



STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-
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(916) 319-2800
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Assembly
California Legislature
Committee on Rules

KEN COOLEY
CHAIR

VICE CHAIR
CUNNINGHAM, JORDAN

MEMBERS
CARRILLO, WENDY
CERVANTES, SABRINA
FRIEDMAN, LAURA
GALLAGHER, JAMES
GRAYSON, TIMOTHY S.
MAYES, CHAD
NAZARIAN, ADRIN
SALAS, JR. RUDY
WALDRON, MARIE

FONG, VINCE (R-ALT)
LEVINE, MARC (D-ALT)
REYES, ELOISE GÓMEZ (D-ALT)

Monday, April 16, 2018
10 minutes prior to Session
State Capitol, Room 3162

CONSENT AGENDA

BILL REFERRALS

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RESOLUTIONS

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REQUESTS TO ADD URGENCY CLAUSE

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RUDY SALAS
MARIE WALDRON

MARC LEVINE (D-ALT.)
ELOISE GÓMEZ REYES (D-ALT.)
VINCE FONG (R-ALT.)

Memo

To: Rules Committee Members
From: Michael Erke, Bill Referral Consultant
Date: 4/13/18
Re: Consent Bill Referrals

Since you received your preliminary list of bill referrals, there have been no changes.

REFERRAL OF BILLS TO COMMITTEE

04/16/2018

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

Assembly Bill No.	Committee:
<u>AB 2087</u>	A. & A.R.
<u>AB 2087</u>	RLS.
<u>AB 2667</u>	RLS.
<u>AB 3262</u>	G.O.
<u>AB 3263</u>	G.O.
<u>ACR 220</u>	TRANS.
<u>HR 101</u>	RLS.
<u>SB 38</u>	JUD.
<u>SB 70</u>	B. & P.
<u>SB 168</u>	NAT. RES.
<u>SB 327</u>	P. & C.P.
<u>SB 399</u>	HEALTH
<u>SB 459</u>	PUB. S.
<u>SB 707</u>	HEALTH
<u>SB 714</u>	NAT. RES.
<u>SB 726</u>	HUM. S.
<u>SCR 118</u>	RLS.
<u>SCR 126</u>	RLS.



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VINCE FONG (R-ALT.)

Memo

To: Rules Committee Members
From: Michael Erke, Bill Referral Consultant
Date: 4/13/18
Re: Consent Bill Re-Referrals

Since you received your preliminary list of bill re-referrals, the referral recommendation for AB 2920 has been changed.

RE-REFERRAL OF BILLS

04/16/2018

The Committee on Rules has re-referred the following bills to Committee:

Assembly Bill No.

Committee:

*AB 2920

L. GOV.

**AB 2920

REV. & TAX.

AB 3052

H. & C.D.

SB 25

E. & R.

*SB 71

NAT. RES.

**SB 71

JUD.

SB 210

TRANS.

*SB 502

TRANS.

**SB 502

JUD.

SB 617

INS.

SB 773

PUB. S.

House Resolution

No. 100

Introduced by Assembly Member Quirk

April 11, 2018

House Resolution No. 100—Relative to Mosquito Awareness Week.

1 WHEREAS, The United States Environmental Protection
2 Agency recognizes that mosquito-borne diseases are currently
3 among the world’s leading causes of illness and death; and

4 WHEREAS, The World Health Organization estimates that
5 more than 300 million clinical cases each year are attributable to
6 mosquito-borne illnesses; and

7 WHEREAS, Excess numbers of mosquitoes and other vectors
8 spread diseases, reduce the enjoyment of both public and private
9 outdoor living spaces, reduce property values, hinder outdoor work,
10 reduce livestock productivity, and have a negative impact on the
11 environment; and

12 WHEREAS, Two invasive mosquito species in California, *Aedes*
13 *albopictus*, the Asian tiger mosquito, which was detected in
14 southern California in 2011, and *Aedes aegypti*, the yellow fever
15 mosquito, which was detected in central and northern California
16 in 2013 and southern California in 2014, are posing new public
17 health threats due to their capability to transmit potentially deadly
18 or debilitating diseases, such as dengue fever, yellow fever,
19 chikungunya, and Zika fever that can cause significant birth
20 defects; and

21 WHEREAS, In 2017, there have been 640 travel-associated
22 cases of Zika fever detected in California, including 172 infections
23 in pregnant women and 10 infants born with Zika fever-related
24 complications; and

1 WHEREAS, In addition to new, emerging diseases, California
2 must remain vigilant in fighting known diseases. West Nile virus
3 is a mosquito-borne disease that can result in debilitating cases of
4 meningitis and encephalitis, and cause death in humans, horses,
5 avian species, and other wildlife; and

6 WHEREAS, In 2017, West Nile virus resulted in 41 human
7 deaths in California, and 536 individual, symptomatic cases in 27
8 counties; and

9 WHEREAS, A 2010 study from the University of California,
10 Los Angeles, found that low socioeconomic status was an indicator
11 of the likelihood of West Nile virus cases; and

12 WHEREAS, Adequately funded mosquito and vector control,
13 disease surveillance, and public awareness programs, coupled with
14 best management practices on public and private lands, are the
15 best ways to prevent outbreaks of West Nile virus and other
16 diseases borne by mosquitoes and other vectors; and

17 WHEREAS, As a result of the threat mosquitoes posed to
18 California's economic development and health of its citizens, the
19 California Legislature enacted in 1915 the California's Mosquito
20 Abatement Districts Act (AB 1590); and

21 WHEREAS, Professional mosquito and vector control, based
22 on scientific research, has made great advances in safely reducing
23 mosquito and vector populations and the diseases they transmit;
24 and

25 WHEREAS, Established mosquito-borne and vector-borne
26 diseases such as plague, Lyme disease, flea-borne typhus, and
27 encephalitis, and new and emerging vector-borne diseases such as
28 hantavirus, arenavirus, babesiosis, and ehrlichiosis cause illness
29 and sometimes death every year in California; and

30 WHEREAS, Mosquito and vector control districts throughout
31 California work closely with the United States Environmental
32 Protection Agency and the State Department of Public Health to
33 reduce pesticide risks to humans, animals, and the environment
34 while protecting human health from mosquito-borne and
35 vector-borne diseases and nuisances; and

36 WHEREAS, Best management practices, emphasizing
37 nonchemical approaches, have been developed to guide mosquito
38 control that can significantly reduce mosquito populations for new
39 developments and on state and private lands; and

1 WHEREAS, The State Department of Public Health maintains
2 information on how to eliminate risks from vectors at both
3 www.cdph.ca.gov and www.westnile.ca.gov, which the public is
4 encouraged to review; and

5 WHEREAS, The public's awareness of the health benefits
6 associated with safe, professionally applied mosquito and vector
7 control methods will support these efforts, as well as motivate the
8 state and the public to eliminate mosquito and vector breeding
9 sites on public and private property; and

10 WHEREAS, Educational programs have been developed to
11 include schools, civic groups, private industry, and government
12 agencies in order to meet the public's need for information about
13 West Nile virus, other diseases, and mosquito and vector biology
14 and control; and

15 WHEREAS, Public awareness can result in reduced production
16 of mosquitoes and other vectors on residential, commercial, and
17 public lands by responsible parties, avoidance of the bites of
18 mosquitoes and other vectors when the risk of West Nile virus and
19 other disease transmission is high, detection of human cases of
20 mosquito-borne and vector-borne diseases that may otherwise be
21 misdiagnosed for lack of appropriate laboratory testing, and the
22 formation of mosquito or vector control agencies where needed;
23 and

24 WHEREAS, Public awareness can result in action to provide
25 adequate funding for existing mosquito and vector control agencies,
26 or to create control agencies in areas where there are no existing
27 controls; and

28 WHEREAS, Mosquito Awareness Week will increase the
29 public's awareness of the threat of Zika fever and West Nile virus
30 and other diseases and the activities of the various mosquito vector
31 research and control agencies working to minimize the health threat
32 within California, and will highlight the educational programs
33 currently available; and

34 WHEREAS, The Mosquito and Vector Control Association of
35 California has designated the week of April 15 to April 22, 2018,
36 inclusive, as Mosquito Awareness Week in California; now,
37 therefore, be it

38 *Resolved by the Assembly of the State of California, That the*
39 *Assembly hereby declares that the week of April 15 to April 22,*

- 1 2018, inclusive, be designated as Mosquito Awareness Week; and
- 2 be it further
- 3 *Resolved*, That the chief Clerk of the Assembly transmit a copy
- 4 of this resolution to the Governor, the State Public Health Officer,
- 5 and the author for appropriate distribution.

O

Date of Hearing: April 16, 2018

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
HR 100 (Quirk) – As Introduced April 11, 2018

SUBJECT: Mosquito Awareness Week.

SUMMARY: Designates April 15, 2018, to April 22, 2018, inclusive, as Mosquito Awareness Week. Specifically, **this resolution** makes the following legislative findings:

- 1) The United States Environmental Protection Agency recognizes that mosquito-borne diseases are currently among the world's leading causes of illness and death. It's estimated that more than 300 million clinical cases each year are attributable to mosquito-borne illnesses.
- 2) In 2017, West Nile virus resulted in 41 human deaths in California and over 536 individual cases in some 27 counties.
- 3) Adequately funded mosquito and vector control, disease surveillance, and public awareness programs, coupled with best management practices on public and private lands, are the best ways to prevent outbreaks of West Nile virus and other diseases borne by mosquitoes and other vectors.
- 4) Excess numbers of mosquitoes and other vectors spread diseases, reduce enjoyment of both public and private outdoor living spaces, reduce property values, hinder outdoor work, reduce livestock productivity, and have a negative impact on the environment.
- 5) Best management practices, emphasizing nonchemical approaches, have been developed to guide mosquito control that can significantly reduce mosquito populations for new development and on state and private lands.
- 6) The public's awareness of the health benefits associated with safe, professionally applied mosquito and vector control methods will support these efforts, as well as motivate the state and the public to eliminate mosquito and vector breeding sites on public and private property.
- 7) Mosquito Awareness Week will increase the public's awareness of the threat of Zika fever and West Nile virus and other diseases and the activities of the various mosquito and vector research and control agencies working to minimize the health threat within California, and will highlight the educational programs currently available.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Nicole Willis / RLS. / (916) 319-2800

Introduced by Senator Nguyen

January 3, 2018

Senate Concurrent Resolution No. 88—Relative to Black April Memorial Month.

LEGISLATIVE COUNSEL’S DIGEST

SCR 88, as introduced, Nguyen. Black April Memorial Month.

This measure would proclaim the month of April 2018 as Black April Memorial Month.

Fiscal committee: no.

- 1 WHEREAS, April 30, 2018, marks the 43rd year since the Fall
2 of Saigon, on April 30, 1975, to communism; and
3 WHEREAS, For many Vietnam and Vietnam-era veterans who
4 were directly involved in the war and Vietnamese Americans who
5 have settled in the United States, the Vietnam War was a tragedy
6 full of great suffering and loss of American, Vietnamese, and
7 Southeast Asian lives; and
8 WHEREAS, The combined United States and South Vietnamese
9 fatalities among servicemen and women during the Vietnam War
10 reached more than a half million, with approximately 800,000
11 additional troops being wounded in combat. Millions of
12 Vietnamese civilians suffered casualties and death as a result of
13 the extended conflict; and
14 WHEREAS, After the Fall of Saigon, millions of Vietnamese
15 and their families fled Vietnam to surrounding areas and the United
16 States, including, but not limited to, former military personnel,
17 government officials, and those who had worked for the United
18 States during the war; and

1 WHEREAS, In the late 1970s to mid-1980s, thousands of
2 Vietnamese risked their lives by fleeing Vietnam aboard small
3 wooden boats. These emigrants reached refugee camps in Thailand,
4 Malaysia, Indonesia, the Philippines, and Hong Kong, while
5 approximately one-half of the people fleeing Vietnam in search
6 of freedom and democracy perished at sea; and

7 WHEREAS, According to the United States Census for 2010,
8 more than 580,000 Vietnamese live in California, with the largest
9 concentration of Vietnamese residents found outside of Vietnam
10 residing in the County of Orange; and

11 WHEREAS, Human rights, religious freedom, democracy, and
12 protection against threats of aggression are important concerns of
13 Vietnamese Americans and Vietnamese communities worldwide
14 stemming from human rights abuses that continue to occur in
15 Vietnam in the following areas: child labor, human trafficking,
16 religious and political persecution, suppression of the press,
17 unlawful deprivation of life, forced disappearances, and land
18 seizure, among others; and

19 WHEREAS, The 2016 United States Department of State's
20 Report on Human Rights Practices in Vietnam estimates 94
21 political detainees are being held, and the International Labor
22 Rights Forum reports that mistreatment has continued at
23 reeducation centers, including forcing detainees to produce goods
24 for private companies; and

25 WHEREAS, We must teach our children and future generations
26 important lessons from the Vietnam War and the continuing
27 situation in Vietnam, including how the plight of the Vietnamese
28 refugees following the end of the war serves as a powerful example
29 of the values of freedom and democracy; and

30 WHEREAS, We, the people of California, should actively
31 rededicate ourselves to the principles of human rights, individual
32 freedom, sovereignty, and equal protection under the laws of a just
33 and democratic world. Californians should set aside moments of
34 time every year on April 30 to give remembrance to the soldiers,
35 medical personnel, and civilians who died during the Vietnam War
36 in pursuit of freedom and democracy; and

37 WHEREAS, Vietnamese American communities throughout
38 California will commemorate April 30, 2018, as Black April, a
39 day of remembrance and rededication to the principles of freedom,

1 including freedom of religion, freedom of expression, freedom of
2 the press, and Internet freedom; now, therefore, be it

3 *Resolved by the Senate of the State of California, the Assembly*
4 *thereof concurring*, That in recognition of the great tragedy and
5 suffering and lives lost during the Vietnam War, the month of
6 April 2018 shall be proclaimed Black April Memorial Month, a
7 special time for Californians to remember the lives lost during the
8 Vietnam War era, and to hope for a more humane and just life for
9 the people of Vietnam; and be it further

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

O

Date of Hearing: April 16, 2018

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
SCR 88 (Nguyen) – As Introduced January 3, 2018

SENATE VOTE: 37-0

SUBJECT: Black April Memorial Month

SUMMARY: Proclaims the month of April 2018 as Black April Memorial Month. Specifically, **this resolution** makes the following legislative findings:

- 1) April 30, 2018 marks the 43rd year since the Fall of Saigon on April 30, 1975 to communism.
- 2) For many Vietnam and Vietnam-era veterans who were directly involved in the war and Vietnamese Americans who have settled in the United States, the Vietnam War was a tragedy full of great suffering and loss of American, Vietnamese, and Southeast Asian lives.
- 3) After the Fall of Saigon, millions of Vietnamese people and their families fled to the United States, including former military personnel, government officials, and those who had worked for the United States during the war.
- 4) According to the United States Census for 2010, more than 580,000 Vietnamese live in California, with the largest concentration of Vietnamese found outside of Vietnam residing in Orange County.
- 5) We must teach our children and future generations important lessons from the Vietnam War and the continuing situation in Vietnam, including how the plight of the Vietnamese refugees following the end of the war serves as a powerful example of the values of freedom and democracy.
- 6) We, the people of California, should actively rededicate ourselves to the principles of human rights, individual freedom, sovereignty, and equal protection under the laws of a just and democratic world. Californians should set aside moments of time every year on April 30 to give remembrance to the soldiers, medical personnel, and civilians who died during the Vietnam War in pursuit of freedom.
- 7) Vietnamese American communities throughout California will commemorate April 30, 2018, as Black April, a day of remembrance and rededication to the principles of freedom, including freedom of expression, freedom of press, and Internet freedom.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Nicole Willis / RLS. / (916) 319-2800

Introduced by Senator Nguyen

March 15, 2018

Senate Concurrent Resolution No. 116—Relative to the Month of the Military Child.

LEGISLATIVE COUNSEL’S DIGEST

SCR 116, as introduced, Nguyen. Month of the Military Child.

This measure would declare the month of April 2018 as the Month of the Military Child, and would urge all Californians, local and state leaders, private organizations, and businesses to observe the month by showing appreciation to the children and youth of military and veteran families, including children of the fallen, for standing by their parents and loved ones who are serving or have served as members of the Armed Forces of the United States.

Fiscal committee: no.

- 1 WHEREAS, In 1986, Secretary of Defense Caspar Weinberger
- 2 established the Defense Department’s Month of the Military Child;
- 3 and
- 4 WHEREAS, Every April, the United States military services
- 5 and communities around the world recognize military children for
- 6 their daily sacrifices and the challenges they must overcome; and
- 7 WHEREAS, Military children often have to adapt their lives to
- 8 the requirements of their parent’s military obligations; and
- 9 WHEREAS, These children shoulder responsibilities beyond
- 10 their years and burdens outside of their control, such as repeatedly
- 11 moving and changing schools, long-term family member
- 12 separations, and even the loss of a parent; and

1 WHEREAS, Many military children have known only war since
2 September 11, 2001, including some military children whose
3 parents made the ultimate sacrifice; and

4 WHEREAS, As members transition to veterans' status, children
5 and families need special care as they lose traditional military
6 support services; and

7 WHEREAS, California is home to more than 158,000 military
8 children whose parents serve in the Army, Air Force, Navy, Marine
9 Corps, Coast Guard, National Guard, and Reserves; and

10 WHEREAS, California will further its commitment to the brave
11 men and women who serve their country and state by recognizing
12 these children and young American heroes and pledging its
13 gratitude for their sacrifices; now, therefore, be it

14 *Resolved by the Senate of the State of California, the Assembly*
15 *thereof concurring*, That the Legislature hereby proclaims the
16 month of April 2018 as the Month of the Military Child in
17 California; and be it further

18 *Resolved*, That the Legislature urges all Californians, local and
19 state leaders, private organizations, and businesses to observe the
20 month by showing appreciation to the children and youth of
21 military and veteran families, including children of the fallen, for
22 standing by their parents and loved ones who are serving or have
23 served as members of the Armed Forces of the United States; and
24 be it further

25 *Resolved*, That the Secretary of the Senate transmit copies of
26 this resolution to each Senator and Representative from California
27 in the Congress of the United States, to the Governor of California,
28 to the Adjutant General of the California National Guard, to the
29 Secretary of the Department of Veterans Affairs, to the Secretaries
30 of the Armed Forces of the United States, and to the author for
31 appropriate distribution.

O

Date of Hearing: April 16, 2018

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
SCR 116 (Nguyen) – As Introduced March 15, 2018

SENATE VOTE: 37-0

SUBJECT: Month of the Military Child

SUMMARY: Declares the month of April 2018 as the Month of the Military Child and urges all Californians to observe the month by showing appreciation to the children and youth of military and veteran families, including children of the fallen, for standing by their parents and loved ones who are serving or have served as members of the Armed Forces of the United States. Specifically, **this resolution** makes the following legislative findings:

- 1) In 1986, Secretary of Defense Caspar Weinberger established the Defense Department's Month of the Military Child and every April the United States military services and communities around the world recognize military children for their daily sacrifices and the challenges they must overcome.
- 2) Military children shoulder responsibilities beyond their years and burdens outside of their control, such as repeatedly moving and changing schools, long-term family member separations, and even the loss of a parent.
- 3) California is home to more than 158,000 military children whose parents serve in the Army, Air Force, Navy, Marine Corps, Coast Guard, National Guard, and Reserves.
- 4) As members of the military transition to veterans' status, children and families need special care as they lose traditional military support services.
- 5) California will further its commitment to the brave men and women who serve their country and state by recognizing these children and young American heroes and pledging its gratitude for their sacrifices.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Nicole Willis / RLS. / (916) 319-2800

AMENDED IN ASSEMBLY MARCH 15, 2018

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

ASSEMBLY BILL

No. 2213

Introduced by Assembly Member Cooley

February 12, 2018

An act to amend ~~Section 30312~~ Sections 28475, 30312, and 30314 of the Penal Code, relating to firearms.

LEGISLATIVE COUNSEL’S DIGEST

AB 2213, as amended, Cooley. Firearms: ammunition sales.

Existing law, as amended by the Safety for All Act of 2016, approved by voters as Proposition 63 at the November 8, 2016, statewide general election, requires the sale of ammunition to be conducted by or processed through a licensed ammunition vendor. Existing law exempts the sale, delivery, or transfer of ammunition to specified individuals, including a sworn peace officer or sworn federal law enforcement officer who is authorized to carry a firearm in the course and scope of the officer’s ~~duties~~ *duties, and a representative of a law enforcement agency, with written authorization from the head of the agency, purchasing ammunition for the exclusive use of the agency.* A violation of this provision is a misdemeanor. Proposition 63 allows its provisions to be amended by a vote of 55% of the Legislature so long as the amendments are consistent with and further the intent of the act.

~~This bill would make technical, nonsubstantive changes to those provisions:~~

The bill would exempt from the above-described ammunition purchasing requirement a person licensed as a private patrol operator or registered as a security guard or security patrolperson who also holds a valid firearm permit issued by the Bureau of Security and

Investigative Services of the Department of Consumer Affairs and who purchases or receives ammunition for use in the normal course and scope of his or her employment.

The bill would also, for purposes of the written authorization for a law enforcement representative to purchase ammunition for an agency, identify individuals who are deemed to be the head of the agency under specified circumstances.

The bill would authorize licensed ammunition vendors to access the Department of Justice centralized list of federal firearms licensees that are exempted from licensing in California for the purpose of verifying the validity of an ammunition purchase.

The bill would amend Proposition 63 by adding new exemptions to the requirement of buying ammunition through a licensed vendor.

Vote: ~~majority~~ 55%. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

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

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

3 28475. Information compiled from the list described in Section
4 28450 shall be made available for the following purposes:

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

8 (b) When the information is requested by a person licensed
9 pursuant to Chapter 44 (commencing with Section 921) of Title
10 18 of the United States Code for determining the validity of the
11 license for firearm shipments.

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

15 ~~SECTION 1.~~

16 *SEC. 2. Section 30312 of the Penal Code is amended to read:*

17 30312. (a) (1) Commencing January 1, 2018, the sale of
18 ammunition by any party shall be conducted by or processed
19 through a licensed ammunition vendor.

20 (2) When neither party to an ammunition sale is a licensed
21 ammunition vendor, the seller shall deliver the ammunition to a
22 vendor to process the transaction. The ammunition vendor shall

1 promptly and properly deliver the ammunition to the purchaser,
2 if the sale is not prohibited, as if the ammunition were the vendor's
3 own merchandise. If the ammunition vendor cannot legally deliver
4 the ammunition to the purchaser, the vendor shall forthwith return
5 the ammunition to the seller. The ammunition vendor may charge
6 the purchaser an administrative fee to process the transaction, in
7 an amount to be set by the Department of Justice, in addition to
8 any applicable fees that may be charged pursuant to the provisions
9 of this title.

10 (b) Commencing January 1, 2018, the sale, delivery, or transfer
11 of ownership of ammunition by any party may only occur in a
12 face-to-face transaction with the seller, deliverer, or transferor,
13 provided, however, that ammunition may be purchased or acquired
14 over the Internet or through other means of remote ordering if a
15 licensed ammunition vendor initially receives the ammunition and
16 processes the transaction in compliance with this section and
17 Article 3 (commencing with Section 30342) of Chapter 1 of
18 Division 10 of Title 4 of this part.

19 (c) Subdivisions (a) and (b) shall not apply to the sale, delivery,
20 or transfer of ammunition to any of the following:

21 (1) An authorized law enforcement representative of a city,
22 county, city and county, or state or federal government, if the sale,
23 delivery, or transfer is for exclusive use by that government agency
24 and, prior to the sale, delivery, or transfer of the ammunition,
25 written authorization from the head of the agency employing the
26 purchaser or transferee is obtained, identifying the employee as
27 an individual authorized to conduct the transaction, and authorizing
28 the transaction for the exclusive use of the agency employing the
29 individual. *For purposes of this paragraph, "head of the agency"*
30 *shall include the lead procurement officer for an ammunition*
31 *purchase contract, the head of procurement for the agency, or the*
32 *head of any local field office of the agency, provided that the*
33 *authorization is written on the official letterhead of the agency*
34 *and provides a telephone number or other means of verifying its*
35 *authenticity.*

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

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

5 (4) A person who is on the centralized list of exempted federal
6 firearms licensees maintained by the Department of Justice
7 pursuant to Article 6 (commencing with Section 28450) of Chapter
8 6 of Division 6 of this title.

9 (5) A person whose licensed premises are outside this state and
10 who is licensed as a dealer or collector of firearms pursuant to
11 Chapter 44 (commencing with Section 921) of Title 18 of the
12 United States Code and the regulations issued pursuant thereto.

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

19 (7) An ammunition vendor.

20 (8) A consultant-evaluator.

21 (9) A person who purchases or receives ammunition at a target
22 facility holding a business or other regulatory license, provided
23 that the ammunition is kept within the premises of the facility at
24 all times.

25 (10) A person who purchases or receives ammunition from a
26 spouse, registered domestic partner, or immediate family member
27 as defined in Section 16720.

28 (11) A person enrolled in the basic training academy for peace
29 officers or any other course certified by the Commission on Peace
30 Officer Standards and Training, an instructor of the academy or
31 course, or a staff member of the academy or entity providing the
32 course, who is purchasing the ammunition for the purpose of
33 participation or use in the course.

34 (12) *A person licensed as a private patrol operator or registered*
35 *as a security guard or patrolperson by the Bureau of Security and*
36 *Investigative Services of the Department of Consumer Affairs, who*
37 *holds a valid firearm permit issued pursuant to Chapter 11.5*
38 *(commencing with Section 7580) of Division 3 of the Business and*
39 *Professions Code and who purchases or receives ammunition for*

1 *use in the normal course and scope of his or her business or*
2 *employment.*

3 (d) A violation of this section is a misdemeanor.

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

5 30314. (a) Commencing January 1, 2018, a resident of this
6 state shall not bring or transport into this state any ammunition
7 that he or she purchased or otherwise obtained from outside of this
8 state unless he or she first has that ammunition delivered to a
9 licensed ammunition vendor for delivery to that resident pursuant
10 to the procedures set forth in Section 30312.

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

12 (1) An ammunition vendor.

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

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

21 (4) A person who is on the centralized list of exempted federal
22 firearms licensees maintained by the Department of Justice
23 pursuant to Article 6 (commencing with Section 28450) of Chapter
24 6 of Division 6.

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

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

34 (7) *A person licensed as a private patrol operator or registered*
35 *as a security guard or patrolperson by the Bureau of Security and*
36 *Investigative Services of the Department of Consumer Affairs, who*
37 *holds a valid firearm permit issued pursuant to Chapter 11.5*
38 *(commencing with Section 7580) of Division 3 of the Business and*
39 *Professions Code and who purchases or receives ammunition for*

- 1 *use in the normal course and scope of his or her business or*
- 2 *employment.*
- 3 (c) A violation of this section is an infraction for any first time
- 4 offense, and either an infraction or a misdemeanor for any
- 5 subsequent offense.

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Assembly California Legislature



KEN COOLEY
ASSEMBLYMAN, EIGHTH DISTRICT

COMMITTEES
CHAIR: RULES
GOVERNMENTAL ORGANIZATION
INSURANCE
LOCAL GOVERNMENT
PUBLIC EMPLOYEES, RETIREMENT,
AND SOCIAL SECURITY

SELECT COMMITTEES
CHAIR: FOSTER CARE
DOMESTIC VIOLENCE
LOCAL PUBLIC SAFETY AND
EMERGENCY PREPAREDNESS

ALFRED E. ALQUIST SEISMIC
SAFETY COMMISSION

April 12, 2018

Assembly Rules Committee
State Capitol Room 3016
Sacramento, California 95814

Dear Assembly Rules Committee,

This letter is to request the approval of an urgency clause for AB 2213. The urgency clause is necessary as AB 2213 clarifies existing law so as to not unduly delay law enforcement agencies from purchasing ammunition from licensed vendors.

Please contact Amanda Kirchner in my office at (916) 319-2008 should any questions arise.

Sincerely,

A handwritten signature in blue ink that reads "Ken Cooley".

Ken Cooley
Assemblymember, 8th District

AMENDED IN ASSEMBLY APRIL 10, 2018

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

ASSEMBLY BILL

No. 2899

**Introduced by Assembly Members Rubio and Cooper
(Principal coauthor: Assembly Member Chau)**

February 16, 2018

An act to amend ~~Section~~ *Sections 26150 and 26151* of the Business and Professions Code, relating to ~~cannabis~~, *cannabis*, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL’S DIGEST

AB 2899, as amended, Rubio. Cannabis: advertisements: license number.

Existing law, the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA), approved by the voters at the November 8, 2016, statewide general election, regulates the cultivation, distribution, transport, storage, manufacturing, testing, processing, sale, and use of marijuana for nonmedical purposes by people 21 years of age and older. The Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), among other things, consolidates the licensure and regulation of commercial medicinal and adult-use cannabis activities. MAUCRSA requires all cannabis advertisements and marketing to accurately and legibly identify the licensee responsible for that content by adding, at a minimum, the licensee’s license number and prohibits a technology platform from displaying the advertisement on an Internet Web page unless the advertisement displays that licensee’s license number. *Under MAUCRSA, each licensing authority is authorized to discipline a licensee for failure to comply with these provisions, among other things.*

This bill would require that the license number displayed on the advertisement be the licensee's ~~State of California Commercial Cannabis Activity~~ active license number, which the bill would define as the number of a license issued pursuant to MAUCRSA that is not suspended or revoked.

~~The AUMA authorizes the Legislature to amend the act to further the purposes and intent of the act with a $\frac{2}{3}$ vote of the membership of both houses of the Legislature, except as provided.~~

~~This bill would declare that its provisions further specified purposes and intent of AUMA.~~

AUMA authorizes the Legislature to amend by majority vote certain provisions of the act to implement specified substantive provisions, provided that the amendments are consistent with and further the purposes and intent of AUMA.

This bill would declare that its provisions implement specified substantive provisions of AUMA and are consistent with and further the purposes and intent of AUMA.

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

Vote: $\frac{2}{3}$. 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. Section 26150 of the Business and Professions
- 2 Code is amended to read:
- 3 26150. For purposes of this chapter:
- 4 (a) "Active license number" means the number of an A-license
- 5 or M-license, as defined in Section 26001, that is not suspended
- 6 or revoked.
- 7 ~~(a)~~
- 8 (b) "Advertise" means the publication or dissemination of an
- 9 advertisement.
- 10 ~~(b)~~
- 11 (c) "Advertisement" includes any written or verbal statement,
- 12 illustration, or depiction which is calculated to induce sales of
- 13 cannabis or cannabis products, including any written, printed,
- 14 graphic, or other material, billboard, sign, or other outdoor display,
- 15 public transit card, other periodical literature, publication, or in a

1 radio or television broadcast, or in any other media; except that
2 such term shall not include:

3 (1) Any label affixed to any cannabis or cannabis products, or
4 any individual covering, carton, or other wrapper of that container
5 that constitutes a part of the labeling under provisions of this
6 division.

7 (2) Any editorial or other reading material, such as a news
8 release, in any periodical or publication or newspaper for the
9 publication of which no money or valuable consideration is paid
10 or promised, directly or indirectly, by any licensee, and which is
11 not written by or at the direction of the licensee.

12 ~~(e)~~

13 ~~(d)~~ “Advertising sign” is any sign, poster, display, billboard, or
14 any other stationary or permanently affixed advertisement
15 promoting the sale of cannabis or cannabis products which are not
16 cultivated, manufactured, distributed, or sold on the same lot.

17 ~~(d)~~

18 ~~(e)~~ “Health-related statement” means any statement related to
19 health, and includes statements of a curative or therapeutic nature
20 that, expressly or by implication, suggest a relationship between
21 the consumption of cannabis or cannabis products and health
22 benefits, or effects on health.

23 ~~(e)~~

24 ~~(f)~~ “Market” or “Marketing” means any act or process of
25 promoting or selling cannabis or cannabis products, including, but
26 not limited to, sponsorship of sporting events, point-of-sale
27 advertising, and development of products specifically designed to
28 appeal to certain demographics.

29 ~~SECTION 1.~~

30 ~~SEC. 2.~~ Section 26151 of the Business and Professions Code
31 is amended to read:

32 26151. (a) (1) All advertisements and marketing shall
33 accurately and legibly identify the licensee responsible for its
34 content, by adding, at a minimum, the licensee’s *active* license
35 number.

36 (2) A technology platform shall not display an advertisement
37 by a licensee on an Internet Web page unless the advertisement
38 displays the ~~State of California Commercial Cannabis Activity~~
39 *active* license number of the licensee.

(3) An outdoor advertising company subject to the Outdoor Advertising Act (Chapter 2 (commencing with Section 5200) of Division 3) shall not display an advertisement by a licensee unless the advertisement displays the *active* license number of the licensee.

(b) Any advertising or marketing placed in broadcast, cable, radio, print, and digital communications shall only be displayed where at least 71.6 percent of the audience is reasonably expected to be 21 years of age or older, as determined by reliable, up-to-date audience composition data.

(c) Any advertising or marketing involving direct, individualized communication or dialogue controlled by the licensee shall utilize a method of age affirmation to verify that the recipient is 21 years of age or older before engaging in that communication or dialogue controlled by the licensee. For purposes of this section, that method of age affirmation may include user confirmation, birth date disclosure, or other similar registration method.

(d) All advertising shall be truthful and appropriately substantiated.

~~SEC. 2. The Legislature finds and declares that Section 1 of this act amends the Control, Regulate and Tax Adult Use of Marijuana Act by prohibiting a technology platform from displaying an advertisement by a licensee under the act unless the advertisement displays the licensee's specified license number, and that the section is consistent with and furthers the purposes and intent of the act.~~

SEC. 3. The Legislature finds and declares that Sections 1 and 2 of this act, amending Sections 26150 and 26151 of the Business and Professions Code, implement Section 6.1 of the Control, Regulate and Tax Adult Use of Marijuana Act of 2016 and are consistent with and further the purposes and intent of that act as stated in Section 3 of that act.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

- 1 *In order to stop the illegal distribution and sale of cannabis,*
- 2 *and to promote the regulated cannabis licensing scheme within*
- 3 *the state, it is necessary for this act to go into immediate effect.*

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Assembly California Legislature



BLANCA E. RUBIO
CHAIR, HUMAN SERVICES COMMITTEE
ASSEMBLY MEMBER, FORTY-EIGHTH DISTRICT

COMMITTEES
CHAIR: HUMAN SERVICES
BUDGET
GOVERNMENTAL ORGANIZATION
PUBLIC SAFETY
WATER, PARKS, AND WILDLIFE
BUDGET SUBCOMMITTEE NO. 1 ON
HEALTH AND HUMAN SERVICES
JOINT LEGISLATIVE AUDIT

April 4, 2018

The Honorable Ken Cooley, Chair
Assembly Rules Committee
State Capitol, Room 3016
Sacramento, Ca 95814

Dear Chairman Cooley:

I respectfully request permission to place an urgency clause on my AB 2899 relating to cannabis advertising.

AB 2899 simply clarifies that online platforms must have a "California State License" number listed on advertisements promoting cannabis businesses. Since the passage of Proposition 64, we have seen a number of illegal vendors that are advertising on various platforms due to the lack of clarity in current statute.

This urgency clause will help close a perceived loophole in current law that unfortunately enables platforms to currently promote the black market by continuing to advertise unlicensed cannabis businesses – that are not paying state or local taxes.

The issue with current law directly relates to the misinterpretation of B&P Code §26151 that requires that a technology platform cannot display an advertisement by a licensee on an internet web page without listing the license number. AB 2899 adds clarity to the current statute ensuring all platforms list "California state licensed" businesses that are following the proper licensing procedures under the Bureau of Cannabis Control.

Thank you for your consideration to my request. Please my office at (916) 319-2048 if you have any questions.

Sincerely,

BLANCA E. RUBIO
Assembly Member
48th District