



STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0124
(916) 319-2800

CHIEF ADMINISTRATIVE OFFICER
LIA LOPEZ

Assembly
California Legislature
Committee on Rules

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RUBIO, BLANCA E.
VALENCIA, AVELINO
WARD, CHRISTOPHER M.

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

Thursday, September 7, 2023
10 minutes prior to Session
State Capitol, Room 126
(Please note time change)

CONSENT AGENDA

BILL REFERRALS

1. Bill Referrals

[Page 2](#)

REQUEST TO ADD URGENCY CLAUSE

2. SB 447 (Atkins) GO-Biz: Building and Reinforcing Inclusive, Diverse, Gender-Supportive Equity Project

[Page 4](#)



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

Memo

To: Rules Committee Members
From: Michael Erke, Bill Referral Consultant
Date: 9/6/2023
Re: Consent Bill Referrals

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

REFERRAL OF BILLS TO COMMITTEE

09/07/2023

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

Assembly Bill No.	Committee:
<u>SCR 4</u>	RLS.
<u>SCR 11</u>	RLS.
<u>SCR 26</u>	RLS.
<u>SCR 56</u>	RLS.
<u>SCR 71</u>	RLS.
<u>SCR 75</u>	RLS.
<u>SCR 83</u>	RLS.
<u>SCR 89</u>	RLS.
<u>SCR 90</u>	RLS.
<u>SCR 91</u>	RLS.
<u>SJR 7</u>	PUB. S.

CAPITOL OFFICE
1021 O ST., SUITE 8518
SACRAMENTO, CA 95814
TEL (916) 651-4039
FAX (916) 651-4939



STANDING COMMITTEE
SENATE RULES
CHAIR

DISTRICT OFFICE
7375 METROPOLITAN DR., SUITE 100
SAN DIEGO, CA 92108
TEL (619) 688-6700
FAX (619) 688-6712
SENATOR.ATKINS@SENATE.CA.GOV

SENATOR TONI G. ATKINS
PRESIDENT PRO TEMPORE

September 5, 2023

The Honorable James C. Ramos
Chair, Assembly Committee Rules
1021 O Street, Suite 6250
Sacramento, CA 95814

RE: Request To Add Urgency Clause To SB 447 (Atkins)

Dear Assemblymember Ramos:

I am writing to request permission to add an urgency clause to SB 447.

This bill lifts California's travel ban to states with anti-LGBTQ+ laws and establishes at the Governor's Office of Business and Economic Development (GO-Biz) the Building and Reinforcing Inclusive, Diverse, Gender-Supportive Equity Project (BRIDGE Project) to promote social equity, civil rights, and antidiscrimination through education, marketing, and advertising campaigns.

My office has heard from multiple state entities that current law restricts opportunities for state employee travel to banned states for professional development, academic research, and other legitimate reasons. Adding an urgency clause to SB 447 will allow state employees to provide meaningful contributions and share California's perspective with other states without further delay.

Thank you for your consideration of this request.

Warmly,

A handwritten signature in black ink that reads "Toni G. Atkins".

TONI G. ATKINS
Senate President pro Tempore
39th Senate District

TG:jd

PROPOSED AMENDMENTS

**RN 23 21122 06
09/05/23 06:10 PM
SUBSTANTIVE**

PROPOSED AMENDMENTS TO SENATE BILL NO. 447

AMENDED IN ASSEMBLY SEPTEMBER 1, 2023

AMENDED IN ASSEMBLY JULY 13, 2023

AMENDED IN ASSEMBLY JULY 3, 2023

AMENDED IN SENATE MARCH 29, 2023

AMENDED IN SENATE MARCH 20, 2023

SENATE BILL

No. 447



Introduced by Senator Atkins

February 13, 2023

An act to amend Section 12096.3 of, to add Article 16 (commencing with Section 12100.170) to Chapter 1.6 of Part 2 of Division 3 of Title 2 of, and to repeal Section 11139.8 of, the Government Code, and to amend Section 4646 of the Welfare and Institutions Code, relating to economic development, *development, and declaring the urgency thereof, to take effect immediately.*

Amendment 1

LEGISLATIVE COUNSEL'S DIGEST

SB 447, as amended, Atkins. ~~GO-Biz.~~ *GO-Biz: Building and Reinforcing Inclusive, Diverse, Gender-Supportive Equity Project.*

(1) Existing law establishes the Governor's Office of Business and Economic Development (GO-Biz) to serve the Governor as the lead entity for economic strategy and the marketing of California on issues relating to business development, private sector investment, and economic growth. In this regard, existing law authorizes GO-Biz to make recommendations to the Governor and the Legislature on new

PROPOSED AMENDMENTS

SB 447

— 2 —

**RN 23 21122 06
09/05/23 06:10 PM
SUBSTANTIVE**

state policies and to provide data, information, and assistance, as specified.

This bill would further authorize GO-Biz to establish the Building and Reinforcing Inclusive, Diverse, Gender-Supportive Equity Project (BRIDGE Project) to promote social equity, civil rights, and antidiscrimination through marketing and advertising campaigns. The bill would establish the BRIDGE Project Fund and would make the money available to the office upon appropriation by the Legislature for the purpose of implementing the project, and would authorize the office to receive donations into the fund. The bill would authorize the office to contract with a private, nonprofit agency, as specified, and to use the services of volunteer advertising agencies and donated media to conduct marketing activities. The bill would require the office to convene an advisory committee of no more than 10 members, as defined, to advise the office on BRIDGE Project media campaigns, as specified. The bill would authorize the office to consult with any state agency with expertise relating to the purpose of the BRIDGE Project, as specified.

The bill would provide that any media campaign funded pursuant to this project may, among other things, be on a national scale and, to the extent possible, may target audiences in a state or states, or a media market that includes a state or states that have enacted a law that voids or repeals, or has the effect of voiding or repealing, an existing state or local protection against discrimination on the basis of sexual orientation, gender identity, or gender expression, or have enacted a law that authorizes or requires discrimination against same-sex couples or their families or on the basis of sexual orientation, gender identity, or gender expression, including any law that creates an exemption to antidiscrimination laws in order to permit discrimination against same-sex couples or their families or on the basis of sexual orientation, gender identity, or gender expression. The bill would also add a provision specifying that nothing in the provisions regarding GO-Biz shall be interpreted to require a state employee or officer to travel to a state or states that have enacted a law that would discriminate on the basis of sex, sexual orientation, gender identity, or gender expression, or that has the effect of prohibiting conduct or activities otherwise protected under the laws of this state.

(2) Existing law prohibits a state agency and the Legislature from requiring any of its employees, officers, or members to travel to, or from approving a request for state-funded or state-sponsored travel to, any state that has enacted a law that voids or repeals, or that has the

94

PROPOSED AMENDMENTS

effect of voiding or repealing, existing state or local protections against discrimination on the basis of sexual orientation, gender identity, or gender expression or that has enacted a law that authorizes or requires discrimination against same-sex couples or their families or on the basis of sexual orientation, gender identity, or gender expression, as specified.

This bill would repeal those provisions prohibiting a state agency and the Legislature from requiring travel to specified states and would make a conforming change.

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

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

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

Page 3

1 SECTION 1. Section 11139.8 of the Government Code is
2 repealed.

3 SEC. 2. Section 12096.3 of the Government Code is amended
4 to read:

5 12096.3. The office shall serve the Governor as the lead entity
6 for economic strategy and the marketing of California on issues
7 relating to business development, private sector investment, and
8 economic growth. In this capacity, the office may:

9 (a) Recommend to the Governor and the Legislature new state
10 policies, programs, and actions, or amendments to existing
11 programs, advance statewide economic goals and respond to
12 emerging economic problems and opportunities, and ensure that
13 all state policies and programs conform to the adopted state
14 economic and business development goals.

15 (b) Coordinate the development of policies and criteria to ensure
16 that federal grants administered or directly expended by state
17 government advance statewide economic goals and objectives.

18 (c) Market the business and investment opportunities available
19 in California by working in partnership with local, regional, federal,
20 and other state public and private institutions to encourage business
21 development and investment in the state.

22 (d) Provide, including, but not limited to, all of the following:

23 (1) Economic and demographic data.

24 (2) Financial information to help link businesses with state and
25 local public and private programs.

PROPOSED AMENDMENTS

**RN 23 21122 06
09/05/23 06:10 PM
SUBSTANTIVE**

SB 447

— 4 —

Page 3 26 (3) Workforce information, including, but not limited to, labor
 27 availability, training, and education programs.
 28 (4) Transportation and infrastructure information.
 29 (5) Assistance in obtaining state and local permits.
 30 (6) Information on tax credits and other incentives.

Page 4 1 (7) Permitting, siting, and other regulatory information pertinent
 2 to business operations in the state.
 3 (e) Establish a well-advertised telephone number, an interactive
 4 internet website, and an administrative structure that effectively
 5 supports the facilitation of business development and investment
 6 in the state.

7 (f) Encourage collaboration among research institutions, startup
 8 companies, local governments, venture capitalists, and economic
 9 development agencies to promote innovation.

10 (g) In cooperation with the federal government, foster
 11 relationships with overseas entities to improve the state’s image
 12 as a destination for business investment and expansion.

13 (h) Conduct research on the state’s business climate, including,
 14 but not limited to, research on how the state can remain on the
 15 leading edge of innovation and emerging sectors.

16 (i) Support small businesses by providing information about
 17 accessing capital, complying with regulations, and supporting state
 18 initiatives that support small business.

19 (j) Establish the Building and Reinforcing Inclusive, Diverse,
 20 Gender-Supportive Equity Project (BRIDGE Project) to promote
 21 social equity, civil rights, and antidiscrimination through marketing
 22 and advertising campaigns.

23 SEC. 3. Article 16 (commencing with Section 12100.170) is
 24 added to Chapter 1.6 of Part 2 of Division 3 of Title 2 of the
 25 Government Code, to read:

26
 27 Article 16. Building and Reinforcing Inclusive, Diverse,
 28 Gender-Supportive Equity Project

+
 30 12100.170. This ~~chapter~~ *article* shall be known, and may be
 31 cited, as the Building and Reinforcing Inclusive, Diverse,
 32 Gender-Supportive Equity Project (BRIDGE Project).

33 12100.171. (a) There is hereby established, within the office,
 34 the BRIDGE Project.

| Amendment 2

PROPOSED AMENDMENTS

Page 4 35 (b) The purpose of the BRIDGE Project is to raise public
36 awareness and promote civil rights and antidiscrimination through
37 education, advertising, and marketing activities.

38 (c) There is hereby created the BRIDGE Project Fund within
39 the office. Moneys in the account shall be available, upon
40 appropriation by the Legislature, for the purposes of this article.

Page 5 1 The office is authorized to receive donations into the fund.

3 (d) The office may contract with a private, nonprofit agency
4 that is the leading producer of public service advertisements and
5 is able to use the services of volunteer advertising agencies and
6 donated media to conduct the marketing activities required by this
7 article.

8 (e) Any media campaign funded pursuant to this article is subject
9 to all of the following requirements:

10 (1) A media campaign funded pursuant to this article shall not
11 promote a political purpose or feature in any manner the image or
12 voice of any elected public official or candidate for elected office,
13 or directly represent the views of any elected public official or
14 candidate for elected office.

15 (2) Media campaigns may be on a national scale and, to the
16 extent possible, may target audiences in a state or states, or a media
17 market that includes a state or states that have enacted a law that
18 voids or repeals, or has the effect of voiding or repealing, an
19 existing state or local protection against discrimination on the basis
20 of sexual orientation, gender identity, or gender expression, or
21 have enacted a law that authorizes or requires discrimination
22 against same-sex couples or their families or on the basis of sexual
23 orientation, gender identity, or gender expression, including any
24 law that creates an exemption to antidiscrimination laws in order
25 to permit discrimination against same-sex couples or their families
26 or on the basis of sexual orientation, gender identity, or gender
27 expression.

28 (3) Media campaigns funded pursuant to this article shall be
29 designed to educate the public and promote antidiscrimination,
30 issues LGBTQ+ communities face, civil rights, acceptance and
31 inclusion of all people regardless of race, religion, gender, sexual
32 orientation, age, and ability.

33 (f) The office shall convene an advisory committee of no more
34 than 10 members to advise the office on BRIDGE Project media
35 campaigns, including, but not limited to, the content of media

PROPOSED AMENDMENTS

SB 447

— 6 —

**RN 23 21122 06
09/05/23 06:10 PM
SUBSTANTIVE**

Page 5 36 campaigns, emerging issues relevant to the purpose of the BRIDGE
37 Project, evaluation of current and potential campaigns, and strategic
38 outreach to communities affected by the campaign. The advisory
39 committee members shall include LGBTQ+ advocates, marketing
40 and public relations professionals, and representatives from
Page 6 1 research institutions as necessary to develop and evaluate media
2 campaigns funded pursuant to this article. The advisory committee
3 members shall be determined by the director.

4 (g) Nothing in this ~~chapter~~ *article* shall be interpreted to require
5 a state employee or officer to travel to a state or states that have
6 enacted a law that would discriminate on the basis of sex, sexual
7 orientation, gender identity, or gender expression, or that has the
8 effect of prohibiting conduct or activities otherwise protected under
9 the laws of this state.

10 (h) When implementing this article, the office may consult with
11 any state agency with expertise relating to the purpose of the
12 BRIDGE Project, as outlined in subdivision (b).

13 SEC. 4. Section 4646 of the Welfare and Institutions Code, as
14 amended by Section 17 of Chapter 44 of the Statutes of 2023, is
15 amended to read:

16 4646. (a) It is the intent of the Legislature to ensure that the
17 individual program plan and provision of services and supports
18 by the regional center system is centered on the individual and the
19 family of the individual with developmental disabilities and takes
20 into account the needs and preferences of the individual and the
21 family, if appropriate, as well as promoting community integration,
22 independent, productive, and normal lives, and stable and healthy
23 environments. It is the further intent of the Legislature to ensure
24 that the provision of services to consumers and their families be
25 effective in meeting the goals stated in the individual program
26 plan, reflect the preferences and choices of the consumer, and
27 reflect the cost-effective use of public resources.

28 (b) The individual program plan is developed through a process
29 of individualized needs determination. The individual with
30 developmental disabilities and, if appropriate, the individual's
31 parents, legal guardian or conservator, or authorized representative,
32 shall have the opportunity to actively participate in the development
33 of the plan.

34 (c) An individual program plan shall be developed for any
35 person who, following intake and assessment, is found to be

| **Amendment 3**

PROPOSED AMENDMENTS

**RN 23 21122 06
09/05/23 06:10 PM
SUBSTANTIVE**

Page 6 36 eligible for regional center services. These plans shall be completed
37 within 60 days of the completion of the assessment. At the time
38 of intake, the regional center shall inform the consumer and, if
39 appropriate, the consumer’s parents, legal guardian or conservator,
40 or authorized representative, of the services available through the

Page 7 1 state council and the protection and advocacy agency designated
2 by the Governor pursuant to federal law, and shall provide the
3 address and telephone numbers of those agencies.

4 (d) Individual program plans shall be prepared jointly by the
5 planning team. Decisions concerning the consumer’s goals,
6 objectives, and services and supports that will be included in the
7 consumer’s individual program plan and purchased by the regional
8 center or obtained from generic agencies shall be made by
9 agreement between the regional center representative and the
10 consumer or, if appropriate, the parents, legal guardian,
11 conservator, or authorized representative at the program plan
12 meeting.

13 (e) Regional centers shall comply with the request of a consumer
14 or, if appropriate, the request of the consumer’s parents, legal
15 guardian, conservator, or authorized representative, that a
16 designated representative receive written notice of all meetings to
17 develop or revise the individual program plan and of all notices
18 sent to the consumer pursuant to Section 4710. The designated
19 representative may be a parent or family member.

20 (f) Notwithstanding any other law, until June 30, 2024, a
21 meeting regarding the provision of services and supports by the
22 regional center, including a meeting to develop or revise the
23 individual program plan, shall be held by remote electronic
24 communications if requested by the consumer or, if appropriate,
25 if requested by the consumer’s parents, legal guardian, conservator,
26 or authorized representative.

27 (g) At the conclusion of an individual program plan meeting,
28 an authorized representative of the regional center shall provide
29 to the consumer, in written or electronic format, a list of the
30 agreed-upon services and supports, and, if known, the projected
31 start date, the frequency and duration of the services and supports,
32 and the provider. The authorized representative of the regional
33 center shall sign the list of agreed-upon services and supports at
34 that time. The consumer, or if appropriate, the consumer’s parent,
35 legal guardian, conservator, or authorized representative shall sign

PROPOSED AMENDMENTS

**RN 23 21122 06
09/05/23 06:10 PM
SUBSTANTIVE**

SB 447

— 8 —

Page 7 36 the list of agreed-upon services and supports prior to its
37 implementation. The consumer, or if appropriate, the consumer’s
38 parent, legal guardian, conservator, or authorized representative,
39 may elect to delay receipt of the list of agreed-upon services and
40 supports pending final agreement, as described in subdivision (h).

Page 8 1 If the consumer, or if appropriate, the consumer’s parent, legal
2 guardian, conservator, or authorized representative, elects to delay
3 the receipt of the list of agreed-upon services and supports for 15
4 days, the list shall be provided in the preferred language of the
5 consumer, or of the consumer’s parent, legal guardian, or
6 authorized representative.

7 (h) If a final agreement regarding the services and supports to
8 be provided to the consumer cannot be reached at a program plan
9 meeting, then a subsequent program plan meeting shall be
10 convened within 15 days, or later at the request of the consumer
11 or, if appropriate, the parents, legal guardian, conservator, or
12 authorized representative or if agreed to by the planning team. The
13 list of the agreed-upon services and supports described in
14 subdivision (g) and signed by the authorized representative of the
15 regional center shall be provided, in writing or electronically, at
16 the conclusion of the subsequent program plan meeting, and shall
17 be provided in the preferred language of the consumer, or of the
18 consumer’s parent, legal guardian, conservator, or authorized
19 representative. Additional program plan meetings may be held
20 with the agreement of the regional center representative and the
21 consumer or, if appropriate, the parents, legal guardian,
22 conservator, or authorized representative.

23 (i) An authorized representative of the regional center and the
24 consumer or, if appropriate, the consumer’s parent, legal guardian,
25 conservator, or authorized representative shall sign the individual
26 program plan and the list of the agreed-upon services and supports
27 prior to its implementation. If the consumer or, if appropriate, the
28 consumer’s parent, legal guardian, conservator, or authorized
29 representative, does not agree with all components of the individual
30 program plan, the consumer may indicate that disagreement on
31 the plan. Disagreement with specific plan components shall not
32 prohibit the implementation of services and supports agreed to by
33 the consumer or, if appropriate, the consumer’s parent, legal
34 guardian, conservator, or authorized representative. If the consumer
35 or, if appropriate, the consumer’s parent, legal guardian,

PROPOSED AMENDMENTS

Page 8 36 conservator, or authorized representative, does not agree with the
37 plan in whole or in part, the consumer shall be sent written notice
38 of their appeal rights, as required by Sections 4701 and 4710.

Page 9 39 (j) (1) A regional center shall communicate in the consumer’s
40 preferred language, or, if appropriate, the preferred language of
1 the consumer’s family, legal guardian, conservator, or authorized
2 representative, during the planning process for the individual
3 program plan, including during the program plan meeting, and
4 including providing alternative communication services, as required
5 by Sections 11135 to 11139, inclusive, of the Government Code
6 and implementing regulations.

7 (2) A regional center shall provide alternative communication
8 services, including providing copies of the list of services and
9 supports, and the individual program plan in the preferred language
10 of the consumer or the consumer’s family, legal guardian,
11 conservator, or authorized representative, or both, as required by
12 Sections 11135 to 11139, inclusive, of the Government Code and
13 implementing regulations.

14 (3) The preferred language of the consumer or the consumer’s
15 family, legal guardian, conservator, or authorized representative,
16 or both, shall be documented in the individual program plan.

+ *SEC. 5. This act is an urgency statute necessary for the*
+ *immediate preservation of the public peace, health, or safety within*
+ *the meaning of Article IV of the California Constitution and shall*
+ *go into immediate effect. The facts constituting the necessity are:*
+ *To protect civil rights and prevent discrimination, it is necessary*
+ *that this act go into effect immediately.*

Amendment 4

O