



**STATE CAPITOL**  
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**CHIEF ADMINISTRATIVE OFFICER**  
DEBRA GRAVERT

*Assembly*  
**California Legislature**  
**Committee on Rules**

**KEN COOLEY**  
**CHAIR**

Thursday, May 19, 2022  
8:45 a.m.  
State Capitol, Room 437

**CONSENT AGENDA**

**VICE CHAIR**  
WALDRON, MARIE

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

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

**BILL REFERRALS**

1. Bill Referrals

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**RESOLUTIONS**

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| 2. ACR-167 (Voepel)      | National Poppy Day.  | <a href="#">Page 5</a>  |
| 3. ACR-186 (Fong)        | California Nonprofits Day.                                   | <a href="#">Page 9</a>  |
| 4. ACR-192 (Grayson)     | Firefighter Mental Health Awareness Week. (refer/hear)       | <a href="#">Page 12</a> |
| 5. ACR-193 (Bloom)       | Museum Month in California. (refer/hear)                     | <a href="#">Page 15</a> |
| 6. ACR-196 (Cooley)      | Foster Care Month. (refer/hear)                              | <a href="#">Page 18</a> |
| 7. SCR-91 (Hurtado)      | Individuals with Developmental Disabilities Inclusion Month. | <a href="#">Page 25</a> |
| 8. SCR-93 (Dodd)         | Mosquito Awareness Week.                                     | <a href="#">Page 30</a> |
| 9. SCR-100 (Umberg)      | National Fentanyl Awareness Day.                             | <a href="#">Page 36</a> |
| 10. SCR-102 (Archuleta)  | National Military Appreciation Month.                        | <a href="#">Page 39</a> |
| 11. SCR-106 (Newman)     | CASA Appreciation Day.                                       | <a href="#">Page 45</a> |
| 12. SCR-108 (Ochoa Bogh) | Mother's Day.  | <a href="#">Page 49</a> |

**REQUEST TO ADD URGENCY CLAUSE**

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| 13. AB 2107 (Flora) | Clinical laboratory testing | <a href="#">Page 52</a> |
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DEVON J. MATHIS  
BLANCA E. RUBIO  
CARLOS VILLAPUDUA

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

# Memo

**To:** Rules Committee Members  
**From:** Michael Erke, Bill Referral Consultant  
**Date:** 5/18/2022  
**Re:** Consent Bill Referrals

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

REFERRAL OF BILLS TO COMMITTEE

05/19/2022

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

<u>Assembly Bill No.</u>	<u>Committee:</u>
<u>ACR 190</u>	RLS.
<u>ACR 191</u>	RLS.
<u>ACR 192</u>	RLS.
<u>ACR 193</u>	RLS.
<u>ACR 194</u>	TRANS.
<u>ACR 195</u>	TRANS.
<u>ACR 196</u>	RLS.
<u>AJR 33</u>	HIGHER ED.
<u>SB 844</u>	E.M.
<u>SB 866</u>	JUD.
<u>SB 874</u>	P.E. & R.
<u>SB 899</u>	G.O.
<u>SB 942</u>	TRANS.
<u>SB 949</u>	M. & V.A.
<u>SB 960</u>	PUB. S.
<u>SB 965</u>	JUD.
<u>SB 985</u>	TRANS.
<u>SB 991</u>	L. GOV.
<u>SB 997</u>	ED.
<u>SB 1024</u>	JUD.
<u>SB 1051</u>	W., P., & W.
<u>SB 1054</u>	HUM. S.
<u>SB 1054</u>	JUD.
<u>SB 1057</u>	ED.
<u>SB 1064</u>	B. & P.
<u>SB 1064</u>	INS.
<u>SB 1085</u>	JUD.
<u>SB 1096</u>	JUD.
<u>SB 1120</u>	B. & P.
<u>SB 1130</u>	L. GOV.
<u>SB 1134</u>	H. & C.D.
<u>SB 1134</u>	HUM. S.
<u>SB 1137</u>	PUB. S.
<u>SB 1159</u>	JUD.
<u>SB 1171</u>	PUB. S.
<u>SB 1171</u>	JUD.
<u>SB 1177</u>	L. GOV.
<u>SB 1177</u>	H. & C.D.
<u>SB 1195</u>	M. & V.A.
<u>SB 1202</u>	B. & F.
<u>SB 1202</u>	JUD.
<u>SB 1210</u>	JUD.
<u>SB 1213</u>	U. & E.
<u>SB 1237</u>	B. & P.

<u>SB 1237</u>	M. & V.A.
<u>SB 1259</u>	JUD.
<u>SB 1305</u>	A. & A.R.
<u>SB 1312</u>	REV. & TAX.
<u>SB 1370</u>	G.O.
<u>SB 1380</u>	JUD.
<u>SB 1402</u>	P.E. & R.
<u>SB 1403</u>	G.O.
<u>SB 1405</u>	L. GOV.
<u>SB 1405</u>	JUD.
<u>SB 1421</u>	H. & C.D.
<u>SB 1421</u>	HUM. S.
<u>SB 1435</u>	M. & V.A.
<u>SB 1489</u>	L. GOV.
<u>SB 1493</u>	PUB. S.
<u>SB 1496</u>	REV. & TAX.
<u>SB 1498</u>	B. & F.
<u>SB 1499</u>	AGRI.
<u>SCR 94</u>	RLS.
<u>SCR 97</u>	TRANS.
<u>SCR 98</u>	TRANS.
<u>SCR 103</u>	RLS.
<u>SCR 107</u>	RLS.

**Assembly Concurrent Resolution**

**No. 167**

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**Introduced by Assembly Member Voepel**

March 22, 2022

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Assembly Concurrent Resolution No. 167—Relative to National Poppy Day.

LEGISLATIVE COUNSEL’S DIGEST

ACR 167, as introduced, Voepel. National Poppy Day.

This measure would proclaim Friday, May 27, 2022, as National Poppy Day.

Fiscal committee: no.

1 WHEREAS, In 1915, Canadian officer and surgeon, Lieutenant  
2 Colonel John McCrae wrote his wartime poem, “In Flanders Field”  
3 where he referenced the red poppies that grew over the graves of  
4 fallen soldiers during World War I; and

5 WHEREAS, In response to “In Flanders Field,” Moina Michael  
6 wrote her 1918 poem, “We Shall Keep the Faith” where she vowed  
7 to wear a red poppy of Flanders Field as a sign of remembrance;  
8 and

9 WHEREAS, The combination of Lieutenant Colonel John  
10 McCrae’s poem, “In Flanders Field” and Moina Michael’s poem,  
11 “We Shall Keep the Faith,” made the red poppy the symbol used  
12 to honor the soldiers who died in combat; and

13 WHEREAS, Earning the name, the “remembrance poppy,” the  
14 red poppy quickly became a memorial symbol throughout the  
15 world to memorialize soldiers who fought and died during World  
16 War I; and

1 WHEREAS, Following World War I, the red poppy was made  
2 the official flower of the American Legion; and  
3 WHEREAS, In 1922, the Veterans of Foreign Wars of the  
4 United States conducted their first official poppy distribution,  
5 becoming the first veterans’ organization to organize a nationwide  
6 distribution; and  
7 WHEREAS, That same year, the red poppy became the official  
8 memorial flower of the Veterans of Foreign Wars of the United  
9 States, as it remains today; and  
10 WHEREAS, In 1923, the Veterans of Foreign Wars of the  
11 United States decided that “Buddy” Poppies would be assembled  
12 by disabled and needy veterans who would be paid for their work  
13 to provide them with financial assistance; and  
14 WHEREAS, Today, poppies are still assembled by disabled and  
15 needy veterans in Veterans Affairs hospitals, who receive  
16 compensation for assembling the poppies as part of the Veterans  
17 of Foreign Wars of the United States Buddy Poppy program; and  
18 WHEREAS, The Buddy Poppy program also helps provide  
19 financial assistance in maintaining state and national veterans’  
20 rehabilitation and service programs and partially supports the  
21 Veterans of Foreign Wars National Home for Children; and  
22 WHEREAS, Today the red poppy continues to be a symbol of  
23 the sacrifices made to protect our freedom and a way to honor  
24 those who gave their life for the United States of America in all  
25 wars; and  
26 WHEREAS, Wearing a red poppy is a symbol of honoring the  
27 fallen and supporting the living who have worn our nation’s  
28 uniform; now, therefore, be it  
29 *Resolved by the Assembly of the State of California, the Senate*  
30 *thereof concurring*, That the Legislature hereby proclaims Friday,  
31 May 27, 2022, as National Poppy Day; and be it further  
32 *Resolved*, That the Chief Clerk of the Assembly transmit copies  
33 of this resolution to the author for appropriate distribution.

O

Date of Hearing: May 19, 2022

ASSEMBLY COMMITTEE ON RULES  
Ken Cooley, Chair  
ACR 167 (Voepel) – As Introduced March 22, 2022

**SUBJECT:** National Poppy Day.

**SUMMARY:** Proclaims Friday, May 27, 2022, as National Poppy Day. Specifically, **this resolution** makes the following legislative findings:

- 1) In 1915, Canadian officer and surgeon, Lieutenant Colonel John McCrae wrote his wartime poem, “In Flanders Field” where he referenced the red poppies that grew over the graves of fallen soldiers during World War I.
- 2) In response to “In Flanders Field,” Moina Michael wrote her 1918 poem, “We Shall Keep the Faith” where she vowed to wear a red poppy of Flanders Field as a sign of remembrance.
- 3) The combination of Lieutenant Colonel John McCrae’s poem, “In Flanders Field” and Moina Michael’s poem, “We Shall Keep the Faith,” made the red poppy the symbol used to honor the soldiers who died in combat.
- 4) Earning the name, the “remembrance poppy,” the red poppy quickly became a memorial symbol throughout the world to memorialize soldiers who fought and died during World War I. Following World War I, the red poppy was made the official flower of the American Legion.
- 5) In 1922, the Veterans of Foreign Wars of the United States conducted their first official poppy distribution, becoming the first veterans’ organization to organize a nationwide distribution. That same year, the red poppy became the official memorial flower of the Veterans of Foreign Wars of the United States, as it remains today.
- 6) In 1923, the Veterans of Foreign Wars of the United States decided that “Buddy” Poppies would be assembled by disabled and needy veterans who would be paid for their work to provide them with financial assistance.
- 7) Today, poppies are still assembled by disabled and needy veterans in Veterans Affairs hospitals, who receive compensation for assembling the poppies as part of the Veterans of Foreign Wars of the United States Buddy Poppy program. The program also helps provide financial assistance in maintaining state and national veterans’ rehabilitation and service programs and partially supports the Veterans of Foreign Wars National Home for Children.
- 8) Today the red poppy continues to be a symbol of the sacrifices made to protect our freedom and a way to honor those who gave their life for the United States of America in all wars. Wearing a red poppy is a symbol of honoring the fallen and supporting the living who have worn our nation’s uniform.

**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. 186**

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**Introduced by Assembly Member Fong**

April 26, 2022

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Assembly Concurrent Resolution No. 186—Relative to California Nonprofits Day.

LEGISLATIVE COUNSEL’S DIGEST

ACR 186, as introduced, Fong. California Nonprofits Day.

This measure would declare June 8, 2022, as California Nonprofits Day in recognition of the importance of nonprofit organizations to the economy and well-being of this state.

Fiscal committee: no.

1 WHEREAS, Nonprofit organizations are a large and vital part  
2 of California’s economy, with nonprofit economic activity  
3 contributing 15 percent, or one-sixth, of California’s gross state  
4 product; and

5 WHEREAS, Nonprofit organizations rank as the fourth largest  
6 employer by industry in California, with more than 1.2 million  
7 people employed by nonprofits, accounting for 1 in every 14  
8 California jobs; and

9 WHEREAS, Each year nonprofit organizations bring more than  
10 \$40 billion into California from out-of-state sources; and

11 WHEREAS, California nonprofit organizations keep jobs local  
12 and employ greater percentages of women and people of color  
13 than does the overall civilian workforce; and

14 WHEREAS, California’s nonprofit community includes houses  
15 of worship, universities and preschools, local theaters and

1 world-class symphonies, after school sports leagues and senior  
2 day centers, health clinics, and other types of organizations that  
3 attract people to California and that support the well-being of  
4 Californians; and

5 WHEREAS, California nonprofit organizations are trusted  
6 institutions that exist to provide services to the needy and  
7 vulnerable, improve quality of life, express community values,  
8 and promote social change; and

9 WHEREAS, During the COVID-19 pandemic, California  
10 nonprofit organizations have responded quickly, as they always  
11 do in a crisis, to the changing needs of their communities, often  
12 providing increased services with fewer resources and higher costs;  
13 and

14 WHEREAS, The nonprofit organization community in California  
15 is a strong economic power that uses that power for the common  
16 good; and

17 WHEREAS, A vibrant nonprofit sector in California is key to  
18 a strong economic recovery; and

19 WHEREAS, California’s nonprofit organizations are national  
20 and international groundbreakers and leaders in the environment,  
21 science and health care, safety net innovations, civil rights, the  
22 arts and humanities, and the pursuit of democratic ideals; and

23 WHEREAS, Since the first California Nonprofits Day in 2016,  
24 more than 560 nonprofit organizations have been honored by their  
25 Assembly Members and Senators; now, therefore, be it

26 *Resolved by the Assembly of the State of California, the Senate*  
27 *thereof concurring*, That the Legislature, in recognition of the  
28 importance of nonprofit organizations to the economy and  
29 well-being of this state, declares June 8, 2022, as California  
30 Nonprofits Day; and be it further

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

O

Date of Hearing: May 19, 2022

ASSEMBLY COMMITTEE ON RULES  
Ken Cooley, Chair  
ACR 186 (Fong) – As Introduced April 26, 2022

**SUBJECT:** California Nonprofits Day.

**SUMMARY:** Declares June 8, 2022, as California Nonprofits Day in recognition of the importance of nonprofit organizations to the economy and well-being of this state. Specifically, **this resolution** makes the following legislative findings:

- 1) Nonprofit organizations are a large and vital part of California’s economy, with nonprofit economic activity contributing 15 percent, or one-sixth, of California’s gross state product. They rank as the fourth largest employer by industry in California, with more than 1.2 million people employed by nonprofits, accounting for one in every 14 California jobs.
- 2) Each year nonprofit organizations bring more than \$40 billion into California from out-of-state sources. California nonprofit organizations keep jobs local and employ greater percentages of women and people of color than does the overall civilian workforce.
- 3) California nonprofit organizations are trusted institutions that exist to provide services to the needy and vulnerable, improve quality of life, express community values, and promote social change.
- 4) During the COVID-19 pandemic, California nonprofit organizations have responded quickly, as they always do in a crisis, to the changing needs of their communities, often providing increased services with fewer resources and higher costs.
- 5) The nonprofit organization community in California is a strong economic power that uses that power for the common good. A vibrant nonprofit sector in California is key to a strong economic recovery.
- 6) California’s nonprofit organizations are national and international groundbreakers and leaders in the environment, science and health care, safety net innovations, civil rights, the arts and humanities, and the pursuit of democratic ideals.

**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. 192**

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**Introduced by Assembly Member Grayson  
(Coauthors: Assembly Members Lackey, Rodriguez, and Wood)**

May 16, 2022

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Assembly Concurrent Resolution No. 192—Relative to Firefighter Mental Health Awareness Week.

LEGISLATIVE COUNSEL’S DIGEST

ACR 192, as introduced, Grayson. Firefighter Mental Health Awareness Week.

This measure would proclaim the week of May 23 through May 27, inclusive, as Firefighter Mental Health Awareness Week.

Fiscal committee: no.

1 WHEREAS, Firefighting is a dangerous and physically  
2 demanding profession that requires the men and women of the fire  
3 service to routinely put themselves in harm’s way for the good of  
4 the communities that they serve; and

5 WHEREAS, In addition to the physical demands of the  
6 profession, firefighting has been consistently rated as one of the  
7 most stressful and emotionally intense professions, often listed  
8 second only to front-line military personnel; and

9 WHEREAS, Firefighters, paramedics, and emergency medical  
10 service personnel assist people at the worst moments of their lives  
11 on a daily basis, experiencing repeated exposure to trauma as they  
12 work to assist others; and

13 WHEREAS, Long shifts, protracted time spent away from family  
14 and loved ones, and an ingrained culture of stoicism exacerbate

1 the effects of these stresses, contributing to struggles and behavioral  
2 health issues, including depression, anxiety, and substance abuse;  
3 and

4 WHEREAS, In recent years, more firefighters have died by  
5 suicide than from traumatic, job-related incidents; and

6 WHEREAS, According to the Firefighter Behavioral Health  
7 Alliance, in 2021 90 firefighters and EMTs died by suicide, and  
8 126 died by suicide in 2020; and

9 WHEREAS, Studies have shown that one in five firefighters  
10 will experience a post-traumatic stress injury at some point in their  
11 career and that firefighters are 10 times more likely to contemplate  
12 or attempt suicide than the general public; and

13 WHEREAS, Breaking the stigma related to behavioral health  
14 struggles and post-traumatic stress is critical to ensuring that  
15 firefighters, paramedics, and emergency medical service personnel  
16 receive the care and resources they need in the form of peer support  
17 and professional counseling; and

18 WHEREAS, Peer support programs and confidential discussions  
19 with trusted colleagues and peers with similar work and life  
20 experiences provide not only an outlet to express these struggles  
21 but also allow for connections to life-saving resources; now,  
22 therefore, be it

23 *Resolved by the Assembly of the State of California, the Senate*  
24 *thereof concurring,* That the Legislature hereby proclaims the  
25 week of May 23 through May 27, inclusive, as Firefighter Mental  
26 Health Awareness Week; and be it further

27 *Resolved,* That California firefighters are urged to dedicate this  
28 week to discussions with their brothers and sisters of the impacts  
29 they face from the job, resources that are available, and  
30 destigmatizing behavioral health struggles; and be it further

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

O

Date of Hearing: May 19, 2022

ASSEMBLY COMMITTEE ON RULES  
Ken Cooley, Chair  
ACR 192 (Grayson) – As Introduced May 16, 2022

**SUBJECT:** Firefighter Mental Health Awareness Week.

**SUMMARY:** Proclaims the week of May 23 through May 27, inclusive, as Firefighter Mental Health Awareness Week. Specifically, **this resolution** makes the following legislative findings:

- 1) Firefighting is a dangerous and physically demanding profession that requires the men and women of the fire service to routinely put themselves in harm's way for the good of the communities that they serve.
- 2) In addition to the physical demands of the profession, firefighting has been consistently rated as one of the most stressful and emotionally intense professions, often listed second only to front-line military personnel.
- 3) Long shifts, protracted time spent away from family and loved ones, and an ingrained culture of stoicism exacerbate the effects of these stresses, contributing to struggles and behavioral health issues, including depression, anxiety, and substance abuse.
- 4) In recent years, more firefighters have died by suicide than from traumatic, job-related incidents. According to the Firefighter Behavioral Health Alliance, in 2021 90 firefighters and EMTs died by suicide, and 126 died by suicide in 2020.
- 5) Breaking the stigma related to behavioral health struggles and post-traumatic stress is critical to ensuring that firefighters, paramedics, and emergency medical service personnel receive the care and resources they need in the form of peer support and professional counseling.
- 6) Peer support programs and confidential discussions with trusted colleagues and peers with similar work and life experiences provide not only an outlet to express these struggles but also allow for connections to life-saving resources.

**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. 193**

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**Introduced by Assembly Member Bloom**  
(Principal coauthor: Senator Laird)

May 16, 2022

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Assembly Concurrent Resolution No. 193—Relative to Museum Month in California.

LEGISLATIVE COUNSEL’S DIGEST

ACR 193, as introduced, Bloom. Museum Month in California.

This measure would recognize the essential role that museums have in California as educational institutions and would proclaim May 2022 as Museum Month in California.

Fiscal committee: no.

- 1     WHEREAS, California is home to over 1,500 museums that are  
2 located in every county and region throughout the state and serve  
3 over 22,000,000 visitors per year; and  
4     WHEREAS, California museums represent a vast multitude of  
5 learning opportunities and experiences, including art museums,  
6 zoos, aquaria, historical societies, science centers, tribal museums,  
7 botanical gardens, children’s museums, and cultural centers; and  
8     WHEREAS, California museums help the state meet its  
9 obligations in the field of education by collectively serving  
10 2,465,000 K-12 school children per year, which is the equivalent  
11 of 40 percent of California’s public and private school population,  
12 and over 1,000,000 college and university students per year through  
13 field trips and outreach programs; and

1 WHEREAS, California museums support over 80,000 jobs and  
2 have a \$6,500,000,000 financial impact on the economy; and  
3 WHEREAS, Americans view museums as one of the most  
4 trustworthy sources of objective information, and, after their  
5 families, the most significant in creating a strong connection to  
6 the past; and  
7 WHEREAS, Museums are stewards of the cultural and natural  
8 heritage of California, the nation, and the world, and offer all  
9 Californians the opportunity to learn and grow an appreciation for  
10 arts, nature, and the wonderful lessons these landmarks provide;  
11 and  
12 WHEREAS, Together with California’s Indigenous  
13 communities, collections, staff, scientists, and artists, California’s  
14 museums help educate communities through exhibitions, public  
15 programs, and research and are community-centric locations; and  
16 WHEREAS, California museums serve as caretakers,  
17 interpreters, educators, and amplifiers of culture and history,  
18 scientific discoveries, and the arts; and  
19 WHEREAS, California museums provide inspiration for the  
20 state’s future scientists, creators, artists, politicians, historians, and  
21 entrepreneurs; and  
22 WHEREAS, The California Association of Museums has served  
23 to bring important recognition of this commemorative month and  
24 invites all museums, museum service organizations, California  
25 residents, and local governments to use this milestone to recognize  
26 and celebrate the essential role California museums play as  
27 educational institutions as they serve communities, the nation, and  
28 the world; now, therefore, be it  
29 *Resolved by the Assembly of the State of California, the Senate*  
30 *thereof concurring*, That the Legislature recognizes the essential  
31 role that museums have in the State of California as educational  
32 institutions and proclaims May 2022 as Museum Month in  
33 California; and be it further  
34 *Resolved*, That the Chief Clerk of the Assembly transmit copies  
35 of this resolution to the author for appropriate distribution.

O



Date of Hearing: May 19, 2022

ASSEMBLY COMMITTEE ON RULES  
Ken Cooley, Chair  
ACR 193 (Bloom) – As Introduced May 16, 2022

**SUBJECT:** Museum Month in California.

**SUMMARY:** Proclaims May 2022 as Museum Month in California and recognizes the essential role that museums have as educational institutions. Specifically, **this resolution** makes the following legislative findings:

- 1) California is home to over 1,500 museums that are located in every county and region throughout the state and serve over 22,000,000 visitors per year. California museums represent a vast multitude of learning opportunities and experiences, including art museums, zoos, aquaria, historical societies, science centers, tribal museums, botanical gardens, children’s museums, and cultural centers.
- 2) California museums help the state meet its obligations in the field of education by collectively serving 2,465,000 K-12 school children per year, which is the equivalent of 40 percent of California’s public and private school population, and over 1,000,000 college and university students per year through field trips and outreach programs.
- 3) Museums are stewards of the cultural and natural heritage of California, the nation, and the world, and offer all Californians the opportunity to learn and grow an appreciation for arts, nature, and the wonderful lessons these landmarks provide.
- 4) Together with California’s Indigenous communities, collections, staff, scientists, and artists, California’s museums help educate communities through exhibitions, public programs, and research and are community-centric locations.
- 5) California museums serve as caretakers, interpreters, educators, and amplifiers of culture and history, scientific discoveries, and the arts; and, they provide inspiration for the state’s future scientists, creators, artists, politicians, historians, and entrepreneurs.

**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. 196**

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**Introduced by Assembly Member Cooley  
(Principal coauthors: Assembly Members Calderon, Choi, Gipson,  
McCarty, Reyes, and Stone)**

May 17, 2022

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Assembly Concurrent Resolution No. 196—Relative to Foster Care Month.

LEGISLATIVE COUNSEL’S DIGEST

ACR 196, as introduced, Cooley. Foster Care Month.

This measure would declare the month of May 2022 as Foster Care Month.

Fiscal committee: no.

1     WHEREAS, There are nearly 60,000 California children and  
2 youth in foster care who need and deserve safe, permanent  
3 connections to loving adults, a stable home, and adequate  
4 preparation for a secure future; and  
5     WHEREAS, The needs of children and youth for belonging and  
6 unconditional emotional commitment are best met in families; and  
7     WHEREAS, Many California counties and community partners  
8 have successfully supported permanent family connections for  
9 foster youth, provided support for families at risk of entering the  
10 child welfare system, and changed practices to fully engage youth,  
11 family, and communities, thereby reducing the number of children  
12 in foster care; and  
13     WHEREAS, California recognizes the enduring and valuable  
14 contribution of relatives and foster and adoptive parents who open

1 their hearts, families, and homes to vulnerable children and youth;  
2 and

3 WHEREAS, California recognizes the numerous individuals  
4 and public and private organizations that work to ensure that the  
5 needs of children and youth living in, and leaving, foster care are  
6 met, that help provide foster and former foster children and youth  
7 with vital connections to their siblings, and that help launch young  
8 people into successful adulthood; and

9 WHEREAS, California is engaged in continuum of care reform,  
10 which is a comprehensive approach to improving the experience  
11 and outcomes of children and youth in foster care by improving  
12 assessments of children and families to make more informed and  
13 appropriate initial placement decisions, emphasizing home-based  
14 family care placements of children, appropriately supporting these  
15 placements with needed services, creating short-term residential  
16 therapeutic programs for youth whose needs cannot be met safely  
17 in families, and increasing transparency and accountability for  
18 child outcomes; and

19 WHEREAS, California is further engaged in building a  
20 comprehensive behavioral health system for youth and families  
21 impacted by the child welfare system that is responsive to the  
22 trauma inherent to family separation; and

23 WHEREAS, California is committed to working in partnership  
24 with local governments, advocates, and stakeholders to address  
25 the disproportionate representation of Black and indigenous youth  
26 and youth of color in the foster care system, and further, to address  
27 systemwide outcomes that reflect that children of color in the foster  
28 care system are more likely to experience multiple placements and  
29 less likely to be reunited with their birth families than White  
30 children in the foster care system; and

31 WHEREAS, The COVID-19 pandemic has created unique  
32 challenges for children and youth in foster care, including widening  
33 the gap in education achievement and mental health support  
34 services; and

35 WHEREAS, Historically, foster youth have experienced  
36 alarming rates of homelessness as they transition out of care. While  
37 California has taken great strides to address this, 1 in 4 foster youth  
38 experience homelessness after exiting care and before turning 23  
39 years of age; and

1 WHEREAS, California is committed to working in partnership  
2 with the federal government and local governments to improve  
3 the lives and futures of all children and youth touched by the child  
4 welfare system; now, therefore, be it

5 *Resolved by the Assembly of the State of California, the Senate*  
6 *thereof concurring,* That the Legislature declares the month of  
7 May 2022 as Foster Care Month; and be it further

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

O

Date of Hearing: May 19, 2022

ASSEMBLY COMMITTEE ON RULES  
Ken Cooley, Chair  
ACR 196 (Cooley) – As Introduced May 17, 2022

**SUBJECT:** Foster Care Month.

**SUMMARY:** Declares the month of May 2022 as Foster Care Month. Specifically, **this resolution** makes the following legislative findings:

- 1) There are nearly 60,000 California children and youth in foster care who need and deserve safe, permanent connections to loving adults, a stable home, and adequate preparation for a secure future. The needs of children and youth for belonging and unconditional emotional commitment are best met in families.
- 2) Many California counties and community partners have successfully supported permanent family connections for foster youth, provided support for families at risk of entering the child welfare system, and changed practices to fully engage youth, family, and communities, thereby reducing the number of children in foster care.
- 3) California recognizes the numerous individuals and public and private organizations that work to ensure that the needs of children and youth living in, and leaving, foster care are met, that help provide foster and former foster children and youth with vital connections to their siblings, and that help launch young people into successful adulthood.
- 4) California is engaged in continuum of care reform, which is a comprehensive approach to improving the experience and outcomes of children and youth in foster care by improving assessments of children and families to make more informed and appropriate initial placement decisions, emphasizing home-based family care placements of children, appropriately supporting these placements with needed services, creating short-term residential therapeutic programs for youth whose needs cannot be met safely in families, and increasing transparency and accountability for child outcomes.
- 5) The COVID-19 pandemic has created unique challenges for children and youth in foster care, including widening the gap in education achievement and mental health support services.
- 6) California is committed to working in partnership with local governments, advocates, and stakeholders to address the disproportionate representation of Black and indigenous youth and youth of color in the foster care system. And further, to address system-wide outcomes that reflect that children of color in the foster care system are more likely to experience multiple placements and less likely to be reunited with their birth families than White children in the foster care system.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

California Alliance of Child and Family Services (California Alliance)

*Page 21 of 61*

**Opposition**

None on file

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



May 17, 2022

The Honorable Ken Cooley  
Assemblymember, 8th District  
1021 O Street, Suite 8310  
Sacramento, CA 95814

RE: ACR-196 (Cooley) – SPONSOR

Dear Assemblymember Cooley:

The California Alliance of Child and Family Services (California Alliance) is proud to sponsor your ACR-196, which would proclaim the month of May 2022 as Foster Care Month in California.

The California Alliance represents 160 nationally accredited non-profit community-based organizations serving children, youth, and families in public human services systems. Our member agencies work tirelessly and diligently to provide families with critical services in the community. Ensuring that children and youth in foster care are supported and connected to resources or programs is a cornerstone of our advocacy efforts.

There are nearly 60,000 California children and youth in foster care who need a stable home with permanent connections to loving families. Many counties, community partners, and foster parents have strived to bridge this gap for foster youth with open hearts and support. However, children and youth in foster care are still adversely affected both in the system and upon entering adulthood. Black, Indigenous, and Youth of Color constitute a disproportionate segment of the population. Foster youth historically experience alarming rates of homelessness and mental health challenges in their transition out of foster care. Additionally, the COVID-19 pandemic has created unique challenges that have widened the gap in education achievement and mental health support services, among other factors.

Despite the daunting challenges that foster youth face, California has taken great strides to improve the lives of foster youth and place them in stable, permanent, loving homes. California has committed to working with local governments, advocates, and stakeholders to build a trauma informed, culturally responsive behavioral health system that addresses the historically disproportionate representation of Black, Indigenous, and Youth of Color in foster care. Additionally, the state has engaged in continuum of care reform, a comprehensive approach to improving the quality of life for children and youth by: improving assessments to make more informed placement decisions, supporting placements with needed services, creating short-term therapeutic programs for youth with enhanced needs, and increasing transparency and accountability for child outcomes.

While ACR-196 serves to focus our attention on children and youth in foster care during the month of May, it can also be part of a more comprehensive, long-term strategy to raise awareness and address their needs. Children and youth thrive when living with families who provide belonging and unconditional emotional commitment. Relatives, foster parents, and adoptive parents who open their homes and hearts are a critical part of providing children and youth with the love and support they need. Foster children and youth, as well as the counties, organizations, and families that serve them, deserve recognition and support.



Therefore, the California Alliance is proud to sponsor ACR-196. Thank you for your leadership on public policy matters related to supporting foster youth in our State.

Sincerely,

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

Adrienne Shilton  
Director of Public Policy and Strategy



AMENDED IN ASSEMBLY MAY 17, 2022

**Senate Concurrent Resolution**

**No. 91**

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**Introduced by Senator Hurtado**

March 30, 2022

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Senate Concurrent Resolution No. 91—Relative to public social services.

LEGISLATIVE COUNSEL'S DIGEST

SCR 91, as amended, Hurtado. Individuals with Developmental Disabilities Inclusion Month.

This measure would proclaim the month of May 2022 as Individuals with Developmental Disabilities Inclusion Month.

Fiscal committee: no.

1 WHEREAS, Through the Lanterman Developmental Disabilities  
2 Services Act, the State of California has empowered people with  
3 developmental disabilities to lead lives of greater inclusion in the  
4 community for over 50 years; and

5 WHEREAS, Those disabilities are defined as autism, epilepsy,  
6 cerebral palsy, intellectual disability, and conditions either closely  
7 related to or requiring similar services as intellectual disability that  
8 significantly impact the life of the individual; and

9 WHEREAS, There are over 350,000 people with developmental  
10 disabilities currently receiving services through the Lanterman  
11 Developmental Disabilities Services Act, which supports families  
12 keeping their children in the family home, and promotes  
13 independent life for adults; and

14 WHEREAS, The Lanterman Developmental Disabilities Act  
15 created regional centers to provide lifelong planning for individuals

98

1 and their families, with service providers giving the day-to-day  
2 support needed to enact those plans; and

3 WHEREAS, Over time, the people of California have come to  
4 understand that individuals with developmental disabilities and  
5 their families can and should make decisions for themselves,  
6 instead of having outcomes dictated to them, and that making these  
7 choices with as much or as little support as needed and desired  
8 more effectively recognizes the inherent worth and dignity of these  
9 individuals; and

10 WHEREAS, Many years of public advocacy campaigns,  
11 personal experiences, and individuals or groups acting as informal  
12 ambassadors, have raised the awareness of both specific disabilities  
13 and developmental disabilities generally; and

14 WHEREAS, This involves awareness not only of individuals  
15 but also unique individual needs and contributions; and

16 WHEREAS, As these campaigns have become more common,  
17 so too has public awareness and acceptance; and

18 WHEREAS, This progress is to be both celebrated and built  
19 upon; and

20 WHEREAS, The opportunity for full inclusion and community  
21 membership is the next logical step in the progress California must  
22 make to fully realize the promise of the Lanterman Act; and

23 WHEREAS, Many people with developmental disabilities are  
24 being included in our workplaces as fellow employees who add  
25 value to our labor and, as described in a 2012 study in the  
26 Professional Safety Journal, have higher productivity, lower  
27 turnover, and better on-the-job safety; and

28 WHEREAS, With varying degrees of support, an increasing  
29 number of people with developmental disabilities are living more  
30 self-defined and independent lives, *including through the*  
31 *Self-Determination Program*, being welcomed into communities  
32 of their choosing as neighbors and friends, and enhancing these  
33 communities through their diversity, contributions, and  
34 perspectives; and

35 WHEREAS, Many students with developmental disabilities are  
36 being included in our schools as fellow students whose  
37 participation often enhances the learning experience of their peers,  
38 with nearly two-thirds of such students spending more than 80  
39 percent of their time in regular education classes, more than double  
40 the rate three decades ago; and

1 WHEREAS, The academic path of an increasing number of  
2 students with developmental disabilities is extending into  
3 postsecondary opportunities, including city colleges and four-year  
4 universities; and

5 WHEREAS, People with developmental disabilities have been  
6 provided separate leisure opportunities, but now a growing number  
7 are being included in integrated recreational activities as fellow  
8 athletes, game players, humorists, and all manner of pursuits that  
9 enliven our free time; and

10 WHEREAS, A growing number of families in California have  
11 a family member with a developmental disability and know that  
12 inclusion is a crucial element for their loved ones' future success;  
13 now, therefore, be it

14 *Resolved by the Senate of the State of California, the Assembly*  
15 *thereof concurring*, That the Legislature designates the month of  
16 May 2022 as Individuals with Developmental Disabilities Inclusion  
17 Month and encourages residents to show support for the inclusion  
18 of people with developmental disabilities in all parts of community  
19 life; and be it further

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

O

Date of Hearing: May 19, 2022

ASSEMBLY COMMITTEE ON RULES  
Ken Cooley, Chair  
SCR 91 (Hurtado) – As Amended May 17, 2022

**SENATE VOTE:** 33-0

**SUBJECT:** Individuals with Developmental Disabilities Inclusion Month.

**SUMMARY:** Proclaims the month of May 2022 as Individuals with Developmental Disabilities Inclusion Month. Specifically, **this resolution** makes the following legislative findings:

- 1) Through the Lanterman Developmental Disabilities Services Act, the State of California has empowered people with developmental disabilities to lead lives of greater inclusion in the community for over 50 years.
- 2) There are over 350,000 people with developmental disabilities currently receiving services through the Lanterman Developmental Disabilities Services Act, which supports families keeping their children in the family home, and promotes independent life for adults.
- 3) Over time, the people of California have come to understand that individuals with developmental disabilities and their families can and should make decisions for themselves, instead of having outcomes dictated to them, and that making these choices with as much or as little support as needed and desired more effectively recognizes the inherent worth and dignity of these individuals.
- 4) Many years of public advocacy campaigns, personal experiences, and individuals or groups acting as informal ambassadors, have raised the awareness of both specific disabilities and developmental disabilities generally.
- 5) As these campaigns have become more common, so too has public awareness and acceptance. This progress is to be both celebrated and built upon.
- 6) With varying degrees of support, an increasing number of people with developmental disabilities are living more self-defined and independent lives, including through the Self-Determination Program, being welcomed into communities of their choosing as neighbors and friends, and enhancing these communities through their diversity, contributions, and perspectives.
- 7) A growing number of families in California have a family member with a developmental disability and know that inclusion is a crucial element for their loved ones' future success.

**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 Dodd**

March 31, 2022

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Senate Concurrent Resolution No. 93—Relative to Mosquito Awareness Week.

LEGISLATIVE COUNSEL’S DIGEST

SCR 93, as introduced, Dodd. Mosquito Awareness Week.

This measure would declare that the week of April 17, 2022, to April 23, 2022, inclusive, be designated as Mosquito Awareness Week.

Fiscal committee: no.

- 1 WHEREAS, The United States Environmental Protection
- 2 Agency recognizes that mosquito-borne diseases are currently
- 3 among the world’s leading causes of illness and death; and
- 4 WHEREAS, The World Health Organization estimates that
- 5 more than 300,000,000 clinical cases each year are attributable to
- 6 mosquito-borne illnesses; and
- 7 WHEREAS, Excess numbers of mosquitoes and other vectors
- 8 spread diseases, reduce the enjoyment of both public and private
- 9 outdoor living spaces, reduce property values, hinder outdoor work,
- 10 reduce livestock productivity, and have a negative impact on the
- 11 environment; and
- 12 WHEREAS, Two invasive mosquito species in California, *Aedes*
- 13 *albopictus*, the Asian tiger mosquito, which was detected in
- 14 southern California in 2011, and *Aedes aegypti*, the yellow fever
- 15 mosquito, which was detected in central and northern California
- 16 in 2013 and southern California in 2014, are posing new public
- 17 health threats due to their capability to transmit potentially deadly
- 18 or debilitating diseases, such as dengue fever, yellow fever,

1 chikungunya, and Zika, which can cause significant birth defects;  
2 and  
3 WHEREAS, Since 2015, there have been 752 travel-associated  
4 cases of Zika fever detected in California, including 232 infections  
5 in pregnant women and 13 infants born with complications; and  
6 WHEREAS, In addition to new, emerging diseases, California  
7 must remain vigilant in fighting known diseases. West Nile virus  
8 is a mosquito-borne disease that can result in debilitating cases of  
9 meningitis and encephalitis, and death to humans, horses, avian  
10 species, and other wildlife; and  
11 WHEREAS, In 2021, West Nile virus resulted in 12 human  
12 deaths in California and 127 individual cases in 28 counties; and  
13 WHEREAS, A 2010 study from the University of California,  
14 Los Angeles, found that low socioeconomic status was an indicator  
15 of the likelihood of West Nile virus cases; and  
16 WHEREAS, Adequately funded mosquito and vector control,  
17 disease surveillance, and public awareness programs, coupled with  
18 best management practices on public and private lands, are the  
19 best ways to prevent outbreaks of West Nile virus and other  
20 diseases borne by mosquitoes and other vectors; and  
21 WHEREAS, As a result of the threat mosquitoes posed to  
22 California’s economic development and health of its citizens, 107  
23 years ago the Legislature enacted California’s Mosquito Abatement  
24 Districts Act (Assembly Bill 1590, 1915); and  
25 WHEREAS, Professional mosquito and vector control, based  
26 on scientific research, has made great advances in safely reducing  
27 mosquito and vector populations and the diseases they transmit;  
28 and  
29 WHEREAS, Established mosquito-borne and vector-borne  
30 diseases such as plague, Lyme disease, flea-borne typhus, and  
31 encephalitis, and new and emerging vector-borne diseases such as  
32 hantavirus, arenavirus, babesiosis, and ehrlichiosis cause illness  
33 and sometimes death every year in California; and  
34 WHEREAS, In 2019, the Legislature established the California  
35 Mosquito Surveillance and Research Program to support advanced  
36 data collection and analysis tools, such as the California  
37 Vectorborne Disease Surveillance System (CalSurv), and to foster  
38 collaborative research in vector control; and  
39 WHEREAS, Mosquito and vector control districts throughout  
40 California work closely with the United States Environmental

1 Protection Agency and the State Department of Public Health to  
2 reduce pesticide risks to humans, animals, and the environment  
3 while protecting human health from mosquito-borne and  
4 vector-borne diseases and nuisances; and

5 WHEREAS, Best management practices, emphasizing  
6 nonchemical approaches, have been developed to guide mosquito  
7 control that can significantly reduce mosquito populations for new  
8 developments and on state and private lands; and

9 WHEREAS, The State Department of Public Health maintains  
10 information on how to eliminate risks from vectors at both  
11 [www.cdph.ca.gov](http://www.cdph.ca.gov) and [www.westnile.ca.gov](http://www.westnile.ca.gov), which the public is  
12 encouraged to review; and

13 WHEREAS, The public's awareness of the health benefits  
14 associated with safe, professionally applied mosquito and vector  
15 control methods will support these efforts, as well as motivate the  
16 state and the public to eliminate mosquito and vector breeding  
17 sites on public and private property; and

18 WHEREAS, Educational programs have been developed to  
19 include schools, civic groups, private industry, and government  
20 agencies in order to meet the public's need for information about  
21 West Nile virus, other diseases, and mosquito and vector biology  
22 and control; and

23 WHEREAS, Public awareness can result in reduced production  
24 of mosquitoes and other vectors on residential, commercial, and  
25 public lands by responsible parties, avoidance of the bites of  
26 mosquitoes and other vectors when the risk of West Nile virus and  
27 other disease transmission is high, detection of human cases of  
28 mosquito-borne and vector-borne diseases that otherwise may be  
29 misdiagnosed for lack of appropriate laboratory testing, and the  
30 formation of mosquito or vector control agencies where needed;  
31 and

32 WHEREAS, Public awareness can result in action to provide  
33 adequate funding for existing mosquito and vector control agencies,  
34 or to create control agencies in areas where there are no existing  
35 controls; and

36 WHEREAS, Mosquito Awareness Week will increase the  
37 public's awareness of the threat of Zika, West Nile virus, and other  
38 diseases, and the activities of the various mosquito vector research  
39 and control agencies working to minimize the health threat within



1 California, and will highlight the educational programs currently  
2 available; and

3 WHEREAS, The Mosquito and Vector Control Association of  
4 California has designated the week of April 17, 2022, to April 23,  
5 2022, inclusive, as the West Nile Virus and Mosquito and Vector  
6 Control Awareness Week in California; now, therefore, be it

7 *Resolved by the Senate of the State of California, the Assembly*  
8 *thereof concurring*, That the Senate hereby declares that the week  
9 of April 17, 2022, to April 23, 2022, inclusive, be designated as  
10 Mosquito Awareness Week; and be it further

11 *Resolved*, That the Secretary of the Senate transmit a copy of  
12 this resolution to the Governor, the State Public Health Officer,  
13 and the author for appropriate distribution.

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Date of Hearing: May 19, 2022

ASSEMBLY COMMITTEE ON RULES  
Ken Cooley, Chair  
SCR 93 (Dodd) – As Introduced March 31, 2022

**SENATE VOTE:** 37-0

**SUBJECT:** Mosquito Awareness Week.

**SUMMARY:** Declares that the week of April 17, 2022, to April 23, 2022, inclusive, be designated as Mosquito Awareness Week. Specifically, **this resolution** makes the following legislative findings:

- 1) The United States Environmental Protection Agency recognizes that mosquito-borne diseases are currently among the world's leading causes of illness and death. And, the World Health Organization estimates that more than 300 million clinical cases each year are attributable to mosquito-borne illnesses.
- 2) Excess numbers of mosquitoes and other vectors spread diseases, reduce the enjoyment of both public and private outdoor living spaces, reduce property values, hinder outdoor work, reduce livestock productivity, and have a negative impact on the environment.
- 3) West Nile virus is a mosquito-borne disease that can result in debilitating cases of meningitis and encephalitis, and death to humans, horses, avian species, and other wildlife. In 2021, West Nile virus resulted in 12 human deaths in California and 127 individual cases in 28 counties.
- 4) Adequately funded mosquito and vector control, disease surveillance, and public awareness programs, coupled with best management practices on public and private lands, are the best ways to prevent outbreaks of West Nile virus and other diseases borne by mosquitoes and other vectors.
- 5) Professional mosquito and vector control, based on scientific research, has made great advances in safely reducing mosquito and vector populations and the diseases they transmit.
- 6) In 2019, the Legislature established the California Mosquito Surveillance and Research Program to support advanced data collection and analysis tools, such as the California Vectorborne Disease Surveillance System (CalSurv), and to foster collaborative research in vector control.
- 7) Mosquito and vector control districts throughout California work closely with the United States Environmental Protection Agency and the State Department of Public Health to reduce pesticide risks to humans, animals, and the environment while protecting human health from mosquito-borne and vector-borne diseases and nuisances.
- 8) Best management practices, emphasizing nonchemical approaches, have been developed to guide mosquito control that can significantly reduce mosquito populations for new developments and on state and private lands.

- 9) The public's awareness of the health benefits associated with safe, professionally applied mosquito and vector control methods will support these efforts, as well as motivate the state and the public to eliminate mosquito and vector breeding sites on public and private property.
- 10) Educational programs have been developed to include schools, civic groups, private industry, and government agencies in order to meet the public's need for information about West Nile virus, other diseases, and mosquito and vector biology and control.
- 11) Mosquito Awareness Week will increase the public's awareness of the threat of Zika, West Nile virus, and other diseases, and the activities of the various mosquito vector research and control agencies working to minimize the health threat within California, and will highlight the educational programs currently available.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on file

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

AMENDED IN SENATE APRIL 26, 2022

**Senate Concurrent Resolution**

**No. 100**

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**Introduced by Senator Umberg**

April 18, 2022

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Senate Concurrent Resolution No. 100—Relative to National Fentanyl Awareness Day.

LEGISLATIVE COUNSEL'S DIGEST

SCR 100, as amended, Umberg. National Fentanyl Awareness Day.  
This measure would designate May 10, 2022, as National Fentanyl Awareness Day.

Fiscal committee: no.

- 1 WHEREAS, Drug traffickers mass-produce fake or counterfeit  
2 pills in an effort to falsely market them as legitimate prescription  
3 pills, resulting in deceptions and threats to the American public;  
4 and  
5 WHEREAS, The Drug Enforcement Agency (DEA) has  
6 observed a dramatic rise in the number of counterfeit pills  
7 containing at least two milligrams of fentanyl, which is considered  
8 a deadly dose; and  
9 WHEREAS, Four out of 10 pills with fentanyl tested by the  
10 DEA contain a potentially lethal dose; and  
11 WHEREAS, The number of law enforcement-seized counterfeit  
12 pills with fentanyl has increased by nearly 502 percent since 2019;  
13 and  
14 WHEREAS, More than 9,500,000 counterfeit pills were seized  
15 within the last year, which exceeds the total number of counterfeit  
16 pills seized for the previous two years combined; and

1 WHEREAS, Fake or counterfeit pills have been identified in  
2 all 50 states and the District of Columbia; and  
3 WHEREAS, Illicit fentanyl has also been detected in street drugs  
4 such as heroin and cocaine; and  
5 WHEREAS, For the 12-month period ending October 2021,  
6 more than 105,000 Americans died due to drug-induced deaths,  
7 including 69,000 deaths involving illicit fentanyl; and  
8 WHEREAS, Over the last 20 years, drug-induced deaths among  
9 those 15 to 35 years of age, inclusive, have increased six-fold,  
10 largely driven by the increase in illicit fentanyl drugs; and  
11 WHEREAS, In 2020, drug overdose and poisoning deaths for  
12 persons 14 to 18 years of age, inclusive, grew by ~~94~~ 169 percent,  
13 more than three times as fast as the national rate and faster than  
14 any other five-year age group; and  
15 WHEREAS, Fake counterfeit pills are easily accessible and  
16 often sold on social media and e-commerce platforms, making  
17 them available to teens and youth; and  
18 WHEREAS, Illicit fentanyl is involved in more youth deaths  
19 than all other drug-related deaths combined; now, therefore, be it  
20 *Resolved by the Senate of the State of California, the Assembly*  
21 *thereof concurring*, That the Legislature supports the recognition  
22 and goals of National Fentanyl Awareness Day, which includes  
23 increasing individual and public awareness of the impact of fake  
24 or counterfeit fentanyl pills on families and young people; applauds  
25 the work of federal, state, and local law enforcement agencies that  
26 work to combat the proliferation of counterfeit pills; encourages  
27 the use of existing authorities to proactively stop and prevent the  
28 spread of illicit counterfeit pills; and designates May 10, 2022, as  
29 National Fentanyl Awareness Day; and be it further  
30 *Resolved*, That the Secretary of the Senate transmit copies of  
31 this resolution to the author for appropriate distribution.

O

Date of Hearing: May 19, 2022

ASSEMBLY COMMITTEE ON RULES  
Ken Cooley, Chair  
SCR 100 (Umberg) – As Amended April 26, 2022

**SENATE VOTE:** 33-0

**SUBJECT:** National Fentanyl Awareness Day.

**SUMMARY:** Designates May 10, 2022, as National Fentanyl Awareness Day. Specifically, **this resolution** makes the following legislative findings:

- 1) Drug traffickers mass-produce fake or counterfeit pills in an effort to falsely market them as legitimate prescription pills, resulting in deceptions and threats to the American public.
- 2) The Drug Enforcement Agency (DEA) has observed a dramatic rise in the number of counterfeit pills containing at least two milligrams of fentanyl, which is considered a deadly dose. Four out of 10 pills with fentanyl tested by the DEA contain a potentially lethal dose.
- 3) The number of law enforcement-seized counterfeit pills with fentanyl has increased by nearly 502 percent since 2019. More than 9,500,000 counterfeit pills were seized within the last year, which exceeds the total number of counterfeit pills seized for the previous two years combined.
- 4) For the 12-month period ending October 2021, more than 105,000 Americans died due to drug-induced deaths, including 69,000 deaths involving illicit fentanyl. Over the last 20 years, drug-induced deaths among those 15 to 35 years of age, inclusive, have increased six-fold, largely driven by the increase in illicit fentanyl drugs.
- 5) Fake counterfeit pills are easily accessible and often sold on social media and e-commerce platforms, making them available to teens and youth.
- 6) It is important to increase individual and public awareness of the impact of fake or counterfeit fentanyl pills on families and young people; and, applaud the work of federal, state, and local law enforcement agencies that work to combat the proliferation of counterfeit pills.

**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 Archuleta**

April 18, 2022

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Senate Concurrent Resolution No. 102—Relative to National Military Appreciation Month.

LEGISLATIVE COUNSEL’S DIGEST

SCR 102, as introduced, Archuleta. National Military Appreciation Month.

This measure would proclaim the month of May 2022 to be National Military Appreciation Month.

Fiscal committee: no.

1 WHEREAS, National Military Appreciation Month began with  
2 a simple idea—to gather America around its military family to  
3 honor, remember, recognize, and appreciate those who serve and  
4 have served all while knowing its history; and

5 WHEREAS, Throughout our country’s history, generations of  
6 women and men have answered the call to leave their families,  
7 their jobs, and put their futures and even their lives on the line to  
8 valiantly defend our nation and its inalienable rights; and

9 WHEREAS, For many, that sacrifice has ended in permanent  
10 injury or death, yet their spirit remains in the continued  
11 preservation of our freedoms and the promise of liberty; and

12 WHEREAS, The first federal legislation for National Military  
13 Appreciation Month (S.Res. 33) began in 1999 with the support  
14 and sponsorship of Senator John McCain of Arizona and  
15 Representative Duncan Hunter of the City of San Diego, along  
16 with over 50 veteran service organizations; and

1 WHEREAS, The purpose of this important resolution is to let  
2 our service members know that those they protect dedicate an  
3 entire month to honor, remember, and appreciate their patriotism  
4 and their families’ dedication; and

5 WHEREAS, This special recognition provides an opportunity  
6 to acknowledge both the history of the Armed Forces of the United  
7 States and the diversity of its individuals and achievements. It  
8 allows Americans to educate each generation on the historical  
9 impact of our military, through the participation of the community  
10 with those who serve, encouraging patriotism and love for America;  
11 and

12 WHEREAS, This very important month honors, remembers,  
13 recognizes, and appreciates all military personnel, those women  
14 and men who have served throughout our history, all who now  
15 serve in uniform, and their families, as well as those Americans  
16 who have given their lives in defense of the freedoms we all enjoy  
17 today; and

18 WHEREAS, National Military Appreciation Month recognizes  
19 those on active duty in all branches of the service, the National  
20 Guard and Reserve, retirees, veterans, and all of their  
21 families—well over 90,000,000 Americans. Let us celebrate them  
22 just as we celebrate the other important entities that make up this  
23 wonderful country of ours; and

24 WHEREAS, There are more than 30 major defense installations  
25 in California, incorporating all military services, more than double  
26 any other state, and California’s diverse network of training ranges  
27 are a national treasure that cannot be replicated or replaced; and

28 WHEREAS, Each of these bases has unique, important military  
29 value, and each is making critical contributions to national security,  
30 today and for the future, accounting for over 128,373 active duty  
31 personnel stationed in the state; and

32 WHEREAS, Over 18,751 Californians serve in the Air and  
33 Army National Guard and 37,416 Californians serve in United  
34 States Army Reserve, United States Marine Corps Reserve, United  
35 States Air Force Reserve, United States Navy Reserve, and United  
36 States Coast Guard Reserve; and

37 WHEREAS, California offers the best combination of  
38 technology, industry, and academia in support of military needs,  
39 for today and the future. In addition to the Naval Postgraduate



1 School, 7 of the top 25 research universities are in California, and  
2 they all provide critical contributions to national security; and

3 WHEREAS, America’s best-trained and most-experienced  
4 aerospace and technology workforce lives and works here and is  
5 committed to staying and supporting military requirements; and

6 WHEREAS, California possesses a unique combination of  
7 irreplaceable assets: weather, climate, terrain, available space on  
8 land and sea and in the air, and the people, buildings, and  
9 equipment to use those assets full time. California’s unique value  
10 lies in the interconnectedness and close proximity of its large  
11 unencroached military desert lands and nearby mountainous terrain,  
12 the largest restricted airspace in the continental United States, and  
13 extensive deepwater operating areas off its coast; and

14 WHEREAS, Our military continues to play a major role in the  
15 development of our country, as chronicled through a history of  
16 unbending honor, dedication to duty, and genuine love of country;  
17 and

18 WHEREAS, The role of the United States as a world leader  
19 requires a military force that is well trained, well equipped, and  
20 appropriately sized; and

21 WHEREAS, This month is necessary to remind us of the  
22 sacrifices of the women and men who have answered the call to  
23 serve and the history we, as Americans, have been privileged to  
24 participate in throughout more than 238 years; and

25 WHEREAS, Our military represents the highest caliber of  
26 professionalism, patriotism, and technology, and service members  
27 willingly risk their lives on a moment’s notice; and

28 WHEREAS, Through appropriate means, federal, state, and  
29 local governments and private sector entities are invited to  
30 participate in this special month and to encourage everyone to  
31 sponsor and participate in programs via multiple venues, giving  
32 the nation a time and place upon which to focus, draw attention,  
33 and express our appreciation and thanks to our military family;  
34 and

35 WHEREAS, National Military Appreciation Month, May 2022,  
36 includes Loyalty Day on May 1, Victory in Europe Day on May  
37 8, Military Spouse Appreciation Day on May 6, Armed Forces  
38 Day on May 21, and Memorial Day on May 30; and

39 WHEREAS, The observance of events recognizing the  
40 contributions of the Armed Forces is a tangible and highly effective

1 way of sustaining morale and improving the quality of life for  
2 service members and their families; now, therefore, be it  
3 *Resolved by the Senate of the State of California, the Assembly*  
4 *thereof concurring*, That the Legislature honors those women and  
5 men who have served and are serving in our nation’s military, and  
6 recognizes the month of May 2022 as National Military  
7 Appreciation Month; and be it further  
8 *Resolved*, That the Secretary of the Senate transmit copies of  
9 this resolution to the author for appropriate distribution.

O

Date of Hearing: May 19, 2022

ASSEMBLY COMMITTEE ON RULES  
Ken Cooley, Chair  
SCR 102 (Archuleta) – As Introduced April 18, 2022

**SENATE VOTE:** 33-0

**SUBJECT:** National Military Appreciation Month.

**SUMMARY:** Proclaims the month of May 2022 to be National Military Appreciation Month. Specifically, **this resolution** makes the following legislative findings:

- 1) National Military Appreciation Month began with a simple idea—to gather America around its military family to honor, remember, recognize, and appreciate those who serve and have served all while knowing its history.
- 2) The first federal legislation for National Military Appreciation Month (S.Res. 33) began in 1999 with the support and sponsorship of Senator John McCain of Arizona and Representative Duncan Hunter of the City of San Diego, along with over 50 veteran service organizations.
- 3) The purpose of this important resolution is to let our service members know that those they protect dedicate an entire month to honor, remember, and appreciate their patriotism and their families' dedication.
- 4) This special recognition provides an opportunity to acknowledge both the history of the Armed Forces of the United States and the diversity of its individuals and achievements. It allows Americans to educate each generation on the historical impact of our military, through the participation of the community with those who serve, encouraging patriotism and love for America.
- 5) There are more than 30 major defense installations in California, incorporating all military services, more than double any other state, and California's diverse network of training ranges are a national treasure that cannot be replicated or replaced.
- 6) Over 18,751 Californians serve in the Air and Army National Guard and 37,416 Californians serve in United States Army Reserve, United States Marine Corps Reserve, United States Air Force Reserve, United States Navy Reserve, and United States Coast Guard Reserve.
- 7) Our military represents the highest caliber of professionalism, patriotism, and technology, and service members willingly risk their lives on a moment's notice.
- 8) This month is necessary to remind us of the sacrifices of the women and men who have answered the call to serve and the history we, as Americans, have been privileged to participate in throughout more than 238 years.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on file

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

**Introduced by Senator Newman**

April 25, 2022

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Senate Concurrent Resolution No. 106—Relative to CASA Appreciation Day.

LEGISLATIVE COUNSEL’S DIGEST

SCR 106, as introduced, Newman. CASA Appreciation Day.

This measure would declare May 2, 2022, 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 80,000 of California’s children are  
2 living in foster care because they have been abused, neglected, or  
3 abandoned. In 2021, 10,105 CASA volunteers supported 12,947  
4 foster children in California. These CASA volunteers play an  
5 important role in their lives by getting to know each child and  
6 letting the judge and others in the child welfare system understand  
7 the child’s perspective and needs; and

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

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

16 *Resolved by the Senate of the State of California, the Assembly*  
17 *thereof concurring*, That the Legislature hereby declares that May  
18 2, 2022, is recognized as CASA Appreciation Day in California;  
19 and be it further

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

O

Date of Hearing: May 19, 2022

ASSEMBLY COMMITTEE ON RULES  
Ken Cooley, Chair  
SCR 106 (Newman) – As Introduced April 25, 2022

**SENATE VOTE:** 33-0

**SUBJECT:** CASA Appreciation Day.

**SUMMARY:** Declares May 2, 2022, as CASA Appreciation Day in California. Specifically, **this resolution** makes the following legislative findings:

- 1) 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.
- 2) 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.
- 3) CASA Appreciation Day recognizes the important role played by Court Appointed Special Advocate for children (CASA) volunteers. These trained community 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.
- 4) Approximately 80,000 of California's children are living in foster care because they have been abused, neglected, or abandoned. In 2021, 10,105 CASA volunteers supported 12,947 foster children in California. 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.
- 5) 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.
- 6) 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



**Introduced by Senator Ochoa Bogh**  
**(Coauthors: Senators Caballero, Gonzalez, Grove, and Melendez)**  
(Coauthors: Assembly Members Aguiar-Curry, Cristina Garcia,  
Blanca Rubio, and Waldron)

May 3, 2022

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Senate Concurrent Resolution No. 108—Relative to Mother’s Day.

LEGISLATIVE COUNSEL’S DIGEST

SCR 108, as introduced, Ochoa Bogh. Mother’s Day.

This measure would recognize May 8, 2022, as the 115th annual Mother’s Day, and would urge all Californians to recognize, appreciate, and be grateful for the gifts and good works of mothers on that day.

Fiscal committee: no.

- 1 WHEREAS, The first Mother’s Day was held on the second
- 2 Sunday in May 1907 in West Virginia; and
- 3 WHEREAS, President Woodrow Wilson signed a congressional
- 4 resolution in 1914, making Mother’s Day an officially recognized
- 5 day; and
- 6 WHEREAS, The contributions of mothers past, present, and
- 7 future deserve to be recognized, not just today, but every day; and
- 8 WHEREAS, A mother is one who nurtures her family, her
- 9 community, her country, and her world; and
- 10 WHEREAS, Mother’s Day is an opportunity to become better
- 11 children and show our gratitude for those women who put the
- 12 needs of others before their own needs; and
- 13 WHEREAS, Each day, mothers provide counsel and serve as
- 14 an example to their children and pass on the values that impact
- 15 their legacy for generations; and

1 WHEREAS, Each day, mothers enrich our lives by providing  
2 opportunities to grow physically, emotionally, intellectually, and  
3 spiritually; and  
4 WHEREAS, Women are more likely to serve as the primary  
5 caregiver for their children, spouse, parents, and others; and  
6 WHEREAS, One in four mothers are raising their children  
7 without a spouse or partner; and  
8 WHEREAS, In the United States, 23,500,000 women are  
9 working mothers; and  
10 WHEREAS, Mother’s Day also recognizes those who are trying  
11 to become mothers, those who have lost their mothers, and the  
12 people in our lives who have taken on the motherhood role; and  
13 WHEREAS, Mothers play an important role in educating, caring  
14 for, and raising the next generation of artists, scientists, and  
15 community leaders; now, therefore, be it  
16 *Resolved by the Senate of the State of California, the Assembly*  
17 *thereof concurring*, That the Legislature recognizes May 8, 2022,  
18 as the 115th annual Mother’s Day, and urges all Californians to  
19 recognize, appreciate, and be grateful for the gifts and good works  
20 of mothers on that day; 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: May 19, 2022

ASSEMBLY COMMITTEE ON RULES  
Ken Cooley, Chair  
SCR 108 (Ochoa Bogh) – As Introduced May 3, 2022

**SENATE VOTE:** 33-0

**SUBJECT:** Mother's Day.

**SUMMARY:** Recognizes May 8, 2022, as the 115th annual Mother's Day, and urges all Californians to recognize, appreciate, and be grateful for the gifts and good works of mothers on that day. Specifically, **this resolution** makes the following legislative findings:

- 1) The first Mother's Day was held on the second Sunday in May 1907 in West Virginia. President Woodrow Wilson signed a congressional resolution in 1914, making Mother's Day an officially recognized day.
- 2) Women are more likely to serve as the primary caregiver for their children, spouse, parents, and others. One in four mothers are raising their children without a spouse or partner.
- 3) Mothers provide counsel and serve as an example to their children and pass on the values that impact their legacy for generations. Mothers enrich our lives by providing opportunities to grow physically, emotionally, intellectually, and spiritually.
- 4) Mothers play an important role in educating, caring for, and raising the next generation of artists, scientists, and community leaders.
- 5) Mother's Day also recognizes those who are trying to become mothers, those who have lost their mothers, and the people in our lives who have taken on the motherhood role.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on file

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



## Heath Flora

MINORITY FLOOR LEADER  
ASSEMBLYMEMBER, TWELFTH DISTRICT

**COMMITTEES:**

VICE CHAIR: LABOR AND EMPLOYMENT

VICE CHAIR: NATURAL RESOURCES

VICE CHAIR: BUSINESS AND PROFESSIONS

AGRICULTURE

HEALTH

RULES

JOINT LEGISLATIVE COMMITTEE ON  
EMERGENCY MANAGEMENT

California Legislature

May 17, 2022

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

Dear Chairman Cooley:

I hereby request that AB 2107 is amended to include an Urgency Clause.

AB 2107 will permit those who are licensed to conduct molecular testing for human genetics to also do it for infectious disease. As we plan for an endemic state, getting ahead of the next potential outbreak is critical. AB 2107 will allow for licensed professionals in the field of molecular and micro biology who have conducted testing through the pandemic to continue testing.

AB 2107 will also authorize an adult who has received appropriate training and is acting under the authority of the federal Clinical Laboratory Improvement Amendments of 1988 (CLIA) waiver director and ordering physician to conduct both collection of anterior nasal swabs where the individual being tested is unable to self-swab, and performance of the rapid antigen test.

With the potential for the emergency Executive Order permitting this workforce to conduct testing expires, the urgency for this matter is necessary to ensure there is not a lapse in time between that expiration and the current January 1, 2023 enactment of this bill if it were to be Chaptered.

Sincerely,

Heath Flora  
Assemblymember, 12<sup>th</sup> District

# PROPOSED AMENDMENTS

**RN 22 13587 05**  
**05/11/22 05:13 PM**  
**SUBSTANTIVE**

PROPOSED AMENDMENTS TO ASSEMBLY BILL NO. 2107

AMENDED IN ASSEMBLY APRIL 6, 2022

AMENDED IN ASSEMBLY MARCH 23, 2022

AMENDED IN ASSEMBLY MARCH 17, 2022

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2107**



**Introduced by Assembly Member Flora**

February 14, 2022

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An act to amend Sections 1206.5 and 1207 of the Business and Professions Code, relating to ~~clinical laboratories~~, *laboratories*, and *declaring the urgency thereof, to take effect immediately.*

**Amendment 1**

LEGISLATIVE COUNSEL'S DIGEST

AB 2107, as amended, Flora. Clinical laboratory testing.

Existing law provides for the licensure, registration, and regulation of clinical laboratories and various clinical laboratory personnel by the State Department of Public Health. Existing law prohibits the performance of a clinical laboratory test or examination classified as waived under the federal Clinical Laboratory Improvement Amendments of 1988 (CLIA) unless specific criteria are met, including that the test or examination is performed under the overall operation and administration of a laboratory director, as defined. Existing law also specifies what duties the clinical laboratory personnel can engage in, or supervise others engaged in, including, for a person licensed as a clinical genetic molecular biologist, the subspecialty of molecular biology related to the diagnosis of human genetic abnormalities within

**PROPOSED AMENDMENTS**

**RN 22 13587 05  
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SUBSTANTIVE**

**AB 2107**

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the specialty of genetics or other specified subspecialty. Violation of these provisions is a crime.

This bill, for a rapid antigen or point-of-care ~~polymerase chain reaction~~ *molecular infectious disease* test classified as waived under CLIA, would authorize an adult who has received appropriate training and is acting under the direction of the laboratory director and ordering physician *for testing in a nonhealth care congregate setting*, to collect anterior nasal swabs, if the person to be tested is unable to self-swab, and to perform the test on the collected sample.

This bill would authorize a person licensed as a clinical molecular biologist to engage in, or to supervise others engaged in, molecular biology related to diagnosis of human genetic abnormalities within the specialty of genetics, specifically molecular biology within the specialty of microbiology.

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

Vote: ~~majority~~<sup>2/3</sup>. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

Page 2 . 1 SECTION 1. Section 1206.5 of the Business and Professions  
2 Code is amended to read:  
3 1206.5. (a) (1) Notwithstanding subdivision (b) of Section  
4 1206 and except as otherwise provided in Sections 1206.6 and  
5 1241, a person shall not perform a clinical laboratory test or  
6 examination classified as waived under CLIA unless the clinical  
7 laboratory test or examination is performed under the overall  
8 operation and administration of the laboratory director, as described  
9 in Section 1209, including, but not limited to, documentation by  
10 the laboratory director of the adequacy of the qualifications and  
11 competency of the personnel, and the test is performed by any of  
12 the following persons:  
13 (A) A licensed physician and surgeon holding a M.D. or D.O.  
14 degree.  
15 (B) A licensed podiatrist, a licensed dentist, or a licensed  
16 naturopathic doctor, if the results of the tests can be lawfully  
17 utilized within their practice.  
18 (C) A person licensed under this chapter to engage in clinical  
19 laboratory practice or to direct a clinical laboratory.

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- Page 2 20 (D) A person authorized to perform tests pursuant to a certificate
- 21 issued under Article 5 (commencing with Section 101150) of
- 22 Chapter 2 of Part 3 of Division 101 of the Health and Safety Code.
- Page 3 1 (E) A licensed physician assistant if authorized by a supervising
- 2 physician and surgeon in accordance with Section 3502 or 3535.
- 3 (F) A person licensed under Chapter 6 (commencing with
- 4 Section 2700).
- 5 (G) A person licensed under Chapter 6.5 (commencing with
- 6 Section 2840).
- 7 (H) A perfusionist if authorized by and performed in compliance
- 8 with Section 2590.
- 9 (I) A respiratory care practitioner if authorized by and performed
- 10 in compliance with Chapter 8.3 (commencing with Section 3700).
- 11 (J) A medical assistant, as defined in Section 2069, if the waived
- 12 test is performed pursuant to a specific authorization meeting the
- 13 requirements of Section 2069.
- 14 (K) A pharmacist, as defined in Section 4036, if ordering drug
- 15 therapy-related laboratory tests in compliance with paragraph (2)
- 16 of subdivision (a) of Section 4052.1 or paragraph (2) of subdivision
- 17 (a) of Section 4052.2, if performing skin puncture in the course of
- 18 performing routine patient assessment procedures in compliance
- 19 with Section 4052.1, or if performing testing as authorized in
- 20 Section 4052.4.
- 21 (L) A naturopathic assistant, as defined in Sections 3613 and
- 22 3640.2, if the waived test is performed pursuant to a specific
- 23 authorization meeting the requirements of Sections 3613 and
- 24 3640.2.
- 25 (M) A licensed optometrist as authorized under Chapter 7
- 26 (commencing with Section 3000).
- 27 (N) Other health care personnel providing direct patient care.
- 28 (O) Any other person performing nondiagnostic testing pursuant
- 29 to Section 1244.
- 36 (2) For a rapid antigen or point-of-care ~~polymerase chain~~
- 37 ~~reaction-pathogen~~ *molecular infectious disease* test classified as
- 38 waived under CLIA, an adult who has received appropriate training
- 39 and is acting under the direction of the laboratory director and
- + ordering physician *for testing in a nonhealth care congregate*
- + *setting, including, but not limited to, preschools, elementary and*
- + *secondary educational institutions, and postsecondary institutions,*
- 40 may do both of the following:

Amendment 2

Amendment 3

## PROPOSED AMENDMENTS

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SUBSTANTIVE**

- Page 4
- 1 (A) Collect anterior nasal swabs if the person to be tested is
  - 2 unable to self-swab.
  - 3 (B) Perform the test on the collected sample.
  - 4 (b) Notwithstanding subdivision (b) of Section 1206, a person
  - 5 shall not perform clinical laboratory tests or examinations classified
  - 6 as of moderate complexity under CLIA unless the clinical
  - 7 laboratory test or examination is performed under the overall
  - 8 operation and administration of the laboratory director, as described
  - 9 in Section 1209, including, but not limited to, documentation by
  - 10 the laboratory director of the adequacy of the qualifications and
  - 11 competency of the personnel, and the test is performed by any of
  - 12 the following persons:
  - 13 (1) A licensed physician and surgeon holding a M.D. or D.O.
  - 14 degree.
  - 15 (2) A licensed podiatrist or a licensed dentist if the results of
  - 16 the tests can be lawfully utilized within their practice.
  - 17 (3) A person licensed under this chapter to engage in clinical
  - 18 laboratory practice or to direct a clinical laboratory.
  - 19 (4) A person authorized to perform tests pursuant to a certificate
  - 20 issued under Article 5 (commencing with Section 101150) of
  - 21 Chapter 2 of Part 3 of Division 101 of the Health and Safety Code.
  - 22 (5) A licensed physician assistant if authorized by a supervising
  - 23 physician and surgeon in accordance with Section 3502 or 3535.
  - 24 (6) A person licensed under Chapter 6 (commencing with
  - 25 Section 2700).
  - 26 (7) A perfusionist if authorized by and performed in compliance
  - 27 with Section 2590.
  - 28 (8) A respiratory care practitioner if authorized by and
  - 29 performed in compliance with Chapter 8.3 (commencing with
  - 30 Section 3700).
  - 31 (9) A person performing nuclear medicine technology if
  - 32 authorized by and performed in compliance with Article 6
  - 33 (commencing with Section 107150) of Chapter 4 of Part 1 of
  - 34 Division 104 of the Health and Safety Code.
  - 35 (10) Any person if performing blood gas analysis in compliance
  - 36 with Section 1245.
  - 37 (11) (A) A person certified or licensed as an “Emergency
  - 38 Medical Technician II” or paramedic pursuant to Division 2.5
  - 39 (commencing with Section 1797) of the Health and Safety Code
  - 40 while providing prehospital medical care, a person licensed as a

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## PROPOSED AMENDMENTS

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Page 5 1 psychiatric technician under Chapter 10 (commencing with Section  
2 4500) of Division 2, as a vocational nurse pursuant to Chapter 6.5  
3 (commencing with Section 2840), or as a midwife licensed pursuant  
4 to Article 24 (commencing with Section 2505) of Chapter 5, or  
5 certified by the department pursuant to Division 5 (commencing  
6 with Section 70001) of Title 22 of the California Code of  
7 Regulations as a nurse assistant or a home health aide, who  
8 provides direct patient care, if the person is performing the test as  
9 an adjunct to the provision of direct patient care by the person, is  
10 utilizing a point-of-care laboratory testing device at a site for which  
11 a laboratory license or registration has been issued, meets the  
12 minimum clinical laboratory education, training, and experience  
13 requirements set forth in regulations adopted by the department,  
14 and has demonstrated to the satisfaction of the laboratory director  
15 that the person is competent in the operation of the point-of-care  
16 laboratory testing device for each analyte to be reported.  
17 (B) Prior to being authorized by the laboratory director to  
18 perform laboratory tests or examinations, testing personnel  
19 identified in subparagraph (A) shall participate in a preceptor  
20 program until they are able to perform the clinical laboratory tests  
21 or examinations authorized in this section with results that are  
22 deemed accurate and skills that are deemed competent by the  
23 preceptor. For the purposes of this section, a “preceptor program”  
24 means an organized system that meets regulatory requirements in  
25 which a preceptor provides and documents personal observation  
26 and critical evaluation, including review of accuracy, reliability,  
27 and validity, of laboratory testing performed.  
28 (12) Any other person within a physician office laboratory if  
29 the test is performed under the supervision of the patient’s  
30 physician and surgeon or podiatrist who shall be accessible to the  
31 laboratory to provide onsite, telephone, or electronic consultation  
32 as needed, and shall: (A) ensure that the person is performing test  
33 methods as required for accurate and reliable tests; and (B) have  
34 personal knowledge of the results of the clinical laboratory testing  
35 or examination performed by that person before the test results are  
36 reported from the laboratory.  
37 (13) A pharmacist, if ordering drug therapy-related laboratory  
38 tests in compliance with paragraph (2) of subdivision (a) of Section  
39 4052.1 or paragraph (2) of subdivision (a) of Section 4052.2.

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- 1 (c) Notwithstanding subdivision (b) of Section 1206, a person  
2 shall not perform clinical laboratory tests or examinations classified  
3 as of high complexity under CLIA unless the clinical laboratory  
4 test or examination is performed under the overall operation and  
5 administration of the laboratory director, as described in Section  
6 1209, including, but not limited to, documentation by the laboratory  
7 director of the adequacy of the qualifications and competency of  
8 the personnel, and the test is performed by any of the following  
9 persons:
- 10 (1) A licensed physician and surgeon holding a M.D. or D.O.  
11 degree.
- 12 (2) A licensed podiatrist or a licensed dentist if the results of  
13 the tests can be lawfully utilized within their practice.
- 14 (3) A person licensed under this chapter to engage in clinical  
15 laboratory practice or to direct a clinical laboratory if the test or  
16 examination is within a specialty or subspecialty authorized by  
17 the person's licensure.
- 18 (4) A person authorized to perform tests pursuant to a certificate  
19 issued under Article 5 (commencing with Section 101150) of  
20 Chapter 2 of Part 3 of Division 101 of the Health and Safety Code  
21 if the test or examination is within a specialty or subspecialty  
22 authorized by the person's certification.
- 23 (5) A licensed physician assistant if authorized by a supervising  
24 physician and surgeon in accordance with Section 3502 or 3535.
- 25 (6) A perfusionist if authorized by and performed in compliance  
26 with Section 2590.
- 27 (7) A respiratory care practitioner if authorized by and  
28 performed in compliance with Chapter 8.3 (commencing with  
29 Section 3700).
- 30 (8) A person performing nuclear medicine technology if  
31 authorized by and performed in compliance with Article 6  
32 (commencing with Section 107150) of Chapter 4 of Part 1 of  
33 Division 104 of the Health and Safety Code.
- 34 (9) A person if performing blood gas analysis in compliance  
35 with Section 1245.
- 36 (10) Any other person within a physician office laboratory if  
37 the test is performed under the onsite supervision of the patient's  
38 physician and surgeon or podiatrist who shall: (A) ensure that the  
39 person is performing test methods as required for accurate and  
40 reliable tests; and (B) have personal knowledge of the results of

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Page 7 1 clinical laboratory testing or examination performed by that person  
2 before the test results are reported from the laboratory.  
3 (d) Clinical laboratory examinations classified as  
4 provider-performed microscopy under CLIA may be personally  
5 performed using a brightfield or phase/contrast microscope by one  
6 of the following practitioners:  
7 (1) A licensed physician and surgeon using the microscope  
8 during the patient’s visit on a specimen obtained from their own  
9 patient or from a patient of a group medical practice of which the  
10 physician is a member or employee.  
11 (2) A nurse midwife holding a certificate as specified by Section  
12 2746.5, a licensed nurse practitioner as specified in Section 2835.5,  
13 or a licensed physician assistant acting under the supervision of a  
14 physician pursuant to Section 3502 using the microscope during  
15 the patient’s visit on a specimen obtained from their own patient  
16 or from the patient of a clinic, group medical practice, or other  
17 health care provider of which the certified nurse midwife, licensed  
18 nurse practitioner, or licensed physician assistant is an employee.  
19 (3) A licensed dentist using the microscope during the patient’s  
20 visit on a specimen obtained from their own patient or from a  
21 patient of a group dental practice of which the dentist is a member  
22 or an employee.  
23 SEC. 2. Section 1207 of the Business and Professions Code is  
24 amended to read:  
25 1207. (a) As used in this chapter, “clinical chemist,” “clinical  
26 microbiologist,” “clinical toxicologist,” “clinical genetic molecular  
27 biologist,” “clinical cytogeneticist,” or “oral and maxillofacial  
28 pathologist” means a person licensed by the department under  
29 Section 1264 to engage in, or supervise others engaged in, clinical  
30 laboratory practice limited to the person’s area of specialization  
31 or to direct a clinical laboratory, or portion thereof, limited to their  
32 area of specialization. A licensed person who is qualified under  
33 CLIA may perform clinical laboratory tests or examinations  
34 classified as of high complexity under CLIA, and the duties and  
35 responsibilities of a laboratory director, technical consultant,  
36 clinical consultant, technical supervisor, and general supervisor,  
37 as specified under CLIA, limited to the person’s area of specialty  
38 or subspecialty as described in subdivision (b), and shall only direct  
39 a clinical laboratory providing service within those specialties or  
40 subspecialties. A person licensed as a “clinical chemist,” “clinical

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Page 8 1 microbiologist,” “clinical toxicologist,” “clinical genetic molecular  
2 biologist,” “clinical cytogeneticist,” or “oral and maxillofacial  
3 pathologist” may perform any clinical laboratory test or  
4 examination classified as waived or of moderate complexity under  
5 CLIA.

6 (b) The specialty or subspecialty for each of the limited license  
7 categories identified in subdivision (a), and the clinical laboratories  
8 that may be directed by persons licensed in each of those  
9 categories, are the following:

10 (1) For a person licensed under this chapter as a clinical chemist,  
11 the specialty of chemistry and the subspecialties of routine  
12 chemistry, endocrinology, clinical microscopy, toxicology, or other  
13 specialty or subspecialty specified by regulation adopted by the  
14 department.

15 (2) For a person licensed under this chapter as a clinical  
16 microbiologist, the specialty of microbiology and the subspecialties  
17 of bacteriology, mycobacteriology, mycology, parasitology,  
18 virology, molecular biology, and serology for diagnosis of  
19 infectious diseases, or other specialty or subspecialty specified by  
20 regulation adopted by the department.

21 (3) For a person licensed under this chapter as a clinical  
22 toxicologist, the subspecialty of toxicology within the specialty of  
23 chemistry or other specialty or subspecialty specified by regulation  
24 adopted by the department.

25 (4) For a person licensed under this chapter as a clinical genetic  
26 molecular biologist, the subspecialty of molecular biology related  
27 to diagnosis of human genetic abnormalities within the specialty  
28 of genetics and specifically molecular biology within the specialty  
29 of microbiology or other specialty or subspecialty specified by  
30 regulation adopted by the department.

31 (5) For a person licensed under this chapter as a clinical  
32 cytogeneticist, the subspecialty of cytogenetics within the specialty  
33 of genetics or other specialty or subspecialty specified by regulation  
34 adopted by the department.

35 (6) For a person licensed under this chapter as an oral and  
36 maxillofacial pathologist, the subspecialty of oral pathology within  
37 the specialty of pathology or other specialty or subspecialty  
38 specified by regulation adopted by the department.

+ SEC. 3. *This act is an urgency statute necessary for the*  
+ *immediate preservation of the public peace, health, or safety within*

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- + *the meaning of Article IV of the California Constitution and shall*
- + *go into immediate effect. The facts constituting the necessity are:*
- + *In order to maintain the health care workforce necessary to*
- + *continue to administer and process tests for the COVID-19 virus*
- + *if the Governor's Emergency Order relating to the COVID-19*
- + *global pandemic expires or is rescinded, it is necessary for this*
- + *act to take effect immediately.*

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