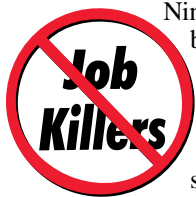


ALERT

VOLUME 42, NUMBER 28 • SEPTEMBER 9, 2016



19 Job Killer Bills Fall to CalChamber Opposition



Nineteen of 24 job killer bills identified this year by the California Chamber of Commerce were stopped before the 2016 legislative session came to a close on August 31, thanks to

concerted efforts of CalChamber, local chambers and the business community.

Many job killer bills were the focus of rigorous debate and controversy. Below is a recap on the highest profile job killer bills that were still active in the last two weeks of session.

To Governor; Action Needed

Four job killers are on the Governor's desk. The CalChamber is urging its members to contact Governor Brown and ask him to veto **SB 654**, **SB 839** and **SB 1150**. Sample letters at calchambervotes.com.

Below is a summary of each bill:

• **SB 654 (Jackson; D-Santa Barbara)**, which threatens to significantly harm small businesses in California who employ as few as 20 employees by imposing yet another protected leave of absence mandate, passed the Senate on August 31. CalChamber has identified SB 654 as a job killer because it will significantly harm small businesses in California who employ as few as 20 employees by requiring them to offer six weeks of protected leave for baby bonding. This proposed mandate comes on top of the current requirement that employers with only 5 employees allow 16 weeks of protected pregnancy-related leave.

• CalChamber-opposed language that significantly increases permit processing costs has been inserted into a budget trailer bill, which has been designated as

See 19 Job Killer Bills: Page 6

Job Creator Bill Increasing Housing Supply to Governor



A fourth California Chamber of Commerce-supported job creator bill

reached the Governor's desk a day before the end of the session.

SB 1069 (Wieckowski; D-Fremont) creates and expedites additional housing supply by streamlining the permitting process for Accessory Dwelling Units (ADUs) through reduced parking requirements, expedited procedural processes, and allowing ADUs to be constructed within existing structures.

The housing shortage in California has reached crisis levels. The average California home currently costs about 2.5 times the national average home price.

The average monthly rent in California is 50% higher than the rest of the nation and even higher in cities such as San Francisco, San Jose, Oakland and Los Angeles. Average rents in all four of these cities are among the top 10 most unaffordable in the nation. San Francisco's average rent is the highest in the United States, at an average of \$3,500 per month.

Housing Shortage

In a seminal 2015 publication, *California's High Housing Costs: Causes and Consequences* authored by the State Legislative Analyst's Office, data clearly show that the lack of affordable housing, particularly in coastal California, is one of the biggest drivers of institutional and

See Job Creator Bill: Page 3

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Labor Law Corner

Employers Should Have Reasonable Suspicion for Drug Testing Workers



Dana Leisinger
HR Adviser

Can I drug test my employee who is acting strangely and not answering questions correctly? His behavior is very suspicious.

Every California employer can require pre-employment drug testing as one of the last steps in the hiring process. Once someone is an employee, however, he/she has a higher expectation of privacy.

Reasonable Suspicion

Employers may conduct “reasonable suspicion” drug testing, but this is a delicate area and observations that “Joe is acting weird” do not substantiate such a test.

Reasonable suspicion means that the employer has a genuine reason to believe that an employee has been taking drugs. This reason should be based on facts, knowledge, and logic. It should not be a guess, nor should it be based on a report from another employee who perhaps has reason to get “Joe” in trouble. It is best to have supervisors trained in the signs of usage.

Examples of usage are different for different drugs, but some indications include:

- Bloodshot eyes, pupils larger or smaller than usual;
- Changes in appetite or sleep patterns;
- Changes in work performance;
- Sudden weight loss or weight gain;
- Deterioration of physical appearance, personal grooming habits;
- Unusual smells on breath, body or clothing; and/or
- Tremors, slurred speech, or impaired coordination.

The signs of usage, however, vary with the drug, and the indications noted above are far from exhaustive. Certain testing clinics will conduct classes, and the Internet provides information on many levels. Knowledge is key.

Drug Testing

Also, escorting the employee to be tested is critical if you think he/she is under the influence. Further, the employee may have a medical condition and the first concern should be for the health of the employee.

Last, the employer must have a stated policy that a reasonable suspicion drug testing will be conducted if the employer thinks an employee is using drugs. As noted earlier, current employees have an expectation of privacy. The policy supersedes this expectation.

The Labor Law Helpline is a service to California Chamber of Commerce preferred and executive members. For expert explanations of labor laws and Cal/OSHA regulations, not legal counsel for specific situations, call (800) 348-2262 or submit your question at www.hrcalifornia.com.

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Labor Law

Independent Contractor or Employee?

Costly Mistakes Employers Make.
CalChamber. September 15, Webinar.
(800) 331-8877.

HR Boot Camp. CalChamber. September 22, Sacramento; December 7, San Francisco. (800) 331-8877.

Leaves of Absence. CalChamber. October 6, Pasadena. (800) 331-8877.

International Trade

Global Cultural and Business Practices.

The Port of Los Angeles. September 14, Santa Clarita. (310) 732-7765.

SBA Export Lender Roundtable. U.S. Small Business Administration.
September 20, San Jose.

G-20Y Summit. G-20Y Association.
September 21–25, St. Moritz, Switzerland.

2016 Public Forum on “Inclusive Trade.”
World Trade Organization. September 27–29, Geneva, Switzerland.

Diplomacy Begins Here: Northern California. Northern California World Trade Center and Global Ties San Francisco. September 30, Oakland. (415) 528-3541.

2016 Sima-Sipsa International Ag Expo. U.S.-Algeria Business Council.
October 4–7, Algiers, Algeria. (703) 418-4150.

Global Trade Awards Gala. Women in International Trade—Los Angeles.
October 6, Long Beach. (213) 545-6479.

Fifth Annual U.S.-China Collaboration Delegation. Bay Area Council.
October 10–14, Shanghai, Hangzhou, Beijing, China. (415) 946-8777.

Next Alert: September 23



CalChamber Encourages Governor to Veto Duplicative Heat Illness Bill



OPPOSE

The Legislature has sent to the Governor a California Chamber of Commerce-**opposed** bill that unnecessarily duplicates current requirements by

directing Cal/OSHA to adopt a regulation for indoor workers to prevent heat illness.

SB 1167 (Mendoza; D-Artesia) directs Cal/OSHA to adopt an overly broad one-size-fits-all standard to protect the health and safety of indoor workers from heat-related illness and injury. The bill further implicitly mandates a high heat provision and limits Cal/OSHA's discretion and authority to determine the scope and application of the regulation.

Cal/OSHA Authority

Cal/OSHA has the statutory authority to adopt regulations using a process that

considers stakeholder input through advisory committees. This process results in regulations that are appropriate in scope and application because facts and data are considered by stakeholders and regulators.

SB 1167 does not respect the authority of Cal/OSHA to determine the most appropriate scope and application for the regulation.

This bill is unnecessary because current regulations require employers to identify and address workplace hazards, including the risk of heat illness in indoor workplaces. According to the California Code of Regulations, Title 8, Section 3203, the Illness and Injury Prevention Program requires employers to have written procedures, to conduct worksite evaluations, to identify and correct worksite hazards, and train employees.

These provisions apply to all workplace hazards, and to all employees. Cal/OSHA has prepared an instructive informational piece with recommendations for preventing heat illness for indoor working environments.

Other Roads to Compliance

If in fact indoor heat illness prevention presents a hazard that is not being adequately addressed, Cal/OSHA has other methods with which to effect compliance with current regulations. The Consultation Unit creates educational materials, provides employer workplace consultations and inspections, and provides outreach and educational workshops and forums for employers.

Cal/OSHA has been very effective in developing and implementing special emphasis programs to increase compliance. A collaborative approach can be more effective in encouraging compliance rather than adopting a duplicative regulation as proposed by SB 1167.

Action Needed

CalChamber is encouraging businesses to contact the Governor and urge him to **veto SB 1167**.

Staff Contact: Marti Fisher

Job Creator Bill Increasing Housing Supply to Governor

From Page 1

generational poverty cycles. The analysis found that the bottom 25% of income earners are spending 67% of their income on housing. This is clearly not acceptable or sustainable.

The inability of the traditional housing delivery system to meet demands has resulted in increased competition for fewer available homes, rising prices, overcrowding, community dislocation, and adverse environmental impacts caused by longer commutes and more traffic congestion. Innovative solutions are needed to make a dent in this crisis.

Getting Units to Market

ADUs are the only widely supported approach to get thousands of low-cost units on the market fast. ADUs provide lower cost and low-carbon footprint homes in existing neighborhoods consistent with architectural traditions. ADUs are great for low- and middle-income renters, and small families, and align with

state climate change goals. Studies demonstrate that ADUs cost less to build and rent for less than new market rate housing, making ADUs affordable by design.

Other Job Creators

Also awaiting action by the Governor are bills dealing with:

- **Increased Innovation and Entrepreneurship: AB 2664 (Irwin; D-Thousand Oaks)** provides resources for California innovators, entrepreneurs, startups, investors, and industry and community partners by providing the University of California with funds to expand its capacity and increase access to its innovation and entrepreneurship centers, which provide incubator space, legal services, entrepreneur training and more for researchers and other individuals looking to develop innovative solutions.

- **Loan Access: SB 936 (Hertzberg; D-Van Nuys)** encourages creation of small business by increasing the funds available in the small business financial

assistance act administered by the Governor's Office of Business and Economic Development (GO-Biz).

Signed by the Governor earlier this year was the following:

- **Incentivizing Disability Access and Education. SB 269 (Roth; D-Riverside)** seeks to limit frivolous litigation and claims regarding construction-related accessibility violations by providing businesses that have proactively sought to become Americans with Disabilities Act compliant with an opportunity to resolve any identified violations. The urgency bill went into effect immediately upon being signed on May 10.

To view the job creator list, visit www.calchamber.com/jobcreators.

Action Needed

CalChamber is encouraging businesses to contact the Governor and urge him to **sign SB 1069, AB 2664 and SB 936**. Easy-to-edit sample letters are available at www.calchambervotes.com.

CalChamber-Sought Amendments Protect Employers from Liability for Retirement Plan



Strong concerns expressed by the California Chamber of Commerce and a coalition of local chambers of

commerce and other employer groups resulted in amendments limiting potential employer liability resulting from legislation mandating a state-run retirement savings program for private sector employees.

Before the August 15 amendments, the bill, **SB 1234 (de León; D-Los Angeles)**, continued to potentially create liabilities, costs and administrative burdens for employers. With the final changes of the August 15 amendments, the CalChamber and coalition removed opposition and had no position on the bill, which now awaits action by the Governor.

Retirement Crisis

The CalChamber and coalition recognize the importance of encouraging people to save for retirement in light of the retirement crisis facing California and the nation.

Low personal savings rates, lack of retirement planning, poor debt and credit

management, and general absence of financial literacy outreach regarding these critical life choices have contributed to the challenge. As a result, large portions of the populations in the state and nation face the prospect of outliving retirement assets.

Amendments

To address employer concerns regarding liability and administrative burdens for employers, the author agreed to coalition-proposed amendments to SB 1234, which establishes the Secure Choice Retirement Savings Program:

- **Clarifying Applicability of Federal Law.** A concern of employers from the beginning was that if the program was found to be subject to the federal Employee Retirement Income Security Act of 1974 (ERISA), employers could be subject to significant liability, and the entire program could be at risk. Final language in the bill states that the program will not be implemented until the program board reports to the Legislature that the program conforms to federal Department of Labor criteria for the safe harbor under ERISA, and the Individual Retirement Account (IRA) arrangements offered by the Secure Choice

program qualify for the same favorable income tax treatment as other IRAs.

- **Limiting Employer Liability.** The August 15 changes clarified the intent of the Legislature that the employer is not a sponsor of the retirement plan if the program is subsequently found to be preempted by any federal law or regulation.

- **Enhancing Disclosure to Employees.** SB 1234 requires the Employment Development Department to develop a disclosure packet to be provided to each employee along with a form for employees to acknowledge they received the packet. Additional language proposed by the CalChamber and coalition reiterated the message that the retirement plan is not sponsored by the employer, so the employer is not responsible for the plan or liable as a plan sponsor, and that the employer does not provide financial advice.

- **Establishing Operational Model that Shields Employers from Misplaced Liability and Administrative Burden.** As suggested by the CalChamber and coalition, the plan will have a third-party administrator that limits employer interaction and transactions with the employee.
Staff Contact: Marti Fisher

Emergency Preparedness: Is Your Business Ready?



September is National Preparedness Month, with the theme “Don’t Wait, Communicate. Make Your

Emergency Plan Today.”

By its nature, an emergency is an unforeseen crisis, but employers can plan ahead to minimize the damage when an emergency strikes.

Employers have an obligation to create safe workplaces. California employers may be faced with many types of natural disasters or other emergencies, including: fires; earthquakes; extreme weather (storms, high heat); floods; chemical or hazardous spills or releases; incidents of violence, including terrorist attacks.

In California, all employers are required to have an “Emergency Action

Plan” that designates the actions employers and employees must take to ensure employee safety from fire and other emergencies. All Emergency Action Plans must be in writing, except employers with fewer than 10 employees may communicate the plan orally to their employees and do not need to maintain a written plan.

According to a recent Career Builder survey, workers feel safe in their workplaces overall. But they aren’t as confident when it comes to specific threats and how prepared their employer is to handle them:

- 17% do not feel their workplaces are well-protected in case of a fire, flood or other disaster, and 22% don’t believe their companies have emergency plans in place should such events occur.

- 19% do not feel their workplaces are well-protected from weather-related threats, and 26% do not think their companies have an emergency plan in place if

they were ever faced with extremely severe weather.

- 31% do not feel their workplace is well-protected from a physical threat from another person, and 41% do not believe their company has an emergency plan in place in case of a physical attack from another person.

- 31% do not feel their workplaces are well-protected from a digital hacking threat, and 39% do not feel their companies have an emergency plan in place in the event of a technology security breach.

Make sure you take steps to identify particular risks relevant to your workplace and to your employees in developing your Emergency Action Plan.

HRCalifornia members can read more about **Emergency Action Plans** in the **HR Library**. **Cal/OSHA** offers resources as well.

Staff Contact: Gail Cecchetti Whaley

Profiles in Trade

CalChamber Members Work Together to Build Next Generation Container Ships



General Dynamics NASSCO and Matson Navigation Company, Inc., both members of the California

Chamber of Commerce, announced in late August they had signed a contract to build two new state-of-the-art container ships.

General Dynamics NASSCO will be building the ships at the NASSCO shipyard in San Diego. Construction will begin in early 2018, according to General Dynamics NASSCO, with delivery set for 2019 and the middle of 2020.

Matson reports a contract price of \$511 million for both vessels, which will have roll-on, roll-off capability and can operate at speeds up to 23 knots. Among the green technology features are dual-fuel engines that can use either conventional fuel oils or be adapted to use liquefied natural gas (LNG).

The design will reduce fuel consumption and will result in significant emissions reductions over time, according to Matson.

The 870-foot-long ships will be able to carry up to 3,500 twenty-foot-equivalent units of containers and rolling stock, including trailers, and provide enclosed garage space for up to 800 vehicles.

Matson is calling the ships the Kanaloa Class, named after the Hawaiian ocean deity. Upon delivery the vessels will serve a trade route between the continental West Coast and Hawaii.

The two Kanaloa Class ships will replace three diesel-powered vessels in active service, which will be removed to reserve status, according to Matson.

General Dynamics NASSCO

General Dynamics NASSCO has been designing, building, and repairing ships in San Diego's industrial corridor since 1960. Its San Diego facility is the largest full-service shipyard on the West Coast of the United States.

Today, the company has locations on both the West and East coasts. General Dynamics NASSCO specializes in

Dynamics, which has headquarters in Falls Church, Virginia and employs about 90,000 people worldwide.

The company is a market leader in business aviation; land and expeditionary combat systems, armaments and munitions; shipbuilding and marine systems; and information systems and technologies.

For more information, visit www.nassco.com.



Photo courtesy General Dynamics NASSCO/Matson

An artist's rendering of the Kanaloa class ship to be built by General Dynamics NASSCO on a contract with Matson Navigation Company, Inc.

Matson

Matson Navigation is a wholly owned subsidiary of Matson, Inc. The company was founded in 1882, the year Captain William Matson sailed his three-masted schooner Emma Claudina from San Francisco to Hilo, Hawaii, carrying 300 tons of food, plantation supplies and general merchandise.

Matson is a leading U.S. carrier in the Pacific, serving the economies of Hawaii, Alaska, Guam, Micronesia and select South Pacific Islands. It also operates a premium expedited service from

China to Southern California.

The company's fleet of 22 owned vessels includes containerships, combination container and roll-on/roll-off ships and custom-designed barges.

Matson Logistics, established in 1987, extends the geographic reach of Matson's transportation network throughout the continental United States. The company's integrated, asset-light logistics services include rail intermodal, highway brokerage, warehousing, and less-than-container load freight consolidation and forwarding to Alaska.

More information is available at www.matson.com.

Staff Contact: Susanne T. Stirling

designing and building auxiliary and support ships for the U.S. Navy, and oil tankers and dry cargo carriers for commercial markets.

Since 1960, NASSCO has designed and constructed 53 commercial ships that have included a variety of propulsion plants—steam turbine, gas turbine, geared diesel, diesel-electric, and slow-speed diesel.

To complement its government new construction and repair business, NASSCO provides extensive experience in commercial shipbuilding. In the last 10 years, NASSCO has delivered 28 ocean-going ships to government and commercial customers, including the world's first LNG-powered containerships.

General Dynamics NASSCO is a wholly owned subsidiary of General

"Profiles in Trade" is a regular feature highlighting the international activities of CalChamber member companies.

19 Job Killer Bills Fall to CalChamber Opposition

From Page 1

a job killer. **SB 839 (Committee on Budget and Fiscal Review)** significantly increases the costs of permitting aerospace, recycling, oil and gas, and other critical waste facilities by eliminating permit applicants' option to be charged a predictable flat permitting fee and instead giving the Department of Toxic Substances Control (DTSC) carte blanche to charge whatever fee it determines, notwithstanding well-recognized and self-acknowledged deficiencies in DTSC's current permitting program that have resulted in excessive delays in permit processing.

• **SB 1150 (Leno; D-San Francisco)** has been identified as a job killer because it increases liability risk and the cost of residential loans by subjecting the violations of overly complex and burdensome requirements to a private right of action.

The availability of credit will be compromised. If lenders must assume more risk for loans, which they will under the mandates in SB 1150, mortgage loans will become more expensive. These costs will be passed on to many Californians, pricing them out of homeownership. Some lenders may choose to leave the mortgage lending market, leading to job losses and even more limited loan availability. Already the high cost of housing in California makes it difficult for employers to attract and retain a workforce.

2030 Carbon Caps to Become Law

The California Legislature moved swiftly in August to adopt legislation expanding climate change emission goals.

SB 32 (Pavley; D-Agoura Hills) mandates a reduction in greenhouse gas emissions (GHG) of at least 40% below 1990 levels by 2030 with no consideration of the economic side effects or ongoing oversight for the Legislature.

The CalChamber labeled SB 32 a job killer because it requires the California Air Resources Board (ARB) to impose severe command-and-control regulations to further reduce GHG emissions.

Also passed was a CalChamber-opposed companion measure, **AB 197 (E. Garcia; D-Coachella)**, which creates the guise of regulatory accountability and legislative oversight regarding the blank check granted to the ARB for implementing the post-2020 climate change goals.

Following final passage of both bills, Governor Edmund G. Brown Jr., Senate President Pro Tem Kevin de León (D-Los Angeles) and Assembly Speaker Anthony Rendon (D-Paramount), joined the authors of both bills at an August 24 press conference to tout the state's leadership in combating climate change.

The Governor signed both bills, which passed by simple majority votes, on September 8.

For more detailed information on SB 32 and AB 197, see the **August 26 CalChamber Alert story** on the bills.

Held on Senate Floor

A job killer bill that would have exposed employers to excessive, costly litigation was held on the Senate Floor inactive file.

AB 2895 (R. Hernández; D-West Covina) would have inappropriately exposed employers to increased litigation costs by adding a private right of action, the risk of class action lawsuits and Private Attorneys General Act (PAGA) claims related to the employer's written Injury and Illness Prevention Program (IIPP) by requiring employers to provide their employees or their representative a written copy of the IIPP, a violation of which, in certain circumstances is subject to injunctive relief.

CalChamber identified AB 2895 as a job killer because the bill imposed a new private right of action, an enforcement action that provides free discovery for trial attorneys, and increased the risk of class action lawsuits—all at a cost to employers where there is no risk or harm to employees.

Job Killer Signed

One job killer bill, **SB 3 (Leno; D-San Francisco)**, which will increase the minimum wage in California to \$15 per hour by 2022 (2023 for companies employing 25 or fewer people since there is a one-year implementation delay for small business), was sent to the Governor in April and was signed into law.

Cumulative Job Killer Vetoes

- 2016: **24 job killers identified**, 5 sent to Governor Edmund G. Brown Jr., 2 signed, and 3 pending action;
- 2015: **19 job killer bills identified**, 3 sent to Governor Brown, 1 signed, 2 vetoed;
- 2014: **27 job killer bills identified**, 2 sent to Governor Brown, 2 signed;
- 2013: **38 job killer bills identified**, 1 sent to Governor Brown, 1 signed;
- 2012: **32 job killer bills identified**, 6 sent to Governor Brown, 2 vetoed;
- 2011: **30 job killer bills identified**, 5 sent to Governor Brown, 4 vetoed;
- 2010: **43 job killer bills identified**, 12 sent to Governor Arnold Schwarzenegger, 10 vetoed;
- 2009: **33 job killer bills identified**, 6 sent to Governor Schwarzenegger, 6 vetoed;
- 2008: **39 job killer bills identified**, 10 sent to Governor Schwarzenegger, 9 vetoed;
- 2007: **30 job killer bills identified**, 12 sent to Governor Schwarzenegger, 12 vetoed;
- 2006: **40 job killer bills identified**, 11 sent to Governor Schwarzenegger, 9 vetoed;
- 2005: **45 job killer bills identified**, 8 sent to Governor Schwarzenegger, 7 vetoed;
- 2004: **23 job killer bills identified**, 10 sent to Governor Schwarzenegger, 10 vetoed;
- 2003: **53 job killer bills identified**, 13 sent to Governor Gray Davis, 2 vetoed;
- 2002: **35 job killer bills identified**, 17 sent to Governor Davis, 5 vetoed;
- 2001: **12 job killer bills identified**, 5 sent to Governor Davis, 2 vetoed;
- 2000: **No job killers identified**. Of 4 bad bills identified at end of session, Governor Davis signs 2 and vetoes 2;
- 1999: **30 job killer bills identified**, 9 sent to Governor Davis, 3 vetoed;
- 1998: **64 job killer bills identified**, 11 sent to Governor Pete Wilson, 11 vetoed;
- 1997: **57 job killer bills identified**, 9 sent to Governor Wilson, 9 vetoed.

CalChamber Status Update Report on Major Legislation for Business

The following list summarizes top priority bills for the California Chamber of Commerce and their status as of August 31, when the Legislature adjourned for the year.

Within each subject area, the list presents bills in order of priority with the highest priorities at the top.

September 30 is the last day for the Governor to sign or veto bills passed by

the Legislature before September 1.

The CalChamber will publish its final status report, showing the ultimate fate of bills sent to the Governor this year, on October 7.

Bills signed by the Governor will become law on January 1, 2017. Urgency, budget-related and tax levy measures go into effect immediately upon being signed.

Each fall, the CalChamber also publishes a record of legislators' votes on key bills affecting the California business climate. Generally, the bills selected for the vote record have appeared in one of the status reports. This year's vote record is scheduled to be published on October 21.

Status of bills as of August 31, 2016. Dates listed are the date a bill was assigned to a committee, the latest date of committee action or when the bill reached the floor, unless action is stated. Federal bills are marked with an *.

Subject—CalChamber Position	Status
Agriculture, Food and Natural Resources	
Bans Ex Parte. SB 1190 (Jackson; D-Santa Barbara) Interferes with appropriate communication between commissioners and the public and excessive influence by staff by prohibiting communication with commissioners outside of a public meeting. Oppose.	Failed Passage in Assembly Appropriations 8/31/16
Lobbyist Employers. AB 2002 (M. Stone; D-Scotts Valley) Increases the costs and complexity of construction projects in the coastal zone by inappropriately requiring project applicants who hire consultants to help with complicated permits to register as lobbyist employers and the consultants to register as lobbyists, subjecting both to Fair Political Practices Commission rules, paperwork and fines for violations. Oppose.	Failed Passage in Senate 8/31/16
State-Only Labeling. AB 2725 (Chiu; D-San Francisco) Drives up the cost of food for consumers. Increases the costs to produce food by requiring state-only “Best used by” or “Expires on” labeling and forcing food manufacturers to use coding — bar codes or skews for instance — for internal stock rotation. Oppose.	Failed Passage in Assembly Health 4/12/16; Reconsideration Granted
Product Ban. AB 2596 (Bloom; D-Santa Monica) Increases costs to business and agriculture to exterminate pests by banning rat poisons containing anticoagulants. Oppose.	Assembly Environmental Safety and Toxic Materials 3/10/16; Failed Deadline
Restricts Use of Pesticides. SB 1282 (Leno; D-San Francisco) Potentially destroys the state’s \$3 billion citrus industry by prematurely restricting use of the one chemical effective against the Asian citrus psyllid pests that decimated Florida’s citrus industry. Oppose.	Senate Inactive File 6/2/16; Failed Deadline
Healthy Forests. AB 2029 (Dahle; R-Bieber) Reduces the risk of catastrophic forest fires damaging businesses and homes in rural areas by expediting removal of drought-stricken and disease-ridden trees. Support.	To Governor
Redundant Ag Program. SB 1247 (Jackson; D-Santa Barbara) Duplicates an existing program that is underway and funded by establishing a new environmental farming zone. Oppose.	Senate Agriculture 4/13/16; Failed Deadline
Land Use. AB 2087 (Levine; D-San Rafael) Before amendments, created a new costly redundant conservation and mitigation program. Opposition removed due to 8/31/16 amendments. No Position.	To Governor

Subject—CalChamber Position	Status
Banking/Finance	
Erodes Housing Availability. SB 1150 (Leno; D-San Francisco) Increases liability risk and the cost of residential loans by subjecting the violations of overly complex and burdensome requirements to a private right of action. Oppose/ Job Killer .	To Governor
Loan Access. SB 936 (Hertzberg; D-Van Nuys) Encourages creation of small business by increasing the funds available in the small business financial assistance act administered by the Governor's Office of Business and Economic Development (GO-Biz). Support/ Job Creator .	To Governor
Budget	
Increased Permit Processing Costs. AB 1611 (Committee on Budget) Significantly increases the costs of permitting aerospace, recycling, oil and gas, and other critical waste facilities by eliminating permit applicants' option to be charged a predictable flat permitting fee and instead giving the Department of Toxic Substances Control carte blanche to charge whatever fee it determines, notwithstanding well-recognized and self-acknowledged deficiencies in DTSC's current permitting program that have resulted in excessive delays in permit processing. Oppose/ Job Killer .	Assembly Inactive File 8/25/16
Increased Permit Processing Costs. SB 839 (Committee on Budget and Fiscal Review) Significantly increases the costs of permitting aerospace, recycling, oil and gas, and other critical waste facilities by eliminating permit applicants' option to be charged a predictable flat permitting fee and instead giving the Department of Toxic Substances Control carte blanche to charge whatever fee it determines, notwithstanding well-recognized and self-acknowledged deficiencies in DTSC's current permitting program that have resulted in excessive delays in permit processing. Oppose/ Job Killer .	To Governor
California Environmental Quality Act (CEQA)	
Water Supply Assessment Overhaul. SB 1262 (Pavley; D-Agoura Hills) Before amendments, imposed new requirements on the preparation of Water Supply Assessments and incorporates such requirements into the CEQA process. Opposition removed due to 6/15/16 amendments. No Position.	To Governor
Expedites CEQA Review for "Leadership Projects." SB 734 (Galgiani; D-Stockton) Streamlines development by creating an expedited CEQA review process for "leadership projects," which are selected by the Governor and which meet certain criteria, including a minimum financial threshold and net zero greenhouse gas emissions. Support.	Signed 8/26/16—Chapter 210 (Urgency)
Increases Transparency in CEQA Process. AB 2026 (Hadley; R-Torrance) Reduces prevalence of nonenvironmental litigation abuse under the California Environmental Quality Act by requiring those filing CEQA lawsuits to disclose their identity and interests in a lawsuit. Support.	Failed Passage in Assembly Natural Resources 4/18/16; Reconsideration Granted
Increases Transparency in CEQA Process. SB 1248 (Moorlach; R-Costa Mesa) Reduces prevalence of nonenvironmental litigation abuse under the California Environmental Quality Act by requiring those filing CEQA lawsuits to disclose their identity and interests in a lawsuit. Support.	Failed Passage in Senate Environmental Quality 4/20/16; Reconsideration Granted
Consumer Legal Remedies Act. SB 1306 (J. Stone; R-Temecula) Creates fairness in the application of this law as applied to the California Environmental Quality Act by amending it to allow a "prevailing party" to recover attorney's fees instead of allowing only a defendant to recover attorney's fees when the action was filed in bad faith. Support/ Job Creator .	Failed Passage in Senate Judiciary 4/26/16; Recon- sideration Granted
Expedites and Reduces Cost for Auxiliary Lane or Bikeway Projects. AB 1569 (Steinorth; R-Rancho Cucamonga) Streamlines and reduces regulatory burdens for specified auxiliary lane or bikeway projects by exempting such projects under the California Environmental Quality Act. Support.	Failed Passage in Assembly Natural Resources 4/4/16; Reconsideration Granted

Subject—CalChamber Position	Status
Expedites and Reduces Cost for Temperance Flat Reservoir Project. AB 1586 (Mathis; R-Visalia) Streamlines and reduces regulatory burdens for the construction of the Temperance Flat Reservoir Project by exempting the project under the California Environmental Quality Act. Support.	Failed Passage in Assembly Natural Resources 4/4/16; Reconsideration Granted
Expedites and Reduces Cost for Recycled Water Pipelines. AB 1749 (Mathis; R-Visalia) Streamlines and reduces regulatory burdens for specified water storage facility projects by extending the current exemption for such projects under the California Environmental Quality Act by five years. Support.	Senate Inactive File 8/17/16
Expedites and Reduces Cost for Recycled Water Pipelines. AB 2438 (Waldron; R-Escondido) Streamlines and reduces regulatory burdens for specified recycled water pipeline projects by exempting such projects under the California Environmental Quality Act. Support.	Assembly Environmental Quality 6/29/16; Failed Deadline
Expedites and Reduces Cost for Drought Mitigation Projects. AB 1589 (Mathis; R-Visalia) Streamlines and reduces regulatory burdens for specified drought mitigation projects by exempting such projects under the California Environmental Quality Act. Support.	Failed Passage in Assembly Natural Resources 4/4/16; Reconsideration Granted
Expedites and Reduces Cost for Water Storage Facilities. AB 1647 (Waldron; R-Escondido) Streamlines and reduces regulatory burdens for specified water storage facility projects by exempting such projects under the California Environmental Quality Act. Support.	Assembly Natural Resources 2/4/16; Failed Deadline
Increased CEQA Review for Coal Shipments. SB 1278 (Hancock; D-Berkeley) Restricts commerce and complicates the CEQA process by requiring every public agency with discretionary approval authority of any portion of a project relating to the shipment of coal through the Port of Oakland to prepare an environmental impact report. Oppose.	Senate Transportation and Housing 3/30/16; Failed Deadline
Increased CEQA Review for Coal Shipments. SB 1280 (Hancock; D-Berkeley) Restricts commerce and complicates the CEQA process by prohibiting a lead agency from approving a project affecting the shipment of commodity through a port facility that is receiving state funds from the Trade Corridors Improvement Fund unless the lead agency either prohibits coal shipment through the port facility or requires full and complete mitigation of the emissions of greenhouse gases resulting from the combustion of coal shipped through the port facility. Oppose.	Senate Transportation and Housing 3/30/16; Failed Deadline
Expedites and Reduces Cost for Drought Mitigation Projects. SB 1415 (Bates; R-Laguna Niguel) Before amendments, streamlined and reduced regulatory burdens for specified drought mitigation projects by exempting such projects under the California Environmental Quality Act. Support position removed due to 4/18/16 amendments. No Position.	Senate Appropriations 4/21/16; Failed Deadline
Expedites and Reduces Cost for the Los Angeles Regional Interoperable Communications System. SB 1008 (Lara; D-Bell Gardens) Streamlines and reduces regulatory burdens for the construction and operation of certain structures and equipment of the Los Angeles Regional Interoperable Communications System by extending the existing exemption under the California Environmental Quality Act by an additional three years. Support.	To Governor
Climate Change	
Slows Economic Growth. SB 32 (Pavley; D-Agoura Hills) Increases costs for California businesses, makes them less competitive and discourages economic growth by adopting further greenhouse gas emission reductions for 2030 without regard to the impact on individuals, jobs and the economy. Oppose/ 2015 Job Killer.	Signed 9/8/16
Expensive Regulatory Burdens. AB 197 (E. Garcia; D-Coachella) Increases costs for businesses to comply with climate change regulations by prioritizing command-and-control regulations over a market-based mechanism while at the same time ranking co-benefits ahead of cost-effectiveness. Oppose.	Signed 9/8/16

Subject—CalChamber Position	Status
Increased Regulatory Burdens. SB 1383 (Lara; D-Bell Gardens) Increases regulatory burdens and costs for businesses by requiring the California Air Resources Board to adopt and implement a new program to reduce short-lived climate pollutants. Oppose.	To Governor
Litigation Exposure. SB 1161 (B. Allen; D-Santa Monica) Creates uncertainty for businesses and exposes them to litigation by imposing a four-year revival for time-barred claims alleging unfair competition with respect to climate science. Oppose.	Senate Inactive File 6/2/16; Failed Deadline
Increased Energy Costs. SB 1441 (Leno; D-San Francisco) Increases the cost of natural gas to consumers and penalizes investor-owned utilities for the value of natural gas lost due to factors outside the utilities' control. Oppose.	Failed passage in Assembly 8/29/16
AB 32 Auction Revenues. AB 1550 (Gomez; D-Los Angeles) Prematurely allocates AB 32 auction revenues for various projects in disadvantaged communities. Oppose.	To Governor
AB 32 Auction Revenues. AB 1613 (Committee on Budget) Prematurely allocates AB 32 auction revenues for various projects. Oppose.	To Governor
AB 32 Auction Revenues. SB 830 (Committee on Budget and Fiscal Review) Prematurely allocates AB 32 auction revenues for various projects. Oppose.	Assembly Floor 8/31/16
Premature AB 32 Auction Revenue Expenditure. AB 1555 (Gomez; D-Los Angeles) Prematurely authorizes AB 32 auction revenues to fund various state agencies. Oppose.	Assembly Budget 5/4/16; Failed Deadline
Premature Auction Revenue Expenditures. AB 1780 (Medina; D-Riverside) Prematurely authorizes AB 32 auction revenues for the Sustainable Trades Corridor Program. Oppose.	Held in Assembly Appropriations Suspense File 5/27/16; Failed Deadline
Premature AB 32 Auction Revenue Expenditure. AB 2293 (C. Garcia; D-Bell Gardens) Prematurely authorizes AB 32 auction revenues to fund the Green Assistance Program. Oppose.	Held in Assembly Appropriations Suspense File 5/27/16; Failed Deadline
Premature AB 32 Auction Revenue Expenditure. SB 1213 (Wieckowski; D-Fremont) Prematurely authorizes AB 32 auction revenues to fund biosolid grant programs. Oppose.	Held in Senate Appropriations Suspense File 5/27/16; Failed Deadline
AB 32 Auction Revenues. AB 2094 (Oberholte; R-Big Bear Lake) Prematurely allocates AB 32 auction revenues for the Retail Sales Tax Fund. Oppose.	Failed Passage in Assembly Transportation 4/11/16
AB 32 Auction Revenues. AB 1698 (Hadley; R-Torrance) Prematurely allocates AB 32 auction revenues for the Green and Renewable Energy Enlisting New Technologies Fund. Oppose.	Assembly Natural Resources 2/18/16; Failed Deadline
AB 32 Auction Revenues. AB 1629 (Committee on Budget) Before amendments, prematurely authorized AB 32 auction revenues for the Wildlife Conservation Board. Opposition removed due to 8/31/16 amendments. No Position.	Senate Rules 8/31/16
AB 32 Auction Revenues. AB 2722 (Burke; D-Inglewood) Before amendments, would have prematurely allocated AB 32 auction revenues for the Transformative Climate Communities Program. Opposition removed due to 4/20/16 amendments. No Position.	To Governor
Premature AB 32 Auction Revenue Expenditure. AB 2222 (Holden; D-Pasadena) Before amendments, prematurely authorized AB 32 auction revenues to be used for transit passes. Opposition removed due to 5/31/16 amendments. No Position.	Held in Senate Appropriations Suspense File 8/11/16
Premature AB 32 Auction Revenue Expenditure. AB 2223 (Gray; D-Merced) Before amendments, prematurely authorized AB 32 auction revenues to be used for manure digester market development. Opposition removed due to 4/11/16 amendments. No Position.	Senate Budget and Fiscal Review 6/9/16

Subject—CalChamber Position	Status
Premature AB 32 Auction Revenue Expenditure. AB 2146 (Patterson; R-Fresno) Before amendments, prematurely authorized AB 32 auction revenues to be used for the Department of Forestry and Fire Prevention. Opposition removed due to 4/11/16 amendments. No Position.	Held in Assembly Appropriations Suspense File 5/27/16; Failed Deadline
AB 32 Auction Revenues. SB 951 (McGuire; D-Healdsburg) Before amendments, would have prematurely allocated AB 32 auction revenues for transportation passes. Opposition removed due to 4/27/16 amendments. No Position.	Held in Senate Appropriations Suspense File 5/27/16; Failed Deadline
AB 32 Auction Revenues. AB 2576 (Gray; D-Merced) Before amendments, prematurely allocated AB 32 auction revenues to the Department of Resources Recycling and Recovery for market development. Opposition removed due to 4/11/16 amendments. No Position.	Held in Assembly Appropriations Suspense File 5/27/16; Failed Deadline

Corporate Governance

Improves Small Business Climate. AB 2610 (Holden; D-Pasadena) Makes it easier for small businesses to grow and expand by providing greater accessibility to the Small Corporate Offering Registration (SCOR) program. Support.	Assembly Banking and Finance 3/28/16; Failed Deadline
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Education

Increased Innovation and Entrepreneurship. AB 2664 (Irwin; D-Thousand Oaks) Provides resources for Californians who are establishing a new business by providing the University of California (UC) with funds to expand its capacity and increase access to its innovation and entrepreneurship centers, which provide incubator space, legal services, entrepreneur training and more for researchers and other individuals looking to develop innovative solutions. Support/ Job Creator .	To Governor
Improved School Accountability. AB 2548 (Weber; D-San Diego) Will help employers, parents, educators, lawmakers, and other stakeholders hold schools accountable for student performance and improvement, and ensure students are being adequately prepared to enter the workforce or college, by requiring that the state's new accountability system tracks sufficient information to allow for meaningful comparisons of schools and districts. Support.	To Governor
Jeopardizes State Workforce Goals. SB 959 (Lara; D-Bell Gardens) Unnecessarily restricts the ability of the University of California (UC) to contract for competitive bids without compromising on the quality of the education it provides or increasing tuition for students, thus jeopardizing the state's ability to produce enough graduates to meet workforce needs. Oppose.	To Governor
Jeopardizes State Workforce Goals. AB 2183 (Gatto; D-Glendale) Makes it harder for the California State University (CSU) system to manage its budget and serve more students at a lower cost to the state by placing unreasonable restrictions on when the CSU may contract for services. Oppose.	Failed passage in Senate Education 6/22/16; Failed Deadline
Increases Access to Computer Science. AB 2329 (Bonilla; D-Concord) Ensures that future generations of California students will be better prepared to compete for high-paying, high-skilled jobs in manufacturing, health care, retail, the arts, financial services, agriculture and other sectors that increasingly require computer science skills by requiring an advisory panel to convene and guide the California Department of Education and State Board of Education to develop a coordinated strategy to make computer science curriculum available in every California school. Support.	To Governor
Increases Access to Computer Science. AB 2275 (Dababneh; D-Encino) Ensures that future generations of California students will be better prepared to compete for high-paying, high-skilled jobs in manufacturing, health care, retail, the arts, financial services, agriculture and other sectors that increasingly require computer science skills by expanding the pool of teachers authorized to teach computer science. Support.	Assembly Education 4/12/16; Failed Deadline

Subject—CalChamber Position	Status
<p>School District Funding. SB 799 (Hill; D-San Mateo) Modifies the existing school district reserve funds cap law to give districts greater flexibility and restore local control. The current district reserve cap prevents California’s 1,000 school districts from maintaining adequate budget reserves to save for a rainy day or major purchases. Support.</p>	<p>Assembly Education 8/30/16</p>
<p>Teacher Recruitment and Quality. AB 1756 (Bonilla; D-Concord) Helps draw new teachers to the profession, put fully trained teachers into our classrooms more quickly, and reduce the amount of debt new teachers have to take on, increasing the value of teacher salaries, by providing one-time funding for postsecondary teacher preparation institutions to develop integrated baccalaureate degree and teaching credential programs. Support.</p>	<p>Held in Senate Education 6/9/16; Failed Deadline</p>
<p>Undermines Teacher Quality. AB 575 (O’Donnell; D-Long Beach) Before amendments, made it harder for school districts to prioritize student achievement and provide support to developing teachers by replacing the state’s existing teacher evaluation framework with one that, among other things, would be entirely subject to collective bargaining and take away management’s existing authority to unilaterally establish criteria for measuring student progress and teacher effectiveness. Opposition removed due to 6/20/16 amendments. No Position.</p>	<p>To Governor</p>
<p>Increases Education Attainment. AB 1721 (Medina; D-Riverside) Makes community college more affordable and accessible for students by expanding the Cal Grant Program, thereby broadening access to financial aid for students enrolled in community college career technical education programs. Support.</p>	<p>Held in Senate Appropriations Suspense File 8/11/16</p>
<p>Increases College Access. AB 2787 (Chávez; R-Oceanside) Makes it possible for more students to afford to attend college by expanding eligibility for the Middle Class Scholarship Program to students who choose to attend in-state private colleges and universities. Support.</p>	<p>Failed Passage in Assembly Higher Education 4/19/16; Reconsideration Granted</p>
<p>Teacher Recruitment and Quality. SB 933 (B. Allen; D-Santa Monica) Helps school districts establish and maintain teacher residency programs to recruit, prepare, and retain new teachers by providing matching grants of up to \$30,000 per candidate, per year for three years, helping ensure that all students will have highly qualified teachers in their classrooms. Support.</p>	<p>Held in Assembly Appropriations Suspense File 8/11/16</p>
<p>Increases College Access. AB 1961 (Baker; R-San Ramon) Ensures there is adequate state support for low-income students who choose to attend private colleges and universities by permanently repealing the 11.3% cut planned for Cal Grant awards available to them, and by increasing the maximum award amount for these Cal Grants. Support.</p>	<p>Held in Assembly Appropriations Suspense File 5/27/16; Failed Deadline</p>
<p>Increases Educational Attainment. AB 1892 (Medina; D-Riverside) Helps address the looming shortage of workers with some college experience by fixing the Cal Grant C award amount at \$3,000 rather than leaving it subject to the annual budget act, expanding the ways students can use their Cal Grant C awards, and instructing the California Student Aid Commission to give priority in granting Cal Grant C awards to students pursuing occupational and technical training in industry sectors identified by the California Community College Economic and Workforce Development program to be a high priority. Support.</p>	<p>Held in Assembly Appropriations Suspense File 5/27/16; Failed Deadline</p>
<p>Improves Career Technical Education. SB 66 (Leyva; D-Chino) Helps improve the relevance of Career Technical Education (CTE) courses offered by the state’s community colleges by giving the colleges more information about former students to help guide future workforce development policies, and eases administrative burdens for the community colleges by streamlining their reporting and accountability metrics related to workforce and economic development. Support.</p>	<p>To Governor</p>
<p>Space Day. SB 1138 (Hueso; D-San Diego) Before amendments, this bill would have had a significant negative impact on both employees and businesses as well as health and public safety by requiring all business, residents and governmental facilities to turn all lights off during a designated hour to commemorate Space Day. Opposition removed due to 4/18/16 amendments. No Position.</p>	<p>Signed —Chapter 196</p>

Subject—CalChamber Position	Status
Elections and Fair Political Practices	
Campaign Finance. SB 1349 (Hertzberg; D-Van Nuys) Improves transparency of campaign financing by directing the Secretary of State to modernize Cal-Access, California’s online system for campaign finance filing and disclosure. Support.	To Governor
Energy	
Increases Energy Costs. SB 886 (Pavley; D-Agoura Hills) Increases energy costs and potentially threatens reliability by mandating new energy storage targets. Oppose.	Held in Assembly Appropriations Suspense File 8/11/16
Jeopardizes Energy Reliability. SB 380 (Pavley; D-Agoura Hills) Jeopardizes energy resources and reliability by placing a moratorium on natural gas storage until all wells in the Aliso Canyon facility have been inspected. Oppose Unless Amended.	Signed 5/10/16—Chapter 14 (Urgency)
Attorney-Client Privilege. SB 1049 (Hill; D-San Mateo) Before amendments, would have diminished attorney-client privilege by requiring electrical or gas corporations to allow the California Public Utilities Commission access to privileged documents whether or not they are subject to attorney-client privilege, the attorney work product doctrine. Oppose position removed due to 5/27/16 amendments. No Position.	Held in Assembly Appropriations Suspense File 8/11/16
Provides Transparency. AB 2066 (Lackey; R-Palmdale) Provides transparency to drivers by including a label on fuel pumps showing the additional cost per gallon for fuels under the cap-and-trade program. Support.	Held in Assembly Appropriations Suspense File 5/27/16; Failed Deadline
Environmental Justice	
Barrier to Development. SB 1000 (Leyva; D-Chino) Potentially creates barriers to development by requiring environmental justice elements be included in general plans. Oppose.	To Governor
Environmental Regulation	
Gas Price Increase. AB 1759 (Bonta; D-Oakland) Jeopardizes the production of California-based fuel by banning the use of hydrogen fluoride and hydrofluoric acid at facilities that use more than 250 gallons and are located within two miles of a residence, notwithstanding the fact that there are significant safety regulations in place at the local, state and federal levels. Oppose/ Job Killer .	Assembly Natural Resources 2/18/16
Gas Price Increase. AB 1882 (Williams; D-Carpinteria) Jeopardizes the production of California-based fuel by substantially complicating the existing permitting process for the Underground Injection Control program by imposing duplicative requirements and requiring the Division of Oil, Gas and Geothermal Resources to cede aspects of its permitting authority to the regional water quality control board. Oppose/ Job Killer .	Held in Assembly Appropriations Suspense File 5/27/16; Failed Deadline
Creates Unworkable Hazardous Waste Permitting Process. SB 654 (de León; D-Los Angeles) Before 8/11/16 gut and amend, discouraged investment in upgrading and improving hazardous waste facilities by shutting down hazardous waste facilities if the Department of Toxic Substances Control (DTSC) fails to take final action on the permit renewal application within a specified timeframe, even if the permit applicant acted diligently and in good faith throughout the permit application process. Oppose/ 2015 Job Killer .	See SB 654 in Labor and Employment Section

Subject—CalChamber Position	Status
<p>Gas Price Increase. AB 2729 (Williams; D-Carpinteria) Before amendments, jeopardized the production of California-based fuel supply and increased costs to the industry by revising the definition of an idle well and requiring permanent closure of 25% of California’s long-term idle wells each year. Opposition and job killer tag removed due to 6/1/16 amendments. Neutral/Former Job Killer.</p>	To Governor
<p>Increases Environmental Litigation. AB 2748 (Gatto; D-Glendale) Eliminates incentives to settle lawsuits and instead exposes businesses to multiple rounds of litigation at great expense to the parties and the courts by creating statutory prohibitions on “release” clauses in settlements pertaining to “environmental disasters.” Job killer tag removed due to 6/2/16 amendments, but CalChamber remains opposed. Oppose/Former Job Killer.</p>	To Governor
<p>Proposition 26 Violation. AB 1400 (Santiago; D-Los Angeles) Violates Proposition 26 and imposes limitless costs on hazardous waste permit applicants by requiring hazardous waste permit applicants to pay for uncapped “technical assistance grants” for local communities to participate in the hazardous waste permitting process. Oppose.</p>	Senate Environmental Quality 6/22/16; Failed Deadline
<p>Increased Costs to Hazardous Waste Permit Operators. AB 1102 (Santiago; D-Los Angeles) Prematurely and unnecessarily imposes substantial new costs on hazardous waste permit applicants by imposing new facility inspection requirements, which must be paid for by the permit applicant, notwithstanding the fact that the Department of Toxic Substances Control is currently reforming its enforcement program on the regulatory level, including promulgating a more robust inspection process. Oppose.</p>	Senate Environmental Quality 6/23/16
<p>Imposes Unnecessary Burdens on In-State Energy Development. SB 248 (Pavley; D-Agoura Hills) Causes delays in energy production, adds another unnecessary layer of bureaucracy, and institutes requirements that are duplicative of state law by imposing new requirements related to the Underground Injection Control program. Oppose.</p>	Held in Assembly Appropriations 8/11/16
<p>Increased Costs to Hazardous Waste Permit Operators. AB 1205 (Gomez; D-Los Angeles) Imposes unnecessary and substantial new costs on hazardous waste permit applicants by requiring hazardous waste permit applicants to pay for a public hearing within 90 days of the submittal of a hazardous waste renewal application, notwithstanding the fact that current regulations and the California Environmental Quality Act already provide for multiple opportunities for public hearings. Oppose.</p>	Senate Environmental Quality 6/21/16
<p>Creates Business Uncertainty. SB 1387 (de León; D-Los Angeles) Creates uncertainty for businesses in the South Coast Air Quality Management District (SCAQMD) and undermines local control by adding three additional state-appointed positions to the SCAQMD. Oppose.</p>	Failed Passage in Assembly 8/31/16
<p>Increased Civil Violations on Oil and Gas Operators. AB 2756 (Thurmond; D-Richmond) Before amendments, allowed the Oil and Gas Supervisor to impose civil penalties for violations by oil and gas operators well in excess of the current \$25,000 statutory limit for each violation. Opposition removed due to 6/1/16 amendments. No Position.</p>	To Governor
<p>Unnecessary Recycling Program. AB 2153 (C. Garcia; D-Bell Gardens) Before amendments, disrupted the nearly 100 percent success rate of a well-established and proven lead acid battery recycling program in California by overhauling the current system and creating a new and unnecessary recycling program governed by a nonprofit agency. Opposition removed due to 6/1/16 amendments. No Position.</p>	To Governor
<p>Increased Permit Processing Costs. AB 2794 (Santiago; D-Los Angeles) Before amendments, significantly increased the costs of recycling, landfills, and other critical waste facilities by eliminating permit applicants’ option to be charged a flat permitting fee and instead giving the Department of Toxics Substances Control carte blanche to charge whatever fee it determines, notwithstanding well-recognized and self-acknowledged deficiencies in DTSC’s current permitting program that have resulted in excessive delays in permit processing. (See related item under Budget.) Opposition removed due to 4/5/16 amendments. No Position.</p>	Held in Assembly Appropriations Suspense File 5/27/16; Failed Deadline

Subject—CalChamber Position	Status
<p>Compromises Oil Spill Response Program. SB 1083 (B. Allen; D-Santa Monica) Before amendments, prevented operators from complying with their statutory duties to meet best management practices for oil spill prevention by prohibiting personnel from a responsible party from participating in various activities required of the Unified Command in the event of an oil spill. Opposition removed due to 4/28/16 amendments. Neutral.</p>	<p>Held in Senate Appropriations Suspense File 5/27/16; Failed Deadline</p>
<p>Creates Infeasible Motor Oil Mandate. SB 778 (B. Allen; D-Santa Monica) Before amendments, created an upheaval in the California motor oil marketplace, limiting consumer choice and forcing California motorists to spend more of their disposable income on motor oil by greatly constraining the range of motor oil products currently available for gasoline and diesel engines used in passenger cars and light duty trucks. Opposition removed due to amendments. No Position.</p>	<p>To Governor</p>
<p>Health</p>	
<p>Well-Crafted Managed Care Organization (MCO) Proposal. SBX2 2 (E. Hernandez; D-West Covina) Preserves critical funding for the state’s Medi-Cal program, which is critical for the health care delivery system, without undermining the affordability of commercial health care purchased by employers, families, and individuals. Support.</p>	<p>Signed 3/1/16—Chapter 2, Second Extraordinary Session</p>
<p>Publicly Shames Employers. AB 2467 (Gomez; D-Los Angeles) Seeks to blame hospital executive compensation for rising health care costs and shame hospitals by requiring them to post a hospital executive compensation report online covering each executive making over \$300,000 a year, and exposes hospitals to unjustified and time-consuming audits, investigations, and wage discrimination claims that will drive up health care costs. Oppose.</p>	<p>Failed Passage in Assembly 6/2/16</p>
<p>Arbitration Discrimination. SB 932 (E. Hernandez; D-West Covina) Unfairly discriminates against arbitration agreements and therefore is preempted by the Federal Arbitration Act. Leads to confusion and litigation by prohibiting arbitration clauses between a health care plan and provider in the original contract but allowing such a clause outside of the original contract under specified conditions. Oppose.</p>	<p>Held in Senate Appropriations Suspense File 5/27/16; Failed Deadline</p>
<p>Drives Up Health Insurance Premiums. AB 2209 (Bonilla; D-Concord) Increases health care costs by interfering with the ability of health plans to develop voluntary, evidence-based clinical pathways that treat patients in accordance with current medical evidence and best practices without exposing patients and purchasers to unnecessary costs. Oppose.</p>	<p>Assembly Appropriations 4/27/16; Failed Deadline</p>
<p>Increased Health Care Costs. AB 2400 (Nazarian; D-Sherman Oaks) Drives up health care premiums without providing a substantial benefit for enrollees by substantially limiting the amount of time health care issuers have to process prior authorization requests for medications included on their formularies, as well as the timeline for secondary reviews of any denied or modified requests. Oppose.</p>	<p>Held in Assembly Appropriations Suspense File 5/27/16; Failed Deadline</p>
<p>Increases Health Care Premiums. SB 1034 (Mitchell; D-Los Angeles) Increases costs and undermines the ability of health care issuers to promote and manage applied behavioral analysis for children with autism by making a number of changes to how the autism services are provided. Oppose.</p>	<p>Held in Assembly Appropriations Suspense File 8/11/16</p>
<p>Unworkable Drug Pricing Disclosure. AB 2436 (R. Hernández; D-West Covina) Provides useless information to consumers by requiring issuers to notify enrollees of the contracted price paid for a drug. Oppose.</p>	<p>Failed Passage in Assembly 5/31/16</p>
<p>Drives Up Health Insurance Premiums. AB 1763 (Gipson; D-Carson) Increases health care costs by prohibiting cost-sharing, co-payments or coinsurance for non-preventative screening and treatment for colorectal cancer. Oppose.</p>	<p>To Governor</p>
<p>New Health Care Costs. AB 2507 (Gordon; D-Menlo Park) Increases the cost of health care for employers and enrollees by mandating coverage for phone and email communications between doctors and patients and requires reimbursement at the same level as an in-person interaction. Oppose.</p>	<p>Held in Assembly Appropriations Suspense File 5/27/16; Failed Deadline</p>

Subject—CalChamber Position	Status
Health Care Mandate. AB 2004 (Bloom; D-Santa Monica) Drives up costs by mandating health care issuers to cover hearing aids for enrollees under 18 years of age. Oppose.	Held in Senate Appropriations Suspense File 8/11/16
Health Care Mandate. AB 2764 (Bonilla; D-Concord) Increases health care premiums by mandating coverage beyond the essential health benefits requirement under the Affordable Care Act for mammography performed concurrently with breast tomosynthesis for screening and diagnostic purposes. Oppose.	Held in Assembly Appropriations Suspense File 5/27/16; Failed Deadline
Reduces Employer Costs. SB 482 (Lara; D-Bell Gardens) Helps lower workers' compensation costs and general health care costs for employers, and helps injured employees get back to work faster by mandating that physicians and other prescribers check the state's Controlled Substance Utilization Review and Evaluation System (CURES) database before prescribing a Schedule II, III or IV controlled substance to a patient for the first time, and at least every 4 months thereafter if the patient remains on the medication. Support.	To Governor
Lower Costs for Hospitals. AB 1300 (Ridley-Thomas; D-Los Angeles) Reduces costs for health care purchasers by helping expedite the release and transfer of patients who are brought to hospital emergency rooms on 5150 psychiatric holds once their medical conditions have been stabilized. Support.	Senate Rules 6/30/16
Unclear Reporting Obligation. AB 2425 (Brown; D-San Bernardino) Before amendments, exposed employers to potential lawsuits by requiring private employees and contractors with emergency response training to complete and file detailed reports with the local county health department anytime an unintentional injury occurs, even though they do not have the authority to collect most of the information required. Opposition removed due to 5/31/16 amendments. No Position.	Held in Senate Health 6/9/16; Failed Deadline
Increases Prescription Drug Spending. AB 1977 (Wood; D-Healdsburg) Before amendments, would have driven up health care spending by mandating that health care plans and insurers cover expensive new forms of opioid pain medications despite the lack of evidence that these new formulations will lower the incidence of opioid abuse or related hospitalizations and deaths. Opposition removed due to 4/13/16 amendments. Gutted and amended 8/9/16 to a different subject. No Position.	To Governor
Extended Producer Responsibility. AB 2039 (Ting; D-San Francisco) Creates an onerous take-back program that significantly adds to the cost of producing home-health sharps and the medicines delivered by them. Oppose.	Assembly Environmental Safety and Toxic Materials 4/6/16; Failed Deadline
Well-Crafted MCO Proposal. ABX2 20 (Bonta; D-Oakland) Along with SBX2 15, this measure preserves critical funding for the state's Medi-Cal program without undermining the affordability of commercial health care purchased by employers, families, and individuals. Support.	Assembly Public Health and Development Services 2/10/16
Well-Crafted MCO Proposal. SBX2 15 (E. Hernandez; D-West Covina) Along with ABX2 20, this measure preserves critical funding for the state's Medi-Cal program without undermining the affordability of commercial health care purchased by employers, families, and individuals. Support.	Assembly Public Health and Development Services 2/8/16
Housing and Land Use	
Erodes Housing Affordability. AB 2162 (Chu; D-San Jose) Increases the cost of and delays housing and other development projects by eliminating existing mitigation options for impacts to oak woodlands under the California Environmental Quality Act and instead imposes an entirely new and separate permitting process for the removal of even one valley oak tree. Oppose/ Job Killer.	Assembly Natural Resources 2/29/16; Failed Deadline
Erodes Housing Affordability. AB 2502 (Mullin; D-South San Francisco) Before amendments, increased the cost and reduced the supply of housing by authorizing local governments as condition of development to impose a costly and inflexible price-controlled inclusionary housing requirement and, in doing so, legislatively repealed an established court decision upholding developers' ability to set initial rental rates for new dwelling units. Job killer tag removed due to 6/2/16 amendments. Cal-Chamber remains opposed. Oppose/ Former Job Killer.	Assembly Local Government 6/6/16; Failed Deadline

Subject—CalChamber Position	Status
<p>Increases Housing Supply. SB 1069 (Wieckowski; D-Fremont) Creates and expedites additional housing supply by streamlining the permitting process for Accessory Dwelling Units through reduced parking requirements, expedited procedural processes, and allowing ADUs to be constructed within existing structures. Support/Job Creator.</p>	To Governor
<p>Costly Rental Mandate. SB 1053 (Leno; D-San Francisco) Imposes additional and unnecessary costs on rental property owners by prohibiting rental property owners from refusing to accept tenants because they have a Section 8 voucher. Oppose.</p>	Held in Senate Appropriations Suspense File 5/27/16; Failed Deadline
<p>Improves Housing Climate. AB 1934 (Santiago; D-Los Angeles) Makes housing more affordable by allowing local governments to grant a density bonus to commercial developers who partner with affordable housing developers to construct mixed-use projects. Support.</p>	To Governor
<p>Expedites Housing Construction. AB 2180 (Ting; D-San Francisco) Expedites the permit approval process for housing projects by reducing the time for local agencies to approve a proposed project from 180 days to 120 days. Support.</p>	To Governor
<p>Creates Affordable Housing Opportunities. AB 2817 (Chiu; D-San Francisco) Promotes affordable housing by expanding the existing low-income housing tax credit program, making the state better able to leverage an estimated \$100 million more in federal tax credits. Support.</p>	Held in Senate Appropriations Suspense File 8/11/16
<p>Increases Housing Supply. AB 2557 (Santiago; D-Los Angeles) Improves the housing supply crisis by limiting the ability of local government to impose moratoria to delay or halt the approval of multifamily housing. Support.</p>	Assembly Local Government 4/19/16; Failed Deadline
<p>Disrupts Business Operations. AB 718 (Chu; D-San Jose) Disrupts business operations by prohibiting local agencies from enforcing laws and ordinances to prevent individuals from sleeping or resting in a lawfully parked motor vehicle, even if those vehicles are parked in a parking lot abutting a business. Oppose.</p>	Senate Inactive File 8/30/16
<h2 style="color: red;">Industrial Safety and Health</h2>	
<p>Private Right of Action Exposure. AB 2895 (R. Hernández; D-West Covina) Inappropriately exposes employers to increased litigation costs by adding a private right of action, the risk of class action lawsuits and Private Attorneys General Act (PAGA) claims related to the employer’s written Injury and Illness Prevention Program (IIPP) by requiring employers to provide their employees or their representative a written copy of the IIPP, a violation of which, in certain circumstances is subject to injunctive relief. Oppose/Job Killer.</p>	Senate Inactive File 8/22/16
<p>Indoor Heat Illness Regulation. (SB 1167 Mendoza; D-Artesia) Directs Cal/OSHA to adopt an unnecessary and overly broad one-size-fits-all standard that duplicates existing regulations, in regards to the protection of indoor workers from heat-related illness and injury. Oppose.</p>	To Governor
<p>New Tax for Redundant Purpose. SB 1100 (Monning; D-Carmel) Imposes a new tax for work that most appropriately falls within the scope of existing and funded agencies, to provide training to prevent occupational injuries and illnesses. Oppose.</p>	Senate Inactive File 6/2/16
<p>Cal/OSHA Elevator Safety Variances. AB 1050 (Low; D-Campbell) Creates uncertainty and potential delays for employers seeking variances from conveyance safety standards by creating expansive new notification requirements from employers to individuals who are not employees of the employer and who may not be known to the employer, in order to solve a narrow concern with variance applications for elevators. Oppose Unless Amended.</p>	To Governor

Subject—CalChamber Position	Status
International Relations/Trade	
*Trans-Pacific Partnership Agreement. Promotes California and U.S. trade and investment by eliminating 18,000 foreign taxes on U.S. products, boosting exports, protecting intellectual property rights, and strengthening labor rights and human rights abroad. Support	Pending Congressional Approval
Calexico Port of Entry Funding. SJR 22 (Hueso; D-San Diego) Seeks to facilitate the ongoing movement of goods and people between the United States and Mexico by urging Congress to appropriate \$248 million in funding as proposed by the President’s Fiscal Year 2017 Budget to complete Phase II of the Calexico West Land Port of Entry Reconfiguration and Expansion project. Support.	Resolution Chapter 102
Labor and Employment	
Imposes New Maternity and Paternity Leave Mandate. SB 654 (Jackson; D-Santa Barbara) Unduly burdens and increases costs of small employers with as few as 20 employees by requiring 6 weeks of protected employee leave for child bonding and exposes them to the threat of costly litigation. Oppose/ Job Killer .	To Governor
Imposes New Maternity and Paternity Leave Mandate. SB 1166 (Jackson; D-Santa Barbara) Unduly burdens and increases costs of small employers with as few as 10 employees, as well as large employers with 50 or more employees, by requiring 12 weeks of protected employee leave for maternity or paternity leave, and exposes all employers to the threat of costly litigation. Oppose/ Job Killer .	Held in Assembly Labor and Employment 6/9/16; Failed Deadline
Increased Costs on Agricultural Employers. AB 1066 (Gonzalez; D-San Diego) Drives up costs of commodities to consumers by incrementally removing the existing overtime exemption allowed for agricultural employers. Oppose.	To Governor
Double Pay on a “Family Holiday.” AB 67 (Gonzalez; D-San Diego) Increases targeted California employers’ cost of doing business and places brick-and-mortar stores at a competitive disadvantage to online retailers by mandating almost all employers to pay double the regular rate of pay on Thanksgiving, designated as a “Family Holiday,” as opposed to any other significant holiday. Oppose.	Assembly Refused to Concur in Senate Amendments 8/31/16
Frivolous Litigation. AB 1676 (Campos; D-San Jose) Before amendments, threatened employers with civil litigation for seeking an applicant’s prior salary and benefit information even though the applicant suffered no harm in compensation from the inquiry. Opposition removed due to 6/15/16 amendments. No Position.	To Governor
Underground Economy. AB 1978 (Gonzalez; D-San Diego) Before amendments, imposed overly broad and punitive requirements on the janitorial industry to address concerns of wage theft and illegal behavior, which would have negatively impacted those employers who are actually compliant. Opposition removed due to 8/19/16 amendments. No Position.	To Governor
Retaliation Investigations. AB 2261 (R. Hernández; D-West Covina) Disrupts the workplace and creates the potential for harassment and abuse against employers by subjecting employers to random investigations for alleged employee retaliation even when there are no employee complaints of retaliation. Oppose.	Senate Inactive File 8/4/16
Employment Arbitration Agreement Discrimination. AB 2879 (M. Stone; D-Scotts Valley) Unfairly discriminates against arbitration agreements and is likely preempted by the Federal Arbitration Act, which will lead to confusion and litigation, by prohibiting an employer from requiring an individual who is a member of the military to sign a mandatory arbitration agreement as a condition of employment. Oppose/ Job Killer .	Assembly Inactive File 6/13/16

Subject—CalChamber Position	Status
<p>Automatic Minimum Wage Increase. SB 3 (Leno; D-San Francisco) Unfairly imposes a potential 50% increase in the minimum wage by 2022 (actually an 87% increase over an 8-year period when combined with the last increase just implemented in January 2016), and automatically adjusts minimum wage beyond 2018 according to national inflation, with no “offramps” to suspend the indexing if employers are struggling with other economic factors or costs. Oppose/2015 Job Killer.</p>	Signed 4/4/16—Chapter 4
<p>Itemized Wage Statements. AB 2535 (Ridley-Thomas; D-Los Angeles) Clarifies existing law that only nonexempt employees and others who are paid according to hours worked are required to have their hours tracked and logged on an itemized wage statement to preclude frivolous and costly litigation with regard to hours worked by exempt employees. Support.</p>	Signed—Chapter 77
<p>Expansion and Equal Pay. SB 1063 (Hall; D-Los Angeles) Increases concern and confusion amongst employers with regard to the newly amended equal pay law for women by seeking to expand the equal pay law that was just amended and implemented this year, through the addition of two new classifications. Oppose.</p>	To Governor
<p>Mandated Scheduling Requirement. SB 878 (Leyva; D-Chino) Eliminates worker flexibility and exposes employers to costly penalties, litigation, and government enforcement, by mandating employers in the retail, grocery, or restaurant industry, including employers who have hybrid operations that include a retail or restaurant section, to provide a 21-day work schedule and then face penalties and litigation if the employer changes the schedule with less than 7 days notice, even when the change is at the request of the employee. Oppose/Job Killer.</p>	Held in Senate Appropriations Suspense File 5/27/16; Failed Deadline
<p>Increased Costs on Agricultural Employers. AB 2757 (Gonzalez; D-San Diego) Drives up costs of commodities to consumers by incrementally removing the existing overtime exemption allowed for agricultural employers. Oppose.</p>	Failed Passage in Assembly 6/2/16
<p>Price-Setting by Independent Contractors. AB 1727 (Gonzalez; D-San Diego) Harms consumers and the California economy by essentially allowing independent contractors in almost every industry to collaborate and set prices for their services as well as other terms and conditions of their contracts, which will raise prices for consumers as well as subject them to costly litigation with the threat of triple damages if consumers terminate those contracts. Oppose/Job Killer.</p>	Assembly Judiciary 4/21/16; Failed Deadline
<p>Paid Leave for School Activities. AB 2405 (Gatto; D-Glendale) Imposes a significant burden on employers when considered with the cumulative leaves of absence and costs they are already facing, by mandating employers to provide 8 hours of paid time off each year for employees to attend school activities. Oppose.</p>	Assembly Floor 6/1/16
<p>Juvenile Criminal Records. AB 1843 (M. Stone; D-Scotts Valley) Limits an employer’s ability to maintain a safe work environment for employees and consumers by precluding employers from inquiring into an applicant’s juvenile convictions for serious crimes. Oppose.</p>	To Governor
<p>Meal and Rest Period Penalty. AB 1948 (Wagner; R-Irvine) Reduces unnecessary litigation and stacking of remedies by specifying that the one-hour premium pay penalty for a missed meal or rest period is the sole remedy for the violation. Support/Job Creator.</p>	Failed Passage in Assembly Labor and Employment 4/20/16
<p>Flexible Workweek. SB 985 (Berryhill; R-Twain Harte) Provides employers with the opportunity to accommodate employees’ needs as well as business demands by allowing employees to request a voluntary, flexible workweek agreement that can be repealed by the employee at any time with proper notice. Support/Job Creator.</p>	Failed Passage in Senate Labor and Industrial Relations 6/22/16; Reconsideration Granted
<p>Private Attorneys General Act (PAGA) Reform. AB 2461 (Grove; R-Bakersfield) Protects against meritless litigation by focusing a representative action under PAGA to four Labor Code sections instead of the entire Labor Code. Support/Job Creator.</p>	Assembly Labor and Employment 4/28/16; Failed Deadline
<p>Private Attorneys General Act (PAGA) Reform. AB 2462 (Grove; R-Bakersfield) Reduces meritless litigation costs by allowing an employer 33 days to cure any alleged Labor Code violation before a civil action may be filed. Support/Job Creator.</p>	Assembly Labor and Employment 4/28/16; Failed Deadline

Subject—CalChamber Position	Status
Private Attorneys General Act (PAGA) Reform. AB 2463 (Grove; R-Bakersfield) Reduces meritless litigation costs by capping the penalties an employee may receive under PAGA at \$1,000 per aggrieved employee. Support/ Job Creator .	Assembly Labor and Employment 4/28/16; Failed Deadline
Private Attorneys General Act (PAGA) Reform. AB 2464 (Grove; R-Bakersfield) Reduces meritless litigation costs by providing the court with discretion to dismiss a PAGA case if the court determines the employee did not suffer any physical or economic harm. Support/ Job Creator .	Assembly Labor and Employment 4/28/16; Failed Deadline
Private Attorneys General Act (PAGA) Reform. AB 2465 (Grove; R-Bakersfield) Reduces meritless litigation costs by requiring the Labor and Workforce Development Agency to investigate and review all notices filed pursuant to PAGA and issue a determination as to whether there is a reasonable basis for a civil action within 120 days of receiving the notice. Support/ Job Creator .	Failed Passage in Assembly Labor and Employment 4/20/16
Human Trafficking Training. AB 1595 (Campos; D-San Jose) Requires an employer of “mass transportation,” which excludes taxis and airlines, to train its employees on signs of human trafficking, but fails to provide any details of this mandated training, including the length of time or what the commonly accepted signs of human trafficking include. Oppose.	Held in Assembly Appropriations Suspense File 5/27/16; Failed Deadline
Human Trafficking. AB 1942 (C. Garcia; D-Bell Gardens) Before amendments, required a hotel or motel to train its employees on signs of human trafficking, but failed to provide any details of this mandated training, including the length of time or what the commonly accepted signs of human trafficking include. Opposition removed due to 4/13/16 amendments. No Position.	Held in Assembly Appropriations Suspense File 5/27/16; Failed Deadline
Legal Reform and Protection	
Consumer Arbitration Agreement Discrimination. AB 2667 (Thurmond; D-Richmond) Unfairly discriminates against arbitration agreements and therefore is likely preempted by the Federal Arbitration Act, which will lead to confusion and litigation, by prohibiting arbitration of Unruh Civil Rights violations made as a condition of a consumer contract for goods or services. Oppose/ Job Killer .	Assembly Unfinished Business 8/15/16
Incentivizing Disability Access and Education. SB 269 (Roth; D-Riverside) Seeks to limit frivolous litigation and claims regarding construction-related accessibility violations by providing businesses that have proactively sought to become Americans with Disabilities Act (ADA) compliant with an opportunity to resolve any identified violations. Support/ Job Creator .	Signed 5/10/16—Chapter 13 (Urgency)
Increased Frivolous Litigation. SB 899 (Hueso; D-San Diego) Drives up consumer costs and increases frivolous litigation similar to the disability access lawsuits in California, by prohibiting a retailer or grocery store from discriminating against a person on the basis of gender with the price of “substantially similar” goods and subjecting them to a minimum \$4,000 of damages for each violation. Oppose/ Job Killer .	Held in Assembly Judiciary 6/21/16; Failed Deadline
Interference with Enforcement of Contracts. SB 1241 (Wieckowski; D-Fremont) Before amendments, undermined judicial discretion and the intent of the parties who negotiated the contract by rendering any contract that contains a choice of forum or choice of law provision that designates another state other than California as voidable. Opposition removed due to 8/29/16 amendments. No Position.	To Governor
Limits Private Business’s Ability to Accommodate Customers. SB 876 (Liu; D-La Cañada Flintridge) Limits the ability of business owners to request individuals who are homeless to move from entryways to the business as well as exposes business to the threat of costly litigation with mandatory statutory damages of no less than \$1,000 per violation by proposing to create a protected classification for individuals who are homeless. Oppose.	Failed Passage in Senate Transportation and Housing 3/29/16; Reconsideration Granted; Failed Deadline

Subject—CalChamber Position	Status
<p>Small Business Relief. SB 1228 (Runner; R-Antelope Valley) Provides small businesses with the opportunity to comply with regulations without facing devastating administrative enforcement actions and penalties, by requiring state agencies to assist small business with newly adopted regulations, create policies to reduce or eliminate penalties against small businesses who have tried to comply in good faith, and allow courts the necessary discretion to grant small employers equitable relief from overwhelming administrative orders. Support/Job Creator.</p>	<p>Held in Senate Appropriations Suspense File 5/27/16; Failed Deadline</p>
<p>ADA Reform. SB 1142 (Moorlach; R-Costa Mesa) Reduces meritless litigation costs while protecting disability access by providing a business with 120 days to cure any alleged violation in a demand letter before a civil action may be filed. Support/Job Creator.</p>	<p>Failed Passage in Senate Judiciary 4/27/16; Reconsideration Granted</p>
<p>Judicial Positions. SB 1023 (Committee on Judiciary) Helps to reduce the overburdened court system and allow quicker resolution of disputes by proposing to financially support the funding of additional judicial positions. Support.</p>	<p>Held in Senate Appropriations Suspense File 5/27/16; Failed Deadline</p>
<p>ADA Reform. AB 2093 (Steinorth; R-Rancho Cucamonga) Makes sure owners and tenants are aware of any construction-related access violations and therefore have the opportunity to resolve any violation before a lawsuit is filed by requiring clarity in commercial property leases regarding whether the property has been inspected by a Certified Access Specialist (CAsp) and any CAsp reports. Support.</p>	<p>To Governor</p>
<p>Reduction of Frivolous Litigation. AB 2827 (Levine; D-San Rafael) Before amendments, limited frivolous litigation against businesses that include “Made in the U.S.A.” or “Made in California” on labels by providing such businesses with a limited right to cure any alleged minor violation. Support removed due to 5/4/16 amendments. No Position/Former Job Creator.</p>	<p>Held in Senate Rules 6/16/16; Failed Deadline</p>
<p>Increased Litigation Costs. SB 270 (Mendoza; D-Artesia) Unnecessarily limits the opportunity for companies to enter into contracts for court reporting services, which will drive up litigation costs. Oppose.</p>	<p>Assembly Business and Professions 8/19/16</p>
<p>Arbitration: Class Actions. SJR 25 (Wieckowski; D-Fremont) Seeks to have the Legislature affirm statements regarding arbitration that are inconsistent with studies and court decisions issued by the U.S. Supreme Court and California Supreme Court. Oppose.</p>	<p>Assembly Inactive File 8/30/16</p>
<p>Medical Marijuana</p>	
<p>Tax Amnesty for Unemployment Insurance Taxes. AB 567 (Gipson; D-Carson) Before amendments, facilitated more businesses paying their fair share of unemployment insurance taxes, thereby increasing the level of revenue into the Unemployment Insurance Trust Fund by creating a one-time unemployment insurance amnesty program for medical cannabis-related businesses. Opposition to 2015 bill dealing with another subject. Changed when bill was amended in 2016. Support position removed due to 8/5/16 amendments. No Position.</p>	<p>To Governor</p>
<p>Other/Miscellaneous</p>	
<p>Tobacco Licenses. SB 1400 (Wieckowski; D-Fremont) Causes loss of jobs and revenue by severely restricting where tobacco may be sold. Oppose.</p>	<p>Held in Assembly Governmental Organization 6/21/16; Failed Deadline</p>

Subject—CalChamber Position	Status
Privacy and Confidentiality	
Increased Litigation Exposure and Data Security Costs. AB 83 (Gatto; D-Glendale) Before amendments, required employers to provide heightened security to expanded categories of data that do not pose a threat of fraud or identity theft to consumers. Opposition removed due to 8/19/16 amendments. Neutral.	Failed Passage in Assembly Judiciary 8/24/16
Duplicative Privacy Policy Requirements. AB 2623 (Gordon; D-Menlo Park) Before amendments, created duplicative and unnecessary requirements for privacy policies, thereby exposing businesses to increased litigation without providing additional information or protections to consumers. Opposition removed due to 4/28/16 amendments. No Position.	To Governor
Creates Overly Prescriptive Mandates. AB 2688 (Gordon; D-Menlo Park) Interferes with the beneficial uses of commercial health monitoring devices and creates a bad precedent for online consent by creating overly prescriptive and unprecedented consumer consent mandates for these devices. Oppose.	Senate Floor 8/30/16
Stymies Drone Innovation. SB 868 (Jackson; D-Santa Barbara) Interferes with drone innovation and utilization by creating overly burdensome rules that severely restrict where drones can operate and may conflict with Federal Aviation Administration regulations. Oppose.	Assembly Privacy and Consumer Protection 6/9/16: Failed Deadline
Decreases Mobile Phone Security. AB 1681 (Cooper; D-Elk Grove) Exposes millions of consumers to increased data breach risks and companies to data breach liability by mandating all mobile phones sold in California allow for a “backdoor” entry to any encryption or security protections. Oppose.	Held in Assembly Privacy and Consumer Protection 4/13/16; Failed Deadline
Proprietary Information Sharing Mandate. SB 949 (Jackson; D-Santa Barbara) Potentially exposes confidential and proprietary information by granting the Governor broad authority to demand that companies operating critical infrastructure turn over information. Oppose.	Senate Governmental Organization 2/18/16; Failed Deadline
Creates Unnecessary and Burdensome Mandates on Business. AB 1993 (Irwin; D-Thousand Oaks) Unnecessarily interferes with current processes designed to efficiently respond to information requests by mandating that each business designate a single individual to respond to every law enforcement information request and provide status updates. Oppose.	To Governor
Stifles Drone Innovation. AB 2724 (Gatto; D-Glendale) Before amendments, interfered with drone innovation and use by creating overly burdensome mandates, including premature insurance requirements and the use of specific technology. Opposition removed due to 6/1/16 amendments. No Position.	To Governor
Stymies Business Use of Government Materials. AB 2880 (Committee on Judiciary) Before amendments, interfered with businesses’ ability to reproduce, develop a database or use public documents and materials by granting the state unprecedented authority to assert copyright over anything it creates or acquires. Opposition removed due to 6/21/16 amendments. No Position.	Senate Inactive File 8/29/16
Interferes with Consumer Interaction and Retention. AB 2867 (Gatto; D-Glendale) Stymies certain businesses’ ability to interact with consumers, address service and pricing issues, and explain procedures by mandating that businesses have a technology-specific online cancellation process. Oppose.	Assembly Floor 5/4/16
Drone Flight Guidelines. AB 2148 (Holden; D-Pasadena) Before amendments, required Department of Fish and Wildlife to develop guidelines for drone use over public lands managed by the department. Opposition removed due to 5/12/16 amendments. No Position.	To Governor
Interferes with Consumer Interaction and Retention. SB 1428 (E. Hernandez; D-West Covina) Stymies businesses’ ability to interact with consumers, address service and account issues, and explain procedures by mandating that businesses have a technology-specific online cancellation process. Oppose.	Held in Assembly Privacy and Consumer Protection 6/9/16; Failed Deadline

Subject—CalChamber Position	Status
Increases Security of Business Data. AB 2720 (Chau; D-Monterey Park) Increases security of sensitive business data maintained by the state, by creating a security program modeled after private industry that offers monetary rewards to individuals who identify vulnerabilities in the state’s computer network. Support.	Held in Assembly Appropriations Suspense File 5/27/16; Failed Deadline
Increases Government Efficiency. AB 2296 (Low; D-Campbell) Creates more efficient interactions between agencies and businesses by allowing California public agencies to accept digital signatures. Support.	Signed—Chapter 144
Increases Litigation on Transportation Network Companies. AB 2777 (Nazarian; D-Sherman Oaks) Creates additional liability for transportation network companies by setting an unnecessary legal standard for companies that fail to “opt in” to the duplicative background check program. Oppose.	Failed Passage in Assembly 6/2/16
Stymies Autonomous Vehicle Innovation. AB 1592 (Bonilla; D-Concord) Before amendments, dissuaded businesses from participating in an autonomous vehicle pilot project, by inappropriately prohibiting legitimate uses of data collected from the project and creating litigation exposure. Opposition removed due to 8/19/16 amendments. Neutral.	To Governor
Drone Accident Reporting. AB 1662 (Chau; D-Monterey Park) Requires drone operators to report accidents resulting in injuries to persons or property. Oppose.	To Governor
Overly Broad Restrictions. AB 1671 (Gomez; D-Los Angeles) Before amendments, created unnecessary and unconstitutional restrictions on the media and broadcast industry by criminalizing the production and distribution of certain content. Opposition removed due to 8/30/16 amendments. No Position.	To Governor
Criminalizes Ransomware. SB 1137 (Hertzberg; D-Van Nuys) Creates a new crime for placing a contaminant into a computer system that restricts access to information and demanding a ransom to remove the restriction. Support.	To Governor
Recycling	
Burdensome Reporting Requirement. AB 2530 (Gordon; D-Menlo Park) Burdens beverage manufacturers by requiring specific reporting requirements indicating the percentage of postconsumer recycled content beverage containers. Oppose.	To Governor
Provides Businesses Certainty. SB 423 (Bates; R-Laguna Niguel) Provides certainty and reduces unnecessary costs for businesses by requiring the Department of Toxic Substances Control to provide consensus recommendations for the management of surplus household consumer products in order to reduce the number of products unnecessarily treated as hazardous waste. Support.	To Governor
Regulatory Reform	
Regulatory Reform. AB 870 (Cooley; D-Rancho Cordova) Promotes greater accountability, improved efficiency and modernization of regulations by requiring agencies to review and update their regulations. Support.	Senate Rules 8/15/16
Major Regulations. AB 1868 (Wagner; R-Irvine) Strengthens the accountability and transparency of the state’s regulatory process, which paves the way to effective and least burdensome regulations. Support.	Failed Passage in Assembly Appropriations 5/11/16

Subject—CalChamber Position	Status
Retirement Systems	
<p>State-Run Retirement Program for Private Sector Employees. SB 1234 (de León; D-Los Angeles) Before amendments, potentially created liabilities, costs and administrative burdens for employers by creating a mandated state-run retirement savings program for private sector employees without sufficiently addressing liability and costs. Opposition removed due to 8/15/16 amendments. No Position.</p>	To Governor
<p>Retirement Fund Divestiture. AB 2283 (Calderon; D-Whittier) Unfairly targets one type of business and potentially jeopardizes retirement funds by requiring the California Public Employees’ Retirement System and the State Teachers’ Retirement System boards to divest from securitized home rental properties based on principles unrelated to fiduciary responsibility to the retirees, rather than making investment decisions based on sound economic principles. Oppose.</p>	Failed Passage in Assembly Public Employees, Retirement and Social Security 4/20/16; Reconsideration Granted
Surface Mining and Reclamation Act	
<p>Modernizes Operation of Surface Mines. AB 1142 (Gray; D-Merced) Strengthens the Surface Mining and Reclamation Act to promote better communication between government agencies and operators, ensure that mines are inspected by qualified professionals, and clarify due dates for various compliance requirements. Support.</p>	Signed 4/18/16—Chapter 7
<p>Modernizes Operation of Surface Mines. SB 209 (Pavley; D-Agoura Hills) Strengthens the Surface Mining and Reclamation Act by, among other things, permitting the use of corporate financial tests to serve as a financial assurance mechanism under the Surface Mining and Reclamation Act. Support.</p>	Signed 4/18/16—Chapter 8
Taxation	
<p>Split Roll. SCA 5 (Hancock; D-Berkeley) Undermines the protections of Proposition 13 by unfairly targeting commercial property owners and increasing their property taxes by assessing their property based upon current fair market value instead of acquired value. Such costs will ultimately be passed on to consumers and tenants through higher prices and will result in job loss as businesses struggle to absorb such a dramatic tax increase. Oppose/2015 Job Killer.</p>	Senate Governance and Finance 4/12/16
<p>Lowers Vote Requirement for Tax Increases. ACA 8 (Bloom; D-Santa Monica) Adds complexity and uncertainty to the current tax structure and pressure to increase taxes on commercial, industrial and residential property owners by giving local governments new authority to enact special taxes for storm and wastewater infrastructure, including parcel taxes, by lowering the vote threshold from two-thirds to 55%. Oppose/Job Killer.</p>	Assembly Local Government 6/23/16
<p>Expansion of Tax Authority to Local Entities. ABX2 10 (Bloom; D-Santa Monica) Reduces sales of one particular industry and therefore the anticipated revenue those local entities will receive by authorizing cities and counties to impose another targeted tax on such products. Oppose.</p>	Vetoed
<p>Targeted Tax. AB 2782 (Bloom; D-Santa Monica) Threatens jobs in beverage, retail and restaurant industries by arbitrarily and unfairly targeting certain beverages for a new tax in order to fund health programs. Oppose/Job Killer.</p>	Assembly Health 3/31/16
<p>Reduces Risk of Double Taxation. AB 2771 (Irwin; D-Thousand Oaks) Decreases the risk of a taxpayer being double taxed, by simplifying apportionment rules for income earned in another state. Support.</p>	Held in Assembly Appropriations Suspense File 5/27/16

Subject—CalChamber Position	Status
Extension to File and Pay Taxes to Board of Equalization. AB 1559 (Dodd; D-Napa) Seeks to reduce the burden on a taxpayer who has been a victim of a disaster by providing the Board of Equalization with authority to grant a three-month extension for such a taxpayer to file a return or remit a tax payment. Support.	To Governor
Reduces Risk of Double Taxation. SB 1449 (Nguyen; R-Garden Grove) Decreases the risk of a taxpayer being double taxed, by simplifying apportionment rules for income earned in another state. Support.	Held in Senate Appropriations Suspense File 5/27/16
Incentivizes Contributions to College Savings Programs. AB 2726 (McCarty; D-Sacramento) Promotes educational opportunities and workforce development by creating a tax incentive for contributions to college savings accounts. Support.	Held in Assembly Appropriations Suspense File 5/27/16
Tax Administration. AB 2201 (Brough; R-Dana Point) Proposes to maintain fairness with regard to the computation of interest on a late electronic payment to the Board of Equalization by reinstating the authority of the BOE to compute interest on a daily basis instead of a monthly basis if listed circumstances are satisfied. Support.	To Governor
Parcel Tax Notice. AB 2476 (Daly; D-Anaheim) Ensures that a property owner has sufficient time to potentially challenge the parcel tax if necessary by providing notice and information of a local agency or legislative body’s vote to place a parcel tax on the ballot to a property owner, who does not reside within the jurisdiction of the agency or legislative body. Support.	To Governor
Liability for the Collection of Local Taxes. SB 1422 (Glazer; D-Contra Costa) Avoids unnecessary and costly litigation against those entities that hold such a franchise by clarifying existing law that a holder of a state franchise for the provision of a video service that is required to collect a mandated tax cannot be held liable for collecting that tax. Support.	Signed—Chapter 156
Tax Assessment of Certified Aircraft. SB 1329 (Hertzberg; D-Van Nuys) Before amendments, maintained current assessment method for certified aircraft and allowed a trial <i>de novo</i> review of assessments that are appealed to provide the court with a complete record of evidence. Support position removed due to 5/31/16 amendments. No Position.	Assembly Inactive File 8/23/16
Tax Conformity. AB 1775 (Oberholte; R-Big Bear Lake) Eases burden of taxpayers by conforming state filing dates for tax returns with federal dates. Support.	To Governor
Change of Ownership. SB 259 (Bates; R-Laguna Niguel) Provides clarity regarding change of ownership of commercial property for purposes of reassessment in accordance with Proposition 13. Support.	Held in Senate Appropriations 1/21/16; Dead
Telecommunications	
Transition to Modern Telecommunications. AB 2395 (Low; D-Campbell) Establishes a pathway to transition old phone lines to more modern Internet Protocol networks that are environmentally clean while ensuring that no one is left without phone service by maintaining existing service until another carrier can be found. Support.	Held in Assembly Appropriations Suspense File 5/27/16; Failed Deadline
Internet Regulation. AB 1758 (M. Stone; D-Scotts Valley) Threatens innovation by inappropriately inserting the California Public Utilities Commission into regulating the Internet and conflicts with existing California and federal policies that make clear the CPUC has no jurisdiction over Internet access, services or rate setting. Oppose.	Assembly Utilities and Commerce 3/28/16
Expedites Permits. AB 2788 (Gatto; D-Glendale) Expedites infrastructure expansion for reliability and next generation wireless communications by deeming the use of small cell antennas a permitted use in all local zoning districts. Support.	Held in Senate Energy, Utilities and Communications 6/15/16; Failed Deadline

Subject—CalChamber Position	Status
Tourism	
California Travel and Tourism Month. ACR 166 (Chu; D-San Jose) Proclaims every May as California Travel and Tourism Month to celebrate the industry and its significant contribution to the California economy. Support.	Resolution Chapter 58 6/16/16
Transportation and Infrastructure	
Stifles Ridesharing. SB 1035 (Hueso; D-San Diego) Imposes burdensome and unnecessary rate-setting regulations on transportation network companies under the California Public Utilities Commission, thereby stifling innovation and economic growth. Oppose.	Failed Passage in Senate Transportation and Housing 4/19/16
Increases Transportation Network Company Use of Electric Vehicles. AB 2763 (Gatto; D-Glen-dale) Incentivizes transportation network company use of electric vehicles by allowing drivers to use leased or rented electric vehicles when providing rides. Support.	To Governor
Discriminates Against Specific Technology. AB 1785 (Quirk; D-Hayward) Creates additional distracted driving laws that unnecessarily target specific technological devices rather than penalizing behavior, thereby discriminating against certain products and industries. Oppose.	To Governor
Increased Vehicle Costs. AB 1108 (Burke; D-Inglewood) Creates unnecessary and burdensome mandates on vehicle sales, which would increase employer costs for fleet vehicle purchases. Oppose.	Senate Rules 8/17/16
Water Supply and Quality	
Erodes Housing Affordability. SB 1318 (Wolk; D-Davis) Inappropriately leverages necessary affordable housing in order to solve infrastructure issues with the consequence that the housing won't be built by imposing requirements on water or wastewater districts to serve certain communities first. Oppose/ Job Killer.	Held in Assembly Local Government 6/9/16; Failed Deadline
Conveyance. AB 1713 (Eggman; D-Stockton) Delays construction of much-needed water conveyance, putting business and citizens in danger of severe water shortages by requiring a statewide initiative vote before proceeding with any Delta conveyance systems. Oppose.	Held in Assembly Appropri- ations Suspense File 5/27/16; Failed Deadline
New Permits. SB 1317 (Wolk; D-Davis) Eliminates local decision making on groundwater sustainability by prohibiting farms from sinking any new wells in certain water basins. Oppose.	Assembly Local Govern- ment 6/20/16
Disclosure. AB 1520 (M. Stone; D-Scotts Valley) Removes protections that safeguard production capacity and other sensitive production data from disclosure to competitors by requiring commercial, industrial and institutional water users to publicly disclose usage, supposedly to enforce compliance with water conservation goals. Oppose.	Failed Passage in Senate 8/19/16
Mandated Recycling. SB 163 (Hertzberg; D-Van Nuys) Before amendments, significantly increased the cost for wastewater treatment per month to business and residents by forcing sanitation agencies with ocean discharge to recycle half their discharge by 2026 and all their discharge by 2036. Opposition removed when gutted and amended to a different subject on 8/18/16. No Position.	Assembly Environmental Safety and Toxic Materials 8/18/16
Delays New Housing. SB 1263 (Wieckowski; D-Fremont) Before amendments, delayed new housing by imposing ambiguous standards for permitting new water districts and also allowed the State Water Board to deny the permit even if all conditions are met. Opposition removed due to 6/29/16 amendments. Neutral.	To Governor
Water Savings. AB 2525 (Holden; D-Pasadena) Helps conserve water through economic incentives to promote efficient use of water in landscapes and water grass replacements. Support.	Held in Assembly Appropri- ations Suspense File 5/27/16; Failed Deadline

Subject—CalChamber Position	Status
Delta Conveyance. AB 2583 (Frazier; D-Oakley) Delays construction of needed Delta conveyance by changing the rules for operation, funding, management and construction, undoing years of state and federal collaboration. Oppose.	Failed Passage in Assembly Water, Parks and Wildlife 4/19/16
Water Efficiency. SB 1233 (McGuire; D-Healdsburg) Reduces water usage by providing a funding mechanism for property owners to purchase water-efficient appliances and drought-tolerant landscaping. Support.	Held in Assembly Appropriations Suspense File 8/11/16
Goals. AB 1925 (Chang; R-Diamond Bar) Creates an incentive to continue to pursue desalination projects as a viable means to create additional water. Support.	Assembly Appropriations 4/19/16; Failed Deadline
Irrigation. AB 1704 (Dodd; D-Napa) Expedites the registration process for wineries' small irrigation ponds by consolidating two registration processes into one. Support.	Held in Senate Appropriations Suspense File 8/11/16
Stifles New Housing. AB 2616 (Burke; D-Inglewood) Before amendments, authorized the Coastal Commission to impose conflicting housing requirements from local governments in the coastal zone, resulting in barriers to new housing and limitations to the rental market. Opposition removed due to 5/31/16 amendments. Neutral.	To Governor
Workers' Compensation	
Increases Workers' Compensation Costs. SB 1160 (Mendoza; D-Artesia) Before amendments, increased workers' compensation costs on employers by significantly raising reporting penalties, removing statutory treatment caps, adding unnecessary utilization review requirements and undercutting the use of evidence-based medicine. Opposition removed due to 8/18/16 amendments. No Position.	To Governor
Increased Workers' Compensation Costs. AB 2230 (Chu; D-San Jose) Before amendments, unnecessarily barred employers from choosing interpreter vendors, thereby eliminating the ability to negotiate lower rates and increasing system costs. Opposition removed due to 5/5/16 amendments. No Position.	To Governor
Increased Workers' Compensation Costs. AB 1643 (Gonzalez; D-San Diego) Significantly expands scope of workers' compensation system and increases costs by forcing employers to provide disability benefits for nonindustrial injuries. Oppose.	To Governor
Increased Workers' Compensation Medical Costs. AB 2407 (Chávez; R-Oceanside) Undercuts and delays evidence-based medical treatments by mandating unnecessary and redundant consultations, assessments, and treatment plans. Oppose.	Assembly Rules 5/24/16; Failed Deadline
Simplifies Workers' Compensation Policy Negotiations. AB 1922 (Daly; D-Anaheim) Reduces unnecessary delays and disruptions in negotiations between large, sophisticated insurance purchasers and insurers by limiting the number of documents related to the workers' compensation policies that must be filed with the Department of Insurance for employers who meet certain thresholds. Support.	To Governor
Discourages Workers' Compensation Fraud. AB 1244 (Gray; D-Merced) Decreases medical provider fraud in the workers' compensation system by barring physicians who have been convicted of fraud or abuse in the Medicare, Medicaid or Medi-Cal programs from treating injured workers. Support.	To Governor
Significant Increase in Workers' Compensation Costs. SB 563 (Pan; D-Sacramento) Before amendments, exposed injured workers to potentially inappropriate treatment, undercut the recent workers' compensation reforms and significantly increased workers' compensation costs by eliminating the Utilization Review and Independent Medical Review process for many treatment requests. Job killer tag and opposition removed due to 1/4/16 amendments. Neutral/ Former 2015 Job Killer.	Assembly Inactive File 8/31/16

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