



STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-
0124
(916) 319-2800
FAX (916) 319-2810

**Assembly
California Legislature
Committee on Rules**

**KEN COOLEY
CHAIR**

Friday, February 15, 2019
10 minutes prior to Session
State Capitol, Room 3162

VICE CHAIR
CUNNINGHAM, JORDAN

MEMBERS
CARRILLO, WENDY
FLORA, HEATH
GRAYSON, TIMOTHY S.
KAMLAGER-DOVE, SYDNEY
MAIENSCHHEIN, BRIAN
MATHIS, DEVON J.
QUIRK-SILVA, SHARON
RAMOS, JAMES C.
RIVAS, ROBERT
WICKS, BUFFY

DIEP, TYLER (R-ALT)
LEVINE, MARC (D-ALT)

CONSENT AGENDA

BILL REFERRALS

1. Consent Bill Referrals

[Page 2](#)

RESOLUTIONS

2. ACR-12 (Muratsuchi) Day of Remembrance.
3. ACR-20 (Luz Rivas) Engineers Week.
4. ACR-21 (Luz Rivas) Introduce a Girl to Engineering Day.

[Page 5](#)

[Page 11](#)

[Page 15](#)

REQUEST TO ADD URGENCY CLAUSE

5. AB-122 (Grayson) Multidisciplinary teams: human trafficking and domestic violence.

[Page 18](#)



STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0124
(916) 319-2800
FAX (916) 319-2810

CHIEF ADMINISTRATIVE OFFICER
DEBRA GRAVERT

Assembly
California Legislature
Committee on Rules

KEN COOLEY
CHAIR

VICE CHAIR
JORDAN CUNNINGHAM

MEMBERS
WENDY CARRILLO
HEATH FLORA
TIMOTHY S. GRAYSON
SYDNEY KAMLAGER-DOVE
BRIAN MAIENSCHIN
DEVON J. MATHIS
SHARON QUIRK-SILVA
JAMES C. RAMOS
ROBERT RIVAS
BUFFY WICKS

MARC LEVINE (D-ALT.)
TYLER DIEP (R-ALT.)

Memo

To: Rules Committee Members
From: Michael Erke, Bill Referral Consultant
Date: 2/14/19
Re: Consent Bill Referrals

Since you received your preliminary list of bill referrals, the following resolutions have been added to the list of referrals: ACR 27, HR 13, SCR 10, and SCR 12. AB 309 has been removed from the list of referrals.

REFERRAL OF BILLS TO COMMITTEE

02/15/2019

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

<u>Assembly Bill No.</u>	<u>Committee:</u>
<u>AB 12</u>	PUB. S.
<u>AB 62</u>	A. & A.R.
<u>AB 62</u>	BUDGET
<u>AB 132</u>	PUB. S.
<u>AB 133</u>	REV. & TAX.
<u>AB 230</u>	J., E.D., & E.
<u>AB 230</u>	A. & A.R.
<u>AB 240</u>	V.A.
<u>AB 298</u>	H. & C.D.
<u>AB 332</u>	PUB. S.
<u>AB 362</u>	HEALTH
<u>AB 362</u>	PUB. S.
<u>AB 363</u>	E. & R.
<u>AB 364</u>	REV. & TAX.
<u>AB 365</u>	P.E. & R.
<u>AB 366</u>	AGRI.
<u>AB 367</u>	HUM. S.
<u>AB 368</u>	V.A.
<u>AB 369</u>	HIGHER ED.
<u>AB 370</u>	B. & P.
<u>AB 370</u>	HEALTH
<u>AB 371</u>	J., E.D., & E.
<u>AB 371</u>	TRANS.
<u>AB 372</u>	P.E. & R.
<u>AB 377</u>	HEALTH
<u>AB 380</u>	TRANS.
<u>AB 380</u>	A. & A.R.
<u>AB 381</u>	HIGHER ED.
<u>AB 382</u>	W., P., & W.
<u>AB 384</u>	HEALTH
<u>AB 384</u>	P. & C.P.
<u>AB 385</u>	HEALTH
<u>AB 386</u>	NAT. RES.
<u>AB 387</u>	B. & P.
<u>AB 388</u>	HEALTH
<u>AB 389</u>	HEALTH
<u>AB 390</u>	TRANS.
<u>AB 391</u>	P. & C.P.
<u>AB 392</u>	PUB. S.
<u>AB 394</u>	NAT. RES.
<u>AB 395</u>	HUM. S.
<u>AB 395</u>	PUB. S.
<u>AB 396</u>	ED.
<u>AB 397</u>	PUB. S.

<u>AB 401</u>	PUB. S.
<u>AB 402</u>	E.S. & T.M.
<u>AB 403</u>	L. & E.
<u>AB 403</u>	JUD.
<u>AB 405</u>	REV. & TAX.
<u>AB 408</u>	TRANS.
<u>AB 408</u>	V.A.
<u>AB 409</u>	NAT. RES.
<u>AB 411</u>	H. & C.D.
<u>AB 411</u>	L. GOV.
<u>AB 412</u>	B. & F.
<u>AB 414</u>	HEALTH
<u>AB 415</u>	PUB. S.
<u>AB 416</u>	REV. & TAX.
<u>AB 417</u>	AGRI.
<u>AB 418</u>	JUD.
<u>AB 419</u>	AGRI.
<u>AB 420</u>	B. & P.
<u>AB 422</u>	TRANS.
<u>AB 423</u>	NAT. RES.
<u>AB 424</u>	JUD.
<u>AB 425</u>	PUB. S.
<u>AB 426</u>	HUM. S.
<u>AB 427</u>	REV. & TAX.
<u>AB 428</u>	ED.
<u>AB 430</u>	NAT. RES.
<u>AB 431</u>	NAT. RES.
<u>AB 432</u>	E.S. & T.M.
<u>ACR 25</u>	A.,E.,S.,T., & I.M.
<u>ACR 27</u>	RLS.
<u>HR 13</u>	A.,E.,S.,T., & I.M.
<u>SCR 10</u>	RLS.
<u>SCR 12</u>	RLS.

Assembly Concurrent Resolution

No. 12

Introduced by Assembly Member Muratsuchi

January 10, 2019

Assembly Concurrent Resolution No. 12—Relative to a Day of Remembrance.

LEGISLATIVE COUNSEL'S DIGEST

ACR 12, as introduced, Muratsuchi. Day of Remembrance.

This measure would declare February 19, 2019, as a Day of Remembrance in order to increase public awareness of the events surrounding the incarceration of Americans of Japanese ancestry during World War II.

Fiscal committee: no.

- 1 WHEREAS, On February 19, 1942, President Franklin Delano
2 Roosevelt signed Executive Order 9066 (EO9066), under which
3 more than 120,000 people of Japanese ancestry were incarcerated
4 in 10 concentration camps scattered throughout western states
5 during World War II; and
6 WHEREAS, EO9066 deferred the American dream for more
7 than 120,000 Americans and residents of Japanese ancestry by
8 inflicting a great human cost of abandoned homes, businesses,
9 farms, careers, professional advancements, disruption to family
10 life, and public humiliation; and
11 WHEREAS, Despite their families being incarcerated behind
12 barbed wire in the United States, approximately 33,000 veterans
13 of Japanese ancestry fought bravely for our country during World
14 War II, serving in the 100th Infantry Battalion, the 442nd

1 Regimental Combat Team, the 522nd Field Artillery Battalion,
2 and the Military Intelligence Service; and

3 WHEREAS, On June 21, 2000, President William Jefferson
4 Clinton designated 20 Japanese Americans, who served in the
5 100th Infantry Battalion and the 442nd Regimental Combat Team
6 to receive the nation’s highest military decoration, the Medal of
7 Honor, bringing the total number of Japanese Americans who so
8 received the Medal of Honor to 21; and

9 WHEREAS, In 2010, President Barack Obama granted the
10 Congressional Gold Medal, collectively, to the 100th Infantry
11 Battalion and 442nd Regimental Combat Team in recognition of
12 their dedicated service during World War II; and

13 WHEREAS, Nearly 6,000 veterans of Japanese ancestry served
14 with the Military Intelligence Service and have been credited for
15 shortening the war by two years by translating enemy battle plans,
16 defense maps, tactical orders, intercepted messages and diaries,
17 and interrogating enemy prisoners; and

18 WHEREAS, Many Japanese American veterans continued a
19 life of public service after the war, including Medal of Honor
20 recipient and United States Senator Daniel Inouye, who passed
21 away in December 2012 while representing his home state of
22 Hawaii; and

23 WHEREAS, On February 19, 1976, President Gerald Rudolph
24 Ford rescinded EO9066 and proclaimed, “We now know what we
25 should have known then—not only was that evacuation wrong,
26 but Japanese-Americans were and are loyal Americans”; and

27 WHEREAS, Nearly 40 years after the United States Supreme
28 Court decisions upholding the convictions of Fred Korematsu,
29 Min Yasui, and Gordon Hirabayashi for violations of curfew and
30 EO9066, it was discovered that officials from the United States
31 Department of War and the United States Department of Justice
32 had altered, destroyed, and withheld information that testified to
33 the loyalty of the people of Japanese ancestry from the United
34 States Supreme Court; and

35 WHEREAS, On May 24, 2011, Acting Solicitor General Neal
36 Katyal said World War II Solicitor General Charles Fahy, who
37 represented the United States Department of Justice in the
38 Korematsu, Yasui, and Hirabayashi cases, “acted dishonorably”
39 by withholding relevant information; and

1 WHEREAS, Dale Minami, Peggy Nagae, Kathryn Bannai,
2 Dennis Hayashi, Rod Kawakami, and many attorneys and interns
3 contributed innumerable hours to win a reversal of the original
4 convictions of Korematsu, Yasui, and Hirabayashi in 1983 by
5 filing a petition for writ of error coram nobis on the grounds that
6 fundamental errors and injustice occurred; and

7 WHEREAS, In 1980, the United States Congress created the
8 Commission on Wartime Relocation and Internment of Civilians
9 to examine the actions and impact of EO9066. The commission
10 held 20 days of public hearings, conducted 18 months of thorough
11 investigation, and published its findings in 1983, which concluded
12 that EO9066 was not justified by “military necessity” but was due
13 to racial prejudice, wartime hysteria, and a failure of political
14 leadership; and

15 WHEREAS, On August 10, 1988, President Ronald Wilson
16 Reagan signed into law the federal Civil Liberties Act of 1988,
17 finding that EO9066 was not justified by military necessity and,
18 instead, was caused by racial prejudice, wartime hysteria, and a
19 failure of political leadership; and

20 WHEREAS, The federal Civil Liberties Act of 1988 apologized
21 on behalf of the people of the United States for the evacuation,
22 incarceration, and relocation of Americans and permanent residents
23 of Japanese ancestry during World War II. The act also provided
24 for restitution to those individuals of Japanese ancestry who were
25 incarcerated; and

26 WHEREAS, Given recent national events, it is all the more
27 important to learn from the mistakes of the past and to ensure that
28 such an assault on freedom will never again happen to any
29 community in the United States; and

30 WHEREAS, February 19, 2019, marks 77 years since the signing
31 of EO9066 and a policy of grave injustice against American
32 citizens and residents of Japanese ancestry; now, therefore, be it

33 *Resolved by the Assembly of the State of California, the Senate*
34 *thereof concurring*, That the Legislature of the State of California
35 declares February 19, 2019, as a Day of Remembrance in this state
36 to increase public awareness of the events surrounding the
37 incarceration of Americans of Japanese ancestry during World
38 War II; and be it further

39 *Resolved*, That the Chief Clerk of the Assembly transmit copies
40 of this resolution to the Governor, the Superintendent of Public

- 1 Instruction, the California State Library, and the California State
- 2 Archives.

O

Date of Hearing: February 15, 2019

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 12 (Muratsuchi) – As Introduced January 10, 2019

SUBJECT: Day of Remembrance.

SUMMARY: Declares February 19, 2019, as a Day of Remembrance in order to increase public awareness of the events surrounding the incarceration of Americans of Japanese ancestry during World War II. Specifically, **this resolution** makes the following legislative findings:

- 1) On February 19, 1942, President Franklin D. Roosevelt signed Executive Order 9066 (EO9066), under which more than 120,000 people of Japanese ancestry were incarcerated in 10 concentration camps scattered throughout western states during World War II, inflicting a great human cost of abandoned homes, businesses, farms, careers, professional advancements, disruption to family life, and public humiliation.
- 2) Despite their families being incarcerated behind barbed wire in the United States, approximately 33,000 veterans of Japanese ancestry fought bravely for our country during World War II, serving in the 100th Infantry Battalion, the 442nd Regimental Combat Team, the 522nd Field Artillery Battalion, and the Military Intelligence Service.
- 3) On August 10, 1988, President Ronald Reagan signed the Civil Liberties Act of 1988, which found that EO9066 was not justified by military necessity but rather caused by racial prejudice and wartime hysteria; and, the Civil Liberties Act of 1988 apologized on behalf of the people of the United States for the evacuation, incarceration, and relocation of Americans and permanent residents of Japanese ancestry during World War II.
- 4) On June 21, 2000, President William Jefferson Clinton designated 20 Japanese Americans, who served in the 100th Infantry Battalion and the 442nd Regimental Combat Team to receive the nation's highest military decoration, the Medal of Honor, bringing the total number of Japanese Americans who so received the Medal of Honor to 21.
- 5) In 2010, President Barack Obama granted the Congressional Gold Medal, collectively, to the 100th Infantry Battalion and 442nd Regimental Combat Team in recognition of their dedicated service during World War II.
- 6) February 19, 2019, marks 77 years since the signing of EO9066 and a policy of grave injustice against American citizens and residents of Japanese ancestry.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

Assembly Concurrent Resolution

No. 20

Introduced by Assembly Members Luz Rivas, Obernolte, and Quirk

February 4, 2019

Assembly Concurrent Resolution No. 20—Relative to Engineers Week.

LEGISLATIVE COUNSEL’S DIGEST

ACR 20, as introduced, Luz Rivas. Engineers Week.

This measure would recognize the week of February 17, 2019, to February 23, 2019, as Engineers Week.

Fiscal committee: no.

1 WHEREAS, The week of February 17, 2019, to February 23,
2 2019, is being observed by state and national engineering
3 organizations as Engineers Week, during which time a number of
4 observances will take place in California; and

5 WHEREAS, Engineers Week is celebrating its 68th anniversary
6 with the theme, Engineers: Invent Amazing; and

7 WHEREAS, Engineers Week promotes recognition among
8 parents, teachers, and students of the importance of a technical
9 education and a high level of mathematics, science, and technology
10 literacy, and motivates youth to pursue engineering careers and
11 participate in a diverse and vigorous engineering workforce; and

12 WHEREAS, California leads the world in science, technology,
13 engineering and mathematics (STEM) education, inspiring and
14 preparing all of its students to seize the opportunities of the global
15 society through innovation, inquiry, collaboration, and creative
16 problem solving; and

1 WHEREAS, According to the United States Department of
2 Labor, Bureau of Labor Statistics, there are more than 1.6 million
3 practicing engineers in the United States, and according to the
4 Board for Professional Engineers, Land Surveyors, and Geologists,
5 there are 96,763 active, licensed engineers in the State of
6 California; and

7 WHEREAS, Engineers' work drives our economy, and many
8 experts predict that the United States needs to produce more
9 engineers in order to meet future demand and to stay competitive
10 in the global marketplace; and

11 WHEREAS, Engineers practice in a number of important
12 specialties, including civil, mechanical, electrical, structural,
13 geotechnical, chemical, control systems, fire protection, nuclear,
14 industrial petroleum, metallurgical, agricultural, and traffic, and
15 through these special disciplines a complete range of engineering
16 services is provided to both the private and public sectors in
17 California; and

18 WHEREAS, Professional engineers are leaders in the
19 development of more efficient, environmentally sustainable,
20 technologically advanced designs relating to water quality, sewage
21 treatment, sanitary engineering, flood control, structural integrity
22 of buildings and bridges, seismic safety, cleanup of hazardous
23 waste and toxic sites, and public transportation, including
24 highways, rail, waterways, and airports; and

25 WHEREAS, California's engineers apply their unique
26 knowledge and skill to help communities grow, thrive, and remain
27 safe, and are truly dedicated to building a better California; and

28 WHEREAS, It is appropriate at this time to recognize the
29 contributions of engineering professionals to the betterment of
30 humankind; now, therefore, be it

31 *Resolved by the Assembly of the State of California, the Senate*
32 *thereof concurring*, That in recognition of the services bestowed
33 upon the citizens of the State of California by engineers, the
34 Legislature hereby recognizes the week of February 17, 2019, to
35 February 23, 2019, as Engineers Week; and be it further

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

O

Date of Hearing: February 15, 2019

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 20 (Luz Rivas) – As Introduced February 4, 2019

SUBJECT: Engineers Week.

SUMMARY: Recognizes the week of February 17, 2019, to February 23, 2019, as Engineers Week. Specifically, **this resolution** makes the following legislative findings:

- 1) The week of February 17, 2019, to February 23, 2019, is being observed by state and national engineering organizations as Engineers Week, during which time a number of observances will take place in California.
- 2) Engineers Week is celebrating its 68th anniversary with the theme, Engineers: Invent Amazing, to promote recognition among parents, teachers, and students of the importance of a technical education and a high level of mathematics, science, and technology literacy; and, to motivate youth to pursue engineering careers and participate in a diverse and vigorous engineering workforce.
- 3) California leads the world in science, technology, engineering, and mathematics (STEM) education, inspiring and preparing all of its students to seize the opportunities of the global society through innovation, inquiry, collaboration, and creative problem solving.
- 4) According to the United States Department of Labor, Bureau of Labor Statistics, there are more than 1.6 million practicing engineers in the United States, and according to the Board for Professional Engineers, Land Surveyors, and Geologists, there are 96,763 active, licensed engineers in the State of California.
- 5) Engineers' work drives our economy, and many experts predict that the United States needs to produce more engineers in order to meet future demands and to stay competitive in the global marketplace.
- 6) Engineers practice in a number of important specialties, including civil, mechanical, electrical, structural, geotechnical, chemical, control systems, fire protection, nuclear, industrial petroleum, metallurgical, agricultural, and traffic, and through these special disciplines a complete range of engineering services is provided to both the private and public sectors in California.
- 7) Professional engineers are leaders in the development of more efficient, environmentally sustainable, technologically advanced designs relating to water quality, sewage treatment, sanitary engineering, flood control, structural integrity of buildings and bridges, seismic safety, cleanup of hazardous waste and toxic sites, and public transportation, including highways, rail, waterways, and airports.
- 8) California's engineers apply their unique knowledge and skill to help communities grow, thrive, and remain safe, and are truly dedicated to building a better California.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

Assembly Concurrent Resolution

No. 21

**Introduced by Assembly Members Luz Rivas and Irwin
(Coauthors: Assembly Members Aguiar-Curry, Carrillo, Eggman,
Kamlager-Dove, Limón, Petrie-Norris, Reyes, and Smith)**

February 4, 2019

Assembly Concurrent Resolution No. 21—Relative to Introduce a Girl to Engineering Day.

LEGISLATIVE COUNSEL’S DIGEST

ACR 21, as introduced, Luz Rivas. Introduce a Girl to Engineering Day.

This measure would proclaim February 21, 2019, as Introduce a Girl to Engineering Day.

Fiscal committee: no.

- 1 WHEREAS, February 21, 2019, the third Thursday in February,
2 is recognized nationally and internationally as Introduce a Girl to
3 Engineering Day; and
4 WHEREAS, Women have contributed to the diverse fields of
5 engineering both historically and currently, yet remain
6 underrepresented in both education programs and the workforce;
7 and
8 WHEREAS, In 1960, less than 1 percent of recorded engineers
9 were women; and
10 WHEREAS, The number of women employed in architecture
11 and engineering had risen to 14 percent by 2011; and

1 WHEREAS, Women account for only one-fifth of bachelor's
2 degrees, one-quarter of master's degrees, and nearly one-quarter
3 of doctorates in engineering; and

4 WHEREAS, Female science, technology, engineering, and
5 mathematics (STEM) graduates earn less than their male
6 counterparts; and

7 WHEREAS, According to the 2015 results of the Program for
8 International Student Assessment, one in 20 boys, but less than
9 one in 200 girls, expect a career in information and computer
10 technologies; and

11 WHEREAS, A myriad of organizations and programs in the
12 United States are committed to combating the gender gap in
13 engineering by encouraging women and girls to explore
14 male-dominated STEM fields; and

15 WHEREAS, California is a world leader in science, technology,
16 engineering and mathematics; and

17 WHEREAS, California remains committed to the principles of
18 gender equality; now, therefore, be it

19 *Resolved by the Assembly of the State of California, the Senate*
20 *thereof concurring*, That February 21, 2019, is hereby
21 commemorated by the Legislature as Introduce a Girl to
22 Engineering Day; and be it further

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

O

Date of Hearing: February 15, 2019

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 21 (Luz Rivas) – As Introduced February 4, 2019

SUBJECT: Introduce a Girl to Engineering Day.

SUMMARY: Proclaims February 21, 2019, as Introduce a Girl to Engineering Day. Specifically, **this resolution** makes the following legislative findings:

- 1) February 21, 2019, the third Thursday in February, is recognized nationally and internationally as Introduce a Girl to Engineering Day.
- 2) California is a world leader in science, technology, engineering, and mathematics and remains committed to the principles of gender equality.
- 3) Women have contributed to the diverse fields of engineering both historically and currently, yet remain underrepresented in both education programs and the workforce.
- 4) In 1960, less than 1 percent of recorded engineers were women; and, the number of women employed in architecture and engineering had risen to 14 percent by 2011.
- 5) According to the 2015 results of the Program for International Student Assessment, one in 20 boys , but less than one in 200 girls, expect a career in information and computer technologies.
- 6) A myriad of organizations and programs in the United States are committed to combating the gender gap in engineering by encouraging women and girls to explore male-dominated STEM fields.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

ASSEMBLY BILL

No. 122

Introduced by Assembly Member Grayson

December 3, 2018

An act to amend Sections 13752 and 13753 of the Penal Code, relating to crime victims.

LEGISLATIVE COUNSEL'S DIGEST

AB 122, as introduced, Grayson. Multidisciplinary teams: human trafficking and domestic violence.

Existing law authorizes a city, county, city and county, or community-based nonprofit organization to establish a domestic violence multidisciplinary personnel team and a human trafficking multidisciplinary personnel team consisting of two or more persons who are trained in the prevention, identification, management, or treatment of domestic violence or human trafficking cases and who are qualified to provide a broad range of services related to domestic violence or human trafficking. Existing law authorizes members of those multidisciplinary personnel teams to disclose to one another information and records that may be confidential but that are relevant to the prevention, identification, management, or treatment of those crimes. Existing law prohibits members of those teams from disclosing confidential information obtained from an individual to one another unless the member has obtained that individual's informed, written, reasonably time-limited consent to the disclosure, as specified.

This bill would remove the prohibition on disclosing confidential information without the individual's informed, written, and reasonably time-limited consent to the disclosure with regards to information obtained from a minor.

Vote: majority. 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 13752 of the Penal Code, as added by
2 Section 3 of Chapter 802 of the Statutes of 2018, is amended to
3 read:

4 13752. (a) Notwithstanding any other law, a city, county, city
5 and county, or community-based nonprofit organization may
6 establish a domestic violence multidisciplinary personnel team
7 consisting of two or more persons who are trained in the
8 prevention, identification, management, or treatment of domestic
9 violence cases and who are qualified to provide a broad range of
10 services related to domestic violence.

11 (b) A domestic violence multidisciplinary team may include,
12 but need not be limited to, any of the following:

- 13 (1) Law enforcement personnel.
- 14 (2) Medical personnel.
- 15 (3) Psychiatrists, psychologists, marriage and family therapists,
16 or other trained counseling personnel.
- 17 (4) District attorneys and city attorneys.
- 18 (5) Victim-witness program personnel.
- 19 (6) Sexual assault counselors, as defined in Section 1035.2 of
20 the Evidence Code.
- 21 (7) Domestic violence counselors, as defined in Section 1037.1
22 of the Evidence Code.
- 23 (8) Social service agency staff members.
- 24 (9) Child welfare agency social workers.
- 25 (10) County health department staff.
- 26 (11) City or county welfare and public assistance workers.
- 27 (12) Nonprofit agency counseling professionals.
- 28 (13) Civil legal service providers.
- 29 (14) Human trafficking caseworkers, as defined in Section
30 1038.2 of the Evidence Code.

31 (c) (1) Notwithstanding any other law, following a report of
32 suspected domestic violence, members of a domestic violence
33 multidisciplinary personnel team engaged in the prevention,
34 identification, and treatment of domestic violence may disclose to
35 and exchange with one another information and writings that relate

1 to any incident of domestic violence that may also be designated
2 as confidential under state law if the member of the team having
3 that information or writing reasonably believes it is generally
4 relevant to the prevention, identification, or treatment of domestic
5 violence. Any discussion relative to the disclosure or exchange of
6 the information or writings during a team meeting is confidential,
7 and testimony concerning that discussion is not admissible in any
8 criminal, civil, or juvenile court proceeding unless required by
9 law.

10 (2) Disclosure and exchange of information pursuant to this
11 section may occur telephonically or electronically if there is
12 adequate verification of the identity of the domestic violence
13 multidisciplinary personnel who are involved in that disclosure or
14 exchange of information.

15 (3) Disclosure and exchange of information pursuant to this
16 section shall not be made to anyone other than members of the
17 domestic violence multidisciplinary personnel team and those
18 qualified to receive information as set forth in subdivision (d).

19 (d) The domestic violence multidisciplinary personnel team
20 may designate persons qualified pursuant to subdivision (b) to be
21 a member of the team for a particular case. A person designated
22 as a team member pursuant to this subdivision may receive and
23 disclose relevant information and records, subject to the
24 confidentiality provisions of subdivision (g).

25 (e) (1) The sharing of information permitted under subdivision
26 (c) shall be governed by protocols developed in each county
27 describing how and what information may be shared by the
28 domestic violence multidisciplinary team to ensure that confidential
29 information gathered by the team is not disclosed in violation of
30 state or federal law. A copy of the protocols shall be distributed
31 to each participating agency and to persons in those agencies who
32 participate in the domestic violence multidisciplinary team.

33 (2) Members of the team that have confidential information
34 obtained from an ~~individual~~ *individual who is not a minor*, shall
35 not disclose that information to and with one another unless the
36 member has obtained that individual's informed, written,
37 reasonably time-limited consent to the disclosure, in accordance
38 with all applicable state and federal confidentiality laws, or it is
39 otherwise required by other state or federal law or by court order.
40 Before that consent is obtained, a member of the team is required

1 to inform the individual that the information may be shared with
2 law enforcement professionals or other entities without that
3 individual's consent if required by law.

4 (3) A disclosure of information consented to by an individual
5 shall not be deemed a waiver of any privilege or confidentiality
6 provision, including those contained in Sections 2263, 2918, 4982,
7 and 6068 of the Business and Professions Code and in Chapter 4
8 of Division 8 of the Evidence Code.

9 (f) Every member of the domestic violence multidisciplinary
10 personnel team who receives information or records regarding
11 children or families in his or her capacity as a member of the team
12 shall be under the same privacy and confidentiality obligations
13 and subject to the same confidentiality penalties as the person
14 disclosing or providing the information or records. The information
15 or records obtained shall be maintained in a manner that ensures
16 the maximum protection of privacy and confidentiality rights.

17 (g) This section shall not be construed to restrict guarantees of
18 confidentiality provided under state or federal law.

19 (h) Information and records communicated or provided to the
20 team members by providers and agencies, as well as information
21 and records created in the course of a domestic violence
22 investigation, shall be deemed private and confidential and shall
23 be protected from discovery and disclosure by applicable statutory
24 and common law protections, except where disclosure is required
25 by law. Existing civil and criminal penalties shall apply to the
26 inappropriate disclosure of information held by the team members.

27 SEC. 2. Section 13753 of the Penal Code, as added by Section
28 3 of Chapter 802 of the Statutes of 2018, is amended to read:

29 13753. (a) Notwithstanding any other law, a city, county, city
30 and county, or community-based nonprofit organization may
31 establish a human trafficking multidisciplinary personnel team
32 consisting of two or more persons who are trained in the
33 prevention, identification, management, or treatment of human
34 trafficking cases and who are qualified to provide a broad range
35 of services related to human trafficking.

36 (b) A human trafficking multidisciplinary team may include,
37 but need not be limited to, any of the following:

38 (1) Law enforcement personnel.

39 (2) Medical personnel.

1 (3) Psychiatrists, psychologists, marriage and family therapists,
2 or other trained counseling personnel.

3 (4) District attorneys and city attorneys.

4 (5) Victim-witness program personnel.

5 (6) Sexual assault counselors, as defined in Section 1035.2 of
6 the Evidence Code.

7 (7) Domestic violence counselors, as defined in Section 1037.1
8 of the Evidence Code.

9 (8) Social service agency staff members.

10 (9) Child welfare agency social workers.

11 (10) County health department staff.

12 (11) City or county welfare and public assistance workers.

13 (12) Nonprofit agency counseling professionals.

14 (13) Civil legal service providers.

15 (14) Human trafficking caseworkers, as defined in Section
16 1038.2 of the Evidence Code.

17 (c) (1) Notwithstanding any other law, following a report of
18 suspected human trafficking, members of a human trafficking
19 multidisciplinary personnel team engaged in the prevention,
20 identification, and treatment of human trafficking may disclose to
21 and exchange with one another information and writings that relate
22 to any incident of human trafficking that may also be designated
23 as confidential under state law if the member of the team having
24 that information or writing reasonably believes it is generally
25 relevant to the prevention, identification, or treatment of human
26 trafficking. Any discussion relative to the disclosure or exchange
27 of the information or writings during a team meeting is
28 confidential, and testimony concerning that discussion is not
29 admissible in any criminal, civil, or juvenile court proceeding
30 unless required by law.

31 (2) Disclosure and exchange of information pursuant to this
32 section may occur telephonically or electronically if there is
33 adequate verification of the identity of the human trafficking
34 multidisciplinary personnel who are involved in that disclosure or
35 exchange of information.

36 (3) Disclosure and exchange of information pursuant to this
37 section shall not be made to anyone other than members of the
38 human trafficking multidisciplinary personnel team and those
39 qualified to receive information as set forth in subdivision (d).

1 (d) The human trafficking multidisciplinary personnel team
2 may designate persons qualified pursuant to subdivision (b) to be
3 a member of the team for a particular case. A person designated
4 as a team member pursuant to this subdivision may receive and
5 disclose relevant information and records, subject to the
6 confidentiality provisions of subdivision (g).

7 (e) (1) The sharing of information permitted under subdivision
8 (c) shall be governed by protocols developed in each county
9 describing how and what information may be shared by the human
10 trafficking multidisciplinary team to ensure that confidential
11 information gathered by the team is not disclosed in violation of
12 state or federal law. A copy of the protocols shall be distributed
13 to each participating agency and to persons in those agencies who
14 participate in the human trafficking multidisciplinary team.

15 (2) Members of the team that have confidential information
16 obtained from an ~~individual~~ *individual who is not a minor*, shall
17 not disclose that information to and with one another unless the
18 member has obtained that individual's informed, written,
19 reasonably time-limited consent to the disclosure, in accordance
20 with all applicable state and federal confidentiality laws, or it is
21 otherwise required by other state or federal law or by court order.
22 Before such consent is obtained, a member of the team is required
23 to inform the individual that the information may be shared with
24 law enforcement professionals or other entities without that
25 individual's consent if required by law.

26 (3) A disclosure of information consented to by an individual
27 shall not be deemed a waiver of any privilege or confidentiality
28 provision, including those contained in Sections 2263, 2918, 4982,
29 and 6068 of the Business and Professions Code and in Chapter 4
30 of Division 8 of the Evidence Code.

31 (f) Every member of the human trafficking multidisciplinary
32 personnel team who receives information or records regarding
33 children or families in his or her capacity as a member of the team
34 shall be under the same privacy and confidentiality obligations
35 and subject to the same confidentiality penalties as the person
36 disclosing or providing the information or records. The information
37 or records obtained shall be maintained in a manner that ensures
38 the maximum protection of privacy and confidentiality rights.

39 (g) This section shall not be construed to restrict guarantees of
40 confidentiality provided under state or federal law.

1 (h) Information and records communicated or provided to the
2 team members by providers and agencies, as well as information
3 and records created in the course of a domestic violence
4 investigation, shall be deemed private and confidential and shall
5 be protected from discovery and disclosure by applicable statutory
6 and common law protections, except where disclosure is required
7 by law. Existing civil and criminal penalties shall apply to the
8 inappropriate disclosure of information held by the team members.

O

COMMITTEES
BANKING AND FINANCE
BUSINESS AND PROFESSIONS
INSURANCE
LOCAL GOVERNMENT
RULES

Assembly California Legislature



TIMOTHY S. GRAYSON
ASSEMBLYMEMBER, FOURTEENTH DISTRICT

STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0014
(916) 319-2014
FAX (916) 319-2114

DISTRICT OFFICE
2151 SALVIO STREET, SUITE P
CONCORD, CA 94520
(925) 521-1511
FAX (925) 602-1536

420 VIRGINIA STREET, SUITE 1C
VALLEJO, CA 94590
(707) 642-0314
FAX (707) 642-0111

January 31, 2019

Honorable Ken Cooley
Chair, Assembly Committee on Rules
State Capitol, Room 3016
Sacramento, California 95814

RE: Request to add an urgency clause to AB 122 (Grayson)

Dear Chair Cooley,

I respectfully request that the Rules Committee approve the addition of an urgency clause to AB 122. It is necessary to add an urgency clause to allow Alameda County's SafetyNet human trafficking multidisciplinary team (MDT) to continue operating under its existing statutory authority. AB 998 (2018, Grayson) inadvertently jeopardized SafetyNet's ability to provide services to minor victims of human trafficking by requiring that MDT members obtain a victim's informed, written consent before sharing information. AB 122 will clarify that AB 998's human trafficking MDT provisions do not apply to minors, allowing the SafetyNet program to continue serving vulnerable victims while preserving adult victims' rights to privacy and autonomy.

Pending Rules Committee approval, amendments to be taken in the Assembly Committee on Public Safety will add an urgency clause, and limit the informed consent exemption to minor victims of human trafficking. If you have any questions, please contact my Legislative Director Steven Stenzler at (916) 319-2014. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Tim Grayson".

TIMOTHY S. GRAYSON
14TH ASSEMBLY DISTRICT

RECEIVED
ASSEMBLY RULES
2019 JAN 31 P 12:51