



STATE CAPITOL
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CHIEF ADMINISTRATIVE OFFICER
 LIA LOPEZ

Assembly
California Legislature
Committee on Rules

JAMES RAMOS
CHAIR

Thursday, March 30, 2023
 8:45 a.m.
 State Capitol, Room 126

CONSENT AGENDA

VICE CHAIR
 WALDRON, MARIE

MEMBERS
 ADDIS, DAWN
 CARRILLO, JUAN
 ESSAYLI, BILL
 FLORA, HEATH
 LOW, EVAN
 ORTEGA, LIZ
 PACHECO, BLANCA
 PAPAN, DIANE
 PELLERIN, GAIL
 RUBIO, BLANCA E.
 VALENCIA, AVELINO

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

BILL REFERRALS

1. Bill Referrals

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RESOLUTIONS

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| 4. ACR-41 (Lackey) | Special Olympics Day. | Page 15 |
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GAIL PELLERIN
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: 3/29/2023
Re: Consent Bill Referrals

Since you received your preliminary list of bill referrals, the following bills have been added to the referral list: AB 16, AB 53, ACR 49, and HR 26.

REFERRAL OF BILLS TO COMMITTEE

03/30/2023

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

<u>Assembly Bill No.</u>	<u>Committee:</u>
<u>AB 8</u>	A., E., S., & T.
<u>AB 8</u>	P. & C.P.
<u>AB 16</u>	TRANS.
<u>AB 53</u>	TRANS.
<u>AB 259</u>	REV. & TAX.
<u>AB 259</u>	JUD.
<u>AB 298</u>	RLS.
<u>AB 791</u>	PUB. S.
<u>AB 1000</u>	L. GOV.
<u>AB 1000</u>	NAT. RES.
<u>AB 1063</u>	HEALTH
<u>AB 1139</u>	JUD.
<u>AB 1350</u>	M. & V.A.
<u>AB 1402</u>	PUB. S.
<u>AB 1452</u>	RLS.
<u>AB 1459</u>	RLS.
<u>AB 1595</u>	ELECTIONS
<u>AB 1748</u>	L. GOV.
<u>AB 1768</u>	G.O.
<u>AB 1769</u>	G.O.
<u>AB 1770</u>	E.M.
<u>ACA 3</u>	REV. & TAX.
<u>ACA 4</u>	ELECTIONS
<u>ACR 45</u>	RLS.
<u>ACR 46</u>	RLS.
<u>ACR 47</u>	RLS.
<u>ACR 48</u>	RLS.
<u>ACR 49</u>	RLS.
<u>AJR 2</u>	RLS.
<u>AJR 3</u>	H. & C.D.
<u>HR 26</u>	RLS.
<u>SB 100</u>	BUDGET
<u>SB 101</u>	BUDGET
<u>SB 102</u>	BUDGET
<u>SB 103</u>	BUDGET
<u>SB 104</u>	BUDGET
<u>SB 105</u>	BUDGET
<u>SB 106</u>	BUDGET
<u>SB 107</u>	BUDGET
<u>SB 108</u>	BUDGET
<u>SB 109</u>	BUDGET
<u>SB 110</u>	BUDGET
<u>SB 111</u>	BUDGET
<u>SB 112</u>	BUDGET

<u>SB 113</u>	BUDGET
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<u>SB 219</u>	BUDGET
<u>SCR 35</u>	RLS.
<u>SCR 37</u>	RLS.
<u>SJR 1</u>	P.E. & R.

Assembly Concurrent Resolution

No. 5

Introduced by Assembly Members Ta and Stephanie Nguyen

January 18, 2023

Assembly Concurrent Resolution No. 5—Relative to Black April Memorial Month.

LEGISLATIVE COUNSEL’S DIGEST

ACR 5, as introduced, Ta. Black April Memorial Month.

This measure would proclaim the month of April 2023 as Black April Memorial Month.

Fiscal committee: no.

- 1 WHEREAS, April 30, 2023, marks the 48th year since the Fall
2 of Saigon, on April 30, 1975, to communism; and
3 WHEREAS, For many Vietnam and Vietnam-era veterans who
4 were directly involved in the war and Vietnamese Americans who
5 have settled in the United States, the Vietnam War was a tragedy
6 full of great suffering and loss of American, Vietnamese, and
7 Southeast Asian lives; and
8 WHEREAS, The combined United States and South Vietnamese
9 fatalities among military personnel during the Vietnam War
10 reached more than half a million, with approximately 800,000
11 additional troops being wounded in combat. Millions of
12 Vietnamese civilians suffered casualties and death as a result of
13 the extended conflict; and
14 WHEREAS, After the Fall of Saigon, millions of Vietnamese
15 and their families fled Vietnam to surrounding areas and the United
16 States, including, but not limited to, former military personnel,

1 government officials, and those who had worked for the United
2 States during the war; and

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

9 WHEREAS, Today, more than 600,000 Vietnamese live in
10 California, with the largest concentration of Vietnamese residents
11 found outside of Vietnam residing in the County of Orange; and

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

20 WHEREAS, We must teach our children and future generations
21 important lessons from the Vietnam War and the continuing
22 situation in Vietnam, including how the plight of the Vietnamese
23 refugees following the end of the war serves as a powerful example
24 of the values of freedom and democracy; and

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

32 WHEREAS, Vietnamese American communities throughout
33 California will commemorate April 30, 2023, as Black April, a
34 day of remembrance and rededication to the principles of freedom,
35 including freedom of religion, freedom of expression, freedom of
36 the press, and internet freedom; now, therefore, be it

37 *Resolved by the Assembly of the State of California, the Senate*
38 *thereof concurring*, That in recognition of the great tragedy and
39 suffering and lives lost during the Vietnam War, the month of
40 April 2023 shall be proclaimed Black April Memorial Month, a

- 1 special time for Californians to remember the lives lost during the
- 2 Vietnam War era, and to hope for a more humane and just life for
- 3 the people of Vietnam; and be it further
- 4 *Resolved*, That the Chief Clerk of the Assembly transmit copies
- 5 of this resolution to the author for appropriate distribution.

O

Date of Hearing: March 30, 2023

ASSEMBLY COMMITTEE ON RULES
James Ramos, Chair
ACR 5 (Ta) – As Introduced January 18, 2023

SUBJECT: Black April Memorial Month.

SUMMARY: Proclaims the month of April 2023 as Black April Memorial Month. Specifically, **this resolution** makes the following legislative findings:

- 1) April 30, 2023, marks the 48th year since the Fall of Saigon, on April 30, 1975, to communism.
- 2) For many Vietnam and Vietnam-era veterans who were directly involved in the war and Vietnamese Americans who have settled in the United States, the Vietnam War was a tragedy full of great suffering and loss of American, Vietnamese, and Southeast Asian lives.
- 3) After the Fall of Saigon, millions of Vietnamese and their families fled Vietnam to surrounding areas and the United States, including, but not limited to, former military personnel, government officials, and those who had worked for the United States during the war.
- 4) Today, more than 600,000 Vietnamese live in California, with the largest concentration of Vietnamese residents found outside of Vietnam residing in the County of Orange.
- 5) We must teach our children and future generations important lessons from the Vietnam War and the continuing situation in Vietnam, including how the plight of the Vietnamese refugees following the end of the war serves as a powerful example of the values of freedom and democracy.
- 6) We, the people of California, should actively rededicate ourselves to the principles of human rights, individual freedom, sovereignty, and equal protection under the laws of a just and democratic world. Californians should set aside moments of time every year on April 30 to give remembrance to the soldiers, medical personnel, and civilians who died during the Vietnam War in pursuit of freedom and democracy.
- 7) Vietnamese American communities throughout California will commemorate April 30, 2022, as Black April, a day of remembrance and rededication to the principles of freedom, including freedom of religion, freedom of expression, freedom of the press, and internet freedom.

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. 34

Introduced by Assembly Member Chen

March 2, 2023

Assembly Concurrent Resolution No. 34—Relative to Financial Capability Month.

LEGISLATIVE COUNSEL’S DIGEST

ACR 34, as introduced, Chen. Financial Capability Month.

This measure would designate the month of April 2023 as Financial Capability Month.

Fiscal committee: no.

1 WHEREAS, The Legislature passed Assembly Bill 2546 (2016),
2 which helps make financial literacy in the classroom a reality for
3 California’s schoolage children; and

4 WHEREAS, The State Department of Education acknowledges
5 that young people need to be equipped with the skills and
6 knowledge that allow them to be savvy consumers and competent
7 managers of their own finances; and

8 WHEREAS, A lack of financial capability has real consequences
9 for individuals, including lower savings rates, poor credit, and less
10 wealth overall; and

11 WHEREAS, A survey of individuals 15 years of age in the
12 United States, conducted by the Organization for Economic
13 Co-operation and Development, found that 18 percent of
14 respondents did not learn fundamental financial skills that are often
15 applied in everyday situations, such as building a simple budget,
16 comparison shopping, and understanding an invoice; and

1 WHEREAS, According to an Organization for Economic
2 Co-operation and Development study, more than one in six students
3 in the United States do not reach the baseline level of proficiency
4 in financial literacy; and

5 WHEREAS, An EVERFI survey of over 100,000 incoming
6 college students found that 92 percent of students felt “they needed
7 more education, information, and/or support to be able to pay off
8 their college loan.”; and

9 WHEREAS, According to Experian, 49 percent of Generation
10 Z consumers surveyed said that they found financial topics to be
11 somewhat interesting or interesting and 11 percent of them even
12 said they loved learning about them; and

13 WHEREAS, The International Review of Economics Education
14 published a paper titled “The Features and Effectiveness of the
15 Keys to Financial Success Curriculum”, which found one-semester
16 financial literacy programs taught by trained teachers were found
17 to increase high school students’ financial knowledge by 61
18 percent, and was most effective in improving knowledge in the
19 areas that the students were most deficient; and

20 WHEREAS, A study from Montana State University found that
21 high school financial education leads to better financial aid
22 decisions once these students reach college, increases subsidized
23 borrowing at advantageous federal rates, and decreases use of more
24 costly forms of borrowing, including credit cards and private loans;
25 and

26 WHEREAS, Financial literacy rates directly affect the financial
27 health of individuals, families, communities, and the country; and

28 WHEREAS, Resolutions similar to this resolution have been
29 introduced and passed with strong bipartisan support to increase
30 awareness of the need for financial capability for California
31 citizens; now, therefore, be it

32 *Resolved by the Assembly of the State of California, the Senate*
33 *thereof concurring*, That the Legislature hereby recognizes and
34 declares the month of April 2023 as Financial Capability Month
35 in order to raise public awareness about the need for increased
36 financial capability; and be it further

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

O

Date of Hearing: March 30, 2023

ASSEMBLY COMMITTEE ON RULES
James Ramos, Chair
ACR 34 (Chen) – As Introduced March 2, 2023

SUBJECT: Financial Capability Month.

SUMMARY: Designates the month of April 2023 as Financial Capability Month. Specifically, **this resolution** makes the following legislative findings:

- 1) A lack of financial capability has real consequences for individuals, including lower savings rates, poor credit, and less wealth overall.
- 2) The State Department of Education acknowledges that young people need to be equipped with the skills and knowledge that allow them to be savvy consumers and competent managers of their own finances.
- 3) A survey of individuals 15 years of age in the United States, conducted by the Organization for Economic Co-operation and Development, found that 18 percent of respondents did not learn fundamental financial skills that are often applied in everyday situations, such as building a simple budget, comparison shopping, and understanding an invoice.
- 4) According to an Organization for Economic Co-operation and Development study, more than one in six students in the United States do not reach the baseline level of proficiency in financial literacy.
- 5) Financial literacy rates directly affect the financial health of individuals, families, communities, and the country.
- 6) The Legislature passed Assembly Bill 2546 (2016), which helps make financial literacy in the classroom a reality for California's schoolage children.

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. 41

Introduced by Assembly Member Lackey

March 20, 2023

Assembly Concurrent Resolution No. 41—Relative to Special Olympics Day.

LEGISLATIVE COUNSEL’S DIGEST

ACR 41, as introduced, Lackey. Special Olympics Day.

This measure would proclaim April 18, 2023, as Special Olympics Day in California.

Fiscal committee: no.

1 WHEREAS, In the 1950s and 1960s, Eunice Kennedy Shriver
2 saw how unjustly people with intellectual disabilities were treated
3 and decided to take actions that led to the creation of the Special
4 Olympics; and

5 WHEREAS, Special Olympics is the world’s largest sports
6 organization for children and adults with intellectual disabilities,
7 providing year-round training and competitions to more than
8 5,300,000 athletes and Unified Sports partners in 170 countries;
9 and

10 WHEREAS, Special Olympics California events bring together
11 a large and inclusive community of athletes, families, supporters,
12 coaches, volunteers, and many others; and

13 WHEREAS, Through the power of sports, Special Olympics
14 California athletes discover new strengths, abilities, confidence,
15 and success on the playing field and in life; and

1 WHEREAS, Special Olympics California is the leading voice
2 in raising awareness about the abilities of people with intellectual
3 disabilities in the state; and
4 WHEREAS, Special Olympics is the world’s largest public
5 health organization for people with intellectual disabilities and
6 offers a wide range of free health exams and care; and
7 WHEREAS, Special Olympics California provides free services
8 and programs in sports, school, health, and leadership to more than
9 50,000 people with intellectual disabilities and their families in
10 the state; and
11 WHEREAS, Special Olympics California provides screenings,
12 including eye, ear, dental, and foot health, plus resources for mental
13 health; and
14 WHEREAS, Special Olympics California bridges the gap
15 between medical professionals and people with intellectual
16 disabilities to break down barriers to services and to advocate for
17 quality care; and
18 WHEREAS, With support from the State of California, Special
19 Olympics brought the power of Unified Champion Schools
20 programs to hundreds of schools this year. Cultivating friendship
21 and belonging between students with and without disabilities, the
22 programming spans preschool to transition schools, and includes
23 sports curriculum, youth leadership, and resources for educators;
24 now, therefore, be it
25 *Resolved by the Assembly of the State of California, the Senate*
26 *thereof concurring*, That the Legislature hereby proclaims April
27 18, 2023, as Special Olympics Day in California; and be it further
28 *Resolved*, That the Chief Clerk of the Assembly transmit copies
29 of this resolution to the author for appropriate distribution.

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Date of Hearing: March 30, 2023

ASSEMBLY COMMITTEE ON RULES
James Ramos, Chair
ACR 41 (Lackey) – As Introduced March 20, 2023

SUBJECT: Special Olympics Day.

SUMMARY: Proclaims April 18, 2023, as Special Olympics Day in California. Specifically, **this resolution** makes the following legislative findings:

- 1) Special Olympics is the world's largest sports organization for children and adults with intellectual disabilities, providing year-round training and competitions to more than 5.3 million athletes and Unified Sports partners in 170 countries.
- 2) Special Olympics California is the leading voice in raising awareness about the abilities of people with intellectual disabilities in the state.
- 3) Special Olympics events bring together a large and inclusive community of athletes, families, supporters, coaches, volunteers, and many others.
- 4) Through the power of sports, Special Olympics California athletes discover new strengths, abilities, confidence, and success on the playing field and in life.
- 5) Special Olympics California provides free services and programs in sports, school, health, and leadership to more than 50,000 people with intellectual disabilities and their families in the state.
- 6) Special Olympics California provides screenings, including eye, ear, dental, and foot health, plus resources for mental health.
- 7) With support from the State of California, Special Olympics brought the power of Unified Champion Schools programs to hundreds of schools this year. Cultivating friendship and belonging between students with and without disabilities, the programming spans preschool to transition schools, and includes sports curriculum, youth leadership, and resources for educators.

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. 45

Introduced by Assembly Member Ta
(Principal coauthor: Senator Umberg)

March 22, 2023

Assembly Concurrent Resolution No. 45—Relative to Vietnam Human Rights Day.

LEGISLATIVE COUNSEL’S DIGEST

ACR 45, as introduced, Ta. Vietnam Human Rights Day.

This measure would designate May 11, 2023, as Vietnam Human Rights Day in support of efforts to achieve freedom and human rights for the people of Vietnam. The measure would encourage Californians to commemorate the day with appropriate activities, including, but not limited to, rallies, ceremonies, and discussions.

Fiscal committee: no.

- 1 WHEREAS, May 11, 2023, is the 33rd anniversary of the
2 issuance of the Manifesto Of The Non-Violent Movement For
3 Human Rights in Vietnam; and
4 WHEREAS, The Manifesto, which calls upon Hanoi to respect
5 basic human rights, accept a multiparty system, and restore the
6 right of the Vietnamese people to choose their own form of
7 government through free and fair elections, reflects the will and
8 aspirations of the people of Vietnam; and
9 WHEREAS, The Government of Vietnam has imposed
10 restrictions on freedom of association, freedom of assembly,
11 freedom of the press, and freedom of speech; and

1 WHEREAS, Vietnam Human Rights Day has been observed in
2 the United States annually on May 11 since its initial designation
3 by Joint Resolution No.168 passed by the United States Congress
4 in 1994; and

5 WHEREAS, Vietnam Human Rights Day focuses on
6 highlighting human rights violations, promoting human rights
7 issues in the Socialist Republic of Vietnam, and recognizing the
8 efforts of Vietnamese dissidents; and

9 WHEREAS, According to the United States Census for 2020,
10 more than 675,235 Vietnamese people live in California, with the
11 largest concentration of Vietnamese residents found outside of
12 Vietnam residing in the County of Orange; and

13 WHEREAS, Many Vietnamese people residing in California
14 fled from government oppression; now, therefore, be it

15 *Resolved by the Assembly of the State of California, the Senate*
16 *thereof concurring*, That the Legislature hereby designates May
17 11, 2023, as Vietnam Human Rights Day in support of efforts to
18 achieve freedom and human rights for the people of Vietnam; and
19 be it further

20 *Resolved*, That the Legislature encourages Californians to
21 commemorate the day with appropriate activities, including, but
22 not limited to, rallies, ceremonies, and discussions; 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: March 30, 2023

ASSEMBLY COMMITTEE ON RULES
James Ramos, Chair
ACR 45 (Ta) – As Introduced March 22, 2023

SUBJECT: Vietnam Human Rights Day.

SUMMARY: Designates May 11, 2023, as Vietnam Human Rights Day in support of efforts to achieve freedom and human rights for the people of Vietnam. Specifically, **this resolution** makes the following legislative findings:

- 1) Vietnam Human Rights Day focuses on highlighting human rights violations, promoting human rights issues in the Socialist Republic of Vietnam, and recognizing the efforts of Vietnamese dissidents.
- 2) Vietnam Human Rights Day has been observed in the United States annually on May 11 since its initial designation by Joint Resolution No.168 passed by the United States Congress in 1994.
- 3) May 11, 2023, is the 33rd anniversary of the issuance of the Manifesto Of The Non-Violent Movement For Human Rights in Vietnam.
- 4) The Manifesto, which calls upon Hanoi to respect basic human rights, accept a multiparty system, and restore the right of the Vietnamese people to choose their own form of government through free and fair elections, reflects the will and aspirations of the people of Vietnam.
- 5) Many Vietnamese people residing in California fled from government oppression.
- 6) According to the United States Census for 2020, more than 675,235 Vietnamese people live in California, with the largest concentration of Vietnamese residents found outside of Vietnam residing in the County of Orange.

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. 46

Introduced by Assembly Member Pellerin
(Principal coauthor: Senator Gonzalez)
(Coauthor: Assembly Member Boerner Horvath)
(Coauthor: Senator Nguyen)

March 23, 2023

Assembly Concurrent Resolution No. 46—Relative to California Ocean Day.

LEGISLATIVE COUNSEL’S DIGEST

ACR 46, as introduced, Pellerin. California Ocean Day.
This measure would declare April 11, 2023, as California Ocean Day.
Fiscal committee: no.

- 1 WHEREAS, Our identity as Californians is inextricably tied to
2 the Pacific Ocean and our majestic coastline; and
3 WHEREAS, The ocean is an essential habitat and natural
4 resource that supports California’s incredible array of marine life,
5 as well as its \$44 billion ocean economy; and
6 WHEREAS, The ocean provides a nature-based solution for the
7 climate crisis by absorbing 90 percent of the warming of our planet;
8 and
9 WHEREAS, Protecting the unique biodiversity of the ocean
10 builds resilience of habitats and species over time; and
11 WHEREAS, The ocean delivers multiple societal benefits,
12 including the food we eat, the medicine we rely on, the jobs that
13 sustain our communities, and cultural connectivity; and

1 WHEREAS, The ocean holds social, cultural, and traditional
2 significance, especially to the original stewards of this land, the
3 indigenous communities of California, who have protected the
4 ocean for centuries and continue to do so in the present day; and
5 WHEREAS, California’s coastal counties are home to 68 percent
6 of the state’s population; and
7 WHEREAS, The ocean is a major attraction for millions of
8 Californians, providing an array of recreational opportunities that
9 are important to local economies and promoting a strong
10 connection to place and overall human well-being; and
11 WHEREAS, California’s ocean and coastal resources require
12 careful management in the face of climate change and other ocean-
13 and land-based stressors; and
14 WHEREAS, Inequitable access to the ocean and coast by Black,
15 Indigenous, People of Color, low-income, and marginalized
16 communities has been historically unaddressed; and
17 WHEREAS, The Legislature has a responsibility to center equity
18 and strengthen partnerships with California’s diverse communities
19 in ensuring a healthy ocean for future generations; and
20 WHEREAS, The Legislature recognizes the dedication and
21 commitment to our ocean by all of the participants in World Oceans
22 Day, including legislators, legislative staff, state agency officials,
23 and ocean advocates from across the state; now, therefore, be it
24 *Resolved by the Assembly of the State of California, the Senate*
25 *thereof concurring*, That the Legislature, in recognition of the
26 importance of the ocean to the well-being of this state, declares
27 April 11, 2023, as California Ocean Day; and be it further
28 *Resolved*, That the Chief Clerk of the Assembly transmit copies
29 of this resolution to the author for appropriate distribution.

O

Date of Hearing: March 30, 2023

ASSEMBLY COMMITTEE ON RULES
James Ramos, Chair
ACR 46 (Pellerin) – As Introduced March 23, 2023

SUBJECT: California Ocean Day.

SUMMARY: Declares April 11, 2023, as California Ocean Day, in recognition of the importance of the ocean to the well-being of this state. Specifically, **this resolution** makes the following legislative findings:

- 1) Our identity as Californians is inextricably tied to the Pacific Ocean and our majestic coastline. The ocean is an essential habitat and natural resource that supports California’s incredible array of marine life, as well as its \$44 billion ocean economy.
- 2) The ocean provides a nature-based solution for the climate crisis by absorbing 90 percent of the warming of our planet. Protecting the unique biodiversity of the ocean builds resilience of habitats and species over time.
- 3) The ocean holds social, cultural, and traditional significance, especially to the original stewards of this land, the indigenous communities of California, who have protected the ocean for centuries and continue to do so in the present day.
- 4) California’s coastal counties are home to 68 percent of the state’s population. The ocean is a major attraction for millions of Californians, providing an array of recreational opportunities that are important to local economies and promoting a strong connection to place and overall human well-being.
- 5) Inequitable access to the ocean and coast by Black, Indigenous, People of Color, low-income, and marginalized communities has been historically unaddressed. The Legislature has a responsibility to center equity and strengthen partnerships with California’s diverse communities in ensuring a healthy ocean for future generations.

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. 49

Introduced by Assembly Member Berman
(Coauthor: Senator Glazer)

March 29, 2023

Assembly Concurrent Resolution No. 49—Relative to California Native Plant Month.

LEGISLATIVE COUNSEL’S DIGEST

ACR 49, as introduced, Berman. California Native Plant Month.

This measure would proclaim the month of April, each year, as California Native Plant Month and would encourage community groups, schools, and citizens to undertake appropriate activities to promote the conservation, restoration, and appreciation of California’s native plants.

Fiscal committee: no.

- 1 WHEREAS, California’s native plants provide unparalleled and
- 2 unique iconic, economic, artistic, historical, and environmental
- 3 values to the state; and
- 4 WHEREAS, California’s over 6,000 native plant species,
- 5 subspecies, and varieties, of which over 2,150 exist only in
- 6 California, make California home to more diverse plant life than
- 7 all other states; and
- 8 WHEREAS, California’s native plants include some of the
- 9 oldest, tallest, and most massive living things on Earth; and
- 10 WHEREAS, The Department of Fish and Wildlife recognizes
- 11 nearly one-third of California’s native plants as “special plants”
- 12 that warrant additional protections; and

1 WHEREAS, California currently contends with over 1,000
2 nonnative plants, some of which compete with native plant species,
3 degrade soil, facilitate erosion and catastrophic wildfire, and alter
4 the state’s natural landscapes; and

5 WHEREAS, Many native California plants have played a vital
6 role in the history of our state and our nation, compelling Congress,
7 the Legislature, and many communities to protect the beauty,
8 power, and grandeur of California’s natural landscapes; and

9 WHEREAS, California’s first Native American nations have
10 lived and thrived by their knowledge of native California plants,
11 which has provided them with food, clothing, shelter, dyes, tools,
12 medicines, and fuel for centuries; and

13 WHEREAS, California’s citizens have consistently supported
14 efforts to protect our natural landscapes, including numerous areas
15 within the Coast Redwoods, the Sierra Nevada, and the Mojave
16 Desert, spurring a conservation and environmental awareness that
17 helps define California today; and

18 WHEREAS, California’s native plants have played a vital role
19 in inspiring the creation and management of our National Park
20 Service, including President Lincoln’s 1864 signing of the
21 Yosemite and Mariposa Big Tree Grove Grant to California,
22 designating a park “to be held for public use, resort, and recreation
23 ... inalienable for all time,” and the adoption of the Sequoia cone
24 as an insignia of the National Park Service; and

25 WHEREAS, In 1899, 1903, and 1904, members of the 9th
26 Cavalry and 24th Infantry Buffalo Soldier regiments were
27 dispatched to Sequoia and Yosemite national parks, where they
28 protected giant sequoias from illegal logging, built trails and fences
29 to enhance visitors’ experiences among the giant trees while
30 protecting park resources, and developed the first museum in a
31 national park, a California native plant arboretum in Yosemite
32 Valley; and

33 WHEREAS, An interest in protecting California’s native plants
34 has played a vital role in the creation of many California state and
35 regional parks, including California’s oldest state park, Big Basin,
36 created in 1902 to protect old growth Coast Redwood forests; and

37 WHEREAS, The impact of California’s landscape has influenced
38 literary and artistic works, including the works of Octavia E. Butler,
39 Gary Snyder, Frank Day, Mary Hunter Austin, Ansel Adams, and

1 many other internationally known figures, furthering California's
2 legacy; and

3 WHEREAS, California's native plants have provided and
4 continue to provide foods, medicines, and other products, from
5 the origins of California's strawberry industry to Taxol for cancer
6 treatment; and

7 WHEREAS, California native plant horticulture is a thriving,
8 vital, and growing industry employing thousands of Californians,
9 and the benefits to water conservation and natural area restoration
10 help provide economic stability within the state; and

11 WHEREAS, California's native plants provide essential
12 watershed protections by helping to recharge natural aquifers,
13 filtering water flowing through mountains, hills, and valleys,
14 lessening erosion and flooding, and enabling efforts to beautify
15 and renew our state; and

16 WHEREAS, Gardens and landscapes comprised of California
17 native plants, being perfectly suited to California's climate and
18 soil, require far fewer fertilizers, soil amendments, or pesticides,
19 and use less water than conventional landscapes, exemplified by
20 a City of Santa Monica experiment, in which a native plant garden
21 using appropriate watering methods was shown to use nearly
22 220,000 fewer gallons of water than a similarly sized conventional
23 garden, a 77 percent decrease in water use; and

24 WHEREAS, Restoring California native plants provides natural
25 links to wild land areas, while introducing people to their beauty
26 and instilling a greater understanding and appreciation for
27 California's natural heritage; now, therefore, be it

28 *Resolved by the Assembly of the State of California, the Senate*
29 *thereof concurring*, That the Legislature recognizes the essential
30 value and importance of California native plants to our history,
31 economy, landscape, and environment; and be it further

32 *Resolved*, That the California Legislature encourages community
33 groups, schools, and citizens to undertake appropriate activities to
34 promote native plant conservation and restoration, and to inform
35 their neighbors and communities of the value of native plants in
36 nature and in horticultural settings; and be it further

37 *Resolved*, That the California Legislature hereby declares the
38 month of April, each year, as California Native Plant Month; and
39 be it further

ACR 49

— 4 —

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

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Date of Hearing: March 30, 2023

ASSEMBLY COMMITTEE ON RULES
James Ramos, Chair
ACR 49 (Berman) – As Introduced March 29, 2023

SUBJECT: California Native Plant Month.

SUMMARY: Proclaims the month of April, each year, as California Native Plant Month; and, encourages community groups, schools, and citizens to undertake appropriate activities to promote the conservation, restoration, and appreciation of California’s native plants. Specifically, **this resolution** makes the following legislative findings:

- 1) California’s native plants provide unparalleled and unique iconic, economic, artistic, historical, and environmental values to the state.
- 2) California’s over 6,000 native plant species, subspecies, and varieties, of which over 2,150 exist only in this state, make California home to more diverse plant life than all other states.
- 3) This state’s native plants include some of the oldest, tallest, and most massive living things on Earth. The Department of Fish and Wildlife recognizes nearly one-third of California’s native plants as “special plants” that warrant additional protections.
- 4) Many native California plants have played a vital role in the history of our state and our nation, compelling Congress, the Legislature, and many communities to protect the beauty, power, and grandeur of California’s natural landscapes.
- 5) California’s first Native American nations have lived and thrived by their knowledge of native California plants, which has provided them with food, clothing, shelter, dyes, tools, medicines, and fuel for centuries.
- 6) California’s citizens have consistently supported efforts to protect our natural landscapes, including numerous areas within the Coast Redwoods, the Sierra Nevada, and the Mojave Desert, spurring a conservation and environmental awareness that helps define California today.
- 7) An interest in protecting California’s native plants has played a vital role in the creation of many California state and regional parks, including California’s oldest state park, Big Basin, created in 1902 to protect old growth Coast Redwood forests.
- 8) California native plant horticulture is a thriving, vital, and growing industry employing thousands of Californians, and the benefits to water conservation and natural area restoration help provide economic stability within the state. Native plants provide essential watershed protections by helping to recharge natural aquifers, filtering water flowing through mountains, hills, and valleys, lessening erosion and flooding, and enabling efforts to beautify and renew our state.
- 9) Restoring California native plants provides natural links to wild land areas, while introducing people to their beauty and instilling a greater understanding and appreciation for California’s natural heritage.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

Assembly Joint Resolution

No. 2

Introduced by Assembly Member Bains

March 22, 2023

Assembly Joint Resolution No. 2—Relative to Sikh genocide.

LEGISLATIVE COUNSEL’S DIGEST

AJR 2, as introduced, Bains. Sikh genocide.

This measure would condemn the November 1984 anti-Sikh violence in India as genocide and would urge the United States Congress to formally recognize and condemn the November 1984 anti-Sikh violence in India as genocide.

Fiscal committee: no.

1 WHEREAS, The Sikh community, which originated in Punjab,
2 a region of South Asia now in Pakistan and India, began
3 immigrating to the United States over 100 years ago and has played
4 an important role in building agriculture, infrastructure, and
5 communities across the United States and California; and
6 WHEREAS, Sikhism is the fifth-largest religion in the world
7 with nearly 30,000,000 adherents, including approximately 500,000
8 in the United States, one-half of whom call California home; and
9 WHEREAS, Systemic and orchestrated genocidal violence was
10 perpetrated against Sikhs in November 1984 in the capital territory
11 of Delhi, the states of Jharkhand, Madhya Pradesh, Haryana,
12 Uttarakhand, Bihar, Uttar Pradesh, West Bengal, Himachal
13 Pradesh, Rajasthan, Odisha, Chhattisgarh, Tripura, Tamil Nadu,
14 Gujarat, Andhra Pradesh, Kerala, and Maharashtra, and the union
15 territory of Jammu and Kashmir; and

1 WHEREAS, During the anti-Sikh genocide, Sikhs were
2 assaulted, tortured, burned alive, and murdered, and Sikh women,
3 many of whom lost their families during the genocide, were
4 sexually assaulted and raped by groups of attackers; and

5 WHEREAS, Sikh homes, businesses, and gurdwaras, or houses
6 of worships, were looted, damaged, and destroyed during the
7 genocide, causing the intentional destruction of many Sikh families,
8 communities, homes, and businesses; and

9 WHEREAS, The Indian government, through officials and
10 Members of Parliament and with the support of the police, led
11 genocidal and participated in, and failed to intervene to prevent,
12 the genocide; and

13 WHEREAS, Over three days in November 1984, over 30,000
14 Sikhs were murdered; and

15 WHEREAS, The “Widow Colony” in New Delhi still houses
16 Sikh women who were assaulted, raped, tortured, and forced to
17 witness the dismemberment, burning, and murder of their families,
18 and who are still calling for justice against the perpetrators; and

19 WHEREAS, The Sikh community in the United States has not
20 recovered from the physical and psychological trauma of the
21 genocide, as they keep alive the memory of those who were killed,
22 and will never forget the anti-Sikh genocide; and

23 WHEREAS, The United Nations Convention on Genocide states
24 in Article II that, “genocide means any of the following acts
25 committed with intent to destroy, in whole or in part, a national,
26 ethnical, racial, or religious group as such; (a) Killing members
27 of the group; (b) Causing serious bodily or mental harm to
28 members of the group; (c) Deliberately inflicting on the group
29 conditions of life calculated to bring about its physical destruction
30 in whole or in part”; and

31 WHEREAS, On January 6, 2022, the Senate of the State of New
32 Jersey unanimously passed Senate Resolution 142 condemning
33 the November 1984 anti-Sikh violence in India as genocide; and

34 WHEREAS, On October 17, 2018, the General Assembly of
35 the Commonwealth of Pennsylvania unanimously passed House
36 Resolution 1160 condemning the November 1984 anti-Sikh
37 violence as genocide; and

38 WHEREAS, Recognizing the state-sponsored violence that
39 targeted Sikhs across India is an important and historic step towards

1 justice, accountability, and reconciliation, which should be an
2 example to other governments; now, therefore, be it

3 *Resolved by the Assembly and the Senate of the State of*
4 *California, jointly,* That the Legislature of the State of California
5 condemns the November 1984 anti-Sikh violence in India as
6 genocide; and be it further

7 *Resolved,* That the Legislature of the State of California urges
8 the United States Congress to formally recognize and condemn
9 the November 1984 anti-Sikh violence in India as genocide; and
10 be it further

11 *Resolved,* That the Chief Clerk of the Assembly transmit copies
12 of this resolution to the President and Vice President of the United
13 States, the Speaker and Minority Leader of the United States House
14 of Representatives, the Majority Leader and Minority Leader of
15 the United States Senate, and each member of the California
16 delegation to the United States Congress.

O

Date of Hearing: March 30, 2023

ASSEMBLY COMMITTEE ON RULES
James Ramos, Chair
AJR 2 (Bains) – As Introduced March 22, 2023

SUBJECT: Sikh genocide.

SUMMARY: Condemns the November 1984 anti-Sikh violence in India as genocide and urges the United States Congress to formally recognize and condemn the November 1984 anti-Sikh violence in India as genocide. Specifically, **this resolution** makes the following legislative findings:

- 1) The Sikh community, which originated in Punjab, a region of South Asia now in Pakistan and India, began immigrating to the United States over 100 years ago and has played an important role in building agriculture, infrastructure, and communities across the United States and California.
- 2) Sikhism is the fifth-largest religion in the world with nearly 30,000,000 adherents, including approximately 500,000 in the United States, one-half of whom call California home.
- 3) Systemic and orchestrated genocidal violence was perpetrated against Sikhs in November 1984. During the anti-Sikh genocide, Sikhs were assaulted, tortured, burned alive, and murdered, and Sikh women, many of whom lost their families during the genocide, were sexually assaulted and raped by groups of attackers. Over three days in November 1984, over 30,000 Sikhs were murdered.
- 4) The Sikh community in the United States has not recovered from the physical and psychological trauma of the genocide, as they keep alive the memory of those who were killed, and will never forget the anti-Sikh genocide.
- 5) Recognizing the state-sponsored violence that targeted Sikhs across India is an important and historic step towards justice, accountability, and reconciliation, which should be an example to other governments.

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. 20

Introduced by Assembly Members Kalra and Bains

March 13, 2023

House Resolution No. 20—Relative to Vaisakhi.

1 WHEREAS, Vaisakhi, also spelled Baisakhi, is an ancient
2 festival of great significance to Sikhs, Hindus, and Buddhists in
3 many regions of India and other parts of South and Southeast Asia,
4 and is celebrated annually on April 13 or 14 by many Californians
5 with Sikh and Indian heritage; and

6 WHEREAS, Vaisakhi, in several parts of Northern India,
7 especially Punjab, is a long-established harvest festival, which
8 predates Sikhism, to celebrate the agricultural year and pray for
9 abundant “rabi” crop produce for the next season; and

10 WHEREAS, For Sikhs and Sikh Americans, Vaisakhi holds
11 special religious and historical significance because it
12 commemorates the creation of Khalsa by the 10th Guru Gobind
13 Singh in 1699, whereby five Sikhs called “Panj Piaray” or
14 “Beloved Five” were transformed into leaders of the faith to defend
15 religious freedom in front of thousands at Anandpur Sahib and
16 unified Sikhs into a family of soldier saints, known as the Khalsa
17 Panth; and

18 WHEREAS, Guru Gobind Singh, during the formation of
19 Khalsa, initiated the “Panj Kakkar” or “Five K’s” tradition of the
20 Khalsa that continues to be the basis for the unique Sikh identity,
21 whereby Sikhs wear Kesh (uncut hair), Kanga (a wooden comb),
22 Kara (an iron or steel bracelet worn on the wrist), Kirpan (an article
23 of faith taking the form of a sword), and Kachera (short breeches);
24 and

1 WHEREAS, For Hindus and Hindu Americans, the first day of
2 Vaisakhi marks the traditional solar new year and is celebrated in
3 diverse ways to mark spring harvest and the sacredness of rivers
4 in Hindu culture, and many Hindus celebrate Vaisakhi by going
5 to temple to pay respects and seek blessings, by bathing in the
6 sacred “Ganga” river, and by attending “melas,” or lively fairs;
7 and

8 WHEREAS, The Sikh American celebration of Vaisakhi
9 embodies an array of religious and cultural celebrations, including
10 worship, parades, dancing, and singing throughout the day and
11 includes performing seva (selfless service), such as providing free
12 meals to the needy and inviting visitors to Gurdwaras (Houses of
13 Worship); and

14 WHEREAS, Sikh Gurdwaras throughout the world and in
15 California are decorated and hold celebrations, and many Sikh
16 Americans choose to be baptized as Khalsa on this day; now,
17 therefore, be it

18 *Resolved by the Assembly of the State of California*, That the
19 Assembly recognizes this year’s Vaisakhi celebration on Friday,
20 April 14, 2023, and encourages Californians to take part in this
21 joyous day of celebration; and be it further

22 *Resolved*, That the Assembly observes Vaisakhi as one of the
23 most significant days for Sikh Americans and Sikh history and in
24 observance of Vaisakhi, expresses its deepest respect for all who
25 observe and celebrate Vaisakhi with South Asian Americans and
26 the Indian diaspora throughout the world on this significant
27 occasion; and be it further

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

O

Date of Hearing: March 30, 2023

ASSEMBLY COMMITTEE ON RULES
James Ramos, Chair
HR 20 (Kalra) – As Introduced March 13, 2023

SUBJECT: Vaisakhi.

SUMMARY: Recognizes this year’s Vaisakhi celebration on Friday, April 14, 2023, encourages Californians to take part in this joyous day of celebration, and expresses deepest respect for all who observe and celebrate Vaisakhi. Specifically, **this resolution** makes the following legislative findings:

- 1) Vaisakhi, also spelled Baisakhi, is an ancient festival of great significance to Sikhs, Hindus, and Buddhists in many regions of India and other parts of South and Southeast Asia, and is celebrated annually on April 13 or 14 by many Californians with Sikh and Indian heritage.
- 2) Vaisakhi, in several parts of Northern India, especially Punjab, is a long-established harvest festival, which predates Sikhism, to celebrate the agricultural year and pray for abundant “rabi” crop produce for the next season.
- 3) For Sikhs and Sikh Americans, Vaisakhi holds special religious and historical significance because it commemorates the creation of Khalsa by the 10th Guru Gobind Singh in 1699, whereby five Sikhs called “Panj Piaray” or “Beloved Five” were transformed into leaders of the faith to defend religious freedom.
- 4) For Hindus and Hindu Americans, the first day of Vaisakhi marks the traditional solar new year and is celebrated in diverse ways to mark spring harvest and the sacredness of rivers in Hindu culture.
- 5) The Sikh American celebration of Vaisakhi embodies an array of religious and cultural celebrations, including worship, parades, dancing, and singing throughout the day and includes performing seva (selfless service), such as providing free meals to the needy and inviting visitors to Gurdwaras (Houses of Worship).
- 6) Sikh Gurdwaras throughout the world and in California are decorated and hold celebrations, and many Sikh Americans choose to be baptized as Khalsa on this day.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

Introduced by Senator Newman

March 8, 2023

Senate Concurrent Resolution No. 35—Relative to CASA Appreciation Day.

LEGISLATIVE COUNSEL’S DIGEST

SCR 35, as introduced, Newman. CASA Appreciation Day.
This measure would declare March 23, 2023, as CASA Appreciation Day in California.
Fiscal committee: no.

1 WHEREAS, All children have the right to a home with loving
2 people to care for them, but each year in the United States,
3 hundreds of thousands of children are abused, neglected, or
4 abandoned by their families. These children are removed from
5 their homes, placed in foster care or institutions, and eventually
6 may end up as wards of the court; and
7 WHEREAS, A judge has the power to decide the future for
8 these children and whether they should remain in foster care, be
9 reunited with parents, or adopted, but in many cases, the children
10 become victims for a second time, lost in an overburdened child
11 welfare system that cannot pay close attention to each child; and
12 WHEREAS, CASA Appreciation Day recognizes the important
13 role played by Court Appointed Special Advocate for children
14 (CASA) volunteers. These trained community volunteers are
15 appointed by a judge as officers of the court to speak up for
16 children in juvenile court and to help humanize for these children
17 the often frightening and confusing child welfare and legal systems;
18 and

1 WHEREAS, Approximately 78,154 of California’s children are
2 living in foster care because they have been abused, neglected, or
3 abandoned. In 2021, 11,172 CASA volunteers supported 12,680
4 foster children in California by contributing a total of 440,948
5 hours. These CASA volunteers play an important role in their lives
6 by getting to know each child and letting the judge and others in
7 the child welfare system understand the child’s perspective and
8 needs; and

9 WHEREAS, The CASA mission is to ensure consistency and
10 support for children in the foster care system through the use of
11 volunteer advocates advancing the best interests of each child; and

12 WHEREAS, The CASA vision is one where every Californian
13 child in need is appointed a CASA volunteer to champion that
14 child without compromise, in court, in school, and in the
15 community, putting them on the path to a safe and permanent
16 home; now, therefore, be it

17 *Resolved by the Senate of the State of California, the Assembly*
18 *thereof concurring*, That the Legislature hereby declares that March
19 23, 2023, is recognized as CASA Appreciation Day in California;
20 and be it further

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

O

Date of Hearing: March 30, 2023

ASSEMBLY COMMITTEE ON RULES
James Ramos, Chair
SCR 35 (Newman) – As Introduced March 8, 2023

SENATE VOTE: 39-0

SUBJECT: CASA Appreciation Day.

SUMMARY: Declares March 23, 2023, as CASA Appreciation Day in California. Specifically, **this resolution** makes the following legislative findings:

- 1) CASA Appreciation Day recognizes the important role played by Court Appointed Special Advocate for children (CASA) volunteers.
- 2) All children have the right to a home with loving people to care for them, but each year in the United States, hundreds of thousands of children are abused, neglected, or abandoned by their families. These children are removed from their homes, placed in foster care or institutions, and eventually may end up as wards of the court.
- 3) A judge has the power to decide the future for these children and whether they should remain in foster care, be reunited with parents, or adopted. But, in many cases, the children become victims for a second time, lost in an overburdened child welfare system that cannot pay close attention to each child.
- 4) CASA volunteers are appointed by a judge as officers of the court to speak up for children in juvenile court and to help humanize for these children the often frightening and confusing child welfare and legal systems.
- 5) In 2021, 11,172 CASA volunteers supported 12,680 foster children in California by contributing a total of 440,948 hours. These CASA volunteers play an important role in their lives by getting to know each child and letting the judge and others in the child welfare system understand the child's perspective and needs.
- 6) The CASA mission is to ensure consistency and support for children in the foster care system through the use of volunteer advocates advancing the best interests of each child.
- 7) The CASA vision is one where every Californian child in need is appointed a CASA volunteer to champion that child without compromise, in court, in school, and in the community, putting them on the path to a safe and permanent home.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

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Assembly
California Legislature



REGINALD BYRON JONES-SAWYER, Sr.
CHAIR, ASSEMBLY COMMITTEE ON PUBLIC SAFETY
ASSEMBLYMEMBER, FIFTY-SEVENTH DISTRICT

COMMITTEES

CHAIR: PUBLIC SAFETY
AGRICULTURE
BUDGET
GOVERNMENTAL ORGANIZATION
INSURANCE

BUDGET SUBCOMMITTEE NO. 5 ON
PUBLIC SAFETY

SELECT COMMITTEES

CHAIR: REPARATORY JUSTICE
CHAIR: STATUS OF BOYS AND MEN
OF COLOR
2028 OLYMPIC AND PARALYMPIC
GAMES
LOS ANGELES COUNTY
HOMELESSNESS
NATIVE AMERICAN AFFAIRS

March 27, 2023

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

Re: Urgency Request Letter for AB 410 (Jones-Sawyer) – Shared mobility devices.

Dear Chair Ramos,

I respectfully request your approval to add an urgency clause to AB 410 (Jones-Sawyer), relating to shared mobility devices. Please refer below for the relevant bill information as well as the need for the urgency request.

Bill Number: AB 410

Author: Assemblymember Reggie Jones-Sawyer

Bill Title: Shared mobility devices.

Staff Name: Natalia Garcia

Phone: (916) 319-2724

Email Address: Natalia.Garcia@asm.ca.gov

Current Location of the Bill: Assembly Committee on Privacy and Consumer Protection

Need for the Urgency Request: In order to ensure accessibility for individuals who are blind or have visual impairments and to ensure changes to previously enacted tactile signage requirements for shared mobility devices are reflected, it is necessary for this act to take effect immediately.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Reginald Byron Jones-Sawyer, Sr." in a cursive script.

REGINALD BYRON JONES-SAWYER, SR.
State Assemblymember, 57th District

AMENDED IN ASSEMBLY MARCH 16, 2023

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

ASSEMBLY BILL

No. 410

Introduced by Assembly Member Jones-Sawyer

February 2, 2023

An act to amend Section 2506 of the Civil Code, relating to mobility devices.

LEGISLATIVE COUNSEL'S DIGEST

AB 410, as amended, Jones-Sawyer. Shared mobility devices.

Existing law defines shared mobility device to mean an electrically motorized board, motorized scooter, electric bicycle, bicycle, or other similar personal transportation device, except as provided. Existing law requires a shared mobility service provider to affix to each shared mobility device a tactile sign containing raised characters and accompanying ~~Braille~~, *braille*, as specified, to identify the device for the purpose of reporting illegal or negligent activity. *Existing law requires the sign to include the company name, email address, and telephone number of the service provider.*

~~This bill would make a nonsubstantive change to that provision: require the raised characters to be at minimum $\frac{1}{2}$ inch high and would delete the requirement that the sign contain the email address of the service provider.~~

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

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

1 SECTION 1. Section 2506 of the Civil Code is amended to
2 read:
3 2506. A shared mobility service provider shall affix to each
4 shared mobility device a readily accessible, single, and clearly
5 displayed tactile sign containing raised characters and
6 accompanying ~~Braille, complying~~ *braille that complies* with
7 Section 11B-703 of the Building Code, *except that the raised*
8 *characters shall be, at minimum, one-half inch high*, to identify
9 the device for the purpose of reporting illegal or negligent activity.
10 The sign shall minimally consist of the company ~~name, email~~
11 ~~address, name~~ and ~~phone~~ *telephone* number of the service provider
12 that is visible a minimum of five feet and not obfuscated by
13 branding or other markings.

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COMMITTEES
CHAIR: BUDGET SUBCOMMITTEE NO. 3 ON
CLIMATE CRISIS, RESOURCES, ENERGY,
AND TRANSPORTATION
BUDGET
ELECTIONS
PRIVACY AND CONSUMER PROTECTION
WATER, PARKS AND WILDLIFE

March 24, 2023

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

Dear Chair Ramos:

I respectfully request permission to add an urgency clause to AB 551 (Bennett, Foster Care).

The bill extends, by one year, the requirement to enact provisions of AB 1051 (Bennett, 2022) relating to presumptive transfer of foster youth from one county to another for medical and therapeutic care. The provisions of AB 1051 go into effect on July 1, 2023, and with the implementation of CalAIM, the State and Counties need additional time to ensure that they are meeting the requirements of both programs. Due to the July 1st deadline, an urgency clause is needed to ensure the bill goes into effect immediately.

If you have any additional questions, please do not hesitate to contact my chief of staff, Arwen Chenery, at 916-319-2038 or arwen.chenery@asm.ca.gov.

Sincerely,

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

Steve Bennett
Assemblymember, 38th District

ASSEMBLY BILL

No. 551

Introduced by Assembly Member Bennett

February 8, 2023

An act to amend Sections 14717.1 and 14717.2 of the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

AB 551, as introduced, Bennett. Medi-Cal: specialty mental health services: foster children.

Existing law establishes the Medi-Cal program, which is administered by the State Department of Health Care Services (department), under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Under existing law, specialty mental health services include federal Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) services provided to eligible Medi-Cal beneficiaries under 21 years of age. Existing law requires each local mental health plan to establish a procedure to ensure access to outpatient specialty mental health services, as required by the EPSDT program standards, for youth in foster care who have been placed outside their county of adjudication, as described.

Existing law requires the department to issue policy guidance on the conditions for, and exceptions to, presumptive transfer of responsibility for providing or arranging for specialty mental health services to a foster youth from the county of original jurisdiction to the county in which the foster youth resides, as prescribed. On a case-by-case basis, and when consistent with the medical rights of children in foster care, existing law authorizes the waiver of presumptive transfer, with the

responsibility for the provision of specialty mental health services remaining with the county of original jurisdiction if certain exceptions exist. Under existing law, the county probation agency or the child welfare services agency is responsible for determining whether waiver of the presumptive transfer is appropriate, with notice provided to the person requesting the exception.

Under existing law, commencing July 1, 2023, in the case of placement of foster children in short-term residential therapeutic programs, community treatment facilities, or group homes, or in the case of admission of foster children to children's crisis residential programs, the county of original jurisdiction is required to retain responsibility and presumptive transfer provisions apply only if certain circumstances exist. Existing law requires the department and the State Department of Social Services to adopt regulations by July 1, 2027, to implement those provisions.

This bill, for purposes of foster children placed or admitted in those specific settings, would delay, until July 1, 2024, the requirement on the county of original jurisdiction to retain responsibility and the limitation on the presumptive transfer provisions, and would delay the deadline for the adoption of regulations to July 1, 2028. By extending the period during which a county agency is responsible for making determinations about presumptive transfer waivers and making certain notifications, the bill would impose a state-mandated local program.

Existing law conditions implementation of the above-described provisions on the availability of federal financial participation and receipt of all necessary federal approvals. If the department makes the determination that it is necessary to seek federal approval, existing law requires the department to make an official request for approval from the federal government no later than July 1, 2024.

This bill would delay the deadline for any necessary federal approval requests to July 1, 2025.

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

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 14717.1 of the Welfare and Institutions
2 Code is amended to read:

3 14717.1. (a) (1) For purposes of this section, “foster child”
4 or “foster children” means a Medi-Cal eligible child or children
5 younger than 21 years of age who have been placed into foster
6 care by a county child welfare agency or a county probation
7 department.

8 (2) It is the intent of the Legislature to ensure that foster children
9 who are placed outside of their county of original jurisdiction are
10 able to access specialty mental health services in a timely manner,
11 consistent with their individual strengths and needs and the
12 requirements of federal Early and Periodic Screening, Diagnostic,
13 and Treatment (EPSDT) services.

14 (3) It is the further intent of the Legislature to overcome any
15 barriers to care that may result when responsibility for providing
16 or arranging for specialty mental health services to foster children
17 who are placed outside of their county of original jurisdiction is
18 retained by the county of original jurisdiction.

19 (b) In order to facilitate the receipt of medically necessary
20 specialty mental health services by a foster child who is placed
21 outside of their county of original jurisdiction, the California Health
22 and Human Services Agency shall coordinate with the department
23 and the State Department of Social Services to take all of the
24 following actions on or before July 1, 2017:

25 (1) The department shall issue policy guidance on the conditions
26 for, and exceptions to, presumptive transfer, as described in
27 subdivisions (c) and (d), in consultation with the State Department
28 of Social Services and with the input of stakeholders that include
29 the County Welfare Directors Association of California, the Chief
30 Probation Officers of California, the County Behavioral Health
31 Directors Association of California, provider representatives, and
32 family and youth advocates.

33 (2) Policy guidance concerning the conditions for, and
34 exceptions to, presumptive transfer shall ensure all of the following:

35 (A) The transfer of responsibility improves access to specialty
36 mental health care services consistent with the mental health needs
37 of the foster child.

38 (B) Presumptive transfer does not disrupt the continuity of care.

1 (C) Conditions and exceptions are applied consistently statewide,
2 giving due consideration to the varying capabilities of small,
3 medium, and large counties.

4 (D) Presumptive transfer can be waived only with an
5 individualized determination that an exception applies.

6 (E) A party to the case who disagrees with the presumptive
7 transfer individualized exception determination made by the county
8 placing agency pursuant to subdivision (d) is afforded an
9 opportunity to request judicial review before a transfer or exception
10 being finalized.

11 (F) There is a procedure for expedited transfer within 48 hours
12 of placement of the child outside of the county of original
13 jurisdiction.

14 (c) For purposes of this section, “presumptive transfer” means
15 that absent any exceptions as established pursuant to this section,
16 responsibility for providing or arranging for specialty mental health
17 services shall promptly transfer from the county of original
18 jurisdiction to the county in which the foster child resides, under
19 either of the following conditions:

20 (1) A foster child is placed in a county other than the county of
21 original jurisdiction on or after July 1, 2017.

22 (2) A foster child who resides in a county other than the county
23 of original jurisdiction after June 30, 2017, and is not receiving
24 specialty mental health services consistent with their mental health
25 needs, requests transfer of responsibility. A foster child who resided
26 in a county other than the county of original jurisdiction after June
27 30, 2017, and who continues to reside outside the county of original
28 jurisdiction after December 31, 2017, shall have jurisdiction
29 transferred no later than the child’s first regularly scheduled status
30 review hearing conducted pursuant to Section 366 in the 2018
31 calendar year unless an exception described under subdivision (d)
32 applies.

33 (d) (1) On a case-by-case basis, and when consistent with the
34 medical rights of children in foster care, presumptive transfer may
35 be waived and the responsibility for the provision of specialty
36 mental health services shall remain with the county of original
37 jurisdiction if any of the exceptions described in paragraph (5)
38 exist.

39 (2) A request for waiver in a manner established by the
40 department may be made by the foster child, the person or agency

1 that is responsible for making mental health care decisions on
2 behalf of the foster child, the county probation agency or the child
3 welfare services agency with responsibility for the care and
4 placement of the child, or any other interested party who owes a
5 legal duty to the child involving the child's health or welfare, as
6 defined by the department.

7 (3) The county probation agency or the child welfare services
8 agency with responsibility for the care and placement of the child,
9 in consultation with the child and their parent, the child and family
10 team, as defined in paragraph (4) of subdivision (a) of Section
11 16501, if one exists, and other professionals who serve the child
12 as appropriate, is responsible for determining whether waiver of
13 the presumptive transfer is appropriate pursuant to the conditions
14 and exceptions established under this section. The person who
15 requested the exception, along with any other parties to the case,
16 shall receive notice of the county agency's determination.

17 (4) The individual who requested the exception or any other
18 party to the case who disagrees with the determination made by
19 the county agency pursuant to paragraph (3) may request judicial
20 review before the county's determination becoming final. The
21 court may set the matter for hearing and may confirm or deny the
22 transfer of jurisdiction or application of an exception based on the
23 best interest of the child.

24 (5) Presumptive transfer may be waived under any of the
25 following exceptions:

26 (A) It is determined that the transfer would disrupt continuity
27 of care or delay access to services provided to the foster child.

28 (B) It is determined that the transfer would interfere with family
29 reunification efforts documented in the individual case plan.

30 (C) The foster child's placement in a county other than the
31 county of original jurisdiction is expected to last less than six
32 months.

33 (D) The foster child's residence is within 30 minutes of travel
34 time to the child's established specialty mental health care provider
35 in the county of original jurisdiction.

36 (6) A waiver processed based on an exception to presumptive
37 transfer shall be contingent upon the mental health plan in the
38 county of original jurisdiction demonstrating an existing contract
39 with a specialty mental health care provider, or the ability to enter
40 into a contract, single case agreement, or other service payment

1 mechanism within 30 days of the waiver decision, and the ability
2 to deliver timely specialty mental health services directly to the
3 foster child. That information shall be documented in the child’s
4 case plan.

5 (7) A request for waiver, the exceptions claimed as the basis
6 for the request, a determination whether a waiver is determined to
7 be appropriate under this section, and any objections to the
8 determination shall be documented in the foster child’s case plan
9 pursuant to Section 16501.1.

10 (e) If the mental health plan in the county of original jurisdiction
11 has completed an assessment of needed services for the foster
12 child, the mental health plan in the county in which the foster child
13 resides shall accept that assessment. The mental health plan in the
14 county in which the foster child resides may conduct additional
15 assessments if the foster child’s needs change or an updated
16 assessment is needed to determine the child’s needs and identify
17 the needed treatment and services to address those needs.

18 (f) (1) Upon presumptive transfer, the mental health plan in the
19 county in which the foster child resides shall assume responsibility
20 for the authorization and provision of specialty mental health
21 services and payments for services. The foster child transferred to
22 the mental health plan in the county in which the foster child
23 resides shall be considered part of the county of residence caseload
24 for claiming purposes from the Behavioral Health Subaccount and
25 the Behavioral Health Services Growth Special Account, both
26 created pursuant to Section 30025 of the Government Code.

27 (2) To support service delivery, continuity of care, and timely
28 payment, the placing agency shall provide notification to the mental
29 health plan that will be responsible for arranging and providing
30 specialty mental health services for the foster child before placing
31 a foster child out of county. The placing agency may complete
32 these notifications through email. If notification before placement
33 is not possible, the placing agency shall notify the appropriate
34 mental health plan no later than three business days after making
35 the out-of-county placement.

36 (g) The State Department of Social Services and the department
37 shall adopt regulations by July 1, ~~2027~~, 2028, to implement this
38 section. Notwithstanding the rulemaking provisions of the
39 Administrative Procedure Act (Chapter 3.5 (commencing with
40 Section 11340) of Part 1 of Division 3 of Title 2 of the Government

1 Code), the State Department of Social Services and the department
2 may implement and administer the changes made by this legislation
3 through all-county letters, information notices, or similar written
4 instructions until regulations are adopted.

5 (h) (1) If the department determines it is necessary, it shall seek
6 approval from the United States Department of Health and Human
7 Services, federal Centers for Medicare and Medicaid Services
8 before implementing this section.

9 (2) If the department makes the determination that it is necessary
10 to seek federal approval pursuant to paragraph (1), the department
11 shall make an official request for approval from the federal
12 government no later than January 1, 2017.

13 (i) This section shall be implemented only if, and to the extent
14 that, federal financial participation under Title XIX of the federal
15 Social Security Act (42 U.S.C. Sec. 1396 et seq.) is available and
16 all necessary federal approvals have been obtained.

17 (j) Commencing July 1, ~~2023~~, 2024, in the case of placement
18 of foster children in short-term residential therapeutic programs,
19 community treatment facilities, or group homes, or in the case of
20 admission of foster children to children’s crisis residential
21 programs, this section shall apply only if the circumstances
22 described in paragraph (1) or (2) of subdivision (b) of Section
23 14717.2 exist.

24 SEC. 2. Section 14717.2 of the Welfare and Institutions Code
25 is amended to read:

26 14717.2. (a) (1) For purposes of this section, “foster child”
27 or “foster children” means a Medi-Cal eligible child or children
28 younger than 21 years of age who have been placed into foster
29 care by a county child welfare agency or a county probation
30 department.

31 (2) It is the intent of the Legislature to ensure that foster children
32 who are placed in community treatment facilities, group homes,
33 or short-term residential therapeutic programs, or who are admitted
34 to children’s crisis residential programs, outside of their county
35 of original jurisdiction, are able to access specialty mental health
36 services in a timely manner, consistent with their individual
37 strengths and needs and the requirements of federal Early and
38 Periodic Screening, Diagnostic, and Treatment (EPSDT) services.

39 (3) The Legislature finds that because group home placements
40 or short-term residential therapeutic program placements are

1 intended to be short term, and because community treatment facility
2 placements and children’s crisis residential program admissions
3 are intended to be time-limited based on medical necessity, the
4 responsibility for the provision of or arrangement for specialty
5 mental health services for a foster child throughout the short-term
6 or time-limited placement or admission shall remain with the
7 county of original jurisdiction.

8 (4) The Legislature intends that the placement of a foster child
9 in a group home, community treatment facility, or short-term
10 residential therapeutic program, or the admission of the child to a
11 children’s crisis residential program outside of the county of
12 original jurisdiction should not disrupt continuity of care or
13 adversely impact timely payment to the provider of specialty
14 mental health services.

15 (b) Commencing July 1, ~~2023~~, 2024, a foster child’s county of
16 original jurisdiction shall retain responsibility to arrange and
17 provide specialty mental health services if the foster child is placed
18 out of the county of original jurisdiction in a community treatment
19 facility, group home, or short-term residential therapeutic program,
20 or is admitted to a children’s crisis residential program, as these
21 settings are defined in paragraph (8), (13), (18), or (21),
22 respectively, of subdivision (a) of Section 1502 of the Health and
23 Safety Code, unless either of the following circumstances exist:

24 (1) The case plan for the foster child specifies that the child will
25 transition to a less restrictive placement in the same county as the
26 facility in which the child has been placed.

27 (2) The placing agency determines, as informed by the child
28 and family team, as defined in paragraph (4) of subdivision (a) of
29 Section 16501, that the child will be negatively impacted if
30 responsibility for providing or arranging for specialty mental health
31 services is not transferred to the same county as the facility in
32 which the child has been placed. The placing agency shall
33 document the basis for making this determination in the child’s
34 case record and may include in a child and family team meeting
35 the mental health plan of the receiving county where the facility
36 is located. It is the intent of the Legislature to encourage local
37 coordination with the receiving county mental health plan.

38 (c) If the circumstances in paragraph (1) or (2) of subdivision
39 (b) exist, the process for presumptive transfer of responsibility for

1 arranging and providing specialty mental health services set forth
2 in Section 14717.1 shall apply.

3 (d) (1) To support service delivery, continuity of care, and
4 timely payment, the placing agency shall provide notification to
5 the mental health plan that will be responsible for arranging and
6 providing specialty mental health services for the foster child
7 before placing a foster child out of county in a community
8 treatment facility, group home, or short-term residential therapeutic
9 program, or admitting a foster child to a children’s crisis residential
10 program. The placing agency may complete these notifications
11 through email. If notification before placement or admission is not
12 possible, the placing agency shall notify the appropriate mental
13 health plan no later than three business days after making the
14 out-of-county placement.

15 (2) Upon accepting placement or admission of a foster child, a
16 group home, short-term residential therapeutic program, community
17 treatment facility, or children’s crisis residential program may
18 notify the mental health plan that will be responsible for arranging
19 and providing specialty mental health services for the foster child
20 that the foster child has been admitted to a children’s crisis
21 residential program or placed in a group home, short-term
22 residential therapeutic program, or community treatment facility.

23 (e) If the circumstances in paragraph (1) or (2) of subdivision
24 (b) exist at any point during the foster child’s placement or
25 admission out of county, Section 14717.1 shall apply.

26 (f) The placing agency shall document which mental health plan
27 is responsible for providing or arranging for specialty mental health
28 services.

29 (g) (1) Notwithstanding Chapter 3.5 (commencing with Section
30 11340) of Part 1 of Division 3 of Title 2 of the Government Code,
31 the department and the State Department of Social Services may
32 implement, interpret, or make specific this section, in whole or in
33 part, by means of plan or county letters, information notices, plan
34 or provider bulletins, or similar written instructions, until
35 regulations are adopted.

36 (2) By July 1, ~~2027~~, 2028, the department and the State
37 Department of Social Services shall adopt regulations to implement
38 this section in accordance with the requirements of Chapter 3.5
39 (commencing with Section 11340) of Part 1 of Division 3 of Title
40 2 of the Government Code.

1 (h) (1) If the department determines it is necessary, it shall seek
2 approval from the United States Department of Health and Human
3 Services, federal Centers for Medicare and Medicaid Services
4 before implementing this section.

5 (2) If the department makes the determination that it is necessary
6 to seek federal approval pursuant to paragraph (1), the department
7 shall make an official request for approval from the federal
8 government no later than July 1, ~~2024~~. 2025.

9 (i) This section shall be implemented only if, and to the extent
10 that, federal financial participation under Title XIX of the federal
11 Social Security Act (42 U.S.C. Sec. 1396 et seq.) is available and
12 all necessary federal approvals have been obtained.

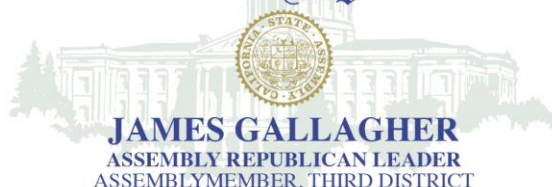
13 SEC. 3. To the extent that this act has an overall effect of
14 increasing the costs already borne by a local agency for programs
15 or levels of service mandated by the 2011 Realignment Legislation
16 within the meaning of Section 36 of Article XIII of the California
17 Constitution, it shall apply to local agencies only to the extent that
18 the state provides annual funding for the cost increase. Any new
19 program or higher level of service provided by a local agency
20 pursuant to this act above the level for which funding has been
21 provided shall not require a subvention of funds by the state or
22 otherwise be subject to Section 6 of Article XIII B of the California
23 Constitution.

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Assemblymember.Gallagher@assembly.ca.gov

Assembly California Legislature



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March 28, 2023

The Honorable James Ramos
Chair, Assembly Rules Committee
State Capitol, Room 3016
Sacramento, CA 95814

Dear Chairman Ramos:

I am requesting to add an urgency clause to AB 556. Current law allows the base year value of property that is substantially damaged or destroyed by a disaster, as declared by the Governor, to be transferred to comparable property in the same county, which is acquired or newly constructed within five years of the disaster.

Unfortunately, for victims of the Camp Fire the five-year timeline is not sufficient. The 2018 Camp Fire remains California's deadliest and most destructive wildfire. Hazardous waste cleanup and debris removal post-fire took years. Moreover, many victims did not receive their settlement payments until last year, with some still waiting on payments.

AB 556 would give Camp Fire victims an additional three years to purchase or construct a replacement property under RTC §69. Since the 5-year deadline for Camp Fire victims will be in November of this year, it is critical that AB 556 take effect before January 1, 2024. I therefore request an urgency clause be added to the bill to allow it to take effect immediately.

You may contact Katja Townsend in my office at (916)-319-2003 with regards to this request.

Sincerely,

A handwritten signature in blue ink, appearing to read "James Gallagher", is written over a faint, light-colored background.

JAMES GALLAGHER
Assemblymember, 3rd District

AMENDED IN ASSEMBLY MARCH 9, 2023

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

ASSEMBLY BILL

No. 556

Introduced by Assembly Member Gallagher

February 8, 2023

~~An act to amend Section 2607 of the Revenue and Taxation Code, relating to taxation.~~ *An act to amend Section 69 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.*

LEGISLATIVE COUNSEL'S DIGEST

AB 556, as amended, Gallagher. ~~Property taxation.~~ *taxation: transfer of base year value: disaster relief.*

Existing property tax law provides, pursuant to a requirement of the California Constitution, that the property tax base year value of real property that is substantially damaged or destroyed by a disaster, as declared by the Governor, may be transferred to a comparable property located within the same county that is acquired or newly constructed within 5 years after the disaster as a replacement property.

This bill would extend the 5-year time period described above by 3 years if the property was substantially damaged or destroyed on or after January 1, 2018, but on or before January 1, 2022. The bill would make these provisions applicable to the determination of base year values for the 2017–18 fiscal year and fiscal years thereafter. The bill would make related legislative findings. By imposing additional duties on local tax officials, the bill would create a state-mandated local program.

This bill would make legislative findings and declarations as to the public purpose served by these provisions.

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

This bill would provide that, 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.

Existing law requires the state to reimburse local agencies annually for certain property tax revenues lost as a result of any exemption or classification of property for purposes of ad valorem property taxation.

This bill would provide that, notwithstanding those provisions, no appropriation is made and the state shall not reimburse local agencies for property tax revenues lost by them pursuant to the bill.

This bill would take effect immediately as a tax levy.

~~Existing property tax law authorizes the entire tax on real property to be paid when the first installment is due and payable, as provided, and authorizes the 2nd installment to be paid separately only if the first installment has been paid.~~

~~This bill would make a nonsubstantive change to those provisions.~~

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

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

- 1 SECTION 1. *The Legislature finds and declares all of the*
- 2 *following:*
- 3 (a) *The 2018 to 2021, inclusive, fire seasons in California were*
- 4 *among the most destructive on record, with millions of acres*
- 5 *burned, thousands of homes destroyed, and dozens of lives lost.*
- 6 (b) *According to the Department of Forestry and Fire Protection*
- 7 *(CAL-FIRE), over 4,000,000 acres burned in California between*
- 8 *2018 and 2021, which is more than double the 1.6 million-acre*
- 9 *average for the prior 10 years.*
- 10 (c) *During this time period, multiple large-scale wildfires,*
- 11 *including the Camp Fire, Woolsey Fire, and Thomas Fire, caused*
- 12 *significant damage and destruction to homes and communities*
- 13 *across the state.*
- 14 (d) *The magnitude and scale of these wildfires have created*
- 15 *unprecedented challenges for affected homeowners, including*

1 *years-long site cleanup and hazardous material removal, prolonged*
2 *displacement, difficulty obtaining insurance, and navigating*
3 *complex rebuilding processes.*

4 *(e) For many victims of recent disasters such as the Camp Fire,*
5 *obtaining settlement or insurance payments has been a significant*
6 *challenge, with some persons still waiting for their claims to be*
7 *approved years later. The prolonged wait for settlement payments*
8 *further delays their ability to rebuild their property or purchase*
9 *a replacement elsewhere in the county, adding to the already*
10 *significant difficulties they face.*

11 *(f) Providing additional time for these homeowners to transfer*
12 *their base year property value will help alleviate some of these*
13 *challenges and provide much needed support for their recovery.*

14 *SEC. 2. Section 69 of the Revenue and Taxation Code is*
15 *amended to read:*

16 69. (a) Notwithstanding any other law, pursuant to Section 2
17 of Article XIII A of the Constitution, the base year value of property
18 that is substantially damaged or destroyed by a disaster, as declared
19 by the Governor, may be transferred to comparable property within
20 the same county, which is acquired or newly constructed within
21 five years after the disaster, including in the case of the Northridge
22 earthquake, as a replacement for the substantially damaged or
23 destroyed property. At the time the base year value of the
24 substantially damaged or destroyed property is transferred to the
25 replacement property, the substantially damaged or destroyed
26 property shall be reassessed at its full cash value. However, the
27 substantially damaged or destroyed property shall retain its base
28 year value notwithstanding the transfer authorized by this section.
29 If the owner or owners of substantially damaged or destroyed
30 property receive property tax relief under this section, that property
31 shall not be eligible for property tax relief under subdivision (c)
32 of Section 70 in the event of its reconstruction.

33 (b) The replacement base year value of the replacement property
34 acquired shall be determined in accordance with this section.

35 The assessor shall use the following procedure in determining
36 the appropriate replacement base year value of comparable
37 replacement property:

38 (1) If the full cash value of the comparable replacement property
39 does not exceed 120 percent of the full cash value of the property
40 substantially damaged or destroyed, then the adjusted base year

1 value of the property substantially damaged or destroyed shall be
2 transferred to the comparable replacement property as its
3 replacement base year value.

4 (2) If the full cash value of the replacement property exceeds
5 120 percent of the full cash value of the property substantially
6 damaged or destroyed, then the amount of the full cash value over
7 120 percent of the full cash value of the property substantially
8 damaged or destroyed shall be added to the adjusted base year
9 value of the property substantially damaged or destroyed. The sum
10 of these amounts shall become the replacement property's
11 replacement base year value.

12 (3) If the full cash value of the comparable replacement property
13 is less than the adjusted base year value of the property
14 substantially damaged or destroyed, then that lower value shall
15 become the replacement property's base year value.

16 (4) The full cash value of the property substantially damaged
17 or destroyed shall be the amount of its full cash value immediately
18 prior to its substantial damage or destruction, as determined by
19 the county assessor of the county in which the property is located.

20 (c) For purposes of this section:

21 (1) Property is substantially damaged or destroyed if either the
22 land or the improvements sustain physical damage amounting to
23 more than 50 percent of either the land's or the improvement's
24 full cash value immediately prior to the disaster. Damage includes
25 a diminution in the value of property as a result of restricted access
26 to the property where the restricted access was caused by the
27 disaster and is permanent in nature.

28 (2) Replacement property is comparable to the property
29 substantially damaged or destroyed if it is similar in size, utility,
30 and function to the property which it replaces.

31 (A) Property is similar in function if the replacement property
32 is subject to similar governmental restrictions, such as zoning.

33 (B) Both the size and utility of property are interrelated and
34 associated with value. Property is similar in size and utility only
35 to the extent that the replacement property is, or is intended to be,
36 used in the same manner as the property substantially damaged or
37 destroyed and its full cash value does not exceed 120 percent of
38 the full cash value of the property substantially damaged or
39 destroyed.

1 (i) A replacement property or any portion thereof used or
2 intended to be used for a purpose substantially different than the
3 use made of the property substantially damaged or destroyed shall
4 to the extent of the dissimilar use be considered not similar in
5 utility.

6 (ii) A replacement property or portion thereof that satisfies the
7 use requirement but has a full cash value that exceeds 120 percent
8 of the full cash value of the property substantially damaged or
9 destroyed shall be considered, to the extent of the excess, not
10 similar in utility and size.

11 (C) To the extent that replacement property, or any portion
12 thereof, is not similar in function, size, and utility, the property,
13 or portion thereof, shall be considered to have undergone a change
14 in ownership when the replacement property is acquired or newly
15 constructed.

16 (3) “Disaster” means a major misfortune or calamity in an area
17 subsequently proclaimed by the Governor to be in a state of disaster
18 as a result of the misfortune or calamity.

19 (d) (1) This section applies to any comparable replacement
20 property acquired or newly constructed on or after July 1, 1985.

21 (2) The amendments made by Chapter 1053 of the Statutes of
22 1993 apply to any comparable replacement property that is acquired
23 or newly constructed as a replacement for property substantially
24 damaged or destroyed by a disaster occurring on or after October
25 20, 1991, and to the determination of base year values for the
26 1991–92 fiscal year and fiscal years thereafter.

27 (3) The amendments made by Chapter 317 of the Statutes of
28 2006 apply to any comparable replacement property that is acquired
29 or newly constructed as a replacement for property substantially
30 damaged or destroyed by a disaster occurring on or after July 1,
31 2003, and to the determination of base year values for the 2003–04
32 fiscal year and fiscal years thereafter.

33 (e) Only the owner or owners of the property substantially
34 damaged or destroyed, whether one or more individuals,
35 partnerships, corporations, other legal entities, or a combination
36 thereof, shall receive property tax relief under this section. Relief
37 under this section shall be granted to an owner or owners of
38 substantially damaged or destroyed property obtaining title to
39 replacement property. The acquisition of an ownership interest in

1 a legal entity, which directly or indirectly owns real property, is
2 not an acquisition of comparable property.

3 (f) Notwithstanding any other law, the board of supervisors of
4 the County of San Diego may by ordinance extend the time period
5 specified in subdivision (a) to transfer the base year value of
6 property that is substantially damaged or destroyed by the Cedar
7 Fire that commenced in October 2003, as declared by the Governor,
8 to comparable property within the same county that is acquired or
9 newly constructed as a replacement for the substantially damaged
10 or destroyed property by two years. This subdivision shall apply
11 to the determination of base year values for the 2003–04 fiscal
12 year and fiscal years thereafter.

13 (g) The amendments made to this section by the act adding this
14 subdivision shall apply commencing with the lien date for the
15 2012–13 fiscal year.

16 (h) (1) Notwithstanding any other law, the time period specified
17 in subdivision (a) to transfer the base year value of qualified
18 property to comparable property, that is within the same county
19 and that is acquired or newly constructed as a replacement for the
20 qualified property, is extended by two years if the last day to
21 transfer the base year value of the qualified property was on or
22 after March 4, 2020, but on or before the COVID-19 emergency
23 termination date or March 4, 2022, whichever is sooner.

24 (2) Notwithstanding any other law, the time period specified in
25 subdivision (a) to transfer the base year value of qualified property
26 to comparable property, that is within the same county and that is
27 acquired or newly constructed as a replacement for the qualified
28 property, is extended by two years if the qualified property was
29 substantially damaged or destroyed on or after March 4, 2020, but
30 on or before the COVID-19 emergency termination date or March
31 4, 2022, whichever is sooner.

32 (3) This subdivision shall apply to the determination of base
33 year values for the 2015–16 fiscal year and fiscal years thereafter.

34 (4) For purposes of this subdivision, both of the following
35 definitions apply:

36 (A) “COVID-19 emergency termination date” shall be the date
37 the Governor proclaims the termination of the emergency related
38 to the COVID-19 pandemic that was proclaimed on March 4, 2020,
39 pursuant to the California Emergency Services Act (Chapter 7

1 (commencing with Section 8550) of Division 1 of Title 2 of the
2 Government Code).

3 (B) “Qualified property” means property that is substantially
4 damaged or destroyed, as described in paragraph (1) of subdivision
5 (c), by a disaster that is proclaimed by the Governor.

6 (i) *Notwithstanding any other law, the time period specified in*
7 *subdivision (a) to transfer the base year value of property that is*
8 *substantially damaged or destroyed by a disaster, as declared by*
9 *the Governor, to comparable property, that is within the same*
10 *county and that is acquired or newly constructed as a replacement*
11 *for the property, is extended by three years if the property was*
12 *substantially damaged or destroyed on or after January 1, 2018,*
13 *but on or before January 1, 2022. This subdivision shall apply to*
14 *the determination of base year values for the 2017–18 fiscal year*
15 *and fiscal years thereafter.*

16 *SEC. 3. The Legislature finds and declares that Section 2 of*
17 *this act, which amends Section 69 of the Revenue and Taxation*
18 *Code, does not constitute a gift of public funds within the meaning*
19 *of Section 6 of Article XVI of the California Constitution and serves*
20 *the following public purpose:*

21 *In light of the unprecedented disasters that Californians have*
22 *faced in recent years, including, but not limited to, fires and*
23 *flooding, to ensure that owners of real property that has been*
24 *substantially damaged or destroyed in a disaster, as declared by*
25 *the Governor, are provided the full and fair opportunity to transfer*
26 *the property tax base year value of that property to a comparable*
27 *replacement property, an extension of the deadline in Section 69*
28 *of the Revenue and Taxation Code is necessary.*

29 *SEC. 4. If the Commission on State Mandates determines that*
30 *this act contains costs mandated by the state, reimbursement to*
31 *local agencies and school districts for those costs shall be made*
32 *pursuant to Part 7 (commencing with Section 17500) of Division*
33 *4 of Title 2 of the Government Code.*

34 *SEC. 5. Notwithstanding Section 2229 of the Revenue and*
35 *Taxation Code, no appropriation is made by this act and the state*
36 *shall not reimburse any local agency for any property tax revenues*
37 *lost by it pursuant to this act.*

38 *SEC. 6. This act provides for a tax levy within the meaning of*
39 *Article IV of the California Constitution and shall go into*
40 *immediate effect.*

1 SECTION 1. ~~Section 2607 of the Revenue and Taxation Code~~
2 ~~is amended to read:~~
3 ~~2607. The entire tax on real property may be paid at the time~~
4 ~~the first installment is due and payable or at any time thereafter~~
5 ~~until the properties on the current roll become tax defaulted. The~~
6 ~~second installment may be paid separately only if the first~~
7 ~~installment has been paid. The tax collector shall accept payment~~
8 ~~of current year taxes even though prior year delinquencies on the~~
9 ~~real property may exist. The acceptance of that payment shall not~~
10 ~~affect the validity of any sale in satisfaction of a lien for defaulted~~
11 ~~taxes.~~

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March 27, 2023

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

Re: Request to Add Urgency Clause to AB 1500 (Irwin)

My legislation, AB 1500 would extend the deadline contained in Revenue and Taxation Code 70.5 by 3 years to allow reconstruction of properties substantially damaged or destroyed by the Woolsey Fire and Camp Fire, allowing property owners to retain the base year value of their property. The deadline contained in existing law for these fire victims expires this fall, November 2023.

An urgency clause is required in order to provide, as quickly as possible, essential relief to those persons who have been unable to rebuild their destroyed properties resulting from the devastating 2018 Woolsey Fire and 2018 Camp Fire, and to avoid any confusion about the applicability of the legislation between the existing November 2023 deadline and the standard effective date of January 1, 2024 for legislation passed this year.

If you have any questions, please contact my Legislative Director, Brandon Bjerke at 916-319-2515.

Sincerely,

A handwritten signature in blue ink that reads "Jacquie Irwin". The signature is written in a cursive style with a horizontal line underneath the name.

JACQUI IRWIN
Assemblymember, 42nd District

AMENDED IN ASSEMBLY MARCH 22, 2023

AMENDED IN ASSEMBLY MARCH 16, 2023

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

ASSEMBLY BILL

No. 1500

Introduced by Assembly Member Irwin
(Principal coauthor: Assembly Member Gallagher)

February 17, 2023

An act to amend Section 70.5 of the Revenue and Taxation Code, relating to taxation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1500, as amended, Irwin. Property taxation: application of base year value: disaster relief.

The California Constitution generally limits ad valorem taxes on real property to 1% of the full cash value of that property. For purposes of this limitation, “full cash value” is defined as the assessor’s valuation of real property as shown on the 1975–76 tax bill under “full cash value” or, thereafter, the appraised value of that real property when purchased, newly constructed, or a change in ownership has occurred. Existing law defines “newly constructed” and “new construction” to mean any addition to real property since the last lien date and any alteration of land or of any improvement since the last lien date that constitutes a major rehabilitation thereof or that converts the property to a different use. Existing law, where real property has been damaged or destroyed by misfortune or calamity, excludes from the definition of “newly constructed” and “new construction” any timely reconstruction of the real property, or portion thereof, where the property after reconstruction is substantially equivalent to the property prior to damage or destruction.

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Existing law, pursuant to the authorization of the California Constitution, authorizes the transfer of the base year value of property that is substantially damaged or destroyed by a disaster, as declared by the Governor, to comparable replacement property within the same county that is acquired or newly constructed within 5 years after the disaster, as provided.

Existing law authorizes the owner of property substantially damaged or destroyed by a disaster, as declared by the Governor, to apply the base year value of that property to replacement property reconstructed on the same site of the damaged or destroyed property within 5 years after the disaster if the reconstructed property is comparable to the substantially damaged or destroyed property, determined as provided.

This bill would extend the 5-year time period described above by 3 years if the property was substantially damaged or destroyed by the 2018 Woolsey Fire *or by the 2018 Camp Fire* on or after November 1, 2018, but on or before November 30, 2018. The bill would make these provisions applicable to the determination of base year values for the 2018–19 fiscal year and fiscal years thereafter. By imposing additional duties on local tax officials, the bill would create a state-mandated local program.

This bill would make legislative findings and declarations as to the public purpose served by these provisions.

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.

Existing law requires the state to reimburse local agencies annually for certain property tax revenues lost as a result of any exemption or classification of property for purposes of ad valorem property taxation.

This bill would provide that, notwithstanding those provisions, no appropriation is made and the state shall not reimburse local agencies for property tax revenues lost by them pursuant to the bill.

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

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

1 SECTION 1. Section 70.5 of the Revenue and Taxation Code
2 is amended to read:

3 70.5. (a) Notwithstanding Section 70, and pursuant to Section
4 2 of Article XIII A of the Constitution, the base year value of
5 property that is substantially damaged or destroyed by a disaster,
6 as declared by the Governor, may be applied to replacement
7 property reconstructed on the site of the damaged or destroyed
8 property within five years after the disaster as a replacement for
9 the substantially damaged or destroyed property if that
10 reconstructed property is comparable to the substantially damaged
11 or destroyed property. A person who owns substantially damaged
12 or destroyed property that receives property tax relief under this
13 section shall not be eligible for property tax relief provided under
14 Section 69.

15 (b) (1) The replacement base year value of the reconstructed
16 property shall be determined in accordance with this section.

17 (2) The assessor shall use the following procedure in
18 determining the appropriate base year value of the reconstructed
19 property:

20 (A) If the full cash value of the reconstructed property does not
21 exceed 120 percent of the full cash value of the property
22 substantially damaged or destroyed, then the adjusted base year
23 value of the property substantially damaged or destroyed shall
24 apply to the reconstructed property as its base year value.

25 (B) If the full cash value of the reconstructed property exceeds
26 120 percent of the full cash value of the property substantially
27 damaged or destroyed, then the amount of the full cash value over
28 120 percent of the full cash value of the property substantially
29 damaged or destroyed shall be added to the adjusted base year
30 value of the original property substantially damaged or destroyed.
31 The sum of these amounts shall become the reconstructed
32 property's base year value.

33 (C) If the full cash value of the reconstructed property is less
34 than the adjusted base year value of the original property
35 substantially damaged or destroyed, then that lower value shall
36 become the reconstructed property's base year value.

37 (D) The full cash value of the property substantially damaged
38 or destroyed shall be the amount of its full cash value immediately

1 prior to its substantial damage or destruction, as determined by
 2 the county assessor of the county in which the property is located.
 3 (c) For purposes of this section:
 4 (1) Property is substantially damaged or destroyed if the
 5 improvements sustain physical damage amounting to more than
 6 50 percent of the improvements' full cash value immediately prior
 7 to the disaster.
 8 (2) Reconstructed property shall be considered comparable to
 9 the original property substantially damaged or destroyed if it is
 10 similar in size, utility, and function to the property which it
 11 replaces. For purposes of this paragraph:
 12 (A) Property is similar in function if the reconstructed property
 13 is subject to similar governmental restrictions, such as zoning.
 14 (B) (i) Both the size and utility of property are interrelated and
 15 associated with value. Property shall be considered similar in size
 16 and utility only to the extent that the reconstructed property is, or
 17 is intended to be, used in the same manner as the original property
 18 substantially damaged or destroyed and its full cash value does
 19 not exceed 120 percent of the full cash value of the original
 20 property substantially damaged or destroyed.
 21 (ii) A reconstructed property or any portion of reconstructed
 22 property used or intended to be used for a purpose substantially
 23 different than the use made of the original property substantially
 24 damaged or destroyed shall to the extent of the dissimilar use be
 25 considered not similar in utility.
 26 (iii) A reconstructed property or any portion of reconstructed
 27 property that satisfies the use requirement but has a full cash value
 28 that exceeds 120 percent of the full cash value of the original
 29 property substantially damaged or destroyed shall be considered,
 30 to the extent of the excess, not similar in utility and size.
 31 (C) To the extent that reconstructed property or any portion of
 32 reconstructed property is not similar in function, size, and utility,
 33 the property or portion of that property shall be considered to be
 34 newly constructed.
 35 (3) "Disaster" means a major misfortune or calamity in an area
 36 subsequently proclaimed by the Governor to be in a state of disaster
 37 as a result of that misfortune or calamity.
 38 (d) Only the owner or owners of the property substantially
 39 damaged or destroyed, whether one or more individuals,
 40 partnerships, corporations, other legal entities, or a combination

1 thereof, shall be eligible to receive property tax relief under this
2 section. Relief under this section shall be granted to an owner or
3 owners of substantially damaged or destroyed property who have
4 reconstructed that property.

5 (e) (1) Notwithstanding any law, the time period specified in
6 subdivision (a) to apply the base year value of qualified property
7 to replacement property reconstructed on the site of the damaged
8 or destroyed property is extended by three years if the qualified
9 property was substantially damaged or destroyed on or after
10 November 1, 2018, but on or before November 30, 2018.

11 (2) This subdivision shall apply to the determination of base
12 year values for the 2018–19 fiscal year and fiscal years thereafter.

13 (3) For purposes of this subdivision, “qualified property” means
14 property that was substantially damaged or destroyed, as described
15 in paragraph (1) of subdivision (c), by the 2018 Woolsey Fire
16 *disaster or by the 2018 Camp Fire* disaster, as proclaimed by the
17 Governor.

18 (f) This section shall apply to real property damaged or
19 destroyed by misfortune or calamity on or after January 1, 2017.

20 SEC. 2. The Legislature finds and declares that Section 1 of
21 this act, which amends Section 70.5 of the Revenue and Taxation
22 Code, does not constitute a gift of public funds within the meaning
23 of Section 6 of Article XVI of the California Constitution and
24 serves the following public purpose:

25 To ensure that owners of real property that has been substantially
26 damaged or destroyed in the 2018 Woolsey Fire *disaster or in the*
27 *2018 Camp Fire* disaster, as declared by the Governor, are provided
28 the full and fair opportunity to reconstruct on the site of the
29 damaged or destroyed real property and to retain the property tax
30 base year value of that property, an extension of the deadline in
31 Section 70.5 of the Revenue and Taxation Code is necessary.

32 SEC. 3. If the Commission on State Mandates determines that
33 this act contains costs mandated by the state, reimbursement to
34 local agencies and school districts for those costs shall be made
35 pursuant to Part 7 (commencing with Section 17500) of Division
36 4 of Title 2 of the Government Code.

37 SEC. 4. Notwithstanding Section 2229 of the Revenue and
38 Taxation Code, no appropriation is made by this act and the state

- 1 shall not reimburse any local agency for any property tax revenues
- 2 lost by it pursuant to this act.

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