



STATE CAPITOL
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CHIEF ADMINISTRATIVE OFFICER
DEBRA GRAVERT

Assembly
California Legislature
Committee on Rules

KEN COOLEY
CHAIR

Thursday, June 16, 2022
8:45 a.m.
State Capitol, Room 437

VICE CHAIR
WALDRON, MARIE

MEMBERS
BENNETT, STEVE
FLORA, HEATH
FONG, MIKE
GIPSON, MIKE A.
LEE, ALEX
MAIENSCHIN, BRIAN
MATHIS, DEVON J.
RUBIO, BLANCA E.
VILLAPUDUA, CARLOS

LEVINE, MARC (D-ALT)
VALLADARES, SUZETTE
MARTINEZ (R-ALT)

CONSENT AGENDA

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MEMBERS
STEVE BENNETT
HEATH FLORA
MIKE FONG
MIKE A. GIPSON
ALEX LEE
BRIAN MAIENSCHIN
DEVON J. MATHIS
BLANCA E. RUBIO
CARLOS VILLAPUDUA

MARC LEVINE (D-ALT.)
SUZETTE VALLADARES (R-ALT.)

Memo

To: Rules Committee Members
From: Michael Erke, Bill Referral Consultant
Date: 6/15/2022
Re: Consent Bill Referrals

Since you received your preliminary list of bill referrals, ACR 207, ACR 208, and HR 116 have been added to the list of referrals.

REFERRAL OF BILLS TO COMMITTEE

06/16/2022

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

Assembly Bill No.	Committee:
<u>ACR 206</u>	RLS.
<u>ACR 207</u>	RLS.
<u>ACR 208</u>	TRANS.
<u>AJR 35</u>	M. & V.A.
<u>HR 116</u>	RLS.
<u>HR 118</u>	HIGHER ED.
<u>SB 225</u>	HEALTH
<u>SCR 110</u>	RLS.
<u>SCR 112</u>	RLS.

REFERRAL OF BILLS TO COMMITTEE

06/16/2022

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

<u>Senate Bill No.</u>	<u>Committee:</u>
SB 233	JUD.
SB 443	HEALTH
SB 505	JUD.
SB 529	U. & E.
SB 638	L. & E.
SB 638	P. & C.P.
SB 647	P.E. & R.
SB 673	ED.
SB 794	ELECTIONS

AMENDED IN ASSEMBLY MAY 11, 2022

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

Assembly Concurrent Resolution

No. 122

Introduced by Assembly Members Seyarto and Rodriguez
(Principal coauthors: Assembly Members Chen, Choi, Flora, Fong,
Lackey, Levine, Medina, Nguyen, Reyes, Smith, and Villapudua)
(Principal coauthors: Senators Dahle, Dodd, Grove, Jones, Newman,
Nielsen, Portantino, and Wiener)

January 18, 2022

Assembly Concurrent Resolution No. 122—Relative to California Firefighter Appreciation Month and California Firefighters Memorial Day.

LEGISLATIVE COUNSEL'S DIGEST

ACR 122, as amended, Seyarto. California Firefighter Appreciation Month and California Firefighters Memorial Day.

This measure would proclaim the month of ~~September~~ *July* 2022 as California Firefighter Appreciation Month and ~~_____~~ *July 30, 2022*, as California Firefighters Memorial Day.

Fiscal committee: no.

- 1 WHEREAS, The California Firefighters Memorial, located on
- 2 the grounds of the State Capitol, serves to honor and commemorate
- 3 California firefighters who unwaveringly serve our great state with
- 4 pride, courage, and honor; and
- 5 WHEREAS, The California Firefighters Memorial is ~~also~~
- 6 *maintained by the California Fire Foundation to ensure that it*
- 7 *continues to be* a symbol of gratitude and appreciation to the men

1 and women of the fire service who put their lives on the line each
2 day to protect the people, property, and beauty of California; and

3 WHEREAS, Each of the over 1,400 names engraved on the
4 brushed limestone walls of the California Firefighters Memorial
5 serves as a timeless tribute to the finest and bravest of our state
6 who have made the ultimate sacrifice as firefighters; and

7 WHEREAS, The California Firefighters Memorial is the only
8 state monument capturing the names in perpetuity of those
9 courageous firefighters in California who have put service to our
10 great State of California above all else; and

11 *WHEREAS, The California Fire Foundation is embarking on*
12 *an important effort to expand the California Firefighters Memorial*
13 *to preserve and continue the everlasting tribute to those who have*
14 *made the ultimate sacrifice in service to our great state; and*

15 *WHEREAS, To ensure that Californians can continue to honor*
16 *the brave professionals who keep our communities safe, it is*
17 *imperative that ample, respectful space remain available at the*
18 *California Firefighters Memorial site for the inscription of the*
19 *names of future fallen firefighters; and*

20 *WHEREAS, The California Firefighters Memorial must be*
21 *modified to include a new wall that is sufficient in size to inscribe*
22 *the names of the fallen for decades to come. These names are*
23 *currently listed chronologically and include the name of the*
24 *department where the firefighter served; and*

25 *WHEREAS, The design, construction, and maintenance of the*
26 *California Firefighters Memorial is financed entirely by donations*
27 *made to the California Fire Foundation. Historically, donations*
28 *include those made by firefighters through the purchase of the*
29 *special Firefighter License Plate and funds generated by*
30 *Californians through a special state income tax checkoff; and*

31 WHEREAS, Many of the fallen firefighters whose names adorn
32 the California Firefighters Memorial died either under tragic,
33 traumatic circumstances or suffered and ultimately succumbed to
34 job-caused diseases, such as occupational cancer, as a result of the
35 hazardous nature of their work, including routine exposure to
36 toxins; and

37 ~~WHEREAS, This year firefighters~~ *Firefighters* continue to face
38 ~~battle the COVID-19 virus where they have again demonstrated~~
39 ~~on the front lines, again demonstrating~~ their commitment to service

1 above self in the face of increased health and safety risks for
2 themselves and their families; and

3 ~~WHEREAS, The 19th Annual California Firefighters Memorial~~
4 ~~Ceremony scheduled for September of 2021 was tentatively~~
5 ~~postponed to spring 2022 due to recent spikes in COVID-19 cases~~
6 ~~and increased transmissibility of the Delta and Omicron variants;~~
7 ~~and~~

8 *WHEREAS, This year marks the 20th Anniversary of the*
9 *California Firefighters Memorial. The California Firefighters*
10 *Memorial Ceremony will be held on Saturday, July 30, 2022, in*
11 *the City of Sacramento to commemorate the line-of-duty service*
12 *and sacrifice of nearly 90 California fire service professionals*
13 *from 2020, 2021, and 2022, after a two-year ceremony hiatus due*
14 *to the ongoing pandemic; and*

15 *WHEREAS, As it did when the California Firefighters Memorial*
16 *was formally unveiled over two decades ago on April 6, 2002, this*
17 *year's ceremony will feature a solemn, uniformed personnel*
18 *procession. State and local elected officials and other dignitaries,*
19 *as well as hundreds of Californians, family members, and friends*
20 *of fallen firefighters, will travel to the City of Sacramento to honor*
21 *their lost loved ones; and*

22 *WHEREAS, California firefighters respond to approximately*
23 *3,000,000 incidents across the state each year and the scope of*
24 *their work goes beyond fighting fires. They also provide emergency*
25 *medical—services; services and respond to natural disasters,*
26 *hazardous materials incidents, water rescue emergencies,*
27 *high-angle and confined space emergencies, and other general*
28 *public service calls; now, therefore, be it*

29 *Resolved by the Assembly of the State of California, the Senate*
30 *thereof concurring, That the Legislature hereby proclaims the*
31 *month of—September July 2022 as California Firefighter*
32 *Appreciation Month and— July 30, 2022, as California*
33 *Firefighters Memorial Day; and be it further*

34 *Resolved, That Californians are urged to always remember the*
35 *firefighters who have given their lives in the line of duty and*
36 *express their appreciation to those firefighters who continue to*
37 *protect our families; 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 16, 2022

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 122 (Seyarto) – As Amended May 11, 2022

SUBJECT: California Firefighter Appreciation Month and California Firefighters Memorial Day.

SUMMARY: Proclaims the month of July 2022 as California Firefighter Appreciation Month and July 30, 2022, as California Firefighters Memorial Day. Specifically, **this resolution** makes the following legislative findings:

- 1) The California Firefighters Memorial, located on the grounds of the State Capitol, serves to honor and commemorate California firefighters who unwaveringly serve our great state with pride, courage, and honor.
- 2) The California Firefighters Memorial is maintained by the California Fire Foundation to ensure that it continues to be a symbol of gratitude and appreciation to the men and women of the fire service who put their lives on the line each day to protect the people, property, and beauty of California.
- 3) Each of the over 1,400 names engraved on the brushed limestone walls of the California Firefighters Memorial serves as a timeless tribute to the finest and bravest of our state who have made the ultimate sacrifice as firefighters.
- 4) The California Firefighters Memorial is the only state monument capturing the names in perpetuity of those courageous firefighters in California who have put service to our great State of California above all else.
- 5) Many of the fallen firefighters whose names adorn the California Firefighters Memorial died either under tragic, traumatic circumstances or suffered and ultimately succumbed to job-caused diseases, such as occupational cancer, as a result of the hazardous nature of their work, including routine exposure to toxins.
- 6) Firefighters continue to battle the COVID-19 virus on the front lines, again demonstrating their commitment to service above self in the face of increased health and safety risks for themselves and their families.
- 7) This year marks the 20th Anniversary of the California Firefighters Memorial. The California Firefighters Memorial Ceremony will be held on Saturday, July 30, 2022, in the City of Sacramento to commemorate the line-of-duty service and sacrifice of nearly 90 California fire service professionals from 2020, 2021, and 2022, after a two-year ceremony hiatus due to the ongoing pandemic.
- 8) As it did when the California Firefighters Memorial was formally unveiled over two decades ago on April 6, 2002, this year's ceremony will feature a solemn, uniformed personnel procession. State and local elected officials and other dignitaries, as well as hundreds of Californians, family members, and friends of fallen firefighters, will travel to the City of Sacramento to honor their lost loved ones.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

California Fire Chiefs Association (CFCA)
California Forestry Association (CalForests)
California Professional Firefighters (CPF)
Fire Districts Association of California (FDAC)

Opposition

None on file

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



1015 K Street, Suite 200
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March 25, 2022

The Honorable Kelly Seyarto
California State Assembly, District 67
1021 O St, Room 4340
Sacramento, CA 95814

The Honorable Freddie Rodriguez
California State Assembly, District 52
1021 O Street, Room 5250
Sacramento, CA 95814

Re: Assembly Concurrent Resolution No. 122 (Seyarto) – S U P P O R T

Dear Assembly Member Seyarto:

On behalf of the California Fire Chiefs Association (CFCA) and the Fire Districts Association of California (FDAC) we wish to inform you of their support for your Assembly Concurrent Resolution No. 122.

ACR 122 would proclaim the month of September to be California Firefighters Memorial Day. In the past several years, California has consistently seen unprecedented wildfires, scorching millions of acres of land, burning through buildings and infrastructure, and most devastatingly, taking lives of firefighters and civilians alike. Year after year firefighters stand on the frontlines of growing fires, support mitigation efforts and help communities rebuild in the aftermath.

In the wake of the COVID-19 pandemic, firefighters again stepped up to the frontlines of the state's response. Providing COVID-19 testing personnel and assisting in vaccine distribution, firefighters have been essential in protecting public health and rebuilding local communities throughout the state.

Committed to service and community, firefighters save millions of lives each year, at times by even sacrificing their own. For these reasons, **the California Fire Chiefs Association (CFCA) and the Fire Districts Association of California** support ACR 122.

Sincerely,
Public Policy Advocates, LLC

A handwritten signature in black ink that reads "Russell W. Noack". The signature is fluid and cursive, written over a light grey background that features a faint, large-scale graphic of a fire helmet.

Russell W. Noack

cc:

Daniel Lieber, Fellow; Office of Assembly Member Kelly Seyarto
Dawn Clover, Legislative Director; Office of assembly Member Freddie Rodriguez



1215 K Street, Suite 1830
Sacramento, CA 95814
916.444.6592

June 8, 2022

The Honorable Ken Cooley
Chair, Assembly Rules Committee
1021 O Street, Suite 6250
Sacramento, CA 95814

RE: Assembly Concurrent Resolution 122 (Seyarto) – California Firefighter Appreciation Month and California Firefighters Memorial Day – SUPPORT

Dear Chair Cooley:

On behalf of the California Forestry Association (Calforests) – the trade association representing timberland owners who collectively manage nearly 3.5 million acres of forest land throughout the state, and which operate nearly all the state’s remaining sawmills, all the state’s veneer mills, and several biomass powerplants – I am pleased to write in support of Assembly Concurrent Resolution 122, which proclaims the month of July 2022 as California Firefighter Appreciation Month and July 30th as California Firefighters Memorial Day.

Over the past several years, California’s wildfire seasons have grown larger and more severe, and extended periods of drought resulting from a changing climate has exacerbated the need for our frontline firefighters. These heroic men and women place their lives on the line braving the most inexplicable scenarios and extreme conditions to save lives and protect communities. California firefighters respond to approximately 3,000,000 incidents across the state each year and the scope of their work goes beyond just fighting fires. They also provide emergency medical services, respond to natural disasters, hazardous materials incidents, water rescue emergencies, high-angle and confined space emergencies, and other public service calls. Firefighters also continue to battle the COVID-19 virus on the front lines, again demonstrating their commitment to service above self in the face of increased health and safety risks for themselves and their families.

The California Firefighters Memorial, located on the grounds of the State Capitol, honors, and commemorates fallen California firefighters. Each of the over 1,400 names engraved on the walls of the Memorial serves as a timeless tribute to those who have made the ultimate sacrifice as firefighters; and is the only state monument capturing the names in perpetuity of those who have put service to California above all else. The California Fire Foundation is embarking on an important effort to expand the Memorial to preserve and continue the everlasting tribute for future fallen firefighters. By leveraging donations made by the California Fire Foundation, donations through the purchase of the special Firefighter License Plate, and funds generated by Californians through a special state income tax checkoff, the Memorial will be modified to include a new wall that is sufficient in size to inscribe the names of the fallen for decades to come.

This year marks the 20th Anniversary of the California Firefighters Memorial. The California Firefighters Memorial Ceremony will be held on Saturday, July 30th, 2022, to commemorate the line-of-duty services and sacrifice of nearly 90 California fire service professionals from 2020, 2021, and 2022, after a two-

year ceremony hiatus due to the ongoing pandemic. As it did when the California Firefighters Memorial was formally unveiled over two decades ago on April 6th, 2002, this year's ceremony will feature a solemn, uniformed personnel procession, state and local elected officials and other dignitaries, as well as hundreds of Californians, family members, and friends of fallen firefighters, to honor their lost loved ones.

To remember the firefighters who have given their lives in the line of duty and express our appreciation to the firefighters who continue to protect our families, it is imperative we join the Legislature in recognizing the fallen throughout the month of July and at the California Firefighter Memorial on July 30, 2022.

Calforests is pleased to offer its support for Assembly Concurrent Resolution 122.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matt Dias", with a stylized flourish at the end.

Matt Dias
President and CEO, Calforests
mattd@calforests.org
916.217.4221



June 15, 2022

The Honorable Ken Cooley, Chair
Assembly Rules Committee
State Capitol Building
Sacramento, CA 95814

RE: ACR 122 (Seyarto) – California Firefighter Appreciation Month and California Firefighters Memorial Day. (SUPPORT/SPONSOR)

Dear Assembly Member Cooley:

The California Professional Firefighters (CPF), state council of the International Association of Fire Fighters, representing over 30,000 career firefighting and emergency medical service personnel statewide, is proud to sponsor ACR 122, which declares the month of September as California Firefighter Appreciation Month and the date of July 30, 2022 as California Firefighters Memorial Day.

Over 20 years ago, the Legislature and Governor deemed it a worthy mission to build a memorial honoring our state's fallen firefighters. The California Firefighters Memorial is a place of remembrance and solemn reflection for California's fire service, with the names of over 1,400 firefighters dating back to 1850 etched on the Memorial Wall. Each year, hundreds of firefighters from throughout California gather in Capitol Park to pay their respects to those who have lost their lives in the previous year, honoring each individual and their families for their sacrifices. This year's ceremony will hold special significance as 82 firefighters, including those whose ceremonies were postponed or altered during the COVID-19 pandemic, will be honored with the respect, dignity, and honor that they deserve.

California has a responsibility to pay tribute to the brave men and women who put their lives on the line every day to protect the citizens of this state. As firefighters put their lives on the line each day not only to combat wildfires but also on the front lines of the COVID-19 pandemic, it is more important than ever to recognize their service and honor the ultimate sacrifices of those who have given their lives to keep California safe. For these reasons, **we are pleased to sponsor this important measure.**

Sincerely,

DOUG SUBERS
Governmental Advocate
DS:bt

Assembly Concurrent Resolution

No. 154

**Introduced by Assembly Members Seyarto and Valladares
(Principal coauthors: Assembly Members Megan Dahle and
Nguyen)
(Principal coauthor: Senator Grove)**

February 28, 2022

Assembly Concurrent Resolution No. 154—Relative to women in science, technology, engineering, and mathematics.

LEGISLATIVE COUNSEL’S DIGEST

ACR 154, as introduced, Seyarto. Women in science, technology, engineering, and mathematics.

This measure would honor 100 years of women in science, technology, engineering, and mathematics during the month of June 2022.

Fiscal committee: no.

- 1 WHEREAS, Julia Morgan was born on January 20, 1872, 150
2 years ago this year; and
3 WHEREAS, Ms. Morgan designed more than 700 buildings in
4 California, most famously the Hearst Castle and many other Hearst
5 buildings across the state, along with buildings on the campus of
6 the University of California, Berkeley; and
7 WHEREAS, Ms. Morgan’s early reputation was built on her
8 use of steel-reinforced concrete and the building of the 72-foot
9 bell tower at Mills College, which survived the 1906 San Francisco
10 earthquake unscathed; and
11 WHEREAS, Raised in the City of Oakland, Ms. Morgan
12 attended the University of California, Berkeley and graduated as

1 the first woman with a Bachelor of Science degree in civil
2 engineering. She later attended the prestigious Beaux-Arts de Paris,
3 where she was the first woman to receive a certificate in
4 architecture, which she did in three years while the usual time to
5 receive that certificate was five years; and

6 WHEREAS, In 1904, Ms. Morgan was the first woman to obtain
7 an architecture license in California, where she then opened her
8 own office in the City of San Francisco. The 1906 earthquake and
9 fire promoted Ms. Morgan to the front of the rebuilding and
10 architecture world, as her tower had remained after the devastation
11 and her use of steel-reinforced concrete was revolutionary; and

12 WHEREAS, Ms. Morgan then went on to serve the Hearst
13 family through three generations, building and designing most of
14 the family's buildings still standing today, including the Hacienda,
15 the Los Angeles Examiner Building, Hearst Castle, Wynton, and
16 five Young Women's Christian Association buildings in southern
17 California. Ms. Morgan also built the famous North Star House in
18 the City of Grass Valley, the Chapel of the Chimes in the City of
19 Oakland, and the Berkeley Playhouse; and

20 WHEREAS, Ms. Morgan died on February 2, 1957, and was
21 buried in Mountain View Cemetery in the hills of the City of
22 Oakland. Governor Arnold Schwarzenegger inducted Ms. Morgan
23 into the California Hall of Fame in 2008. In 2014, Ms. Morgan
24 was awarded the American Institute of Architects Gold Medal;
25 and

26 WHEREAS, While not much is known about Ms. Morgan's
27 personal life, she is quoted as saying, "my buildings will be my
28 legacy ... they will speak for me long after I'm gone"; now,
29 therefore, be it

30 *Resolved by the Assembly of the State of California, the Senate*
31 *thereof concurring*, That the Legislature honors 100 years of
32 women in science, technology, engineering, and mathematics
33 during the month of June 2022; and be it further

34 *Resolved*, That the Chief Clerk of the Assembly transmit copies
35 of this resolution to the authors for appropriate distribution.

O

Date of Hearing: June 16, 2022

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 154 (Seyarto) – As Introduced February 28, 2022

SUBJECT: Women in science, technology, engineering, and mathematics.

SUMMARY: Honors 100 years of women in science, technology, engineering, and mathematics during the month of June 2022. Specifically, **this resolution** makes the following legislative findings:

- 1) Julia Morgan was born on January 20, 1872, 150 years ago this year. Ms. Morgan designed more than 700 buildings in California, most famously the Hearst Castle and many other Hearst buildings across the state, along with buildings on the campus of the University of California, Berkeley.
- 2) Ms. Morgan's early reputation was built on her use of steel-reinforced concrete and the building of the 72-foot bell tower at Mills College, which survived the 1906 San Francisco earthquake unscathed.
- 3) In 1904, Ms. Morgan was the first woman to obtain an architecture license in California, where she then opened her own office in the City of San Francisco. The 1906 earthquake and fire promoted Ms. Morgan to the front of the rebuilding and architecture world, as her tower had remained after the devastation and her use of steel-reinforced concrete was revolutionary.
- 4) Ms. Morgan then went on to serve the Hearst family through three generations, building and designing most of the family's buildings still standing today, including the Hacienda, the Los Angeles Examiner Building, Hearst Castle, Wyntoon, and five Young Women's Christian Association buildings in southern California. Ms. Morgan also built the famous North Star House in the City of Grass Valley, the Chapel of the Chimes in the City of Oakland, and the Berkeley Playhouse.
- 5) While not much is known about Ms. Morgan's personal life, she is quoted as saying, "my buildings will be my legacy ... they will speak for me long after I'm gone".

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

California Builders Alliance (CBA)
Sacramento Regional Builders Exchange (SRBX)

Opposition

None on file

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



May 6, 2022

Assemblymember Kelly Seyarto
1021 O Street, Rm 4340
Sacramento, CA 95814

RE: ACR 154 (Seyarto) Women in science, technology, engineering, and mathematics.

Dear Assemblymember Seyarto:

The California Builders Alliance is pleased to support Assembly Concurrent Resolution 154, an important resolution that would honor 100 years of women in science, technology, engineering, and mathematics during the month of June 2022.

The California Builders Alliance (CBA) represents the combined membership of 18 Builders' Exchanges throughout the State of California. CBA's membership includes more than 4,000 commercial construction companies comprised of general contractors, subcontractors, suppliers, architects and engineers with companies ranging in size from sole proprietorships to firms in excess of 1,000 employees.

CBA's purpose is to advance and promote the built environment in the State of California. This includes providing industry education to legislators on the value of the construction industry in California, supporting consistent public works and infrastructure system funding, advocating for the State's investment in consistent and well-funded workforce development programs in the construction trades, and addressing legislative and regulatory issues that place onerous requirements upon the construction industry.

If you have any questions regarding our support of this legislation, please contact our legislative advocate, Mark Smith, at mark.smith@calbuilders.org or 916-335-5072.

Sincerely,

A handwritten signature in black ink that reads "Tim Murphy". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Tim Murphy
President, California Builders Alliance



May 6, 2022

Assemblymember Kelly Seyarto
1021 O Street, Rm 4340
Sacramento, CA 95814

RE: ACR 154 (Seyarto) Women in science, technology, engineering, and mathematics.

Dear Assemblymember Seyarto:

The Sacramento Regional Builders Exchange is pleased to support Assembly Concurrent Resolution 154, an important resolution that would honor 100 years of women in science, technology, engineering, and mathematics during the month of June 2022.

The Sacramento Regional Builders Exchange is the construction industry's oldest and largest association in the region. The Exchange's members include area contractors and subcontractors, suppliers and industry support organizations. The Sacramento Regional Builders Exchange serves the industrial & commercial construction industry by advocating for common sense building, construction, infrastructure, employment and business regulations that allow for our members to meet the needs of their communities in the built environment.

If you have any questions regarding our support of this legislation, please contact our legislative advocate, Mark Smith, at mark.smith@calbuilders.org or 916-335-5072.

Sincerely,

A handwritten signature in black ink that reads "Tim Murphy". The signature is written in a cursive, flowing style.

Tim Murphy
CEO
Sacramento Regional Builders Exchange

Assembly Concurrent Resolution

No. 205

Introduced by Assembly Member Wilson

June 8, 2022

Assembly Concurrent Resolution No. 205—Relative to women veterans.

LEGISLATIVE COUNSEL’S DIGEST

ACR 205, as introduced, Wilson. Women Veterans Recognition Day. This measure would proclaim June 12, 2022, as Women Veterans Recognition Day and urge all Californians to join in celebrating the many contributions of women to our armed forces.

Fiscal committee: no.

- 1 WHEREAS, Women Veterans Recognition Day and Women
2 Veterans Appreciation Day is the anniversary of the day the
3 Women’s Armed Services Integration Act (Public Law 80-625,
4 62 Stat. 356) was signed into law by President Harry S. Truman
5 on June 12, 1948, and prior to then, only women nurses could
6 serve in the regular and reserve forces during peacetime; and
7 WHEREAS, There are almost 2,000,000 women Veterans in
8 the United States, the territories of the United States, and abroad
9 according to the United States Department of Veterans Affairs
10 (USDVA), and nearly 163,000 women veterans make California
11 their home according to the California Department of Veterans
12 Affairs (CalVet); and
13 WHEREAS, Women are the fastest growing group in the veteran
14 population, as they account for approximately 10 percent of the

1 overall veteran population today, and it is projected that women
2 will make up 18 percent of the veteran population by 2040; and

3 WHEREAS, Women have played vital roles in wars and
4 conflicts throughout United States' history, including serving as
5 soldiers, raising morale, and spying on the enemy during the
6 American Revolution; and

7 WHEREAS, During the American Revolution, women served
8 on the battlefield alongside the men, mainly as nurses, water
9 bearers (also known as "Molly Pitchers"), cooks, laundresses, and
10 saboteurs, and despite United States Army regulations that only
11 men could enlist, women who wanted to join in the fighting
12 circumvented the rules by masquerading as young men and boys;
13 and

14 WHEREAS, More than 400 women fought in the Union and
15 Confederate armies during the Civil War; and

16 WHEREAS, Women have formally been a part of the United
17 States Armed Forces since the inception of the Army Nurse Corps
18 in 1901 but have informally served since the inception of our
19 nation's military; and

20 WHEREAS, During World War I, about 35,000 women
21 officially served as nurses and support staff in components such
22 the Signal Corps Female Telephone Operators Unit (also known
23 as the "Hello Girls"); and

24 WHEREAS, In 1917, when the United States Navy announced
25 it would open enlistment to women, about 12,000 female yeomen
26 entered the United States Navy and filled a variety of jobs,
27 including draftsmen, interpreters, couriers, and translators; and

28 WHEREAS, Three hundred seven women enlisted in the Marine
29 Corps during World War I. Like their sisters in the United States
30 Navy, they were limited to the enlisted ranks and worked mainly
31 in Washington, D.C., doing various administrative jobs. Women's
32 service contributions in World War I showed they either had or
33 could quickly learn nontraditional skills needed by the military;
34 and

35 WHEREAS, Following Pearl Harbor, Congress authorized new
36 women's components for each branch of the military and increased
37 the number of active duty positions in the Army and Navy Nurse
38 Corps. In May 1942, the United States Army was given the
39 authority to establish the Women's Army Auxiliary Corps. The
40 United States Navy, Coast Guard, and Marine Corps followed suit;

1 however, rather than making women an auxiliary component, they
2 opted to enroll women in the reserves on the same basis as their
3 male counterparts. The United States Army Air Forces enlisted
4 nearly 1,100 female civilian volunteers who earned their silver
5 wings as Women Airforce Service Pilots (WASP); and

6 WHEREAS, In World War II, 140,000 women served in the
7 Women’s Army Corps (WAC) and performed critical jobs, such
8 as military intelligence, cryptography, and parachute rigging; and

9 WHEREAS, In August 1943, the Women in the Air Force and
10 the Women’s Flying Training Detachment merged into a single
11 unit for all women pilots known as the WASPs, who flew more
12 than 60,000 miles in two years; and

13 WHEREAS, During World War II, the 6888th Battalion,
14 nicknamed “Six Triple Eight,” was formed as the first and only
15 all Black female WAC unit to be deployed overseas, and their
16 motto was “No Mail, Low Morale”; and

17 WHEREAS, At the end of World War II, in 1945, about 280,000
18 of the approximately 12,000,000 people who remained in the armed
19 forces were women; and

20 WHEREAS, With the passage of the Women’s Armed Services
21 Integration Act of 1948, women became a permanent part of the
22 United States military, but the act continued to restrict women to
23 2 percent of the military population. That restriction was finally
24 lifted in 1967 with the amendment of the Women’s Armed Services
25 Integration Act, which also opened senior officer ranks to women;
26 and

27 WHEREAS, The early 1990s were a historic time for women
28 in the military with over 40,000 women deploying in support of
29 the Persian Gulf War, making women service members more
30 visible in the eyes of the public. In addition, in 1992, the National
31 Defense Authorization Act repealed combat exclusion laws that
32 had prevented women from flying combat aircraft; and

33 WHEREAS, Women who have served in the United States
34 military are often referred to as “invisible veterans” because their
35 service contributions went largely unrecognized by politicians, the
36 media, academia, and the general public until the 1970s; and

37 WHEREAS, Though women have been officially serving in the
38 military since 1901, they have not always been considered qualified
39 for veteran status for the purpose of receiving benefits from the
40 USDVA; and

1 WHEREAS, Even after women were granted veteran status,
2 issues of access, exclusion, and improper management of their
3 health care still remained; and

4 WHEREAS, In the late 1970s and early 1980s, many of the
5 contributions made by women in World War II were formally
6 recognized through laws that granted these women with veteran
7 status for their time in service. This opened the doors for women
8 to take advantage of programs, opportunities, and benefits from
9 the federal government, state governments, the USDVA, and other
10 veteran service organizations; and

11 WHEREAS, In 2008, the USDVA's Women Veterans Health
12 Strategic Health Care Group began a five-year plan to redesign
13 the nation's health care delivery system for women, and a
14 fundamental component of this plan was to ensure that all women
15 veterans had access to comprehensive primary care from skilled
16 women's health providers; and

17 WHEREAS, Even though the USDVA and CalVet have
18 introduced initiatives designed to improve health care access and
19 quality of care for women veterans, women veterans
20 disproportionately do not use their hard-earned veterans benefits;
21 now, therefore, be it

22 *Resolved by the Assembly of the State of California, the Senate*
23 *thereof concurring*, That the Legislature hereby proclaims June
24 12, 2022, as Women Veterans Recognition Day and urges all
25 Californians to join in celebrating the many contributions of women
26 to our armed forces; 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 16, 2022

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
ACR 205 (Wilson) – As Introduced June 8, 2022

SUBJECT: Women Veterans Recognition Day.

SUMMARY: Proclaims June 12, 2022, as Women Veterans Recognition Day and urges all Californians to join in celebrating the many contributions of women to our armed forces. Specifically, **this resolution** makes the following legislative findings:

- 1) Women have formally been a part of the United States Armed Forces since the inception of the Army Nurse Corps in 1901 but have informally served since the inception of our nation's military.
- 2) Women Veterans Recognition Day and Women Veterans Appreciation Day is the anniversary of the day the Women's Armed Services Integration Act (Public Law 80-625, 62 Stat. 356) was signed into law by President Harry S. Truman on June 12, 1948. Prior to then, only women nurses could serve in the regular and reserve forces during peacetime.
- 3) With the passage of the Women's Armed Services Integration Act of 1948, women became a permanent part of the United States military, but the act continued to restrict women to 2 percent of the military population. That restriction was finally lifted in 1967 with the amendment of the Women's Armed Services Integration Act, which also opened senior officer ranks to women.
- 4) There are almost 2,000,000 women Veterans in the United States, the territories of the United States, and abroad according to the United States Department of Veterans Affairs (USDVA), and nearly 163,000 women veterans make California their home according to the California Department of Veterans Affairs (CalVet).
- 5) Women are the fastest growing group in the veteran population, as they account for approximately 10 percent of the overall veteran population today, and it is projected that women will make up 18 percent of the veteran population by 2040.
- 6) Though women have been officially serving in the military since 1901, they have not always been considered qualified for veteran status for the purpose of receiving benefits from the USDVA. Even after women were granted veteran status, issues of access, exclusion, and improper management of their health care still remained.
- 7) In 2008, the USDVA's Women Veterans Health Strategic Health Care Group began a five-year plan to redesign the nation's health care delivery system for women, and a fundamental component of this plan was to ensure that all women veterans had access to comprehensive primary care from skilled women's health providers.
- 8) Even though the USDVA and CalVet have introduced initiatives designed to improve health care access and quality of care for women veterans, women veterans disproportionately do not use their hard-earned veterans benefits.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

House Resolution

No. 105

Introduced by Assembly Member Choi

April 6, 2022

House Resolution No. 105—Relative to Jikji Day.

1 WHEREAS, Among many brilliant cultural heritages of Korea,
2 Jikji, which is the abbreviated title of a 14th century Korean
3 Buddhist document, may be considered one of the most
4 representative artifacts of Korea’s cultural heritage; and

5 WHEREAS, Printed during the Goryeo Dynasty, Jikji is the
6 world’s oldest extant book printed with movable metal type; and

7 WHEREAS, The United Nations Educational, Scientific and
8 Cultural Organization (UNESCO) confirmed Jikji as the world’s
9 oldest metalloid type and included it in its Memory of the World
10 Programme, which serves as a compendium of documents,
11 manuscripts, and other archival holdings of universal value; and

12 WHEREAS, Jikji was printed in 1377 in a small temple called
13 Heungdeoksa in Cheongju, Korea. This is 78 years earlier than
14 Gutenberg’s “42-line Bible,” another metal type printed book; and

15 WHEREAS, Jikji is known as “the world’s first existing metal
16 typeface” because it is the oldest remaining metal typeface.
17 According to records, there were metal type printed materials prior
18 to Jikji, but those cannot be located. Metal movable types from
19 the Goryeo Dynasty have been excavated and studied; and

20 WHEREAS, The invention of the metal movable type is one of
21 the greatest events within the past millennia and is evaluated, by
22 some, as the greatest invention in human cultural history. The
23 invention of metal movable type enabled the continuous and rapid
24 printing of books, which marked an epochal turning point in the

1 recording and dissemination of knowledge and information. It is
2 considered to have made the greatest contribution to the
3 development of human culture; and

4 WHEREAS, In Korea, an International Festival, “Jikji Korea,”
5 and an international conference on metal printing systems are held
6 every other year; and

7 WHEREAS, The content of Jikji and the greatness of the era in
8 which the book was published is something to be proud of. It is
9 not simply a technique for making metal movable type, but it is
10 the essence of the excellent spirit of the Goryeo people, such as
11 carving the Tripitaka Koreana; and

12 WHEREAS, The development of printing technology consists
13 of not only the invention of type, but also the technology of paper
14 and ink, along with the social desire for knowledge. It is this
15 spiritual legacy we must inherit today; and

16 WHEREAS, The overall level of society and the spirit of the
17 times must be preserved so that we can inherit this spiritual legacy
18 today; and

19 WHEREAS, Currently, only the second volume of Jikji is
20 preserved in the National Library of France. Since it is not loot, it
21 cannot be returned; and

22 WHEREAS, The discovery of Jikji is credited to Dr.
23 Byeong-seon Park (1928–2011), who struggled to find Jikji buried
24 in the National Library of France and identified it as the world’s
25 extant book from movable metal type. This discovery gave her
26 global acclaim. Her achievements in the history of the cultural
27 heritage restoration movement include also the discovery of the
28 “Joseon Royal Uigwe.” She is a true patriot. For these
29 achievements, she is revered as the “Godmother or mother of Jikji”
30 and a “cultural independence activist.” She was buried at Seoul
31 National Cemetery after her death; now, therefore, be it

32 *Resolved by the Assembly of the State of California*, That the
33 Assembly hereby proclaims September 4, 2022, as Jikji Day in
34 California; and be it further

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

O

Date of Hearing: June 16, 2022

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
HR 105 (Choi) – As Introduced April 6, 2022

SUBJECT: Jikji Day.

SUMMARY: Proclaims September 4, 2022, as Jikji Day in California. Specifically, **this resolution** makes the following legislative findings:

- 1) Among many brilliant cultural heritages of Korea, Jikji, which is the abbreviated title of a 14th century Korean Buddhist document, may be considered one of the most representative artifacts of Korea’s cultural heritage.
- 2) Jikji is known as “the world’s first existing metal typeface”. Printed during the Goryeo Dynasty, Jikji is the world’s oldest extant book printed with movable metal type.
- 3) The United Nations Educational, Scientific and Cultural Organization (UNESCO) confirmed Jikji as the world’s oldest metalloid type and included it in its Memory of the World Programme, which serves as a compendium of documents, manuscripts, and other archival holdings of universal value.
- 4) The content of Jikji and the greatness of the era in which the book was published is something to be proud of. It is not simply a technique for making metal movable type, but it is the essence of the excellent spirit of the Goryeo people.
- 5) The invention of the metal movable type is one of the greatest events within the past millennia. The invention of metal movable type enabled the continuous and rapid printing of books, which marked an epochal turning point in the recording and dissemination of knowledge and information. It is considered to have made the greatest contribution to the development of human culture.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

House Resolution

No. 106

Introduced by Assembly Member Choi

April 6, 2022

House Resolution No. 106—Relative to Myung Ki Hong Day.

1 WHEREAS, Myung Ki Hong is regarded as an exemplary figure,
2 one of the most successful Korean American businessmen, and
3 the best role model by the Koreans at home and in California; and

4 WHEREAS, Myung Ki Hong, eager to learn in a more advanced
5 educational institute, came to the United States as a South Korean
6 exchange student in 1959, and earned a bachelor of science in
7 Chemistry, becoming the first Korean to receive a degree from the
8 University of California, Los Angeles (UCLA) in that field; and

9 WHEREAS, Out of Myung Ki Hong’s desire to commit to
10 environmentally friendly manufacturing in California, and at a
11 time when many companies were moving out of state and overseas,
12 Myung Ki Hong built a plant in Riverside by founding Dura Coat
13 Products, Inc. (Dura Coat) in 1986, which is a well-known and
14 respected resin and coating company; and

15 WHEREAS, For these achievements, Myung Ki Hong received
16 an honorary doctorate from La Sierra University in Riverside in
17 2002 and a secondary honorary doctorate from Sahmyook
18 University in South Korea in 2014; and

19 WHEREAS, Myung Ki Hong founded Dura Coat, which focuses
20 on the production of coil coatings, aluminum extrusion coatings,
21 and other general industrial finishes for the automotive, appliance,
22 and metal industries; and

23 WHEREAS, Myung Ki Hong was determined not only to meet
24 but to exceed the requirements set by the Environmental Protection

1 Agency (EPA), and developed a continuous coating process in
2 which nearly all emissive products are recycled; and

3 WHEREAS, Myung Ki Hong's technology was ahead of its
4 time and it's excellence earned Dura Coat the Achievement Award
5 of the EPA's National Partnership for Environmental Priorities in
6 2009; and

7 WHEREAS, Myung Ki Hong's company, Dura Coat, continues
8 to distribute licensing agreements with companies in China, South
9 Korea, Mexico, Taiwan, the Netherlands, India, and Canada, and
10 Dura Coat looks to expand its reach to South America and Europe;
11 and

12 WHEREAS, Dura Coat was founded with employee-centered
13 values and during the 2008–09 recession, at the Riverside and
14 Huntsville sites, Myung Ki Hong took no salary in order to retain
15 all employees; and

16 WHEREAS, Myung Ki Hong, as a first-generation Korean
17 American, was deeply involved with philanthropic, civic, and
18 charitable causes in southern California, particularly with the aim
19 of cultivating civic engagement among immigrant and marginalized
20 youth; and

21 WHEREAS, Myung Ki Hong was committed to promoting
22 community harmony after the 1992 civil unrest in Los Angeles by
23 ensuring active and sustained Korean American participation in
24 politics and government; and

25 WHEREAS, In 2002, Myung Ki Hong established a
26 philanthropic organization, the Bright World Foundation, which
27 aimed to respond to the increasing demands of local communities,
28 especially by supporting the youth's access to education; and

29 WHEREAS, By the end of 2002, Myung Ki Hong's work in
30 the Bright World Foundation was recognized by the City of Los
31 Angeles and the California State Assembly for "dedication to
32 community and youth development" through the Korean Youth
33 Community Center; and

34 WHEREAS, Myung Ki Hong tirelessly worked with other
35 members of the Korean American community on an entirely
36 community-sourced capital campaign to build the Korean American
37 National Museum in Los Angeles; and

38 WHEREAS, Myung Ki Hong chaired the board of directors of
39 Wilshire Elementary School in Los Angeles, the only Korean
40 American elementary school in southern California, and

1 subsequently served as a board member until 2018. Through those
2 efforts, the school and its 15 affiliated, regional Korean language
3 schools—all part of the Korean Institute of Southern
4 California—flourished; and

5 WHEREAS, Myung Ki Hong’s work was inspired by the
6 first-wave Korean American pioneer, Dosan Ahn Chang-ho
7 (1878-1938), who was an itinerant leader of the Korean
8 independence movement against Imperial Japan. Dosan is viewed
9 by many to be the father of modern Korea; and

10 WHEREAS, Dosan, a firm believer in accessible education,
11 created a school for Korean American laborers. The education
12 emphasized honesty, integrity, and compassion. In order to uphold
13 these values and Dosan’s legacy, Myung Ki Hong also sought to
14 enrich the lives of fellow Korean Americans through philanthropic
15 work; and

16 WHEREAS, Myung Ki Hong served as the chair of the Dosan
17 Ahn Chang-ho Memorial Foundation of America and
18 commemorated Dosan with a community-sponsored statue in
19 downtown Riverside; and

20 WHEREAS, Myung Ki Hong oversaw this project through all
21 stages of the process. The statue was completed on August 11,
22 2001, in downtown Riverside; and

23 WHEREAS, Myung Ki Hong’s commitment to education and
24 research was expressed through financial contributions and
25 extensive board service. Myung Ki Hung supported the ethnic
26 studies department at the University of California, Riverside, the
27 Faculty Research Center at La Sierra University, the Asian
28 American Studies program at UCLA, the Minority Health
29 Education Center in Los Angeles, and the Youth Leadership
30 Development Program in Los Angeles; and

31 WHEREAS, Myung Ki Hong was invited to be the keynote
32 speaker at the commencement ceremony of UCLA’s Chemistry
33 and Biochemistry graduates in June of 2015 and was honored that
34 same year with the department’s Alumni Award; and

35 WHEREAS, Myung Ki Hong was endowed with two chairs in
36 2017 for groundbreaking discoveries, one in polymer science and
37 the other in materials innovation, at UCLA; and

38 WHEREAS, Myung Ki Hong, for outstanding success in the
39 business field, was the recipient of numerous awards, including
40 being recognized by UCLA in 2015 and 2020; and

1 WHEREAS, Myung Ki Hong, for large donations and many
2 contributions to the Korean American community, was the recipient
3 of numerous awards and honors, including recognition by South
4 Korea for the highest civilian distinction, the national medal of
5 honor, Moo Goong Hwa Jang, in 2011 and the Dongbaek Medal
6 for work toward the reunification of the Korean peninsula, in 2003;
7 and

8 WHEREAS, Myung Ki Hong and wife Lorrie renamed their
9 philanthropic organization from the Bright World Foundation to
10 the M & L Hong Foundation. Their goal was to continue to share
11 and distribute their wealth together by supporting a range of
12 projects and initiatives that serve and benefit humanity through
13 research funding, scholarships for students from minority or
14 disadvantaged backgrounds, and backing community-based
15 endeavors; and

16 WHEREAS, After Myung Ki Hong's wife passed away on
17 August 21, 2020, Myung Ki Hong was dedicated to honor their
18 vision of public service through the M & L Hong Foundation
19 through the final chapter of Myung Ki Hong's life; and

20 WHEREAS, Myung Ki Hong made a contribution of
21 \$10,000,000 to establish the Bright World Foundation in 2001 and
22 donated \$12,000,000 at home and abroad to foster the next
23 generation of Korean American leaders in California, scholarship,
24 and social welfare; and

25 WHEREAS, Korean Americans see Myung Ki Hong as a
26 pioneer for the esteem of Korean American people in the United
27 States; now, therefore, be it

28 *Resolved by the Assembly of the State of California*, That the
29 Assembly declares June 20, 2022, as Myung Ki Hong Day; and
30 be it further

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

O

Date of Hearing: June 16, 2022

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
HR 106 (Choi) – As Introduced April 6, 2022

SUBJECT: Myung Ki Hong Day.

SUMMARY: Declares June 20, 2022, as Myung Ki Hong Day. Specifically, **this resolution** makes the following legislative findings:

- 1) Myung Ki Hong is regarded as an exemplary figure, one of the most successful Korean American businessmen, and the best role model by the Koreans at home and in California.
- 2) Myung Ki Hong, eager to learn in a more advanced educational institute, came to the United States as a South Korean exchange student in 1959, and earned a bachelor of science in Chemistry, becoming the first Korean to receive a degree from the University of California, Los Angeles (UCLA) in that field.
- 3) Myung Ki Hong founded Dura Coat, which focuses on the production of coil coatings, aluminum extrusion coatings, and other general industrial finishes for the automotive, appliance, and metal industries.
- 4) Myung Ki Hong was determined not only to meet but to exceed the requirements set by the Environmental Protection Agency (EPA), and developed a continuous coating process in which nearly all emissive products are recycled. Myung Ki Hong's technology earned Dura Coat the Achievement Award of the EPA's National Partnership for Environmental Priorities in 2009.
- 5) Myung Ki Hong, as a first-generation Korean American, was deeply involved with philanthropic, civic, and charitable causes in southern California, particularly with the aim of cultivating civic engagement among immigrant and marginalized youth.
- 6) Korean Americans see Myung Ki Hong as a pioneer for the esteem of Korean American people in the United States.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

House Resolution

No. 114

**Introduced by Assembly Member Low
(Coauthors: Assembly Members Cervantes, Lee, and Ward)**

June 1, 2022

House Resolution No. 114—Relative to Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) Pride Month.

1 WHEREAS, Our great state and nation strives to promote the
2 principles of equality and justice and the inalienable rights of all
3 people to life, liberty, and the pursuit of happiness; and
4 WHEREAS, California’s and America’s diversity is one of our
5 greatest strengths; and
6 WHEREAS, To achieve a more just and fair society, we must
7 teach our children to respect one another, to appreciate our
8 differences, and to recognize the common good in all of us; and
9 WHEREAS, Lesbian, gay, bisexual, transgender, and queer
10 people come from all walks of life, regardless of race, ethnicity,
11 color, religion, ancestry, national origin, economic status, physical
12 or mental ability, medical condition, sex, or gender identity or
13 expression; and
14 WHEREAS, More lesbian, gay, bisexual, transgender, and queer
15 people are being elected to public offices across the country,
16 playing in professional sports leagues, occupying the highest
17 positions in business and government, and serving as role models
18 for all; and
19 WHEREAS, Lesbian, gay, bisexual, transgender, and queer
20 people have made important and lasting contributions to our great
21 state and nation in every field of endeavor, including, but not
22 limited to, business, medicine, law, humanities, science, literature,

1 politics, education, music, philanthropy, sports and athletics, arts,
2 and culture, that enrich our national life; and

3 WHEREAS, In 2012, for the first time in the history of the
4 United States, a sitting President, former President Barack Obama,
5 affirmed support for the fundamental right to marry, regardless of
6 sexual orientation or gender; and

7 WHEREAS, The Supreme Court of the United States struck
8 down a provision of the federal Defense of Marriage Act (DOMA),
9 which barred the federal government from recognizing same-sex
10 marriages, affirming that all loving and committed couples who
11 are married deserve equal treatment and respect; and

12 WHEREAS, The Supreme Court of the United States ruled that
13 Proposition 8 sponsors had no standing to appeal the federal trial
14 court’s decision that Proposition 8 is unconstitutional, thereby
15 restoring marriage equality in California; and

16 WHEREAS, The Supreme Court of the United States has found
17 a constitutional basis for marriage equality, granting millions of
18 lesbian, gay, bisexual, transgender, and queer individuals across
19 the country the ability to marry people whom they love; and

20 WHEREAS, Married same-sex couples now enjoy the same
21 rights and privileges granted to other married couples, including
22 joint tax filings, military benefits, family and medical leave, and
23 the ability to sponsor a foreign spouse; and

24 WHEREAS, An unprecedented number of adults in the United
25 States identify as LGBTQ+, with a jump from 4.5 percent to 5.6
26 percent of Americans who identify as lesbian, gay, bisexual,
27 transgender, or queer in 2021. Young people, especially Generation
28 Z, are driving the increase; and

29 WHEREAS, The transgender community in particular, has
30 gained newfound prominence in the media, entertainment, sports,
31 and business, raising awareness about gender identity and the
32 obstacles this community continues to face; and

33 WHEREAS, President Joseph Biden became the first American
34 President to issue a formal presidential proclamation recognizing
35 Transgender Day of Visibility; and

36 WHEREAS, The Supreme Court of the United States ruled that
37 Title VII of the Civil Rights Act of 1964 protects employees from
38 discrimination based on their sexual orientation and gender identity;
39 and

1 WHEREAS, While our great state and nation have progressed
2 in our journey toward dignity, understanding, and mutual respect
3 for all, we still have a long way to go in eradicating the prejudice
4 and discrimination that lesbian, gay, bisexual, transgender, and
5 queer people and their families encounter, and to this end, we
6 continue working for the passage of the federal Equality Act,
7 comprehensive immigration reform, and increased awareness of
8 the difficulties facing the transgender community; and

9 WHEREAS, Friends and allies of the LGBTQ+ community
10 have shown considerable support and commitment to the struggles
11 of lesbian, gay, bisexual, transgender, and queer people at home
12 and abroad; and

13 WHEREAS, To build a stronger and better state and nation, we
14 must continue to help advance the cause of equality for all people;
15 and

16 WHEREAS, Each year, June marks the anniversary of the
17 Stonewall Rebellion that gave birth to the modern lesbian, gay,
18 bisexual, transgender, and queer civil rights movement; and

19 WHEREAS, The first New York City Pride Rally occurred one
20 month after the Stonewall Riots in June 1969, when 500 people
21 gathered for a “Gay Power” demonstration in Washington Square
22 Park, followed by a candlelight vigil in Sheridan Square; and

23 WHEREAS, On the 50th anniversary of the Stonewall Uprising,
24 the NYC Pride organization simultaneously hosted “WorldPride”
25 during its 2019 season. This was the first WorldPride celebration
26 hosted on United States soil, and the second North American
27 WorldPride in the event’s over 20 year history; and

28 WHEREAS, June 2019, marked the first annual proclamation
29 of the month as LGBTQ+ Pride Month by the Governor of
30 California; and

31 WHEREAS, Pride celebrations are once again being held in
32 person around the world for the first time in two years following
33 the novel coronavirus pandemic and the shelter-in-place directives.
34 It is crucial that we emphasize the importance of this year’s Pride
35 celebration and highlight the unique power these events have to
36 bring people together and empower love, acceptance, and change;
37 and

38 WHEREAS, The novel coronavirus pandemic (COVID-19)
39 affects lesbian, gay, bisexual, transgender, and queer people
40 mentally, emotionally, and financially at disproportional rates.

1 Therefore, lesbian, gay, bisexual, transgender, and queer
2 individuals require targeted support in recovery efforts; and

3 WHEREAS, A severe uprising in hate crimes across the United
4 States has tested the resiliency of lesbian, gay, bisexual,
5 transgender, and queer Americans. However, lesbian, gay, bisexual,
6 transgender, and queer Americans are resolved to come back
7 stronger than ever in the face of adversity; and

8 WHEREAS, Lesbian, gay, bisexual, transgender, and queer
9 Americans, their families and friends, and all those committed to
10 justice and equality celebrate, during the month of June, the rich
11 culture, the notable achievements, and the outstanding services
12 that lesbian, gay, bisexual, transgender, and queer Americans make
13 to our great state and nation; now, therefore, be it

14 *Resolved by the Assembly of the State of California*, That the
15 Assembly proclaims June 2022 as Lesbian, Gay, Bisexual,
16 Transgender, and Queer (LGBTQ+) Pride Month, urges all
17 Californians to join in celebrating the culture, accomplishments,
18 and contributions of lesbian, gay, bisexual, transgender, and queer
19 people, and encourages the people of California to work to help
20 advance the cause of equality for lesbian, gay, bisexual,
21 transgender, and queer people, and their families; and be it further

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

25

26

27 **CORRECTIONS:**

28 **Text—Page 4.**

29

O

Date of Hearing: June 16, 2022

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
HR 114 (Low) – As Introduced June 1, 2022

SUBJECT: Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) Pride Month.

SUMMARY: Proclaims June 2022 as Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) Pride Month, and urges all Californians to join in celebrating the culture, accomplishments, and contributions of lesbian, gay, bisexual, transgender, and queer people. Specifically, **this resolution** makes the following legislative findings:

- 1) Our great state and nation strives to promote the principles of equality and justice and the inalienable rights of all people to life, liberty, and the pursuit of happiness. To achieve a more just and fair society, we must teach our children to respect one another, to appreciate our differences, and to recognize the common good in all of us.
- 2) LGBTQ+ people come from all walks of life, regardless of race, ethnicity, color, religion, ancestry, national origin, economic status, physical or mental ability, medical condition, sex, or gender identity or expression.
- 3) LGBTQ+ people have made important and lasting contributions to our great state and nation in every field of endeavor, including, but not limited to, business, medicine, law, humanities, science, literature, politics, education, music, philanthropy, sports and athletics, arts, and culture, that enrich our national life.
- 4) While our great state and nation have progressed in our journey toward dignity, understanding, and mutual respect for all, we still have a long way to go in eradicating the prejudice and discrimination that lesbian, gay, bisexual, transgender, and queer people and their families encounter.
- 5) Each year, June marks the anniversary of the Stonewall Rebellion that gave birth to the modern lesbian, gay, bisexual, transgender, and queer civil rights movement. The first New York City Pride Rally occurred one month after the Stonewall Riots in June 1969, when 500 people gathered for a “Gay Power” demonstration in Washington Square Park, followed by a candlelight vigil in Sheridan Square.
- 6) On the 50th anniversary of the Stonewall Uprising, the NYC Pride organization simultaneously hosted “WorldPride” during its 2019 season. This was the first WorldPride celebration hosted on United States soil, and the second North American WorldPride in the event’s over 20 year history.
- 7) June 2019, marked the first annual proclamation of the month as LGBTQ Pride Month by the Governor of California.
- 8) Pride celebrations are once again being held in person around the world for the first time in two years. It is crucial that we emphasize the importance of this year’s Pride celebration and highlight the unique power these events have to bring people together and empower love, acceptance, and change.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

Introduced by Senator Newman

March 23, 2022

Senate Concurrent Resolution No. 89—Relative to state scientists.

LEGISLATIVE COUNSEL’S DIGEST

SCR 89, as introduced, Newman. State scientists.

This measure would recognize and pay tribute to the dedication and professionalism of the state scientists who work on behalf of all the residents of California.

Fiscal committee: no.

- 1 WHEREAS, The state employs nearly 3,000 professional
- 2 scientists in over 30 state departments working in more than 81
- 3 scientific classifications; and
- 4 WHEREAS, State scientists hold graduate degrees in virtually
- 5 every scientific discipline, including biology, nematology, virology,
- 6 seismology, epidemiology, toxicology, and many others; and
- 7 WHEREAS, State scientists are required to make critical
- 8 decisions every day based on rigorous scientific fact-finding, and
- 9 these decisions ultimately protect the health, lives, and property
- 10 of all Californians; and
- 11 WHEREAS, State scientists perform important work in the areas
- 12 of infectious disease prevention, oil spill prevention and cleanup,
- 13 public health drinking water monitoring, the protection of
- 14 agricultural crops, brownfields mitigation, chemical and
- 15 radiological disaster response, and much more; and
- 16 WHEREAS, State scientists are represented by the California
- 17 Association of Professional Scientists (CAPS), which is dedicated
- 18 to professionalism, independence, and responsible advocacy; and

1 WHEREAS, CAPS regularly features the important work of its
2 members to educate the public and policymakers about the
3 important work state scientists perform to protect the public from
4 life-threatening diseases, safeguard our wildlife and abundant
5 natural resources, and protect our air and water from toxic waste
6 and pollution; and

7 WHEREAS, CAPS members ensure the continuance of
8 important government programs and served on the frontlines of
9 the COVID-19 pandemic, putting themselves at risk of exposure
10 while protecting the people of California; and

11 WHEREAS, CAPS cosponsors the Sacramento Regional STEM
12 Fair and supports California’s 14 regional science and engineering
13 fairs, serving hundreds of middle and high school students
14 throughout California; and

15 WHEREAS, State scientists have sparked an interest in science
16 for thousands of California schoolchildren, legislators, state
17 employees, and members of the public by sponsoring the annual
18 State Scientist Day at the Capitol, which was unfortunately
19 postponed this year due to the COVID-19 pandemic; now,
20 therefore, be it

21 *Resolved by the Senate of the State of California, the Assembly*
22 *thereof concurring*, That the Legislature hereby recognizes and
23 pays tribute to the dedication and professionalism of the state
24 scientists who work on behalf of all the residents of California;
25 and be it further

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

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Date of Hearing: June 16, 2022

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
SCR 89 (Newman) – As Introduced March 23, 2022

SENATE VOTE: 31-0

SUBJECT: State scientists.

SUMMARY: Recognizes and pays tribute to the dedication and professionalism of the state scientists who work on behalf of all the residents of California. Specifically, **this resolution** makes the following legislative findings:

- 1) The state employs nearly 3,000 professional scientists in over 30 state departments working in more than 81 scientific classifications.
- 2) State scientists are required to make critical decisions every day based on rigorous scientific fact-finding, and these decisions ultimately protect the health, lives, and property of all Californians.
- 3) State scientists perform important work in the areas of infectious disease prevention, oil spill prevention and cleanup, public health drinking water monitoring, the protection of agricultural crops, brownfields mitigation, chemical and radiological disaster response, and much more.
- 4) State scientists are represented by the California Association of Professional Scientists (CAPS), which is dedicated to professionalism, independence, and responsible advocacy.
- 5) CAPS regularly features the important work of its members to educate the public and policymakers about the important work state scientists perform to protect the public from life-threatening diseases, safeguard our wildlife and abundant natural resources, and protect our air and water from toxic waste and pollution.
- 6) CAPS members ensure the continuance of important government programs and served on the frontlines of the COVID-19 pandemic, putting themselves at risk of exposure while protecting the people of California.
- 7) State scientists have sparked an interest in science for thousands of California schoolchildren, legislators, state employees, and members of the public by sponsoring the annual State Scientist Day at the Capitol, which was unfortunately postponed this year due to the COVID-19 pandemic.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

Introduced by Senator Newman

April 25, 2022

Senate Concurrent Resolution No. 105—Relative to Arab American Heritage Month.

LEGISLATIVE COUNSEL’S DIGEST

SCR 105, as introduced, Newman. Arab American Heritage Month. This measure would declare the month of April as Arab American Heritage Month.

Fiscal committee: no.

1 WHEREAS, In the period of mass migration from 1800 to 1924,
2 over 20 million immigrants came to the United States of America,
3 with approximately 95,000 of them from the Greater Syria region,
4 known as today’s present day Syria, Lebanon, Jordan and Palestine;
5 and
6 WHEREAS, Historically, California has been a popular
7 destination for immigrants from the Middle East, creating strong
8 cultural fusions between the two regions; currently there are over
9 715,000 persons of Arab heritage living in California, making it
10 the state with the largest number of Arab Americans. Large
11 communities of Arab American backgrounds reside in areas like
12 Los Angeles, Orange County, San Diego and San Francisco; and
13 WHEREAS, The first Arab American immigrants who came to
14 the United States, specifically New York, Michigan, and California,
15 have brought along with them rich history and traditions that have
16 fused beautifully with the American culture; and

1 WHEREAS, Arab Americans have made valuable contributions
2 to every facet of American life, including medicine, education, the
3 sciences, business and culture; and

4 WHEREAS, Arab Americans occupy positions of leadership
5 and responsibility throughout our system of government, setting
6 fine examples of public service at the local, state, and national
7 levels; and

8 WHEREAS, Among the great Arab Americans who have
9 contributed significantly to this country are: Candace Lightner,
10 founder of Mothers Against Drunk Driving; Sam Moore, founder
11 and president of Thomas Nelson Publishers, the largest worldwide
12 distributor of the Bible; Hala Gorani, CNN Correspondent; Gibran
13 Kahlil Gibran, a famous poet and author and member of the New
14 York Pen League; Joseph Abboud, menswear fashion designer;
15 Donna Shalala, United States Secretary of Health and Human
16 Services from 1993 to 2001; and Edward Masry, lawyer who
17 worked alongside Erin Brockovich on the water contamination
18 case of Hinkley, California; and

19 WHEREAS, Arab Americans have truly made valuable and
20 substantial contributions to every facet of California life including
21 the entertainment industry, the most notable of whom are Casey
22 Kasem, Salma Hayek, Alia Shawkat, and Moustapha Akkad; and

23 WHEREAS, In 2016, Anaheim and Garden Grove proclaimed
24 the month of April as Arab American Heritage Month recognizing
25 the achievements and contributions of Arab American individuals;
26 now, therefore, be it

27 *Resolved by the Senate of the State of California, the Assembly*
28 *thereof concurring*, That the Legislature hereby declares the month
29 of April as Arab American Heritage Month; and be it further

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

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Date of Hearing: June 16, 2022

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
SCR 105 (Newman) – As Introduced April 25, 2022

SENATE VOTE: 32-0

SUBJECT: Arab American Heritage Month.

SUMMARY: Declares the month of April as Arab American Heritage Month. Specifically, **this resolution** makes the following legislative findings:

- 1) Historically, California has been a popular destination for immigrants from the Middle East, creating strong cultural fusions between the two regions; currently there are over 715,000 persons of Arab heritage living in California, making it the state with the largest number of Arab Americans. Large communities of Arab American backgrounds reside in areas like Los Angeles, Orange County, San Diego and San Francisco.
- 2) The first Arab American immigrants who came to the United States, specifically New York, Michigan, and California, have brought along with them rich history and traditions that have fused beautifully with the American culture.
- 3) Arab Americans have made valuable contributions to every facet of American life, including medicine, education, the sciences, business and culture.
- 4) Arab Americans occupy positions of leadership and responsibility throughout our system of government, setting fine examples of public service at the local, state, and national levels.
- 5) Arab Americans have truly made valuable and substantial contributions to every facet of California life including the entertainment industry, the most notable of whom are Casey Kasem, Salma Hayek, Alia Shawkat, and Moustapha Akkad.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

California State Senate

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CULTURAL EXCHANGE

CALIFORNIA'S WINE INDUSTRY

CAREER TECHNOLOGY AND
THE NEW ECONOMY

PORTS AND
GOODS MOVEMENT

June 15, 2022

Assemblymember Ken Cooley
Chair, Assembly Committee on Rules
Capitol Office, 1021 O Street, Suite 4540
P.O. Box 942849
Sacramento, CA 94249-0037

Dear Chairman Cooley,

I hereby request SB 910 be amended to include an urgency clause.

As proposed to be amended, SB 910 will ratify the tribal compact negotiated by the Governor and the Tejon Indian Tribe.

The urgency of this matter is necessary to enhance the economic development, stability, and self-sufficiency of the Tejon Tribe, and to protect the interests of the tribe and its members, the surrounding communities and the California public at the earliest possible time.

Sincerely,

A handwritten signature in blue ink that reads "Melissa Hurtado".

Melissa Hurtado
Senate District 14

PROPOSED AMENDMENTS

RN 22 15800 04
06/14/22 06:02 PM
SUBSTANTIVE

PROPOSED AMENDMENTS TO SENATE BILL NO. 910

SENATE BILL

No. 910

Introduced by Senator Hurtado
(Principal coauthor: Assembly Member Salas)
(Coauthors: Senators Caballero and Grove)
(Coauthor: Assembly Member Fong)

February 2, 2022



~~An act to amend Section 19870 of the Business and Professions Code, relating to gambling.~~ *An act to add Section 12012.107 to the Government Code, relating to tribal gaming, and declaring the urgency thereof, to take effect immediately.*

Amendment 1

LEGISLATIVE COUNSEL'S DIGEST

SB 910, as introduced, Hurtado. ~~Gambling licenses.~~ *Tribal gaming: compact ratification.*

The existing federal Indian Gaming Regulatory Act of 1988 provides for the negotiation and execution of tribal-state gaming compacts for the purpose of authorizing certain types of gaming on Indian lands within a state. The California Constitution authorizes the Governor to negotiate and conclude tribal-state gaming compacts, subject to ratification by the Legislature. Existing law expressly ratifies a number of tribal-state gaming compacts between the State of California and specified Indian tribes.

The California Environmental Quality Act (CEQA) requires a lead agency to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, as defined, or to adopt a negative declaration if it finds that the project will not have that effect.

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PROPOSED AMENDMENTS

RN 22 15800 04
06/14/22 06:02 PM
SUBSTANTIVE

SB 910

— 2 —

This bill would ratify the tribal-state gaming compact entered into between the State of California and the Tejon Indian Tribe. The bill would provide that, in deference to tribal sovereignty, certain actions related to these compacts are not projects for purposes of CEQA.

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

~~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. Existing law requires every person who, either as owner, lessee, or employee, deals, operates, carries on, conducts, maintains, or exposes for play any controlled game, or who receives, directly or indirectly, any compensation or reward, or any percentage or share of the money or property played, for keeping, running, or carrying on any controlled game, to apply for and obtain from the commission a valid state gambling license, key employee license, or work permit. Existing law also authorizes the commission to require certain persons to apply for a finding of suitability, including a person who does business on the premises of a licensed gambling establishment.~~

~~Under existing law, if the commission, during a meeting, denies an application, denies approval, or approves with limits, restrictions, or conditions, the action is required to be stayed for a period of 30 days after the meeting, during which time the applicant may request an evidentiary hearing. Under existing law, if the applicant does not file a request for an evidentiary hearing within 30 days, the action of the commission taken at the meeting is final.~~

~~This bill would extend those time periods from 30 to 60 days.~~

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

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

- + SECTION 1. Section 12012.107 is added to the Government Code, to read:
- + 12012.107. (a) The tribal-state gaming compact entered into
- + in accordance with the federal Indian Gaming Regulatory Act of
- + 1988 (18 U.S.C. Secs. 1166 to 1168, inclusive, and 25 U.S.C. Sec.
- + 2701 et seq.) between the State of California and the Tejon Indian
- + Tribe, executed on June 13, 2022, is hereby ratified.

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+ (b) (1) In deference to tribal sovereignty, none of the following
+ shall be deemed a project for purposes of the California
+ Environmental Quality Act (Division 13 (commencing with Section
+ 21000) of the Public Resources Code):

+ (A) The execution of the tribal-state gaming compact ratified
+ by this section.

+ (B) The execution of an amendment to the tribal-state gaming
+ compact ratified by this section.

+ (C) The execution of an intergovernmental agreement between
+ a tribe and a county or city government negotiated pursuant to
+ the express authority of, or as expressly referenced in, the
+ tribal-state gaming compact ratified by this section.

+ (D) The execution of an intergovernmental agreement between
+ a tribe and the Department of Transportation, or other state
+ agency, negotiated pursuant to the express authority of, or as
+ expressly referenced in, the tribal-state gaming compact ratified
+ by this section.

+ (E) The on-reservation impacts of compliance with the terms
+ of the tribal-state gaming compact ratified by this section.

+ (2) Except as expressly provided in this section, this subdivision
+ does not exempt a city, county, or city and county, or the
+ Department of Transportation, or any state agency or local
+ jurisdiction, from the requirements of the California Environmental
+ Quality Act.

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

+ In order to enhance the economic development, stability, and
+ self-sufficiency of the Tejon Indian Tribe, and to protect the
+ interests of the tribe and its members, the surrounding
+ communities, and the California public at the earliest possible
+ time, it is necessary that this act take effect immediately.

1 SECTION 1. Section 19870 of the Business and Professions
2 Code is amended to read:

3 19870. (a) The commission, after considering the
4 recommendation of the chief and any other testimony and written
5 comments as may be presented at the meeting, or as may have
6 been submitted in writing to the commission prior to the meeting,
7 may deny the application, grant a license to an applicant who it

PROPOSED AMENDMENTS

**RN 22 15800 04
06/14/22 06:02 PM
SUBSTANTIVE**

SB 910

— 4 —

8 ~~determines to be qualified to hold the license, or refer the~~
9 ~~application to an evidentiary hearing.~~

10 ~~(b) If the commission grants an application for a license or~~
11 ~~approval, the commission may limit or place restrictions on the~~
12 ~~license or approval as it may deem necessary in the public interest,~~
13 ~~consistent with the policies described in this chapter.~~

14 ~~(c) If, during a meeting, the commission denies an application,~~
15 ~~denies approval, or approves with limits, restrictions, or conditions,~~
16 ~~the action shall be stayed for a period of 60 days after the meeting,~~
17 ~~during which the applicant may request an evidentiary hearing. If~~
18 ~~the applicant does not file a request for an evidentiary hearing~~
19 ~~within 60 days, the action of the commission taken at the meeting~~
20 ~~is final. If the applicant waives the right to hearing and assents to~~
21 ~~the action of the commission in writing, upon receipt of the waiver~~
22 ~~by the commission, the action shall no longer be stayed. If the~~
23 ~~applicant files a timely request for an evidentiary hearing, the~~
24 ~~action shall be vacated and the application shall be reviewed de~~
25 ~~novo at the evidentiary hearing.~~

26 ~~(d) When an application is denied after an evidentiary hearing,~~
27 ~~the commission shall prepare and file a detailed statement of its~~
28 ~~reasons for the denial.~~

29 ~~(e) All proceedings relating to an application at a meeting of~~
30 ~~the commission or at an evidentiary hearing shall be recorded~~
31 ~~stenographically or by audio or video recording.~~

1 ~~(f) A decision of the commission after an evidentiary hearing,~~
2 ~~denying a license or approval, or imposing any condition or~~
3 ~~restriction on the grant of a license or approval may be reviewed~~
4 ~~by petition pursuant to Section 1085 of the Code of Civil~~
5 ~~Procedure. Section 1094.5 of the Code of Civil Procedure does~~
6 ~~not apply to any judicial proceeding held to consider that petition,~~
7 ~~and the court may grant the petition only if the court finds that the~~
8 ~~action of the commission was arbitrary and capricious, or that the~~
9 ~~action exceeded the commission's jurisdiction.~~

Page 3

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California State Senate

SENATOR
DR. RICHARD PAN
SIXTH SENATE DISTRICT



CHAIR
HEALTH

COMMITTEES
BUDGET & FISCAL REVIEW
BUSINESS, PROFESSIONS
& ECONOMIC DEVELOPMENT
EDUCATION
HUMAN SERVICES
BUDGET SUBCOMMITTEE
#3 ON HEALTH
& HUMAN SERVICES

June 7, 2022

Honorable Ken Cooley, Chair
Assembly Committee on Rules
1021 O Street, Suite 6250
Sacramento, CA 95814

Dear Chairman Cooley:

I write to request an urgency clause be approved for amendment to SB 1473. Recently adopted amendments require health plans and insurers to cover therapeutics to treat COVID-19 to facilitate California's test to treat program. As such, SB 1473 needs an urgency to ensure it can be implemented as quickly as possible upon enactment. Please contact Teri Boughton, with the Senate Committee on Health, with any questions about this request. Teri can be reached at 916-651-4111 or teri.boughton@sen.ca.gov.

Thank you for your consideration of this request.

Sincerely,

Richard Pan, M.D., Chair
Senate Committee on Health
Senator 6th Senate District

AMENDED IN ASSEMBLY JUNE 6, 2022

AMENDED IN SENATE MARCH 10, 2022

SENATE BILL

No. 1473

Introduced by Senator Pan

February 18, 2022

An act to amend ~~Section~~ *Sections 1342.2, 1342.3, and 1399.848* of the Health and Safety Code, and to amend ~~Section~~ *Sections 10110.7, 10110.75, and 10965.4* of the Insurance Code, relating to health care coverage.

LEGISLATIVE COUNSEL'S DIGEST

SB 1473, as amended, Pan. Health care ~~coverage: enrollment periods:~~ *coverage.*

~~Existing~~

(1) *Existing* federal law, the Patient Protection and Affordable Care Act (PPACA), requires each state to establish an American Health Benefit Exchange to facilitate the purchase of qualified health benefit plans by qualified individuals and qualified small employers. Existing state law creates the California Health Benefit Exchange (Exchange), also known as Covered California, to facilitate the enrollment of qualified individuals and qualified small employers in qualified health plans as required under PPACA.

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care, and makes a willful violation of the act a crime. Existing law provides for the regulation of health insurers by the Department of Insurance. Existing law requires a health care service plan or health insurer to provide a special enrollment period for individual health benefit plans offered through

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the Exchange from December 16 of the preceding calendar year to January 31 of the benefit year, inclusive, for policy years beginning on or after January 1, 2020. Under existing law, February 1 of the benefit year is the effective coverage date for individual health benefit plans offered outside and through the Exchange that are selected from December 16 to January 31, inclusive.

This bill would eliminate the above-described special enrollment period for individual health benefit plans offered through the Exchange for policy years on or after January 1, 2023, and would instead create an annual enrollment period from November 1 of the preceding calendar year to January 31 of the benefit year, inclusive. The bill would specify that the effective date of coverage for individual health benefit plans offered outside and through the Exchange would be no later than January 1 of the benefit year for plan selection made from November 1 to December 31 of the preceding calendar year, inclusive, and would be no later than February 1 of the benefit year for plan selection made from January 1 to January 31 of the benefit year, inclusive. Because a willful violation of these provisions by a health care service plan would be a crime, the bill would impose a state-mandated local program.

(2) Existing law requires a health care service plan contract or a disability insurance policy that provides coverage for hospital, medical, or surgical benefits, excluding a specialized health care service plan contract or health insurance policy, to cover the costs of testing and immunization for COVID-19, or a future disease when declared a public health emergency by the Governor, and prohibits the contract or policy from imposing cost sharing or prior authorization requirements for that coverage. Under existing law, the requirement to cover COVID-19 testing and immunizations delivered by an out-of-network provider without cost sharing does not apply to testing and immunizations furnished on or after the expiration of the federal public health emergency. A violation of these provisions by a health care service plan is a crime.

This bill would provide that a health care service plan or disability insurer is not required to cover the cost sharing for COVID-19 testing and immunizations delivered by an out-of-network provider beginning 12 months after the federal public health emergency expires. The bill would prohibit a provider from reporting adverse information to a consumer credit reporting agency or commence civil action against an enrollee or insured for payment of COVID-19-related items, services, or immunizations. The bill would extend these and the above-described

provisions to therapeutics approved or granted emergency use authorization by the federal Food and Drug Administration for COVID-19 when prescribed or furnished by a licensed health care provider acting within their scope of practice and the standard of care. The bill would require a contract or policy to cover therapeutics approved or granted emergency use authorization by the federal Food and Drug Administration for a disease that the Governor has declared a public health emergency. The bill would eliminate a health care service plan's criminal liability for a violation of COVID-19 testing and immunization coverage requirements that occurred before January 1, 2022.

~~The~~

(3) *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 1342.2 of the Health and Safety Code is*
2 *amended to read:*

3 1342.2. (a) *Notwithstanding any other law, a health care*
4 *service plan contract that covers medical, surgical, and hospital*
5 *benefits, excluding a specialized health care service plan contract,*
6 *shall cover the costs for COVID-19 diagnostic and screening*
7 *testing and health care services related to diagnostic and screening*
8 *testing approved or granted emergency use authorization by the*
9 *federal Food and Drug Administration for COVID-19, regardless*
10 *of whether the services are provided by an in-network or*
11 *out-of-network provider. Coverage required by this section shall*
12 *not be subject to copayment, coinsurance, deductible, or any other*
13 *form of cost sharing. Services related to COVID-19 diagnostic*
14 *and screening testing include, but are not limited to, hospital or*
15 *health care provider office visits for the purposes of receiving*
16 *testing, products related to testing, the administration of testing,*
17 *and items and services furnished to an enrollee as part of testing.*

1 (1) To the extent a health care provider would have been entitled
2 to receive cost sharing but for this section, the health care service
3 plan shall reimburse the health care provider the amount of that
4 lost cost sharing.

5 (2) A health care service plan contract shall not impose prior
6 authorization or any other utilization management requirements
7 on COVID-19 diagnostic and screening testing.

8 (3) With respect to an enrollee, a health care service plan shall
9 reimburse the provider of the testing according to either of the
10 following:

11 (A) If the health plan has a specifically negotiated rate for
12 COVID-19 diagnostic and screening testing with such provider in
13 effect before the public health emergency declared under Section
14 319 of the Public Health Service Act (42 U.S.C. Sec. 247d), such
15 negotiated rate shall apply throughout the period of such
16 declaration.

17 (B) If the health plan does not have a specifically negotiated
18 rate for COVID-19 diagnostic and screening testing with such
19 provider, the plan may negotiate a rate with such provider.

20 (4) ~~(A)~~ For an out-of-network provider with whom a health
21 care service plan does not have a specifically negotiated rate for
22 COVID-19 diagnostic and screening testing and health care
23 services related to testing, a plan shall reimburse the provider for
24 all testing items or services in an amount that is reasonable, as
25 determined in comparison to prevailing market rates for testing
26 items or services in the geographic region where the item or service
27 is rendered. An out-of-network provider shall accept this payment
28 as payment in ~~full and~~ full, shall not seek additional remuneration
29 from an enrollee for services related to ~~testing~~, testing, and shall
30 not report adverse information to a consumer credit reporting
31 agency or commence civil action against the enrollee.

32 ~~(B) The requirement in this subdivision~~

33 (5) *Beginning 12 months after the federal public health*
34 *emergency expires, a health care service plan shall no longer be*
35 *required to cover the cost sharing for COVID-19 diagnostic and*
36 *screening testing and health care services related to testing without*
37 *cost sharing, when delivered by an out-of-network provider, shall*
38 *not apply with respect to COVID-19 diagnostic and screening*
39 *testing and services related to testing furnished on, or after, the*
40 *expiration of the federal public health emergency. except as*

1 *otherwise required by law.* All other requirements of this
2 subdivision shall remain in effect after the federal public health
3 emergency expires.

4 ~~(5)~~

5 (6) Changes to a contract between a health care service plan
6 and a provider delegating financial risk for diagnostic and screening
7 testing related to a declared public health emergency shall be
8 considered a material change to the parties' contract. A health care
9 service plan shall not delegate the financial risk to a contracted
10 provider for the cost of enrollee services provided under this section
11 unless the parties have negotiated and agreed upon a new provision
12 of the parties' contract pursuant to Section 1375.7.

13 (b) (1) A health care service plan contract that covers medical,
14 surgical, and hospital benefits shall cover without cost sharing any
15 item, service, or immunization that is intended to prevent or
16 mitigate COVID-19 and that is either of the following with respect
17 to the individual enrollee:

18 (A) An evidence-based item or service that has in effect a rating
19 of "A" or "B" in the current recommendations of the United States
20 Preventive Services Task Force.

21 (B) An immunization that has in effect a recommendation from
22 the Advisory Committee on Immunization Practices of the federal
23 Centers for Disease Control and Prevention, regardless of whether
24 the immunization is recommended for routine use.

25 (2) The item, service, or immunization covered pursuant to
26 paragraph (1) shall be covered no later than 15 business days after
27 the date on which the United States Preventive Services Task Force
28 or the Advisory Committee on Immunization Practices of the
29 federal Centers for Disease Control and Prevention makes a
30 recommendation relating to the item, service, or immunization. A
31 recommendation from the Advisory Committee on Immunization
32 Practices of the federal Centers for Disease Control and Prevention
33 is considered in effect after it has been adopted, or granted
34 emergency use authorization, by the Director of the Centers for
35 Disease Control and Prevention.

36 (3) (A) A health care service plan subject to this subdivision
37 shall not impose any cost-sharing requirements, including a
38 copayment, coinsurance, or deductible, for any item, service, or
39 immunization described in paragraph (1), regardless of whether

1 such service is delivered by an in-network or out-of-network
2 provider.

3 (B) To the extent a health care provider would have been entitled
4 to receive cost sharing but for this section, the health care service
5 plan shall reimburse the health care provider the amount of that
6 lost cost sharing.

7 (C) With respect to an enrollee, a health care service plan shall
8 reimburse the provider of the immunization according to either of
9 the following:

10 (i) If the health plan has a negotiated rate with such provider in
11 effect before the public health emergency declared under Section
12 319 of the Public Health Service Act (42 U.S.C. Sec. 247d), such
13 negotiated rate shall apply throughout the period of such
14 declaration.

15 (ii) If the health plan does not have a negotiated rate with such
16 provider, the plan may negotiate a rate with such provider.

17 (D) A health care service plan shall not impose cost sharing for
18 any items or services that are necessary for the furnishing of an
19 item, service, or immunization described in paragraph (1),
20 including, but not limited to, provider office visits and vaccine
21 administration, regardless of whether the service is delivered by
22 an in-network or out-of-network provider.

23 (E) (i) For an out-of-network provider with whom a health care
24 service plan does not have a negotiated rate for an item, service,
25 or immunization described in paragraph (1), a health care service
26 plan shall reimburse the provider for all related items or services,
27 including any items or services that are necessary for the furnishing
28 of an item, service, or immunization described in paragraph (1),
29 in an amount that is reasonable, as determined in comparison to
30 prevailing market rates for such items or services in the geographic
31 region in which the item or service is rendered. An out-of-network
32 provider shall accept this payment as payment in ~~full and~~ full, shall
33 not seek additional remuneration from an ~~insured~~ enrollee, and
34 *shall not report adverse information to a consumer credit reporting*
35 *agency or commence civil action against the enrollee* for items,
36 services, and immunizations described in subdivision (b), including
37 any items or services that are necessary for the furnishing of an
38 item, service, or immunization described in paragraph (1).

39 ~~(ii) The requirement in this paragraph~~

1 (ii) Beginning 12 months after the federal public health
2 emergency expires, a health care service plan shall no longer be
3 required to cover the cost sharing for any item, service, or
4 immunization described in paragraph (1) and to cover items or
5 services that are necessary for the furnishing of the items, services,
6 or immunizations described in ~~subparagraph (D) without cost~~
7 ~~sharing~~ paragraph (1) when delivered by an out-of-network
8 provider will not apply with respect to an item, service, or
9 immunization furnished on or after the expiration of the federal
10 public health emergency. provider, except as otherwise required
11 by law. All other requirements of this section shall remain in effect
12 after the federal public health emergency expires.

13 (4) A health care service plan subject to this subdivision shall
14 not impose prior authorization or any other utilization management
15 requirements on any item, service, or immunization described in
16 paragraph (1) or to items or services that are necessary for the
17 furnishing of the items, services, or immunizations described in
18 subparagraph (D) of paragraph (3).

19 (5) Changes to a contract between a health care service plan
20 and a provider delegating financial risk for immunization related
21 to a declared public health emergency, shall be considered a
22 material change to the parties' contract. A health plan shall not
23 delegate the financial risk to a contracted provider for the cost of
24 enrollee services provided under this section unless the parties
25 have negotiated and agreed upon a new provision of the parties'
26 contract pursuant to Section 1375.7.

27 (c) The director may issue guidance to health care service plans
28 regarding compliance with this section. This guidance shall not
29 be subject to the Administrative Procedure Act (Chapter 3.5
30 (commencing with Section 11340) of Part 1 of Division 3 of Title
31 2 of the Government Code). The department shall consult with the
32 Department of Insurance in issuing the guidance specified in this
33 subdivision.

34 (d) ~~This section~~ section, excluding subdivision (h), shall apply
35 retroactively beginning from the Governor's declared State of
36 Emergency related to the SARS-CoV-2 (COVID-19) pandemic
37 on March 4, 2020. *Notwithstanding Section 1390, this subdivision*
38 *does not create criminal liability for transactions that occurred*
39 *before January 1, 2022.*

40 (e) For purposes of this section:

1 (1) “Diagnostic testing” means all of the following:

2 (A) Testing intended to identify current or past infection and
3 performed when a person has signs or symptoms consistent with
4 COVID-19, or when a person is asymptomatic but has recent
5 known or suspected exposure to SARS-CoV-2.

6 (B) Testing a person with symptoms consistent with COVID-19.

7 (C) Testing a person as a result of contact tracing efforts.

8 (D) Testing a person who indicates that they were exposed to
9 someone with a confirmed or suspected case of COVID-19.

10 (E) Testing a person after an individualized clinical assessment
11 by a licensed health care provider.

12 (2) “Screening testing” means tests that are intended to identify
13 people with COVID-19 who are asymptomatic and do not have
14 known, suspected, or reported exposure to SARS-CoV-2. Screening
15 testing helps to identify unknown cases so that measures can be
16 taken to prevent further transmission. Screening testing includes
17 all of the following:

18 (A) Workers in a workplace setting.

19 (B) Students, faculty, and staff in a school setting.

20 (C) A person before or after travel.

21 (D) At home for someone who does not have symptoms
22 associated with COVID-19 and does not have a known exposure
23 to someone with COVID-19.

24 (f) This section does not relieve a health care service plan from
25 continuing to cover testing as required by federal law and guidance.

26 (g) *The department shall hold health care service plans*
27 *accountable for timely access to services required under this*
28 *section and coverage requirements established under federal law,*
29 *regulations, or guidelines.*

30 (h) (1) *A health care service plan contract issued, amended,*
31 *or renewed on or after the operative date of this subdivision that*
32 *covers medical, surgical, and hospital benefits, excluding a*
33 *specialized health care service plan contract, shall cover*
34 *therapeutics approved or granted emergency use authorization by*
35 *the federal Food and Drug Administration for COVID-19 when*
36 *prescribed or furnished by a licensed health care provider acting*
37 *within their scope of practice and the standard of care.*

38 (2) *A health care service plan shall reimburse a provider for*
39 *the therapeutics described in paragraph (1) at the specifically*
40 *negotiated rate for those therapeutics, if the plan and provider*

1 *have negotiated a rate. If the plan does not have a negotiated rate*
2 *with a provider, the plan may negotiate a rate with the provider.*

3 *(3) For an out-of-network provider with whom a health care*
4 *service plan does not have a negotiated rate for the therapeutics*
5 *described in paragraph (1), a health care service plan shall*
6 *reimburse the provider for the therapeutics in an amount that is*
7 *reasonable, as determined in comparison to prevailing market*
8 *rates for the therapeutics in the geographic region in which the*
9 *therapeutic was delivered. An out-of-network provider shall accept*
10 *this payment as payment in full, shall not seek additional*
11 *remuneration from an enrollee, and shall not report adverse*
12 *information to a consumer credit reporting agency or commence*
13 *civil action against the enrollee for therapeutics described in this*
14 *subdivision.*

15 *(4) A health care service plan shall cover COVID-19*
16 *therapeutics without cost sharing, regardless of whether the*
17 *therapeutics are provided by an in-network or out-of-network*
18 *provider, and without utilization management. If a provider would*
19 *have been entitled to receive cost sharing but for this section, the*
20 *health care service plan shall reimburse the provider for the*
21 *amount of that lost cost sharing. A provider shall accept this*
22 *payment as payment in full, shall not seek additional remuneration*
23 *from an enrollee, and shall not report adverse information to a*
24 *consumer credit reporting agency or commence civil action against*
25 *the enrollee for therapeutics pursuant to this subdivision.*

26 *(5) Beginning 12 months after the federal public health*
27 *emergency expires, a health care service plan shall no longer be*
28 *required to cover the cost sharing for COVID-19 therapeutics*
29 *delivered by an out-of-network provider, unless otherwise required*
30 *by law. All other requirements of this subdivision shall remain in*
31 *effect after the federal public health emergency expires.*

32 *SEC. 2. Section 1342.3 of the Health and Safety Code is*
33 *amended to read:*

34 *1342.3. (a) A health care service plan contract that covers*
35 *medical, surgical, and hospital benefits, excluding a specialized*
36 *health care service plan contract, shall cover, without cost sharing*
37 *and without prior authorization or other utilization management,*
38 *the costs of the following health care services to prevent or mitigate*
39 *a disease when the Governor of the State of California has declared*
40 *a public health emergency due to that disease:*

1 (1) An evidence-based item, service, or immunization that is
2 intended to prevent or mitigate a disease as recommended by the
3 United States Preventive Services Task Force that has in effect a
4 rating of “A” or “B” or the Advisory Committee on Immunization
5 Practices of the federal Centers for Disease Control and Prevention.

6 (2) A health care service or product related to diagnostic and
7 screening testing for the disease that is approved or granted
8 emergency use authorization by the federal Food and Drug
9 Administration, or is recommended by the State Department of
10 Public Health or the federal Centers for Disease Control and
11 Prevention.

12 (3) *Therapeutics approved or granted emergency use*
13 *authorization by the federal Food and Drug Administration for*
14 *the disease.*

15 (b) The item, service, or immunization covered pursuant to
16 paragraph (1) of subdivision (a) shall be covered no later than 15
17 business days after the date on which the United States Preventive
18 Services Task Force or the Advisory Committee on Immunization
19 Practices of the federal Centers for Disease Control and Prevention
20 makes a recommendation relating to the item, service, or
21 immunization.

22 ~~SECTION 1.~~

23 *SEC. 3.* Section 1399.848 of the Health and Safety Code is
24 amended to read:

25 1399.848. (a) Notwithstanding paragraph (1) of subdivision
26 (c) of Section 1399.849, with respect to individual health benefit
27 plans offered outside of the Exchange, a plan shall provide an
28 annual enrollment period for policy years beginning on or after
29 January 1, 2020, from November 1 of the preceding calendar year,
30 to January 31 of the benefit year, inclusive.

31 (b) Notwithstanding paragraphs (2) and (3) of subdivision (c)
32 of Section 1399.849, with respect to individual health benefit plans
33 offered through the Exchange, for policy years beginning on or
34 after January 1, 2023, a plan shall provide an annual enrollment
35 period from November 1 of the preceding calendar year to January
36 31 of the benefit year, inclusive.

37 (c) Notwithstanding paragraph (3) of subdivision (c) of Section
38 1399.849, with respect to individual health benefit plans offered
39 outside and through the Exchange, the effective date of coverage
40 shall be as follows:

1 (1) No later than January 1 of the benefit year for plan selection
2 made from November 1 to December 31 of the preceding calendar
3 year, inclusive.

4 (2) No later than February 1 of the benefit year for plan selection
5 made from January 1 to January 31 of the benefit year, inclusive.

6 *SEC. 4. Section 10110.7 of the Insurance Code is amended to*
7 *read:*

8 10110.7. (a) This section applies to a disability insurance
9 policy that provides coverage for hospital, medical, or surgical
10 benefits, excluding a specialized health insurance policy and a
11 policy that provides excepted benefits as described in Sections
12 2722 (42 U.S.C. Sec. 300gg-21) and 2791 (42 U.S.C. Sec.
13 300gg-91) of the federal Public Health Service Act, subject to
14 Section 10198.61.

15 (b) Notwithstanding any other law, a disability insurance policy
16 shall cover the costs for COVID-19 diagnostic and screening
17 testing and health care services related to the diagnostic and
18 screening testing approved or granted emergency use authorization
19 by the federal Food and Drug Administration for COVID-19,
20 regardless of whether the services are provided by an in-network
21 or out-of-network provider. Coverage required by this section shall
22 not be subject to copayment, coinsurance, deductible, or any other
23 form of cost sharing. Services related to COVID-19 diagnostic
24 and screening testing include, but are not limited to, hospital or
25 health care provider office visits for the purposes of receiving
26 testing, products related to testing, the administration of testing,
27 and items and services furnished to an insured as part of testing.

28 (1) To the extent a health care provider would have been entitled
29 to receive cost sharing but for this section, the insurer shall
30 reimburse the health care provider the amount of that lost cost
31 sharing.

32 (2) A disability insurance policy shall not impose prior
33 authorization or any other utilization management requirements
34 on COVID-19 diagnostic and screening testing.

35 (3) With respect to an insured, a health insurer shall reimburse
36 the provider of the testing according to either of the following:

37 (A) If the health insurer has a specifically negotiated rate for
38 COVID-19 diagnostic and screening testing with such provider in
39 effect before the public health emergency declared under Section
40 319 of the Public Health Service Act (42 U.S.C. Sec. 247d), such

1 negotiated rate shall apply throughout the period of such
2 declaration.

3 (B) If the health insurer does not have a specifically negotiated
4 rate for COVID-19 diagnostic and screening testing with such
5 provider, the insurer may negotiate a rate with such provider.

6 (4) (A) For an out-of-network provider with whom an insurer
7 does not have a specifically negotiated rate for COVID-19
8 diagnostic and screening testing and health care services related
9 to testing, an insurer shall reimburse the provider for all testing
10 items or services in an amount that is reasonable, as determined
11 in comparison to prevailing market rates for testing items or
12 services in the geographic region where the item or service is
13 rendered. An out-of-network provider shall accept this payment
14 as payment in ~~full and full~~, shall not seek additional remuneration
15 from an insured for services related to ~~testing~~. *testing, and shall*
16 *not report adverse information to a consumer credit reporting*
17 *agency or commence civil action against the insured.*

18 ~~(B) The requirement in this subdivision~~

19 (5) *Beginning 12 months after the federal public health*
20 *emergency expires, an insurer shall no longer be required to cover*
21 *the cost sharing for COVID-19 diagnostic and screening testing*
22 *and health care services related to testing ~~without cost sharing~~*
23 *when delivered by an out-of-network provider ~~will not apply with~~*
24 *respect to COVID-19 diagnostic and screening testing and health*
25 *care services related to testing furnished on or after the expiration*
26 *of the federal public health emergency. ~~provider, except as~~*
27 *otherwise required by law.* All other requirements of this
28 subdivision shall remain in effect after the federal public health
29 emergency expires.

30 (c) (1) A disability insurance policy shall cover without cost
31 sharing any item, service, or immunization that is intended to
32 prevent or mitigate COVID-19 and that is either of the following
33 with respect to the individual insured:

34 (A) An evidence-based item or service that has in effect a rating
35 of “A” or “B” in the current recommendations of the United States
36 Preventive Services Task Force.

37 (B) An immunization that has in effect a recommendation from
38 the Advisory Committee on Immunization Practices of the federal
39 Centers for Disease Control and Prevention regardless of whether
40 the immunization is recommended for routine use.

1 (2) To the extent a health care provider would have been entitled
2 to receive cost sharing but for this section, the insurer shall
3 reimburse the health care provider the amount of that lost cost
4 sharing.

5 (3) The item, service, or immunization covered pursuant to
6 paragraph (1) shall be covered no later than 15 business days after
7 the date on which the United States Preventive Services Task Force
8 or the Advisory Committee on Immunization Practices of the
9 federal Centers for Disease Control and Prevention makes a
10 recommendation relating to the item, service, or immunization. A
11 recommendation from the Advisory Committee on Immunization
12 Practices of the federal Centers for Disease Control and Prevention
13 is considered in effect after it has been adopted, or granted
14 emergency use authorization, by the Director of the Centers for
15 Disease Control and Prevention.

16 (4) (A) A disability insurance policy subject to this subdivision
17 shall not impose any cost-sharing requirements, including a
18 copayment, coinsurance, or deductible, for any item, service, or
19 immunization described in paragraph (1), regardless of whether
20 such service is delivered by an in-network or out-of-network
21 provider.

22 (B) A disability insurance policy shall not impose cost sharing
23 for any items or services that are necessary for the furnishing of
24 an item, service, or immunization described in paragraph (1),
25 including, but not limited to, provider office visits and vaccine
26 administration, regardless of whether the service is delivered by
27 an in-network or out-of-network provider.

28 (C) With respect to an insured, a health insurer shall reimburse
29 the provider of the immunization according to either of the
30 following:

31 (i) If the health insurer has a negotiated rate with such provider
32 in effect before the public health emergency declared under Section
33 319 of the Public Health Service Act (42 U.S.C. Sec. 247d), such
34 negotiated rate shall apply throughout the period of such
35 declaration.

36 (ii) If the health insurer does not have a negotiated rate with
37 such provider, the insurer may negotiate a rate with such provider.

38 (D) For an out-of-network provider with whom a disability
39 insurer does not have a negotiated rate for an item, service, or
40 immunization described in paragraph (1), an insurer shall reimburse

1 the provider for all such items or services, including any items or
2 services that are necessary for the furnishing of an item, service,
3 or immunization described in paragraph (1), in an amount that is
4 reasonable, as determined in comparison to prevailing market rates
5 for such items or services in the geographic region in which the
6 item or service is rendered. An out-of-network provider shall accept
7 this payment as payment in ~~full and~~ full, shall not seek additional
8 remuneration from an ~~insured~~ insured, and shall not report adverse
9 information to a consumer credit reporting agency or commence
10 civil action against the insured for items, services, and
11 immunizations described in paragraph (1), including any items or
12 services that are necessary for the furnishing of an item, service,
13 or immunization described in paragraph (1).

14 (E) ~~The requirement in this subdivision~~ Beginning 12 months
15 after the federal public health emergency expires, an insurer shall
16 no longer be required to cover the cost sharing for any item,
17 service, or immunization described in paragraph (1) and to cover
18 any items or services that are necessary for the furnishing of the
19 items, services, or immunizations described in ~~subparagraph (B);~~
20 ~~without cost sharing~~ paragraph (1) when delivered by an
21 out-of-network provider will not apply with respect to an item,
22 service, or immunization furnished on or after the expiration of
23 the federal public health emergency. provider, except as otherwise
24 required by law. All other requirements of this section shall remain
25 in effect after the federal public health emergency expires.

26 (5) A disability insurer subject to this subdivision shall not
27 impose prior authorization or any other utilization management
28 requirements on any item, service, or immunization described in
29 paragraph (1) or to items or services that are necessary for the
30 furnishing of the items, services, or immunizations described in
31 subparagraph (B) of paragraph (4).

32 (d) The commissioner may issue guidance to insurers regarding
33 compliance with this section. This guidance shall not be subject
34 to the Administrative Procedure Act (Chapter 3.5 (commencing
35 with Section 11340) of Part 1 of Division 3 of Title 2 of the
36 Government Code). The department shall consult with the
37 Department of Managed Health Care in issuing the guidance
38 specified in this subdivision.

39 (e) This ~~section~~ section, excluding subdivision (i), shall apply
40 retroactively beginning from the Governor's declared State of

1 Emergency related to the SARS-CoV-2 (COVID-19) pandemic
2 on March 4, 2020.

3 (f) For purposes of this section:

4 (1) “Diagnostic testing” means all of the following:

5 (A) Testing intended to identify current or past infection and
6 performed when a person has signs or symptoms consistent with
7 COVID-19, or when a person is asymptomatic but has recent
8 known or suspected exposure to SARS-CoV-2.

9 (B) Testing a person with symptoms consistent with COVID-19.

10 (C) Testing a person as a result of contact tracing efforts.

11 (D) Testing a person who indicates that they were exposed to
12 someone with a confirmed or suspected case of COVID-19.

13 (E) Testing a person after an individualized clinical assessment
14 by a licensed health care provider.

15 (2) “Screening testing” means tests that are intended to identify
16 people with COVID-19 who are asymptomatic and do not have
17 known, suspected, or reported exposure to SARS-CoV-2. Screening
18 testing helps to identify unknown cases so that measures can be
19 taken to prevent further transmission. Screening testing includes
20 all of the following:

21 (A) Workers in a workplace setting.

22 (B) Students, faculty, and staff in a school setting.

23 (C) A person before or after travel.

24 (D) At home for someone who does not have symptoms
25 associated with COVID-19 and does not have a known exposure
26 to someone with COVID-19.

27 (g) This section does not relieve an insurer from continuing to
28 cover testing as required by federal law and guidance.

29 (h) *The department shall hold insurers accountable for timely
30 access to services required under this section and coverage
31 requirements established under federal law, regulations, or
32 guidelines.*

33 (i) *(1) A disability insurance policy issued, amended, or
34 renewed on or after the operative date of this subdivision that
35 covers medical, surgical, and hospital benefits, excluding a
36 specialized disability insurance policy, shall cover therapeutics
37 approved or granted emergency use authorization by the federal
38 Food and Drug Administration for COVID-19 when prescribed
39 or furnished by a licensed health care provider acting within their
40 scope of practice and the standard of care.*

1 (2) A disability insurer shall reimburse a provider for the
2 therapeutics described in paragraph (1) at the specifically
3 negotiated rate for those therapeutics, if the insurer and provider
4 have negotiated a rate. If the insurer does not have a negotiated
5 rate with a provider, the insurer may negotiate a rate with the
6 provider.

7 (3) For an out-of-network provider with whom a disability
8 insurer does not have a negotiated rate for the therapeutics
9 described in paragraph (1), a disability insurer shall reimburse
10 the provider for the therapeutics in an amount that is reasonable,
11 as determined in comparison to prevailing market rates for the
12 therapeutics in the geographic region in which the therapeutic
13 was delivered. An out-of-network provider shall accept this
14 payment as payment in full, shall not seek additional remuneration
15 from an insured, and shall not report adverse information to a
16 consumer credit reporting agency or commence civil action against
17 the insured for therapeutics described in this subdivision.

18 (4) A disability insurer shall cover COVID-19 therapeutics
19 without cost sharing, regardless of whether the therapeutics are
20 provided by an in-network or out-of-network provider, and without
21 utilization management. If a provider would have been entitled to
22 receive cost sharing but for this section, the disability insurer shall
23 reimburse the provider for the amount of that lost cost sharing. A
24 provider shall accept this payment as payment in full, shall not
25 seek additional remuneration from an insured, and shall not report
26 adverse information to a consumer credit reporting agency or
27 commence civil action against the insured for therapeutics pursuant
28 to this subdivision.

29 (5) Beginning 12 months after the federal public health
30 emergency expires, a disability insurer shall no longer be required
31 to cover the cost sharing for COVID-19 therapeutics delivered by
32 an out-of-network provider, unless otherwise required by law. All
33 other requirements of this subdivision shall remain in effect after
34 the federal public health emergency expires.

35 SEC. 5. Section 10110.75 of the Insurance Code is amended
36 to read:

37 10110.75. (a) This section applies to a disability insurance
38 policy that provides coverage for hospital, medical, or surgical
39 benefits, excluding a specialized health insurance policy.

1 (b) (1) A disability insurance policy shall cover, without cost
2 sharing and without prior authorization or other utilization
3 management requirements, the costs of the following health care
4 services to prevent or mitigate a disease when the Governor of the
5 State of California has declared a public health emergency due to
6 that disease:

7 (A) An evidence-based item, service, or immunization that is
8 intended to prevent or mitigate a disease as recommended by the
9 United States Preventive Services Task Force that has in effect a
10 rating of “A” or “B” or the Advisory Committee on Immunization
11 Practices of the federal Centers for Disease Control and Prevention.

12 (B) A health care service or product related to diagnostic and
13 screening testing for the disease that is approved or granted
14 emergency use authorization by the federal Food and Drug
15 Administration, or is recommended by the State Department of
16 Public Health or the federal Centers for Disease Control and
17 Prevention.

18 (C) *Therapeutics approved or granted emergency use*
19 *authorization by the federal Food and Drug Administration for*
20 *the disease.*

21 (2) The item, service, or immunization covered pursuant to
22 subparagraph (A) of paragraph (1) shall be covered no later than
23 15 business days after the date on which the United States
24 Preventive Services Task Force or the Advisory Committee on
25 Immunization Practices of the federal Centers for Disease Control
26 and Prevention makes a recommendation relating to the item,
27 service, or immunization.

28 ~~SEC. 2.~~

29 *SEC. 6.* Section 10965.4 of the Insurance Code is amended to
30 read:

31 10965.4. (a) Notwithstanding paragraph (1) of subdivision (c)
32 of Section 10965.3, with respect to individual health benefit plans
33 offered outside of the Exchange, a health insurer shall provide an
34 annual enrollment period for policy years beginning on or after
35 January 1, 2020, from November 1 of the preceding calendar year,
36 to January 31 of the benefit year, inclusive.

37 (b) Notwithstanding paragraphs (2) and (3) of subdivision (c)
38 of Section 10965.3, with respect to individual health benefit plans
39 offered through the Exchange, for policy years beginning on or
40 after January 1, 2023, a health insurer shall provide an annual

1 enrollment period from November 1 of the preceding calendar
2 year to January 31 of the benefit year, inclusive.

3 (c) Notwithstanding paragraph (3) of subdivision (c) of Section
4 10965.3, with respect to individual health benefit plans offered
5 outside and through the Exchange, the effective date of coverage
6 shall be as follows:

7 (1) No later than January 1 of the benefit year for plan selection
8 made from November 1 to December 31 of the preceding calendar
9 year, inclusive.

10 (2) No later than February 1 of the benefit year for plan selection
11 made from January 1 to January 31 of the benefit year, inclusive.

12 ~~SEC. 3.~~

13 *SEC. 7.* 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.

O