

# ALERT

## Just 1 Job Killer Remains *1 Stopped, 1 Amended in Final Days of Session*



Strong opposition from the California Chamber of Commerce and its allies in the closing days of the legislative session prevented one energy-related job killer

bill from advancing and helped secure removal of one of the more onerous elements of an employment-related job killer proposal as well.

### AB 893: Higher Energy Costs

On August 31, the last day of the session, the Senate Rules Committee failed to garner enough votes to move the newest CalChamber job killer, **AB 893 (E. Garcia; D-Coachella)**.

AB 893 was tagged as a job killer because it would have discouraged energy-dependent businesses from growing in California and added new overhead

costs for all California employers. AB 893 also created incentives for utilities to purchase out-of-state power to satisfy the mandate, threatening even more California jobs.

AB 893 required the procurement of a large amount—4,250 megawatts—of additional and unneeded geothermal, solar, and wind power. CalChamber’s analysis found that this would have substantially increase rates for California ratepayers.

In addition, AB 893 would have created a procurement process outside of the current “least-cost, best-fit” competitive bidding process.

### SB 1300: Harassment/ Discrimination Claims

Former job killer **SB 1300 (Jackson; D-Santa Barbara)**, dealing with harass-

*See Just 1: Page 5*

## State Supreme Court Ruling Protects Employers, Preserves Workers’ Comp Exclusivity



The California Supreme Court recently ruled in favor of employers, finding that an employee’s tort claims against a doctor who reviewed workers’ compensation cases is preempted

by the workers’ compensation law.

In December 2016, the California Chamber of Commerce filed a [friend-of-the-court brief](#) in the case of *King v. CompPartners, Inc.* (S232197), arguing that the appellate court erred by ruling that utilization review doctors—who look at records to decide whether a worker’s treatment was appropriate, but do not examine the patient personally—have established a physician-patient relationship and therefore owe a duty of care to the injured workers.

The CalChamber had urged the state high court to reverse the appellate court decision, stating: “Letting this decision stand would result in wildly expanding potential liability in a system specifically designed to limit liability in exchange for certainty of benefits.”

*See State Supreme Court: Page 4*



Jennifer Barrera, CalChamber senior vice president, policy, explains in the latest [CalChamber Capitol News Report video](#) that job killer AB 3080 will delay the resolution of disputes for employers and employees. CalChamber is asking the Governor to veto AB 3080 as he did a similar bill three years ago.

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- [Major Bills Status Update: Pages 7-27](#)

## Labor Law Corner

# Opinions Can Differ on What's a 'Reasonable' Cost for Work Shoes



**David Leporiere**  
HR Adviser

*My company is in the manufacturing industry, and due to the nature of the business, our employees are required to wear safety shoes at work. We provide our employees with shoes that meet all of the legal requirements, and that cost us approximately \$80 per pair. One of my employees recently came to me and stated that his old shoes had worn out, and that he had gone out and purchased a new pair of safety shoes to use at work. He*

*brought me the receipt, which showed he had spent \$400 on a pair of safety shoes. We have a written company policy that requires employees to obtain advance approval before purchasing any equipment or products for use in the workplace. The employee is asking to be reimbursed for the shoes. Do I have to give him the \$400 for the shoes?*

There are a couple of sections in the California Labor Code that address this issue.

Labor Code Section 6401 states that every employer shall furnish and use safety devices and safeguards which are reasonably adequate to render employment safe and healthful.

Labor Code Section 2802 requires employers to indemnify their employees for all necessary expenditures incurred in direct consequences of the discharge of their duties. This section goes on to state "necessary expenditures" shall include all "reasonable costs."

From your question, it seems as though your company provides shoes that are reasonably adequate to render a safe

and healthful employment environment. Furthermore, the employee purchased the shoes without advance approval, in violation of company policy. In addition, a strong argument could be made that the cost of the shoes, in and of itself, is not "reasonable" within the meaning of the Labor Code.

As a result, there's a strong likelihood that you could deny the employee's request, and instead offer him a new pair of shoes from the company's stock of safety shoes.

However, whenever the terms "reasonable" or "reasonably" are used in a legal statute, there can be differing opinions, and we recommend that you seek legal advice when you are trying to determine if you, as an employer, are acting reasonably.

*Column based on questions asked by callers on the Labor Law Helpline, 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](http://www.hrcalifornia.com).*

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## CalChamber-Sponsored Seminars/Trade Shows

More at [www.calchamber.com/events](http://www.calchamber.com/events).

### Labor Law

Lead the Charge: Preventing Sexual Harassment in Your California Workplace. CalChamber. September 17, Pasadena. (800) 331-8877.

HR Checklist for California Supervisors. CalChamber. September 20, Webinar. (800) 331-8877.

HR Boot Camp. CalChamber. October 17, San Francisco – SOLD OUT; December 7, Oakland. (800) 331-8877.

HR Symposium. CalChamber. November 2, San Francisco. (800) 331-8877.

### Business Resources

13th Annual Prop. 65 Conference. Prop. 65 Clearinghouse. September 24, San Francisco. (415) 385-4364. Special rate for CalChamber members.

BusinessH2O Water Innovation Summit: Best Practices from the U.S. and Israel. U.S. Chamber of Commerce. December 10–11, Phoenix, Arizona. (202) 463-5484.

### International Trade

Grow Your Sales, Brand and Business in

Israel. IBT Online. September 12, Webinar.

Brazil FinTech Roadshow. Fintech. September 17–19, São Paulo, Brazil. (772) 388-6496.

Bureau of Industry and Security: Export Regulation Course. Southern California District Export Council. September 19, Los Angeles. (310) 235-7203.

Central America Energy Transition Roundtable. Institute of the Americas. September 20, San Jose, Costa Rica. (858) 453-5560.

The U.S.-Vietnam Trade and Investment Forum 2018. Ministry of Industry and Trade of Vietnam and Consulate General of Vietnam in Los Angeles. September 25, Los Angeles.

*See CalChamber-Sponsored: Page 4*

## CalChamber Calendar

*Public Affairs Conference:*

November 27–28, Huntington Beach



# Independent Contractor Coalition Continues Working for Legislative Solution



The effort to develop a proposal supporting the ability of

workers to work independently will continue through the legislative recess.

As many employers know, the California Supreme Court outlined a new test in *Dynamex Operations West, Inc. v. Superior Court*, No. S222732 (April 30, 2018) to determine whether a worker must be classified as an employee, rather than as an independent contractor, and subject to all the laws governing wages, hours and rest breaks, as well as the withholding of taxes.

The Supreme Court replaced a totality of circumstances test that it had created with a decision in 1989 and replaced it with an “ABC” test of three factors, the most significant being that the worker performs work which is not the hiring entity’s usual business.

The consequences of misclassifying a worker as an independent contractor instead of an employee can be costly. In addition to penalties for violating employment laws, compensation could be required retroactively for breaks and overtime.

## CalChamber Concerns

Because the court provided no exemptions and indicated that a worker is presumed to be an employee, the California

Chamber of Commerce is very concerned about the potential consequences for businesses as well as the individuals who intentionally perform freelance work.

During the final month of the legislative session that just ended, the CalChamber advocated that the Legislature engage on this issue and delay the litigation impact of the case for a year to provide the time to develop an up-to-date test that mirrors the realities of an on-demand economy and the desire of many workers to be self-employed.

The court could consider only the facts presented in the case in front of the justices. In determining the outcome of the *Dynamex* case, the court was constrained to rely on a wage order that was last updated well before the first smartphone was introduced into the California economy.

The Legislature, on the other hand, could and should take testimony from all affected businesses and workers to fashion a law that protects workers but also gives them the freedom to pursue their own schedules.

The affected professions and industries include on-demand services, such as transportation, child care and health care, as well as music instructors, insurance agents and physicians.

## Labor Opposition

CalChamber led a coalition of at-risk

employers and independent contractors seeking to, at a minimum, delay the litigation impacts for a year so that the Legislature could work out a compromise.

Hundreds of independent contractors gathered at the State Capitol to urge policymakers to protect the ability to work independently or freelance.

Unfortunately, organized labor was strongly opposed to an approach that would modify the court decision. Employees are much easier to organize than independent contractors and the labor unions are supportive of the court’s ruling as it stands.

## Outlook

It seems that many members of the Legislature are sensitive to the need to weigh in.

It was the shortness of time, well after the Legislature’s committee process had concluded, the complexity of the issue and the strong opposition of organized labor that made an August solution impossible.

CalChamber will be working with and continuing to build a coalition of affected workers and businesses over the legislative recess. Coalition members hope to have legislation introduced when the Legislature returns to begin a new session after the election.

**Staff Contact: Jennifer Barrera**

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## State Supreme Court Workers' Comp Case Ruling Protects Employers

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### Background

According to court filings, the plaintiff in the case, Kirk King, sustained a back injury while on the job in February 2008. In July 2011, King suffered anxiety and depression due to chronic back pain resulting from the injury. He was prescribed an anti-anxiety drug.

Two years later, CompPartners Inc. conducted a utilization review of the medical treatment to determine if the drug was medically necessary. A CompPartners doctor, Naresh Sharma, decided King's prescription was not medically necessary and the prescription was decertified.

King and his wife sued, asserting he was injured due to seizures he suffered because of the sudden cessation of the drug. His lawsuit contended that Sharma and a second doctor employed by CompPartners had a duty to warn King of the dangers of abruptly ceasing the medication.

The trial court rejected the lawsuit on the grounds that the claim should have been handled through the workers' compensation system. The Fourth Appellate District Court of Appeal partly reversed the ruling, finding that the trial court should have allowed King to amend his complaint because it was plausible that, when more details are provided, they could support a conclusion that Sharma had a duty to warn King about the risk of seizures.

### Supreme Court Decision

Justice Leandra R. Kruger authored the August 23 ruling with two concurring opinions. The Supreme Court examined two main issues:

1. Are the injuries the Kings allege the sort of injuries that are covered by the workers' compensation exclusive remedy?

2. Are the defendants entitled to the protections of workers' compensation exclusivity?

The Court found the answer to the first question straightforward—"because the Kings allege injuries that are derivative of a compensable workplace injury, their claims fall within the scope of the workers' compensation bargain and are therefore compensable within the workers' compensation system."

Although the Court of Appeal agreed with this conclusion insofar as the allegation was based on an erroneous medical necessity determination, the Court of Appeal had found the exclusivity provisions did not apply to the extent the complaint was based on a failure to warn of the adverse consequences of abruptly stopping the medication. The Supreme Court found this distinction to be an error: "The utilization review provisions of the WCA [Workers' Compensation Act] govern not only the substance of a utilization review decision . . . but also the content of the responses communicating the decision."

To answer the second question, the Supreme Court noted that "it has long been held that workers' compensation exclusivity preempts tort claims against certain other persons and entities" beyond the employer. Tort claims against insurers, "as the 'alter ego' of the employer" and independent claims administrators and adjusters are preempted.

"The question is whether the WCA, properly interpreted, also preempts tort claims against utilization reviewers hired by employers to carry out their statutory claims processing functions. Viewing the question against the backdrop of our precedents, we conclude the answer is yes."

The Supreme Court acknowledged the

Kings' policy arguments that utilization reviewers should be held accountable to the same extent as treating physicians. The Court however recognized that the statute's treatment of utilization reviewers is consistent with the tradeoff underlying the workers' compensation system—"swift and certain payments for medical treatment without having to prove fault, but, in exchange, [employees] give up their right to sue in tort. . . ."

In addition, allowing plaintiffs to bring tort suits against utilization reviewers would be contrary to the Legislature's goal of replacing the cumbersome and lengthy dispute process with one that balances speed and accuracy. The Supreme Court also pointed out that the workers' compensation exclusivity does not bar tort remedies resulting from acts that "fall outside the risks encompassed within the compensation bargain."

### Concurring Opinions

Although Justice Goodwin H. Liu concurred with the ruling, he noted that the Legislature "may wish to examine whether the existing safeguards provide sufficient incentives for competent and careful utilization review."

Justice Mariano-Florentino Cuéllar noted in his concurrence the importance of the common law remedies and "why courts must continue to proceed with caution when considering . . . whether a statute abrogates tort causes of action that ordinarily serve to incentivize good behavior, compensate for injuries, and right moral wrongs."

The CalChamber amicus brief was prepared by Randall G. Poppy of Finnegan Marks Theofel Desmond APC.  
**Staff Contact: Heather Wallace**

## CalChamber-Sponsored Seminars/Trade Shows

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What Diplomats Do and Why It Matters. Commonwealth Club. September 25, San Francisco. (415) 597-6705.

India Energy Storage and Smart Grid Program. U.S. Trade and Development Agency. September 26–October 6, San Francisco and Washington, D.C. (301) 776-6509.

Annual Export Symposium. National Association of District Export Councils. October 2, Washington, D.C. (407) 255-9824.

2018 U.S.-Taiwan Business Day. Bureau of Foreign Trade, Ministry of Economic Affairs and Taiwan External Trade Development Council. October 4, Taipei, Taiwan. (408) 988-5018, ext. 202.

International Consulate Reception. East Bay Economic Development Alliance. October 25, Oakland. (510) 272-6746.  
China International Import Expo. China International Import Export Bureau. November 5–10, Shanghai, China.  
GetGlobal 2018. GetGlobal. November 7–8, Los Angeles.

## Personal Care Product Ban Amended



A California Chamber of Commerce-**opposed** bill that would have banned California

sales of many personal care products has been amended to reduce its negative impact, thanks to strong opposition from the business community.

Before the August 28 amendments, **SB 1249 (Galgiani; D-Stockton)** jeopardized hundreds of thousands of California manufacturing, distribution and retail jobs by effectively banning for sale any personal care product whose ingredient was tested on animals on or after January 1, 2020 anywhere in the world, by anyone, at any time, and for any purpose.

The coalition of SB 1249 opponents, including the CalChamber, had argued that many cosmetic products contain active ingredients that are required by state, federal and international law to be

animal tested for purposes of demonstrating human health and safety. SB 1249 as originally proposed would have created a severe handicap for U.S. cosmetic companies that have no control over animal testing done on shared ingredients for purposes unrelated to cosmetics.

The SB 1249 ban would have applied to a variety of products, including: sunscreen, lip balm with sunscreen, anti-cavity toothpaste, mouthwash, anti-dandruff shampoo, acne products, soap, antiperspirant, deodorant, cosmetics, hair color, nail products, under eye cream, moisturizer, body cream, body cleansers, face wash.

The original intent of the bill was to align California with current European Union (EU) regulations banning animal testing on cosmetic products or ingredients, which would have effectively made California the leading state with the toughest animal testing ban in the country.

As previously drafted, however, SB 1249 forced retailers to pull any personal

care product, not just cosmetics, off the shelves if even one ingredient is tested on animals anywhere in the world, by any other industry, at any time, for any reason.

### Opposition Removed

CalChamber removed its opposition to the bill because the August 28 amendments balance the industry's shared desire to make animal testing obsolete globally with the reality that there are still legal requirements in place that require animal testing in limited circumstances to demonstrate human health and safety. SB 1249 as amended holds personal care product manufacturers accountable for ensuring animal testing is not performed by their direct suppliers and protects the 415,000 California jobs in the personal care products industry.

CalChamber now has no position on the bill. The bill passed the Assembly and Senate on August 31 and now awaits action by the Governor.

**Staff Contact: Adam Regele**

## Just 1 Job Killer Remains

*From Page 1*

ment and discrimination claims, was amended on August 20 to remove the provisions from the bill that created a new, stand-alone private right of action for failure to prevent harassment or discrimination.

CalChamber remains opposed to SB 1300 because the bill limits the use of nondisparagement agreements and general releases, restricts the ability to summarily adjudicate harassment claims and lowers the legal standard for actionable harassment claims. These provisions will significantly increase litigation against California employers and limit their ability to invest in their workforce.

SB 1300 passed the Assembly on August 30, 41-33. The Senate concurred in Assembly amendments on August 31, 25-10. The bill awaits action by the Governor.

### AB 3080: Last Job Killer

Only one job killer remains active: **AB 3080 (Gonzalez Fletcher; D-San Diego)**, which passed the Senate on August 22, 26-12, and is awaiting action by the Governor.

The CalChamber has labeled AB 3080 as a job killer because it will create more litigation, significant delays in the resolution of disputes and higher costs for employers and employees.

Jennifer Barrera, CalChamber senior vice president, policy, recaps the problems with AB 3080 in the latest [CalChamber Capitol News Report video](#) and the [Capitol Insider blog wrap-up](#) of the session.

In the video, Barrera points out that if AB 3080 becomes law, "it will prevent employers and employees from utilizing arbitration as a way in which to resolve

their disputes and will force all of these disputes into the court system."

Her blog post notes: "AB 3080 has been portrayed as a part of the #metoo movement, but upon review, is much broader than just sexual harassment. It seeks to prohibit and limit settlement agreements, arbitration agreements, and class action waivers for any labor and employment claim.

"This includes claims that have nothing to do with sexual harassment, such as meal periods, rest periods, paystub errors, sick leave, etc. It also subjects an employer to criminal liability for any violation of the various provisions."

August 31 was the last day for the Legislature to send bills to the Governor's desk. For a full overview of the status of major business bills when legislators began their final recess, see the Status Report pages inside this *Alert*.

Tools to stay in touch with your legislators.

[calchambervotes.com](http://calchambervotes.com)

# U.S.-Mexico-Canada Trade Talks Continue



President Donald J. Trump on Friday, August 31 notified Congress of “his intention to enter into a trade

agreement with Mexico—and with Canada if it is willing, in a timely manner, to meet the high standards for free, fair, and reciprocal trade contained therein.”

It had been hoped that Canada would have joined the United States and Mexico in reaching a preliminary trilateral free trade agreement in principle, subject to finalization and implementation, to update the 24-year-old North American Free Trade Agreement (NAFTA) that accounts for more than \$1 trillion in annual trade with modern provisions representing a 21st century, high-standard agreement. Instead, negotiations with Canada are ongoing.

After Canada was sidelined from the trilateral trade negotiations for more than two months, the three countries were aiming to seal a trade pact by August 31 to allow Mexican President Enrique Peña Nieto to sign it before he leaves office at the end of November.

Many negotiators wanted a deal before the newly elected Mexican president, Andrés Manuel López Obrador, takes office on December 1. This timeline accommodates a 90-day waiting period under U.S. trade law referred to as Trade Promotion Authority before President Trump can sign the pact.

The United States also faces midterm elections in November, and Canadian Prime Minister Justin Trudeau a national one expected by October 2019.

## U.S.-Mexico Trade Agreement

As of August 27, the United States and Mexico had reached a preliminary agreement in principle, subject to finalization and implementation, to update the 24-year-old NAFTA with modern provisions representing a 21st century, high-standard agreement.

According to the U.S. Trade Representa-

tative (USTR), the updated agreement will support mutually beneficial trade leading to freer markets, fairer trade, and robust economic growth in North America.

The California Chamber of Commerce looks forward to learning more details of this agreement, and to a completed trilateral free trade agreement including Canada that allows for certainty for all parties involved and follows the path of Trade Promotion Authority.

Per the USTR, the preliminary U.S.-Mexico agreement includes:

- Modernizing NAFTA to be a 21st century trade agreement.
- Rebalancing NAFTA to support manufacturing.
- Strengthening NAFTA for agriculture.

## NAFTA Goals

The goals of NAFTA are to eliminate trade barriers and facilitate movement of goods and services across borders, promote fair competition, increase investment opportunities, provide protection and enforcement of intellectual property rights, create procedures for trade disputes, and establish a framework for further trilateral, regional and multilateral cooperation to expand the trade agreement’s benefits.

## CalChamber Input

Since 2017, the CalChamber has been communicating with the Trump administration to support the renegotiation of a modernized NAFTA. Numerous rounds of trilateral negotiations among the United States, Canada and Mexico resulted in agreement on a number of chapters.

On June 12, 2017, the CalChamber submitted comments on “Negotiating Objectives Regarding Modernization of the North American Free Trade Agreement with Canada and Mexico” to the U.S. Trade Representative—with a copy to the California congressional delegation.

The new U.S.-Mexico agreement is written to last for 16 years, but would allow the countries involved to revise or modernize aspects of the deal every six years. The pact would continue for

another 16 years after it is revised. Originally, the CalChamber has opposed the proposed five-year sunset clause, as a forced re-examination of the pact on such a short time frame would cause uncertainty for all parties.

## CalChamber Position

The CalChamber understands that the NAFTA was negotiated more than 25 years ago, and, while our economy and businesses have changed considerably over that period, NAFTA has not. We agree with the premise that the United States should seek to support higher-paying jobs in the United States and to grow the U.S. economy by improving U.S. opportunities under NAFTA.

The provisions of the NAFTA with Canada and Mexico have been beneficial for U.S. industries, agricultural enterprises, farmers, ranchers, energy companies and automakers. Any renegotiation of NAFTA must recognize the gains achieved and ensure that U.S. trade with Canada and Mexico remains strong and without interruption.

The CalChamber actively supported the creation of the NAFTA among the United States, Canada and Mexico, comprising 489.5 million people with combined annual trade with the United States being around \$1.139 trillion in 2017. In 2017, goods exports exceeded \$525.46 billion, while goods imports totaled nearly \$614.02 billion.

The CalChamber’s longstanding support for NAFTA is based upon an assessment that it serves the employment, trading and environmental interests of California and the United States, as well as Canada and Mexico, and is beneficial to the business community and society as a whole. Since 1993, trade among the three NAFTA countries has nearly quadrupled.

Mexico and Canada are California’s largest and second largest export markets. A successful renegotiation of NAFTA will benefit the California economy and jobs.

**Staff Contact: Susanne T. Stirling**

# 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 began its final recess.

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 and in the Governor’s possession on or after September 1.

The CalChamber will publish its final status report, showing the ultimate fate of bills sent to the Governor this year, on October 5.

Bills signed by the Governor will become law on January 1, 2019. Urgency, tax and budget-related measures go into

effect immediately upon being signed, so the date the bill was signed is noted.

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 19.

Status of legislative action on bills as of August 31, 2018. Dates listed are the date the bill was assigned to a committee, the latest date of committee action, the next hearing date or when the bill reached the floor, unless action is stated.

## Agriculture, Food and Natural Resources

<b>Lawsuit Exposure.</b> AB 1335 (Bonta; D-Oakland) Increases frivolous liability claims and exposes beverage manufacturers and food retailers to fines and penalties by mandating state-only labeling requirements for sugar-sweetened drinks. Oppose.	Held in Senate Appropriations Suspense File 8/6/18
<b>Product Ban.</b> AB 2422 (Bloom; D-Santa Monica) Increases costs to businesses to exterminate pests by banning pesticides containing anticoagulants. Oppose	Assembly Water, Parks & Wildlife 4/11/18; Failed Deadline
<b>Land Use Restrictions.</b> AB 2528 (Bloom; D-Santa Monica) Potentially limits private land use by expanding areas protected for non-endangered species. Punishes landowners who managed their lands in a way to enhance the habitat of nearby species. Oppose Unless Amended.	To Governor
<b>Migratory Birds.</b> AB 2627 (Kalra; D-San Jose) Restricts land use by imposing new requirements on the take on migratory nongame birds. Oppose	Held in Senate Appropriations Suspense File 8/16/18
<b>Defensible Space.</b> AB 1954 (Patterson; R-Fresno) Encourages rural landowners to clear vegetation and timber within 300 feet of a habitable structure without the need for a costly Timber Harvest Plan in order to reduce the spread of wildfires. Support.	Signed—Chapter 207
<b>Coastal Agriculture.</b> AB 2754 (Levine; D-San Rafael) Helps agriculture operations stay viable in the coastal zone by clarifying their practices are not development activities but rather ongoing and routine maintenance. Support.	Assembly Natural Resources 3/19/18; Failed Deadline
<b>Timber Harvest Plans.</b> AB 2889 (Caballero; D-Salinas) Expedites the permitting process for a Timber Harvesting Plan (THP). Directs the Department of Forestry to provide guidance and assistance to THP applicants. Support.	To Governor
<b>Small Business Grants.</b> AB 2335 (Ting; D-San Francisco) Encourages small food stores located in low-income communities to stock fresh fruits and vegetables through grants for refrigeration units. Support.	Held in Senate Appropriations Suspense File 8/16/18
<b>Burdensome Regulations.</b> SB 1414 (Beall; D-San Jose) Imposes additional and unnecessary regulations on one company regarding its Timber Harvest Plans. Oppose.	Senate Appropriations Suspense File 5/22/18; Failed Deadline
<b>Eggs.</b> AB 3021 (Levine; D-San Rafael) Requires all eggs produced and sold in California to be from cage-free hens by 2024. Levels the playing field for producers in California by incorporating federal standards into state law and staggering implementation. Support.	Held in Senate Appropriations Suspense File 8/16/18



## Air Quality

<p><b>Vehicle Ban.</b> AB 1745 (Ting; D-San Francisco) Bans the sale of combustion engine vehicles in the state by prohibiting the registration of a new vehicle in the state after 2040 unless it is a zero-emission vehicle. Oppose/<b>Job Killer 2018.</b></p>	<p>Assembly Transportation 1/16/18; Failed Deadline</p>
<p><b>Refrigerant Ban.</b> SB 1013 (Lara; D-Bell Gardens) Imposes a costly policy for banning certain fluorinated gasses without transparency and without consideration of alternative methods by exempting the rulemaking process from the Administrative Procedures Act. Opposition removed June 4, 2018 due to amendments. No Position.</p>	<p>To Governor</p>

## Banking and Finance

<p><b>Costly Litigation Against Small Employers.</b> AB 2527 (Muratsuchi; D-Torrance) Exposes small businesses who are seeking financial investors in their company to devastating class action litigation by banning the use of arbitration agreements, which is preempted by the Federal Arbitration Act, prohibiting class action waivers, allowing for the award of treble damages, punitive damages, and attorney’s fees, and interferes with contractual negotiations between sophisticated parties by dictating the choice of forum and choice of law for such litigation. Oppose/<b>Job Killer 2018.</b></p>	<p>Assembly Banking &amp; Finance 3/5/18; Failed Deadline</p>
<p><b>Redundant Requirements.</b> SB 818 (Beall; D-San Jose) Before amendments, reinstated onerous unfair paperwork requirements on banks dealing with foreclosures when no crisis exists and is duplicative of federal law. Opposition removed due to June 21, 2018 amendments. No Position.</p>	<p>To Governor</p>
<p><b>Translation of Documents.</b> SB 1201 (Jackson; D-Santa Barbara) Before amendments, opened banks up to liability for misunderstood loan modification documents written in non-English languages prepared by the banks. Opposition removed due to amendments agreed to in Senate Banking and Financial Institutions Committee. No Position.</p>	<p>To Governor</p>

## California Environmental Quality Act (CEQA)

<p><b>Increases Costs and CEQA Litigation.</b> AB 2447 (Reyes; D-Grand Terrace) Before amendments, invited more litigation and increased the complexity and cost of California Environmental Quality Act (CEQA) compliance by 1) requiring local agencies to make a finding as to the discriminatory intent or effect of a proposed project, 2) forcing the local agency to incorporate all oral and written comments from the scoping process into the environmental review document regardless of its accuracy or relevancy, and 3) allocating responsibility for identifying what constitutes a “subject land use” for which new notice provisions will apply to the Office of Environmental Health Hazard Assessment. Job killer tag removed due to April 26, 2018 amendments. Opposition removed due to May 25, 2018 amendments. No Position/<b>Former Job Killer 2018.</b></p>	<p>To Governor</p>
<p><b>Expedites CEQA Process.</b> AB 2341 (Mathis; R-Visalia) Simplifies the environmental review process under the California Environmental Quality Act for refurbishing, converting, repurposing, or replacing existing buildings by stating that lead agencies are not required to perform an aesthetic impacts analysis for such projects so long as they meet certain criteria. Support.</p>	<p>To Governor</p>
<p><b>Expedites CEQA Process for Santa Rosa Post-Wildfire.</b> AB 2267 (Wood; D-Healdsburg) Exempts from the requirements of the California Environmental Quality Act for five years the adoption or approval of amendments to the Downtown Station Area Specific Plan for the City of Santa Rosa and exempts the approval of residential projects that are consistent with the amended Downtown Station Area Specific Plan. Support.</p>	<p>Senate Inactive File 8/31/18</p>
<p><b>CEQA.</b> AB 3030 (Caballero; D-Salinas) Creates a statutory exemption for affordable housing and mixed-use projects that meet very specific qualifying criteria and could be used in California Opportunity Zones. No Position.</p>	<p>Held in Senate Appropriations Suspense File 8/16/18</p>



<p><b>Promotes Housing Development.</b> AB 1804 (Berman; D-Palo Alto) Expedites infill development by expanding the existing California Environmental Quality Act exemption for infill projects to unincorporated areas already surrounded by urbanized land uses and populations. Support.</p>	<p>To Governor</p>
<p><b>Expedites and Reduces Costs for Roadway Repair and Maintenance Projects.</b> AB 1901 (Obernolte; R-Big Bear Lake) Streamlines infrastructure development by extending indefinitely, the current CEQA exemption for certain roadway repair and maintenance projects. Support.</p>	<p>Senate Environmental Quality 6/20/18; Failed Deadline</p>
<p><b>Reforms CEQA.</b> AB 2782 (Friedman; D-Glendale) Improves environmental review under the California Environmental Quality Act by authorizing lead agencies to more comprehensively analyze the pros and cons of a project by considering specific economic, legal, social, technological, or other benefits of, and negative impacts of denying, the proposed project. Support.</p>	<p>Signed—Chapter 193</p>
<p><b>Expedites Transportation Projects.</b> AB 1905 (Grayson; D-Concord) Streamlines the construction of transportation projects by precluding a court from enjoining construction due to a challenge under the California Environmental Quality Act when certain conditions have been satisfied. Support.</p>	<p>Assembly Natural Resources 2/5/18; Failed Deadline</p>
<p><b>Expedites Housing Projects.</b> AB 2856 (Melendez; R-Lake Elsinore) Streamlines the construction of housing projects by precluding a court from enjoining construction due to a challenge under the California Environmental Quality Act when certain conditions have been satisfied. Support.</p>	<p>Assembly Natural Resources 3/8/18; Failed Deadline</p>
<p><b>Extends CEQA Streamlining Benefits to Community Plans.</b> SB 948 (Allen; D-Santa Monica) Streamlines the environmental review process under CEQA for community plans that, among other requirements, do not result in any additional net greenhouse gas emissions and will result in a minimum investment of \$100,000 in California. Support.</p>	<p>Senate Judiciary 4/19/18; Failed Deadline</p>
<p><b>Increases Transparency in CEQA Litigation.</b> SB 1052 (Bates; R-Laguna Niguel) Requires the disclosure of the identity of a person or entity that contributes in excess of \$100 toward a CEQA cause of action and that failure to disclose shall result in a dismissal of the action or denial of attorneys' fees. Support</p>	<p>Senate Environmental Quality 4/18/18; Failed Deadline</p>
<p><b>Streamlines CEQA Litigation.</b> SB 1340 (Glazer; D-Contra Costa) Streamlines the CEQA litigation process for much-needed housing projects by requiring Judicial Council to adopt a rule requiring courts to fully adjudicate CEQA actions and proceedings relating to any housing project within 270 days of certifying the environmental review document. Support.</p>	<p>Senate Judiciary 4/10/18; Failed Deadline</p>
<p><b>Increases Transparency and Expedites CEQA Process.</b> SB 1341 (Glazer; D-Contra Costa) Requires the disclosure of the identity of a person or entity that contributes in excess of \$1,000 toward a CEQA cause of action but allows a court to withhold the public disclosure if confidentiality clearly outweighs the public interest in disclosure. Also precludes a litigant from challenging a housing project included in a plan or project that already has been approved following a full CEQA review except on limited grounds. Support.</p>	<p>Senate Environmental Quality 4/4/18; Failed Deadline</p>

## Climate Change

<p><b>Zero-Emission Vehicles.</b> SB 1014 (Skinner; D-Berkeley) Before proposed amendments, imposed unnecessary burdens on transit network carrier drivers by requiring all miles delivered by transit network carriers to be delivered by zero-emission vehicles. Opposition removed due to proposed amendments. No Position.</p>	<p>To Governor</p>
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## Corporate Governance

<p><b>Unconstitutional Board Mandate for Publicly Traded Corporations.</b> SB 826 (Jackson; D-Santa Barbara) Requires a publicly traded corporation to satisfy quotas regarding the number of women on its board or face significant penalties, which is likely unconstitutional, a violation of California's Civil Rights statute, and a violation of the internal affairs doctrine for publicly held corporations. Oppose.</p>	<p>To Governor</p>
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## Crime

<p><b>New Penalty.</b> AB 1065 (Jones-Sawyer; D-South Los Angeles) Helps limit retailers' losses from thefts by strengthening penalties by creating a new Organized Retail Crime felony in California law. Support.</p>	<p>To Governor</p>
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## Economic Development/Local Government

<p><b>Stringent New Requirements on Economic Development Subsidies.</b> AB 2853 (Medina; D-Riverside) Creates onerous local agency reporting requirements both before and during the award of any economic development subsidy to a warehouse distribution center, including requirements that businesses disclose proprietary, competitive information, which will likely lead to a decline in warehouses being built in California, negatively impacting California's economy. Oppose.</p>	<p>To Governor</p>
<p><b>Statewide Economic Development Strategic Action Plan.</b> AB 2596 (Cooley; D-Rancho Cordova) Requires the Governor's Office of Business and Economic Development (GO-Biz) to lead the preparation of a California Economic Development Strategic Action Plan, with the goal of creating a process by which the office can identify economic challenges that confront the state. Support.</p>	<p>To Governor</p>
<p><b>Extended Alcohol Hours.</b> SB 905 (Wiener; D-San Francisco) Creates pilot program giving six cities the ability to extend alcohol sales to 4 a.m. after meeting certain criteria. Support.</p>	<p>To Governor</p>

## Education

<p><b>Career Technical Education.</b> AB 1808 (Committee on Budget) Incorporates job creator policy from AB 1743, which extends and improves the Career Technical Education Incentive Grant program, which provides students with necessary training and education to prepare them for a variety of career options. Support.</p>	<p>Signed 6/27/18—Chapter 32</p>
<p><b>Career Technical Education.</b> AB 1809 (Committee on Budget) Incorporates job creator policy from SB 1243, which establishes the California STEM (Science, Technology, Engineering and Mathematics) Pathways Grant Program, providing \$10 million for selected schools to create public-private partnerships to prepare students for high-skilled, high-demand jobs in technology, manufacturing, health care and finance. Support.</p>	<p>Signed 6/27/18—Chapter 33</p>
<p><b>Career Technical Education.</b> AB 1743 (O'Donnell; D-Long Beach) Extends and improves the Career Technical Education Incentive Grant program, which provides students with necessary training and education to prepare them for a variety of career options. Policy included in signed budget trailer bill (see AB 1808). Support/<b>Job Creator 2018.</b></p>	<p>Senate Education 6/7/18</p>
<p><b>Career Technical Education.</b> SB 1243 (Portantino; D-La Cañada Flintridge) Appropriates \$25 million to create the California State Pathways in Technology program, to create public-private partnerships to prepare students for high-skilled, high-demand jobs in technology, manufacturing, health care and finance. Policy included in signed budget trailer bill (see AB 1809). Support/<b>Job Creator 2018.</b></p>	<p>Assembly Higher Education 6/7/18</p>
<p><b>Career Technical Education.</b> SB 842 (Committee on Budget and Fiscal Review) Incorporates job creator policy from SB 1243, which establishes the California STEM Pathways Grant Program, providing \$10 million for selected schools to create public-private partnerships to prepare students for high-skilled, high-demand jobs in technology, manufacturing, health care and finance. Policy included in signed budget trailer bill (see AB 1809). Support.</p>	<p>Assembly Budget 8/13/18</p>
<p><b>Career Technical Education.</b> SB 843 (Committee on Budget and Fiscal Review) Incorporates job creator policy from AB 1743, which extends and improves the Career Technical Education Incentive Grant program, which provides students with necessary training and education to prepare them for a variety of career options. Policy included in signed budget trailer bill (see AB 1808). Support.</p>	<p>Assembly Budget 8/13/18</p>

<p><b>Onerous Disclosure Requirements.</b> AB 2361 (Weber; D-San Diego) Imposes onerous disclosure requirements on contractors of the University of California that will force public reporting of proprietary information as well as personal employee data, with the threat of barring the contractor from bidding on any contract for five years if the contractor makes a mistake or omission. Oppose.</p>	<p>To Governor</p>
<p><b>Aerospace Institute.</b> SB 1356 (Wilk; R-Antelope Valley) Contingent upon a budget appropriation, would create an Aerospace Institute at the Antelope Valley College through a public-private partnership. This partnership will allow California to locally develop the talent needed to meet the workforce needs of the global aerospace manufacturing industry. Support.</p>	<p>Held in Assembly Appropriations Suspense File 8/16/18</p>
<p><b>Education Accountability.</b> AB 3188 (Thurmond; D-Richmond) Encourages schools to prioritize both career and college preparation for students which will help reduce dropout rates, increase graduation rates, and better prepare students for the workforce. Support.</p>	<p>To Governor</p>
<p><b>Probationary Teachers.</b> AB 1220 (Weber; D-San Diego) Increases from two to three years the probationary period for new teachers, and for those teachers whose probation is extended to a third year, adds a directed individualized professional improvement plan to increase the prospect for classroom success. Support.</p>	<p>Senate Education 6/26/18; Failed Deadline</p>

## Elections and Fair Political Practices

<p><b>Prohibits Compensation on a Per Signature Basis.</b> AB 1947 (Low; D-Campbell) Denies the right to address grievances with government through initiatives, referendums and recalls by making it a misdemeanor for a person to pay for signature collection on a per-signature basis for state or local initiatives, referendums or recall petitions. Oppose.</p>	<p>To Governor</p>
<p><b>Prohibits Compensation on a Per Signature Basis.</b> SB 1394 (Newman; D-Fullerton) Denies the right to address grievances with government through initiatives, referendums and recalls by making it a misdemeanor for a person to pay for signature collection on a per-signature basis for state or local initiatives, referendums or recall petitions. Oppose.</p>	<p>Assembly Elections and Redistricting 6/11/18; Failed Deadline</p>

## Energy

<p><b>Substantially Increased Costs.</b> AB 893 (E. Garcia; D-Coachella) Will substantially increase rates to California ratepayers by requiring procurement of a large amount—4,250 megawatts—of additional and unneeded geothermal, solar, and wind power. Threatens jobs by creating a procurement process outside of the current “least-cost, best-fit” competitive bidding process. Creates incentives for utilities to purchase out-of-state power to satisfy the mandate, threatening even more California jobs. Oppose/<b>Job Killer 2018.</b></p>	<p>Senate Rules 8/28/18</p>
<p><b>Threatens Energy Reliability.</b> AB 127 (Committee on Budget) Threatens energy reliability and will lead to the elimination of jobs by mandating the closure of the Aliso Canyon Natural gas storage facility. Oppose Unless Amended/<b>Two Year Job Killer.</b></p>	<p>Senate Budget and Fiscal Review 2/15/18</p>
<p><b>Energy Efficiency and Grid Reliability.</b> AB 813 (Holden; D-Pasadena) Increases efficiency and reliability of energy grid by allowing for sale of excess energy and options for meeting peak energy usage. Following 2018 gut and amend, 2017 oppose unless amended changed. Support.</p>	<p>Senate Rules 8/16/18</p>
<p><b>Increased Energy Costs.</b> SB 100 (de León; D-Los Angeles) Increases the cost of energy and threatens the reliability of the grid by mandating an ambiguous zero-carbon energy by 2045 planning goal and requirements for regulatory agencies in the state. Oppose.</p>	<p>To Governor</p>
<p><b>Mandates Perfection.</b> AB 1552 (Quirk-Silva; D-Fullerton) Imposes a monetary penalty on public utility companies for late paying an invoice from small businesses or minority-owned small businesses without regard for the reason. Oppose.</p>	<p>Senate Energy, Utilities &amp; Communications 4/19/18; Failed Deadline</p>

<p><b>Increased Rates.</b> SB 64 (Wieckowski; D-Fremont) Arbitrarily requires the Public Utilities Commission to consider elimination of electric-generating facilities that produce any air emissions. Threatens the reliability of the electric grid by eliminating generation needed to meet peak demand. Oppose.</p>	<p>Failed Passage in Assembly 8/29/18</p>
<p><b>Increased Energy Costs.</b> AB 2431 (Weber; D-San Diego) Increases the cost of energy by expanding the pool of applicants eligible to receive intervenor compensation to include school districts and community colleges. Oppose.</p>	<p>Held in Assembly Appropriations Suspense File 5/16/18; Failed Deadline</p>
<p><b>Increased Energy Cost.</b> AB 3232 (Friedman; D-Glendale) Before amendments, would have increased the cost of energy by adding an additional greenhouse gas emissions target on top of already-existing energy efficiency targets. Opposition removed due to May 29, 2018 amendments. No Position.</p>	<p>To Governor</p>
<p><b>Increased Energy Costs.</b> AB 3001 (Bonta; D-Oakland) Increases compliance costs by changing the definition of cost-effectiveness in order to favor non-fossil forms of energy. Oppose.</p>	<p>Assembly Natural Resources 3/12/18; Failed Deadline</p>
<p><b>Provides Disincentives for Investment in Energy Reliability Upgrades.</b> SB 1339 (Stern; D-Canoga Park) Prohibits businesses that use diesel or gasoline backup generators for electricity generation from accessing favorable rate treatment proposed by the bill for customers who are considering investments in microgrid technology. Oppose Unless Amended.</p>	<p>To Governor</p>
<p><b>Equal Application of Renewable Definition.</b> AB 2809 (Patterson; R-Fresno) and AB 2814 (Gray; D-Merced) Current law allows only small hydroelectric facilities to qualify as renewables under the Renewable Portfolio Standard. Expands the definition of hydroelectric-powered renewables to include existing and future facilities, allowing more flexible procurement and keeping rates lower. Support.</p>	<p>Assembly Utilities &amp; Energy 3/8/18; Failed Deadline</p>
<p><b>Provides Energy Certainty.</b> AB 1879 (Santiago; D-Los Angeles) Provides certainty to business by allowing a natural gas supplier to provide a new natural gas connection to homes and businesses in the state. Support.</p>	<p>To Governor</p>

## Environmental Regulation

<p><b>Redundant and Unnecessary Oil Well Testing.</b> AB 3146 (Holden; D-Pasadena) Ignores existing federal, state and local air district compliance/enforcement regulations already in place by requiring duplicative and costly testing and monitoring requirements for idle oil wells. Oppose.</p>	<p>Assembly Floor 5/29/18; Failed Deadline</p>
<p><b>Jeopardizes Existing and Future Energy Production.</b> SB 834 (Jackson; D-Santa Barbara) Takes away California's ability to produce its own resources in state lands by repealing existing authority from the California State Lands Commission to issue, renew, modify or extend a lease or conveyance for oil and natural gas production if the lease would result in an increase of production from federal waters. Oppose.</p>	<p>To Governor</p>
<p><b>Jeopardizes Existing and Future Energy Production.</b> AB 1775 (Muratsuchi; D-Torrance) Takes away California's ability to produce its own resources in state lands by repealing existing authority from the California State Lands Commission to issue, renew, modify or extend a lease or conveyance for oil and natural gas production if the lease would result in an increase of production from federal waters. Oppose.</p>	<p>To Governor</p>
<p><b>Undermines California Office of Spill Prevention and Response.</b> AB 2864 (Limón; D-Goleta) Before amendments, provided the California Coastal Commission with regulatory authority, rather than an advisory role, equal to that of the California Department of Fish and Wildlife Office of Spill Prevention and Response despite the Commission having no institutional experience or staff expertise to play such a role. Opposition removed due to May 25, 2018 amendments. No Position.</p>	<p>To Governor</p>
<p><b>Sidesteps Safer Consumer Products Program Process.</b> AB 2787 (Quirk; D-Hayward) Despite Department of Toxic Substances Control deciding not to regulate and removing lead-based fish tackle from its Draft 2018–20 Priority Product Work, before amendments, this bill politically rather than scientifically would have banned such tackle to the detriment of anglers, jobs, and at a potential loss of recreational fishing-related expenditures in the state. Opposition removed due to May 25, 2018 amendments. No Position.</p>	<p>Senate Inactive File 8/31/18</p>



<p><b>Increases Costs on Microfiber Products.</b> AB 2379 (Bloom; D-Santa Monica) Prematurely imposes new costly and misinformed labeling requirements on polyester microfiber products when scientific and academic research on the root cause of emissions from non-apparel textile sources is uncertain. It also places enormous liability on retailers who would be required under this bill to ensure that every piece of clothing sold into the California market that contains 50% synthetic material to have these California-only labels in two places. Oppose.</p>	<p>Assembly Inactive File 6/4/18; Failed Deadline</p>
<p><b>Increased Costs for Hazardous Waste Operators.</b> AB 2094 (Kalra; D-San Jose) Imposes unnecessary new costs on hazardous waste permit operators and further delays permit processing by arbitrarily increasing the frequency of inspections for hazardous waste facilities rather than focusing on improving the existing inspection process. Oppose.</p>	<p>Held in Senate Appropriations Suspense File 8/16/18</p>
<p><b>Expands Lead Paint Liability.</b> AB 2803 (Limón; D-Goleta) Extends public nuisance liability far beyond the seminal case-law regarding lead paint pigment public nuisance liability to apply to any residential home in the State of California where lead paint is found either inside or outside the home. Oppose.</p>	<p>Senate Appropriations 6/20/18</p>
<p><b>Improves Hazardous Waste Permitting Process.</b> AB 2606 (Fong; R-Bakersfield) Expedites the hazardous waste permitting process and decreases costs for hazardous permit applicants by deeming a hazardous waste permit renewal application approved if the California Department of Toxic Substances Control (DTSC) has not taken action on the application within 90 days after submission and if certain conditions are met, and by capping the amount DTSC can charge a permit applicant for such permits. Support.</p>	<p>Held in Senate Appropriations Suspense File 8/16/18</p>
<p><b>Creates Uncertainty and Increases Potential Litigation Regarding Environmental Standards.</b> SB 49 (de León; D-Los Angeles) Creates uncertainty by giving broad and sweeping discretion to State agencies to adopt rules and regulations more stringent than the federal rules and regulations in effect on January 19, 2017 through an expedited administrative procedure without public participation or input, and increases the potential for costly litigation by creating private rights of action under California law, when a State agency takes the foregoing discretionary action. Oppose/<b>Two Year Job Killer</b>.</p>	<p>Assembly Rules 9/12/17</p>
<p><b>Increased Permitting Fees and Delayed Permitting.</b> SB 774 (Leyva; D-Chino) Before amendments, exposed permittees to unknown, increased fees by providing the Department of Toxic Substances Control (DTSC) a blank check to impose additional fees on permittees to implement and perform its statutory requirements when its primary sources of funding have structural deficits and created substantial uncertainty and delay of facility permitting by interjecting a new board into the organizational structure. Gutted and amended to a different subject area. Opposition and job killer status removed due to August 16, 2018 amendments. No Position/<b>Former Job Killer 2018</b>.</p>	<p>To Governor</p>
<p><b>Acute Toxicity Study Bill.</b> AB 2474 (Quirk; D-Hayward) A positive first step toward reducing the number of products that are treated as hazardous waste when disposed of at retail by requiring the California Department of Toxic Substances Control to evaluate whether either or both of specified tests can be adapted to be appropriate for use in identifying substances as hazardous waste or extremely hazardous waste. Support.</p>	<p>To Governor</p>
<p><b>Reduces Consumer Product Hazardous Waste.</b> AB 2660 (Quirk; D-Hayward) Allows surplus consumer products to be donated or recycled by making explicit that a retail location in California may transport surplus consumer products to a reverse distribution location in compliance with applicable shipping regulations. Support.</p>	<p>Senate Environmental Quality 5/3/18; Failed Deadline</p>
<p><b>Unnecessary Hazardous Waste Regulation.</b> AB 3138 (Muratsuchi; D-Torrance) Before amendments, imposed increased and unnecessary costs on stationary sources by imposing a punitive \$25,000 per day civil or administrative liability on a person or stationary source that violates either the provisions of a risk management plan or other Hazardous Materials Management provisions, even if the violation was unintentional. Opposition removed due to May 25, 2018 amendments. No Position.</p>	<p>To Governor</p>

## Government Contracting

<p><b>Targeted Tax on Contractors.</b> AB 2560 (Thurmond; D-Richmond) Unfairly targets one category of taxpayers to fund a benefit for all of the state by imposing a tax on contractors for the privilege of doing business with the Department of Corrections and Rehabilitation, and requires the contractor to absorb the cost while maintaining a price of lowest responsible bidder. Oppose/<b>Job Killer 2018.</b></p>	<p>Failed Passage in Assembly Revenue &amp; Taxation 4/16/18</p>
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## Health Care

<p><b>Government-Run Health Care.</b> SB 562 (Lara; D-Bell Gardens) Penalizes responsible employers and individuals and results in significant new taxes on all Californians and California businesses by creating a new single-payer government-run, multibillion-dollar health care system financed by an unspecified and undeveloped “revenue plan.” Oppose/<b>Two Year Job Killer.</b></p>	<p>Assembly Desk 7/14/17; Failed Deadline</p>
<p><b>Health Care Price Controls.</b> AB 3087 (Kalra; D-San Jose) Jeopardizes employers’ negotiating power and access to care, ignores the drivers of health care costs, and adds another layer of bureaucracy by creating an appointed commission to impose price controls on health care providers and insurers. Oppose/<b>Job Killer 2018.</b></p>	<p>Held in Assembly Appropriations Suspense File 5/25/18; Failed Deadline</p>
<p><b>Increases Health Care Premiums.</b> AB 2384 (Arambula; D-Kingsburg) Before amendments, increased health care premiums by mandating medication-assisted treatment for opioid use disorders and by eliminating all quality control and cost containment mechanisms. Job killer tag removed due to June 14, 2018 amendments, but CalChamber remains opposed. Oppose/<b>Former Job Killer 2018.</b></p>	<p>To Governor</p>
<p><b>Arbitration Discrimination.</b> SB 538 (Monning; D-Carmel) Before amendments, unfairly and unlawfully discriminated against arbitration agreements by restricting the formation of antitrust arbitration agreements in hospital contracts, leading to costly litigation over preemption by the Federal Arbitration Act. Opposition and job killer status removed due to June 11, 2018 amendments. No Position/<b>Former Job Killer 2018.</b></p>	<p>Assembly Health 6/11/18; Failed Deadline</p>
<p><b>Increases Health Care Premiums.</b> SB 399 (Portantino; D-La Cañada Flintridge) 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>To Governor</p>
<p><b>Unreasonable Administrative Cost Cap.</b> AB 2499 (Arambula; D-Kingsburg) Before amendments, potential loss of access by small businesses and individuals to agents who assist in their selection of health plans and management of their coverage, jeopardized proactive fraud prevention efforts and potentially would have driven insurers out of the market by reducing the amount of the premium that can be used to support the insurer’s administrative activities. Opposition removed due to June 18, 2018 amendments. No Position.</p>	<p>To Governor</p>
<p><b>Increases Health Care Premiums.</b> AB 2643 (Irwin; D-Thousand Oaks) Increases health care premiums by expanding locations where dental general anesthesia is covered as a benefit. Oppose.</p>	<p>Held in Assembly Appropriations Suspense File 5/25/18; Failed Deadline</p>
<p><b>Inappropriate Expansion of Attorney General Authority.</b> AB 2874 (Thurmond; D-Richmond) Sets an unacceptable precedent and inappropriate interference by the Attorney General in the financial operation of a private business by requiring both non-profit and for-profit hospitals to receive the Attorney General’s consent to close or eliminate supplemental services. Oppose.</p>	<p>Assembly Floor 5/25/18; Failed Deadline</p>
<p><b>Increases Health Insurance Premiums.</b> AB 2193 (Maienschein; R-San Diego) Before amendments, increased health care costs by driving up health care premiums requiring insurers to develop and make available case management for enrollees who may have maternal mental health conditions. Opposition removed due to August 17, 2018 amendments. No Position.</p>	<p>To Governor</p>

<p><b>Innovative Health Care.</b> AB 1795 (Gipson; D-Carson) Reduces health care costs with no adverse patient outcomes by allowing paramedics with enhanced training and oversight to transport people to a behavioral health facility or a sober center instead of a hospital emergency room. Support.</p>	<p>Held in Assembly Appropriations Suspense File 5/25/18; Failed Deadline</p>
<p><b>Medical Loss Ratio.</b> SB 1008 (Skinner; D-Berkeley) Before amendments, perpetuated the belief that the medical loss ratio is appropriate for dental coverage and beneficial to the consumer by including it on the uniform benefit form. Opposition removed due to August 6, 2018 amendments. No Position.</p>	<p>To Governor</p>
<p><b>Avoids Unnecessary Costs.</b> AB 2741 (Burke; D-Inglewood) Offers individuals, families and employers a cost-effective preventive approach to the issue of over-prescribing of opiates by limiting opiate prescriptions to minors with exceptions to provide physicians discretion to meet the needs of their patient. Support.</p>	<p>Senate Business, Professions &amp; Economic Development 5/17/18; Failed Deadline</p>
<p><b>Pharmacy Access.</b> SB 1442 (Wiener; D-San Francisco) Before amendments, threatened access to pharmacy services by requiring a pharmacist to be assisted by at least one other employee at all times regardless of unforeseen circumstances. Opposition removed due to June 21, 2018 amendments. No Position.</p>	<p>To Governor</p>
<p><b>Increases Health Care Costs.</b> SB 349 (Lara; D-Bell Gardens) Before amendments, increased health care costs by setting dialysis clinic staffing ratios to the most stringent in the country and mandating transition times between patients leading to patient access issues with no clear evidence of clinical benefit to dialysis patients. Gutted and amended August 24, 2018 to a different subject area. Opposition removed. No Position.</p>	<p>To Governor</p>

## Housing and Land Use

<p><b>Lowers Vote Requirement for New Tax Increases.</b> ACA 4 (Aguiar-Curry; D-Winters) Unnecessarily reduces the voter threshold from two-thirds to 55% for local governments to enact special taxes, including parcel taxes, for the purpose of improving public infrastructure and affordable housing, which creates an opportunity for discriminatory and higher taxes to be imposed against disfavored industries and commercial property owners. Oppose/<b>Two Year Job Killer</b>.</p>	<p>Assembly Local Government 4/24/17</p>
<p><b>Targeted Retail Industry Tax Increase.</b> ACA 11 (Caballero; D-Salinas) Exposes the retail industry to increased taxes by imposing a quarter-cent sales tax increase to fund affordable housing and homeless shelters, without creating greatly needed market rate housing. Oppose/<b>Two Year Job Killer</b>.</p>	<p>Assembly Housing and Community Development 8/22/17</p>
<p><b>Amends Unlawful Detainer and Eviction Notice Process.</b> AB 2343 (Chiu; D-San Francisco) Before amendments, would have driven up the cost of providing rental housing in the state by tripling the amount of notice a landlord is required to provide a tenant in order to begin a lawful eviction process, extending the due date for rent to the middle of the month, and allowing a tenant who has joined a “tenant association” to stop paying rent merely by claiming landlord retaliation. Opposition removed due to June 25, 2018 amendments. No Position.</p>	<p>To Governor</p>
<p><b>Imposes New Penalties for Cannabis Violations.</b> AB 2164 (Cooley; D-Rancho Cordova) Before amendments, provided authority to local governments to impose new fines and penalties on any person responsible for a continuing violation pertaining to building, plumbing, electrical or other zoning issue relating to the cultivation of cannabis with no right of appeal for the property owners, who may have no knowledge that their tenants are violating local and state laws. Opposition removed due to May 29, 2018 amendments. No Position.</p>	<p>To Governor</p>
<p><b>Promotes Transit-Oriented Development.</b> SB 827 (Wiener; D-San Francisco) Promotes the construction of much-needed residential housing by up-zoning areas around public transit facilities in order to address California’s housing crisis by increasing housing stock. Support.</p>	<p>Senate Transportation &amp; Housing 4/9/18; Failed Deadline</p>

<p><b>Streamlines Permitting for New Accessory Dwelling Units.</b> SB 831 (Wieckowski; D-Fremont) Promotes affordable housing by requiring local agencies to waive permitting fees typically charged for new Accessory Dwelling Units (ADU), also known as granny or in-law units, and streamlines the ADU permitting process by requiring local agencies to decide on any new ADU application within 60 days or else the application is automatically approved. Support.</p>	<p>Assembly Local Government 6/20/18; Failed Deadline</p>
<p><b>Improves Assessment for State Housing Needs.</b> SB 828 (Wiener; D-San Francisco) Strengthens the Regional Housing Needs Assessment (RHNA) by increasing state-level oversight over local and regional housing obligations. Support.</p>	<p>To Governor</p>
<p><b>Expedites Housing Construction.</b> AB 2973 (Gray; D-Merced) Expedites housing construction in certain jurisdictions by extending the expiration date of existing and unexpired tentative maps, vesting tentative maps, and parcel maps that relate to the construction of single or multifamily housing by 24 months for jurisdictions that remain economically depressed. Support.</p>	<p>To Governor</p>
<p><b>Promotes Fairness in Housing Construction.</b> AB 2913 (Wood; D-Healdsburg) Provides that a permit would remain valid if the work on the site authorized by that permit is commenced within 3 years after its issuance, or if the work authorized on the site by the permit is suspended or abandoned for a period of up to 3 years after the time the work is commenced. Support.</p>	<p>To Governor</p>
<p><b>Spurs Housing Development.</b> AB 3194 (Daly; D-Anaheim) Encourages much-needed residential housing construction in California by closing two loopholes often used by local governments to deny extending the protections of the Housing Accountability Act. Support.</p>	<p>Signed—Chapter 243</p>
<p><b>Housing Fee Transparency.</b> SB 1296 (Glazer; D-Contra Costa) Promotes public transparency and accountability in the housing development process by allowing agencies and members of the public to compare and analyze fees across jurisdictions in order to determine the reasonableness and purpose of any given fee in relation to the housing costs. Fee transparency provides a clear understanding as to what fees should be anticipated and how those fees will be applied to a proposed housing development project. The historical opacity and variability of development fees across jurisdictions are widely believed to be significant factors inhibiting more housing construction in the state and pushing housing costs higher. Support.</p>	<p>Held in Senate Appropriations Suspense File 5/25/18; Failed Deadline</p>
<p><b>Development Fee Disclosure.</b> AB 3147 (Caballero; D-Salinas) Requires that a city, county, and city and county provide at the time an application is deemed complete a good faith statement disclosing the amount of impact and development fees applicable to the proposed housing development project. The disclosure of fees at the time a housing project application is deemed complete will provide greater certainty to developers and result in more cost-effective development. Support.</p>	<p>Held in Assembly Appropriations Suspense File 5/25/18; Failed Deadline</p>

## Immigration

<p><b>New Labor Code Penalties.</b> AB 2732 (Gonzalez Fletcher; D-San Diego) Creates new onerous requirements for employers to provide a worker bill of rights document to all employees, have them sign it, give them a copy of the signed document, and keep the original for three years. Oppose Unless Amended.</p>	<p>To Governor</p>
<p><b>Foreign Labor Contractors: Agriculture.</b> AB 1913 (Kalra; D-San Jose) Regulates agriculture foreign labor contractors on top of currently comprehensive rules regulating recruitment and employment. Oppose.</p>	<p>Assembly Floor 5/25/18; Failed Deadline</p>

## Industrial Safety and Health

<p><b>Hotel Worker Panic Buttons.</b> AB 1761 (Muratsuchi; D-Torrance) Creates unworkable requirements for paid leave, allows for a patchwork of state and local rules and unnecessary signage in regards to providing protection for hotel employees working alone and the provision of panic buttons. Job killer status removed due to May 9, 2018 amendments, but CalChamber remains opposed unless amended. Oppose Unless Amended/<b>Former Job Killer 2018.</b></p>	<p>Held in Senate Appropriations Suspense File 8/16/18</p>
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<p><b>Usurps Cal/OSHA Priorities.</b> AB 2963 (Kalra; D-San Jose) Requires Cal/OSHA to treat as a serious violation a rule that does not constitute any violation of Cal/OSHA rules, and redirects Cal/OSHA resources, which will undermine existing Cal/OSHA priorities. As a result of a blood lead level of employees reported to the Department of Public Health, the bill requires a workplace inspection by Cal/OSHA within three days, as if a serious violation has been reported where none exists. Oppose.</p>	<p>To Governor</p>
<p><b>Expensive Public Database.</b> AB 2334 (Thurmond; D-Richmond) Before amendments, the bill sought to publicly shame employers by disclosing for public review on a searchable website, each employer’s injury and illness records, that can be misconstrued and distorted in a manner that does not reflect employers’ commitment to the safety of their employees while providing no advancement of worker safety. Opposition removed due to May 25, 2018 amendments. No Position.</p>	<p>To Governor</p>
<p><b>Valley Fever Awareness.</b> AB 1789 (Salas; D-Bakersfield) Creates a common sense approach to alert construction employees about Valley Fever in areas where it is most commonly contracted by creating a framework for employers to provide Valley Fever Awareness training to all construction employees in Valley Fever-prone areas of the state. Support.</p>	<p>Held in Assembly Appropriations Suspense File 5/25/18; Failed Deadline</p>

## Labor and Employment

<p><b>Significant Expansion of Harassment Discrimination and Retaliation Liability.</b> SB 1300 (Jackson; D-Santa Barbara) Limits the use of nondisparagement agreements and general releases, restricts the ability to summarily adjudicate harassment claims and lowers the legal standard for actionable harassment claims. These provisions will significantly increase litigation against California employers and limit their ability to invest in their workforce. Job killer status removed due to August 20, 2018 amendments, but CalChamber remains opposed. Oppose/<b>Former Job Killer 2018.</b></p>	<p>To Governor</p>
<p><b>Disclosure of Company Pay Data.</b> SB 1284 (Jackson; D-Santa Barbara) Requires California employers to submit pay data to state agencies that could give the false impression of pay disparity where none may exist. Agencies are prohibited from releasing company-specific information. Job killer tag removed due to August 8, 2018 amendments helping rectify public shaming aspect of the bill, but CalChamber remains opposed due to administrative burden placed on employers. Oppose/<b>Former Job Killer 2018.</b></p>	<p>Held in Assembly Appropriations Suspense File 8/16/18</p>
<p><b>Wage Statement Penalties.</b> AB 2613 (Reyes; D-Grand Terrace) Imposes another layer of Labor Code penalties for wage and hour violations in addition to the penalties already available under the Private Attorneys General Act (PAGA) and imposes personal liability onto employees who have no control over the actual payment of wages. Oppose/<b>Job Killer 2018.</b></p>	<p>Assembly Inactive File 6/4/18; Failed Deadline</p>
<p><b>Portable Benefits for the Gig Economy.</b> AB 2765 (Low; D-Campbell) Imposes onerous and costly mandates on companies in the gig economy labeled as the “digital marketplace” by adding them under the provisions of the Fair Employment and Housing Act (FEHA), expanding the protected classifications under FEHA for contractors of the digital marketplace to include “familial status,” and creates further confusion and uncertainty regarding the use and classification of independent contractors. These new mandates will dramatically increase the amount of frivolous litigation under FEHA and the Private Attorneys General Act (PAGA) for the digital marketplace. Oppose/<b>Job Killer 2018.</b></p>	<p>Assembly Labor &amp; Employment 3/22/18; Failed Deadline</p>
<p><b>Extension of Statute of Limitations.</b> AB 1870 (Reyes; D-Grand Terrace) Unnecessarily extends the statute of limitations from one year to three years for all discrimination, harassment and retaliation claims filed with the Department of Fair Employment and Housing. Oppose Unless Amended.</p>	<p>To Governor</p>
<p><b>Healthy Workplaces, Healthy Families Act.</b> AB 2841 (Gonzalez Fletcher; D-San Diego) Amends the Healthy Workplaces, Healthy Families Act to extend the number of paid sick days employers are required to provide from 3 days to 5 days. Oppose.</p>	<p>Held in Assembly Appropriations Suspense File 5/25/18; Failed Deadline</p>

<p><b>Labor Contractor Joint Liability.</b> AB 3081 (Gonzalez Fletcher; D-San Diego) Placed in the Labor Code additional, often duplicative, sexual harassment protections and training requirements, which are already protected under the Fair Employment and Housing Act (FEHA) and created burdensome leave of absence requirements for employers. As amended, the bill expands joint liability for labor contractors to all employment-related harassment claims, not just sexual harassment complaints as limited in the bill’s prior version. There is no basis for a business that contracts for services being deemed statutorily liable for harassment of another’s employees when there is absolutely no way in which that contractor can engage or force the labor contract company to comply with provisions of the FEHA or the Labor Code. Oppose.</p>	<p>To Governor</p>
<p><b>Sexual Harassment Employer/Employee Protection.</b> AB 2770 (Irwin; D-Thousand Oaks) Codifies case law to ensure victims of sexual harassment and employers are not sued for defamation by the alleged harasser when a complaint of sexual harassment is made and the employer conducts its internal investigation. This bill also provides additional protections to employers by expressly allowing employers to inform potential employers about the sexual harassment investigation and findings. Reducing the cost of frivolous litigation allows an employer to utilize these financial resources to grow its workforce. Sponsor/<b>Job Creator 2018.</b></p>	<p>Signed—Chapter 82</p>
<p><b>Significant Expansion of the Fair Employment and Housing Act (FEHA).</b> AB 1938 (Burke; D-Inglewood) Creates a new protected classification under the Fair Employment and Housing Act (FEHA) for “familial status,” which will significantly increase the amount of frivolous litigation against employers and ultimately hamper their ability to conduct business and manage their employees. Oppose Unless Amended.</p>	<p>Assembly Labor &amp; Employment 2/5/18; Failed Deadline</p>
<p><b>Private Attorneys General Act (PAGA) Reform.</b> AB 2016 (Fong; R-Bakersfield) Mitigates the financial threat of frivolous litigation by requiring that plaintiffs provide a more detailed account of the allegations in the required Private Attorneys General Act (PAGA) notice, allowing an employer to utilize these financial resources to grow their workforce instead. Support/<b>Job Creator 2018.</b></p>	<p>Assembly Labor &amp; Employment 2/12/18; Failed Deadline</p>
<p><b>Private Attorneys General Act (PAGA) Reform.</b> AB 2907 (Flora; R-Ripon) Provides employers with a reasonable opportunity to cure specific Labor Code violations before being subject to costly and frivolous litigation under the Labor Code Private Attorneys General Act (PAGA), allowing an employer to invest this financial savings into growing its workforce. Support/<b>Job Creator 2018.</b></p>	<p>Assembly Labor &amp; Employment 3/22/18; Failed Deadline</p>
<p><b>Sexual Harassment Leave Requirement.</b> AB 2366 (Bonta; D-Oakland) Mandates a leave of absence protection for employees asserting sexual harassment violations without mandating the same notice requirement that applies to other similar types of leave. Significantly expands leave of absence protections for victims of sexual assault, stalking, domestic violence, and now, sexual harassment victims to their “family members,” which is broadly defined. (Provisions incorporated into AB 3081). Oppose.</p>	<p>Held in Assembly Appropriations Suspense File 5/25/18; Failed Deadline</p>
<p><b>Lactation Accommodation.</b> SB 937 (Wiener; D-San Francisco) Significantly amends current law regarding lactation accommodations by implementing new location standards, employer policy requirements, document retention, and supplementary Labor Code penalties. Oppose Unless Amended.</p>	<p>To Governor</p>
<p><b>Lactation Accommodation.</b> AB 1976 (Limón; D-Goleta) Before amendments, established new mandates for employers regarding lactation accommodations even though this could create an undue hardship on employers with limited space. As amended, the bill contains a hardship exemption and clarifying language regarding what temporary spaces are appropriate as lactation accommodations. These amendments take into consideration the vast array of facilities that conduct business in California while creating a narrow exemption for employers that simply cannot provide a private location for employees to express breastmilk other than a bathroom. Support.</p>	<p>To Governor</p>
<p><b>Disclosure of Personal Contact Information.</b> AB 2455 (Kalra; D-San Jose) Requires the state to turn over personal information of registered home care aides to unions for the purpose of organizing. Oppose.</p>	<p>To Governor</p>

<p><b>Sexual Harassment Complaint Document Retention.</b> AB 1867 (Reyes; D-Grand Terrace) Before amendments, created a confusing mandate whereby employers with 50 or more employees must maintain internal complaint records of employee complaints alleging sexual harassment for a minimum of 5 years after the last day of employment of the complainant or any alleged harasser named in the complaint, whichever is later. Opposition removed due to June 21, 2018 amendments. No Position.</p>	<p>To Governor</p>
<p><b>Flexible Meal Period Schedule.</b> AB 2509 (Waldron; R-Escondido) Provides non-exempt employees, who work a traditional 8-hour day schedule, the opportunity to request an on-duty meal period in order to leave work 30 minutes earlier, which helps accommodate employee requests, retain employees, and offer more flexible work arrangements. Sponsor/<b>Job Creator 2018.</b></p>	<p>Assembly Labor &amp; Employment 3/15/18; Failed Deadline</p>
<p><b>Flexible Workweek.</b> AB 1173 (Harper; R-Huntington Beach) 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.</p>	<p>Assembly Labor &amp; Employment 1/11/18; Failed Deadline</p>
<p><b>Janitorial Workers Training Requirements.</b> AB 2079 (Gonzalez Fletcher; D-San Diego) Mandates additional registration, enforcement, and training requirements on employers and individuals in the janitorial business. Oppose.</p>	<p>To Governor</p>
<p><b>Flexible Workweek.</b> AB 2482 (Voepel; R-Santee) Allows for an employee-selected flexible work schedule and relieves employers of the administrative cost and burden of adopting an alternative workweek schedule per division, which accommodates employees, helps retain employees, and allows the employer to invest these savings into growing its workforce. Support/<b>Job Creator 2018.</b></p>	<p>Assembly Labor &amp; Employment 3/5/18; Failed Deadline</p>
<p><b>Joint Liability.</b> SB 1402 (Lara; D-Bell Gardens) Requires customers of a motor carrier service provider to be jointly and severally liable with the motor carrier for unpaid wages, unreimbursed expenses, damages and penalties, including applicable interest. Oppose.</p>	<p>To Governor</p>
<p><b>Criminal Background Checks.</b> SB 1412 (Bradford; D-Gardena) Before amendments, prohibited employers in specific industries from seeking particular conviction history information of an applicant, creating a conflict with federal law requirements. Opposition removed due to August 23, 2018 amendments. No Position.</p>	<p>To Governor</p>
<p><b>Imposes New One-Sided Attorney's Fee Recovery.</b> AB 2946 (Kalra; D-San Jose) Undermines the essence of the Division of Labor Standards Enforcement (DSLE) complaint process by requiring a one-sided attorney's fee provision that will incentivize further litigation. Oppose.</p>	<p>Assembly Floor 5/25/18; Failed Deadline</p>
<p><b>Additional Employer Regulations.</b> AB 2212 (Ting; D-San Francisco) Requires food processors that sell direct to consumers to undergo redundant and superfluous regulations regarding food handler card requirements. Oppose.</p>	<p>Assembly Health 3/19/18; Failed Deadline</p>
<p><b>CalWORKs Participation.</b> SB 926 (Skinner; D-Berkeley) Before amendments, allowed a participant in the CalWORKs program to refuse to comply with the program based on the participant's independent determination that the employer-provided schedule is too unpredictable. Opposition removed due to May 26, 2018 amendments. No Position.</p>	<p>To Governor</p>
<p><b>General Contractor Wage-and-Hour Liability.</b> AB 1565 (Thurmond; D-Richmond) Prevents general contractor liability for wage theft that the subcontractor committed if the general contractor already paid the subcontractor in full and was not involved in the wage theft. Gutted and amended May 24, 2018. No Position.</p>	<p>To Governor</p>
<p><b>Rest Breaks, Petroleum Facilities.</b> AB 2605 (Gipson; D-Carson) Promotes public and employee safety by ensuring that petroleum facilities may require that safety-trained employees keep radios on during their rest breaks in case of an emergency. Support.</p>	<p>To Governor</p>

## Legal Reform and Protection

<p><b>Ban on Settlement Agreements and Arbitration Agreements.</b> AB 3080 (Gonzalez Fletcher; D-San Diego) Significantly expands employment litigation and increases costs for employers and employees by banning settlement agreements for labor and employment claims as well as arbitration agreements made as a condition of employment, which is likely preempted under the Federal Arbitration Act and will only delay the resolution of claims. Banning such agreements benefits the trial attorneys, not the employer or employee. Oppose/<b>Job Killer 2018.</b></p>	<p>To Governor</p>
<p><b>Liability Expansion.</b> AB 2074 (Bonta; D-Oakland) Creates an unprecedented basis for tort liability in California by imposing joint and several liability on any company in the stream of commerce for injury caused by a product, even though those companies did not create the product, know of the harm it posed, or cause the harm suffered. Oppose.</p>	<p>Assembly Inactive File 6/4/18; Failed Deadline</p>
<p><b>Interference with Contracts.</b> AB 1902 (Levine; D-San Rafael) Discourages and reduces “personal service contracts” as defined, by unfairly increasing the contract price for these services based upon an undefined and unspecified “area income” rate that presumably will include wages from different industries and different occupations that are not comparable to personal services. It also provides the Department of Industrial Relations with extraordinary authority to value companies, determine “similar services” to be included under the provisions of this bill, and what constitutes “area income.” Oppose/<b>Job Killer 2018.</b></p>	<p>Held in Assembly Appropriations Suspense File 5/25/18; Failed Deadline</p>
<p><b>Disclosure of Trade Secrets and Increased Litigation.</b> AB 889 (M. Stone; D-Scotts Valley) Unnecessarily changes the definition of what information qualifies as a “trade secret” and will essentially force the disclosure of confidential, trade secret information in civil litigation based upon an unproven allegation that a product is defective, which will force companies into unjustified costly settlements as well as overwhelm the judiciary with motions and hearings by parties seeking to protect their trade secrets. Oppose.</p>	<p>Assembly Floor 1/8/18; Failed Deadline</p>
<p><b>Liability Expansion.</b> AB 2995 (Carrillo; D-Los Angeles) Significantly expands tort liability for lead paint by stating that any amount of lead paint on the interior or exterior of the home is an injury to the property for which damages can be recovered. Oppose.</p>	<p>Assembly Floor 5/3/18; Failed Deadline</p>
<p><b>Confidentiality Provisions.</b> AB 3109 (M. Stone; D-Scotts Valley) Specifies the limitations of a non-disclosure provision in a settlement agreement for claims involving sexual harassment and assault, so that the Legislature, courts, or administrative agencies can resolve disputes or policy debates involving these issues. Support.</p>	<p>To Governor</p>
<p><b>Employee-Union Agent Evidentiary Privilege.</b> AB 3121 (Kalra; D-San Jose) Creates a new evidentiary privilege that is one-sided and will provide a union representative with an unfair opportunity to preclude relevant evidence during litigation regarding labor disputes or collective bargaining, that may ultimately result in the miscarriage of justice. Oppose.</p>	<p>Senate Inactive File 8/29/18</p>
<p><b>Confidentiality Provisions.</b> SB 820 (Leyva; D-Chino) Limits the ability to informally resolve civil cases that include an allegation of harassment or failure to prevent harassment, which will encourage defendants to pursue a trial on the merits of such cases to prove such claims lack merit and clear any public concerns regarding reputation, thereby increasing the burden on the trial courts. Oppose.</p>	<p>To Governor</p>
<p><b>Allocation of Judgeships.</b> SB 38 (Roth; D-Riverside) Increases the number of judges on the Fourth District Court of Appeal in Riverside/San Bernardino to ensure timely resolution of disputes. Support.</p>	<p>Held in Assembly Appropriations Suspense File 8/16/18</p>
<p><b>International Commercial Arbitration.</b> SB 766 (Monning; D-Carmel) Clarifies that out-of-state attorneys and attorneys from foreign jurisdictions may apply to appear and represent parties in international commercial disputes hosted in California, which will create a greater opportunity for California to host these proceedings and provide business opportunities for the state. Support.</p>	<p>Signed—Chapter 134</p>



<p><b>Economic Barrier.</b> AB 2192 (M. Stone; D-Scotts Valley) Before amendments, limited publishers’ ability to recoup costs on time, effort, and money invested into peer-reviewed manuscripts that are based upon research developed through state grants by mandating such publications are free and open to the public within 6 months of completion, which would have jeopardized quality of these manuscripts and the continued investment in such manuscripts. Opposition removed due to April 5, 2018 amendments. No Position.</p>	<p>To Governor</p>
<p><b>Housing Costs.</b> AB 2353 (Frazier; D-Discovery Bay) Reduces the threat of ongoing litigation against homebuilders for alleged construction defects, which will reduce cost for builders and costs for homes in California. Support.</p>	<p>Senate Inactive File 8/16/18</p>
<p><b>Litigation Exposure.</b> AB 2648 (Friedman; D-Glendale) Carves out “water contamination” claims from the statute of repose, which could create significant and retroactive liability and costly litigation against property owners, developers, contractors, architects, engineers and other service providers. Oppose.</p>	<p>Assembly Judiciary 4/12/18; Failed Deadline</p>
<p><b>Individual Liability.</b> SB 1038 (Leyva; D-Chino) Before amendments, unfairly imposed individual liability on a supervisor employee for making personnel and management decisions that are a part of the supervisor’s duties, placing the supervisor in a conflict of interest with the employer, and subjecting the individual to financial harm. Opposition removed due to June 25, 2018 amendments. No Position.</p>	<p>Assembly Inactive File 8/27/18</p>

## Marijuana

<p><b>Medical Marijuana in Employment.</b> AB 2069 (Bonta; D-Oakland) Undermines employer’s ability to provide a safe and drug-free workplace by requiring employers to provide a reasonable accommodation to employees who use marijuana for a disability or medical purposes, exposing employers to costly and unnecessary litigation under the Fair Employment and Housing Act (FEHA) whenever the employer terminates an employee who has created a safety hazard in the workplace. Oppose/<b>Job Killer 2018.</b></p>	<p>Held in Assembly Appropriations Suspense File 5/25/18; Failed Deadline</p>
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## Other

<p><b>Cigarette Filter Ban.</b> AB 2308 (M. Stone; D-Scotts Valley) Increases the cost to manufacturers and puts California at a disadvantage by banning single-use filtered cigarettes in the state. Oppose.</p>	<p>Assembly Governmental Organization 5/2/18; Failed Deadline</p>
<p><b>Seismic Safety.</b> AB 2681 (Nazarian; D-Sherman Oaks) Before amendments, caused devaluation of properties in some parts of the state by listing them as vulnerable to earthquake damage on a list at the Office of Emergency Services open to the public. Opposition removed due to April 12, 2018 amendments. No Position.</p>	<p>To Governor</p>

## Privacy and Technology

<p><b>California Consumer Privacy Act of 2018.</b> AB 375 (Chau; D-Monterey Park/Hertzberg; D-Van Nuys). This bill, effective January 1, 2020, would require businesses to do the following, among many other things, upon the request of a consumer: inform the consumer as to what personal information (PI) is being collected about them and whether their PI is being sold and to whom; provide to the consumer the categories and specific pieces of PI the business has collected about that consumer; delete any PI collected from the consumer; and permit the consumer to opt-out of or to opt-in to the sale of their PI, depending on age of the consumer. This bill also creates significant class action liability for a company in the wake of a data breach, creating a private right of action for any consumer whose data has been breached to sue for significant statutory damages without any proof of injury required. Although CalChamber opposed this bill, we preferred it to the privacy ballot initiative, which was much worse and has since been pulled from the ballot due to the passage of AB 375.</p>	<p>Signed 6/28/18—Chapter 55</p>
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<p><b>AB 375 Technical Clean-Up Vehicle.</b> SB 1121 (Dodd; D-Napa) Originally removed the requirement of economic injury for standing to bring a claim in California against a company for a data breach, undermining the intent of voters, and drastically increasing liability for companies without providing any corresponding benefit to California consumers. Following enactment of AB 375 consumer privacy law in June, developed as an AB 375 technical clean-up vehicle. CalChamber worked with members and other affected parties to create a list of technical fixes. Job killer status removed due to August 27, 2018 amendments containing negotiated clean-up language to AB 375, including delayed enforcement of AB 375 and provisions clarifying that AB 375 private right of action applies only to additional liability for businesses after a data breach. As a result, CalChamber supports SB 1121. Support/<b>Former Job Killer 2018.</b></p>	<p>To Governor</p>
<p><b>Mandatory Rolling Notification of Data Breaches.</b> AB 2182 (Levine; D-San Rafael) Dramatically expands data breach notification requirement for businesses, mandating they provide rolling notices of data breaches even while still determining the full scope of a breach or working to restore the integrity of their data systems, which will harm consumers and lead to frivolous lawsuits due to the massive liability businesses now face from the California Consumer Privacy Act. Oppose.</p>	<p>Senate Rules 8/13/18</p>
<p><b>Connected Devices.</b> AB 1906 (Irwin; D-Thousand Oaks) Beginning on January 1, 2020, requires manufacturers of connected devices to equip those devices with reasonable security features appropriate to the nature of the device. Opposition removed due to May 9, 2018 amendments. No Position.</p>	<p>To Governor</p>
<p><b>Connected Devices.</b> SB 327 (Jackson; D-Santa Barbara) Before amendments, imposed onerous, duplicative and premature data security and notification mandates on manufacturers and retailers of devices that connect to the Internet. Opposition removed due to January 11, 2018 amendments. No Position.</p>	<p>To Governor</p>
<p><b>Digital Commercial Health Monitoring.</b> AB 2935 (Chau; D-Monterey Park) Requires digital commercial health monitoring operators to post a notice and obtain a consumer’s affirmative consent to share, sell or disclose the information to a third party. Oppose Unless Amended.</p>	<p>Senate Judiciary 6/20/18; Failed Deadline</p>
<p><b>Unmanned Aircraft Systems (UAS).</b> SB 347 (Jackson; D-Santa Barbara) Creates inconsistencies with federal law and risks stunting UAS growth and its associated economic benefits by restricting operations and navigation of UAS and delegating regulation to the California Department of Transportation. Oppose.</p>	<p>Assembly Privacy &amp; Consumer Protection 6/5/18; Failed Deadline</p>
<p><b>Third-Party Sharing by Places of Lodging and Bus Companies.</b> SB 1194 (Lara; D-Bell Gardens) Prevents private businesses from sharing guest and passenger information without a court-issued warrant, subpoena, or order except as specified. Opposition removed due to June 20, 2018 amendments that carve out third-party sharing for business purposes. No Position.</p>	<p>To Governor</p>
<p><b>Online Sales.</b> AB 2511 (Chau; D-Monterey Park) Requires online retailers to take reasonable steps to verify the age of the purchaser and to refrain from delivering proscribed products to persons under 18. Opposition removed due to August 24, 2018 amendments. No Position.</p>	<p>To Governor</p>
<p><b>Automated Technology or “Bots.”</b> SB 1001 (Hertzberg; D-Van Nuys) Makes it unlawful for any person to use a bot with the intention of misleading and without disclosing that it is a bot and is not a natural person. Opposition removed due to June 21, 2018 amendments. No Position.</p>	<p>To Governor</p>
<p><b>Spam Emails.</b> AB 2546 (Chau; D-Monterey Park) Before amendments, broadened the definition of spam email and imposed new regulations on businesses communicating with customers or sending marketing emails. Opposition removed due to May 29, 2018 amendments. No Position.</p>	<p>Assembly Inactive File 8/29/18</p>
<p><b>Blockchain Technology Working Group.</b> AB 2658 (Calderon; D-Whittier) Requires the Secretary of the Government Operations Agency to appoint a blockchain working group, on or before July 1, 2019, to evaluate the use of the technology. Support.</p>	<p>To Governor</p>
<p><b>Social Media Working Group.</b> SB 1424 (Pan; D-Sacramento) Requires the Attorney General to establish an advisory committee to study the problem of false information on internet-based social media platforms and to make recommendations. Opposition removed due to May 10, 2018 amendments. No Position.</p>	<p>To Governor</p>

<p><b>Bot Advertising.</b> AB 1950 (Levine; D-San Rafael) Requires sellers of digital advertising to verify that buyers are natural persons. Oppose.</p>	<p>Assembly Privacy &amp; Consumer Protection 2/8/18; Failed Deadline</p>
<p><b>Privacy in Annual Disclosures.</b> AB 1781 (Steinorth; R-Rancho Cucamonga) Requires the Secretary of State to exempt resident addresses and personal signatures contained within certain corporate annual statements from being published online in order to prevent fraud and identity theft. Support.</p>	<p>Held in Assembly Appropriations Suspense File 5/25/18; Failed Deadline</p>
<p><b>Unmanned Aircraft Systems (UAS).</b> SB 1355 (Hill; D-San Mateo) Prohibits use of drones above the grounds of a prison or jail. Oppose.</p>	<p>To Governor</p>
<p><b>Driver License Information.</b> AB 2769 (Cooper; D-Elk Grove) Prohibits businesses from storing driver license information for more than 24 hours without prior written consent. Concerns were removed based on April 19, 2018 narrowing amendments. No Position.</p>	<p>To Governor</p>

## Product Regulation

<p><b>Misinformed Chemical Regulation.</b> AB 2998 (Bloom; D-Santa Monica) Imposes an overly broad chemical regulatory regime by restricting the sale of any “flame retardant chemical” used in juvenile products, mattresses, or upholstered furniture, even for chemistries not yet invented or evaluated by regulatory authorities. Oppose.</p>	<p>To Governor</p>
<p><b>Risks California Jobs and Limits Consumer Options.</b> SB 1249 (Galgiani; D-Stockton) Before amendments, jeopardized hundreds of thousands of California manufacturing, distribution and retail jobs by effectively banning for sale any cosmetic product whose ingredient was tested on animals for any purpose, by anyone, anywhere in the world. As many cosmetic products contain active ingredients that are required by state, federal and international law to be animal tested for purposes of demonstrating human health and safety, SB 1249 would have severely handicapped American cosmetic companies that have no control over animal testing done on shared ingredients for purposes unrelated to cosmetics. Opposition removed due to August 28, 2018 amendments. No Position.</p>	<p>To Governor</p>
<p><b>Sidesteps Safer Consumer Products Program Process.</b> AB 958 (Ting; D-San Francisco) Politically rather than scientifically identifies certain chemicals used in food packaging as priority products under the Safer Consumer Products program, and directs the Department of Toxic Substances Control (DTSC) to adopt regulations with regard to those chemicals, unless it determines there is insufficient data to conduct and complete the priority product evaluation and regulatory process. If DTSC makes the foregoing determination, it must pursue the data necessary to conduct and complete the evaluation and regulatory process. Oppose.</p>	<p>Senate Inactive File 8/21/18</p>
<p><b>Stifles Innovation for Electronic and Appliance Products.</b> AB 2110 (Eggman; D-Stockton) Mandates the disclosure of intellectual property and threatens consumer security and safety by requiring original equipment manufacturers of electronics and appliances sold in the State of California to provide independent repair providers with diagnostic and repair information, software, tools, and parts. Oppose.</p>	<p>Assembly Privacy &amp; Consumer Protection 4/5/18; Failed Deadline</p>
<p><b>Misguided Cleaning Product Procurement Mandate.</b> AB 2570 (Nazarian; D-Sherman Oaks) Imposes a misguided cleaning product procurement mandate on California public schools by requiring schools to purchase and use “environmentally preferable cleaning products,” which exclude critical product certification alternatives and the use of disinfectant products to prevent disease and infection. Oppose.</p>	<p>Held in Senate Appropriations Suspense File 8/16/18</p>
<p><b>Endorses Controversial Proposition 65 Listing Process.</b> SCR 100 (Lara; D-Bell Gardens) Endorses the controversial Labor Code listing mechanism under Prop. 65 by urging the Office of Environmental Health Hazard Assessment to list processed meat as a Prop. 65 carcinogen based on a determination made by the International Agency for Research on Cancer. Oppose.</p>	<p>Senate Environmental Quality 4/9/18</p>
<p><b>Labeling.</b> AB 2632 (Santiago; D-Los Angeles) Protects consumer product and food manufacturers from lawsuits by clarifying package labeling requirements regarding the amount of product and packaging. Support.</p>	<p>To Governor</p>

<p><b>Provides Ingredient Information to Salon Employees.</b> AB 2775 (Kalra; D-San Jose) Ensures that ingredient information is readily available to every salon employee and customer by requiring professional cosmetic products manufactured on or after July 1, 2020, to have a label affixed on the container that satisfies all of the labeling requirements for any other cosmetic pursuant to the federal Food, Drug, and Cosmetic Act and the federal Fair Packaging and Labeling Act. Support.</p>	<p>To Governor</p>
<p><b>Clarifies Cleaning Product Right to Know Act.</b> AB 2901 (Committee on Environmental Safety and Toxic Materials) Provides greater clarity for implementation of the 2017 Cleaning Product Right to Know Act by making minor technical changes to certain terminology. Support.</p>	<p>Signed—Chapter 28</p>

## Public Employees’ Retirement System

<p><b>Public Employee Retirement Systems Investment Policy.</b> AB 2571 (Gonzalez Fletcher; D-San Diego) Seeks to publicly shame investment managers and the hospitality companies in which they invest, by forcing them to submit an annual report subject to a public review, that discloses employee wage information according to gender, ethnicity, and race, exposing such companies to costly litigation. Oppose/<b>Job Killer 2018.</b></p>	<p>Assembly Public Employees, Retirement &amp; Social Security 3/19/18; Failed Deadline</p>
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## Recycling

<p><b>Burdensome Mandate on Beverage Containers.</b> AB 2779 (M. Stone; D-Scotts Valley) Drives up the cost of beverages, imposes impractical technology requirements, and reverses a decade-long trend of reducing the amount of plastic in PET bottles by requiring that the cap of any single-use plastic beverage container be tethered to the container. Oppose.</p>	<p>Assembly Inactive File 6/4/18; Failed Deadline</p>
<p><b>Burdensome Mandate on Beverage Containers.</b> AB 319 (M. Stone; D-Scotts Valley) Drives up the cost of beverages and imposes impractical technology requirements by requiring that the cap of a single-use plastic beverage container be tethered or affixed to the container. Oppose.</p>	<p>Assembly Floor 1/10/18; Failed Deadline</p>
<p><b>New Recycling/Composting Requirements.</b> SB 1335 (B. Allen; D-Santa Monica) Before amendments, forced food service facilities operating in California state agencies or facilities to stop using disposable food service ware by 2021 unless 75% or more of the packaging can be recycled or composted. Since the mandated recycle/compost rate was not achievable within the time frame allotted, the bill served as a “defacto” ban on single-use cups, take-out containers, plates, trays and bowls in all state facilities. Opposition removed due to August 24, 2018 amendments which, unlike earlier versions, are material neutral and create a stakeholder process for ongoing industry input at CalRecycle to evaluate all food service material types in order to develop a list of products acceptable for use at state facilities. No Position.</p>	<p>To Governor</p>
<p><b>New Recycling Organization for Beverage Containers.</b> SB 168 (Wieckowski; D-Fremont) Increases beverage container manufacturers’ costs and creates uncertainty by establishing a new organization requiring them to develop and submit a plan and budget for recycling of beverage containers similar to that of the Used Mattress Recovery and Recycling Act, including the establishment of a stewardship fee to fund the costs of implementing the program. Oppose.</p>	<p>Failed Passage in Assembly 8/31/18</p>

## Regulatory Reform

<p><b>Regulatory Reform.</b> AB 2671 (Fong; R-Bakersfield) Promotes greater accountability, transparency, improved efficiency and modernization of regulations by requiring agencies to review their regulations, as well as to submit major regulations to the Legislature for review, which paves the way to effective and least burdensome regulations. Support.</p>	<p>Held in Assembly Appropriations Suspense File, 5/25/18; Failed Deadline</p>
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<p><b>Regulatory Reform.</b> AB 2971 (Calderon; D-Whittier) Will save taxpayer dollars, streamline government operations, improve public services, and reduce duplication and waste without compromising public policy goals of regulations by requiring state agencies to review all existing regulations to identify overlap, duplication, inconsistencies or provisions that are out of date, and report the findings to the Legislature. Support.</p>	<p>Held in Assembly Appropriations Suspense File, 5/25/18; Failed Deadline</p>
<p><b>State Agency Modernization.</b> AB 2087 (Waldron; R-Escondido) Enhances California’s ability to deliver services by improving and updating our state’s information technology systems to take advantage of modern technologies. Support.</p>	<p>Held in Senate Appropriations Suspense File 8/16/18</p>

## Taxation

<p><b>Tax on Services.</b> SB 993 (Hertzberg; D-Van Nuys) Imposes a 3% tax on services purchased by businesses in California, with some exceptions, adding another layer of taxes onto California companies, raising costs, and putting them at a competitive disadvantage. Oppose/<b>Job Killer 2018.</b></p>	<p>Senate Governance &amp; Finance 5/16/18</p>
<p><b>Increased Tax Rate.</b> SB 1398 (Skinner; D-Berkeley) Threatens to significantly increase the corporate tax rate on publicly held corporations and financial institutions up to 15% according to the wages paid to employees in the United States, and threatens to increase that rate by 50% thereafter, if the corporation or institution reduces its workforce in the United States and simultaneously increases its contractors. Oppose/<b>Job Killer 2018.</b></p>	<p>Senate Governance &amp; Finance 3/8/18</p>
<p><b>Targeted Tax on High Earners.</b> AB 2351 (Eggman; D-Stockton) Unfairly increases the personal income tax rate from 13.3% — which is already, by far, the highest income tax rate in the country — to 14.3% for one category of taxpayers (including sole proprietors), who already pay half of California’s income taxes, forcing them to mitigate these costs through means that include reducing workforce, in order to provide more funding for higher education. Oppose/<b>Job Killer 2018.</b></p>	<p>Assembly Revenue &amp; Taxation 4/16/18</p>
<p><b>Middle Class Fiscal Relief Act.</b> ACA 22 (McCarty; D-Sacramento) Unnecessarily increases California’s 8.84% corporate tax rate, already one of the highest in the nation, to 18.84%, which will encourage companies to leave the state and discourage companies from expanding or relocating here. Oppose/<b>Job Killer 2018.</b></p>	<p>Assembly Print 1/18/18</p>
<p><b>Opioid Medication Excise Tax.</b> AB 2486 (McCarty; D-Sacramento/Gallagher (R-Yuba City). Unfairly targets one category of taxpayer, manufacturers and distributors of opioid medication in California, to raise money for opioid prevention and rehabilitation programs, which will raise their costs, limit their workforce, and increase prices for drugs crucial to California’s vulnerable population, including those in need of medically assisted treatment for substance abuse. Oppose.</p>	<p>Senate Health 6/13/18</p>
<p><b>Extension of Film Tax Credits.</b> SB 951 (Mitchell; D-Los Angeles) Before being incorporated into SB 871, a budget trailer bill, extended California’s current tax credit for motion picture and television productions, which has a sunset date of July 1, 2020, for an additional five years, continuing the success of this tax credit, which has brought more film and television production jobs to this state and has increased business to California companies that supply productions with goods and services. Support/<b>Job Creator 2018.</b></p>	<p>Assembly Inactive File 8/27/18</p>
<p><b>Extension of Film Tax Credits.</b> AB 1734 (Calderon; D-Whitter) Before being incorporated into SB 871, a budget trailer bill, extended California’s current tax credit for motion picture and television productions, which has a sunset date of July 1, 2020, for an additional five years, continuing the success of this tax credit, which has brought more film and television production jobs to this state and has increased business to California. Support/<b>Job Creator 2018.</b></p>	<p>Senate Governance &amp; Finance 6/7/18</p>

<p><b>Extension of Film Tax Credits.</b> SB 832 (Portantino; D-La Cañada Flintridge) Extends California’s current tax credit for motion picture and television productions, which has a sunset date of July 1, 2020, for an additional five years, continuing the success of this tax credit, which has brought more film and television production jobs to this state and has increased business to California companies that supply productions with goods and services. Support/<b>Job Creator 2018.</b></p>	<p>Held in Senate Appropriations Suspense File 5/25/18</p>
<p><b>Extension of Film Tax Credits.</b> AB 2936 (Nazarian; D-Sherman Oaks) Extends California’s current tax credit for motion picture and television productions, which has a sunset date of July 1, 2020, for an additional five years, continuing the success of this tax credit, which has brought more film and television production jobs to this state and has increased business to California companies that supply productions with goods and services. Support/<b>Job Creator 2018.</b></p>	<p>Held in Assembly Appropriations Suspense File 5/25/18</p>
<p><b>Extension of Film Tax Credits.</b> SB 871 (Committee on Budget and Fiscal Review) Extends California’s current job creator tax credit for motion picture and television productions, which has a sunset date of July 1, 2020, for an additional five years, continuing the success of this tax credit, which has brought more film and television production jobs to this state and has increased business to California companies that supply productions with goods and services. Support.</p>	<p>Signed 6/27/18—Chapter 54</p>
<p><b>Extension of Film Tax Credits.</b> AB 1837 (Committee on Budget) Extends California’s current tax credit for motion picture and television productions, which has a sunset date of July 1, 2020, for an additional five years, continuing the success of this tax credit, which has brought more film and television production jobs to this state and has increased business to California companies that supply productions with goods and services. Support.</p>	<p>Senate Inactive File 7/5/18</p>
<p><b>Abatement of Taxes.</b> AB 2503 (Irwin; D-Thousand Oaks) Extinguishes annual taxes (and related interest and penalties) that continue to improperly accrue to businesses that no longer exist, because they failed to complete the paperwork necessary for dissolution. Support.</p>	<p>To Governor</p>
<p><b>Expedited Return of Tax Overpayment.</b> AB 2855 (Brough; R-Dana Point) Expedites tax refund adjustments of net operating loss (NOL) carrybacks, so businesses would have timely access to capital that can be reinvested into the economy. Support.</p>	<p>Held in Senate Appropriations Suspense File 8/16/18</p>
<p><b>Abatement of Timeliness Penalty.</b> SB 1082 (Bradford; D-Gardena) Allows the Franchise Tax Board to waive select timeliness penalties imposed on taxpayers who have no prior compliance problems. Support.</p>	<p>Held in Senate Appropriations Suspense File 5/25/18</p>
<p><b>California Work Opportunity Tax Credit.</b> AB 916 (Quirk-Silva; D-Fullerton) Creates an alternative to California’s severely underutilized new employment hiring tax credit that would be patterned after the more effective federal work opportunity tax credit, which would be better targeted toward helping individuals who face barriers to employment, save the state of California millions of dollars in contributions to social programs, like Medicaid, and bring increased federal tax savings to California businesses. Support.</p>	<p>Held in Senate Appropriations Suspense File 8/16/18</p>

## Telecommunications

<p><b>Net Neutrality.</b> SB 822 (Wiener; D-San Francisco) Preempted by federal law and opens the door to a patchwork of unworkable state regulations that will stymie innovation and potentially undermine the backbone of California’s internet economy. Oppose.</p>	<p>To Governor</p>
<p><b>Net Neutrality.</b> SB 460 (de León; D-Los Angeles) Preempted by federal law and opens the door to a patchwork of unworkable state regulations that will stymie innovation and potentially undermine the backbone of California’s internet economy. Oppose.</p>	<p>Failed Passage in Assembly 8/31/18</p>

## Tourism

<b>Tourism Stimulus.</b> AB 986 (Gallagher; R-Yuba City) Helps reverse California’s unprecedented decline in recreational fishing participation, which will increase jobs and tourism in the areas that depend on sport fishing, by reducing fishing license fees for veterans. Support.	Held in Senate Appropriations Suspense File 8/16/18
<b>Sport Fishing License Reform.</b> SB 518 (Berryhill; R-Twain Harte) Before amendments, reformed how fishing licenses are issued to increase participation in sport fishing. Support removed due to June 6, 2018 amendments. No Position.	Assembly Inactive File 8/30/18

## Transportation and Infrastructure

<b>Lowers Vote Requirement for Tax Increases.</b> SCA 6 (Wiener; D-San Francisco) Unnecessarily reduces the voter threshold from two-thirds to 55% for local governments to enact special taxes, including parcel taxes, for the purpose of providing transportation services, which creates an opportunity for discriminatory and higher taxes to be imposed against disfavored industries and commercial property owners. Oppose/ <b>Two Year Job Killer.</b>	Held in Senate Appropriations Suspense File 5/25/17
<b>Impedes Regulatory Efforts.</b> AB 87 (Ting; D-San Francisco) Before amendments, potentially impeded efforts to adopt regulations guiding autonomous vehicle testing by codifying language for regulations before the current rulemaking process is complete. Opposition removed due to August 6, 2018 amendments. No Position.	To Governor
<b>Streamlines Requirements.</b> SB 1080 (Roth; D-Riverside) Streamlines driver licensing requirements for active duty military and their families so they can begin earning extra income through ride-sharing without unnecessary fees and delays. Support.	To Governor
<b>Encourages Development.</b> AB 427 (Muratsuchi; D-Torrance) Encourages economic development by creating the California Aerospace and Aviation Commission to support the health and competitiveness of California’s aerospace manufacturing sector. Support.	To Governor

## Water Supply and Quality

<b>Delta Stewardship Council.</b> AB 1876 (Frazier; D-Discovery Bay) Impedes progress toward achieving a balanced water supply/quality solution in the delta by abolishing the broad-based Delta Stewardship Council and rolling its authority to the much narrower in perspective Delta Protection Commission. Oppose.	Assembly Water, Parks & Wildlife 1/29/18; Failed Deadline
<b>Irrigation Water.</b> AB 2828 (Friedman; D-Glendale) Increases the costs of produced water used by farmers to irrigate crops. Undermines and circumvents existing regulations covering water quality and safety. Oppose.	Assembly Environmental Safety & Toxic Materials 3/8/18; Failed Deadline
<b>Land Use.</b> AB 2975 (Friedman; D-Glendale) Before amendments, restricted adjacent and nearby private property owners’ use of their lands by automatically giving any federally delisted wild and scenic rivers protection under the state act, but retaining federal elements. Opposition removed due to May 29, 2018 amendments. No Position.	Signed—Chapter 221
<b>Unimpaired River Flows.</b> SB 579 (Galgiani; D-Stockton) Preserves water rights by requiring the Water Board to consider other investments that benefit aquatic habitats along with flow requirements. Support.	Assembly Rules Committee 8/24/18
<b>Water Conveyance.</b> SB 120 (Roth; D-Riverside) Prohibits new water projects in a specific part of the state by adding more unnecessary and unreasonable permit requirements for water conveyance. Oppose.	Held in Senate Appropriations Committee 8/31/18

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