 in the United States. Today, many Pacific Islanders are American
16 citizens; and

17 WHEREAS, An influx of Native Hawaiians and Pacific Islanders
18 arrived in California in the 1950s after World War II. Continued
19 military service following World War II brought Pacific Islanders
20 from the United States territories of American Samoa and Guam
21 to California. Native Hawaiians and Tongans also came to
22 California seeking economic opportunities, with many Tongans
23 migrating to California via American Samoa. Many Pacific
24 Islanders initially settled in southern California cities such as the
25 Cities of Carson, Los Angeles, Long Beach, Oceanside, and San
26 Diego, while others settled in the City and County of San
27 Francisco. Most NHPI Californians today reside in the greater
28 Sacramento, San Francisco, and Los Angeles areas; and

29 WHEREAS, Data from the Minority Business Development
30 Agency shows that Native Hawaiians and Pacific Islanders continue
31 to comprise a significant and growing part of our state’s and
32 nation’s economy. Native Hawaiians and Pacific Islanders are
33 overrepresented in blue-collar occupations, such as food
34 preparation workers, grounds maintenance workers, hand laborers,
35 health care aides, military service people, security officers, store
36 clerks, and transportation or delivery workers. Native Hawaiians
37 and Pacific Islanders own over 8,800 employer firms across the
38 state, creating more than 60,100 jobs for Californians. These
39 NHPI-owned firms generated \$8.8 billion in revenue in the year
40 2020 alone. The firms span all sectors, with the most prominent

1 being construction, scientific and technical services, and
2 accommodation and food services; and

3 WHEREAS, In August 2023, the state of Hawai‘i suffered from
4 a series of devastating wildfires, especially on the island of Maui
5 and in the town of Lāhainā. The fires, which killed over 101 people
6 and injured over 67, destroyed many residential areas and cultural
7 landmarks such as the Lāhainā Historic District. In particular, the
8 fires risked erasing centuries of cultural heritage for Native
9 Hawaiians, or Kānaka Maoli, who already face heightened threats
10 of cultural destruction from the tourism industry and climate
11 change. Native Hawaiians in the state and across the United States
12 who have been personally or familiarly affected deserve robust
13 humanitarian and social support from state and federal
14 governments; and

15 WHEREAS, In May 2023, the territory of Guam endured the
16 Category 4 Typhoon Mawar. With winds of up to 140 miles per
17 hour, the typhoon damaged infrastructure and cut off access to
18 electricity and running water for most of the island’s 170,500
19 residents. While the economic sector of Guam sustained about
20 \$112,000,000 in damage, fortunately, no one was killed in the
21 storm. The indigenous Chamorro population in the territory, which
22 historically and currently faces human rights violations including
23 land seizures and the testing of nuclear and chemical weapons, is
24 especially in need of economic investment and humanitarian aid
25 in the recovery process; and

26 WHEREAS, Native Hawaiians and Pacific Islanders suffer
27 disproportionately from chronic conditions such as cancer,
28 cardiovascular diseases, obesity, and diabetes. Health risk behaviors
29 are also higher among Native Hawaiians and Pacific Islanders:
30 32.6 percent of Samoans, 25 percent of Tongans, and 21.3 percent
31 of Native Hawaiians were current smokers compared to only 14
32 percent in California overall. Evidence among Pacific Islander
33 young adults shows excessive burden of hazardous drinking and
34 alcohol-related harms; and

35 WHEREAS, The toll of the COVID-19 pandemic on NHPI
36 communities has been lasting, disproportionate, and underreported.
37 Preexisting health disparities and inequities in the social
38 determinants of health are driving the COVID-19 risk among
39 Native Hawaiians and Pacific Islanders. Native Hawaiians and
40 Pacific Islanders make up a large number of the essential

1 workforce, such as in the tourism and food industries. Native
2 Hawaiians and Pacific Islanders are more likely to live in large,
3 multigenerational households and denser communities, which
4 further increases their exposure risk. The high rates of asthma,
5 obesity, diabetes, heart disease, smoking, and vaping among NHPI
6 communities increase the risk for severe COVID-19 symptoms.
7 In the year 2020 alone, 177 Native Hawaiians and Pacific Islanders
8 died from COVID-19 in California. From 2020 to early 2023, there
9 were over 600 reported NHPI deaths from COVID-19 in California.
10 According to the UCLA Center for Health Policy Research,
11 COVID-19 death rates in 2020 were 1.5 times higher for Native
12 Hawaiians and Pacific Islanders than they were for Californians
13 overall. The death rates were even higher for Samoan, Tongan,
14 and Chamorro or Guamanian Americans; Samoan Americans in
15 particular were two times more at risk of dying from COVID-19
16 than Californians overall. Because NHPI health data is often
17 grouped with Asian American data, recorded as NHPI alone, and
18 underreported, the resulting data underestimates the true toll that
19 the pandemic had on NHPI communities; and

20 WHEREAS, Nationwide, 43 percent of Native Hawaiians and
21 Pacific Islanders speak a language other than English at home.
22 Among the different NHPI communities, “Other Micronesian”
23 includes the Marshallese, who have limited English proficiency
24 (LEP), at 40 percent, or who speak English “less than very well.”
25 The LEP of Marshallese is followed by Tongan at 22 percent;
26 “Melanesian,” which includes Fijian, at 21 percent; Samoan at 16
27 percent; Chamorro at 8 percent; and Native Hawaiian at 3 percent.
28 With there being minimal and limited culturally competent and
29 in-language resources for the NHPI community to combat the
30 COVID-19 pandemic, the NHPI community began grassroots
31 organizing to support one another, including, but not limited to,
32 by establishing and strengthening the UCLA NHPI Data Policy
33 Lab, the Bay Area Regional Task Force, the Southern California
34 Pacific Islander Community Response Team, the Central Valley
35 Pacific Islander Alliance, the Pacific Islander Community
36 Partnership, and the Sacramento Marshallese Community. Beyond
37 a need for data desegregation and language access, there must be
38 continued policy support for ready and affordable access to
39 vaccination, testing, and personal protective equipment, such as
40 masks, for NHPI communities; and

1 WHEREAS, Rising sea levels due to global warming pose an
2 existential threat to Pacific Islands such as Tuvalu, Kiribati, and
3 the Marshall Islands. By swallowing homes, infrastructure, and
4 farmland, and forcing residents to migrate, rising sea levels also
5 threaten Pacific Islander languages, which may go extinct as native
6 populations dwindle and fewer individuals speak them as their
7 first languages. Beyond stringently combating climate change, it
8 is even more important now for California to provide for language
9 education and access so that those with LEP in NHPI communities
10 have equal access to resources and that the linguistic and cultural
11 heritage carried with these languages is not lost; and

12 WHEREAS, NHPI communities face unique challenges as a
13 result of their distinct histories and community experiences. As a
14 result, the NHPI community organized in 1997 to update the federal
15 Office of Management and Budget Statistical Policy Directive No.
16 15, which established a dedicated “Native Hawaiian or Other
17 Pacific Islander” category in data collection. The NHPI community
18 would be best served if local, state, and federal entities
19 disaggregated data to identify trends specific to the NHPI
20 community. Further desegregation across ethnic categories and
21 for people identifying as multiracial NHPI should be encouraged;
22 and

23 WHEREAS, While Native Hawaiians and Pacific Islanders
24 represent diverse ethnic, religious, and political backgrounds, they
25 all also share similar cultural values and norms. These values
26 include a respect and deference for elders, an appreciation for
27 reciprocal labor and time, and an understanding of communal and
28 intergenerational authority; and

29 WHEREAS, The Legislature must provide for the equity and
30 socioeconomic well-being of Native Hawaiian and Pacific Islanders
31 through culturally sensitive and economically operative policies;
32 and

33 WHEREAS, Preserving NHPI communities throughout
34 California is critical to the state’s history and the preservation of
35 NHPI culture, history, traditions, and other elements of this
36 heritage; now, therefore, be it

37 *Resolved by the Senate of the State of California, the Assembly*
38 *thereof concurring,* That the Legislature commends Native
39 Hawaiians and Pacific Islanders for their notable accomplishments
40 and contributions to California, and recognizes April 2024 as

1 Native Hawaiian and Pacific Islander Heritage Month; and be it
2 further

3 *Resolved*, That the Legislature recognizes the role that Native
4 Hawaiians and Pacific Islanders have played in the social,
5 economic, and political development of California throughout the
6 state's history; and be it further

7 *Resolved*, That the Legislature encourages all federal, state, and
8 local organizations to promote the preservation of NHPI history
9 and culture, including the preservation of NHPI communities; and
10 be it further

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

O

Date of Hearing: June 10, 2024

ASSEMBLY COMMITTEE ON RULES
Blanca Pacheco, Chair
SCR 131 (Min) – As Introduced April 8, 2024

SENATE VOTE: 36-0

SUBJECT: Native Hawaiian and Pacific Islander Heritage Month.

SUMMARY: Recognizes April 2024 as Native Hawaiian and Pacific Islander Heritage Month, and recognizes the role that Native Hawaiians and Pacific Islanders (NHPI) have played in the social, economic, and political development of California throughout the state’s history. Specifically, **this resolution** makes the following legislative findings:

- 1) An influx of Native Hawaiians and Pacific Islanders arrived in California in the 1950s after World War II. Continued military service following World War II brought Pacific Islanders from the United States territories of American Samoa and Guam to California. Native Hawaiians and Tongans also came to California seeking economic opportunities, with many Tongans migrating to California via American Samoa.
- 2) Making up more than 337,617 community members, the NHPI community in California has the largest and most diverse population of Native Hawaiians and Pacific Islanders in the contiguous United States.
- 3) The NHPI community is a vibrant and diverse group of ethnicities that include, but are not limited to, Guamanian or Chamorro, Native Hawaiian, Marshallese, Fijian, Samoan, Tongan, and Papua New Guinean.
- 4) Native Hawaiians and Pacific Islanders suffer disproportionately from chronic conditions such as cancer, cardiovascular diseases, obesity, and diabetes. Evidence among Pacific Islander young adults shows excessive burden of hazardous drinking and alcohol-related harms.
- 5) NHPI communities face unique challenges as a result of their distinct histories and community experiences. As a result, the NHPI community organized in 1997 to update the federal Office of Management and Budget Statistical Policy Directive No. 15, which established a dedicated “Native Hawaiian or Other Pacific Islander” category in data collection.
- 6) The Legislature must provide for the equity and socioeconomic well-being of Native Hawaiian and Pacific Islanders through culturally-sensitive and economically-operative policies.
- 7) Preserving NHPI communities throughout California is critical to the state’s history and the preservation of NHPI culture, history, traditions, and other elements of this heritage.

FISCAL EFFECT: This resolution is keyed non-fiscal by Legislative Counsel.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

Introduced by Senator Cortese

April 16, 2024

Senate Concurrent Resolution No. 139—Relative to California Museums Month.

LEGISLATIVE COUNSEL’S DIGEST

SCR 139, as introduced, Cortese. California Museums Month.

This measure would declare May 2024 to be California Museums Month.

Fiscal committee: no.

1 WHEREAS, California museums include art museums, zoos,
2 aquaria, historical societies, science centers, botanical gardens,
3 children’s museums, and cultural centers; and

4 WHEREAS, California is home to over 1,500 museums located
5 in communities of all sizes and in every county throughout the
6 state; and

7 WHEREAS, California museums serve over 22,000,000 visitors
8 annually and more Americans visit museums than the attendance
9 of all major league sporting events and theme parks combined;
10 and

11 WHEREAS, Americans believe that museums are educational
12 assets for their communities, the most trustworthy source of
13 objective information, and significant in creating a strong
14 connection to the past; and

15 WHEREAS, California museums help the state meet its
16 obligations in education by serving over 2,000,000 schoolchildren
17 per year; and

1 WHEREAS, Studies have shown that visits to museums have
2 a positive impact on the academic and social development of
3 children and the well-being of adults; and
4 WHEREAS, California museums foster exploration to advance
5 knowledge, understanding, and appreciation of the humanities,
6 sciences, arts, and natural world; and
7 WHEREAS, California museums provide a spark that inspires
8 future generations of scientists, artists, politicians, historians, and
9 entrepreneurs; and
10 WHEREAS, California museums have a \$6.55 billion financial
11 impact on the economy and support over 80,000 jobs; and
12 WHEREAS, Museums, residents, elected officials, civic leaders,
13 and local governments are invited to recognize and celebrate the
14 contributions of museums to California; now, therefore, be it
15 *Resolved by the Senate of the State of California, the Assembly*
16 *thereof concurring*, That the Legislature, in recognition of the
17 importance of museums as civic and educational institutions and
18 their contributions to the well-being of this state, declares May
19 2024 as California Museums Month, and be it further
20 *Resolved*, That the Secretary of the Senate transmit copies of
21 this resolution to the author for appropriate distribution.

O

Date of Hearing: June 10, 2024

ASSEMBLY COMMITTEE ON RULES
Blanca Pacheco, Chair
SCR 139 (Cortese) – As Introduced April 16, 2024

SENATE VOTE: 37-0

SUBJECT: California Museums Month.

SUMMARY: Declares May 2024 as California Museums Month, in recognition of the importance of museums as civic and educational institutions and their contributions to the well-being of this state. Specifically, **this resolution** makes the following legislative findings:

- 1) California is home to over 1,500 museums located in communities of all sizes and in every county throughout the state. California museums include art museums, zoos, aquaria, historical societies, science centers, botanical gardens, children’s museums, and cultural centers.
- 2) California museums serve over 22 million visitors annually and more Americans visit museums than the attendance of all major league sporting events and theme parks combined.
- 3) Americans believe that museums are educational assets for their communities, the most trustworthy source of objective information, and significant in creating a strong connection to the past.
- 4) California museums help the state meet its obligations in education by serving over 2 million schoolchildren per year. Studies have shown that visits to museums have a positive impact on the academic and social development of children and the well-being of adults.
- 5) California museums foster exploration to advance knowledge, understanding, and appreciation of the humanities, sciences, arts, and natural world. They provide a spark that inspires future generations of scientists, artists, politicians, historians, and entrepreneurs.
- 6) Museums, residents, elected officials, civic leaders, and local governments are invited to recognize and celebrate the contributions of museums to California.

FISCAL EFFECT: This resolution is keyed non-fiscal by Legislative Counsel.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

AMENDED IN SENATE MAY 20, 2024

Senate Concurrent Resolution

No. 141

**Introduced by ~~Senator~~ *Senators Wiener and Portantino*
(Coauthors: *Senators Archuleta, Cortese, Dodd, Eggman, Gonzalez,
Menjivar, Umberg, and Wahab*)**

April 24, 2024

Senate Concurrent Resolution No. 141—Relative to Mental Health Awareness Month.

LEGISLATIVE COUNSEL’S DIGEST

SCR 141, as amended, Wiener. Mental Health Awareness Month.

This measure would designate May 2024 as National Mental Health Awareness Month in California.

Fiscal committee: no.

1 *WHEREAS, Mental health includes our emotional,*
2 *psychological, and social well-being and affects how we think,*
3 *feel, and act, including how we handle stress, relate to others, and*
4 *make choices; and*
5 *WHEREAS, Mental health allows us to maintain relationships,*
6 *take care of ourselves and our families, take care of our physical*
7 *bodies, and respond and adapt to daily life changes; and*
8 WHEREAS, Mental illness is one of the leading causes of
9 disability in the United States, affecting one out of every four
10 families and victimizing both the person with the illness and those
11 persons who care for and love the person afflicted; and
12 WHEREAS, One in six youth in the United States 6 to 17 years
13 of age, inclusive, experience a mental health disorder each year;
14 and

1 WHEREAS, Fifty percent of all lifetime mental illness begins
2 by 14 years of age, and 75 percent by 24 years of age; and
3 WHEREAS, Serious mental illness costs Americans
4 approximately \$193,200,000,000 in lost earnings per year; and
5 WHEREAS, A report done by the Crisis Text Line of youth
6 under 17 years of age that used the service showed that there was
7 a 144-percent increase from 2010 ~~in youth~~ *with one in five*
8 *adolescents* 12 to 17 years of age, inclusive, that experienced a
9 major depressive episode; and
10 WHEREAS, The National Institute of Mental Health (NIMH)
11 has reported that many people suffer from more than one mental
12 disorder at a given time and that 45 percent of those with a mental
13 disorder meet criteria for two or more disorders, including diabetes,
14 cardiovascular disease, HIV/AIDS, and cancer, and the severity
15 of the mental disorder strongly relates to comorbidity; and
16 WHEREAS, NIMH also reported that young adults 18 to 25
17 years of age, inclusive, had the highest prevalence of any mental
18 illness and serious mental illness compared to older adults; and
19 WHEREAS, Lesbian, gay, and bisexual youth are four times
20 more likely to attempt suicide than straight youth; and
21 WHEREAS, According to a federal Centers for Disease Control
22 and Prevention report, suicide was the second leading cause of
23 death in individuals 10 to 14 years of age, inclusive, and the third
24 leading cause of death among individuals 15 to 24 years of age,
25 inclusive, in 2021; and
26 *WHEREAS, Suicide is the 11th leading cause of death in the*
27 *United States overall; and*
28 *WHEREAS, The number of deaths by suicide increased by 8*
29 *percent from 2011 to 2022, inclusive; and*
30 WHEREAS, In October 2021, the American Academy of
31 Pediatrics, the American Academy of Child and Adolescent
32 Psychiatry, and the Children’s Hospital Association came together
33 to declare a national state of emergency in children’s mental health;
34 and
35 WHEREAS, United States Surgeon General Vivek Murthy
36 issued an advisory in December of 2021 – a move reserved for the
37 most urgent public health challenges – highlighting the COVID-19
38 pandemic’s devastating impact on the already dire state of
39 children’s mental health; and

1 WHEREAS, During the COVID-19 pandemic, 76 percent of
2 LGBTQ+ high school students experienced persistent feelings of
3 sadness and hopelessness; and

4 *WHEREAS, Although rates of mental illness in some Black,*
5 *Indigenous, and people of color (BIPOC) populations are*
6 *sometimes comparable or slightly lower than the rates in the White*
7 *population, BIPOC often experience a disproportionately high*
8 *burden of disability from mental disorders; and*

9 *WHEREAS, Black adults are 20 percent more likely to report*
10 *serious psychological distress than White adults; and*

11 *WHEREAS, Native and Indigenous Americans report higher*
12 *rates of post-traumatic stress disorder and alcohol dependence*
13 *than any other ethnic or racial group; and*

14 *WHEREAS, Cultural incompetence of health care providers*
15 *likely contributes to underdiagnosis or misdiagnosis of mental*
16 *illness in BIPOC. Language differences between patient and*
17 *provider, stigma of mental illness among BIPOC, and cultural*
18 *presentation of symptoms are some of the many barriers to care*
19 *that explain these errors in the diagnostic process; and*

20 *WHEREAS, Native and Indigenous American adults have the*
21 *highest reported rate of mental illnesses of any single racial*
22 *identifying group; and*

23 *WHEREAS, Children under 18 years of age from racial and*
24 *ethnic minority groups were more than 4.5 times more likely to*
25 *experience the grief of losing a loved one during the pandemic*
26 *compared to their non-Hispanic White peers; and*

27 *WHEREAS, In California, there are nearly 60,000 children in*
28 *the foster care system, and many youth still exit care without the*
29 *support and guidance they need to successfully transition; and*

30 *WHEREAS, Research indicates foster youth experience rates*
31 *of homelessness ranging from 11 percent to 38 percent,*
32 *disproportionately higher than that of the general population; and*

33 *WHEREAS, Fifty-seven million Americans have a mental*
34 *disorder in any given year, but fewer than 40 percent of adults*
35 *living with a mental illness, and slightly more than one-half of*
36 *youth 8 to 15 years of age, inclusive, with a mental illness, received*
37 *mental health services in the last year; and*

38 *WHEREAS, Although mental illness impacts all people, many*
39 *of those in lower income communities receive less care and poorer*

1 quality of care, and often lack access to culturally competent care,
2 thereby resulting in mental health disparities; and
3 WHEREAS, Some see negative perceptions about mental health
4 care as a significant factor contributing to limited or nonexistent
5 access to care, and some common concerns are stigma, culture,
6 masculinity, exposure to violence, and lack of information and
7 awareness, among many others; and
8 WHEREAS, According to the California Reducing Disparities
9 Project, being misdiagnosed and given severe mental health
10 diagnoses can be stigmatizing and can affect a person’s self-esteem,
11 which, in turn, can discourage a person from seeking help; and
12 *WHEREAS, Mental and behavioral health conditions are*
13 *common among people in the criminal justice system, in which*
14 *BIPOC are disproportionately overrepresented, with approximately*
15 *50 to 75 percent of youth, inclusive, in the juvenile justice system*
16 *meeting the diagnostic criteria for a mental illness; and*
17 WHEREAS, An estimated 70 percent of all youth in the juvenile
18 justice system have at least one mental health condition, and at
19 least 20 percent live with severe mental illness that is usually
20 undiagnosed, misdiagnosed, untreated, or ineffectively treated,
21 thus leaving those detained in the juvenile justice system in a
22 vulnerable condition; and
23 *WHEREAS, Drug- and alcohol-related deaths have been on the*
24 *rise since 2009 with higher increases during the pandemic year;*
25 *and*
26 *WHEREAS, Among different age categories, young adults 15*
27 *to 24 years of age, inclusive, had the largest increase in*
28 *substance-related deaths from 2019 to 2020, inclusive, with an*
29 *165-percent increase; and*
30 WHEREAS, An estimated 60 percent of youth in juvenile
31 facilities met criteria for substance use disorder in the year before
32 entering custody; and
33 WHEREAS, According to results from the 2021 National Survey
34 on Drug Use and Health, 46,300,000 people 12 years of age or
35 older had a substance use disorder in the past year, with the
36 percentage of people being higher among American Indian or
37 Alaska Native and multiracial people; and
38 WHEREAS, There is a need to improve public awareness of
39 mental illness and to strengthen local and national awareness of
40 brain diseases, so that all those with mental illness may receive

1 adequate and appropriate treatment that will result in their
2 becoming fully functioning members of society; and

3 WHEREAS, There is a need to encourage primary care
4 physicians to offer screenings, to partner with mental health care
5 providers, to seek appropriate referrals to specialists, and to
6 encourage timely and accurate diagnoses of mental disorders; and

7 WHEREAS, The Legislature wishes to enhance public
8 awareness of mental illness; now, therefore, be it

9 *Resolved by the Senate of the State of California, the Assembly*
10 *thereof concurring*, That the Legislature hereby recognizes May
11 2024 as National Mental Health Awareness Month in California
12 to enhance public awareness of mental illness; and be it further

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

O

Date of Hearing: June 10, 2024

ASSEMBLY COMMITTEE ON RULES
Blanca Pacheco, Chair
SCR 141 (Wiener) – As Amended May 20, 2024

SENATE VOTE: 37-0

SUBJECT: Mental Health Awareness Month.

SUMMARY: Recognizes May 2024 as National Mental Health Awareness Month in California to enhance public awareness of mental illness. Specifically, **this resolution** makes the following legislative findings:

- 1) Mental illness is one of the leading causes of disability in the United States, affecting one out of every four families and victimizing both the person with the illness and those persons who care for and love the person afflicted.
- 2) Mental health includes our emotional, psychological, and social well-being and affects how we think, feel, and act, including how we handle stress, relate to others, and make choices. It allows us to maintain relationships, take care of ourselves and our families, take care of our physical bodies, and respond and adapt to daily life changes.
- 3) The National Institute of Mental Health (NIMH) has reported that many people suffer from more than one mental disorder at a given time and that 45 percent of those with a mental disorder meet criteria for two or more disorders, including diabetes, cardiovascular disease, HIV/AIDS, and cancer, and the severity of the mental disorder strongly relates to comorbidity.
- 4) NIMH also reported that young adults 18 to 25 years of age, inclusive, had the highest prevalence of any mental illness and serious mental illness compared to older adults.
- 5) Lesbian, gay, and bisexual youth are four times more likely to attempt suicide than straight youth.
- 6) Although rates of mental illness in some Black, Indigenous, and people of color (BIPOC) populations are sometimes comparable or slightly lower than the rates in the White population, BIPOC often experience a disproportionately high burden of disability from mental disorders.
- 7) Native and Indigenous Americans report higher rates of post-traumatic stress disorder and alcohol dependence than any other ethnic or racial group. Native and Indigenous American adults have the highest reported rate of mental illnesses of any single racial identifying group.
- 8) There is a need to improve public awareness of mental illness and to strengthen local and national awareness of brain diseases, so that all those with mental illness may receive adequate and appropriate treatment that will result in their becoming fully functioning members of society.

FISCAL EFFECT: This resolution is keyed non-fiscal by Legislative Counsel.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

Introduced by Senator Rubio

(Principal coauthor: Assembly Member Blanca Rubio)

(Coauthors: Senators Alvarado-Gil, Atkins, Blakespear, Gonzalez, Hurtado, Limón, Nguyen, Ochoa Bogh, Skinner, and Smallwood-Cuevas)

(Coauthors: Assembly Members Aguiar-Curry, McKinnor, Quirk-Silva, and Weber)

May 2, 2024

Senate Concurrent Resolution No. 144—Relative to the Day of the Teacher.

LEGISLATIVE COUNSEL’S DIGEST

SCR 144, as introduced, Rubio. Day of the Teacher.

This measure would proclaim May 8, 2024, as the Day of the Teacher.

Fiscal committee: no.

- 1 WHEREAS, Today’s teachers continue to mold the minds of
- 2 our future workforce and generations to come; and
- 3 WHEREAS, Today we recognize that teachers continue to face
- 4 significant challenges, as their workloads continue to increase due
- 5 to additional duties being added on a daily, weekly, and monthly
- 6 basis; and
- 7 WHEREAS, Teachers deserve to be honored in the highest
- 8 regard for their resilience, their dedication, and the ongoing support
- 9 they provide to our pupils; and
- 10 WHEREAS, No other profession touches as many people with
- 11 such a lasting effect and has the potential to transform lives the
- 12 way teachers do; and

1 WHEREAS, Advocating for smaller class sizes is beneficial for
2 the classroom environment as it allows teachers to connect more
3 with the pupils, increases instructional time, and individualizes
4 education; and
5 WHEREAS, Good teaching grows in value and pays dividends
6 far beyond the classroom and will continue to shape future
7 generations to come; and
8 WHEREAS, To continue educating the population, teacher grant
9 programs are necessary to provide the training and mentorship
10 needed to encourage teachers to remain in classrooms; and
11 WHEREAS, Currently, the recipients of these grants mirror the
12 race and ethnicity of the population of California, and having a
13 diverse workforce leads to an increase in innovation and has a
14 positive impact on the younger generation; and
15 WHEREAS, According to the State Department of Education,
16 the state is facing a teacher shortage with more than 10,000
17 vacancies statewide, showing the dire need to retain teachers; and
18 WHEREAS, California teachers bring a variety of cultural
19 backgrounds that increase the academic performance of pupils of
20 color, including improved reading and mathematics test scores,
21 improved graduation rates, and an increase in pupil aspirations to
22 attend college; and
23 WHEREAS, California long ago recognized the immeasurable
24 value of our teachers, and the second Wednesday in May has
25 traditionally been recognized as the Day of the Teacher, a special
26 observance that honors teachers and the teaching profession; and
27 WHEREAS, The Day of the Teacher has been sponsored by the
28 California Teachers' Association and the Association of Mexican
29 American Educators and was first recognized in 1982; and
30 WHEREAS, California has patterned its celebration after the
31 traditional El Día del Maestro festivities observed in Mexico and
32 other Latin American countries; and
33 WHEREAS, The national Day of the Teacher will be celebrated
34 on May 7, 2024; and
35 WHEREAS, The Day of the Teacher should be a day for school
36 districts, parents, public officials, and the community to recognize
37 the dedication and commitment of teachers who are educating our
38 children; now, therefore, be it

1 *Resolved by the Senate of the State of California, the Assembly*
2 *thereof concurring*, That the day of May 8, 2024, be proclaimed
3 the Day of the Teacher; and be it further

4 *Resolved*, That the Legislature hereby urges all Californians to
5 observe the Day of the Teacher by taking the time to remember
6 and honor all individuals who give the gift of knowledge through
7 teaching; and be it further

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

O

Date of Hearing: May 28, 2024

ASSEMBLY COMMITTEE ON RULES
Blanca Pacheco, Chair
SCR 144 (Rubio) – As Introduced May 2, 2024

SENATE VOTE: 37-0

SUBJECT: Day of the Teacher.

SUMMARY: Proclaims May 8, 2024, as the Day of the Teacher and urges all Californians to observe the Day of the Teacher by taking the time to remember and honor all individuals who give the gift of knowledge through teaching. Specifically, **this resolution** makes the following legislative findings:

- 1) Today’s teachers continue to mold the minds of our future workforce and generations to come. Teachers continue to face significant challenges, as their workloads continue to increase due to additional duties being added on a daily, weekly, and monthly basis.
- 2) No other profession touches as many people with such a lasting effect and has the potential to transform lives the way teachers do. Good teaching grows in value and pays dividends far beyond the classroom and will continue to shape future generations to come.
- 3) To continue educating the population, teacher grant programs are necessary to provide the training and mentorship needed to encourage teachers to remain in classrooms.
- 4) According to the State Department of Education, the state is facing a teacher shortage with more than 10,000 vacancies statewide, showing the dire need to retain teachers.
- 5) California teachers bring a variety of cultural backgrounds that increase the academic performance of pupils of color, including improved reading and mathematics test scores, improved graduation rates, and an increase in pupil aspirations to attend college.
- 6) California long ago recognized the immeasurable value of our teachers, and the second Wednesday in May has traditionally been recognized as the Day of the Teacher since 1982, a special observance that honors teachers and the teaching profession.

FISCAL EFFECT: This resolution is keyed non-fiscal by Legislative Counsel.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

**Introduced by Senator Ashby
(Coauthors: Senators Grove, Newman, and Wahab)**

May 14, 2024

Senate Concurrent Resolution No. 147—Relative to Foster Youth Awareness Month.

LEGISLATIVE COUNSEL’S DIGEST

SCR 147, as introduced, Ashby. Foster Youth Awareness Month.

This measure would designate the month of May 2024 as Foster Youth Awareness Month.

Fiscal committee: no.

- 1 WHEREAS, The children and youth of California are our hope
- 2 for the future, and all children deserve a safe, loving, accepting,
- 3 stable, and nurturing home; and
- 4 WHEREAS, The success of a child is best supported by a
- 5 family-focused, child-centered, and community-based child welfare
- 6 system and preserving families is the primary goal of the child
- 7 welfare system; and
- 8 WHEREAS, Kinship families and foster families play a critical
- 9 role in serving as a support for the parents of children in foster
- 10 care, making family reunification possible; and
- 11 WHEREAS, Nearly 100 times per day, a child is placed in foster
- 12 care in California; and
- 13 WHEREAS, One-third of the nation’s unaccompanied homeless
- 14 youth are in California; and
- 15 WHEREAS, California has over 43,000 children in the foster
- 16 care system, disproportionately from Black and Native families;
- 17 and

1 WHEREAS, The proportions of Black and Native youth in foster
2 care are around four times larger than the proportions of Black
3 and Native youth in California overall; and
4 WHEREAS, One-half of all children in foster care have endured
5 four or more adverse childhood experiences such as abuse, neglect,
6 and abandonment, which can negatively impact their health and
7 development; and
8 WHEREAS, Numerous national studies have documented that
9 children involved with the child welfare system have increased
10 rates of chronic health problems, developmental delays and
11 disabilities, mental health needs, and substance abuse problems;
12 and
13 WHEREAS, Research indicates foster youth experience rates
14 of homelessness ranging from 11 percent to 38 percent,
15 disproportionately higher than that of the general population; and
16 WHEREAS, In California, 93 percent of foster youth say they
17 want to attend college, but only 4 percent of former foster youth
18 will obtain their bachelor’s degree by 26, compared to 50 percent
19 of their peers; and
20 WHEREAS, For children and youth in the foster care system,
21 we must continue finding them loving temporary homes, provide
22 them with the resources they need, and deliver safe and supportive
23 permanent homes; and
24 WHEREAS, California recognizes the enduring and valuable
25 contribution of relatives and foster and adoptive parents who open
26 their hearts, families, and homes to vulnerable children and youth;
27 and
28 WHEREAS, California recognizes the numerous individuals
29 and public and private organizations that work to ensure that the
30 needs of children and youth living in, and leaving, foster care are
31 met, that help provide foster and former foster children and youth
32 with vital connections to their siblings, and that help launch young
33 people into successful adulthood; and
34 WHEREAS, California is engaged in continuum of care reform,
35 which is a comprehensive approach to improving the experience
36 and outcomes of children and youth in foster care by improving
37 assessments of children and families to make more informed and
38 appropriate initial placement decisions, emphasizing home-based
39 family care placements of children, appropriately supporting these
40 placements with needed services, creating short-term residential

1 therapeutic programs for youth whose needs cannot be met safely
2 in families, and increasing transparency and accountability for
3 child outcomes; and

4 WHEREAS, California is further engaged in building a
5 comprehensive behavioral health system for youth and families
6 impacted by the child welfare system that is responsive to the
7 trauma inherent to family separation; now, therefore, be it

8 *Resolved by the Senate of the State of California, the Assembly*
9 *thereof concurring*, That the Legislature designates the month of
10 May 2024 as Foster Youth Awareness Month; and be it further

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

O

Date of Hearing: June 10, 2024

ASSEMBLY COMMITTEE ON RULES
Blanca Pacheco, Chair
SCR 147 (Ashby) – As Introduced May 14, 2024

SENATE VOTE: 38-0

SUBJECT: Foster Youth Awareness Month.

SUMMARY: Designates the month of May 2024 as Foster Youth Awareness Month. Specifically, **this resolution** makes the following legislative findings:

- 1) The children and youth of California are our hope for the future, and all children deserve a safe, loving, accepting, stable, and nurturing home.
- 2) The success of a child is best supported by a family-focused, child-centered, and community-based child welfare system and preserving families is the primary goal of the child welfare system. Kinship families and foster families play a critical role in serving as a support for the parents of children in foster care, making family reunification possible.
- 3) California has over 43,000 children in the foster care system, disproportionately from Black and Native families. The proportions of Black and Native youth in foster care are around four times larger than the proportions of Black and Native youth in California overall.
- 4) Numerous national studies have documented that children involved with the child welfare system have increased rates of chronic health problems, developmental delays and disabilities, mental health needs, and substance abuse problems.
- 5) For children and youth in the foster care system, we must continue finding them loving temporary homes, provide them with the resources they need, and deliver safe and supportive permanent homes.
- 6) California recognizes the numerous individuals and public and private organizations that work to ensure that the needs of children and youth living in, and leaving, foster care are met, that help provide foster and former foster children and youth with vital connections to their siblings, and that help launch young people into successful adulthood.

FISCAL EFFECT: This resolution is keyed non-fiscal by Legislative Counsel.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

Introduced by Senator Alvarado-Gil

May 14, 2024

Senate Concurrent Resolution No. 148—Relative to Foster Care Awareness Month.

LEGISLATIVE COUNSEL’S DIGEST

SCR 148, as introduced, Alvarado-Gil. Foster care.

This measure would declare the month of May 2024 to be Foster Care Awareness Month.

Fiscal committee: no.

1 WHEREAS, Nearly 45,000 children in California are navigating
2 the complexities of the foster care system, longing for, and
3 deserving, safe enduring bonds with nurturing adults, a stable
4 home, and comprehensive supports to grow, learn, and thrive; and
5 acknowledging that the children and youth of California represent
6 our hope for the future, we affirm that every child deserves a safe,
7 loving, accepting, stable, and nurturing home; and

8 WHEREAS, Historically, foster youth have experienced
9 alarming rates of homelessness as they transition out of care and,
10 although California has taken great strides in addressing this, one
11 out of four foster youth experience homelessness after exiting care
12 and before turning 23 years of age; and

13 WHEREAS, Many California counties and community partners
14 have successfully supported permanent family connections for
15 foster youth, provided support for families at risk of entering the
16 child welfare system, and changed practices to fully engage youth,
17 families, and communities, thereby reducing the number of children
18 in foster care; and

1 WHEREAS, California recognizes the enduring and valuable
2 contribution of relatives and foster and adoptive parents who open
3 their hearts, families, and homes to vulnerable children and youth;
4 and
5 WHEREAS, California acknowledges the tireless efforts of
6 countless individuals and organizations dedicated to meeting the
7 needs of children and youth within, and transitioning out of, foster
8 care, facilitating essential connections between youth and their
9 siblings, and empowering young individuals to thrive as they
10 transition into adulthood; and
11 WHEREAS, California is deeply committed to constructing a
12 comprehensive, holistic behavioral health and strengths-based
13 system for youth and families affected by the child welfare system,
14 designed to be responsive to the trauma caused by family
15 separation, and specifically embracing nontraditional therapeutic
16 methods such as enrichment activities and prioritizing lifelong
17 relationships; and
18 WHEREAS, It is undeniable that children and adolescents thrive
19 most effectively within the nurturing embrace of familial
20 environments, thus ensuring that such placements continue to be
21 given the highest priority; and
22 WHEREAS, California has undergone comprehensive reforms
23 to improve the experience and outcomes of children and youth in
24 foster care by improving assessments of children and families to
25 make more informed and appropriate initial placement decisions,
26 emphasizing home-based family care placements of children,
27 appropriately supporting those placements with needed services,
28 creating short-term programs for youth whose needs cannot be
29 met safely in families, and increasing transparency and
30 accountability for child outcomes; and
31 WHEREAS, California is dedicated to working in partnership
32 with local governments, advocates, and stakeholders to address
33 the disproportionate representation of Black, Latino, and
34 indigenous youth in the foster care system, and further, to address
35 systemwide outcomes that reflect the fact that children of color in
36 the foster care system are more likely to experience multiple
37 placements and less likely to be reunited with their birth families
38 than White children in the foster care system; and
39 WHEREAS, California is committed to working in partnership
40 with the federal government, local governments, and community

1 partners to improve the lives and futures of all children and youth
2 touched by the child welfare system; now, therefore, be it
3 *Resolved by the Senate of the State of California, the Assembly*
4 *thereof concurring*, That the Legislature declares the month of
5 May 2024 to be Foster Care Awareness Month; and be it further
6 *Resolved*, That the Secretary of the Senate transmit copies of
7 this resolution to the author for appropriate distribution.

O

Date of Hearing: June 10, 2024

ASSEMBLY COMMITTEE ON RULES
Blanca Pacheco, Chair
SCR 148 (Alvarado-Gil) – As Introduced May 14, 2024

SENATE VOTE: 38-0

SUBJECT: Foster care.

SUMMARY: Declares the month of May 2024 to be Foster Care Awareness Month. Specifically, **this resolution** makes the following legislative findings:

- 1) Nearly 45,000 children in California are navigating the complexities of the foster care system, longing for, and deserving, safe enduring bonds with nurturing adults, a stable home, and comprehensive supports to grow, learn, and thrive.
- 2) Historically, foster youth have experienced alarming rates of homelessness as they transition out of care and, although California has taken great strides in addressing this, one out of four foster youth experience homelessness after exiting care and before turning 23 years of age.
- 3) Many California counties and community partners have successfully supported permanent family connections for foster youth, provided support for families at risk of entering the child welfare system, and changed practices to fully engage youth, families, and communities, thereby reducing the number of children in foster care.
- 4) California acknowledges the tireless efforts of countless individuals and organizations dedicated to meeting the needs of children and youth within, and transitioning out of, foster care, facilitating essential connections between youth and their siblings, and empowering young individuals to thrive as they transition into adulthood.
- 5) It is undeniable that children and adolescents thrive most effectively within the nurturing embrace of familial environments, thus ensuring that such placements continue to be given the highest priority. California is committed to working in partnership with the federal government, local governments, and community partners to improve the lives and futures of all children and youth touched by the child welfare system.

FISCAL EFFECT: This resolution is keyed non-fiscal by Legislative Counsel.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

Introduced by Senator Cortese

May 15, 2024

Senate Concurrent Resolution No. 149—Relative to California Recommerce Day.

LEGISLATIVE COUNSEL’S DIGEST

SCR 149, as introduced, Cortese. California Recommerce Day.

This measure would proclaim May 21, 2024, as California Recommerce Day.

Fiscal committee: no.

1 WHEREAS, The buying, selling, and trading of pre-owned
2 goods, also known as the practice of recommerce, has become an
3 integral part of our modern economy, providing numerous benefits
4 to consumers and the environment; and

5 WHEREAS, Recommerce plays a significant role in waste
6 reduction, cutting down 73,000 metric tons of waste and 1,600,000
7 metric tons of carbon emissions in 2022, thus extending the lifespan
8 of products and mitigating the environmental impact associated
9 with manufacturing new goods; and

10 WHEREAS, The circular economy, promoted through
11 recommerce, emphasizes the reuse and recycling of products,
12 fostering sustainability and resource efficiency; and

13 WHEREAS, Recommerce offers consumers affordable
14 alternatives to purchasing new items, allowing for access to quality
15 products at reduced prices, promoting economic equity and
16 financial savings; and

17 WHEREAS, Ninety percent of buyers surveyed reported
18 purchasing pre-owned goods from online platforms and small

1 businesses across various sectors including fashion, electronics,
2 furniture, and more; and

3 WHEREAS, The State of California recognizes the importance
4 of supporting sustainable practices and initiatives that benefit both
5 its residents and the environment, thereby aligning with the
6 principles of recommerce; now, therefore, be it

7 *Resolved by the Senate of the State of California, the Assembly*
8 *thereof concurring*, That the Legislature hereby declares May 21,
9 2024, as California Recommerce Day to raise awareness about the
10 significance of recommerce in connecting people and communities,
11 promoting economic opportunity, and advancing the circular
12 economy; and be it further

13 *Resolved*, That all Californians are encourages to participate in
14 and support activities and events that celebrate recommerce,
15 including, but not limited to, purchasing pre-owned goods, donating
16 items for reuse, and advocating for policies that promote
17 sustainability and resource conservation; and be it further

18 *Resolved*, That the Secretary of the Senate transmit copies of
19 this resolution to the Governor, the Speaker of the Assembly, the
20 President pro Tempore of the Senate, and to each Member of the
21 Legislature.

O

Date of Hearing: June 10, 2024

ASSEMBLY COMMITTEE ON RULES
Blanca Pacheco, Chair
SCR 149 (Cortese) – As Introduced May 15, 2024

SENATE VOTE: 37-0

SUBJECT: California Recommerce Day.

SUMMARY: Proclaims May 21, 2024, as California Recommerce Day to raise awareness about the significance of recommerce in connecting people and communities, promoting economic opportunity, and advancing the circular economy. Specifically, **this resolution** makes the following legislative findings:

- 1) The buying, selling, and trading of pre-owned goods, also known as the practice of recommerce, has become an integral part of our modern economy, providing numerous benefits to consumers and the environment.
- 2) Recommerce plays a significant role in waste reduction, cutting down 73,000 metric tons of waste and 1.6 million metric tons of carbon emissions in 2022, thus extending the lifespan of products and mitigating the environmental impact associated with manufacturing new goods.
- 3) Recommerce offers consumers affordable alternatives to purchasing new items, allowing for access to quality products at reduced prices, promoting economic equity and financial savings.
- 4) Ninety percent of buyers surveyed reported purchasing pre-owned goods from online platforms and small businesses across various sectors including fashion, electronics, furniture, and more.
- 5) The State of California recognizes the importance of supporting sustainable practices and initiatives that benefit both its residents and the environment, thereby aligning with the principles of recommerce.

FISCAL EFFECT: This resolution is keyed non-fiscal by Legislative Counsel.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

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SACRAMENTO, CA 94249-0004
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COMMITTEES
AGRICULTURE
EMERGENCY MANAGEMENT
GOVERNMENTAL ORGANIZATION
HEALTH

SELECT COMMITTEES
CHAIR, WINE
AUTOMATION AND WORKFORCE DEVELOPMENT
GREEN INNOVATION AND ENTREPRENEURSHIP
LOCAL PUBLIC SAFETY AND EMERGENCY
PREPAREDNESS
PORTS AND GOODS MOVEMENT
REPRODUCTIVE HEALTH
WILDFIRE PREVENTION

JOINT COMMITTEES
FAIRS ALLOCATION AND CLASSIFICATION
EMERGENCY MANAGEMENT

June 6, 2024

The Honorable Blanca Pacheco
Chair
Assembly Committee on Rules
1021 O Street, Room 6250
Sacramento, California 95814

Dear Chair Pacheco:

I write to respectfully request permission to add an urgency clause to AB 2813 (Aguiar-Curry).

AB 2813, the "Local Government Investment Act," is the companion measure to ACA 1 (Aguiar-Curry) Chapter 173, Statutes of 2023. AB 2813 will clarify the technical implementation provisions of ACA 1, clarify terms, and build upon guardrails to ensure local transparency, oversight and accountability.

An urgency statute is necessary in AB 2813 because these implementation measures need to be enacted before ACA 1 is presented to voters in the November 2024 general election.

I thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Cecilia M. Aguiar-Curry". The signature is written in a cursive style with a large, looping 'y' at the end.

CECILIA AGUIAR-CURRY
Majority Leader
Assemblymember, Fourth District

STATE CAPITOL
P.O. BOX 942849
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June 8, 2024

Honorable Blanca Pacheco
Chair, Assembly Rules Committee
1021 O Street, Room 6250
Sacramento, CA 95814

Dear Chair Pacheco,

I respectfully request that Rules Committee allow an urgency clause to be added to SB 154 (Senate Budget and Fiscal Review). The urgency clause is necessary to immediately implement provisions of the 2024 state budget package. In addition, subdivision (h) of Section 8 of Article XVI of the Constitution requires that specified suspensions of Proposition 98 be enacted via an urgency statute.

Thank you for your consideration of this request. If you have any questions, please reach out to Erin Gabel at 916-319-2099 or erin.gabel@asm.ca.gov.

Sincerely,

JESSE GABRIEL

Chair, Assembly Budget Committee

AMENDED IN ASSEMBLY JUNE 10, 2024

SENATE BILL

No. 154

Introduced by Committee on Budget and Fiscal Review

January 18, 2023

An act relating to the ~~Budget Act of 2023~~. An act relating to education finance, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 154, as amended, Committee on Budget and Fiscal Review.
~~Budget Act of 2023. Education finance: Proposition 98: suspension.~~

The California Constitution requires the state to apply a minimum amount of funding for each fiscal year for the support of school districts and community college districts. Existing law authorizes the Legislature to suspend that minimum funding obligation for one year by the enactment of an urgency statute, as provided.

This bill would suspend the minimum funding obligation for the 2023–24 fiscal year and would declare that the amount of money that will be applied by the state for the support of school districts and community college districts during the 2023–24 fiscal year is \$98,484,249,000.

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

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2023.~~

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: ~~no~~^{yes}. State-mandated local program: no.

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

1 SECTION 1. (a) *The Legislature finds and declares that the*
2 *minimum funding obligation for school districts and community*
3 *college districts pursuant to subdivision (b) of Section 8 of Article*
4 *XVI of the California Constitution for the 2023–24 fiscal year*
5 *exceeds the state’s revenues available for this purpose for the*
6 *2023–24 fiscal year.*

7 (b) *The Legislature hereby invokes subdivision (h) of Section 8*
8 *of Article XVI of the California Constitution to suspend the*
9 *minimum funding obligation for school districts and community*
10 *college districts for the 2023–24 fiscal year.*

11 (c) *In lieu of the constitutional minimum funding obligation,*
12 *the amount that will be applied by the state for the support of*
13 *school districts and community college districts for the 2023–24*
14 *fiscal year is ninety-eight billion four hundred eighty-four million*
15 *two hundred forty-nine thousand dollars (\$98,484,249,000).*

16 (d) *The amount of the maintenance factor created in the 2023–24*
17 *fiscal year as a result of this section shall be calculated pursuant*
18 *to subdivision (d) of Section 8 of Article XVI of the California*
19 *Constitution and allocated pursuant to subdivision (e) of Section*
20 *8 of Article XVI of the California Constitution.*

21 SEC. 2. *This act is an urgency statute necessary for the*
22 *immediate preservation of the public peace, health, or safety within*
23 *the meaning of Article IV of the California Constitution and shall*
24 *go into immediate effect. The facts constituting the necessity are:*

25 *In order to make the necessary statutory changes to implement*
26 *the Budget Act of 2024 at the earliest possible time, it is necessary*
27 *that this act take effect immediately.*

28 ~~SECTION 1. It is the intent of the Legislature to enact statutory~~
29 ~~changes relating to the Budget Act of 2023.~~

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California State Senate

SENATOR MIKE MCGUIRE

PRESIDENT PRO TEMPORE

NORTHERN CALIFORNIA'S SECOND SENATE DISTRICT



June 5, 2024

The Honorable Blanca Pacheco
Chair, Assembly Rules Committee
1020 O Street, Suite 6250
Sacramento, CA 95814

RE: Request for Urgency Clauses to be added to the California State Senate's Safer California Retail Theft Bills

Dear Assemblymember Pacheco:

In partnership with Speaker Rivas and the Assembly, the California State Senate is taking a comprehensive approach to combat retail theft through crime prevention and enhanced tools for law enforcement and to address the fentanyl crisis through treatment and prevention – known as our Safer California Plan.

The Safer California Plan includes a series of targeted policies aimed at stemming the rising tide of retail theft that's impacting our communities, while also enhancing and protecting the quality of life for Californians and businesses up and down our state. Under the Senate's plan, the Senate's Retail Theft bills do the following:

- SB 905 (Wiener) removes the locked door loophole for automotive property thefts.
- SB 982 (Wahab) cements the work California has done on organized crime by making the law on organized retail theft permanent.
- SB 1144 (Skinner) disrupts the sale of stolen goods on online marketplaces by requiring that third-party sellers be certified, and bans sellers suspected of criminal activity from operating through online marketplace platforms.
- SB 1242 (Min) requires courts to impose higher penalties on criminals who create fires in order to engage in retail theft.
- SB 1416 (Newman) increases penalties on professional organized retail theft in particularly significant large-scale resale schemes.

It is critically important that we quickly move this legislation in order to support Californians and our communities, and protect and enhance our quality of life.

Accordingly, with your collaboration, I am requesting that urgency clauses be approved for the above bills so we can move quickly to enact this important legislation.

Should you have any questions, please contact my office.

Warmest regards,



MIKE McGUIRE
Senate President Pro Tempore

AMENDED IN SENATE MAY 16, 2024
AMENDED IN SENATE APRIL 4, 2024
AMENDED IN SENATE MARCH 18, 2024

SENATE BILL

No. 905

**Introduced by Senator Wiener
(Principal coauthor: Senator Jones)**

(Principal coauthors: Assembly Members Cervantes, Friedman, and Villapudua)

(Coauthors: Senators Allen, Atkins, Blakespear, Dodd, Glazer, Grove, McGuire, Newman, Niello, Ochoa Bogh, Roth, Rubio, Seyarto, and Umberg)

(Coauthors: Assembly Members Addis, Alanis, Arambula, Berman, Grayson, Lackey, Papan, Pellerin, Petrie-Norris, Blanca Rubio, Ting, Wallis, and Wilson)

January 4, 2024

An act to add Sections 465 and 496.5 to the Penal Code, relating to crimes.

LEGISLATIVE COUNSEL'S DIGEST

SB 905, as amended, Wiener. Crimes: theft from a vehicle.

Existing law defines the crime of burglary to include entering a vehicle when the doors are locked with the intent to commit grand or petit larceny or a felony. Existing law makes the burglary of a vehicle punishable as a misdemeanor or a felony.

This bill would make forcibly entering a vehicle, as defined, with the intent to commit a theft or a felony therein a crime punishable by imprisonment in a county jail for a period not to exceed one year or

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imprisonment in a county jail for 16 months, or 2 or 3 years. By creating a new crime, this bill would impose a state-mandated local program.

Existing law prohibits the taking of the personal property of another, as specified, prohibits removing any part of a vehicle without the consent of the owner, and prohibits the possession or receipt of stolen property, as specified. A violation of these prohibitions is punishable as either a misdemeanor or a felony.

This bill would make it a crime for a person to unlawfully possess property that was acquired through one or more acts of theft from a vehicle, unlawful entry of a vehicle, burglary of a locked vehicle, or vehicle tampering, if the property is not possessed for personal use and the person has the intent to sell or exchange the property, or the intent to act with another person to sell or exchange the property, and the value of the possessed property exceeds \$950. The bill would, for the purpose of determining the value, allow the aggregation of the value of other illegally obtained property possessed by the person within the past ____ years. The bill would make this crime punishable as a misdemeanor or a felony. By creating a new crime, 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 no reimbursement is required by this act for a specified reason.

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

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

- 1 SECTION 1. Section 465 is added to the Penal Code, to read:
- 2 465. (a) A person who forcibly enters a vehicle, as defined in
- 3 Section 670 of the Vehicle Code, with the intent to commit a theft
- 4 or any felony therein is guilty of unlawful entry of a vehicle.
- 5 (b) Unlawful entry of a vehicle is punishable by imprisonment
- 6 in a county jail for a period not to exceed one year or imprisonment
- 7 pursuant to subdivision (h) of Section 1170.
- 8 (c) As used in this section, forcible entry of a vehicle means the
- 9 entry of a vehicle accomplished through any of the following
- 10 means: the use of a tool or device that manipulates the locking
- 11 mechanism, including, without limitation, a slim jim or other

1 lockout tool, a shaved key, jigglers key, or lock pick, or an electronic
2 device such as a signal extender, or force that damages the exterior
3 of the vehicle, including, but not limited to, breaking a window,
4 cutting a convertible top, punching a lock, or prying open a door.

5 (d) A person may not be convicted both pursuant to this section
6 and pursuant to Section 459.

7 SEC. 2. Section 496.5 is added to the Penal Code, to read:

8 496.5. (a) A person who unlawfully possesses property that
9 was acquired through one or more acts of theft from a vehicle,
10 unlawful entry of a vehicle, burglary of a locked vehicle, or vehicle
11 tampering as defined in Section 10852 of the Vehicle Code,
12 whether or not the person committed the act of theft, burglary, or
13 vehicle tampering, is guilty of automotive property theft for resale
14 when ~~all~~ *both* of the following apply:

15 (1) The property is not possessed for personal use and the person
16 has the intent to sell or exchange the property for value, or the
17 intent to act in concert with one or more persons to sell or exchange
18 the property for value.

19 (2) The value of the possessed property exceeds nine hundred
20 fifty dollars (\$950). For purposes of determining the value of the
21 property, the property described in paragraph (1) can be considered
22 in the aggregate with any of the following:

23 (A) Any other such property possessed by the person with such
24 intent within the last ____ years.

25 (B) Any property possessed by another person acting in concert
26 with the first person to sell or exchange the property for value,
27 when that property was acquired through one or more acts of theft
28 from a vehicle, unlawful entry of a vehicle, burglary of a locked
29 vehicle, or vehicle tampering as defined in Section 10852 of the
30 Vehicle Code, regardless of the identity of the person committing
31 the acts of theft, burglary, or vehicle tampering.

32 (b) For the purpose of determining, in any proceeding, whether
33 the defendant had the intent to sell or exchange the property for
34 value, the trier of fact may consider any competent evidence,
35 including, but not limited to, the following:

36 (1) Whether the defendant has in the past ____ years sold or
37 exchanged for value any property acquired through theft from a
38 vehicle, burglary of a locked vehicle, or vehicle tampering as
39 defined in Section 10852 of the Vehicle Code, or through any
40 related offenses, including any conduct that occurred in other

1 jurisdictions, if relevant to demonstrate a fact other than the
2 defendant’s disposition to commit the act, as provided by
3 subdivision (b) of Section 1101 of the Evidence Code.

4 (2) Whether the property involved in the offense is of a type or
5 quantity that would not normally be purchased for personal use or
6 consumption, including use or consumption by one’s immediate
7 family.

8 (c) A violation of subdivision (a) is punishable by imprisonment
9 in the county jail for up to one year or pursuant to subdivision (h)
10 of Section 1170.

11 (d) This section does not preclude or prohibit prosecution under
12 any other law.

13 SEC. 3. No reimbursement is required by this act pursuant to
14 Section 6 of Article XIII B of the California Constitution because
15 the only costs that may be incurred by a local agency or school
16 district will be incurred because this act creates a new crime or
17 infraction, eliminates a crime or infraction, or changes the penalty
18 for a crime or infraction, within the meaning of Section 17556 of
19 the Government Code, or changes the definition of a crime within
20 the meaning of Section 6 of Article XIII B of the California
21 Constitution.

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AMENDED IN SENATE MAY 16, 2024
AMENDED IN SENATE MARCH 5, 2024

SENATE BILL

No. 982

Introduced by Senators Wahab and Niello
(Coauthors: Senators Alvarado-Gil, Becker, Bradford, Jones,
McGuire, Newman, Rubio, and Wilk)
(Coauthors: Assembly Members *Juan Carrillo*, Dixon, Hoover, Lackey,
and Wallis)

January 29, 2024

An act to amend Section 490.4 of the Penal Code, relating to crimes.

LEGISLATIVE COUNSEL'S DIGEST

SB 982, as amended, Wahab. Crimes: organized theft.

Existing law, until January 1, 2026, makes a person guilty of organized retail theft, punishable as a misdemeanor or a felony, as specified, if the person acts in concert with one or more persons to steal merchandise from one or more merchant's premises or online marketplaces with the intent to sell or return the merchandise for value, acts in concert with 2 or more persons to receive, purchase, or possess merchandise knowing or believing it to have been stolen, acts as an agent of another to steal merchandise from one or more merchant's premises or online marketplaces as part of an organized plan to commit theft, or recruits, coordinates, organizes, supervises, directs, manages, or finances another to undertake acts of theft.

This bill would extend the operation of the crime of organized retail theft indefinitely. By extending the operation of an existing crime, this bill would impose a state-mandated local program.

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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.

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

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

1 SECTION 1. Section 490.4 of the Penal Code is amended to
2 read:

3 490.4. (a) A person who commits any of the following acts is
4 guilty of organized retail ~~theft~~, *theft* and shall be punished pursuant
5 to subdivision (b):

6 (1) Acts in concert with one or more persons to steal
7 merchandise from one or more merchant’s premises or online
8 marketplace with the intent to sell, exchange, or return the
9 merchandise for value.

10 (2) Acts in concert with two or more persons to receive,
11 purchase, or possess merchandise described in paragraph (1),
12 knowing or believing it to have been stolen.

13 (3) Acts as an agent of another individual or group of individuals
14 to steal merchandise from one or more merchant’s premises or
15 online marketplaces as part of an organized plan to commit theft.

16 (4) Recruits, coordinates, organizes, supervises, directs,
17 manages, or finances another to undertake any of the acts described
18 in paragraph (1) or (2) or any other statute defining theft of
19 merchandise.

20 (b) Organized retail theft is punishable as follows:

21 (1) If violations of paragraph (1), (2), or (3) of subdivision (a)
22 are committed on two or more separate occasions within a
23 12-month period, and if the aggregated value of the merchandise
24 stolen, received, purchased, or possessed within that 12-month
25 period exceeds nine hundred fifty dollars (\$950), the offense is
26 punishable by imprisonment in a county jail not exceeding one
27 year or pursuant to subdivision (h) of Section 1170.

28 (2) Any other violation of paragraph (1), (2), or (3) of
29 subdivision (a) that is not described in paragraph (1) of this

1 subdivision is punishable by imprisonment in a county jail not
2 exceeding one year.

3 (3) A violation of paragraph (4) of subdivision (a) is punishable
4 by imprisonment in a county jail not exceeding one year or
5 pursuant to subdivision (h) of Section 1170.

6 (c) For the purpose of determining whether the defendant acted
7 in concert with another person or persons in any proceeding, the
8 trier of fact may consider any competent evidence, including, but
9 not limited to, all of the following:

10 (1) The defendant has previously acted in concert with another
11 person or persons in committing acts constituting theft, or any
12 related offense, including any conduct that occurred in counties
13 other than the county of the current offense, if relevant to
14 demonstrate a fact other than the defendant's disposition to commit
15 the act.

16 (2) That the defendant used or possessed an artifice, instrument,
17 container, device, or other article capable of facilitating the removal
18 of merchandise from a retail establishment without paying the
19 purchase price and use of the artifice, instrument, container, or
20 device or other article is part of an organized plan to commit theft.

21 (3) The property involved in the offense is of a type or quantity
22 that would not normally be purchased for personal use or
23 consumption, and the property is intended for resale.

24 (d) In a prosecution under this section, the prosecutor shall not
25 be required to charge any other coparticipant of the organized retail
26 theft.

27 (e) Upon conviction of an offense under this section, the court
28 shall consider ordering, as a condition of probation, that the
29 defendant stay away from retail establishments with a reasonable
30 nexus to the crime committed.

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

- 1 the meaning of Section 6 of Article XIII B of the California
- 2 Constitution.

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AMENDED IN ASSEMBLY JUNE 5, 2024
AMENDED IN SENATE MAY 16, 2024
AMENDED IN SENATE APRIL 4, 2024
AMENDED IN SENATE MARCH 19, 2024

SENATE BILL

No. 1144

Introduced by Senator Skinner
(Coauthors: Senators McGuire, Min, Ochoa Bogh, Rubio, and Wiener)

February 14, 2024

An act to amend Sections 1749.8 and 1749.8.4 of, and to add Section 1749.8.9 to, the Civil Code, relating to business.

LEGISLATIVE COUNSEL'S DIGEST

SB 1144, as amended, Skinner. Marketplaces: online marketplaces.

Existing law generally requires an online marketplace to require a high-volume third-party seller on the online marketplace to make certain disclosures. Existing law requires an online marketplace to suspend future sales activity of a high-volume third-party seller that is not in compliance with those information sharing requirements, as specified. Existing law imposes certain information retention and security requirements on an online marketplace and prohibits specified uses of that information.

Existing law generally defines a "high-volume third-party seller," for purposes of the above-described provisions, as a third-party seller who has entered into a certain number of consumer product sales transactions through an online marketplace for which payment is processed by the online marketplace, as specified. Existing law defines an "online marketplace," for purposes of those provisions, as a consumer-directed,

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electronically accessed platform that includes features that allow for, facilitate, or enable, and are used by, a third-party seller to engage in the sale, purchase, payment, storage, shipment, or delivery of a consumer product and that has a contractual relationship with consumers governing their use of the platform to purchase consumer products.

This bill would revise the types of transactions that qualify a third-party seller as a “high-volume third-party seller,” for those purposes. Specifically, the bill would remove the conditions that the transactions be made through an online marketplace and that the online marketplace process the payment and, instead, would add the condition that the transactions were made utilizing an online marketplace. The bill would also revise the definition of “online marketplace” by removing the conditions that the above-described features be used by third-party sellers, and that the platform have the above-described contractual relationship with consumers.

Existing law requires a high-volume third-party seller to disclose and certify to the online marketplace certain identification, contact, and payment information of the seller, as specified.

~~This bill would require an online marketplace to disclose to consumers whether a high-volume third-party seller has complied with those disclosure and certification requirements. The bill would require an online marketplace to establish and maintain a policy prohibiting the sale of stolen goods on the marketplace and to provide a mechanism to notify the marketplace of the sale of stolen goods, as specified. The bill would require an online marketplace to alert local, regional, or state law enforcement agencies in California if it reasonably believes *knows or should know* that a third-party seller or high-volume third-party seller is selling or attempting to sell stolen goods to a California resident: resident, except as specified.~~

Existing law requires a person or entity who violates the above-described provisions to be liable for a civil penalty not to exceed \$10,000 for each violation and reasonable attorney’s fees and costs and to be subject to preventive relief, as specified. Existing law limits recovery and relief to a civil action brought by the Attorney General, as specified.

This bill would expand recovery and relief to a civil action brought by a district attorney in any county, a city attorney in any city, or a county counsel in any county.

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

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

1 SECTION 1. The Legislature finds and declares that it is the
2 intent of the Legislature to stop theft from retail stores and
3 community theft by curtailing the sale of stolen property on online
4 marketplaces.

5 SEC. 2. Section 1749.8 of the Civil Code is amended to read:
6 1749.8. For purposes of this title:

7 (a) “Consumer product” means tangible personal property that
8 is distributed in commerce and normally used for personal, family,
9 or household purposes, including property intended to be attached
10 to or installed in real property regardless of whether it is actually
11 attached or installed.

12 (b) “High-volume third-party seller” means a third-party seller
13 on an online marketplace who, in any continuous 12-month period
14 during the previous 24 months, has entered into 200 or more
15 discrete transactions utilizing the online marketplace for the sale
16 of new or unused consumer products to buyers located in California
17 resulting in the accumulation of an aggregate total of five thousand
18 dollars (\$5,000) or more in gross revenues.

19 (c) “Online marketplace” means a consumer-directed,
20 electronically accessed platform that includes features that allow
21 for, facilitate, or enable a third-party seller to engage in the sale,
22 purchase, payment, storage, shipment, or delivery of a consumer
23 product in this state.

24 (d) “Third-party seller” means a person or entity, independent
25 of an online marketplace, who sells, offers to sell, or contracts with
26 an online marketplace to sell a consumer product in the state by
27 utilizing an online marketplace.

28 (e) “Verify” means to confirm that information provided to an
29 online marketplace pursuant to this title is accurate. Methods of
30 confirmation include the use of one or more methods that enable
31 the online marketplace to reliably determine that the information
32 and documents are valid, correspond to the seller or an individual
33 acting on the seller’s behalf, are not misappropriated, and are not
34 falsified.

35 SEC. 3. Section 1749.8.4 of the Civil Code is amended to read:

36 1749.8.4. (a) A person or entity who violates any provision
37 of this title shall be liable for a civil penalty not to exceed ten
38 thousand dollars (\$10,000) for each violation, which may be

1 assessed and recovered only in a civil action brought in the name
 2 of the people of the State of California by the Attorney General,
 3 a district attorney in any county, a city attorney in any city, or a
 4 county counsel in any county.

5 (b) In addition to the civil penalty provided by subdivision (a),
 6 the Attorney General, district attorney, city attorney, or county
 7 counsel who prevails in an action to enforce this title shall be
 8 entitled to the following relief:

9 (1) Reasonable attorney's fees and costs, including expert
 10 witness fees and other litigation expenses.

11 (2) Preventive relief, including a permanent or temporary
 12 injunction, restraining order, or other order against any person
 13 responsible for the conduct.

14 SEC. 4. Section 1749.8.9 is added to the Civil Code, to read:

15 ~~1749.8.9. (a) An online marketplace shall disclose to~~
 16 ~~consumers whether a high-volume third-party seller has complied~~
 17 ~~with Section 1749.8.1.~~

18 ~~(b) An~~

19 *1749.8.9. (a) An online marketplace shall alert local, regional,*
 20 *or state law enforcement agencies in California if it reasonably*
 21 *believes knows or should know that a third-party seller is selling*
 22 *or attempting to sell stolen goods to a California resident. resident,*
 23 *unless the online marketplace has received a notice from the law*
 24 *enforcement agency that a third-party seller is selling or attempting*
 25 *to sell stolen goods to a California resident.*

26 ~~(e)~~

27 ~~(b) (1) An online marketplace shall do both~~ *all* of the following:

28 (A) Establish and maintain a policy prohibiting the sale of stolen
 29 goods on the online marketplace, which shall include consequences
 30 for knowingly selling stolen goods on the online marketplace,
 31 including, but not limited to, suspension or termination of the
 32 seller's account.

33 (B) Provide a mechanism on the online marketplace that allows
 34 any individual to notify the online marketplace that a seller is or
 35 may be selling stolen goods.

36 (C) *Provide a mechanism on the online marketplace that allows*
 37 *the online marketplace and law enforcement to communicate in a*
 38 *timely and confidential manner, including a link to a dedicated*
 39 *web page, online portal, or point of contact and ensure timely*

1 *replies to law enforcement requests, including warrants,*
2 *subpoenas, and other legal processes.*

3 *(D) Maintain internal written policies, systems, and staff to*
4 *monitor listings in order to affirmatively prevent and detect*
5 *organized retail crime.*

6 (2) The policy and mechanism required by this subdivision shall
7 be publicly posted and readily accessible to users.

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AMENDED IN SENATE MAY 16, 2024

AMENDED IN SENATE MARCH 19, 2024

SENATE BILL

No. 1242

Introduced by Senator Min
(Coauthors: Senators Becker and McGuire)

February 15, 2024

An act to amend Section 452 of the Penal Code, relating to crimes.

LEGISLATIVE COUNSEL'S DIGEST

SB 1242, as amended, Min. Crimes: fires.

Existing law prohibits unlawfully causing a fire by recklessly setting fire to, burning, or causing to be burned, any structure, forest land, or property. A violation of this prohibition is punishable as either a misdemeanor or a felony.

This bill would, for the purposes of sentencing for a violation of these provisions, make it a factor in aggravation that the offense was carried out within a merchant's premises in order to facilitate organized retail theft. By increasing the punishment for a crime, 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 no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 452 of the Penal Code is amended to
2 read:

3 452. A person is guilty of unlawfully causing a fire when they
4 recklessly set fire to, burn, or cause to be ~~burned~~, *burned* any
5 structure, forest land, or property.

6 (a) Unlawfully causing a fire that causes great bodily injury is
7 a felony punishable by imprisonment in the state prison for two,
8 four, or six years, or by imprisonment in the county jail for not
9 more than one year, or by a fine, or by both such imprisonment
10 and fine.

11 (b) Unlawfully causing a fire that causes an inhabited structure
12 or inhabited property to burn is a felony punishable by
13 imprisonment in the state prison for two, three, or four years, or
14 by imprisonment in the county jail for not more than one year, or
15 by a fine, or by both such imprisonment and fine.

16 (c) Unlawfully causing a fire of a structure or forest land is a
17 felony punishable by imprisonment in the state prison for 16
18 months, two or three years, or by imprisonment in the county jail
19 for not more than six months, or by a fine, or by both such
20 imprisonment and fine.

21 (d) Unlawfully causing a fire of property is a misdemeanor. For
22 purposes of this paragraph, unlawfully causing a fire of property
23 does not include one burning or causing to be burned their own
24 personal property unless there is injury to another person or to
25 another person's structure, forest land, or property.

26 (e) In the case of any person convicted of violating this section
27 while confined in a state prison, prison road camp, prison forestry
28 camp, or other prison camp or prison farm, or while confined in a
29 county jail while serving a term of imprisonment for a felony or
30 misdemeanor conviction, any sentence imposed shall be
31 consecutive to the sentence for which the person was then confined.

32 (f) For purposes of sentencing for a violation of this section,
33 the fact that the offense was carried out within a merchant's
34 premises in order to facilitate organized retail theft, as defined in
35 Section 490.4, shall be a factor in aggravation.

36 SEC. 2. No reimbursement is required by this act pursuant to
37 Section 6 of Article XIII B of the California Constitution because
38 the only costs that may be incurred by a local agency or school

1 district will be incurred because this act creates a new crime or
2 infraction, eliminates a crime or infraction, or changes the penalty
3 for a crime or infraction, within the meaning of Section 17556 of
4 the Government Code, or changes the definition of a crime within
5 the meaning of Section 6 of Article XIII B of the California
6 Constitution.

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AMENDED IN ASSEMBLY JUNE 4, 2024
AMENDED IN SENATE MAY 16, 2024
AMENDED IN SENATE APRIL 16, 2024
AMENDED IN SENATE MARCH 20, 2024

SENATE BILL

No. 1416

**Introduced by Senator Newman
(Coauthors: Senators Allen and McGuire)**

February 16, 2024

An act to add *and repeal* Section 12022.10 to of the Penal Code, relating to crimes.

LEGISLATIVE COUNSEL'S DIGEST

SB 1416, as amended, Newman. Sentencing enhancements: sale, exchange, or return of stolen property.

Existing law defines types of theft, including petty theft, grand theft, and shoplifting. Existing law also defines the crime of burglary, which consists of entering specified buildings, places, or vehicles with the intent to commit grand or petty theft or a felony.

This bill ~~would~~ *would, until January 1, 2030*, create sentencing enhancements for selling, exchanging, or returning for value, or attempting to sell, exchange, or return for value, any property acquired through one or more acts of shoplifting, theft, or burglary from a retail business, if the property value exceeds specified amounts. The bill would additionally make these enhancements apply to any person acting in concert with another person to violate these provisions. By adding new sentencing enhancements, this bill would impose a state-mandated local program.

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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.

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

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

1 SECTION 1. Section 12022.10 is added to the Penal Code, to
2 read:
3 12022.10. (a) When a person sells, exchanges, or returns for
4 value, or attempts to sell, exchange, or return for value, property
5 acquired through one or more acts of shoplifting, theft, or burglary
6 from a retail business, whether or not the person committed the
7 act of shoplifting, theft, or burglary, the court shall impose an
8 additional term as follows:
9 (1) If the property value exceeds fifty thousand dollars
10 (\$50,000), the court, in addition and consecutive to the punishment
11 prescribed for the crime of which the defendant has been convicted,
12 shall impose an additional term of one year.
13 (2) If the property value exceeds two hundred thousand dollars
14 (\$200,000), the court, in addition and consecutive to the
15 punishment prescribed for the crime of which the defendant has
16 been convicted, shall impose an additional term of two years.
17 (3) If the property value exceeds one million dollars
18 (\$1,000,000), the court, in addition and consecutive to the
19 punishment prescribed for the crime of which the defendant has
20 been convicted, shall impose an additional term of three years.
21 (4) If the property value exceeds three million dollars
22 (\$3,000,000), the court, in addition and consecutive to the
23 punishment prescribed for the crime of which the defendant has
24 been convicted, shall impose an additional term of four years.
25 (5) For each property value of three million dollars (\$3,000,000),
26 the court shall impose a term of one year in addition to the term
27 specified in paragraph (4).
28 (b) When a person acts in concert with another to sell, exchange,
29 or return for value, or attempts to sell, exchange, or return for
30 value, property acquired through one or more acts of shoplifting,

1 theft, or burglary from a retail business, whether or not the person
2 committed the act of shoplifting, theft, or burglary, the court shall
3 impose the additional term specified in subdivision (a).

4 (c) In an accusatory pleading involving multiple charges of
5 sales, exchanges, or returns for value, or attempts to do the same,
6 the additional terms provided in this section may be imposed when
7 the aggregate value of the property involved exceeds the amounts
8 specified in this section and arises from a common scheme or plan.
9 All pleadings under this section are subject to the rules of joinder
10 and severance stated in Section 954.

11 (d) The additional terms provided in this section shall not be
12 imposed unless the facts relating to the amounts provided in this
13 section are charged in the accusatory pleading and admitted by the
14 defendant or found to be true by the trier of fact.

15 (e) Notwithstanding any other law, the court may impose an
16 enhancement pursuant to this section and another section on a
17 single count.

18 (f) *It is the intent of the Legislature that the provisions of this*
19 *section be reviewed within five years to consider the effects of*
20 *inflation on the additional terms imposed. For that reason, this*
21 *section shall remain in effect only until January 1, 2030, and as*
22 *of that date is repealed unless a later enacted statute, that is*
23 *enacted before January 1, 2030, deletes or extends that date.*

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

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California State Senate

BILL DODD

SENATOR, THIRD DISTRICT



CHAIR: SENATE GOVERNMENTAL ORGANIZATION COMMITTEE

COMMITTEES
BUSINESS, PROFESSIONS
& ECONOMIC DEVELOPMENT
ENERGY, UTILITIES
& COMMUNICATION
INSURANCE
TRANSPORTATION
JOINT COMMITTEE
EMERGENCY MANAGEMENT
SELECT COMMITTEE
CALIFORNIA'S WINE INDUSTRY
CO-CHAIR

June 4th, 2024

The Honorable Assemblymember Blanca Pacheco
Chair, Assembly Rules Committee
1020 O Street, Suite 6250
Sacramento, CA 95814

RE: urgency clause request for SB 1524 (Dodd)

Dear Assemblymember Pacheco,

I would like to respectfully request an urgency clause be added to SB 1524 (Dodd). This bill clarifies under the Consumer Legal Remedies Act (CLRA) that advertising, displaying, or offering a price for a good or service does not include advertising the price of individual food or beverage items sold by restaurants, bars, or other food service providers including those sold pursuant to a contract for banquet or catering services provided that any service charge, mandatory gratuity or other mandatory fee is clearly and conspicuously displayed on the advertisement, menu or other display.

This clarification is in keeping with the original intent of up-front transparency in price advertising in SB 478 (Dodd) and an urgency clause is necessary due to the July 1, 2024 implementation date of the bill. Absent this clarification, restaurants, bars, and other food service providers face significant threat of litigation beginning July 1, 2024 and workers may lose fees that support healthcare and other benefits derived from service fees used in lieu of tipping.

For these reasons, I request an urgency clause be placed in the bill at the soonest opportunity. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Bill Dodd".

Bill Dodd
Senator, District 3

AMENDED IN ASSEMBLY JUNE 5, 2024

SENATE BILL

No. 1524

Introduced by ~~Committee on Governmental Organization~~ (Senators ~~Dodd (Chair), Alvarado-Gil, Archuleta, Ashby, Bradford, Glazer, Jones, Nguyen, Ochoa Bogh, Padilla, Portantino, Roth, Rubio, Seyarto, Smallwood-Cuevas, and Wilk~~) *Senators Dodd and Wiener* (Principal coauthors: Assembly Members Aguiar-Curry and Gabriel) (Coauthor: Assembly Member Haney)

March 12, 2024

An act to amend Section ~~19813~~ of the Business and Professions Code, relating to ~~gambling~~; 1770 of the Civil Code, relating to unfair business practices.

LEGISLATIVE COUNSEL'S DIGEST

SB 1524, as amended, ~~Committee on Governmental Organization~~ *Dodd*. ~~California Gambling Control Commission~~. *Consumers Legal Remedies Act: advertisements: restaurant, bar, food service provider, or banquet or catering services.*

The Consumers Legal Remedies Act makes unlawful certain unfair methods of competition and certain unfair or deceptive acts or practices undertaken by a person in a transaction intended to result or that results in the sale or lease of goods or services to a consumer, including advertising goods or services with intent not to sell them as advertised. Existing law authorizes a consumer who suffers damage as a result of the use or employment by a person of a method, act, or practice declared to be unlawful by that provision to bring an action against that person to recover or obtain certain relief, including actual damages of at least \$1,000.

98

Existing law, beginning on July 1, 2024, with certain exceptions, additionally makes unlawful advertising, displaying, or offering a price for a good or service that does not include all mandatory fees or charges other than taxes or fees imposed by a government on the transaction, as specified.

This bill would specify that “advertising, displaying, or offering a price for a good or service,” as described above, does not include advertising or displaying the price of individual food or beverage items sold by a restaurant, bar, or other food service provider, or pursuant to a contract for banquet or catering services, provided that any service charge, mandatory gratuity, or other mandatory fee or charge is clearly and conspicuously displayed on the advertisement, menu, or other display. The bill would further specify that these changes are intended to clarify, and do not constitute a change in, existing law.

~~Existing law, the Gambling Control Act, establishes the California Gambling Control Commission, which is responsible for licensing and regulating various gambling activities and establishments. Existing law requires the Department of Justice to investigate any violations of, and to enforce, the act. Under existing law, the commission is composed of 5 members who are appointed by the Governor, subject to confirmation by the Senate. Existing law requires the Governor to fill any vacancies on the commission, subject to confirmation by the Senate, within 60 days of the date of the vacancy.~~

~~This bill would reduce the time to fill a vacancy to within 45 days of the date of the vacancy.~~

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

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

- 1 SECTION 1. Section 1770 of the Civil Code, as added by
- 2 Section 3 of Chapter 400 of the Statutes of 2023, is amended to
- 3 read:
- 4 1770. (a) The unfair methods of competition and unfair or
- 5 deceptive acts or practices listed in this subdivision undertaken by
- 6 any person in a transaction intended to result or that results in the
- 7 sale or lease of goods or services to any consumer are unlawful:
- 8 (1) Passing off goods or services as those of another.
- 9 (2) Misrepresenting the source, sponsorship, approval, or
- 10 certification of goods or services.

- 1 (3) Misrepresenting the affiliation, connection, or association
2 with, or certification by, another.
- 3 (4) Using deceptive representations or designations of
4 geographic origin in connection with goods or services.
- 5 (5) Representing that goods or services have sponsorship,
6 approval, characteristics, ingredients, uses, benefits, or quantities
7 that they do not have or that a person has a sponsorship, approval,
8 status, affiliation, or connection that the person does not have.
- 9 (6) Representing that goods are original or new if they have
10 deteriorated unreasonably or are altered, reconditioned, reclaimed,
11 used, or secondhand.
- 12 (7) Representing that goods or services are of a particular
13 standard, quality, or grade, or that goods are of a particular style
14 or model, if they are of another.
- 15 (8) Disparaging the goods, services, or business of another by
16 false or misleading representation of fact.
- 17 (9) Advertising goods or services with intent not to sell them
18 as advertised.
- 19 (10) Advertising goods or services with intent not to supply
20 reasonably expectable demand, unless the advertisement discloses
21 a limitation of quantity.
- 22 (11) Advertising furniture without clearly indicating that it is
23 unassembled if that is the case.
- 24 (12) Advertising the price of unassembled furniture without
25 clearly indicating the assembled price of that furniture if the same
26 furniture is available assembled from the seller.
- 27 (13) Making false or misleading statements of fact concerning
28 reasons for, existence of, or amounts of, price reductions.
- 29 (14) Representing that a transaction confers or involves rights,
30 remedies, or obligations that it does not have or involve, or that
31 are prohibited by law.
- 32 (15) Representing that a part, replacement, or repair service is
33 needed when it is not.
- 34 (16) Representing that the subject of a transaction has been
35 supplied in accordance with a previous representation when it has
36 not.
- 37 (17) Representing that the consumer will receive a rebate,
38 discount, or other economic benefit, if the earning of the benefit
39 is contingent on an event to occur subsequent to the consummation
40 of the transaction.

1 (18) Misrepresenting the authority of a salesperson,
2 representative, or agent to negotiate the final terms of a transaction
3 with a consumer.

4 (19) Inserting an unconscionable provision in the contract.

5 (20) Advertising that a product is being offered at a specific
6 price plus a specific percentage of that price unless (A) the total
7 price is set forth in the advertisement, which may include, but is
8 not limited to, shelf tags, displays, and media advertising, in a size
9 larger than any other price in that advertisement, and (B) the
10 specific price plus a specific percentage of that price represents a
11 markup from the seller's costs or from the wholesale price of the
12 product. This subdivision shall not apply to in-store advertising
13 by businesses that are open only to members or cooperative
14 organizations organized pursuant to Division 3 (commencing with
15 Section 12000) of Title 1 of the Corporations Code if more than
16 50 percent of purchases are made at the specific price set forth in
17 the advertisement.

18 (21) Selling or leasing goods in violation of Chapter 4
19 (commencing with Section 1797.8) of Title 1.7.

20 (22) (A) Disseminating an unsolicited prerecorded message by
21 telephone without an unrecorded, natural voice first informing the
22 person answering the telephone of the name of the caller or the
23 organization being represented, and either the address or the
24 telephone number of the caller, and without obtaining the consent
25 of that person to listen to the prerecorded message.

26 (B) This subdivision does not apply to a message disseminated
27 to a business associate, customer, or other person having an
28 established relationship with the person or organization making
29 the call, to a call for the purpose of collecting an existing
30 obligation, or to any call generated at the request of the recipient.

31 (23) (A) The home solicitation, as defined in subdivision (h)
32 of Section 1761, of a consumer who is a senior citizen where a
33 loan or assessment is made encumbering the primary residence of
34 that consumer for purposes of paying for home improvements and
35 where the transaction is part of a pattern or practice in violation
36 any of the following:

37 (i) Subsection (h) or (i) of Section 1639 of Title 15 of the United
38 States Code.

39 (ii) Paragraph (1), (2), or (4) of subdivision (a) of Section 226.34
40 of Title 12 of the Code of Federal Regulations.

1 (iii) Section 22684, 22685, 22686, or 22687 of the Financial
2 Code.

3 (iv) Section 5898.16, 5898.17, 5913, 5922, 5923, 5924, 5925,
4 5926, or 5940 of the Streets and Highways Code.

5 (B) A third party shall not be liable under this subdivision unless
6 (i) there was an agency relationship between the party who engaged
7 in home solicitation and the third party, or (ii) the third party had
8 actual knowledge of, or participated in, the unfair or deceptive
9 transaction. A third party who is a holder in due course under a
10 home solicitation transaction shall not be liable under this
11 subdivision.

12 (24) (A) Charging or receiving an unreasonable fee to prepare,
13 aid, or advise any prospective applicant, applicant, or recipient in
14 the procurement, maintenance, or securing of public social services.

15 (B) For purposes of this paragraph:

16 (i) “Public social services” means those activities and functions
17 of state and local government administered or supervised by the
18 State Department of Health Care Services, the State Department
19 of Public Health, or the State Department of Social Services, and
20 involved in providing aid or services, or both, including health
21 care services, and medical assistance, to those persons who,
22 because of their economic circumstances or social condition, are
23 in need of that aid or those services and may benefit from them.

24 (ii) “Public social services” also includes activities and functions
25 administered or supervised by the United States Department of
26 Veterans Affairs or the California Department of Veterans Affairs
27 involved in providing aid or services, or both, to veterans, including
28 pension benefits.

29 (iii) “Unreasonable fee” means a fee that is exorbitant and
30 disproportionate to the services performed. Factors to be
31 considered, if appropriate, in determining the reasonableness of a
32 fee, are based on the circumstances existing at the time of the
33 service and shall include, but not be limited to, all of the following:

34 (I) The time and effort required.

35 (II) The novelty and difficulty of the services.

36 (III) The skill required to perform the services.

37 (IV) The nature and length of the professional relationship.

38 (V) The experience, reputation, and ability of the person
39 providing the services.

1 (C) This paragraph shall not apply to attorneys licensed to
2 practice law in California, who are subject to the California Rules
3 of Professional Conduct and to the mandatory fee arbitration
4 provisions of Article 13 (commencing with Section 6200) of
5 Chapter 4 of Division 3 of the Business and Professions Code,
6 when the fees charged or received are for providing representation
7 in administrative agency appeal proceedings or court proceedings
8 for purposes of procuring, maintaining, or securing public social
9 services on behalf of a person or group of persons.

10 (25) (A) Advertising or promoting any event, presentation,
11 seminar, workshop, or other public gathering regarding veterans'
12 benefits or entitlements that does not include the following
13 statement in the same type size and font as the term "veteran" or
14 any variation of that term:

15 (i) "I am not authorized to file an initial application for Veterans'
16 Aid and Attendance benefits on your behalf, or to represent you
17 before the Board of Veterans' Appeals within the United States
18 Department of Veterans Affairs in any proceeding on any matter,
19 including an application for those benefits. It would be illegal for
20 me to accept a fee for preparing that application on your behalf."
21 The requirements of this clause do not apply to a person licensed
22 to act as an agent or attorney in proceedings before the Agency of
23 Original Jurisdiction and the Board of Veterans' Appeals within
24 the United States Department of Veterans Affairs when that person
25 is offering those services at the advertised event.

26 (ii) The statement in clause (i) shall also be disseminated, both
27 orally and in writing, at the beginning of any event, presentation,
28 seminar, workshop, or public gathering regarding veterans' benefits
29 or entitlements.

30 (B) Advertising or promoting any event, presentation, seminar,
31 workshop, or other public gathering regarding veterans' benefits
32 or entitlements that is not sponsored by, or affiliated with, the
33 United States Department of Veterans Affairs, the California
34 Department of Veterans Affairs, or any other congressionally
35 chartered or recognized organization of honorably discharged
36 members of the Armed Forces of the United States, or any of their
37 auxiliaries that does not include the following statement, in the
38 same type size and font as the term "veteran" or the variation of
39 that term:
40

1 “This event is not sponsored by, or affiliated with, the United
2 States Department of Veterans Affairs, the California Department
3 of Veterans Affairs, or any other congressionally chartered or
4 recognized organization of honorably discharged members of the
5 Armed Forces of the United States, or any of their auxiliaries.
6 None of the insurance products promoted at this sales event are
7 endorsed by those organizations, all of which offer free advice to
8 veterans about how to qualify and apply for benefits.”
9

10 (i) The statement in this subparagraph shall be disseminated,
11 both orally and in writing, at the beginning of any event,
12 presentation, seminar, workshop, or public gathering regarding
13 veterans’ benefits or entitlements.

14 (ii) The requirements of this subparagraph shall not apply in a
15 case where the United States Department of Veterans Affairs, the
16 California Department of Veterans Affairs, or other congressionally
17 chartered or recognized organization of honorably discharged
18 members of the Armed Forces of the United States, or any of their
19 auxiliaries have granted written permission to the advertiser or
20 promoter for the use of its name, symbol, or insignia to advertise
21 or promote the event, presentation, seminar, workshop, or other
22 public gathering.

23 (26) Advertising, offering for sale, or selling a financial product
24 that is illegal under state or federal law, including any cash payment
25 for the assignment to a third party of the consumer’s right to receive
26 future pension or veteran’s benefits.

27 (27) Representing that a product is made in California by using
28 a Made in California label created pursuant to Section 12098.10
29 of the Government Code, unless the product complies with Section
30 12098.10 of the Government Code.

31 (28) (A) Failing to include either of the following in a
32 solicitation by a covered person, or an entity acting on behalf of
33 a covered person, to a consumer for a consumer financial product
34 or service:

35 (i) The name of the covered person, and, if applicable, the entity
36 acting on behalf of the covered person, and relevant contact
37 information, including a mailing address and telephone number.

38 (ii) The following disclosure statement in at least 18-point bold
39 type and in the language in which the solicitation is drafted: “THIS
40 IS AN ADVERTISEMENT. YOU ARE NOT REQUIRED TO

1 MAKE ANY PAYMENT OR TAKE ANY OTHER ACTION IN
2 RESPONSE TO THIS OFFER.”

3 (B) For purposes of this paragraph:

4 (i) “Consumer financial product or service” has the same
5 meaning as defined in Section 90005 of the Financial Code.

6 (ii) (I) “Covered person” has the same meaning as defined in
7 Section 90005 of the Financial Code.

8 (II) “Covered person” does not mean an entity exempt from
9 Division 24 (commencing with Section 90000) of the Financial
10 Code pursuant to Section 90002 of the Financial Code.

11 (iii) “Solicitation” means an advertisement or marketing
12 communication through writing or graphics that is directed to, or
13 likely to give the impression of being directed to, an individually
14 identified person, residence, or business location. “Solicitation”
15 does not include any of the following:

16 (I) Communication through a mass advertisement, including in
17 a catalog, on a radio or television broadcast, or on a publicly
18 accessible internet website, if that communication is not directed
19 to, or is not likely to give the impression of being directed to, an
20 individually identified person, residence, or business location.

21 (II) Communication via a telephone, mail, or electronic
22 communication that was initiated by a consumer.

23 (III) A written credit or insurance solicitation that is subject to
24 the disclosure requirements of subsection (d) of Section 1681m of
25 Title 15 of the United States Code.

26 (29) (A) Advertising, displaying, or offering a price for a good
27 or service that does not include all mandatory fees or charges other
28 than either of the following:

29 (i) Taxes or fees imposed by a government on the transaction.

30 (ii) Postage or carriage charges that will be reasonably and
31 actually incurred to ship the physical good to the consumer.

32 (B) Compliance by a person providing broadband internet access
33 service on its own or as part of a bundle, as defined in Section
34 8.1(b) of Title 47 of the Code of Federal Regulations, with the
35 broadband consumer label requirements adopted by the Federal
36 Communications Commission in FCC 22-86 on November 14,
37 2022, codified in Section 8.1(a) of Title 47 of the Code of Federal
38 Regulations, shall be deemed compliance with this paragraph.

39 (C) (i) For purposes of this subparagraph, “financial entity”
40 means an entity that is exempt from Division 24 (commencing

1 with Section 90000) of the Financial Code pursuant to Section
2 90002 of the Financial Code.

3 (ii) A financial entity that is required to provide disclosures in
4 compliance with any of the following federal or state acts or
5 regulations with respect to a financial transaction is exempt from
6 this paragraph for purposes of that financial transaction:

7 (I) The federal Truth in Savings Act, as amended (12 U.S.C.
8 Sec. 4301 et seq.).

9 (II) The federal Electronic Fund Transfer Act, as amended (15
10 U.S.C. Sec. 1693 et seq.).

11 (III) Section 19 of the Federal Reserve Act, as amended (12
12 U.S.C. Sec. 461 et seq.).

13 (IV) The federal Truth in Lending Act, as amended (15 U.S.C.
14 Sec. 1601 et seq.).

15 (V) The federal Real Estate Settlement Procedures Act, as
16 amended (12 U.S.C. Sec. 2601 et seq.).

17 (VI) The federal Home Ownership and Equity Protection Act
18 (15 U.S.C. Sec. 1639).

19 (VII) Any regulation adopted pursuant to any of the federal acts
20 in subclauses (I) to (VI), inclusive.

21 (VIII) The California Financing Law (Division 9 (commencing
22 with Section 22000) of the Financial Code).

23 (IX) The California Residential Mortgage Lending Act (Division
24 20 (commencing with Section 50000) of the Financial Code).

25 (X) The Real Estate Law (Part 1 (commencing with Section
26 10000) of Division 4 of the Business and Professions Code).

27 (XI) Any regulation adopted pursuant to any of the state acts in
28 subclauses (VIII) to (X), inclusive.

29 (D) *For purposes of this paragraph, “advertising, displaying,
30 or offering a price for a good or service” does not include
31 advertising or displaying the price of individual food or beverage
32 items sold by a restaurant, bar, or other food service provider, or
33 sold pursuant to a contract for banquet or catering services,
34 provided that any service charge, mandatory gratuity, or other
35 mandatory fee or charge is clearly and conspicuously displayed
36 on the advertisement, menu, or other display.*

37 (b) (1) It is an unfair or deceptive act or practice for a mortgage
38 broker or lender, directly or indirectly, to use a home improvement
39 contractor to negotiate the terms of any loan that is secured,
40 whether in whole or in part, by the residence of the borrower and

1 that is used to finance a home improvement contract or any portion
 2 of a home improvement contract. For purposes of this subdivision,
 3 “mortgage broker or lender” includes a finance lender licensed
 4 pursuant to the California Financing Law (Division 9 (commencing
 5 with Section 22000) of the Financial Code), a residential mortgage
 6 lender licensed pursuant to the California Residential Mortgage
 7 Lending Act (Division 20 (commencing with Section 50000) of
 8 the Financial Code), or a real estate broker licensed under the Real
 9 Estate Law (Division 4 (commencing with Section 10000) of the
 10 Business and Professions Code).

11 (2) This section shall not be construed to either authorize or
 12 prohibit a home improvement contractor from referring a consumer
 13 to a mortgage broker or lender by this subdivision. However, a
 14 home improvement contractor may refer a consumer to a mortgage
 15 lender or broker if that referral does not violate Section 7157 of
 16 the Business and Professions Code or any other law. A mortgage
 17 lender or broker may purchase an executed home improvement
 18 contract if that purchase does not violate Section 7157 of the
 19 Business and Professions Code or any other law. Nothing in this
 20 paragraph shall have any effect on the application of Chapter 1
 21 (commencing with Section 1801) of Title 2 to a home improvement
 22 transaction or the financing of a home improvement transaction.

23 (c) This section shall become operative on July 1, 2024.

24 *SEC. 2. The changes made in subparagraph (D) of paragraph*
 25 *(29) of subdivision (a) of Section 1770 of the Civil Code in Section*
 26 *1 of this act are intended to clarify, and do not constitute a change*
 27 *in, existing law.*

28 ~~SECTION 1. Section 19813 of the Business and Professions~~
 29 ~~Code is amended to read:~~

30 ~~19813. (a) Of the members initially appointed, two shall be~~
 31 ~~appointed for a term of two years, two shall be appointed for a~~
 32 ~~term of three years, and one shall be appointed for a term of four~~
 33 ~~years. After the initial terms, the term of office of each member~~
 34 ~~of the commission is four years.~~

35 ~~(b) The Governor shall appoint the members of the commission,~~
 36 ~~subject to confirmation by the Senate, and shall designate one~~
 37 ~~member to serve as chairperson. The initial appointments shall be~~
 38 ~~made within three months of the operative date of this section.~~
 39 ~~Thereafter, vacancies shall be filled within 45 days of the date of~~
 40 ~~the vacancy by the Governor, subject to confirmation by the Senate.~~

- 1 ~~(c) The Governor may remove any member of the commission~~
- 2 ~~for incompetence, neglect of duty, or corruption upon first giving~~
- 3 ~~the member a copy of the charges and an opportunity to be heard.~~

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P.O. BOX 942849
SACRAMENTO, CA 94249-0004
(916) 319-2004

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2721 NAPA VALLEY CORPORATE DRIVE
NAPA, CA 94558
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COMMITTEES
AGRICULTURE
EMERGENCY MANAGEMENT
GOVERNMENTAL ORGANIZATION
HEALTH

SELECT COMMITTEES
CHAIR, WINE
AUTOMATION AND WORKFORCE DEVELOPMENT
GREEN INNOVATION AND ENTREPRENEURSHIP
LOCAL PUBLIC SAFETY AND EMERGENCY
PREPAREDNESS
PORTS AND GOODS MOVEMENT
REPRODUCTIVE HEALTH
WILDFIRE PREVENTION

JOINT COMMITTEES
FAIRS ALLOCATION AND CLASSIFICATION
EMERGENCY MANAGEMENT

June 7, 2024

The Honorable Blanca Pacheco
Chair, Assembly Committee on Rules
1021 O Street, Room 6250
Sacramento, California 95814

RE: Request to Waive JR 61(b)(11) for AB 2813 (Aguiar-Curry)

Dear Chair Pacheco:

I write to respectfully request a Joint Rule 61(b)(11) waiver for AB 2813 so that it may be taken up on the Assembly Floor for passage after the deadline.

If you have any questions regarding this request, please feel free to contact me or my staff, Rita Durgin at 916-319-2004.

Sincerely,

A handwritten signature in black ink that reads "Cecilia M. Aguiar-Curry". The signature is written in a cursive style with a large, looping "C" at the beginning.

CECILIA AGUIAR-CURRY
Majority Leader
Assemblymember, Fourth District