



**STATE CAPITOL**  
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CHIEF ADMINISTRATIVE OFFICER  
LIA LOPEZ

**Assembly  
California Legislature  
Committee on Rules**

**JAMES RAMOS  
CHAIR**

**VICE CHAIR**  
WALDRON, MARIE

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PAPAN, DIANE  
PELLERIN, GAIL  
RUBIO, BLANCA E.  
VALENCIA, AVELINO

CERVANTES, SABRINA (D-ALT)  
ZBUR, RICK CHAVEZ (D-ALT)  
DIXON, DIANE (R-ALT)

Thursday, June 29, 2023  
10 minutes prior to Session  
State Capitol, Room 126

**CONSENT AGENDA**

**BILL REFERRALS**

1. Bill Referrals

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**RESOLUTIONS**

- |                             |  |                         |
|-----------------------------|--|-------------------------|
| 2. ACR-90 (Kalra)           | India's Independence Day.  | <a href="#">Page 4</a>  |
| 3. ACR-91 (Kalra)           | California Hindu American Awareness and Appreciation Month.                  | <a href="#">Page 7</a>  |
| 4. ACR-97 (Ward)            | Sudden Infant Death Syndrome (SIDS) Awareness Month.                         | <a href="#">Page 14</a> |
| 5. ACR-100 (Kalra)          | California's Sikh American Awareness and Appreciation Month.<br>(refer/hear) | <a href="#">Page 19</a> |
| 6. ACR-101 (Wallis)         | Outdoor workers. (refer/hear)  | <a href="#">Page 26</a> |
| 7. ACR-102 (Cervantes)      | California Lowrider Day. (refer/hear)  | <a href="#">Page 30</a> |
| 8. HR-43 (Kalra)            | Diwali.  | <a href="#">Page 36</a> |
| 9. HR-45 (Stephanie Nguyen) | Probation.   | <a href="#">Page 40</a> |
| 10. HR-46 (Ward)            | Homeless service providers.  | <a href="#">Page 43</a> |
| 11. HR-48 (Low)             | Acupuncture. (refer/hear)  | <a href="#">Page 48</a> |
| 12. SCR-73 (Gonzalez)       | Latina Equal Pay Day. (refer/hear)   | <a href="#">Page 51</a> |
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**REQUESTS TO ADD URGENCY CLAUSE**

- |                         |   |                         |
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| 14. SB 326 (Eggman)     | The Behavioral Health Services Act                                    | <a href="#">Page 60</a> |
| 15. SB 332 (Cortese)    | Minor league baseball players   | <a href="#">Page 69</a> |
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BLANCA E. RUBIO  
AVELINO VALENCIA

SABRINA CERVANTES (D-ALT.)  
RICK CHAVEZ ZBUR (D-ALT.)  
DIANE DIXON (R-ALT.)

# Memo

**To:** Rules Committee Members  
**From:** Michael Erke, Bill Referral Consultant  
**Date:** 6/28/2023  
**Re:** Consent Bill Referrals

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Since you received your preliminary list of bill referrals, ACR 103, AJR 8, and HR 49 have been added to the referral list.

REFERRAL OF BILLS TO COMMITTEE

06/29/2023

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

Assembly Bill No.	Committee:
<u>ACR 100</u>	RLS.
<u>ACR 101</u>	RLS.
<u>ACR 102</u>	RLS.
<u>ACR 103</u>	RLS.
<u>AJR 8</u>	PUB. S.
<u>HR 48</u>	RLS.
<u>HR 49</u>	RLS.
<u>SCR 3</u>	RLS.
<u>SCR 59</u>	TRANS.
<u>SCR 73</u>	RLS.
<u>SCR 77</u>	RLS.

**Assembly Concurrent Resolution**

**No. 90**

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**Introduced by Assembly Member Kalra**  
**(Principal coauthors: Assembly Members Lee and Quirk-Silva)**  
(Principal coauthors: Senators Becker and Nguyen)

June 1, 2023

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Assembly Concurrent Resolution No. 90—Relative to India’s Independence Day.

LEGISLATIVE COUNSEL’S DIGEST

ACR 90, as introduced, Kalra. India’s Independence Day.

This measure would recognize August 15, 2023, as India’s Independence Day and urge all Californians to join in celebrating India’s independence.

Fiscal committee: no.

1     WHEREAS, As the day began on August 15, 1947, at the stroke  
2     of midnight, the first Prime Minister of India, Jawaharlal Nehru,  
3     gave his famous Tryst with Destiny speech proclaiming India’s  
4     independence; and  
5     WHEREAS, The Tryst with Destiny speech captured the essence  
6     of the nonviolent Indian freedom struggle against British colonial  
7     rule in India; and  
8     WHEREAS, India’s Independence Day is one of the most  
9     important national holidays in India. The biggest event of the day  
10    takes place in Delhi, where the Prime Minister hoists the national  
11    flag at the Red Fort, delivers a nationally televised speech that  
12    highlights the achievements of the government, discusses current

1 issues and future plans for progress, and pays tribute to the leaders  
2 of India's struggle for freedom; and

3 WHEREAS, India's Independence Day is celebrated on August  
4 15 of each year to commemorate its independence. It was  
5 celebrated by 400 million Indians in 1947 and today is celebrated  
6 by over one billion people living in India and many people living  
7 in other parts of the world, including California, which is home to  
8 the largest population of Asian Indians in the United States; and

9 WHEREAS, The local community of people in California who  
10 hail from India, or with ancestral ties to India, continually  
11 demonstrate the greatness and beauty of their homeland, and their  
12 contributions are notable and reflect success in many industries  
13 and community activism; and

14 WHEREAS, Ever since August 15, 1947, India's nonviolent  
15 struggle for freedom, its rejection of terrorism and extremism, and  
16 its belief in democracy, tolerance, and the rule of law have been  
17 an inspiration and beacon of hope for people around the world;  
18 and

19 WHEREAS, India's example has had a profound effect on many  
20 countries, including the United States. Leaders of our civil rights  
21 movement, including Dr. Martin Luther King, Jr., spoke about the  
22 debt they owed to Mahatma Gandhi. Ties between our two peoples  
23 have never been stronger. The over three million members of the  
24 Indian American community are living examples of the bonds that  
25 bind our nations together, and their accomplishments have become  
26 well-known and admired in both countries; and

27 WHEREAS, This year, India became the world's most populous  
28 country, with over 1.425 billion people. India has long been the  
29 world's largest democracy by population, with more than one  
30 billion citizens who are eligible to vote; now, therefore, be it

31 *Resolved by the Assembly of the State of California, the Senate*  
32 *thereof concurring*, That the Legislature hereby recognizes August  
33 15, 2023, as India's Independence Day and urges all Californians  
34 to join in celebrating India's independence; 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.

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Date of Hearing: June 29, 2023

ASSEMBLY COMMITTEE ON RULES  
James Ramos, Chair  
ACR 90 (Kalra) – As Introduced June 1, 2023

**SUBJECT:** India's Independence Day.

**SUMMARY:** Recognizes August 15, 2023, as India's Independence Day, and urges all Californians to join in celebrating India's independence. Specifically, **this resolution** makes the following legislative findings:

- 1) As the day began on August 15, 1947, at the stroke of midnight, the first Prime Minister of India, Jawaharlal Nehru, gave his famous Tryst with Destiny speech proclaiming India's independence. The Tryst with Destiny speech captured the essence of the nonviolent Indian freedom struggle against British colonial rule in India.
- 2) India's Independence Day is one of the most important national holidays in India. The biggest event of the day takes place in Delhi where the Prime Minister hoists the national flag at the Red Fort, delivers a nationally televised speech that highlights the achievements of the government, discusses current issues and future plans for progress, and pays tribute to the leaders of India's struggle for freedom.
- 3) India's Independence Day is celebrated on August 15 of each year to commemorate its independence. It was celebrated by 400 million Indians in 1947 and today is celebrated by over one billion people living in India, and many people living in other parts of the world, including California, which is home to the largest population of Asian Indians in the United States.
- 4) Ever since August 15, 1947, India's nonviolent struggle for freedom, its rejection of terrorism and extremism, and its belief in democracy, tolerance, and the rule of law have been an inspiration and beacon of hope for people around the world.
- 5) India's example has had a profound effect on many countries, including the United States. The over three million members of the Indian American community are living examples of the bonds that bind our nations together and their accomplishments have become well-known and admired in both countries.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on file

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

**Assembly Concurrent Resolution**

**No. 91**

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**Introduced by Assembly Member Kalra**

June 1, 2023

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Assembly Concurrent Resolution No. 91—Relative to California Hindu American Awareness and Appreciation Month.

LEGISLATIVE COUNSEL’S DIGEST

ACR 91, as introduced, Kalra. California Hindu American Awareness and Appreciation Month.

This measure would designate the month of October 2023 as California Hindu American Awareness and Appreciation Month. The measure would also recognize and acknowledge the significant contributions made by Californians of Hindu heritage to the state and seek to increase awareness and understanding of the Hindu American community.

Fiscal committee: no.

- 1 WHEREAS, California and the nation have been influenced by
- 2 the extraordinary cultural, ethnic, linguistic, and religious diversity
- 3 of its residents; and
- 4 WHEREAS, There is an estimated one billion Hindus
- 5 worldwide, and approximately 2,230,000 Hindu Americans live
- 6 across the nation; and
- 7 WHEREAS, California is home to the largest Hindu American
- 8 population in the United States; and
- 9 WHEREAS, Hindu Americans in California represent diverse
- 10 ethnic backgrounds, including individuals of Indian, Pakistani,

1 Bangladeshi, Malaysian, Indonesian, Afghani, Nepali, Bhutanese,  
2 Sri Lankan, Fijian, Caribbean, and European descent; and

3 WHEREAS, California and our nation have greatly benefited  
4 from Hindu Americans, especially through the Vedanta philosophy,  
5 Ayurvedic medicine, classical Indian art, dance, music, meditation,  
6 yoga, literature, and community service; and

7 WHEREAS, The year 2023 marks the 130th anniversary of  
8 when Hinduism was officially introduced to the United States by  
9 Swami Vivekananda in 1893 at the World's Parliament of  
10 Religions in the City of Chicago, and the 123rd anniversary of  
11 when he founded the Vedanta Society in the City of San Francisco,  
12 California, in 1900; and

13 WHEREAS, Hindus are primarily an immigrant community  
14 and first started immigrating to California and the United States  
15 in the early 1900s, and came in increasing numbers after the lifting  
16 of the Asian Exclusion Act of 1924 in 1943 and the abolishment  
17 of quotas for immigrants based on national origin in 1965; and

18 WHEREAS, Most Hindu immigrants have come to the United  
19 States as students, in search of better economic opportunities, or  
20 to unite with family members, while others have arrived in this  
21 country after facing religious persecution in their countries of  
22 origin; and

23 WHEREAS, Hindu Americans and the Vedanta philosophy  
24 have significantly influenced notable intellectuals such as President  
25 John Adams, Henry David Thoreau, Ralph Waldo Emerson, Walt  
26 Whitman, J.D. Salinger, Christopher Isherwood, Aldous Huxley,  
27 Huston Smith, and Joseph Campbell; and

28 WHEREAS, The first Hindu temple in the United States was  
29 built in San Francisco, California, and at the dedication of the  
30 temple on January 7, 1906, it was proclaimed to be the "First Hindu  
31 Temple in the Whole Western World"; and

32 WHEREAS, There are now over 120 Hindu temples, religious  
33 centers, and cultural centers throughout California, and the greater  
34 bay area is home to over 40 of those temples and centers; and

35 WHEREAS, Hindu Americans have greatly enriched  
36 California's higher education university systems by teaching  
37 numerous students, especially in the academic fields of  
38 astrophysics, computer science, engineering, law, planetary science,  
39 psychology, and neuroscience, and a majority of Hindu Americans  
40 are in high-skill occupations; and



1 WHEREAS, Seventy-seven percent of Hindu American adults  
2 have a college degree and nearly 50 percent of Hindu American  
3 adults have a postgraduate degree, according to the Pew Research  
4 Center; and

5 WHEREAS, Hindu Americans share the entrepreneurial spirit  
6 of America and contribute to California’s economic vitality, having  
7 been pioneers and leaders in Silicon Valley and founding several  
8 of its early startups. Hindu Americans are estimated to be employed  
9 in 40 percent of startups in Silicon Valley; and

10 WHEREAS, Hindu Americans have also contributed to many  
11 of California’s economic sectors and have particularly excelled in  
12 the areas of business, law, politics, information technology,  
13 medicine, and science; and

14 WHEREAS, Hindu Americans now serve in various levels of  
15 government across the state and nation, including four Members  
16 in the United States House of Representatives; and

17 WHEREAS, California Hindu temples, organizations, and  
18 individuals actively engage in seva, a Sanskrit word for selfless  
19 service, towards their fellow human beings through charity, public  
20 service, and the provision of free medical and legal services; and

21 WHEREAS, Ahimsa, which is the Sanskrit word for noninjury  
22 or nonviolence, is a central principle for Hindu Americans in  
23 California, and it provides the ethical foundation for vegetarianism,  
24 environmentalism, and harmonious living; and

25 WHEREAS, Hindu Americans in cities throughout California  
26 celebrate numerous holidays and festivals, such as Diwali, which  
27 celebrates the victory of good over evil and knowledge over  
28 ignorance; and

29 WHEREAS, Hindu Americans promote the ideals of tolerance,  
30 pluralism, and religious freedom, which are inherent in their beliefs  
31 and respect the diversity of all faiths, and the Vedas, the  
32 5,000-year-old texts of Hindu Americans, provide the basis for  
33 these core principles: “Truth is one, the wise call it by many  
34 names” (Ekam sat viprah bahudha vadanti); and

35 WHEREAS, Despite their positive contributions to California  
36 and this nation, Hindu Americans face stereotypes and  
37 misconceptions about their heritage and have been the targets of  
38 bullying, discrimination, hate speech, and bias-motivated crimes;  
39 and

1 WHEREAS, Hindu American religious symbols have been  
2 misunderstood, including the sacred swastika, which translates to  
3 “all is well” in Sanskrit and has been used in religious observances  
4 for over 4,000 years; and

5 WHEREAS, Many Hindus and their families in California and  
6 the United States face an uncertain future in this country due to  
7 inequitable immigration policies and decades-long backlogs for  
8 green cards; and

9 WHEREAS, In June 2021, the Understanding Hinduphobia  
10 Initiative developed a working definition of Hinduphobia as “a set  
11 of antagonistic, destructive, and derogatory attitudes and behaviors  
12 towards Sanatana Dharma (Hinduism) and Hindus that may  
13 manifest as prejudice, fear, or hatred”; and

14 WHEREAS, There have been documented instances of  
15 anti-Hindu hate crimes against Hindu Americans over the last few  
16 decades in many parts of the country, especially on college  
17 campuses, in parallel with the rise of Hinduphobia; and

18 WHEREAS, According to the Federal Bureau of Investigations  
19 Hate Crimes Statistics Report, crimes targeting Hindu Americans  
20 are on the rise; and

21 WHEREAS, In July 2022, a report released by Rutgers  
22 University titled “Anti-Hindu Disinformation: A Case Study of  
23 Hinduphobia on Social Media” detailed how hate messages in  
24 social media translate into real-life threats for people of the Hindu  
25 faith; and

26 WHEREAS, One in three Hindu American students reported  
27 that they have been bullied in school for their religious beliefs  
28 according to the Hindu American Foundation’s 2015 study on  
29 bullying and bias against Hindu students; and

30 WHEREAS, Hinduphobia is exacerbated and institutionalized  
31 by some in academia who support the dismantling of Hinduism  
32 and accuse its sacred texts and cultural practices of violence and  
33 oppression; now, therefore, be it

34 *Resolved by the Assembly of the State of California, the Senate*  
35 *thereof concurring*, That the Legislature hereby designates the  
36 month of October 2023 as California Hindu American Awareness  
37 and Appreciation Month; and be it further

38 *Resolved*, That the Legislature recognizes and acknowledges  
39 the significant contributions made by Californians of Hindu  
40 heritage to our state, and by adoption of this resolution, seeks to

- 1 increase awareness and understanding of the Hindu American
- 2 community; and be it further
- 3 *Resolved*, That the Chief Clerk of the Assembly transmit copies
- 4 of this resolution to the author for appropriate distribution.

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Date of Hearing: June 29, 2023

ASSEMBLY COMMITTEE ON RULES  
James Ramos, Chair  
ACR 91 (Kalra) – As Introduced June 1, 2023

**SUBJECT:** California Hindu American Awareness and Appreciation Month.

**SUMMARY:** Designates the month of October 2023 as California Hindu American Awareness and Appreciation Month, recognizes the significant contributions made by Californians of Hindu heritage to the state, and seeks to increase awareness and understanding of the Hindu American community. Specifically, **this resolution** makes the following legislative findings:

- 1) There is an estimated one billion Hindus worldwide, and more than 2.23 million Hindu Americans live across the nation. California is home to the largest Hindu American population in the United States.
- 2) Hindu Americans in California represent diverse ethnic backgrounds, including individuals of Indian, Pakistani, Bangladeshi, Malaysian, Indonesian, Afghani, Nepali, Bhutanese, Sri Lankan, Fijian, Caribbean, and European descent.
- 3) California and our nation have greatly benefited from Hindu Americans, especially through the Vedanta philosophy, Ayurvedic medicine, classical Indian art, dance, music, meditation, yoga, literature, and community service.
- 4) Hindu Americans have greatly enriched California's higher education university systems by teaching numerous students, especially in the academic fields of astrophysics, computer science, engineering, law, planetary science, psychology, and neuroscience.
- 5) Hindu Americans share the entrepreneurial spirit of America and contribute to California's economic vitality, having been pioneers and leaders in Silicon Valley and founding several of its early startups. Hindu Americans are estimated to be employed in 40 percent of startups in Silicon Valley.
- 6) Hindu Americans now serve in various levels of government across the state and nation, including four Members in the United States House of Representatives.
- 7) Ahimsa, which is the Sanskrit word for noninjury or nonviolence, is a central principle for Hindu Americans in California, and it provides the ethical foundation for vegetarianism, environmentalism, and harmonious living.
- 8) Despite their positive contributions to California and this nation, Hindu Americans face stereotypes and misconceptions about their heritage and have been the targets of bullying, discrimination, hate speech, and bias-motivated crimes.
- 9) Hindu Americans promote the ideals of tolerance, pluralism, and religious freedom, which are inherent to their beliefs and respect the diversity of all faiths.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on file

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

**Assembly Concurrent Resolution**

**No. 97**

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**Introduced by Assembly Member Ward**

June 14, 2023

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Assembly Concurrent Resolution No. 97—Relative to Sudden Infant Death Syndrome (SIDS) Awareness Month.

LEGISLATIVE COUNSEL’S DIGEST

ACR 97, as introduced, Ward. Sudden Infant Death Syndrome (SIDS) Awareness Month.

This measure would declare the month of October 2023 as Sudden Infant Death Syndrome (SIDS) Awareness Month.

Fiscal committee: no.

- 1 WHEREAS, During the month of October, Sudden Infant Death  
2 Syndrome (SIDS) Awareness Month is observed to encourage  
3 parents to increase their awareness of SIDS, the sudden death of  
4 an infant younger than one year of age that cannot be explained  
5 even after a full investigation that includes a complete autopsy,  
6 examination of the death scene, and review of the clinical history;  
7 and  
8 WHEREAS, Each year in the United States, approximately  
9 3,400 babies die suddenly and unexpectedly. These unexpected  
10 deaths fall under an umbrella term known as Sudden Unexpected  
11 Infant Death (SUID); and  
12 WHEREAS, SIDS makes up one-half of all SUID cases; and  
13 WHEREAS, SIDS is the leading cause of death among babies  
14 between one month and one year of age; and

1 WHEREAS, Approximately 1,389 deaths in the United States  
2 were due to SIDS in 2020; and

3 WHEREAS, While trends in deaths from SUID and SIDS have  
4 been on a downward trajectory since 1990, parents must remain  
5 vigilant by creating an environment that reduces the likelihood of  
6 these events occurring; and

7 WHEREAS, Parents can do their part in prevention by  
8 implementing safe sleep methods for their babies; and

9 WHEREAS, Safe sleep means putting the baby to sleep in ways  
10 that can help protect them from dangers such as choking,  
11 suffocation, and SIDS; and

12 WHEREAS, Parents should put their baby to sleep on its back  
13 on a flat, firm surface until they are one year of age; and

14 WHEREAS, Parents should put their baby to sleep in their own  
15 crib or bassinet; and

16 WHEREAS, Parents should dress their baby in light sleep  
17 clothes, not cover the baby's head, and remove any strings or ties;  
18 and

19 WHEREAS, Swaddling is when you wrap a light blanket around  
20 your baby so that it covers most of their body below the neck; and

21 WHEREAS, It is safe to swaddle your baby for sleep until they  
22 can roll over onto their tummy. But once they can roll over, stop  
23 swaddling. A swaddled baby who is placed on, or rolls onto, their  
24 tummy while sleeping may be more likely to experience SIDS;  
25 and

26 WHEREAS, Parents may give their baby a pacifier as it may  
27 help protect against SIDS. If you are breastfeeding, wait until your  
28 baby is three to four weeks of age or until they are used to  
29 breastfeeding before giving a pacifier. If your baby will not take  
30 a pacifier, do not force it. It is OK if the pacifier falls out of your  
31 baby's mouth during sleep. Do not hang the pacifier around your  
32 baby's neck or attach the pacifier to your baby's clothing or a  
33 stuffed animal. Give your baby a pacifier for naps and at bedtime;  
34 and

35 WHEREAS, Parents should ensure their baby gets all their  
36 vaccinations; and

37 WHEREAS, Parents must not smoke and should keep their baby  
38 away from other smokers and secondhand smoke because babies  
39 who live with smokers are at increased risk of SIDS; and

1 WHEREAS, Parents should not drink alcohol or use harmful  
2 drugs during pregnancy. Babies of mothers who do these things  
3 are at increased risk of SIDS; and

4 WHEREAS, Mothers should go to all prenatal care checkups  
5 during pregnancy. Babies of mothers who do not get regular  
6 prenatal care are at increased risk of SIDS; and

7 WHEREAS, Parents should not use sleep positioners, like nests  
8 or antiroll pillows. They can cause the baby to stop breathing; and

9 WHEREAS, Parents should keep crib bumpers, loose bedding,  
10 toys, and other soft objects out of the baby’s crib; and

11 WHEREAS, President Biden signed the federal Safe Sleep for  
12 Babies Act of 2021 (Public Law 117-126) into law, which prohibits  
13 the manufacture and sale of crib bumpers or inclined sleepers for  
14 infants; and

15 WHEREAS, If parents follow these simple suggestions, they  
16 can increase the likelihood that their newborn will avoid instances  
17 of SIDS or SUID, and continue on with their life; now, therefore,  
18 be it

19 *Resolved by the Assembly of the State of California, the Senate*  
20 *thereof concurring*, That the Legislature declares the month of  
21 October 2023 as Sudden Infant Death Syndrome (SIDS) Awareness  
22 Month in California and commends this observation to all of our  
23 citizens; and be it further

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

O



Date of Hearing: June 29, 2023

ASSEMBLY COMMITTEE ON RULES  
James Ramos, Chair  
ACR 97 (Ward) – As Introduced June 14, 2023

**SUBJECT:** Sudden Infant Death Syndrome (SIDS) Awareness Month.

**SUMMARY:** Declares the month of October 2023 as Sudden Infant Death Syndrome (SIDS) Awareness Month in California. Specifically, **this resolution** makes the following legislative findings:

- 1) Each year in the United States, approximately 3,400 babies die suddenly and unexpectedly. These unexpected deaths fall under an umbrella term known as Sudden Unexpected Infant Death (SUID). SIDS makes up one-half of all SUID cases, and is the leading cause of death among babies between one month and one year of age.
- 2) While trends in deaths from SUID and SIDS have been on a downward trajectory since 1990, parents must remain vigilant by creating an environment that reduces the likelihood of these events occurring. Parents can do their part in prevention by implementing safe sleep methods for their babies.
- 3) Safe sleep means putting the baby to sleep in ways that can help protect them from dangers such as choking, suffocation, and SIDS. Parents should put their baby to sleep on its back on a flat, firm surface until they are one year of age.
- 4) Mothers should go to all prenatal care checkups during pregnancy. Babies of mothers who do not get regular prenatal care are at increased risk of SIDS.
- 5) Parents should not use sleep positioners, like nests or antiroll pillows. They can cause the baby to stop breathing. Parents should keep crib bumpers, loose bedding, toys, and other soft objects out of the baby's crib.
- 6) President Biden signed the federal Safe Sleep for Babies Act of 2021 (Public Law 117-126) into law, which prohibits the manufacture and sale of crib bumpers or inclined sleepers for infants.
- 7) If parents follow simple suggestions, they can increase the likelihood that their newborn will avoid instances of SIDS or SUID, and continue on with their life.
- 8) During the month of October, Sudden Infant Death Syndrome (SIDS) Awareness Month is observed to encourage parents to increase their awareness of SIDS.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on file

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

**Assembly Concurrent Resolution**

**No. 100**

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**Introduced by Assembly Members Kalra and Bains**

June 21, 2023

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Assembly Concurrent Resolution No. 100—Relative to California’s Sikh American Awareness and Appreciation Month.

LEGISLATIVE COUNSEL’S DIGEST

ACR 100, as introduced, Kalra. California’s Sikh American Awareness and Appreciation Month.

This measure would designate the month of November 2023 to be California’s Sikh American Awareness and Appreciation Month. The measure would recognize and acknowledge the significant contributions made by Californians of Sikh heritage to our state and would seek to afford all Californians the opportunity to better understand, recognize, and appreciate the rich history and shared principles of Sikh Americans. The measure would condemn all hate crimes and bias incidents against Sikh Americans and would encourage all Sikhs to practice their faith freely and fearlessly.

Fiscal committee: no.

- 1 WHEREAS, California and our nation are at once blessed and
- 2 enriched by the unparalleled diversity of our residents; and
- 3 WHEREAS, Sikhs, who originated in the Punjab region of South
- 4 Asia, first entered California in 1899 through the Angel Island
- 5 Immigration Station in San Francisco, California; and
- 6 WHEREAS, The Sikh pioneers initially worked on railroad
- 7 construction projects and in lumber mills; and

1 WHEREAS, By 1910, these pioneers turned to farming in the  
2 Sacramento, San Joaquin, and Imperial Valleys; and

3 WHEREAS, On October 14, 1912, the first Sikh house of  
4 worship (gurdwara) in the United States, the Stockton Sikh Temple,  
5 was founded by Jawala Singh and Wasakha Singh. The following  
6 year, the congregation formed the Pacific Coast Khalsa Diwan  
7 Society; and

8 WHEREAS, There are now more than 300 known gurdwaras  
9 in the United States, 58 of which are in California, including the  
10 Gurdwara Sahib of San Jose, the largest gurdwara in North  
11 America; and

12 WHEREAS, The Stockton Record, dated November 22, 1915,  
13 quoted the gurdwara's elected leadership declaring, "We do not  
14 permit our people to become charges on public charity. If a man  
15 is hungry and out of funds, we feed him. Our dining room is open  
16 at all hours of the day and is closed only for a few hours during  
17 the night"; and

18 WHEREAS, Legislation to authorize Sikhs and other East Indian  
19 immigrants to naturalize as United States citizens was not enacted  
20 until 1946; and

21 WHEREAS, On January 1, 1912, Jawala Singh and Wasakha  
22 Singh, who migrated to California through Angel Island in 1908  
23 and served as the founding Granthis (religious leader) of the  
24 Stockton Sikh Temple, recognized the value of education and  
25 started six Guru Govind Singh Sahib Educational Scholarships at  
26 the University of California, Berkeley; and

27 WHEREAS, These scholarships were awarded without regard  
28 to ethnicity or religion and the first awardees included three  
29 Hindus, one Christian, one Sikh, and one Muslim; and

30 WHEREAS, Board and lodging was provided at the students'  
31 home at 1731 Allston Way, Berkeley, where smoking and drinking  
32 were prohibited; and

33 WHEREAS, On November 1, 1913, The Ghadar, the first  
34 Punjabi-language newspaper in the United States, was published  
35 by Kartar Singh Sarabha, who was then 17 years of age, with  
36 financial support from the Stockton Sikh Temple; and

37 WHEREAS, On December 31, 1913, Jawala Singh and Wasakha  
38 Singh organized the Ghadri Conclave in Sacramento to form the  
39 Ghadar Party to overthrow the British colonial rulers of the Indian  
40 subcontinent; and

1 WHEREAS, The Ghadar Party sent 616 of its members to India,  
2 of whom 86 percent were Sikhs; and

3 WHEREAS, Homage is paid to them annually at a dozen  
4 different gatherings called melas from Sacramento, California, to  
5 Bakersfield, California; and

6 WHEREAS, Sikh history and culture is represented in the Asian  
7 Art Museum in the City of San Francisco, in the Smithsonian  
8 Museum in Washington, D.C., in the Sutter County Museum, and  
9 in the museum at the Stockton Sikh Temple; and

10 WHEREAS, Sikh farmers contribute abundantly towards  
11 production of peaches, raisins, grapes, almonds, pistachios, okra,  
12 and other specialized crops of fruits, vegetables, and nuts; and

13 WHEREAS, Sikhs have also excelled in security services and  
14 transportation services, as doctors, attorneys, engineers, teachers,  
15 and small business owners, and in other notable capacities; and

16 WHEREAS, Dalip Singh Saund, a Sikh who was born in Punjab,  
17 India, earned a Ph.D. from the University of California, Berkeley,  
18 in 1924, initially worked as a foreman of cotton pickers in the  
19 Imperial Valley, and later became a farmer, played a major role  
20 in raising the funds needed to lobby for the Luce-Celler Act of  
21 1946 that enabled him and others to naturalize as citizens, and  
22 served as an elected judge in the Westmoreland County Judicial  
23 District from 1952 to 1956, before becoming the first Asian  
24 American elected to the United States Congress, wherein he served  
25 three terms from 1957 to 1963; and

26 WHEREAS, Sikh Americans have served and continue to serve  
27 as mayors and council members of many California cities; and

28 WHEREAS, Sikhs have served in all American wars since  
29 World War I, including Bhagat Singh Thind, a Sikh born in Punjab,  
30 India, who was a United States veteran of World War I and an  
31 Indian independence activist whose quest for naturalization has  
32 been a key part of the long struggle to remove racial barriers to  
33 United States citizenship by fighting his citizenship case in the  
34 United States Supreme Court in 1923; and

35 WHEREAS, Narinder Singh Kapany of Palo Alto, a Sikh born  
36 in Punjab, India, is an accomplished scientist and inventor who  
37 has been awarded over 100 patents that spurred advances in lasers,  
38 biomedical instrumentation, pollution monitoring, and solar energy,  
39 and is widely acknowledged to be the father of fiber optics, a

1 technology that has allowed for high-speed digital communication;  
2 and

3 WHEREAS, The City of Yuba City, often called “Mini-Punjab”  
4 because of its 10 percent Punjabi population, commemorates the  
5 inauguration of the holy Sikh scripture, Sri Guru Granth Sahib, on  
6 the first Sunday of November, rain or shine, and this international  
7 event has in recent years attracted up to 100,000 participants from  
8 all over the United States, Canada, and elsewhere abroad; and

9 WHEREAS, Sikh Americans throughout California celebrate  
10 the coronation of Sikh scripture and other Sikh festivals at the  
11 gurdwaras and through parades in cities across California and the  
12 United States; and

13 WHEREAS, Since the FBI first began tracking anti-Sikh hate  
14 crimes in 2015, Sikhs have been among the top five most targeted  
15 faith groups, and research conducted by the Sikh community shows  
16 that Sikh students, particularly those who carry the identity,  
17 experience bullying at rates twice the national average; and

18 WHEREAS, The faithful service of the Sikh American  
19 community to this state and country merits appreciation as an  
20 integral thread in the fabric of American plurality; now, therefore,  
21 be it

22 *Resolved by the Assembly of the State of California, the Senate*  
23 *thereof concurring,* That the Legislature hereby designates the  
24 month of November 2023 to be California’s Sikh American  
25 Awareness and Appreciation Month; and be it further

26 *Resolved,* That the Legislature recognizes and acknowledges  
27 the significant contributions made by Californians of Sikh heritage  
28 to our state, and by adoption of this resolution, seeks to afford all  
29 Californians the opportunity to better understand, recognize, and  
30 appreciate the rich history, military service, and shared principles  
31 of Sikh Americans; and be it further

32 *Resolved,* That the Legislature condemns all hate crimes and  
33 bias incidents against Sikh Americans and encourages all Sikhs  
34 to practice their faith freely and fearlessly; 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 to the  
37 Members of the Legislature, members of the California Sikh

- 1 American community, and other interested organizations or
- 2 persons.

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Date of Hearing: June 29, 2023

ASSEMBLY COMMITTEE ON RULES  
James Ramos, Chair  
ACR 100 (Kalra) – As Introduced June 21, 2023

**SUBJECT:** California’s Sikh American Awareness and Appreciation Month.

**SUMMARY:** Designates the month of November 2023 as California’s Sikh American Awareness and Appreciation Month; and, recognizes and acknowledges the significant contributions Californians of Sikh heritage have made to the state. Specifically, **this resolution** makes the following legislative findings:

- 1) California and our nation are at once blessed and enriched by the unparalleled diversity of our residents. Sikhs, who originated in Punjab, India, first entered California in 1899 through the Angel Island Immigration Station in San Francisco, California.
- 2) Sikh pioneers initially worked on railroad construction projects and in lumber mills, but by 1910, these pioneers turned to farming in the Sacramento, San Joaquin, and Imperial Valleys.
- 3) On October 14, 1912, the first Sikh house of worship (gurdwara) in the United States, the Stockton Sikh Temple, was founded by Jawala Singh and Wasakha Singh. There are now more than 220 known gurdwaras in the United States, 58 of which are in California, including the Gurdwara Sahib of San Jose, the largest gurdwara in North America.
- 4) On December 31, 1913, Jawala Singh and Wasakha Singh organized the Ghadri Conclave in Sacramento to form the Ghadar Party to overthrow the British colonial rulers of the Indian subcontinent. The Ghadar Party sent 616 of its members to India, of whom 86 percent were Sikhs.
- 5) Sikh history and culture is represented in the Asian Art Museum in San Francisco, in the Smithsonian Museum in Washington, D.C., in the Community Memorial Museum of Sutter County, and in the museum at the Stockton Sikh Temple.
- 6) Sikh farmers contribute abundantly towards production of peaches, raisins, grapes, almonds, pistachios, okra, and other specialized crops of fruits, vegetables, and nuts. Sikhs have also excelled in security services and transportation services, as doctors, attorneys, engineers, teachers, and small business owners. Sikh Americans have served and continue to serve as mayors and council members of many California cities.
- 7) The faithful service of the Sikh American community to this state and country merits appreciation as an integral thread in the fabric of American plurality.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file



**Opposition**

None on file

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

**Assembly Concurrent Resolution**

**No. 101**

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**Introduced by Assembly Member Wallis**

June 26, 2023

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Assembly Concurrent Resolution No. 101—Relative to outdoor workers.

LEGISLATIVE COUNSEL’S DIGEST

ACR 101, as introduced, Wallis. Outdoor workers.

This measure would recognize July 17, 2023, to July 23, 2023, as Outdoor Worker Appreciation Week.

Fiscal committee: no.

1 WHEREAS, Outdoor workers provide many essential services  
2 throughout California; and

3 WHEREAS, Industries like emergency services, landscaping,  
4 renewable energy, public utilities, agriculture, professional sports,  
5 tourism, and construction depend heavily upon the labor of outdoor  
6 workers; and

7 WHEREAS, In addition to the physical hardships, outdoor work  
8 is particularly difficult in the summer months when temperatures  
9 regularly exceed 90 degrees Fahrenheit and reach up to 120 degrees  
10 Fahrenheit in desert regions; and

11 WHEREAS, Outdoor workers who provide vital services to  
12 Californians during these months face heightened risk for heat  
13 illness, smoke exposure, and heat-related death, much of which is  
14 related to climate change; and

15 WHEREAS, In the last decade, the United States Bureau of  
16 Labor Statistics reported 344 worker deaths due to environmental

1 heat exposure, and workplace safety experts believe that the actual  
2 number of heat-related fatalities may be underreported or  
3 misreported as another cause, such as heart attacks; and

4 WHEREAS, Employers are now required to protect outdoor  
5 workers by providing adequate rest time, water, and shade during  
6 the summer; and

7 WHEREAS, The City of Palm Desert, upon the initiative of  
8 local companies, hosted a successful citywide event providing  
9 food, water, and cooling neck gaiters for outdoor workers on July  
10 22, 2022, to show community appreciation—an event that was  
11 extensively covered by news media and successfully raised local  
12 awareness; and

13 WHEREAS, Outdoor workers tirelessly dedicate their efforts  
14 to maintaining and improving our communities, while facing  
15 numerous challenges, including exposure to extreme weather  
16 conditions, physical exertion, and occupational hazards; and

17 WHEREAS, The contributions of outdoor workers often go  
18 unnoticed and underappreciated, despite their indispensable role  
19 in the daily lives of all Californians; and

20 WHEREAS, Recognition and appreciation of outdoor workers  
21 promotes better working conditions, safety, and productivity; now,  
22 therefore, be it

23 *Resolved by the Assembly of the State of California, the Senate*  
24 *thereof concurring*, That the Legislature recognizes July 17, 2023,  
25 to July 23, 2023, as Outdoor Worker Appreciation Week to raise  
26 awareness of the significant role of outdoor workers, who display  
27 unwavering commitment and dedication to their professions; and  
28 be it further

29 *Resolved*, That local jurisdictions are recommended to follow  
30 the example of the City of Palm Desert by recognizing and  
31 honoring the outdoor workers who provide their services; and be  
32 it further

33 *Resolved*, That all Californians, businesses, and organizations  
34 are encouraged to recognize and honor the invaluable contributions  
35 of outdoor workers by expressing their gratitude and admiration  
36 for them and taking actions that promote their well-being and  
37 safety; 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 29, 2023

ASSEMBLY COMMITTEE ON RULES  
James Ramos, Chair  
ACR 101 (Wallis) – As Introduced June 26, 2023

**SUBJECT:** Outdoor workers.

**SUMMARY:** Recognizes July 17, 2023, to July 23, 2023, as Outdoor Worker Appreciation Week to raise awareness of the significant role of outdoor workers. Specifically, **this resolution** makes the following legislative findings:

- 1) Outdoor workers provide many essential services throughout California. Industries like emergency services, landscaping, renewable energy, public utilities, agriculture, professional sports, tourism, and construction depend heavily upon the labor of outdoor workers.
- 2) In addition to the physical hardships, outdoor work is particularly difficult in the summer months when temperatures regularly exceed 90 degrees Fahrenheit and reach up to 120 degrees Fahrenheit in desert regions.
- 3) Outdoor workers who provide vital services to Californians during these months face heightened risk for heat illness, smoke exposure, and heat-related death, much of which is related to climate change. Employers are now required to protect outdoor workers by providing adequate rest time, water, and shade during the summer.
- 4) The City of Palm Desert, upon the initiative of local companies, hosted a successful citywide event providing food, water, and cooling neck gaiters for outdoor workers on July 22, 2022, to show community appreciation—an event that was extensively covered by news media and successfully raised local awareness.
- 5) Outdoor workers tirelessly dedicate their efforts to maintaining and improving our communities, while facing numerous challenges, including exposure to extreme weather conditions, physical exertion, and occupational hazards.
- 6) The contributions of outdoor workers often go unnoticed and underappreciated, despite their indispensable role in the daily lives of all Californians. Recognition and appreciation of outdoor workers promotes better working conditions, safety, and productivity.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on file

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

**Assembly Concurrent Resolution**

**No. 102**

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**Introduced by Assembly Members Cervantes and Luz Rivas**  
(Principal coauthors: Senators Gonzalez and Padilla)

June 27, 2023

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Assembly Concurrent Resolution No. 102—Relative to California Lowrider Day.

LEGISLATIVE COUNSEL’S DIGEST

ACR 102, as introduced, Cervantes. California Lowrider Day.

This measure would celebrate the history and culture of lowriding and cruising, encourage local officials and law enforcement to work with local car clubs to conduct safe cruising events, and declare the first Sunday of summer to be observed as California Lowrider Day.

Fiscal committee: no.

- 1 WHEREAS, One of California’s proudest traits is the plethora  
2 of rich, diverse cultures residing within the state, and California’s  
3 Latino community, being one of the largest in the country, has  
4 contributed to the state’s flourishing in countless ways; and  
5 WHEREAS, Lowriders, classic cars equipped with various  
6 hydraulic and visual modifications, originated in our own state in  
7 the mid-1940s in the City of Los Angeles, and grew alongside the  
8 Chicano movement in the 1960s; and  
9 WHEREAS, Lowriding originated largely in the 1960s in the  
10 City of Los Angeles, at the time when Mexican American culture  
11 in the United States and those displaying Chicano identities were  
12 impacted by inequality, segregation, and resistance; and

1 WHEREAS, As Mexican Americans began collectively  
2 reimagining their identity during the Chicano movement in the  
3 1970s, lowriders took on a formalized political statement; and

4 WHEREAS, Chicanos took this opportunity to create custom  
5 cars utilizing scraps and spare parts typically found in junkyards;  
6 and

7 WHEREAS, During the Chicano art movement, many Chicanos  
8 chose to express their cultural values, histories, folklore, personal  
9 stories, and religious beliefs through the delicately created artistry  
10 found throughout their vehicles; and

11 WHEREAS, Car clubs, which were forming then, began offering  
12 community services, such as fundraising for the United Farm  
13 Workers labor union and hosting health initiatives; and

14 WHEREAS, The lowrider culture has evolved into giving back  
15 to others and a strong sense of unity as a means of asserting a sense  
16 of ownership over Latino culture; and

17 WHEREAS, Lowriders challenge erasure, containment, and  
18 class immobility histories to emphasize the politics of presence  
19 portrayed in lowrider interior and exterior adornment of the cars;  
20 and

21 WHEREAS, By being visible, lowriders have the power to reach  
22 communities outside of the barrios and show how Chicano  
23 identities and culture have formed as a result of discriminatory  
24 segregation; and

25 WHEREAS, The lowriding practices serve to change the hurdles  
26 of mobility, correspond to experienced limitations, and allow for  
27 the ability to express and facilitate preferred forms of comradery;  
28 and

29 WHEREAS, Lowrider car culture has created an alternate  
30 cultural space for performance, participation, and interpretation  
31 that allows for the challenging of norms and stereotypes that have  
32 been plaguing our Latino community while asserting cultural  
33 identity and defying racial discrimination and class identification;  
34 and

35 WHEREAS, Pachucas and other Mexican American women  
36 were not acknowledged in the Chicano movement; and

37 WHEREAS, Women have always had a prominent role in the  
38 lowrider car scene, where they were able to challenge men who  
39 have usually predetermined their place to be in the passenger seat;  
40 and

1 WHEREAS, This outdated thinking excluded women from the  
2 driver’s seat and has increased the women’s car clubs as a space  
3 for women who want to drive and work on their own lowrider cars  
4 so that other young women can see that it is possible for women  
5 to be behind the wheel, too; and

6 WHEREAS, It is today that we recognize the lowrider culture  
7 and shift our point of view to one of appreciation, celebration, and  
8 encouragement; and

9 WHEREAS, Cruises, coordinated “Low and Slow” drives with  
10 the purpose of showing others the work that has gone into a  
11 lowrider vehicle, have been widely attended events in the Latino  
12 community for decades; and

13 WHEREAS, Cruising ordinances were first enacted in the 1980s  
14 by several cities that unjustly correlated lowriders with street gangs  
15 and sideshows, and the lowrider community resurged  
16 post-COVID-19 pandemic. Leaders successfully achieved the  
17 repeal of cruising bans in the Cities of San Jose, Sacramento,  
18 Salinas, and San Diego; and

19 WHEREAS, Ushered in with the new generation of lowriders  
20 is also a renewed sense of celebration and diversity within the  
21 Latino community; and

22 WHEREAS, While cruising is most popular among Latinos,  
23 cruising is becoming increasingly popular among many other  
24 groups, including Armenians, African Americans, and Persians;  
25 and

26 WHEREAS, Car clubs are often engaged with their communities  
27 and collaborate with local law enforcement and elected officials  
28 to conduct toy drives, fundraisers, and other philanthropic  
29 activities; and

30 WHEREAS, Car clubs have participated in COVID-19 vaccine  
31 drives, raised money for local causes, raised awareness about the  
32 census count, engaged in activism, and advocated for the  
33 community; now, therefore, be it

34 *Resolved by the Assembly of the State of California, the Senate*  
35 *thereof concurring*, That the Legislature appreciates the cultural  
36 and artistic significance that lowriding and cruising has in  
37 California history and encourages all to take a moment to learn  
38 more about the rich history that surrounds lowriding and cruising;  
39 and be it further



1     *Resolved*, That the Legislature celebrates the history and culture  
2 of cruising and encourages local officials and law enforcement to  
3 work with local car clubs to conduct safe cruising events; and be  
4 it further

5     *Resolved*, That the Legislature declares the first Sunday of  
6 summer to be observed as California Lowrider Day; and be it  
7 further

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

O

Date of Hearing: June 29, 2023

ASSEMBLY COMMITTEE ON RULES  
James Ramos, Chair  
ACR 102 (Cervantes) – As Introduced June 27, 2023

**SUBJECT:** California Lowrider Day.

**SUMMARY:** Declares the first Sunday of summer to be observed as California Lowrider Day, to celebrate the history and culture of lowriding and cruising; and, to learn more about the rich history in California that surrounds lowriding and cruising. Specifically, **this resolution** makes the following legislative findings:

- 1) Lowriders, classic cars equipped with various hydraulic and visual modifications, originated in our own state in the mid-1940s in the City of Los Angeles, and grew alongside the Chicano movement in the 1960s.
- 2) Lowriding originated largely in the 1960s in the City of Los Angeles, at the time when Mexican American culture in the United States and those displaying Chicano identities were impacted by inequality, segregation, and resistance.
- 3) As Mexican Americans began collectively reimagining their identity during the Chicano movement in the 1970s, lowriders took on a formalized political statement. During the Chicano art movement, many Chicanos chose to express their cultural values, histories, folklore, personal stories, and religious beliefs through the delicately created artistry found throughout their vehicles.
- 4) Lowrider car culture has created an alternate cultural space for performance, participation, and interpretation that allows for the challenging of norms and stereotypes that have been plaguing California's Latino community while asserting cultural identity and defying racial discrimination and class identification.
- 5) Cruising ordinances were first enacted in the 1980s by several cities that unjustly correlated lowriders with street gangs and sideshows, and the lowrider community resurged post-COVID-19 pandemic. Leaders successfully achieved the repeal of cruising bans in the Cities of San Jose, Sacramento, Salinas, and San Diego.
- 6) Ushered in with the new generation of lowriders is also a renewed sense of celebration and diversity within the Latino community. While cruising is most popular among Latinos, cruising is becoming increasingly popular among many other groups, including Armenians, African Americans, and Persians.
- 7) Car clubs are often engaged with their communities and collaborate with local law enforcement and elected officials to conduct toy drives, fundraisers, and other philanthropic activities. Car clubs have participated in COVID-19 vaccine drives, raised money for local causes, raised awareness about the census count, engaged in activism, and advocated for the community.

- 8) It is important to appreciate the cultural and artistic significance that lowriding and cruising has in California history and to take a moment to learn more about the rich history that surrounds lowriding and cruising.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on file

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

AMENDED IN ASSEMBLY JUNE 21, 2023

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

**House Resolution**

**No. 43**

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**Introduced by Assembly Member Kalra  
(Principal coauthors: Assembly Members Lee and Quirk-Silva)**

June 1, 2023

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House Resolution No. 43—Relative to Diwali.

1 WHEREAS, Diwali, a festival of great significance to Indian  
2 Americans and South Asian Americans, is celebrated annually by  
3 Hindus, Sikhs, Buddhists, and Jains throughout the United States,  
4 and across the globe; and

5 WHEREAS, There are approximately 3,230,000 Hindus in the  
6 United States, nearly 2,000,000 of whom are of Indian and South  
7 Asian origin; and

8 WHEREAS, The word “Diwali” is a shortened version of the  
9 Sanskrit term “Deepavali,” which means “a row of lamps”; and

10 WHEREAS, Diwali, one of the world’s oldest religious holidays,  
11 brings together families, friends, and communities here in  
12 California, the United States, and around the globe in goodwill,  
13 peace, and a shared sense of renewal; and

14 WHEREAS, Diwali is a festival of lights during which  
15 celebrants light small oil lamps, place them around the home, and  
16 pray for health, knowledge, and peace; and

17 WHEREAS, Hindu celebrants of Diwali believe that the rows  
18 of lamps symbolize the light of knowledge and truth within the  
19 individual that signifies the destruction of all negative  
20 qualities—violence, anger, jealousy, ignorance, greed, fear, or

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1 suffering; in other words, Diwali celebrates the victory of good  
2 over evil; and

3 WHEREAS, Diwali falls on Sunday, November 12, this year  
4 in accordance with the lunar calendar and is celebrated by Hindus  
5 as a day of thanksgiving for the homecoming of Lord Rama and  
6 the beginning of the new year for many Hindus; and

7 WHEREAS, For Sikhs, Diwali ~~is feted as~~ *coincides with Bandi*  
8 *Chhor Divas, meaning Day of Liberation, marking the day that*  
9 *the sixth founding Sikh Guru, or revered teacher, Guru Hargobind,*  
10 *was released from captivity by the Mughal Emperor ~~Jahangir,~~*  
11 *Jahangir after wrongful imprisonment; and*

12 WHEREAS, For Jains, Diwali marks the anniversary of the  
13 attainment of moksha, or liberation, by Mahavira, the last of the  
14 Tirthankaras (the great teachers of Jain dharma), at the end of his  
15 life in 527 B.C.; and

16 WHEREAS, For Buddhists, especially Newar Buddhists, Diwali  
17 is commemorated as Ashok Vijayadashami, the day the great  
18 Emperor Ashoka embraced Buddhism as his faith; now, therefore,  
19 be it

20 *Resolved by the Assembly of the State of California, That the*  
21 *Assembly recognizes this year's Diwali festival on Sunday,*  
22 *November 12, 2023, and encourages Californians to take part in*  
23 *this joyous day of celebration; and be it further*

24 *Resolved, That the Assembly recognizes the religious and*  
25 *historical significance of the festival of Diwali and in observance*  
26 *of Diwali, the festival of lights, expresses its deepest respect for*  
27 *Indian Americans and the Indian diaspora throughout the world*  
28 *on this significant occasion; and be it further*

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

O

Date of Hearing: June 29, 2023

ASSEMBLY COMMITTEE ON RULES  
James Ramos, Chair  
HR 43 (Kalra) – As Introduced June 1, 2023

**SUBJECT:** Diwali.

**SUMMARY:** Recognizes this year’s Diwali festival on Sunday, November 12, 2023, encourages Californians to take part in this joyous day of celebration, and recognizes the religious and historical significance of the festival of Diwali. Specifically, **this resolution** makes the following legislative findings:

- 1) Diwali falls on Sunday, November 12, this year in accordance with the lunar calendar and is celebrated by Hindus as a day of thanksgiving for the homecoming of Lord Rama and the beginning of the new year for many Hindus.
- 2) Diwali, a festival of great significance to Indian Americans and South Asian Americans, is celebrated annually by Hindus, Sikhs, Buddhists, and Jains throughout the United States, and across the globe. The word “Diwali” is a shortened version of the Sanskrit term “Deepavali,” which means “a row of lamps”.
- 3) There are approximately 3.2 million Hindus in the United States, nearly 2 million of which are of Indian and South Asian origin.
- 4) Diwali, one of the world’s oldest religious holidays, brings together families, friends, and communities here in California, the United States, and around the globe in goodwill, peace, and a shared sense of renewal.
- 5) Diwali is a festival of lights during which celebrants light small oil lamps, place them around the home, and pray for health, knowledge, and peace.
- 6) Hindu celebrants of Diwali believe that the rows of lamps symbolize the light of knowledge and truth within the individual that signifies the destruction of all negative qualities— violence, anger, jealousy, ignorance, greed, fear, or suffering; in other words, Diwali celebrates the victory of good over evil.
- 7) For Sikhs, Diwali coincides with Bandi Chhor Divas, meaning Day of Liberation, marking the day that the sixth founding Sikh Guru, or revered teacher, Guru Hargobind, was released from captivity by the Mughal Emperor Jahangir after wrongful imprisonment.
- 8) For Jains, Diwali marks the anniversary of the attainment of moksha, or liberation, by Mahavira, the last of the Tirthankaras (the great teachers of Jain dharma), at the end of his life in 527 B.C.
- 9) For Buddhists, especially Newar Buddhists, Diwali is commemorated as Ashok Vijayadashami, the day the great Emperor Ashoka embraced Buddhism as his faith.

**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. 45**

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**Introduced by Assembly Member Stephanie Nguyen**

June 12, 2023

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House Resolution No. 45—Relative to probation.

1     WHEREAS, Probation professionals play a unique and essential  
2     role in our justice system and communities. Through transformative  
3     and evidence-based rehabilitation, probation helps justice-involved  
4     individuals transition out of the system permanently and onto a  
5     healthier and safer life path; and

6     WHEREAS, Probation departments are a connector in the justice  
7     systems and work to maximize the resources available within the  
8     courts, local governments, law enforcement, social services,  
9     behavioral health system, schools, crime survivor organizations,  
10    nonprofits and the community. Their work balances the need for  
11    accountability with the opportunity for justice-involved individuals  
12    to engage in rehabilitative treatment and services, providing them  
13    the support and opportunity to change their lives; and

14    WHEREAS, Probation officers are trained experts prepared to  
15    manage trauma and other needs of system-involved individuals  
16    and safely connect them to the supports they need to successfully  
17    transition back to our communities; and

18    WHEREAS, Probation departments in California support  
19    policies that further this focus and apply an equity lens to ensure  
20    these policies effectively address the diverse needs of those they  
21    serve; and

22    WHEREAS, Probation departments have a profound impact on  
23    the safety and health of our communities by working to tackle the  
24    underlying causes of crime and reduce recidivism. Their success



1 fosters a safer environment for all Californians to live and prosper;  
2 now, therefore, be it  
3 *Resolved by the Assembly of the State of California*, That the  
4 Assembly hereby proclaims July 16, 2023, to July 22, 2023,  
5 inclusive, as Probation Services Week; and be it further  
6 *Resolved*, That the Chief Clerk of the Assembly transmit copies  
7 of this resolution to the author for appropriate distribution.

O

Date of Hearing: June 29, 2023

ASSEMBLY COMMITTEE ON RULES  
James Ramos, Chair  
HR 45 (Stephanie Nguyen) – As Introduced June 12, 2023

**SUBJECT:** Probation.

**SUMMARY:** Proclaims July 16, 2023, to July 22, 2023, inclusive, as Probation Services Week. Specifically, **this resolution** makes the following legislative findings:

- 1) Probation professionals play a unique and essential role in our justice system and communities. Through transformative and evidence-based rehabilitation, probation helps justice-involved individuals transition out of the system permanently and onto a healthier and safer life path.
- 2) Probation departments are a connector in the justice systems and work to maximize the resources available within the courts, local governments, law enforcement, social services, behavioral health system, schools, crime survivor organizations, nonprofits and the community.
- 3) The work of probation departments balance the need for accountability with the opportunity for justice-involved individuals to engage in rehabilitative treatment and services, providing them the support and opportunity to change their lives.
- 4) Probation officers are trained experts prepared to manage trauma and other needs of system-involved individuals and safely connect them to the supports they need to successfully transition back to our communities.
- 5) Probation departments in California support policies that further this focus and apply an equity lens to ensure these policies effectively address the diverse needs of those they serve. They have a profound impact on the safety and health of our communities by working to tackle the underlying causes of crime and reduce recidivism. Their success fosters a safer environment for all Californians to live and prosper.

**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. 46**

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**Introduced by Assembly Member Ward**

June 14, 2023

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House Resolution No. 46—Relative to homeless service providers.

1 WHEREAS, More than 171,521 people are experiencing  
2 homelessness in California today, and our dedicated homeless  
3 service providers are working each day to help individuals and  
4 families end their episodes of homelessness; and

5 WHEREAS, Our homeless service providers are dedicated  
6 workers from public and nonprofit organizations driven by a  
7 mission to serve people and help our most vulnerable communities;  
8 and

9 WHEREAS, The homelessness crisis is a function of California’s  
10 housing crisis, and the most substantial challenge providers face  
11 is the severe lack of affordable housing; and

12 WHEREAS, The homeless services sector has coalesced around  
13 the Housing First model, a guiding principle pioneered by Dr. Sam  
14 Tsemberis in the City of New York during the 1990s, which is  
15 now a nationally recognized best practice for ending homelessness;  
16 and

17 WHEREAS, Homeless service providers rely on their staff to  
18 implement an array of housing interventions, all tailored to the  
19 specific needs of the person; and

20 WHEREAS, Providers deliver a range of supportive services  
21 directly to people experiencing homelessness who are unsheltered,  
22 including outreach, street medicine, food assistance, benefit  
23 enrollment, rapid rehousing, veteran programs, housing navigation,  
24 and many more; and

1 WHEREAS, Providers across the state deliver services and basic  
2 needs at both congregant and noncongregant interim housing sites,  
3 as the stability of a short stay in a safe environment will enable  
4 participants to secure affordable housing; and

5 WHEREAS, Permanent supportive housing, seen as the best  
6 housing intervention for many people experiencing homelessness,  
7 provides case management and supportive services from the  
8 comfort and safety of a person’s own home; and

9 WHEREAS, During the height of the COVID-19 pandemic,  
10 providers were implementing innovative state programs, Project  
11 Roomkey and later Homekey, to keep our unhoused neighbors  
12 safe and healthy, proving that their staff members are essential  
13 workers; and

14 WHEREAS, California has increased investments to support  
15 workforce numbers; however, due to providers’ strained operating  
16 budgets and our general increases in costs of living, many of the  
17 dedicated staff of homeless service providers earn low wages and  
18 could be on the brink of homelessness themselves; and

19 WHEREAS, Contracting difficulties, low pay, emotional trauma,  
20 and competition with private labor markets present major  
21 challenges for public and nonprofit service providers in hiring and  
22 retaining these essential staff; and

23 WHEREAS, The dismaying increase of people experiencing  
24 homelessness in recent years has led providers to shift focus and  
25 resources towards prevention programs, targeting specific at-risk  
26 populations, such as seniors, people of color, women, youth, and  
27 LGBTQ+ individuals; and

28 WHEREAS, The inherent diversity of the homeless service  
29 provider workforce and the increased goal of recruiting more  
30 individuals with lived expertise improves the efficacy of the state’s  
31 homelessness response system, as staff are more representative of  
32 the unhoused population they serve; and

33 WHEREAS, Homeless service providers help participants, many  
34 of whose lives have been upended by trauma, move past these  
35 difficult circumstances to find housing and stability; and

36 WHEREAS, The state’s urgent mission of ending the  
37 homelessness crisis would be impossible without the resilience,  
38 compassion, and dedication of everyday Californians, and this  
39 recognition should encourage further action to improve the

1 economic well-being of individuals dedicated to aiding the  
2 unhoused; and

3 WHEREAS, Homelessness Awareness Month is nationally  
4 recognized in the month of November to bring awareness to  
5 homelessness and related issues, including hunger awareness; now,  
6 therefore, be it

7 *Resolved by the Assembly of the State of California, That the*  
8 *Assembly recognizes and commends the invaluable service of our*  
9 *homeless service providers and their commitment to our shared*  
10 *mission to end homelessness during the month of November 2023,*  
11 *which is Homelessness Awareness Month; and be it further*

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

O

Date of Hearing: June 29, 2023

ASSEMBLY COMMITTEE ON RULES  
James Ramos, Chair  
HR 46 (Ward) – As Introduced June 14, 2023

**SUBJECT:** Homeless Service Providers.

**SUMMARY:** Recognizes November 2023 as Homelessness Awareness Month; and, commends the invaluable service of our homeless service providers and their commitment to our shared mission to end homelessness. Specifically, **this resolution** makes the following legislative findings:

- 1) The homelessness crisis is a function of California’s housing crisis, and the most substantial challenge providers face is the severe lack of affordable housing.
- 2) More than 171,521 people are experiencing homelessness in California today, and our dedicated homeless service providers are working each day to help individuals and families end their episodes of homelessness.
- 3) Our homeless service providers are dedicated workers from public and nonprofit organizations driven by a mission to serve people and help our most vulnerable communities.
- 4) Providers deliver a range of supportive services directly to people experiencing homelessness who are unsheltered, including outreach, street medicine, food assistance, benefit enrollment, rapid rehousing, veteran programs, housing navigation, and many more. They deliver services and basic needs at both congregant and noncongregant interim housing sites, as the stability of a short stay in a safe environment will enable participants to secure affordable housing.
- 5) During the height of the COVID-19 pandemic, providers were implementing innovative state programs, Project Roomkey and later Homekey, to keep our unhoused neighbors safe and healthy, proving that their staff members are essential workers.
- 6) California has increased investments to support workforce numbers; however, due to providers’ strained operating budgets and our general increases in costs of living, many of the dedicated staff of homeless service providers earn low wages and could be on the brink of homelessness themselves.
- 7) The dismaying increase of people experiencing homelessness in recent years has led providers to shift focus and resources towards prevention programs, targeting specific at-risk populations, such as seniors, people of color, women, youth, and LGBTQ+ individuals.
- 8) The state’s urgent mission of ending the homelessness crisis would be impossible without the resilience, compassion, and dedication of everyday Californians, and this recognition should encourage further action to improve the economic well-being of individuals dedicated to aiding the unhoused.
- 9) Homelessness Awareness Month is nationally recognized in the month of November to bring awareness to homelessness and related issues, including hunger awareness.

**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. 48**

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**Introduced by Assembly Member Low**

June 22, 2023

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House Resolution No. 48—Relative to acupuncture.

1 WHEREAS, Acupuncture has been used in Asian countries for  
2 thousands of years to preserve and enhance health; and

3 WHEREAS, Acupuncture is widely used to diagnose, treat, and  
4 prevent illness; and

5 WHEREAS, Acupuncture is a safe, natural, and proven health  
6 care system; and

7 WHEREAS, Acupuncture is recognized as a primary health  
8 care profession in California; and

9 WHEREAS, The potential benefits of acupuncture are widely  
10 recognized; and

11 WHEREAS, Acupuncture is steadily being integrated into  
12 mainstream health care; and

13 WHEREAS, More than 15,000,000 Americans have turned to  
14 acupuncture and Asian medicine since they were legalized in this  
15 country in the 1970s; and

16 WHEREAS, There is more access to acupuncture in California  
17 than any other state in the country; and

18 WHEREAS, The risk of side effects from acupuncture are very  
19 low and the potential benefits are very high; and

20 WHEREAS, The National Institutes of Health and the World  
21 Health Organization have found that there are many health  
22 conditions for which the efficacy of acupuncture is indicated; and



1 WHEREAS, The World Health Organization includes traditional  
2 medicine in its International Classification of Diseases 11th  
3 Revision; and  
4 WHEREAS, More and more Californians are finding help in  
5 this evidence-based and proven medical system; and  
6 WHEREAS, An increasing number of health care service plans  
7 and health insurers, including Medicare, Medi-Cal, and the  
8 Veterans Administration, are recognizing the value of acupuncture  
9 for their enrollees and insureds; and  
10 WHEREAS, Acupuncture is effective in treating pain and  
11 reducing the dependence on opiates for pain management; and  
12 WHEREAS, The accreditation standards of acupuncture and  
13 Asian herbal medicine education have been increased to the  
14 doctoral level; and  
15 WHEREAS, Many Californians have come to rely on  
16 acupuncturists as their first choice of health care practitioners for  
17 low-risk, cost-effective, and reliable health care; now, therefore,  
18 be it  
19 *Resolved by the Assembly of the State of California*, That the  
20 Assembly hereby proclaims July 12 as California Acupuncture  
21 Day, and encourages all Californians to consider the use of  
22 acupuncture; and be it further  
23 *Resolved*, That the Chief Clerk of the Assembly transmit copies  
24 of this resolution to the author for appropriate distribution.

O

Date of Hearing: June 29, 2023

ASSEMBLY COMMITTEE ON RULES  
James Ramos, Chair  
HR 48 (Low) – As Introduced June 22, 2023

**SUBJECT:** Acupuncture.

**SUMMARY:** Proclaims July 12, 2023, as California Acupuncture Day, and encourages all Californians to consider the use of acupuncture. Specifically, **this resolution** makes the following legislative findings:

- 1) Acupuncture has been used in Asian countries for thousands of years to preserve and enhance health. It is widely used to diagnose, treat, and prevent illness; and, is a safe, natural, and proven health care system.
- 2) Acupuncture is recognized as a primary health care profession in California, and the potential benefits are widely recognized. In fact, acupuncture is steadily being integrated into mainstream health care.
- 3) The National Institutes of Health and the World Health Organization have found that there are many health conditions for which the efficacy of acupuncture is indicated.
- 4) An increasing number of health care service plans and health insurers, including Medicare, Medi-Cal, and the Veterans Administration, are recognizing the value of acupuncture for their enrollees and insureds.
- 5) There is more access to acupuncture in California than any other state in the country. More and more Californians are finding help in this evidence-based and proven medical system.
- 6) Many Californians have come to rely on acupuncturists as their first choice of health care practitioners for low-risk, cost-effective, and reliable health care.

**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 Gonzalez**

**(Coauthors: Senators Alvarado-Gil, Atkins, Blakespear, Caballero, Durazo, Eggman, Hurtado, Limón, Menjivar, Rubio, Skinner, Smallwood-Cuevas, and Wahab)**

**(Coauthors: Assembly Members Calderon, Wendy Carrillo, Friedman, Pacheco, Pellerin, and Reyes)**

June 1, 2023

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Senate Concurrent Resolution No. 73—Relative to Latina Equal Pay Day.

LEGISLATIVE COUNSEL’S DIGEST

SCR 73, as introduced, Gonzalez. Latina Equal Pay Day.

This measure would proclaim October 5, 2023, as Latina Equal Pay Day in California, in recognition of the need to eliminate the gender gap in earnings by women and to promote policies to ensure equal pay for all.

Fiscal committee: no.

- 1 WHEREAS, More than 50 years after the passing of the federal
- 2 Equal Pay Act, women, especially women of color, continue to
- 3 suffer the consequences of unequal pay; and
- 4 WHEREAS, According to the United States Census Bureau,
- 5 Latinas make 57 cents for every dollar a White male is paid; and
- 6 WHEREAS, Latinas are the fastest growing demographic, with
- 7 30,600,000 Latinas making up 9.4 percent of the total United States
- 8 population; and
- 9 WHEREAS, Twelve million two hundred thousand Latinas
- 10 make up 7.4 percent of the United States’ labor force and are

1 projected to represent 9.3 percent of the labor force from 2019 to  
2 2029, inclusive; and  
3 WHEREAS, Nearly 4 in 10 mothers are the primary  
4 breadwinners in their households, and nearly two-thirds of mothers  
5 are the primary or significant earners, making pay equity critical  
6 to the economic security of their families; and  
7 WHEREAS, A lifetime of lower pay means women have less  
8 income to save for retirement and less income counted in a Social  
9 Security or pension benefit formula; and  
10 WHEREAS, One in five people in the State of California is  
11 Latina; and  
12 WHEREAS, Latinas earn 42 cents on the dollar compared to  
13 their White non-Hispanic male peers in California; and  
14 WHEREAS, Latinas in California would have to work until 116  
15 years of age to earn what a White non-Hispanic male earns by 60  
16 years of age due to the wage gap; and  
17 WHEREAS, The lifetime cost of the wage gap over a 40-year  
18 career for the average Latina in California is \$1,930,120 compared  
19 to their White non-Hispanic male peers; and  
20 WHEREAS, In California, Latinas are typically paid \$39,301  
21 less than White non-Hispanic men; and  
22 WHEREAS, If the gender wage gap were eliminated, on  
23 average, a Latina working in California would be able to pay for  
24 32 months of premiums for employer-provided health insurance,  
25 3.2 years of childcare, and pay off student loans in 0.9 years; and  
26 WHEREAS, According to the National Women’s Law Center,  
27 California’s Latina wage gap is ranked the highest at number 50  
28 in the country, with a 44-cent gap; and  
29 WHEREAS, Latinas face barriers in the workforce exacerbating  
30 the effect of the wage gap, such as overrepresentation in low-wage  
31 service occupations, discrimination, and limited access to health,  
32 leave, and retirement benefits; and  
33 WHEREAS, The wage gap harms Latinas, their families, and  
34 the economy, and fair pay in California would strengthen the  
35 security of individuals and families today, regardless of education  
36 or socioeconomic status, while enhancing our statewide economy;  
37 and  
38 WHEREAS, October 5 symbolizes the day in 2023 Latina Equal  
39 Pay Day is recognized nationwide; now, therefore, be it

1     *Resolved by the Senate of the State of California, the Assembly*  
2     *thereof concurring,* That the Legislature proclaims October 5,  
3     2023, as Latina Equal Pay Day in California, in recognition of the  
4     need to eliminate the gender gap in earnings by women and to  
5     promote policies to ensure equal pay for all; and be it further  
6     *Resolved,* That the Secretary of the Senate transmit copies of  
7     this resolution to the author for appropriate distribution.

O

Date of Hearing: June 29, 2023

ASSEMBLY COMMITTEE ON RULES  
James Ramos, Chair  
SCR 73 (Gonzalez) – As Introduced June 1, 2023

**SENATE VOTE:** 39-0

**SUBJECT:** Latina Equal Pay Day.

**SUMMARY:** Proclaims October 5, 2023, as Latina Equal Pay Day in California, in recognition of the need to eliminate the gender gap in earnings by women and to promote policies to ensure equal pay for all. Specifically, **this resolution** makes the following legislative findings:

- 1) More than 50 years after the passing of the federal Equal Pay Act, women, especially women of color, continue to suffer the consequences of unequal pay. According to the United States Census Bureau, Latinas make 57 cents for every dollar a White male is paid.
- 2) Nearly 4 in 10 mothers are the primary breadwinners in their households, and nearly two-thirds of mothers are the primary or significant earners, making pay equity critical to the economic security of their families. A lifetime of lower pay means women have less income to save for retirement and less income counted in Social Security or pension benefit formula.
- 3) One in five people in the State of California is Latina. Latinas earn 42 cents on the dollar compared to their White non-Hispanic male peers in California. Latinas in California would have to work until 116 years of age to earn what a White non-Hispanic male earns by 60 years of age due to the wage gap.
- 4) If the gender wage gap were eliminated, on average, a Latina working in California would be able to pay for 32 months of premiums for employer-provided health insurance, 3.2 years of childcare, and pay off student loans in 0.9 years.
- 5) The wage gap harms Latinas, their families, and the economy, and fair pay in California would strengthen the security of individuals and families today, regardless of education or socioeconomic status, while enhancing our statewide economy.
- 6) October 5 symbolizes the day in 2023 Latina Equal Pay Day is recognized nationwide.

**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  
(Coauthor: Senator Menjivar)**

June 13, 2023

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Senate Concurrent Resolution No. 77—Relative to Play Day.

LEGISLATIVE COUNSEL’S DIGEST

SCR 77, as introduced, Newman. Play Day.

This measure would proclaim June 24, 2023, as Play Day and encourage all Californians to go out and play on that day.

Fiscal committee: no.

- 1 WHEREAS, Sport, play, and movement are essential for positive
- 2 youth development; and
- 3 WHEREAS, Research has shown that sport and play improve
- 4 mental and physical health, increase cognitive performance, build
- 5 self-esteem, cultivate leadership skills, and lead to higher academic
- 6 and career achievement; and
- 7 WHEREAS, Access to sport, play, and movement varies across
- 8 race and socioeconomic status, and those at greatest risk for poor
- 9 health and wellness outcomes often have the least access to those
- 10 opportunities; and
- 11 WHEREAS, According to a 2020 Los Angeles County Youth
- 12 Sports Participation Survey for Play Equity commissioned by the
- 13 LA84 Foundation, children from households with annual incomes
- 14 greater than \$150,000 had a 93-percent sports participation rate,
- 15 but only 68 percent of children from households with annual
- 16 incomes below \$35,000 participated in sports; and

1 WHEREAS, According to the Play Equity Fund established by  
2 the LA84 Foundation, Black and Latino youth are two times as  
3 likely to reside in areas with subpar park space; and  
4 WHEREAS, Eighty percent of youth in the United States, many  
5 of whom are in low-income families, do not currently meet federal  
6 guidelines for daily physical activities; and  
7 WHEREAS, Black and Latino youth in the United States have  
8 higher rates of stress, anxiety, and depression, totals which have  
9 only grown since the COVID-19 pandemic; and  
10 WHEREAS, Latinas have the lowest participation rate in sport  
11 activities in the County of Los Angeles; and  
12 WHEREAS, The play equity gap refers to the inequitable access  
13 to sport, play, and movement because of certain barriers, such as  
14 the high cost of youth sports, the lack of facilities or safety in their  
15 neighborhoods, a lack of trauma-informed coaches, or exclusion  
16 based on disability; and  
17 WHEREAS, Kids across the country are missing out on the  
18 benefits of sport, play, and movement because of the play equity  
19 gap; and  
20 WHEREAS, Achieving play equity means removing barriers  
21 and ensuring access to sports and play; and  
22 WHEREAS, California must close the play equity gap so that  
23 all children can build social and emotional skills and have pathways  
24 to lifelong well-being, regardless of their race, gender, ZIP Code,  
25 or ability; and  
26 WHEREAS, The LA84 Foundation and the Play Equity Fund  
27 are issuing a call to action to fortify the spirit of California’s youth,  
28 and to create an annual national celebration to uplift the lifelong  
29 benefits of sport, play, and movement for kids and the  
30 neighborhoods where they live with Play Day on June 24, 2023;  
31 and  
32 WHEREAS, All kids should have the right to play, there should  
33 be gender equity in sports, and all communities should have the  
34 right to free public play spaces, including well-maintained parks,  
35 recreation facilities, green spaces, and public sports facilities. All  
36 kids should have the right to attend schools that have adequate  
37 sports and play facilities, equipment, coaches, and resources, and  
38 there should be more equitable experiences in youth sports and  
39 play programs; and



1 WHEREAS, Play Day celebrates our shared goal for healthy  
2 and productive children, helps build community on a national  
3 scale, and shows that sports and the joy of play have the power to  
4 connect us, help us understand each other better, and build more  
5 promising futures for young people; now, therefore, be it

6 *Resolved by the Senate of the State of California, the Assembly*  
7 *thereof concurring*, That the Legislature proclaims June 24, 2023,  
8 as Play Day and encourages all Californians to go out and play on  
9 that day; and be it further

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

O

Date of Hearing: June 29, 2023

ASSEMBLY COMMITTEE ON RULES  
James Ramos, Chair  
SCR 77 (Newman) – As Introduced June 13, 2023

**SENATE VOTE:** 38-0

**SUBJECT:** Play Day.

**SUMMARY:** Proclaims June 24, 2023, as Play Day and encourages all Californians to go out and play on that day. Specifically, **this resolution** makes the following legislative findings:

- 1) Sport, play, and movement are essential for positive youth development. Research has shown that sport and play improve mental and physical health, increase cognitive performance, build self-esteem, cultivate leadership skills, and lead to higher academic and career achievement.
- 2) Access to sport, play, and movement varies across race and socioeconomic status, and those at greatest risk for poor health and wellness outcomes often have the least access to those opportunities.
- 3) Eighty percent of youth in the United States, many of whom are in low-income families, do not currently meet federal guidelines for daily physical activities. Black and Latino youth in the United States have higher rates of stress, anxiety, and depression, totals which have only grown since the COVID-19 pandemic.
- 4) The play equity gap refers to the inequitable access to sport, play, and movement because of certain barriers, such as the high cost of youth sports, the lack of facilities or safety in their neighborhoods, a lack of trauma-informed coaches, or exclusion based on disability.
- 5) Kids across the country are missing out on the benefits of sport, play, and movement because of the play equity gap. Achieving play equity means removing barriers and ensuring access to sports and play.
- 6) California must close the play equity gap so that all children can build social and emotional skills and have pathways to lifelong well-being, regardless of their race, gender, ZIP Code, or ability.
- 7) All kids should have the right to play, there should be gender equity in sports, and all communities should have the right to free public play spaces, including well-maintained parks, recreation facilities, green spaces, and public sports facilities. All kids should have the right to attend schools that have adequate sports and play facilities, equipment, coaches, and resources, and there should be more equitable experiences in youth sports and play programs.
- 8) Play Day celebrates our shared goal for healthy and productive children, helps build community on a national scale, and shows that sports and the joy of play have the power to connect us, help us understand each other better, and build more promising futures for young people.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

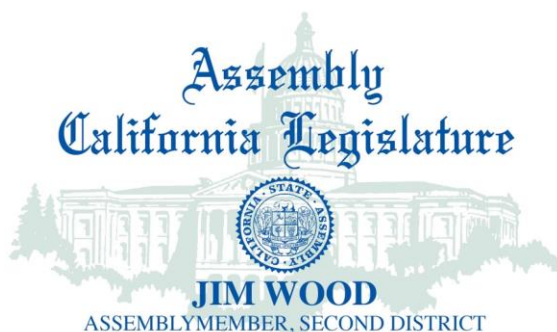
None on file

**Opposition**

None on file

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

STATE CAPITOL  
P.O. BOX 942849  
SACRAMENTO, CA 94249-0002  
(916) 319-2002  
FAX (916) 319-2102



COMMITTEES  
CHAIR: HEALTH  
AGRICULTURE  
BUDGET  
INSURANCE  
JOINT LEGISLATIVE AUDIT  
NATURAL RESOURCES  
BUDGET SUBCOMMITTEE NO. 1 ON  
HEALTH AND HUMAN SERVICES

June 26, 2023

Honorable James Ramos, Chair  
Assembly Committee on Rules  
1021 O Street, Room 6250  
Sacramento, CA 95814

Dear Chairman Ramos,

I respectfully request approval to add an urgency clause to SB 326 (Eggman), to among various provisions, if approved by the voters at the March 5, 2024 statewide primary election, would delete the provision that establishes vote requirements to amend the Mental Health Services Act (MHSA) or Proposition 63; and require all amendments of the MHSA to be approved by the voters. Additionally this bill would recast the MHSA by, among other things, renaming it the Behavioral Health Services Act, expanding it to include treatment of substance use disorders, changing the county planning process, and expanding services for which counties and the state can use funds.

I am asking for the urgency to ensure that there is sufficient time to meet the March 5, 2024 statewide primary election requirements contained in the bill.

Thank you for consideration of this request. If you have any questions, please feel free to contact Rosielyn A. Pulmano of my staff at (916) 319-2097

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim Wood", is written over a light blue circular stamp that partially overlaps the signature.

JIM WOOD  
Assemblymember, 2<sup>nd</sup> District

AMENDED IN ASSEMBLY JUNE 19, 2023

AMENDED IN SENATE MARCH 21, 2023

**SENATE BILL**

**No. 326**

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**Introduced by Senator Eggman**

February 7, 2023

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An act to ~~amend Section 5891 of the Welfare and Institutions Code, relating to mental health.~~ *amend, repeal, and add Section 99277 of the Education Code, to amend, repeal, and add Section 131315 of the Health and Safety Code, to amend, repeal, and add Section 19602.5 of the Revenue and Taxation Code, to amend, repeal, and add Section 1095.5 of the Unemployment Insurance Code, to amend Sections 5600.3, 5604, 5604.1, 5604.2, 5604.3, 5604.5, 5613, 5614, 5675, 5813.6, and 5878.2 of, to amend and repeal Sections 5840.8, 5846, 5847, 5848, 5895, and 5899 of, to amend, repeal, and add Sections 5610, 5771.1, 5805, 5806, 5813.5, 5814, 5830, 5835, 5835.2, 5840, 5840.6, 5840.7, 5845, 5845.5, 5848.5, 5849.1, 5849.2, 5849.3, 5852.5, 5868, 5878.1, 5878.3, 5881, 5886, 5890, 5891, 5891.5, 5892, 5892.1, 5892.5, 5893, 5897, 5898, 14191.7, and 14707.5 of, to add Sections 5831 and 14197.71 to, to add Chapter 3 (commencing with Section 5840.10) to Part 3.6 of Division 5 of, to add Part 4.1 (commencing with Section 5887) to Division 5 of, to add Chapter 3 (commencing with Section 5962) to Part 7 of Division 5 of, and to repeal Section 5840.5 of the Welfare and Institutions Code, and to amend and repeal Section 18 of the Mental Health Services Act, as added by Proposition 63 at the November 2, 2004, statewide general election, relating to behavioral health.*

LEGISLATIVE COUNSEL'S DIGEST

SB 326, as amended, Eggman. ~~Mental Health Services Act.~~ *The Behavioral Health Services Act.*

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*(1) Existing law, the Mental Health Services Act (MHSA), an initiative measure enacted by the voters as Proposition 63 at the November 2, 2004, statewide general election, funds a system of county mental health plans for the provision of mental health services. Existing law authorizes the MHSA to be amended by a  $\frac{2}{3}$  vote of the Legislature if the amendments are consistent with and further the intent of the MHSA. Existing law authorizes the Legislature to add provisions to clarify procedures and terms of the MHSA by majority vote.*

*If approved by the voters at the March 5, 2024, statewide primary election, this bill would delete the provision that establishes vote requirements to amend the MHSA, requiring all amendments of the MHSA to be approved by the voters. The bill would recast the MHSA by, among other things, renaming it the Behavioral Health Services Act (BHSA), expanding it to include treatment of substance use disorders, changing the county planning process, and expanding services for which counties and the state can use funds. The bill would revise the distribution of MHSA moneys, including allocating up to \$36,000,000 to the department for behavioral health workforce funding. The bill would authorize the department to require a county to implement specific evidence-based practices.*

*This bill would require a county, for behavioral health services eligible for reimbursement pursuant to the federal Social Security Act, to submit the claims for reimbursement to the State Department of Health Care Services (the department) under specific circumstances. The bill would require counties to pursue reimbursement through various channels and would authorize the counties to report issues with managed care plans and insurers to the Department of Managed Health Care or the Department of Insurance.*

*The MHSA establishes the Mental Health Services Oversight and Accountability Commission and requires it to adopt regulations for programs and expenditures for innovative programs and prevention and early intervention programs established by the act. Existing law requires counties to develop plans for innovative programs funded under the MHSA.*

*This bill would rename the commission the Behavioral Health Services Oversight and Accountability Commission and would change the composition and duties of the commission, as specified. The bill would delete the provisions relating to innovative programs and instead would require the department to establish the priorities and a program, which would be administered by counties, to provide housing interventions.*

*The bill would provide that “low rent housing project,” as defined, does not apply to the development of urban or rural dwellings, apartments, or other living accommodations, as specified.*

*This bill would make extensive technical and conforming changes.*

*(2) Existing law, the Bronzan-McCorquodale Act, contains provisions governing the operation and financing of community mental health services for persons with mental disorders in every county through locally administered and locally controlled community mental health programs. Existing law further provides that, to the extent resources are available, community mental health services should be organized to provide an array of treatment options in specified areas, including, among others, case management and individual service plans. Under existing law, mental health services are provided through contracts with county mental health programs.*

*The bill would authorize the State Department of Health Care Services to develop and revise documentation standards for individual service plans, as specified. The bill would revise the contracting process, including authorizing the department to temporarily withhold funds or impose monetary sanctions on a county behavioral health department that is not in compliance with the contract.*

*(3) Existing law establishes the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services, including Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) services for an individual under 21 years of age. The Medi-Cal program is, in part, governed by, and funded pursuant to, federal Medicaid program provisions. Existing law requires the department, in collaboration with the California Health and Human Services Agency and in consultation with the Mental Health Services Oversight and Accountability Commission, to create a plan for a performance outcomes system for EPSDT mental health services, as specified.*

*This bill would include substance use disorder treatment services provided to eligible Medi-Cal beneficiaries under 21 years of age in the plan for a performance outcome system.*

*(4) The bill would provide that its provisions are severable.*

*(5) The bill would provide for the submission of the act to the voters at the March 5, 2024, statewide primary election.*

~~Existing law, the Mental Health Services Act, an initiative measure enacted by the voters as Proposition 63 at the November 2, 2004, statewide general election, funds a system of county mental health plans~~

~~for the provision of mental health services, as specified. The act establishes the Mental Health Services Fund, which is continuously appropriated to, and administered by, the State Department of Health Care Services to fund specified county mental health programs. The act may be amended by the Legislature only by a  $\frac{2}{3}$  vote of both houses and only so long as the amendment is consistent with and furthers the intent of the act. The Legislature may clarify procedures and terms of the act by majority vote.~~

~~This bill would require a county, for a behavioral health service eligible for reimbursement pursuant to the federal Social Security Act, to submit the claims for reimbursement to the State Department of Health Care Services under specific circumstances. By imposing a new duty on local officials, this bill would create a state-mandated local program.~~

~~The bill would make findings that it clarifies procedures and terms of the Mental Health Services Act.~~

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

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

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

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

1     SECTION 1. *The people of the State of California hereby find*  
 2     *and declare all the following:*  
 3     (a) *The data is alarming. In 2022, one in 20 adults in California*  
 4     *is living with a serious mental illness (SMI), representing a nearly*  
 5     *50-percent increase in the last decade. One in 13 children in*  
 6     *California has a serious emotional disturbance (SED), which is*  
 7     *more common in children in low-income families, and 30 percent*  
 8     *of youth 12 to 24 years of age experience serious psychological*  
 9     *distress. One in 10 Californians meet the criteria for a substance*  
 10    *use disorder (SUD), and the rate of SUDs among youth 18 to 25*  
 11    *years of age is nearly twice that of adults and more than three*  
 12    *times that of adolescents.*



1 (b) The number of amphetamine-related emergency department  
2 (ED) visits increased nearly 50 percent between 2018 and 2020,  
3 while the number of non-heroin-related opioid, including fentanyl,  
4 ED visits more than doubled in the same period. The total cost of  
5 care for individuals with behavioral health conditions who use  
6 emergency departments and inpatient services is roughly two times  
7 higher than those who do not. Hospitals have reported a significant  
8 increase in the number of adolescents seeking psychiatric treatment  
9 in emergency departments.

10 (c) Black, indigenous, and communities of color, younger and  
11 older individuals, people who are LGBTQ+, victims of domestic  
12 violence or sexual abuse, veterans, people involved with the justice  
13 system, and people who are experiencing homelessness, among  
14 others, are the most impacted.

15 (d) Black, indigenous, and people of color (BIPOC) experience  
16 disparities in access to health care, which may contribute to and  
17 sustain racial inequities in behavioral health care. Latinx, Asian,  
18 and Pacific Islander Medi-Cal enrollees have the lowest rates of  
19 access to services of all racial and ethnic groups and are less likely  
20 to have continued engagement with behavioral health services  
21 across both managed care and county specialty plans.

22 (e) Nationally, suicide rates among youth between 10 and 18  
23 years of age have increased, as has the rate for Black and Latinx  
24 youth between 10 and 24 years of age in California. LGBTQ+  
25 youth are over four times more likely to attempt suicide than  
26 non-LGBTQ+ peers, while multiple suicide risk factors may affect  
27 adults 65 years of age and older, including psychiatric and  
28 neurocognitive disorders, social exclusion, bereavement, cognitive  
29 impairment, and physical illnesses.

30 (f) Veterans have a higher rate of suicide than the general  
31 population and experience higher rates of mental illness or  
32 substance use disorder. In 2020, there were over 10,000  
33 Californian veterans experiencing homelessness.

34 (g) Nearly one-quarter of California's homeless population  
35 have an SMI and are at higher risk of justice involvement. Among  
36 recently incarcerated individuals, data suggests that close to one  
37 in three people experiencing homelessness are living with an SMI.  
38 Overdose is the leading cause of death for people recently released  
39 from incarceration.

1 (h) Meeting the growing demand for behavioral health care has  
2 exposed strained infrastructure. There are workforce challenges  
3 across professional classifications that do not easily facilitate a  
4 career pathway to meet the need for holistic and compassionate  
5 behavioral health care and positions that provide a living wage.  
6 The current workforce is not diverse enough or culturally  
7 representative of those in need. The limited availability of clinically  
8 appropriate, culturally competent, community-based care facilities  
9 and residential settings to support rehabilitation and recovery  
10 contributes to the growing crisis of homelessness and incarceration  
11 among those living with an SMI and an SUD. Research in 2021  
12 indicates that the state has a shortage of over 2,700 subacute and  
13 nearly 3,000 community residential beds.

14 (i) More can be done to support capacity, access, and quality  
15 of required behavioral health care for individuals who are insured.  
16 Enhanced fiscal and programmatic oversight is needed to prevent  
17 insured individuals experiencing behavioral health challenges  
18 from needing publicly resourced care through the county specialty  
19 behavioral health system. By improving planning and  
20 administration, performance monitoring, and accountability,  
21 individual service and system level outcomes will improve.

22 SEC. 2. The purposes and intent in enacting this act are as  
23 follows:

24 (a) The state intends to transform its behavioral health system  
25 while strengthening the continuum of community-based care  
26 options for Californians living with the most significant mental  
27 health and substance use disorder (SUD) needs. These efforts  
28 include, but are not limited to, California Advancing and  
29 Innovating Medi-Cal (CalAIM), Behavioral Health  
30 Community-Based Organized Networks of Equitable Care and  
31 Treatment (BH-CONNECT), Children and Youth Behavioral  
32 Health Initiative (CYBHI), Behavioral Health Continuum  
33 Infrastructure Program (BHCIP), Community Assistance,  
34 Recovery, and Empowerment (CARE) Act, the 988 Suicide and  
35 Crisis Lifeline, and the Crisis Care Continuum.

36 (b) Further transformation of the behavioral health system  
37 requires modernization to account for changes in the health care  
38 and behavioral health landscape since the Mental Health Services  
39 Act was enacted 20 years ago, including the passage and  
40 implementation of the federal Patient Protection and Affordable

1 Care Act, which expanded coverage and required essential health  
2 benefits, including behavioral health benefits, for individuals  
3 insured under Medicaid. In addition, federal and state parity laws  
4 have expanded access to services and affordable coverage.  
5 Funding sources should not only be maximized to the fullest extent  
6 possible, but must be blended and braided, to leverage public  
7 resources for where the unmet need is greatest.

8 (c) The state continues to align goals and further policies that  
9 support delivery system improvements. This includes advancing  
10 the use of evidence-based and community-defined evidence  
11 programs, taking a whole person approach that is trauma  
12 informed, developmentally tailored across the lifespan, streamlined  
13 and seamless service delivery, supports the individual in the  
14 recovery process, reduces health disparities, and acts in  
15 partnership with families and support systems.

16 (d) The state intends to strengthen oversight over key outcomes  
17 so that investments are being made in equitable and high-quality  
18 care. Outcome measures, not just process measures, will drive  
19 toward meaningful and measurable system change. Transparency  
20 will increase and revised planning processes will allow strategic  
21 alignment of funding and local cross-system collaboration.

22 (e) The state recognizes the critical role that safe, stable, and  
23 affordable housing play in supporting individuals with a serious  
24 mental illness (SMI) and an SUD to thrive in their communities.  
25 Therefore, dedicated resources towards essential housing  
26 interventions for those experiencing a serious emotional  
27 disturbance (SED), an SMI, and an SUD are needed for those  
28 experiencing, or who are at risk of experiencing, homelessness.

29 (f) Additionally, the state will lead enhanced efforts to address  
30 workforce challenges by recruiting, training, and creating a  
31 pathway to high-quality jobs that can meet the growing behavioral  
32 health care needs of Californians with culturally competent care  
33 provided in multiple languages by a diverse workforce. Investments  
34 to address the growing demand for quality behavioral health care  
35 services across professional classifications should be additive to  
36 the workforce and not cause the displacement of any county  
37 employee providing direct behavioral health services.

38 (g) Efforts to streamline the process for approving projects and  
39 renovating or building new facilities to accelerate the delivery of

1 care in residential settings made available through additional  
2 Behavioral Health Services Act and bond financing is a priority.

3 (h) Overall, this measure furthers California's transformation  
4 of the behavioral health care system, specifically strengthening  
5 the continuum of care for the most vulnerable Californians and  
6 the system as a whole. It provides substantial state investment and  
7 streamlines the construction of community behavioral health  
8 residential settings, modernizes the Mental Health Services Act,  
9 and improves statewide accountability and access to behavioral  
10 health services. Collectively these connected initiatives provide  
11 tools to help Californians with their unique behavioral health  
12 challenges.

13 SEC. 3. Section 99277 of the Education Code is amended to  
14 read:

15 99277. (a) Upon receiving funding for purposes of this chapter,  
16 UCSF, the UC college named in Section 92200, and the UC/CSU  
17 California Collaborative on Neurodiversity and Learning shall  
18 each appoint one member from the respective institutions. This  
19 group shall be charged with the development and oversight of the  
20 initiative, and shall function as the institute's management  
21 committee. The management committee shall be permitted, but  
22 not obligated, to retain a program director to assist in the  
23 implementation of the initiative.

24 (b) An advisory board, with its title and members to be named  
25 by the institute, shall be established to serve as an oversight body  
26 for the initiative in order to monitor progress and provide leadership  
27 from the perspectives of their respective participating organizations,  
28 departments, and divisions, and to facilitate collaboration among  
29 researchers, practitioners, administrators, legislators, and  
30 community stakeholders. The advisory board shall provide  
31 expertise and support to the management committee. The  
32 membership of the advisory board shall be constituted as set forth  
33 in subdivision ~~(b)~~: (c). The advisory board shall be a check on  
34 accountability in order to ensure that the initiative is meeting its  
35 goals. The advisory board shall also conduct a fiscal review of the  
36 distribution of funds to ensure alignment with the goals of the  
37 initiative.

38 (c) The members of the advisory board shall be representatives  
39 from the following institutions, organizations, agencies, and groups:

40 (1) UCSF.

STATE CAPITOL  
SACRAMENTO CA 95814  
(916) 651-4015

# California State Senate

SENATOR  
**DAVE CORTESE**  
FIFTEENTH SENATE DISTRICT



June 26, 2023

Chairperson James Ramos  
Assembly Rules Committee  
1021 O Street, Suite 6250  
Sacramento, California 95814

**RE: Request Approval for Urgency Clause**

Dear Chairperson James Ramos,

I respectfully request the Assembly Rules Committee's approval to add an urgency clause to Senate Bill 332 (Cortese). This is 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 protect minor league baseball players from working in unregulated or unlawful conditions, it is necessary for the provisions of this act, and particularly the requirement to amend and republish Wage Order No. 10-2001, to take effect as quickly as possible, making the limitations imposed by this act necessary to protect the interests of minor league baseball players.

If you have any questions about this request, please contact my Chief of Staff, Sunshine Borelli at [Sunshine.Borelli@sen.ca.gov](mailto:Sunshine.Borelli@sen.ca.gov).

Thank you,

A handwritten signature in black ink, appearing to read "Dave Cortese".

Dave Cortese  
State Senator  
California State Senate

AMENDED IN ASSEMBLY JUNE 12, 2023

AMENDED IN SENATE APRIL 19, 2023

AMENDED IN SENATE MARCH 28, 2023

AMENDED IN SENATE MARCH 13, 2023

**SENATE BILL**

**No. 332**

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**Introduced by Senator Cortese**  
*(Principal coauthor: Assembly Member Haney)*

February 7, 2023

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An act to amend Section ~~3074.2~~ of 226 of, and to add Section 514.5 to, the Labor Code, relating to ~~apprenticeship~~ employment.

LEGISLATIVE COUNSEL'S DIGEST

SB 332, as amended, Cortese. ~~Apprenticeship programs: career fair: report. Minor league baseball players.~~

*Existing law provides that 8 hours of labor constitute a day's work unless it is otherwise expressly stipulated in a collective bargaining agreement, and requires that any work in excess of specified hours in one workday or one workweek be compensated at a rate higher than the regular rate of pay for the employee, as specified. Existing law authorizes, upon the proposal of an employer, employees of an employer to adopt a regularly scheduled alternative workweek that authorizes work by the affected employees for no longer than 10 hours per day within a 40-hour workweek without the payment to the affected employees of an overtime rate of compensation, as specified. Existing law prohibits an employer from employing an employee for a work period of more than 5 hours per day without providing the employee with a meal period, as specified, but, notwithstanding these provisions, existing law authorizes the Industrial Welfare Commission to adopt a*

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*working condition order permitting a meal period to commence after 6 hours of work if specified conditions are met. Under existing law, the Industrial Welfare Commission issues wage orders that regulates wages, hours, and working conditions in various occupations, including Wage Order No. 10-2001, which regulates the amusement and recreation industry.*

*This bill would provide that these provisions do not apply to a person who has entered into a contract to play baseball at the minor league level and who is compensated pursuant to the terms of a collective bargaining agreement that expressly provides for the wages, hours of work, and working conditions of employees. The bill would require the Department of Industrial Relations to amend and republish Wage Order 10-2001 to provide that specified provisions of the wage order do not apply to a person subject to these provisions, as specified.*

*Existing law requires an employer, semimonthly or at the time of payment of wages, to furnish an employee an accurate, itemized, written statement containing specified information regarding the amounts earned, hours worked, and the employee's identity, among other things, subject to certain variations. Existing law provides that an itemized wage statement furnished by an employer pursuant to these provisions is not required to show total hours worked by the employee if, among other things, the employee is exempt from the payment of minimum wage and overtime under specified law.*

*This bill would provide that an itemized wage statement furnished by an employer pursuant to these provisions is not required to show total hours worked by an employee if the employee is exempt from the payment of minimum wage and overtime under the bill's provisions described above.*

*Existing law, the Administrative Procedure Act, governs, among other things, the procedures for the adoption, amendment, or repeal of regulations by state agencies. Existing law also describes procedures for the promulgation of regulations by the Industrial Welfare Commission.*

*This bill would exempt these provisions from the rulemaking procedures described above.*

*Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.*

*This bill would make legislative findings to that effect.*

~~Existing law provides for the establishment of apprenticeship programs in various trades to be approved by the Chief of the Division of Apprenticeship Standards within the Department of Industrial Relations in any trade in the state or in a city or trade area whenever the apprentice training needs justify the establishment. Existing law requires a school district or school to notify each apprenticeship program in the same county as the school district or school of a career or college fair it is planning to hold, as specified.~~

~~This bill would require the Department of Industrial Relations to evaluate the effectiveness of the above-described notification requirement and submit, by January 1, 2026, a report making recommendations to the Legislature on how to improve outreach to high school students regarding apprenticeship and preapprenticeship opportunities, as well as ways to expand preapprenticeships and incentivize businesses to offer them.~~

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

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

1     SECTION 1. Section 226 of the Labor Code is amended to  
2     read:

3     226. (a) An employer, semimonthly or at the time of each  
4     payment of wages, shall furnish to ~~his or her~~ *their* employee, either  
5     as a detachable part of the check, draft, or voucher paying the  
6     employee’s wages, or separately if wages are paid by personal  
7     check or cash, an accurate itemized statement in writing showing  
8     (1) gross wages earned, (2) total hours worked by the employee,  
9     except as provided in subdivision (j), (3) the number of piece-rate  
10    units earned and any applicable piece rate if the employee is paid  
11    on a piece-rate basis, (4) all deductions, provided that all deductions  
12    made on written orders of the employee may be aggregated and  
13    shown as one item, (5) net wages earned, (6) the inclusive dates  
14    of the period for which the employee is paid, (7) the name of the  
15    employee and only the last four digits of ~~his or her~~ *their* social  
16    security number or an employee identification number other than  
17    a social security number, (8) the name and address of the legal  
18    entity that is the employer and, if the employer is a farm labor  
19    contractor, as defined in subdivision (b) of Section 1682, the name



1 and address of the legal entity that secured the services of the  
2 employer, and (9) all applicable hourly rates in effect during the  
3 pay period and the corresponding number of hours worked at each  
4 hourly rate by the employee and, beginning July 1, 2013, if the  
5 employer is a temporary services employer as defined in Section  
6 201.3, the rate of pay and the total hours worked for each temporary  
7 services assignment. The deductions made from payment of wages  
8 shall be recorded in ink or other indelible form, properly dated,  
9 showing the month, day, and year, and a copy of the statement and  
10 the record of the deductions shall be kept on file by the employer  
11 for at least three years at the place of employment or at a central  
12 location within the State of California. For purposes of this  
13 subdivision, “copy” includes a duplicate of the itemized statement  
14 provided to an employee or a computer-generated record that  
15 accurately shows all of the information required by this subdivision.

16 (b) An employer that is required by this code or any regulation  
17 adopted pursuant to this code to keep the information required by  
18 subdivision (a) shall afford current and former employees the right  
19 to inspect or receive a copy of records pertaining to their  
20 employment, upon reasonable request to the employer. The  
21 employer may take reasonable steps to ensure the identity of a  
22 current or former employee. If the employer provides copies of  
23 the records, the actual cost of reproduction may be charged to the  
24 current or former employee.

25 (c) An employer who receives a written or oral request to inspect  
26 or receive a copy of records pursuant to subdivision (b) pertaining  
27 to a current or former employee shall comply with the request as  
28 soon as practicable, but no later than 21 calendar days from the  
29 date of the request. A violation of this subdivision is an infraction.  
30 Impossibility of performance, not caused by or a result of a  
31 violation of law, shall be an affirmative defense for an employer  
32 in any action alleging a violation of this subdivision. An employer  
33 may designate the person to whom a request under this subdivision  
34 will be made.

35 (d) This section does not apply to any employer of a person  
36 employed by the owner or occupant of a residential dwelling whose  
37 duties are incidental to the ownership, maintenance, or use of the  
38 dwelling, including the care and supervision of children, or whose  
39 duties are personal and not in the course of the trade, business,  
40 profession, or occupation of the owner or occupant.

1 (e) (1) An employee suffering injury as a result of a knowing  
2 and intentional failure by an employer to comply with subdivision  
3 (a) is entitled to recover the greater of all actual damages or fifty  
4 dollars (\$50) for the initial pay period in which a violation occurs  
5 and one hundred dollars (\$100) per employee for each violation  
6 in a subsequent pay period, not to exceed an aggregate penalty of  
7 four thousand dollars (\$4,000), and is entitled to an award of costs  
8 and reasonable attorney’s fees.

9 (2) (A) An employee is deemed to suffer injury for purposes  
10 of this subdivision if the employer fails to provide a wage  
11 statement.

12 (B) An employee is deemed to suffer injury for purposes of this  
13 subdivision if the employer fails to provide accurate and complete  
14 information as required by any one or more of items (1) to (9),  
15 inclusive, of subdivision (a) and the employee cannot promptly  
16 and easily determine from the wage statement alone one or more  
17 of the following:

18 (i) The amount of the gross wages or net wages paid to the  
19 employee during the pay period or any of the other information  
20 required to be provided on the itemized wage statement pursuant  
21 to items (2) to (4), inclusive, (6), and (9) of subdivision (a).

22 (ii) Which deductions the employer made from gross wages to  
23 determine the net wages paid to the employee during the pay  
24 period. Nothing in this subdivision alters the ability of the employer  
25 to aggregate deductions consistent with the requirements of item  
26 (4) of subdivision (a).

27 (iii) The name and address of the employer and, if the employer  
28 is a farm labor contractor, as defined in subdivision (b) of Section  
29 1682, the name and address of the legal entity that secured the  
30 services of the employer during the pay period.

31 (iv) The name of the employee and only the last four digits of  
32 ~~his or her~~ *their* social security number or an employee identification  
33 number other than a social security number.

34 (C) For purposes of this paragraph, “promptly and easily  
35 determine” means a reasonable person would be able to readily  
36 ascertain the information without reference to other documents or  
37 information.

38 (3) For purposes of this subdivision, a “knowing and intentional  
39 failure” does not include an isolated and unintentional payroll error  
40 due to a clerical or inadvertent mistake. In reviewing for

1 compliance with this section, the factfinder may consider as a  
2 relevant factor whether the employer, prior to an alleged violation,  
3 has adopted and is in compliance with a set of policies, procedures,  
4 and practices that fully comply with this section.

5 (f) A failure by an employer to permit a current or former  
6 employee to inspect or receive a copy of records within the time  
7 set forth in subdivision (c) entitles the current or former employee  
8 or the Labor Commissioner to recover a seven-hundred-fifty-dollar  
9 (\$750) penalty from the employer.

10 (g) The listing by an employer of the name and address of the  
11 legal entity that secured the services of the employer in the itemized  
12 statement required by subdivision (a) shall not create any liability  
13 on the part of that legal entity.

14 (h) An employee may also bring an action for injunctive relief  
15 to ensure compliance with this section, and is entitled to an award  
16 of costs and reasonable attorney's fees.

17 (i) This section does not apply to the state, to any city, county,  
18 city and county, district, or to any other governmental entity, except  
19 that if the state or a city, county, city and county, district, or other  
20 governmental entity furnishes its employees with a check, draft,  
21 or voucher paying the employee's wages, the state or a city, county,  
22 city and county, district, or other governmental entity shall use no  
23 more than the last four digits of the employee's social security  
24 number or shall use an employee identification number other than  
25 the social security number on the itemized statement provided with  
26 the check, draft, or voucher.

27 (j) An itemized wage statement furnished by an employer  
28 pursuant to subdivision (a) shall not be required to show total hours  
29 worked by the employee if any of the following apply:

30 (1) The employee's compensation is solely based on salary and  
31 the employee is exempt from payment of overtime under  
32 subdivision (a) of Section 515 or any applicable order of the  
33 Industrial Welfare Commission.

34 (2) The employee is exempt from the payment of minimum  
35 wage and overtime under any of the following:

36 (A) The exemption for persons employed in an executive,  
37 administrative, or professional capacity provided in any applicable  
38 order of the Industrial Welfare Commission.

39 (B) The exemption for outside salespersons provided in any  
40 applicable order of the Industrial Welfare Commission.

1 (C) The overtime exemption for computer software professionals  
2 paid on a salaried basis provided in Section 515.5.

3 (D) The exemption for individuals who are the parent, spouse,  
4 child, or legally adopted child of the employer provided in any  
5 applicable order of the Industrial Welfare Commission.

6 (E) The exemption for participants, director, and staff of a live-in  
7 alternative to incarceration rehabilitation program with special  
8 focus on substance abusers provided in Section 8002 of the Penal  
9 Code.

10 (F) The exemption for any crew member employed on a  
11 commercial passenger fishing boat licensed pursuant to Article 5  
12 (commencing with Section 7920) of Chapter 1 of Part 3 of Division  
13 6 of the Fish and Game Code provided in any applicable order of  
14 the Industrial Welfare Commission.

15 (G) The exemption for any individual participating in a national  
16 service program provided in any applicable order of the Industrial  
17 Welfare Commission.

18 (H) *The exemption for any person who has entered into a*  
19 *contract to play baseball at the minor league level who satisfies*  
20 *the requirements set forth in subdivision (a) of Section 514.5.*

21 *SEC. 2. Section 514.5 is added to the Labor Code, to read:*

22 *514.5. (a) Sections 510, 511, and 512 do not apply to a person*  
23 *who has entered into a contract to play baseball at the minor*  
24 *league level and who is compensated pursuant to the terms of a*  
25 *collective bargaining agreement that expressly provides for the*  
26 *wages, hours of work, and working conditions of employees.*

27 *(b) (1) By three months after the effective date of this section,*  
28 *the Department of Industrial Relations shall amend and republish*  
29 *Wage Order No. 10-2001 to provide that Sections 3 to 12, inclusive,*  
30 *of the wage order do not apply to a person subject to this section.*

31 *(2) An amendment and republication pursuant to this section*  
32 *are exempt from the rulemaking provisions of the Administrative*  
33 *Procedure Act (Chapter 3.5 (commencing with Section 11340) of*  
34 *Part 1 of Division 3 of Title 2 of the Government Code), and from*  
35 *the procedures described in Sections 1177, 1178.5, 1181, 1182,*  
36 *and 1182.1.*

37 *SEC. 3. The Legislature finds and declares that Section 2 of*  
38 *this act, which adds Section 514.5 to the Labor Code, imposes a*  
39 *limitation on the public's right of access to the meetings of public*  
40 *bodies or the writings of public officials and agencies within the*

1 *meaning of Section 3 of Article I of the California Constitution.*  
 2 *Pursuant to that constitutional provision, the Legislature makes*  
 3 *the following findings to demonstrate the interest protected by this*  
 4 *limitation and the need for protecting that interest:*

5 *In order to protect minor league baseball players from working*  
 6 *in unregulated or unlawful conditions, it is necessary for the*  
 7 *provisions of this act, and particularly the requirement to amend*  
 8 *and republish Wage Order No. 10-2001, to take effect as quickly*  
 9 *as possible, making the limitations imposed by this act necessary*  
 10 *to protect the interests of minor league baseball players.*

11 ~~SECTION 1. Section 3074.2 of the Labor Code is amended to~~  
 12 ~~read:~~

13 ~~3074.2. (a) For the purposes of this section:~~

14 ~~(1) "Career fair" means an event where multiple private~~  
 15 ~~businesses, government agencies, university representatives, or~~  
 16 ~~career technical school representatives are invited by a school or~~  
 17 ~~school district to present career options or career technical~~  
 18 ~~education options for students.~~

19 ~~(2) "College fair" means an event where multiple college or~~  
 20 ~~university representatives are invited by a school or school district~~  
 21 ~~to present college options to students.~~

22 ~~(3) "School" means public schools, including, but not limited~~  
 23 ~~to, charter schools and alternative schools.~~

24 ~~(b) (1) A school district or school that is planning to hold a~~  
 25 ~~college or career fair shall notify each apprenticeship program in~~  
 26 ~~the same county as the school district or school of the college or~~  
 27 ~~career fair. In determining the county location of an apprenticeship~~  
 28 ~~program, the school district or school shall rely on the database of~~  
 29 ~~approved apprenticeship programs published by the Division of~~  
 30 ~~Apprenticeship Standards on its internet website.~~

31 ~~(2) The notification shall include both of the following:~~

32 ~~(A) The planned date and time of the college fair or career fair.~~

33 ~~(B) The planned location of the college fair or career fair.~~

34 ~~(3) Notice shall be delivered before the planned date of the~~  
 35 ~~college or career fair either by first-class mail or by electronic mail~~  
 36 ~~pursuant to the contact information contained in the database of~~  
 37 ~~approved apprenticeship programs published by the Division of~~  
 38 ~~Apprenticeship Standards on its internet website.~~

39 ~~(e) School districts and schools are encouraged by the~~  
 40 ~~Legislature to host apprenticeship fair events, in the style of college~~

1 and career fair events that are focused on local apprenticeship  
2 programs and career technical education opportunities.

3 ~~(d) The Department of Industrial Relations shall evaluate the~~  
4 ~~effectiveness of this section and submit, by January 1, 2026, a~~  
5 ~~report making recommendations to the Legislature, in accordance~~  
6 ~~with Section 9795 of the Government Code, on how to improve~~  
7 ~~outreach to high school students regarding apprenticeship and~~  
8 ~~preapprenticeship opportunities, as well as ways to expand~~  
9 ~~preapprenticeships and incentivize businesses to offer them.~~

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# California State Senate

SENATOR  
ROSILICIE OCHOA BOGH  
TWENTY-THIRD SENATE DISTRICT



COMMITTEES  
BUDGET  
EDUCATION  
VICE CHAIR  
GOVERNMENTAL ORGANIZATION  
HOUSING  
VICE CHAIR  
HUMAN SERVICES  
VICE CHAIR  
PUBLIC SAFETY  
VICE CHAIR  
RULES

June 28, 2023

Assemblymember James Ramos, Chair  
Assembly Rules Committee  
1021 O Street, Suite 6250  
Sacramento, CA 95814

## RE: URGENCY CLAUSE FOR SENATE BILL 531

Dear Assemblymember Ramos:

I am writing to request permission to add an Urgency Clause to Senate Bill 531, which is currently located in the Assembly Education Committee.

Senate Bill 531, as amended, would require businesses who would like to participate in work experience programs administered by local education agencies (LEAs) to conduct background checks on at least one adult employee in the workplace with direct responsibility of the pupil, and that a student's parent or guardian sign a consent form prior to a pupil entering the workplace.

Assembly Bill 130 (Budget, 2021) sought to address an issue with non-classroom based charter schools. However, the bill unintentionally affected all LEAs by requiring student work program employers to conduct criminal background checks on every employee working at the same job location as a student. This halted a large majority of K-12 internships, mentorships, job shadowing, and work experience programs, as well as the WorkAbility Program that serves students with disabilities. The only other option available to students seeking work experience is to apply for a student work permit and seek employment with a business that is not required to adhere to the employee background check requirements that LEA partners must abide by.

The urgency clause is necessary because both LEAs and their business partners need a timely remedy before the 2023-24 school year begins in August. While student safety remains a top priority, AB 130 had the unintended consequence of limiting community business partners. SB 531 ensures there are necessary safeguards in place to protect students from potential harm at the workplace while also ensuring continued access to professional development and vocational training in various career fields.

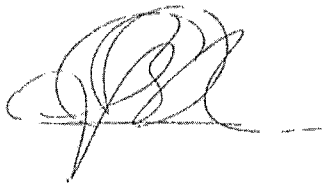
It is critical that the conditions for participation encourage community businesses to partner with LEAs, thus ensuring that students continue to have access to safe work experience opportunities while in high school.

Only with an urgency clause can the Legislature quickly respond to the concerns voiced by the LEAs, students, parents and business owners who want to welcome students into their workplaces.

Updating the requirements will encourage community business partners to continue contracting with LEAs in order to provide work training opportunities for high school students. Without this change, on-the-job work experience will only be available through traditional employment or internships that do not offer the same safety protections for students as contracted LEA work-based programs.

SB 531 is scheduled to be heard in the Assembly Education Committee on July 12. Thank you in advance for your attention to this request. Please do not hesitate to contact my Policy Advisor, Spencer Rhoads, should you have questions regarding this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'RO', with a horizontal line extending to the right from the end of the signature.

ROSILICIE OCHOA BOGH  
Senator, 23<sup>rd</sup> District



AMENDED IN ASSEMBLY JUNE 1, 2023

AMENDED IN SENATE APRIL 24, 2023

**SENATE BILL**

**No. 531**

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**Introduced by Senator Ochoa Bogh**

February 14, 2023

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An act to ~~add Section 69516.5 to the Education Code, relating to financial literacy; amend Section 45125.1 of the Education Code, relating to pupil safety.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 531, as amended, Ochoa Bogh. ~~Financial literacy: student financial aid. Pupil safety: local educational agency contractors: background checks.~~

*Existing law requires any entity that has a contract with a local educational agency, as defined, to ensure that any employee who interacts with pupils, outside of the immediate supervision and control of the pupil's parent or guardian or a school employee, has a valid criminal records summary, as provided.*

*This bill would exempt an employee of any entity that has a contract with a local educational agency, and that offers work experience opportunities for pupils or workplace placements as part of transition services identified in a pupil's individualized education plan, from the requirement to have a valid criminal records summary if certain requirements are met, including that at least one supervisor in the workplace who has direct contact with the pupil has a valid criminal records summary and that the pupil's parent or guardian has signed a consent form regarding the pupil's work placement.*

~~Existing law establishes the Student Aid Commission as the primary state agency for the administration of state-authorized student financial~~

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~~aid programs available to students attending all segments of postsecondary education.~~

~~Existing law establishes the Department of Financial Protection and Innovation, under the direction of the Commissioner of Financial Protection and Innovation, and sets forth its powers and duties regarding administration of various laws relating to financial institutions, including banks and credit unions.~~

~~This bill would require the Student Aid Commission and the Department of Financial Protection and Innovation to prominently display a link to a specified financial literacy document created by the Federal Student Aid Information Center on the home page or on a page dedicated to providing resources related to student loans of their respective internet websites.~~

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

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

1 *SECTION 1. Section 45125.1 of the Education Code is amended*  
2 *to read:*

3 45125.1. (a) Any entity that has a contract with a local  
4 educational agency shall ensure that any employee who interacts  
5 with pupils, outside of the immediate supervision and control of  
6 the pupil’s parent or guardian or a school employee, has a valid  
7 criminal records summary as described in Section 44237. When  
8 the contracting entity performs the criminal background check, it  
9 shall immediately provide any subsequent arrest and conviction  
10 information it receives to any local educational agency that it is  
11 contracting with pursuant to the subsequent arrest service.

12 (b) (1) This section does not apply to an entity providing  
13 services to a local educational agency, as described in subdivision  
14 (a), in an emergency or exceptional situation, such as when pupil  
15 health or safety is endangered or when repairs are needed to make  
16 school facilities safe and habitable.

17 (2) *Notwithstanding subdivision (a), an employee of any entity*  
18 *that has a contract with a local educational agency, and that offers*  
19 *work experience opportunities for pupils or workplace placements*  
20 *as part of transition services identified in a pupil’s individualized*  
21 *education program, including, but not limited to, the services*  
22 *described in Article 3 (commencing with Section 56470) of Chapter*

1 4.5 of Part 30 of Division 4, is not required to have a valid criminal  
2 records summary pursuant to subdivision (a) if all of the following  
3 requirements are met:

4 (A) At least one supervisor in the workplace who has direct  
5 contact with the pupil has a valid criminal records summary as  
6 described in Section 44237.

7 (B) A staff representative of the local educational agency makes  
8 at least one visitation every three weeks to consult with the pupil's  
9 workplace liaison, observe the pupil at the workplace, and check  
10 in with the pupil to ensure the pupil's health, safety, and welfare,  
11 including by addressing any concerns the pupil has raised.

12 (C) The parent or guardian of the pupil has signed a consent  
13 form regarding the pupil's work placement, attesting that the  
14 parent or guardian understands the duties assigned to the pupil  
15 and the nature of the workplace environment.

16 (c) On a case-by-case basis, a local educational agency may  
17 require an entity with whom it has a contract to comply with the  
18 requirements of this section for employees in addition to those  
19 described in subdivision (a). The entity shall prepare and submit  
20 those employee's fingerprints to the Department of Justice, as  
21 described in subdivision (a).

22 (d) (1) The Department of Justice shall ascertain whether the  
23 individual whose fingerprints were submitted to it pursuant to  
24 subdivision (a), (c), or (h) has been arrested or convicted of any  
25 crime insofar as that fact can be ascertained from information  
26 available to the Department of Justice. Upon implementation of  
27 an electronic fingerprinting system with terminals located statewide  
28 and managed by the Department of Justice, the Department of  
29 Justice shall ascertain the information required pursuant to this  
30 section within three working days. When the Department of Justice  
31 ascertains that an individual whose fingerprints were submitted to  
32 it pursuant to subdivision (a), (c), or (h) has a pending criminal  
33 proceeding for a felony as defined in Section 45122.1 or has been  
34 convicted of a felony as defined in Section 45122.1, the Department  
35 of Justice shall notify the employer designated by the individual  
36 of that fact. The notification shall be delivered by telephone or  
37 email to the employer.

38 (2) The Department of Justice, at its discretion, may notify the  
39 local educational agencies in instances when the employee is  
40 defined as having a pending criminal proceeding described in

1 Section 45122.1 or has been convicted of a felony as defined in  
2 Section 45122.1.

3 (3) The Department of Justice shall forward one copy of the  
4 fingerprints to the Federal Bureau of Investigation to verify any  
5 record of previous arrests or convictions of the applicant. The  
6 Department of Justice shall review the criminal record summary  
7 it obtains from the Federal Bureau of Investigation and shall notify  
8 the employer only as to whether or not an applicant has any  
9 convictions or arrests pending adjudication for offenses that, if  
10 committed in California, would have been punishable as a violent  
11 or serious felony. The Department of Justice shall not provide any  
12 specific offense information received from the Federal Bureau of  
13 Investigation. The Department of Justice shall provide written  
14 notification to the contract employer only concerning whether an  
15 applicant for employment has any conviction or arrest pending  
16 final adjudication for any of those crimes, as specified in Section  
17 45122.1, but shall not provide any information identifying any  
18 offense for which an existing employee was convicted or has an  
19 arrest pending final adjudication.

20 (e) (1) An entity having a contract as described in subdivision  
21 (a) or that is required to comply with this section for other  
22 employees pursuant to subdivision (c) shall not permit an employee  
23 to interact with pupils until the Department of Justice has  
24 ascertained that the employee has not been convicted of a felony  
25 as defined in Section 45122.1.

26 (2) The prohibition in paragraph (1) does not apply to an  
27 employee solely on the basis that the employee has been convicted  
28 of a felony if the employee has obtained a certificate of  
29 rehabilitation and pardon pursuant to Chapter 3.5 (commencing  
30 with Section 4852.01) of Title 6 of Part 3 of the Penal Code.

31 (3) The prohibition in paragraph (1) does not apply to an  
32 employee solely on the basis that the employee has been convicted  
33 of a serious felony that is not also a violent felony if that employee  
34 can prove to the sentencing court of the offense in question, by  
35 clear and convincing evidence, that the employee has been  
36 rehabilitated for the purposes of schoolsite employment for at least  
37 one year. If the offense in question occurred outside this state, then  
38 the person may seek a finding of rehabilitation from the court in  
39 the local educational agency in which the employee is a resident.

1 (f) An entity having a contract as described in subdivision (a)  
2 or that is required to comply with this section for other employees  
3 pursuant to subdivision (c) shall certify in writing to the local  
4 educational agency that neither the employer nor any of its  
5 employees who are required by this section to submit or have their  
6 fingerprints submitted to the Department of Justice and who may  
7 interact with pupils have been convicted of a felony as defined in  
8 Section 45122.1.

9 (g) Where reasonable access to the statewide electronic  
10 fingerprinting network is available, the Department of Justice may  
11 mandate electronic submission of the fingerprint cards and other  
12 information required by this section.

13 (h) (1) For purposes of this section, an individual operating as  
14 a sole proprietor of an entity that has a contract with a local  
15 educational agency, as described in subdivision (a), shall be  
16 considered an employee of that entity.

17 (2) To protect the safety of any pupil that may interact with an  
18 employee of an entity that is a sole proprietorship and has a contract  
19 as described in subdivision (a) or that is required to comply with  
20 this section for other employees pursuant to subdivision (c), a local  
21 educational agency shall prepare and submit the employee's  
22 fingerprints to the Department of Justice, as described in  
23 subdivision (a).

24 (i) For purposes of this section, "local educational agency"  
25 means a school district, county office of education, or charter  
26 school.

27 (j) ~~This section shall become operative on January 1, 2022.~~

28 ~~SECTION 1. Section 69516.5 is added to the Education Code,~~  
29 ~~to read:~~

30 ~~69516.5. The commission and the Department of Financial~~  
31 ~~Protection and Innovation shall prominently display a link to the~~  
32 ~~"Financial Literacy Guidance from Federal Student Aid" document~~  
33 ~~created by the Federal Student Aid Information Center on the home~~  
34 ~~page or on a page dedicated to providing resources related to~~  
35 ~~student loans of their respective internet websites.~~

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