



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

**Assembly
California Legislature
Committee on Rules**

**KEN COOLEY
CHAIR**

Thursday, May 20, 2021
8:45 a.m.
State Capitol, Room 4202

CONSENT AGENDA

VICE CHAIR
CUNNINGHAM, JORDAN

MEMBERS
BENNETT, STEVE
FLORA, HEATH
GIPSON, MIKE A.
LEE, ALEX
MAIENSCHN, BRIAN
MATHIS, DEVON J.
RAMOS, JAMES C.
RUBIO, BLANCA E.
VILLAPUDUA, CARLOS
WEBER, M.D., AKILAH

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

BILL REFERRALS

1. Bill Referrals

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RESOLUTIONS

2. HR-42 (Low) Asian And Pacific Islander American Heritage Month.
3. HR-46 (Gabriel) Food Allergy Prevention Awareness Day. (refer/hear)
4. HR-47 (Reyes) The 25th Annual Immigrant Day Of Action. (refer/hear)
5. HR-48 (Gabriel) Israeli Americans. (refer/hear)
6. HR-49 (Gabriel) Jewish American Heritage Month. (refer/hear)

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REQUESTS TO ADD URGENCY CLAUSE

7. AB 583 (Chiu) Remote marriage license issuance and solemnization
8. AB 1104 (Grayson) Air ambulance services

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JAMES C. RAMOS
BLANCA E. RUBIO
CARLOS VILLAPUDUA
AKILAH WEBER, M.D.

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

Memo

To: Rules Committee Members
From: Michael Erke, Bill Referral Consultant
Date: 5/19/2021
Re: Consent Bill Referrals

Since you received your preliminary list of bill referrals, the following resolutions have been added to the list of referrals: ACR 86, AJR 16, HR 48, and HR 49.

REFERRAL OF BILLS TO COMMITTEE

05/20/2021

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

Assembly Bill No.	Committee:
<u>ACR 85</u>	RLS.
<u>ACR 86</u>	RLS.
<u>AJR 16</u>	JUD.
<u>HR 33</u>	HEALTH
<u>HR 44</u>	RLS.
<u>HR 45</u>	RLS.
<u>HR 46</u>	RLS.
<u>HR 47</u>	RLS.
<u>HR 48</u>	RLS.
<u>HR 49</u>	RLS.
<u>SB 35</u>	ELECTIONS
<u>SB 35</u>	PUB. S.
<u>SB 58</u>	P. & C.P.
<u>SB 58</u>	INS.
<u>SB 211</u>	JUD.
<u>SB 214</u>	TRANS.
<u>SB 281</u>	HEALTH
<u>SB 333</u>	L. GOV.
<u>SB 340</u>	HEALTH
<u>SB 340</u>	JUD.
<u>SB 341</u>	C. & C.
<u>SB 341</u>	E.M.
<u>SB 367</u>	HIGHER ED.
<u>SB 367</u>	HEALTH
<u>SB 384</u>	HUM. S.
<u>SB 389</u>	G.O.
<u>SB 392</u>	H. & C.D.
<u>SB 392</u>	JUD.
<u>SB 396</u>	NAT. RES.
<u>SB 411</u>	P.E. & R.
<u>SB 432</u>	H. & C.D.
<u>SB 432</u>	JUD.
<u>SB 437</u>	U. & E.
<u>SB 441</u>	HEALTH
<u>SB 443</u>	ELECTIONS
<u>SB 468</u>	E.M.
<u>SB 487</u>	HEALTH
<u>SB 505</u>	L. & E.
<u>SB 505</u>	JUD.
<u>SB 509</u>	B. & P.
<u>SB 516</u>	HEALTH
<u>SB 516</u>	JUD.
<u>SB 529</u>	U. & E.
<u>SB 531</u>	B. & F.

<u>SB 531</u>	JUD.
<u>SB 541</u>	HEALTH
<u>SB 556</u>	L. GOV.
<u>SB 556</u>	C. & C.
<u>SB 561</u>	G.O.
<u>SB 572</u>	L. & E.
<u>SB 572</u>	JUD.
<u>SB 576</u>	G.O.
<u>SB 577</u>	B. & F.
<u>SB 581</u>	H. & C.D.
<u>SB 591</u>	H. & C.D.
<u>SB 591</u>	JUD.
<u>SB 594</u>	ELECTIONS
<u>SB 594</u>	L. GOV.
<u>SB 599</u>	U. & E.
<u>SB 616</u>	ED.
<u>SB 629</u>	PUB. S.
<u>SB 629</u>	TRANS.
<u>SB 638</u>	B. & F.
<u>SB 638</u>	P. & C.P.
<u>SB 644</u>	HEALTH
<u>SB 644</u>	L. & E.
<u>SB 646</u>	U. & E.
<u>SB 649</u>	H. & C.D.
<u>SB 694</u>	U. & E.
<u>SB 701</u>	HIGHER ED.
<u>SB 707</u>	HUM. S.
<u>SB 709</u>	NAT. RES.
<u>SB 720</u>	PUB. S.
<u>SB 733</u>	U. & E.
<u>SB 753</u>	L. & E.
<u>SB 780</u>	L. GOV.
<u>SB 780</u>	H. & C.D.
<u>SB 782</u>	HEALTH
<u>SB 782</u>	JUD.
<u>SB 808</u>	J., E.D., & E.
<u>SB 813</u>	L. GOV.
<u>SB 814</u>	TRANS.
<u>SB 815</u>	AGRI.
<u>SB 819</u>	G.O.
<u>SB 821</u>	W., P., & W.
<u>SB 822</u>	W., P., & W.
<u>SB 823</u>	HEALTH
<u>SB 824</u>	REV. & TAX.
<u>SB 825</u>	REV. & TAX.
<u>SB 827</u>	PUB. S.
<u>SCR 11</u>	HEALTH
<u>SCR 23</u>	RLS.

SCR 26

SCR 27

SCR 28

SCR 44

TRANS.

TRANS.

TRANS.

RLS.

House Resolution

No. 42

Introduced by Assembly Member Low
(Coauthors: Assembly Members Chau, Chiu, Lee, and Nazarian)
(Coauthors: Senators Min and Pan)

April 29, 2021

House Resolution No. 42—Relative to Asian and Pacific Islander American Heritage Month.

- 1 WHEREAS, One of the earliest records of Asian and Pacific
2 Islander Americans in the United States dates back to 1763 in New
3 Orleans, Louisiana, where Filipino sailors who worked the
4 Manila-Acapulco trade route settled; and
5 WHEREAS, Asian and Pacific Islander Americans have made
6 indelible contributions throughout the history of California and
7 the United States that include, but are not limited to, building the
8 Transcontinental Railroad, serving honorably in the United States
9 Armed Forces, fighting for the United States in foreign wars,
10 coorganizing the Delano Grape Strike, and advocating for civil
11 rights; and
12 WHEREAS, Asian and Pacific Islander Americans have endured
13 hardships, including unjust working conditions, prejudice, and
14 discrimination in some of the darkest times in our state's and
15 nation's history, including the Chinese Exclusion Act, naturalized
16 citizenship ineligibility, the Alien Land Law, antimiscegenation
17 laws, and Japanese internment; and
18 WHEREAS, Asian and Pacific Islander Americans continue to
19 cultivate, advance, and lead in the fields of art, fashion, business,
20 technology, education, science, government, law, humanities,
21 medicine, sports, and entertainment; and

1 WHEREAS, California is home to over 6,300,000 Asian and
2 Pacific Islander Americans, more than any other state, and Asian
3 and Pacific Islander Americans are one of the fastest growing
4 ethnic populations in the state and nation; and

5 WHEREAS, Asian and Pacific Islander Americans constitute
6 16 percent of California's population and represent diverse
7 ancestries that include, but are not limited to, Asian Indian,
8 Bangladeshi, Bhutanese, Burmese, Cambodian, Chamorro,
9 Chinese, Taiwanese, Filipino, Hmong, Indonesian, Iu-Mien, Iwo
10 Jiman, Guamanian, Japanese, Korean, Laotian, Malaysian,
11 Maldivian, Mongolian, Nepalese, Native Hawaiian, Vietnamese,
12 Okinawan, Pakistani, Samoan, Singaporean, Sri Lankan, Thai,
13 Tongan, and other Pacific Islander groups; and

14 WHEREAS, California's Asian and Pacific Islander American
15 entrepreneurs are innovative and lead many successful businesses
16 to the pinnacle of their respective industries nationally and globally,
17 and 31.5 percent of the nation's Asian-owned businesses are in
18 California; and

19 WHEREAS, The California Commission on Asian and Pacific
20 Islander American Affairs was established in 2004 and is charged
21 with advising the Governor, the Legislature, and state agencies on
22 issues relating to the social and economic development, rights,
23 and interests of California's Asian and Pacific Islander American
24 communities; and

25 WHEREAS, Federal law designates May as "Asian/Pacific
26 American Heritage Month" in Section 102 of Title 36 of the United
27 States Code; and

28 WHEREAS, Celebrating Asian and Pacific Islander Heritage
29 Month provides Californians with an opportunity to recognize the
30 achievements, contributions, and history of Asian and Pacific
31 Islander Americans; now, therefore, be it

32 *Resolved by the Assembly of the State of California*, That the
33 Assembly commends Asian and Pacific Islander Americans for
34 their notable accomplishments and contributions to California, and
35 recognizes May 2021 as Asian and Pacific Islander American
36 Heritage Month; and be it further

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

O

Date of Hearing: May 20, 2021

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
HR 42 (Low) – As Introduced April 29, 2021

SUBJECT: Asian and Pacific Islander American Heritage Month.

SUMMARY: Recognizes May 2021 as Asian and Pacific Islander American Heritage Month, and commends Asian and Pacific Islander Americans for their notable accomplishments and contributions to California. Specifically, **this resolution** makes the following legislative findings:

- 1) One of the earliest records of Asian and Pacific Islander Americans in the United States dates back to 1763 in New Orleans, Louisiana, where Filipino sailors who worked the Manila-Acapulco trade route settled.
- 2) Asian and Pacific Islander Americans have made indelible contributions throughout the history of California and the United States that include, but are not limited to, building the Transcontinental Railroad, serving honorably in the United States Armed Forces, fighting for the United States in foreign wars, co-organizing the Delano Grape Strike, and advocating for civil rights.
- 3) Asian and Pacific Islander Americans have endured hardships, including unjust working conditions, prejudice, and discrimination in some of the darkest times in our state's and nation's history, including the Chinese Exclusion Act, naturalized citizenship ineligibility, the Alien Land Law, anti-miscegenation laws, and Japanese internment.
- 4) Asian and Pacific Islander Americans continue to cultivate, advance, and lead in the fields of art, fashion, business, technology, education, science, government, law, humanities, medicine, sports, and entertainment.
- 5) California is home to over 6,300,000 Asian and Pacific Islander Americans, more than any other state, and Asian and Pacific Islander Americans are one of the fastest growing ethnic populations in the state and nation.
- 6) Asian and Pacific Islander Americans constitute 16 percent of California's population and represent diverse ancestries that include: Asian Indian, Bangladeshi, Bhutanese, Burmese, Cambodian, Chamorro, Chinese, Taiwanese, Filipino, Hmong, Indonesian, Iu-Mien, Iwo Jiman, Guamanian, Japanese, Korean, Laotian, Malaysian, Maldivian, Mongolian, Nepalese, Native Hawaiian, Vietnamese, Okinawan, Pakistani, Samoan, Singaporean, Sri Lankan, Thai, Tongan, and other Pacific Islander groups.
- 7) Federal law designates May as "Asian/Pacific American Heritage Month" in Section 102 of Title 36 of the United States Code.
- 8) Celebrating Asian and Pacific Islander Heritage Month provides Californians with an opportunity to recognize the achievements, contributions, and history of Asian and Pacific Islander Americans.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

House Resolution

No. 46

Introduced by Assembly Member Gabriel

May 12, 2021

House Resolution No. 46—Relative to Food Allergy Prevention Awareness Day.

1 WHEREAS, Approximately 32,000,000 Americans live with
2 life-changing food allergies, and the federal Centers for Disease
3 Control and Prevention reports that the prevalence of food allergies
4 in children increased by 50 percent from 1997 to 2011, inclusive;
5 and

6 WHEREAS, Food allergies have an enormous impact on quality
7 of life for the 1 in 13 children who develop a severe food allergy,
8 and one-third of those children are bullied for their allergy; and

9 WHEREAS, There is an annual cost to the health care system
10 in excess of \$25,000,000,000 per year, not including the cost of
11 expensive new treatments or the dramatic impact to quality of life,
12 from having a life-long and life-threatening food allergy; and

13 WHEREAS, Research has shown that the majority of children
14 who develop a food allergy do not have a parent with a food
15 allergy, and those parents are therefore much less aware of the
16 life-changing consequences of developing a food allergy and the
17 need for food allergy prevention; and

18 WHEREAS, Research has shown that up to 80 percent of
19 childhood food allergies can be prevented through early allergen
20 introduction, an approach through which parents frequently feed
21 allergenic foods, such as peanut and egg, to their babies, and for
22 an extended period of time; and

1 WHEREAS, The United States Department of Agriculture's
2 Dietary Guidelines for Americans, 2020-2025 and medical
3 guidelines from the American Academy of Pediatrics and the
4 National Institute of Allergy and Infectious Diseases (NIAID)
5 already recommend early allergen introduction to help prevent
6 food allergies; and

7 WHEREAS, The Food Allergy Safety, Treatment, Education,
8 and Research Act of 2021 (Public Law 117-11) highlights sesame
9 as an important allergenic food, and requires the collection of data
10 on the prevalence of food allergies and to aid in the prevention of
11 the onset of food allergies; now, therefore, be it

12 *Resolved by the Assembly of the State of California*, That the
13 Assembly designates May 28, 2021, and each May 28 thereafter,
14 as the annual Food Allergy Prevention Awareness Day; and be it
15 further

16 *Resolved*, That the Assembly acknowledges there are clinically
17 proven methods for preventing most childhood food allergies, by
18 feeding allergenic foods, such as peanut and egg, to infants starting
19 at four to six months of age; and be it further

20 *Resolved*, That the Assembly recognizes the National Institutes
21 of Health and the NIAID for funding the initial food allergy
22 prevention research through the Learning Early About Peanut
23 Allergy study, and food allergy groups, including the Food Allergy
24 Fund, the Food Allergy and Anaphylaxis Connection Team, the
25 Food Allergy Research and Education, and PreventAllergies.org,
26 for their role in educating the public about food allergies; and be
27 it further

28 *Resolved*, That the Assembly encourages health care providers,
29 the public health community, businesses, individuals, and federal,
30 state, and local governments to work together to raise awareness
31 of food allergy prevention to reduce the number of Americans who
32 have severe food allergies; and be it further

33 *Resolved*, That the Assembly encourages all educators who work
34 with new parents to help share the importance of feeding allergenic
35 foods early and frequently to babies to help prevent food allergies;
36 and be it further

37 *Resolved*, That the Assembly encourages state and federal health
38 agencies to further expand research in food allergy prevention,
39 and to how we can dramatically reduce food allergies in the United
40 States; and be it further

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

O

Date of Hearing: May 20, 2021

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
HR 46 (Gabriel) – As Introduced May 12, 2021

SUBJECT: Food Allergy Prevention Awareness Day.

SUMMARY: Designates May 28, 2021, and each May 28 thereafter, as the annual Food Allergy Prevention Awareness Day; and, encourages health care providers, the public health community, businesses, individuals, and federal, state, and local governments to work together to raise awareness of food allergy prevention to reduce the number of Americans who have severe food allergies. Specifically, **this resolution** makes the following legislative findings:

- 1) Approximately 32,000,000 Americans live with life-changing food allergies, and the federal Centers for Disease Control and Prevention reports that the prevalence of food allergies in children increased by 50 percent from 1997 to 2011, inclusive.
- 2) Food allergies have an enormous impact on quality of life for the 1 in 13 children who develop a severe food allergy, and one-third of those children are bullied for their allergy.
- 3) There is an annual cost to the health care system in excess of \$25,000,000,000 per year, not including the cost of expensive new treatments or the dramatic impact to quality of life, from having a life-long and life-threatening food allergy.
- 4) Research has shown that the majority of children who develop a food allergy do not have a parent with a food allergy, and those parents are therefore much less aware of the life-changing consequences of developing a food allergy and the need for food allergy prevention.
- 5) Research has also shown that up to 80 percent of childhood food allergies can be prevented through early allergen introduction, an approach through which parents frequently feed allergenic foods, such as peanut and egg, to their babies, and for an extended period of time.
- 6) The United States Department of Agriculture's Dietary Guidelines for Americans, 2020-2025 and medical guidelines from the American Academy of Pediatrics and the National Institute of Allergy and Infectious Diseases already recommend early allergen introduction to help prevent food allergies.
- 7) The Food Allergy Safety, Treatment, Education, and Research Act of 2021 (Public Law 117-11) highlights sesame as an important allergenic food, and requires the collection of data on the prevalence of food allergies and to aid in the prevention of the onset of food allergies.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

House Resolution

No. 47

Introduced by Assembly Member Reyes

May 12, 2021

House Resolution No. 47—Relative to the 25th annual Immigrant Day of Action.

1 WHEREAS, May 25, 2021, will mark the 25th annual Immigrant
2 Day of Action in the City of Sacramento; and

3 WHEREAS, Each May for the past 25 years, hundreds of
4 immigrant community leaders, clergy, and other supporters from
5 across the state have traveled to the capitol to advocate for policies
6 that honor the vital role of immigrants in California’s civic,
7 economic, cultural, and community life; and

8 WHEREAS, Immigrant Day of Action began in the aftermath
9 of discriminatory measures such as Proposition 187 in 1994, which
10 sought to exclude immigrants from the social services safety net
11 and health care and to deny immigrant children an education and
12 1996 federal law and regulations, which effectively excluded many
13 immigrants from vital public safety net programs providing care
14 and support; and

15 WHEREAS, During the ensuing 20 years of community
16 organizing and advocacy, the views of Californians on immigration
17 policies have drastically transformed, with approximately 75
18 percent of adults expressing support in recent polling for the
19 inclusion, not deportation, of undocumented immigrant community
20 members; and

21 WHEREAS, In recent years, the Legislature has passed, and the
22 Governor has signed, a series of groundbreaking measures,
23 including the Safe and Responsible Driver Act, the Health for All

1 Kids program, the TRUST Act, the California Dream Act, the
2 Domestic Worker Bill of Rights, the California Values Act, Health
3 4 All Young Adults, an expansion of the California Earned Income
4 Tax Credit, and other measures to protect the rights of communities
5 of color, many of whom are immigrants; and

6 WHEREAS, Together these proposals have created a national
7 blueprint for pro-immigrant policy, and

8 WHEREAS, California's progress stands in contrast to the
9 federal government's ongoing failure to create a common-sense,
10 humane immigration process, which has left many immigrant
11 community members in California vulnerable to detention,
12 deportation, criminalization, and abuse; and

13 WHEREAS, California's immigrant communities continue to
14 face many key challenges, including exclusion from health care,
15 unsound deportation programs that Immigration and Customs
16 Enforcement (ICE) operates without transparency, an unjust
17 deportation system with profound barriers to due process, and lack
18 of access to community-based resources that can open the doors
19 to citizenship or deportation relief for those eligible, and

20 WHEREAS, California's location on the border between the
21 United States and Mexico provides the state unique insights into
22 the needs of border communities and the importance of upholding
23 civil rights in the border region and guarding against abuses, and

24 WHEREAS, Divisive, hateful, scapegoating rhetoric directed
25 toward immigrants, which particularly targets communities of
26 color and is accompanied by inflammatory rhetoric concerning
27 the border, has received significant attention nationwide, increasing
28 the need for continued proactive policymaking that affirms the
29 human rights of immigrants; now, therefore, be it

30 *Resolved by the Assembly of the State of California*, That the
31 Assembly stands firm in its commitment to upholding the human
32 rights of immigrants, that it commends the courage and
33 determination of immigrant community leaders who have worked
34 hard for two decades to advance inclusive policies, and that it joins
35 immigrants across California in celebrating the 25th annual
36 Immigrant Day of Action; and be it further

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

O

Date of Hearing: May 20, 2021

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
HR 47 (Reyes) – As Introduced May 12, 2021

SUBJECT: the 25th annual Immigrant Day of Action.

SUMMARY: Commends the courage and determination of immigrant community leaders who have worked hard for two decades to advance inclusive policies, and celebrates the 25th annual Immigrant Day of Action. Specifically, **this resolution** makes the following legislative findings:

- 1) Each May for the past 25 years, hundreds of immigrant community leaders, clergy, and other supporters from across the state have traveled to the capitol to advocate for policies that honor the vital role of immigrants in California's civic, economic, cultural, and community life.
- 2) Immigrant Day of Action began in the aftermath of discriminatory measures such as Proposition 187 in 1994, which sought to exclude immigrants from the social services safety net and health care and to deny immigrant children an education; and, 1996 federal law and regulations, which effectively excluded many immigrants from vital public safety net programs providing care and support.
- 3) During the ensuing 20 years of community organizing and advocacy, the views of Californians on immigration policies have drastically transformed, with approximately 75 percent of adults expressing support in recent polling for the inclusion, not deportation, of undocumented immigrant community members.
- 4) In recent years, the Legislature has passed, and the Governor has signed, a series of groundbreaking measures, including: the Safe and Responsible Driver Act, the Health for All Kids program, the TRUST Act, the California Dream Act, the Domestic Worker Bill of Rights, the California Values Act, Health 4 All Young Adults, an expansion of the California Earned Income Tax Credit, and other measures to protect the rights of communities of color, many of whom are immigrants.
- 5) California's progress stands in contrast to the federal government's ongoing failure to create a common-sense, humane immigration process, which has left many immigrant community members in California vulnerable to detention, deportation, criminalization, and abuse.
- 6) California's location on the border between the United States and Mexico provides the state unique insights into the needs of border communities and the importance of upholding civil rights in the border region and guarding against abuses.
- 7) Divisive, hateful, scapegoating rhetoric directed toward immigrants, which particularly targets communities of color and is accompanied by inflammatory rhetoric concerning the border, has received significant attention nationwide, increasing the need for continued proactive policymaking that affirms the human rights of immigrants
- 8) May 25, 2021, will mark the 25th annual Immigrant Day of Action in the City of Sacramento.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

House Resolution

No. 48

Introduced by Assembly Member Gabriel

May 18, 2021

House Resolution No. 48—Relative to Israeli Americans.

1 WHEREAS, The month of May in the United States is
2 recognized as Jewish American Heritage Month, an annual
3 recognition and celebration of the achievements and contributions
4 of American Jewish people, including Israeli Americans; and
5 WHEREAS, Israeli Americans are a vibrant immigrant
6 community enriching the diversity of the State of California; and
7 WHEREAS, California is home to the largest Israeli population
8 in the United States, including first- and second-generation
9 immigrant families, and home to the largest Israeli population
10 outside of the State of Israel; and
11 WHEREAS, Israeli Americans have historically been subject
12 to multiple forms of discrimination, including anti-Semitism and
13 national origin discrimination, and desire, like all immigrant
14 communities, to connect with their culture and celebrate their
15 heritage free from bigotry and bias; and
16 WHEREAS, Israeli Americans contribute invaluable skills that
17 strengthen the California economy and share their heritage with
18 California's culture and heritage; and
19 WHEREAS, The contributions of Israeli Americans in the fields
20 of astrophysics, mathematics, chemistry, aerospace engineering,
21 biotechnology, agriculture, and internet technologies have been
22 invaluable to the State of California; and
23 WHEREAS, Israeli-American technology entrepreneurs and
24 startups have brought significant advancements to some of the

1 most high-profile technology companies across California, from
2 Silicon Valley to Silicon Beach; and

3 WHEREAS, Israeli Americans have contributed significantly
4 to the entertainment industry with many Israeli adaptations turning
5 into award-winning Hollywood hits, and Israeli-American actors
6 and actresses leading in prominent roles on television and in films;
7 and

8 WHEREAS, Israeli Americans have helped to form a strong
9 bond between the people of the United States and the people of
10 Israel, reinforcing our shared values and interests; now, therefore,
11 be it

12 *Resolved by the Assembly of the State of California*, That the
13 Assembly, in honor of the multitude of contributions that Israeli
14 Americans have made to make this a better country and state for
15 all people, affirms that the Israeli-American community has
16 contributed immensely to California's society and culture, and
17 condemns any act of national origin or other forms of
18 discrimination that serve to marginalize or disenfranchise members
19 of this community; and be it further

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

O

Date of Hearing: May 20, 2021

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
HR 48 (Gabriel) – As Introduced May 18, 2021

SUBJECT: Israeli Americans.

SUMMARY: Honors the multitude of contributions that Israeli Americans have made to make this a better country and state for all people, and affirms that the Israeli-American community has contributed immensely to California's society and culture. Specifically, **this resolution** makes the following legislative findings:

- 1) The month of May in the United States is recognized as Jewish American Heritage Month, an annual recognition and celebration of the achievements and contributions of American Jewish people, including Israeli Americans.
- 2) California is home to the largest Israeli population in the United States, and home to the largest Israeli population outside of the State of Israel.
- 3) Israeli Americans contribute invaluable skills that strengthen the California economy and share their heritage with California's culture and heritage.
- 4) The contributions of Israeli Americans in the fields of astrophysics, mathematics, chemistry, aerospace engineering, biotechnology, agriculture, and internet technologies have been invaluable to the State of California.
- 5) Israeli-American technology entrepreneurs and startups have brought significant advancements to some of the most high-profile technology companies across California, from Silicon Valley to Silicon Beach.
- 6) Israeli Americans have contributed significantly to the entertainment industry with many Israeli adaptations turning into award-winning Hollywood hits, and Israeli-American actors and actresses leading in prominent roles on television and in films.
- 7) Israeli Americans have helped to form a strong bond between the people of the United States and the people of Israel, reinforcing our shared values and interests

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

House Resolution

No. 49

Introduced by Assembly Member Gabriel

May 18, 2021

House Resolution No. 49—Relative to Jewish American Heritage Month.

1 WHEREAS, The Jewish American experience is a story of faith,
2 fortitude, and progress. It is a quintessential American experience
3 — one that is connected to key tenets of American identity,
4 including our nation’s commitment to freedom of religion and
5 conscience; and

6 WHEREAS, Jewish Americans have inextricably woven their
7 experience and their accomplishments into the fabric of our
8 national identity. Generations of Jewish people have come to this
9 nation fleeing oppression, discrimination, and persecution in search
10 of a better life for themselves and their children. These Jewish
11 Americans have created lives for themselves and their families
12 and played indispensable roles in the civic and community life,
13 making invaluable contributions to our state and nation through
14 their leadership and achievements; and

15 WHEREAS, This year, we also recognize two historic firsts, as
16 America saw Vice President Kamala Harris take the oath of office
17 alongside her Jewish American spouse, Second Gentleman Douglas
18 Emhoff and a Jewish American Charles Schumer, became the first
19 Majority Leader of the United States Senate and the
20 highest-ranking Jewish American elected official in our nation’s
21 history; and

22 WHEREAS, When the late United States Supreme Court Justice
23 Ruth Bader Ginsburg was sworn in as the 107th justice to the

1 United States Supreme Court on August 10, 1993, she became the
2 second woman to sit on this court (Sandra Day O'Connor was the
3 first), the first Jewish justice since 1969, and the first female Jewish
4 justice. Justice Ginsburg turned to her Jewish roots for the title of
5 her final book, published posthumously in March 2021. "Justice,
6 Justice Thou Shalt Pursue" takes its name from a passage in the
7 Torah (Deuteronomy 16:20), which captures the essence of her
8 life's work. Justice Ginsburg was a trailblazer and a tireless fighter
9 for equality and for a more just and inclusive society; and

10 WHEREAS, Alongside this narrative of achievement and
11 opportunity, there is also a history — far older than the nation
12 itself — of racism, bigotry, and other forms of injustice. This
13 includes the scourge of antisemitism. In recent years, Jewish
14 Americans have increasingly been the target of White nationalism
15 and the anti-semitic violence it fuels; and

16 WHEREAS, As our nation and state strive to heal these wounds
17 and overcome these challenges, let us acknowledge and celebrate
18 the crucial contributions that Jewish Americans have made to our
19 collective struggle for a more just and fair society: leading
20 movements for social justice, working to ensure that the
21 opportunities they have secured are extended to others, and heeding
22 the words of the Torah, "Justice, justice shall you pursue."; and

23 WHEREAS, A central concept in Judaism, "l'dor v'dor", or
24 "from generation to generation," recognizes both the continuity
25 of the Jewish people and the intergenerational responsibility we
26 have to heal the world for our children; and

27 WHEREAS, During Jewish American Heritage Month, we
28 honor Jewish Americans, who, inspired by Jewish values and
29 American ideals, have engaged in the ongoing work of forming a
30 more perfect union; now, therefore, be it

31 *Resolved by the Assembly of the State of California*, That the
32 Assembly proclaims the month of May 2021 as Jewish American
33 Heritage Month, and urges all Californians to visit
34 www.JewishHeritageMonth.gov to learn more about the heritage
35 and contributions of Jewish Americans and to observe this month
36 with appropriate programs, activities, and ceremonies; and be it
37 further

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

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Date of Hearing: May 20, 2021

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
HR 49 (Gabriel) – As Introduced May 18, 2021

SUBJECT: Jewish American Heritage Month.

SUMMARY: Proclaims the month of May 2021 as Jewish American Heritage Month, and urges all Californians to learn more about the heritage and contributions of Jewish Americans and to observe this month with appropriate programs, activities, and ceremonies. Specifically, **this resolution** makes the following legislative findings:

- 1) Jewish Americans have inextricably woven their experience and their accomplishments into the fabric of our national identity. Generations of Jewish people have come to this nation fleeing oppression, discrimination, and persecution in search of a better life for themselves and their children.
- 2) Jewish Americans have created lives for themselves and their families and played indispensable roles in the civic and community life, making invaluable contributions to our state and nation through their leadership and achievements.
- 3) When the late United States Supreme Court Justice Ruth Bader Ginsburg was sworn in as the 107th justice to the United States Supreme Court on August 10, 1993, she became the second woman to sit on this court, the first Jewish justice since 1969, and the first female Jewish justice.
- 4) This year, we also recognize two historic firsts, as America saw Vice President Kamala Harris take the oath of office alongside her Jewish American spouse, Second Gentleman Douglas Emhoff; and, a Jewish American Charles Schumer, became the first Majority Leader of the United States Senate and the highest-ranking Jewish American elected official in our nation's history.
- 5) Alongside this narrative of achievement and opportunity, there is also a history — far older than the nation itself — of racism, bigotry, and other forms of injustice. In recent years, Jewish Americans have increasingly been the target of White nationalism and the anti-semitic violence it fuels.
- 6) As our nation and state strive to heal these wounds and overcome these challenges, let us acknowledge and celebrate the crucial contributions that Jewish Americans have made to our collective struggle for a more just and fair society: leading movements for social justice, and working to ensure that the opportunities they have secured are extended to others.
- 7) During Jewish American Heritage Month, we honor Jewish Americans, who, inspired by Jewish values and American ideals, have engaged in the ongoing work of forming a more perfect union.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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

STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0017
(916) 319-2017
FAX (916) 319-2117

DISTRICT OFFICE
455 GOLDEN GATE AVENUE, ROOM 14300
SAN FRANCISCO, CA 94102
(415) 557-3013
FAX (415) 557-3015



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SUBCOMMITTEES
BUDGET SUBCOMMITTEE NO. 4 ON
STATE ADMINISTRATION

May 18, 2021

Assemblymember Ken Cooley
Chair, Assembly Rules Committee
State Capitol, Room 3016
Sacramento, CA 95814

Dear Chair Cooley,

I write this letter to request an urgency clause be added to Assembly Bill 583.

AB 583 codifies the Governor's Executive Order and memorializes the best practices for electronic issuance of marriage licenses and solemnization ceremonies through live, interactive video technology that California's counties have employed over the last year.

The framework proposed by AB 583 is the product of months of discussion, troubleshooting and problem-solving over the course of this challenging year, as counties and the State evolved to meet the immediate needs of their constituents.

An urgency clause is needed because it is not clear what will happen to the counties' emergency authority once the Governor reopens the economy, which is projected to be around the middle of June. Counties anticipate an immediate need for the remote option with the likely wildfire risk this summer and want to ensure there is no gap in service if the emergency EO is lifted.

Thank you for your assistance in this matter. If you have questions, please contact my Chief of Staff, Erin Baum.

Respectfully,

DAVID CHIU
Assemblymember, 17th AD

ASSEMBLY BILL

No. 583

Introduced by Assembly Member Chiu
(Coauthor: Assembly Member Davies)
(Coauthor: Senator Skinner)

February 11, 2021

An act to amend, repeal, and add Section 359 of, and to add and repeal Part 5 (commencing with Section 550) of Division 3 of, the Family Code, relating to marriage.

LEGISLATIVE COUNSEL’S DIGEST

AB 583, as introduced, Chiu. Remote marriage license issuance and solemnization.

Existing law requires applicants to be married to first appear together in person before the county clerk to obtain a marriage license. Existing law does not require a particular form for the ceremony to solemnize a marriage, but requires the parties to declare, in the physical presence of the person solemnizing their marriage and necessary witnesses, that they take each other as spouses. Existing law requires the person solemnizing the marriage to return an endorsed marriage license to the county recorder of the county in which the license was issued. Existing law authorizes a member of the Armed Forces of the United States who is stationed overseas and serving in a conflict or a war and is unable to appear for the licensure and solemnization of the marriage to enter into that marriage by the appearance of an attorney-in-fact. Existing law also authorizes a county clerk to issue a marriage license to the person solemnizing the marriage if either or both of the parties to be married are physically unable to appear in person before the county clerk, certain documentation requirements are met, and there is a sufficient reason

for this procedure that includes proof of hospitalization, incarceration, or any other reason proved to the satisfaction of the county clerk. Existing executive orders delineate temporary procedures for obtaining a marriage license and solemnizing a marriage via videoconference, as specified.

This bill would authorize, between January 1, 2022, and January 1, 2024, a county clerk to issue a marriage license or solemnize or witness a marriage ceremony using remote technology, as defined, except for the marriage of a minor. The bill would prescribe the procedures and requirements for marriage license applications, marriage license issuance, and the witnessing or solemnizing of the marriage ceremony using remote technology, including the requirements that the couple be in the same physical location in the State of California while using remote technology to solemnize their marriage. The bill would authorize a county clerk to require a couple to complete an affidavit affirming that they and each individual participating in a marriage solemnization using remote technology are physically present within the State of California, as required. The bill would authorize a county clerk to provide guidance relating to marriage license applications, marriage license issuance, and the witnessing or solemnizing of the marriage ceremony within their jurisdiction using remote technology.

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

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

- 1 SECTION 1. Section 359 of the Family Code is amended to
- 2 read:
- 3 359. (a) Except as provided in Sections 420 and 426, *or Part*
- 4 *5 (commencing with Section 550)*, applicants to be married shall
- 5 first appear together in person before the county clerk to obtain a
- 6 marriage license.
- 7 (b) The contents of the marriage license are provided in Part 1
- 8 (commencing with Section 102100) of Division 102 of the Health
- 9 and Safety Code.
- 10 (c) The issued marriage license shall be presented to the person
- 11 solemnizing the marriage by the parties to be married.
- 12 (d) The person solemnizing the marriage shall complete the
- 13 solemnization sections on the marriage license, and shall cause to
- 14 be entered on the marriage license the printed name, signature,

1 and mailing address of at least one, and no more than two,
2 witnesses to the marriage ceremony.

3 (e) The marriage license shall be returned by the person
4 solemnizing the marriage to the county recorder of the county in
5 which the license was issued within 10 days after the ceremony.

6 (f) As used in this division, “returned” means presented to the
7 appropriate person in person, or postmarked, before the expiration
8 of the specified time period.

9 (g) *This section shall remain in effect only until January 1, 2024,*
10 *and as of that date is repealed.*

11 SEC. 2. Section 359 is added to the Family Code, to read:

12 359. (a) Except as provided in Sections 420 and 426, applicants
13 to be married shall first appear together in person before the county
14 clerk to obtain a marriage license.

15 (b) The contents of the marriage license are provided in Part 1
16 (commencing with Section 102100) of Division 102 of the Health
17 and Safety Code.

18 (c) The issued marriage license shall be presented to the person
19 solemnizing the marriage by the parties to be married.

20 (d) The person solemnizing the marriage shall complete the
21 solemnization sections on the marriage license, and shall cause to
22 be entered on the marriage license the printed name, signature,
23 and mailing address of at least one, and no more than two,
24 witnesses to the marriage ceremony.

25 (e) The marriage license shall be returned by the person
26 solemnizing the marriage to the county recorder of the county in
27 which the license was issued within 10 days after the ceremony.

28 (f) As used in this division, “returned” means presented to the
29 appropriate person in person, or postmarked, before the expiration
30 of the specified time period.

31 (g) This section shall become operative on January 1, 2024.

32 SEC. 3. Part 5 (commencing with Section 550) is added to
33 Division 3 of the Family Code, to read:

34
35 PART 5. REMOTE MARRIAGE LICENSE ISSUANCE AND
36 SOLEMNIZATION
37

38 550. On or after January 1, 2022, notwithstanding any other
39 law, including, but not limited to, Section 420, a county clerk may
40 issue a marriage license or solemnize or witness a marriage

ceremony under state law using remote technology pursuant to this part, except for a marriage of a minor, as set forth in Sections 302 to 304, inclusive, or any successor provisions.

552. A couple seeking a marriage license or solemnization pursuant to this part shall present, in the manner requested by the county clerk, a copy of a valid government-issued photo identification to verify their identity and any additional documentary proof requested by the county clerk.

554. (a) Each member of the couple shall be physically located in the State of California while using remote technology to obtain a marriage license pursuant to this part.

(b) Each member of the couple shall be in the same physical location in the State of California while using remote technology to solemnize their marriage pursuant to this part.

(c) The county clerk may require a couple to complete an affidavit, in a form provided by the county clerk, affirming that they and each individual participating in a marriage solemnization using remote technology are physically present within the State of California in compliance with this part.

556. (a) At the discretion of the county clerk, a couple whose marriage was solemnized by a county clerk may sign their marriage license electronically or by original wet signature. The couple shall transmit a signed, legible copy of their marriage license by United States mail, fax, or electronic means directly to the county clerk, in the manner required by the county clerk.

(b) A couple whose marriage was solemnized by anyone other than the county clerk shall sign their marriage license in ink by original wet signature and shall submit that original document to the county clerk.

558. A county clerk may provide guidance relating to marriage license applications, marriage license issuance, and the witnessing or solemnizing of the marriage ceremony within their jurisdiction using remote technology pursuant to this part.

560. For purposes of this part, “remote technology” means audio-video technology that is provided by a county clerk and allows the couple, or the couple and others participating in a marriage solemnization, as applicable, to appear together from the same physical location and directly interact with each other and the county clerk.

1 562. This part shall remain in effect only until January 1, 2024,
2 and as of that date is repealed.

3

4

5 **REVISIONS:**

6 **Heading—Line 2.**

7

O



May 11, 2021

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

RE: Request to add an urgency clause to AB 1104 (Grayson)

Dear Chair Cooley,

I respectfully request that the Rules Committee approve the addition of an urgency clause to AB 1104. AB 1104 extends the existing Emergency Medical Air Transportation Act (EMATA) to continue to supplement air ambulance providers until December 21, 2022 at current reimbursement rates. An urgency clause is needed because without action, the penalty and funding stream will expire on July 1, 2021, resulting in a net decrease of Medi-Cal Fee For Service (FFS) funding by more than 50%. Inclusion of the urgency clause is needed to protect the health and safety of Medi-Cal beneficiaries after the current penalty expires on July 1, 2021.

As with other emergency healthcare providers, the COVID-19 crisis has placed an additional economic strain on providers. A reduction of net Medi-Cal funding at this time, would undoubtedly place the economic viability of many emergency helicopter bases at risk of closing.

If you have any questions, please contact me or my Legislative Director, Domonique Jones, at (916) 319-2014.

Thank you for your consideration.

Sincerely,

Timothy S. Grayson
Assemblymember, 14th District

AMENDED IN ASSEMBLY APRIL 12, 2021

AMENDED IN ASSEMBLY MARCH 18, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 1104

Introduced by Assembly Member Grayson

February 18, 2021

An act to amend Section 76000.10 of the Government Code, *and to add Section 14124.15 to the Welfare and Institutions Code*, relating to air ambulance services.

LEGISLATIVE COUNSEL’S DIGEST

AB 1104, as amended, Grayson. Air ambulance services.

Existing

(1) *Existing* law imposes a penalty of \$4 until July 1, 2021, upon every conviction for a violation of the Vehicle Code or a local ordinance adopted pursuant to the Vehicle Code, other than a parking offense. The act requires the county or court that imposed the fine to transfer the revenues collected to the Treasurer for deposit into the Emergency Medical Air Transportation and Children’s Coverage Fund. Existing law requires the assessed penalty to continue to be collected, administered, and distributed until exhausted or until December 31, 2022, whichever occurs first. These provisions remain in effect until January 1, 2024, and are repealed effective January 1, 2025.

This bill would extend the assessment of penalties pursuant to the above-described provisions ~~indefinitely. The bill would make other conforming changes:~~ *until December 31, 2022, and would extend the collection and transfer of penalties until December 31, 2023.* By

extending the length of time a county is required to collect and transfer the fines imposed, the bill would impose a state-mandated local program.

(2) *Existing law establishes the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Existing law authorizes an eligible provider to receive increased reimbursement, by application of an add-on increase to the associated Medi-Cal fee-for-service payment schedule, for emergency medical transports provided to applicable Medi-Cal beneficiaries, and excludes air ambulances from that increased reimbursement.*

Commencing January 1, 2023, this bill would require the department to set and maintain Medi-Cal reimbursement rates for air ambulance services provided by fixed or rotary wing aircraft at 80% of the Medicare program reimbursement rate of the applicable common procedure terminology code, and would authorize the department to establish those rates by various means, including provider bulletins. The bill would limit the amounts a noncontracting emergency medical transport provider may collect if the beneficiary received medical assistance other than through enrollment in a Medi-Cal managed care health plan to the Medi-Cal fee-for-service reimbursement rate, as described above.

The

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

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

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

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

- 1 SECTION 1. Section 76000.10 of the Government Code is
- 2 amended to read:
- 3 76000.10. (a) This section shall be known, and may be cited,
- 4 as the Emergency Medical Air Transportation Act.
- 5 (b) For purposes of this ~~section~~ section, the following definitions
- 6 apply:

1 (1) “Department” means the State Department of Health Care
2 Services.

3 (2) “Director” means the Director of Health Care Services.

4 (3) “Provider” means a provider of emergency medical air
5 transportation services.

6 (4) “Rotary wing” means a type of aircraft, commonly referred
7 to as a helicopter, that generates lift through the use of wings,
8 known as rotor blades, that revolve around a mast.

9 (5) “Fixed wing” means a type of aircraft, commonly referred
10 to as an airplane, that generates lift through the use of the forward
11 motion of the aircraft and wings that do not revolve around a mast
12 but are fixed in relation to the fuselage of the aircraft.

13 (6) “Air mileage rate” means the per-mileage reimbursement
14 rate paid for services rendered by rotary-wing and fixed-wing
15 providers.

16 (c) (1) For purposes of implementing this section, a penalty of
17 four dollars (\$4) shall be imposed upon every conviction for a
18 violation of the Vehicle Code or a local ordinance adopted pursuant
19 to the Vehicle Code, except parking offenses subject to Article 3
20 (commencing with Section 40200) of Chapter 1 of Division 17 of
21 the Vehicle Code.

22 (2) The penalty described in this subdivision is in addition to
23 the state penalty assessed pursuant to Section 1464 of the Penal
24 Code. ~~However, this~~ The penalty shall not be included in the base
25 fine used to calculate the state penalty assessment pursuant to
26 subdivision (a) of Section 1464 of the Penal Code, the state
27 surcharge levied pursuant to Section 1465.7 of the Penal Code,
28 and the state court construction penalty pursuant to Section ~~70372~~
29 ~~of this code, 70372~~, and to calculate the other additional penalties
30 levied pursuant to this chapter.

31 (d) The court that imposed the fine ~~shall~~, *shall transfer*, in
32 accordance with the procedures set out in Section 68101, ~~transfer~~
33 moneys collected pursuant to this section to the Treasurer for
34 deposit into the Emergency Medical Air Transportation and
35 Children’s Coverage Fund, which is hereby established in the State
36 Treasury. Notwithstanding Section 16305.7, the Emergency
37 Medical Air Transportation and Children’s Coverage Fund shall
38 include interest and dividends earned on money in the fund. Any
39 law that references the Emergency Medical Air Transportation
40 Act Fund, as previously established by this subdivision, shall be

1 construed to reference the Emergency Medical Air Transportation
2 and Children's Coverage Fund, effective January 1, 2018.

3 (e) (1) The Emergency Medical Air Transportation and
4 Children's Coverage Fund shall be administered by the State
5 Department of Health Care Services. Moneys in the Emergency
6 Medical Air Transportation and Children's Coverage Fund shall
7 be made available, upon appropriation by the Legislature, to the
8 department for any of the following purposes:

9 (A) For children's health care coverage.

10 (B) For emergency medical air transportation provider payments,
11 as follows:

12 (i) For payment of the administrative costs of the department
13 in administering emergency medical air transportation provider
14 payments.

15 (ii) Twenty percent of the appropriated money remaining after
16 payment of administrative costs pursuant to clause (i) shall be used
17 to offset the state portion of the Medi-Cal reimbursement rate for
18 emergency medical air transportation services.

19 (iii) Eighty percent of the appropriated money remaining after
20 payment of administrative costs pursuant to clause (i) shall be used
21 to augment emergency medical air transportation reimbursement
22 payments made through the Medi-Cal program, as set forth in
23 paragraphs (2) and (3).

24 (2) If money in the Emergency Medical Air Transportation and
25 Children's Coverage Fund is made available to the department for
26 the purpose described in subparagraph (B) of paragraph (1), both
27 of the following shall occur:

28 (A) The department shall seek to obtain federal matching funds
29 by using the moneys in the Emergency Medical Air Transportation
30 and Children's Coverage Fund for the purpose of augmenting
31 Medi-Cal reimbursement paid to emergency medical air
32 transportation providers.

33 (B) The director shall augment emergency medical air
34 transportation provider payments in accordance with a federally
35 approved reimbursement methodology. The director may seek
36 federal approvals or waivers as may be necessary to implement
37 this section and to obtain federal financial participation to the
38 maximum extent possible for the payments under this section.

39 (3) (A) Upon appropriation by the Legislature, the department
40 shall use moneys in the Emergency Medical Air Transportation

1 and Children's Coverage Fund and any federal matching funds to
2 do any of the following:

3 (i) Fund children's health care coverage.

4 (ii) Increase the Medi-Cal reimbursement for emergency medical
5 air transportation services in an amount not to exceed normal and
6 customary charges charged by the providers.

7 (B) Notwithstanding any other law, and pursuant to this section,
8 if money in the Emergency Medical Air Transportation and
9 Children's Coverage Fund is made available to the department for
10 the purpose described in subparagraph (B) of paragraph (1), the
11 department shall increase the Medi-Cal reimbursement for
12 emergency medical air transportation services if both of the
13 following conditions are met:

14 (i) Moneys in the Emergency Medical Air Transportation and
15 Children's Coverage Fund will cover the cost of increased
16 payments pursuant to clause (iii) of subparagraph (B) of paragraph
17 (1).

18 (ii) The state does not incur any General Fund expense to pay
19 for the Medi-Cal emergency medical air transportation services
20 increase.

21 (f) The assessment of penalties pursuant to this section shall
22 terminate on ~~July 1, 2021~~, *December 31, 2022*. Penalties assessed
23 before ~~July 1, 2021~~, *December 31, 2022*, shall continue to be
24 collected, administered, and distributed pursuant to this section
25 until exhausted or until December 31, ~~2022~~, *2023*, whichever
26 occurs first. On December 31, ~~2022~~, *2023*, moneys remaining
27 unexpended and unencumbered in the Emergency Medical Air
28 Transportation and Children's Coverage Fund shall be transferred
29 to the General Fund, to be available, upon appropriation by the
30 Legislature, for the purposes of augmenting Medi-Cal
31 reimbursement for emergency medical air transportation and related
32 costs, generally, or funding children's health care coverage.

33 (g) Notwithstanding the rulemaking provisions of Chapter 3.5
34 (commencing with Section 11340) of Part 1 of Division 3 of Title
35 2, the department may implement, interpret, or make specific this
36 section and any applicable federal waivers and state plan
37 amendments by means of all-county letters, plan letters, plan or
38 provider bulletins, or similar instructions without taking regulatory
39 action.

(h) This section shall become inoperative on July 1, 2024, and, as of January 1, 2025, is repealed.

SEC. 2. Section 14124.15 is added to the Welfare and Institutions Code, immediately following Section 14124.14, to read:

14124.15. (a) Effective January 1, 2023, the department shall set and maintain Medi-Cal reimbursement rates for air ambulance services provided by fixed or rotary wing aircraft at 80 percent of the Medicare program reimbursement rate of the applicable common procedure terminology code.

(b) Each applicable Medi-Cal managed care health plan shall satisfy its obligation under Section 438.114(c) of Title 42 of the Code of Federal Regulations for emergency medical transports and shall provide payment to noncontracting emergency medical transport providers described in subdivision (a), consistent with Section 1396u-2(b)(2)(D) of Title 42 of the United States Code. Commencing in the calendar year beginning January 1, 2023, and for each calendar year thereafter for which this section is operative, the amounts a noncontracting emergency medical transport provider may collect if the beneficiary received medical assistance other than through enrollment in a Medi-Cal managed care health plan pursuant to Section 1396u-2(b)(2)(D) of Title 42 of the United States Code shall be the Medi-Cal fee-for-service reimbursement rate, as specified in subdivision (a).

(c) Notwithstanding the rulemaking provisions of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the director may establish and update the Medi-Cal reimbursement rates for air ambulance services described in this section by means of a provider bulletin or manual, or similar instructions.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

~~SECTION 1. Section 76000.10 of the Government Code is amended to read:~~

~~76000.10. (a) This section shall be known, and may be cited, as the Emergency Medical Air Transportation Act.~~

1 ~~(b) For purposes of this section:~~

2 ~~(1) “Department” means the State Department of Health Care~~
3 ~~Services.~~

4 ~~(2) “Director” means the Director of Health Care Services.~~

5 ~~(3) “Provider” means a provider of emergency medical air~~
6 ~~transportation services.~~

7 ~~(4) “Rotary wing” means a type of aircraft, commonly referred~~
8 ~~to as a helicopter, that generates lift through the use of wings,~~
9 ~~known as rotor blades, that revolve around a mast.~~

10 ~~(5) “Fixed wing” means a type of aircraft, commonly referred~~
11 ~~to as an airplane, that generates lift through the use of the forward~~
12 ~~motion of the aircraft and wings that do not revolve around a mast~~
13 ~~but are fixed in relation to the fuselage of the aircraft.~~

14 ~~(6) “Air mileage rate” means the per-mileage reimbursement~~
15 ~~rate paid for services rendered by rotary-wing and fixed-wing~~
16 ~~providers.~~

17 ~~(c) (1) For purposes of implementing this section, a penalty of~~
18 ~~four dollars (\$4) shall be imposed upon every conviction for a~~
19 ~~violation of the Vehicle Code or a local ordinance adopted pursuant~~
20 ~~to the Vehicle Code, except parking offenses subject to Article 3~~
21 ~~(commencing with Section 40200) of Chapter 1 of Division 17 of~~
22 ~~the Vehicle Code.~~

23 ~~(2) The penalty described in this subdivision is in addition to~~
24 ~~the state penalty assessed pursuant to Section 1464 of the Penal~~
25 ~~Code. The penalty shall not be included in the base fine used to~~
26 ~~calculate the state penalty assessment pursuant to subdivision (a)~~
27 ~~of Section 1464 of the Penal Code, the state surcharge levied~~
28 ~~pursuant to Section 1465.7 of the Penal Code, and the state court~~
29 ~~construction penalty pursuant to Section 70372 of this code, and~~
30 ~~to calculate the other additional penalties levied pursuant to this~~
31 ~~chapter.~~

32 ~~(d) The court that imposed the fine shall, in accordance with~~
33 ~~the procedures set out in Section 68101, transfer moneys collected~~
34 ~~pursuant to this section to the Treasurer for deposit into the~~
35 ~~Emergency Medical Air Transportation and Children’s Coverage~~
36 ~~Fund, which is hereby established in the State Treasury.~~
37 ~~Notwithstanding Section 16305.7, the Emergency Medical Air~~
38 ~~Transportation and Children’s Coverage Fund shall include interest~~
39 ~~and dividends earned on money in the fund. Any law that~~
40 ~~references the Emergency Medical Air Transportation Act Fund,~~

1 as previously established by this subdivision, shall be construed
2 to reference the Emergency Medical Air Transportation and
3 Children's Coverage Fund, effective January 1, 2018.

4 (e) (1) The Emergency Medical Air Transportation and
5 Children's Coverage Fund shall be administered by the State
6 Department of Health Care Services. Moneys in the Emergency
7 Medical Air Transportation and Children's Coverage Fund shall
8 be made available, upon appropriation by the Legislature, to the
9 department for any of the following purposes:

10 (A) For children's health care coverage.

11 (B) For emergency medical air transportation provider payments,
12 as follows:

13 (i) For payment of the administrative costs of the department
14 in administering emergency medical air transportation provider
15 payments:

16 (ii) Twenty percent of the appropriated money remaining after
17 payment of administrative costs pursuant to clause (i) shall be used
18 to offset the state portion of the Medi-Cal reimbursement rate for
19 emergency medical air transportation services.

20 (iii) Eighty percent of the appropriated money remaining after
21 payment of administrative costs pursuant to clause (i) shall be used
22 to augment emergency medical air transportation reimbursement
23 payments made through the Medi-Cal program, as set forth in
24 paragraphs (2) and (3).

25 (2) If money in the Emergency Medical Air Transportation and
26 Children's Coverage Fund is made available to the department for
27 the purpose described in subparagraph (B) of paragraph (1), both
28 of the following shall occur:

29 (A) The department shall seek to obtain federal matching funds
30 by using the moneys in the Emergency Medical Air Transportation
31 and Children's Coverage Fund for the purpose of augmenting
32 Medi-Cal reimbursement paid to emergency medical air
33 transportation providers.

34 (B) The director shall augment emergency medical air
35 transportation provider payments in accordance with a federally
36 approved reimbursement methodology. The director may seek
37 federal approvals or waivers as may be necessary to implement
38 this section and to obtain federal financial participation to the
39 maximum extent possible for the payments under this section.

1 ~~(3) (A) Upon appropriation by the Legislature, the department~~
2 ~~shall use moneys in the Emergency Medical Air Transportation~~
3 ~~and Children's Coverage Fund and any federal matching funds to~~
4 ~~do any of the following:~~

5 ~~(i) Fund children's health care coverage.~~

6 ~~(ii) Increase the Medi-Cal reimbursement for emergency medical~~
7 ~~air transportation services in an amount not to exceed normal and~~
8 ~~customary charges charged by the providers.~~

9 ~~(B) Notwithstanding any other law, and pursuant to this section,~~
10 ~~if money in the Emergency Medical Air Transportation and~~
11 ~~Children's Coverage Fund is made available to the department for~~
12 ~~the purpose described in subparagraph (B) of paragraph (1), the~~
13 ~~department shall increase the Medi-Cal reimbursement for~~
14 ~~emergency medical air transportation services if both of the~~
15 ~~following conditions are met:~~

16 ~~(i) Moneys in the Emergency Medical Air Transportation and~~
17 ~~Children's Coverage Fund will cover the cost of increased~~
18 ~~payments pursuant to clause (iii) of subparagraph (B) of paragraph~~
19 ~~(1).~~

20 ~~(ii) The state does not incur any General Fund expense to pay~~
21 ~~for the Medi-Cal emergency medical air transportation services~~
22 ~~increase.~~

23 ~~(f) Notwithstanding the rulemaking provisions of Chapter 3.5~~
24 ~~(commencing with Section 11340) of Part 1 of Division 3 of Title~~
25 ~~2, the department may implement, interpret, or make specific this~~
26 ~~section and any applicable federal waivers and state plan~~
27 ~~amendments by means of all-county letters, plan letters, plan or~~
28 ~~provider bulletins, or similar instructions without taking regulatory~~
29 ~~action.~~

30 ~~SEC. 2. No reimbursement is required by this act pursuant to~~
31 ~~Section 6 of Article XIII B of the California Constitution because~~
32 ~~a local agency or school district has the authority to levy service~~
33 ~~charges, fees, or assessments sufficient to pay for the program or~~
34 ~~level of service mandated by this act, within the meaning of Section~~
35 ~~17556 of the Government Code.~~

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