

ALERT

Just 2 Job Killer Bills Pass

News Reports: Governor Says He Plans to Veto SB 1



Only two of the 31 **job killer** bills identified this year by the California Chamber of Commerce have passed the Legislature and been sent to Governor Gavin Newsom.

- One of the bills, **SB 1 (Atkins; D-San Diego)**, which the Governor has indicated he will veto, threatened to create adverse consequences by impairing the state's ability to adaptively manage its water supply.

- The second job killer bill, **AB 51 (Gonzalez; D-San Diego)**, prohibits arbitration of labor and employment claims as a condition of employment

SB 1 Veto

In response to news reports that Governor Newsom plans to veto SB 1, CalChamber President and CEO Allan Zaremberg said:

"All Californians who rely on a clean, dependable and affordable supply of water should welcome news that Governor Newsom has indicated he will veto SB 1.

"SB 1 posed a major threat to California's water supply and reliability, and the Governor has shown outstanding leadership in announcing his veto of this measure.

"While Senator Toni Atkins and the Governor are allies, we appreciate the Governor making California water policy the priority.

"In addition, we are grateful for the leadership of Senator Dianne Feinstein and the other members of Congress who joined a large coalition of urban and rural

water users in educating California policy makers and the public about the adverse consequences SB 1 would have brought."

Seeking Veto

The CalChamber is asking members to contact Governor Newsom and urge him to **veto AB 51**.

The CalChamber has tagged AB 51 as a job killer due to the significant increased costs employers will face as a result of more litigation and the expense of delayed dispute resolutions if the bill becomes law. The bill also proposes to add a new private right of action under the Fair Employment and Housing Act (FEHA) and exposes employers to criminal liability for any violation.

In opposing AB 51, the CalChamber has emphasized repeatedly that the bill will undoubtedly be challenged in court, creating more litigation without providing any benefit to employees as intended. Last year, Governor Edmund G. Brown Jr. vetoed a virtually identical bill, saying it "plainly violates federal law."

Numerous opinions by the U.S. Supreme Court and the California Supreme Court over the last decade have consistently held that any state law which interferes with, discriminates against, or limits the use of arbitration is preempted by federal law, the Federal Arbitration Act.

Job Killers Stopped/Amended

On the final day of the legislative year, the job killer bill granting unemployment benefits to striking workers,

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Legislature Sends 3 Job Creator Bills to Governor



Three bills identified by the California Chamber of Commerce as job creators

passed the Legislature this year and await action by the Governor. The CalChamber has asked the Governor to sign the following bills.

- **Workforce Coordination. AB 23 (Burke; D-Inglewood)** Establishes the Business Workforce Coordination Unit, which will help provide California with a workforce that is employment-ready and trained in industry sectors that have the greatest workforce needs.

AB 23 will help close the skills gap by ensuring training and instruction are targeted to and satisfy industry needs.

- **Encourages Technological Innovation. AB 1195 (O'Donnell; D-Long Beach)** Allows credit under the Low Carbon Fuel Standard to innovative crude technologies, including carbon capture and sequestration, energy storage, and renewable natural gas or biogas. Creates jobs by encouraging the development of new technology to meet California's ambitious climate change goals.

AB 1195 is consistent with the state's goals of decreasing greenhouse gas emissions through a flexible approach that protects jobs and the economy.

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Labor Law Corner

September 30 Deadline for Reporting EEO-1 Compensation Data



Bianca N. Saad
Employment Law
Subject Matter Expert

What is the EEO-1 Component 2 data and how do I know if I have to report?

The EEO-1 annual compliance survey requires certain employers to report company employment data categorized by race/ethnicity and gender in each of 10 job categories.

Employers who file EEO-1 reports have already submitted what is now referred to as “Component 1” demographic data (race/ethnicity, gender) for calendar year 2018—but EEO-1 “Component 2” compensation data, covering pay and hours worked for calendar years 2017 and 2018, must be reported by September 30, 2019. This is the first year Component 2 data must be filed.

Both the Equal Employment Opportunity Commission (EEOC) and the Office of Federal Contract Compliance Programs (OFCCP) have used EEO-1 data since 1966 to assess private employers’ and government contractors’ women and minority workforce.

The EEOC has announced that it will not renew its request for authorization to collect Component 2 data in the future, but will continue to collect Component 1 data.

Here’s what you need to know for reporting EEO-1 Component 2 data this year.

Who Must Report?

All employers with 100 or more employees during what’s referred to as the “workforce snapshot period” in 2017—including federal contractors—are required to submit Component 2 data for 2017.

Similarly, employers and federal contractors with 100 or more employees during the workforce snapshot period for 2018 are required to submit Component 2 data for 2018.

An employer’s “workforce snapshot period” is an employer-selected pay period between October 1 and December 31 of the reporting year. For instance:

- A 2017 workforce snapshot period is an employer-selected pay period between October 1, 2017 and December 31, 2017.
- A 2018 workforce snapshot period is an employer-selected pay period between October 1, 2018 and December 31, 2018.

Employers must report the compensation and hours-worked data for full- and part-time employees on the employer’s payroll during the workforce snapshot period. Employers may choose a different workforce snapshot period for reporting Component 2 data for each of these years.

Also, employers may choose a different workforce snapshot period for reporting Component 2 data than what was used for EEO-1 Component 1 reporting for 2017 and 2018.

Unlike with Component 1 data, federal contractors with 50–99 employees are not required to report Component 2 data. Private employers with fewer than 100 employees and federal contractors with fewer than 50 employees aren’t required to file either EEO-1 Component 1 data or Component 2 data.

Reporting Component 2 Data

Employers must electronically report their Component 2 data through the EEOC’s Component 2 EEO-1 Online Filing System, or by creating and electronically submitting a data file containing their data in the appropriate fields in accordance with the data file specifications. The Component 2 data is reported under “Section D – Employment Data.”

Employers are encouraged to access the EEOC’s online portal at <https://eeocomp2.norc.org/Index> and frequently asked questions, <https://eeocomp2.norc.org/Faq>, for additional information on how to accurately report Component 2 data by the September 30, 2019, deadline, and consult legal counsel with any questions about how to comply.

More details also appear in the *HRCalifornia Extra* article.

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.

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Quick Answers

to Tough

HR Questions



The Workplace Critical Employment Bill Awaits Action by Governor



The Legislature has wrapped up for the year, and the onus is now on Governor Gavin Newsom to decide which bills to sign into law.

In Episode 29 of *The Workplace*, CalChamber Executive Vice President and General Counsel Erika Frank, CalChamber Policy Advocate Robert Moutrie, and longtime Capitol lobbyist Chris Micheli discuss the important bills affecting employers that await action by the Governor and some of the related last-minute political scenarios.

Job Killer Stopped

The first bill they discuss is **AB 1066 (Gonzalez; D-San Diego)**, which was labeled a job killer by the CalChamber. The bill would have made employees who are on strike eligible to receive unemployment insurance (UI) benefits if the strike lasts more than four weeks.

“Because of the way UI is funded across the state, if one employer’s payments get too high, because they’ve drained too much out of the fund, the cost is spread to every other employer in the fund,” Moutrie explains.

“We saw that as certain to happen because of the amount of people that AB 1066 was going to add to the UI rolls. So at that point, it becomes a UI increase to every employer across the state, whether

or not you have labor disputes, whether or not you have any of those issues.”

Burdening the UI fund is particularly problematic given that California had problems maintaining the solvency of the UI fund during the last recession, Moutrie says. In fact, some current legislators were in office when the state borrowed money to cover the fund, Micheli says, which perhaps is one reason AB 1066 did not pass out of the Legislature.

The fight is not over, however. The bill can return next year, Micheli points out, and was just two votes short of passing.

Moutrie agrees.

“Because they got to 19 [total votes] in the end, I think that proponents are not going to take 19 as a sign of certain defeat... They think, ‘a little more work, give another go.’ So, I think we will see it next time,” Moutrie replies.

Bills Sent to Governor

Two bills the Legislature sent to the Governor that will have a huge impact on employers are **AB 5 (Gonzalez; D-San Diego)** and job killer **AB 51 (Gonzalez; D-San Diego)**.

AB 5

AB 5 codifies into the Labor Code the court decision in *Dynamex Operations West, Inc. v. Superior Court of Los Angeles*, which rejected the long-standing *Borello* test (where employer control over the worker was a key) and adopted the “ABC” test for determining whether workers should be classified as either employees or independent contractors.

The Governor signed AB 5 on September 18 and issued a signing statement. The bill contains more than 31 exemptions for a number of industries, but the exemptions are still not broad enough. AB 5’s author has committed to work on a clean-up bill over the fall and add more exemptions, Micheli explains.

(See the CalChamber statement on AB 5 on Page 4.)

AB 51

The last bill discussed in the podcast is AB 51. The bill bans arbitration agreements made as a condition of employment, Frank explains.

AB 51 is similar to legislation vetoed last year by Governor Edmund G. Brown Jr. for plainly violating federal law, Micheli says. If passed, AB 51 would create more cost, litigation and uncertainty for employers, who would have to wait until a court definitively resolves the conflict with federal statute.

In fact, if Governor Newsom signs AB 51, Moutrie says, the courts will have to decide whether AB 51 is federally preempted. During this ambiguous period, Moutrie advises that employers should consult their attorney to develop a strategy to ensure compliance.

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CalChamber-Sponsored Seminars/Trade Shows

More at www.calchamber.com/events.

Labor Law

HR Boot Camp. CalChamber. October 10, Costa Mesa; December 12, Oakland. (800) 331-8877.

Leaves of Absence: Making Sense of It All. CalChamber. September 26, Costa Mesa. (800) 331-8877.

HR Symposium. CalChamber. November 8, Huntington Beach. (800) 331-8877.

Business Resources

14th Annual Prop. 65 Conference. Prop 65 Clearinghouse. September 23, San Francisco. (415) 391-9808.

International Trade

Canada and Mexico Inbound Trade Mission. Western U.S. Agricultural Trade Association. September 23, Los Angeles; September 24, Sacramento; September 25, Oakland. (360) 693-3373.

Southern Border Tour and Briefing. Foreign Trade Association, American Association of Exporters and Importers. September 25, San Diego.

Foreign Trade Zone Forum: Enhancing Your Company’s Global Supply Chain Competitiveness. U.S. Commercial

Service. September 30, Portland, Oregon. (503) 326-3002.

Discover Greece: Invest in an Exciting Innovation Destination with a Fast-Growing Tech Scene. Hellenic Association of Mobile Applications Companies with others. September 30, San Francisco.

Discover Global Markets: Powering and Building The Middle East and Africa. U.S. Department of Commerce and the Houston District Export Council. September 30–October 2, Houston, Texas. (281) 228-5652.

New Law Extends, Clarifies Harassment Training Deadline



Some California employers now have until January 1, 2021 to train employees on sexual harassment prevention—a one-year extension of the original January 1, 2020 deadline.

The deadline was not extended for employers of seasonal and temporary employees who are hired to work for less than six months. Starting January 1, 2020, these employees must be trained within 30 calendar days after their hire date or within 100 hours worked, whichever occurs first.

Employer Training Deadlines

Under the new law, SB 778, all

employees—supervisory and nonsupervisory—must be trained by **January 1, 2021**.

Below is a quick breakdown for employers who've trained employees this year or in previous years.

- Year you last trained: 2019; Next required training: 2021. SB 778 clarifies that employers who train their employees in 2019 aren't required to provide refresher training until two years from the time the employee was trained

- Year you last trained: 2018; Next required training: 2020. SB 778 allows those employers who trained employees in 2018 to maintain their two-year cycle and still comply with the new January 1, 2021, deadline.

- Year you last trained: 2017; Next required training: 2019. Employers who trained supervisors in 2017 under prior law, known as AB 1825, should still train

those employees this year in order to maintain their two-year cycle.

The bill does not affect the portion of the law addressing seasonal and temporary workers.

CalChamber Resources

The California Chamber of Commerce makes it easy to effectively train employees and fulfill compliance obligations. Learners can take their individual, self-paced training in English or Spanish when it best fits their schedules. The [CalChamber has both a 2-hour Supervisor version and a 1-hour Employee version](#).

Also available is an updated free Required Harassment Prevention Training FAQs white paper, which answers many employers' questions about complying with the new training requirements.

Staff Contact: [Bianca N. Saad](#)

CalChamber Statement on AB 5

The California Chamber of Commerce released the following statement on September 18 on the signing of the independent contractor bill, AB 5 (Gonzalez; D-San Diego):

“CalChamber is pleased with the number of professions that AB 5 recognizes should not fall under the independent contractor test set forth in the *Dynamex* decision. AB 5 provides clarity

and certainty for those industries. The fact that the Legislature recognized in AB 5—and in related legislation—that so many professions and industries include workers who are not appropriately classified as employees is strong evidence that the *Dynamex* decision should not apply to everyone and there are many industries that still need to be added.

“Simply put, much work remains to

be done on the *Dynamex* issue. As such, the business community will be aggressively pursuing further exemptions next year. The test set forth in the *Dynamex* ruling does not correctly contemplate the realities of the modern economy nor fairly consider the sweeping impracticalities it would bring to the California economy.”

Just 2 Job Killer Bills Pass

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AB 1066 (Gonzalez; D-San Diego), fell short of votes needed to pass the Senate.

AB 1066 would have significantly increased costs on employers engaged in a trade dispute by allowing employees on strike to receive unemployment benefits if the strike lasted more than four weeks, incentivizing strikes, burdening employers, and potentially affecting the solvency of California's unemployment insurance fund.

A week before the session ended, amendments to twin recycling bills, **SB 54 (Allen; D-Santa Monica)** and **AB 1080 (Gonzalez; D-San Diego)**, led to removal of the job killer tag, but the CalChamber continued to oppose the

bills, which failed to pass the Legislature.

SB 54 and AB 1080 would have set impractical recycling rates and deadlines, provided CalRecycle with broad emergency regulatory authority that included significant fee authority with no legislative oversight, draconian penalties for unintentional data reporting errors, and lacked assurances that local jurisdictions and waste haulers would pull material through for all recyclable and compostable materials, among other significant issues.

For more information on the legislation considered this year, see the Status Update Report in this *Alert*.

Also of interest are this week's [podcast](#) and the [Capitol Insider](#) blog.

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- **License Relief for Disaster Victims. SB 601 (Morrell; R-Rancho Cucamonga)** Allows state agencies that issue business licenses to establish a procedure to reduce licensing fees for businesses affected by emergencies to help California businesses rebuild after disasters.

As businesses receive their licenses and get back to work, they will be able to bring employees back to work, creating employment in the affected communities.

California Economy Continues Growing; Some Declines Due to Ongoing Trade Wars

Fact Versus Fiction

While still savoring the fact that the U.S. economy is in the midst of a record-breaking expansion, attention has suddenly shifted to questions about when the next recession will begin.

Admittedly, there are a number of mounting concerns: U.S. trade conflicts, weaker global economic conditions, Brexit, and the inverted yield curve.

Still, despite the uncertainty that has fueled these concerns, and despite chronic homegrown problems with respect to the labor force and housing, California's economy has performed solidly through the first half of the year, and will stay on track into 2020.

Just the Facts, Ma'am

Looking beyond the rhetoric and headline-catching hyperbole, data clearly show a California economy that is humming along. The state's unemployment rate, having hit a record low of 4.1% in July 2018, has been skating along at that rate, or slightly above, in the months since.

Jobs grew statewide at a year-over-year rate of 1.8% in July 2019, comfortably above the long-run growth rate (since 1991) of 1.2% and a just a hair behind last year's 1.9% rate of expansion. And with a tight labor market and steady job growth, wages continue to climb.

California Job Gains

California added 311,800 jobs year-over-year as of July, and has accounted for 16% of job gains nationally through the first seven months of 2019, essentially unchanged from the previous five years.

Health Care, Professional Scientific and Technical Services, Leisure and

Hospitality, and Construction led the way in absolute terms, accounting for roughly two-thirds of the state's total job gains.

Each of these industries is driven by its own dynamic. Health Care has been on a sustained growth path for several years, while the advances in Professional

When viewed alongside the 8.1% increase in statewide taxable sales over this same period, it appears that both household and business spending have the wherewithal to fuel continued spending.

Regional Performance Varies

Regionally, Los Angeles County led the state in job growth in July 2019 with an increase of 59,400 positions, followed by the San Francisco Metropolitan District (41,100), the Inland Empire (35,700), and San Jose (33,500).

All but two metro areas in the state added jobs in yearly terms in July. While every region in California is on track to experience job growth for the year as a whole, performance varies across the state depending on underlying fundamentals and the leading industries in each

region: steady tech growth in the Bay Area; the energy sector in Bakersfield; tourism, retail, and professional services in Orange County; and logistics in the Inland Empire.

Problem Areas

To be sure, California is not without problems. Retail Trade lost 11,000 jobs year-over-year in July, wage and job gains are stronger in some parts of the state than in others, and the housing market is struggling in many regions.

Median home prices are a mixed bag, up across most of the state, but flat or decreasing in others. Home sales declined steadily last year in response to rising mortgage rates. However, with rates turning down since late 2018, sales improved modestly in the first half of 2019, and sales in the second half of the year should improve over the first.

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Scientific and Technical Services show the strength of the state's tech sector. Meanwhile, gains in Leisure and Hospitality employment are a reflection of spending from household and business discretionary income.

Construction, Professional Scientific and Technical Services, and Health Care were also leaders in percentage terms, followed by Information.

On the other hand, five of the state's 17 major industries contracted, losing a total of 13,600 jobs from July 2018 to July 2019 (less than 0.1% of the state's total payroll employment).

Evidence of growth also can be seen early in the year, in real gross state product, which was up 2.7% year-to-year in the first quarter, and in nominal personal income, which advanced by 3.1% over the same period, slightly off the national pace in both cases.

Economy Continues Growing; Some Declines Due to Ongoing Trade Wars

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Meanwhile, rents have continued to rise over the year against a backdrop of stable or declining vacancy rates, and statewide residential construction has declined compared to last year's levels, making an already-chronic housing shortfall even worse.

California Continues Growing Despite Trade Wars

Beginning with withdrawing the United States from the Trans-Pacific Partnership upon entering the White House, the Trump administration has aggressively challenged U.S. trading partners and has sought to reshape U.S. trade policy.

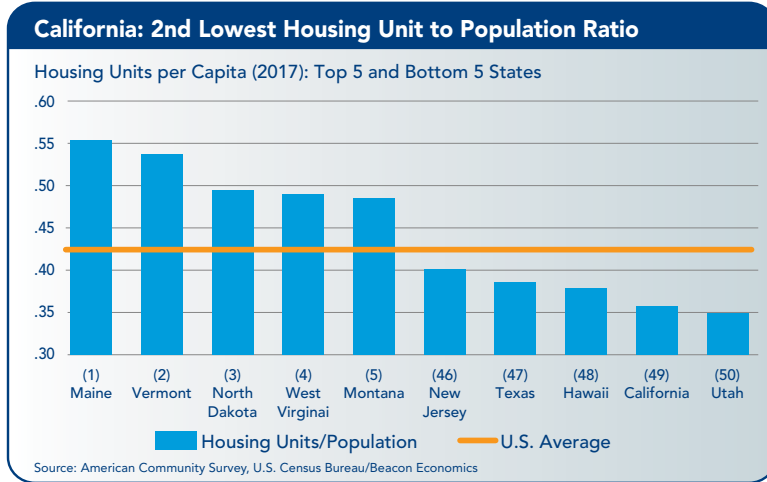
As home to the largest port complex in the Western Hemisphere and significant cross-border and trans-Pacific trade activity, California's trade-related and trade-dependent industries have a lot at stake.

Partly because of sustained strength

in the economies of the United States and its trading partners, but also because of efforts to stay ahead of forthcoming tariffs and trade restrictions, California

Shifting to the first half of this year, both California exports and imports are down in year-to-date terms. However, in light of the fact that the state labor market remains tight, that job gains continue on a sustained basis, and that many of the state's key industries continue to advance, it is clear that the California economy has been bruised, but not broken, by ongoing trade conflicts.

Staff Contact: Dave Kilby



The California Chamber of Commerce Economic Advisory Council, made up of leading

economists from the private and public sectors, presents a report each quarter to the CalChamber Board of Directors. The council chair is Christopher Thornberg, Ph.D., founding partner of Beacon Economics, LLC.

exports and imports advanced to new record high levels in 2017 and 2018 despite the Trump administration's machinations. Of course, some industries and commodities experienced declines over this period in contrast to the overall gains.

CalChamber

PUBLIC AFFAIRS CONFERENCE

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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 September 13, when the Legislature began its interim recess.

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

October 13 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 13.

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

Bills signed by the Governor will become law on January 1, 2020. Urgency, tax and budget-related measures go into effect immediately upon being signed. In those cases, the date the Governor signed the bill is noted.

Legislation that failed to meet deadlines this year may be acted upon in January 2020.

Each fall, the CalChamber 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 November 1.

Federal bills are marked with an *.

Status of legislative action on bills as of September 13, 2019. 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 Senate or Assembly floor, unless action is stated.

Subject—CalChamber Position	Status
Agriculture, Food and Resources	
Targeted Tax on Sweetened Beverages. AB 138 (Bloom; D-Santa Monica) Unfairly imposes a targeted excise tax on distributors of sweetened caloric beverages to fund health-related programs for all which will force distributors to reduce costs through higher prices to consumers or limit their workforce. Oppose/ Job Killer 2019 .	Assembly Revenue & Taxation 4/9/19
Marketing Restrictions. AB 764 (Bonta; D-Oakland) Severely restricts marketing opportunities by beverage companies based on unproven facts regarding health effects of sugar-sweetened beverages. Oppose.	Assembly Floor 5/20/19
Endangered Species Exemption. SB 62 (Dodd; D-Napa) Saves agricultural operations time and resources by extending the safe harbor provision to 2024 for accidental take of an endangered species during lawful routine and ongoing agricultural activities. Support.	Signed—Chapter 137
California Endangered Species Act: Safe Harbor. AB 202 (Mathis; R-Visalia) Protects landowners from additional regulations when undertaking conservation measures to protect endangered species. Support.	Senate Natural Resources & Water 4/24/19; Failed Deadline
Product Ban. AB 1788 (Bloom; D-Santa Monica) Increases the costs to business to exterminate pests by banning rat poisons containing anticoagulants and causes increased use of less effective and more toxic products. Oppose.	Senate Appropriations 8/21/19; Failed Deadline
Burdensome New Regulations. SB 69 (Wiener; D-San Francisco) Before amendments, imposed additional unwarranted and costly regulations on the timber industry for Timber Harvest Plans and limited regional water boards' discretion regarding discharge permits and disregarded current scientific information supporting local permit conditions. Opposition removed due to July 11, 2019 amendments. Neutral.	Assembly Appropriations Suspense File 8/30/19; Failed Deadline
Agriculture Economy. AB 417 (Arambula; D-Fresno) Helps agriculture and rural economies target investments, attract and retain businesses, and gather information on various local assets that will lead to improved economic conditions. Support.	To Governor

Subject—CalChamber Position	Status
Warning Labels. SB 347 (Monning; D-Carmel) 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.	Assembly Health 6/6/19; Failed Deadline
Limitations in Advertising. AB 765 (Wicks; D-Oakland) Interferes with business management decisions on product placement in retail food stores. Oppose.	Assembly Health 4/26/19; Failed Deadline
Portion Size Limitation. AB 766 (Chiu; D-San Francisco) Unfairly limits the sale of sugar-sweetened beverages to cups of 16 oz. or less and imposes penalties by Attorney General or local government counsel. Oppose.	Assembly Health 4/26/19; Failed Deadline
Migratory Birds. AB 454 (Kalra; D-San Jose) Before amendments, restricted land use by imposing new requirements on the taking of birds that are not endangered. Opposition removed due to May 16, 2019 amendments. Neutral.	To Governor
Farmworker Housing. AB 1783 (Robert Rivas; D-Hollister) Imposes a more rigorous process on the development of farmworker housing than all other types of affordable housing development by restricting the location of such housing and who can manage the housing. Oppose.	To Governor
Biomass Facilities. SB 515 (Caballero; D-Salinas) Before amendments, required the California Public Utilities Commission to assess high-hazard fuel loads for inclusion in biomass auction contracts, hopefully ensuring that existing biomass facilities continue to remove high-hazard material and remain in operation for an additional five years. Support position removed due to July 2, 2019 amendments. No Position.	Assembly Appropriations Suspense File 8/30/19; Failed Deadline
Extends Sunset. AB 527 (Voepel; R-Santee). Permits sales of crocodile and alligator skin products in California for another 10 years, helping retail business continue to thrive. Support.	Assembly Appropriations 4/23/19; Failed Deadline
Extends Sunset. AB 719 (Blanca Rubio; D-Baldwin Park). Permits sales of crocodile and alligator skin products in California until March 2022, helping retail business continue to thrive. Support	Held in Senate Appropriations Suspense File 8/30/19
Product Ban. SB 86 (Durazo; D-Los Angeles). Unnecessarily bans the use of chlorpyrifos in California, leaving no effective means of pest control for several crops, resulting in crop damage and subsequent economic losses. Undermines the state’s rigorous regulatory process regarding pesticides. Oppose.	Assembly Environmental Safety & Toxic Materials 6/17/19; Failed Deadline
Product Ban. SB 458 (Durazo; D-Los Angeles). Causes agricultural crop losses in some commodities by prohibiting the use of legally registered pesticides containing chlorpyrifos, especially when no other pesticide is available for use or is as effective. Oppose.	Held in Senate Appropriations Suspense File 5/16/19; Failed Deadline
Restricted Use Pesticide. AB 916 (Muratsuchi; D-Torrance). Bans local governments’ use of a pesticide without scientific basis and potentially poses additional risk by use of more toxic chemicals. Endangers adjacent and nearby property owners by subjecting them to potential fire hazards and/or vegetation creep onto agricultural lands from overgrown municipal properties. Oppose.	Senate Agriculture 6/26/19; Failed Deadline

Air Quality

Vehicle Ban. AB 40 (Ting; D-San Francisco) As initially introduced, discouraged investment and eliminated jobs in California by essentially imposing a ban on all non-zero emission vehicles by requiring the California Air Resources Board (CARB) to develop a strategy to ensure that all passenger and light-duty vehicle sales are zero-emission by 2040. Amended on last day for 2019 amendments to a different topic. Former Job Killer 2019.	Assembly Transportation 9/11/19
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Subject—CalChamber Position	Status
<p>Targeted Mandate that Will Increase Transportation Costs. SB 44 (Skinner; D-Berkeley) Before amendments, severely impacted transportation costs by directing CARB to develop a strategy to reduce all motor vehicle emissions by 40% by 2030 and 80% by 2050 by disproportionately targeting diesel medium- and heavy-duty trucks. Threatened jobs by requiring an immediate strategy for reduction of diesel vehicles without sufficient alternate technology. Opposition and job killer tag removed due to May 1, 2019 amendments that require CARB to first consult with the Department of Transportation, the State Energy Resources Conservation and Development Commission, and GO-Biz to develop recommended goals and be consistent with the state’s Sustainable Freight Plan. It also requires CARB to identify advantages to fleets for early adoption. These amendments better align meeting California’s ambitious climate goals with ensuring the state’s continued economic vitality. CalChamber now supports the bill. Support/Former Job Killer 2019.</p>	To Governor
<p>Creates Regulatory Burdens. AB 423 (Gloria; D-San Diego) Before amendments, proposed to unnecessarily increase the authority of a local air district to collect additional data, required additional monitoring, and required additional reporting from businesses, much of which is duplicative of existing authority, resulting in increased costs. Opposition removed due to August 30, 2019 amendments. No Position.</p>	To Governor
<p>Decreases Costs. AB 1299 (Salas; D-Bakersfield) Allows small refiners to focus on emissions reductions by removing duplicative regulatory requirement for fence-line monitoring of air emissions. Support.</p>	Senate Floor 9/12/19

Banking and Finance

<p>Significant Risk to Taxpayer Dollars and Community Investment. AB 857 (Chiu; D-San Francisco) Before amendments, jeopardized taxpayer dollars, community banks, and funding for small businesses that create jobs in local communities, by allowing the creation of local public banks which will impose significant costs and risks to taxpayer revenue for operations and capital, as well as unfairly compete with local community banks. Job killer tag removed due to recent amendments but CalChamber still opposes as public banks would compete with existing commercial banks. Oppose/Former Job Killer 2019.</p>	To Governor
<p>Unfair Competition. SB 528 (Hueso; D-San Diego) Jeopardizes taxpayer dollars, community banks, and funding for small businesses by converting the I-Bank into a depository institution. Places government in competition with private enterprise without oversight, potentially resulting in collapsing an industry. Oppose.</p>	Held in Senate Appropriations Suspense File 5/16/19; Failed Deadline

California Environmental Quality Act (CEQA)

<p>CEQA Streamline for Affordable Housing. SB 621 (Glazer; D-Contra Costa) Streamlines litigation and thereby lowers the cost to construct affordable housing projects meeting specified environmental criteria and certified under an environmental impact report by requiring that any CEQA actions challenging such projects be resolved by a court within 270 days. This reduction in litigation and costs will expedite these projects, provide more housing, and additional jobs. Support/Job Creator 2019.</p>	Assembly Natural Resources 6/6/19; Failed Deadline
<p>CEQA Exemption for Fire Prevention. SB 632 (Galgiani; D-Stockton) Temporarily exempts from CEQA any fire prevention vegetation treatment activities conducted pursuant to the Board of Forestry and Fire Protection Programmatic Environmental Impact Report. Support.</p>	To Governor
<p>CEQA Attorney’s Fees. SB 659 (Borgeas; R-Fresno) Minimizes frivolous CEQA litigation challenging housing projects, thereby helping to streamline their construction and reducing costs, by requiring a court to award reasonable attorney’s fees to a prevailing respondent or real party in interest in CEQA cases challenging the development of infill housing. This reduction in litigation and costs will expedite these projects, provide more housing, and additional jobs. Support/Job Creator 2019.</p>	Held in Senate Appropriations Suspense File 5/16/19; Failed Deadline

Subject—CalChamber Position	Status
Expedites CEQA Process to Rebuild Housing. AB 430 (Gallagher; R-Nicolaus) Establishes a streamlined, ministerial approval process for certain housing developments that will be constructed in specified counties if certain criteria are met. Support.	To Governor
CEQA Exemption for Fire Safety. AB 394 (Obernolte; R-Big Bear Lake) Temporarily exempts projects or activities from CEQA recommended by the State Board of Forestry and Fire Protection that provide critical fire safety egresses for existing residential subdivisions. Support.	To Governor
Streamlines CEQA Litigation. AB 490 (Salas; D-Bakersfield) Streamlines the CEQA litigation process for much-needed certain qualifying housing development projects by requiring Judicial Council to adopt a rule requiring courts to fully adjudicate CEQA actions and proceedings relating to certain qualifying housing development within 270 days of certifying the environmental review document. Support.	Assembly Natural Resources 3/14/19; Failed Deadline
Greater CEQA Transparency. AB 1673 (Salas; D-Bakersfield) Requires disclosure of persons or entities contributing \$1,000 or more to finance CEQA lawsuits and the identification of any pecuniary or business interests they may have related to the proposed project. The bill is consistent with current jurisprudence throughout the country which generally disfavors anonymous litigation while providing courts considerable discretion to permit it in the interest of justice. Support.	Assembly Natural Resources 3/18/19; Failed Deadline

Climate Change

Encourages Technological Innovation. AB 1195 (O'Donnell; D-Long Beach) Allows credit under the Low Carbon Fuel Standard to innovative crude technologies, including carbon capture and sequestration, energy storage, and renewable natural gas or biogas. Creates jobs by encouraging the development of new technology to meet California's ambitious climate change goals. Support/ Job Creator 2019 .	To Governor
Encourages Development of New Technology. AB 1262 (O'Donnell; D-Long Beach) Evaluates barriers to improvement in the energy efficiency of freight transportation and incentives for development of new technology to meet state's climate goals. Requires consideration of economic factors and competitiveness with other states. Support.	Assembly Appropriations Suspense File 5/8/19; Failed Deadline
Improves Transparency. AB 1237 (Aguiar-Curry; D-Winters) Provides additional transparency by requiring agencies receiving greenhouse gas funds to post recipients online in an easy-to-access format. Support.	To Governor
Increased Costs. AB 1046 (Ting; D-San Francisco) Increases the cost of doing business in California by creating arbitrary goals that choose one technology over another. Conflicts with other laws that provide for flexibility in meeting climate goals and duplicates recently enacted study requirements. Oppose.	Held in Senate Appropriations Suspense File 8/30/19; Failed Deadline
Threatens Development of New Technology. SB 59 (Allen; D-Santa Monica) Before amendments, threatened jobs by setting zero-emission technology as the main priority in automated vehicle technology. Failed to include industry in working group setting state policy on the intersection of greenhouse gas emissions and the future of shared/automated vehicle transportation. Opposition removed due to July 3, 2019 amendments. No Position.	Held in Assembly Appropriations Suspense File 8/30/19; Failed Deadline
Increases Costs and Regulatory Burdens. SB 43 (Allen; D-Santa Monica) Before amendments, increased electricity rates and cost of transport by proposing to duplicate existing climate policy with a carbon-based sales tax. Threatened retail and manufacturing jobs by creating a cumbersome and arbitrary regulatory process. Opposition removed due to July 1, 2019 amendments. No Position.	Failed passage in Assembly Revenue & Taxation 7/8/19

Subject—CalChamber Position	Status
Promotes Science-Based Decision Making. SB 535 (Moorlach; R-Costa Mesa) Ensures climate goals are appropriately considering all sources of emissions by requiring evaluation and inclusion of emissions from wildfires in California Air Resources Board scoping plans. Support.	Held in Assembly Appropriations Suspense File 8/30/19; Failed Deadline
Waives Transparency Requirements. AB 85 (Committee on Budget) Contains trailer bill language that waives, without adequate justification, open meeting laws for advisory committee on cap and trade, which can result in a lack of public input and decisions being made in secret without adequate peer and public review. Oppose.	Senate Budget & Fiscal Review 6/26/2019
Waives Transparency Requirements. SB 85 (Committee on Budget and Fiscal Review) Contains trailer bill language that waives, without adequate justification, open meeting laws for advisory committee on cap and trade, which can result in a lack of public input and decisions being made in secret without adequate peer and public review. Oppose.	Signed 6/27/19—Chapter 31

Crime

Equipment Thefts. SB 224 (Grove; R-Bakersfield) Deters theft of agricultural equipment valued over \$950 by reclassifying the crime as grand theft. Penalty money is recirculated to current rural crime prevention programs to better track this crime to prosecution. Support.	Signed—Chapter 119
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Economic Development/Local Government

Creation of Onerous and Unnecessary Requirements for Economic Subsidies for Warehouse Distribution Centers. AB 485 (Medina; D-Riverside) Before amendments, forced businesses to reveal proprietary information and imposed onerous requirements on local governments that would delay or thwart economic development projects that are crucial to local economies, particularly in economically distressed areas. Opposition removed due to June 17, 2019 amendments, which narrowed the requirements of this bill. No Position.	To Governor
Creation of Statewide, Economic Development Strategy. AB 906 (Cooley; D-Rancho Cordova) California faces significant economic challenges, and this bill requires the creation of a statewide, economic development strategy that will improve California’s economic competitiveness. Support/ Job Creator 2019.	Held in Assembly Appropriations Suspense File 5/16/19; Failed Deadline

Education

Career Technical Education. AB 1303 (O’Donnell; D-Long Beach) Before amendments, increased funding for the Career Technical Education Incentive Grant program, which provides students with relevant, industry-aligned skills training and instruction to prepare them for California’s changing job market. As amended June 24, 2019 to deal with school facilities, CalChamber has no position. No Position/ Former Job Creator 2019.	To Governor
Workforce Coordination. AB 23 (Burke; D-Inglewood) Establishes the Business Workforce Coordination Unit, which will help provide California with a workforce that is employment-ready and trained in industry sectors that have the greatest workforce needs. Support/ Job Creator 2019.	To Governor
Jeopardizes State Workforce Goals. ACA 14 (Gonzalez; D-San Diego) Unnecessarily impedes the ability of the University of California (UC) to use its restricted state funding in the most efficient manner possible to continue expanding enrollment without compromising on the quality of the education it provides or substantially increasing the state’s General Fund contribution by placing an unreasonable contract prohibition on the UC for support services. Oppose.	Refused adoption in Senate 9/14/19

Subject—CalChamber Position	Status
<p>Threatens California State University (CSU) Competitiveness. AB 930 (Gloria; D-San Diego) Limits the ability of the CSU to compete for the best leadership candidates by prohibiting the CSU from increasing compensation to certain executive officers during any year wherein there is a tuition increase for students. Oppose.</p>	<p>Held in Senate Appropriations Suspense File 8/30/19; Failed Deadline</p>
<p>Education Accountability. AB 1240 (Weber; D-San Diego) 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>Increases Access to Computer Science. AB 20 (Berman; D-Palo Alto) Ensures that future generations of California students will be better prepared to compete for high-paying, high-skilled jobs that increasingly require computer science skills by creating the California Computer Science Coordinator to coordinate statewide implementation of the Computer Science Strategic Implementation Plan and make computer science curriculum available in every school. Support.</p>	<p>Held in Assembly Appropriations Suspense File 5/16/19; Failed Deadline</p>
<p>Increases Access to Computer Science. AB 52 (Berman; D-Palo Alto) Ensures that future generations of California students will be better prepared to compete for high-paying, high-skilled jobs that increasingly require computer science skills by mandating future updates to the Computer Science Strategic Implementation Plan to ensure that it remain relevant and to reflect technological advancements. Support.</p>	<p>Held in Assembly Appropriations Suspense File 5/16/19; Failed Deadline</p>
<p>Increases Access to Computer Science. AB 182 (Luz Rivas; D-Arleta) Before amendments, created a single-subject teaching credential in computer science to expand the pool of teachers authorized to teach computer science and help ensure that future generations of California students will be better prepared to compete for high-paying, high-skilled jobs in manufacturing, health care, retail, the arts, financial services, agriculture and other sectors that increasingly require computer science skills. Support.</p>	<p>Held in Assembly Appropriations Suspense File 5/16/19; Failed Deadline</p>

Elections and Fair Political Practices

<p>Prohibits Compensation on a Per Signature Basis. AB 1451 (Low; D-Campbell) Makes 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. The current process serves as a check and balance on government. By making it harder to qualify ballot measures, Californians would be denied the right to address grievances with government through initiatives, referendums and recalls. Oppose.</p>	<p>To Governor</p>
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Energy

<p>Increases Costs. AB 961 (Reyes; D-San Bernardino) Increases costs and creates a mandate outside the expertise of the agency by requiring the California Public Utilities Commission to consider “non-energy” benefits in ratemaking cost-benefit analysis. Oppose.</p>	<p>Held in Assembly Appropriations Suspense File 5/16/19; Failed Deadline</p>
<p>Threatens Grid Safety and Customer Information. AB 1323 (Mark Stone; D-Scotts Valley) Threatens disclosure of grid safety, trade secrets, and confidential customer information protected by state or federal law by unfairly altering confidentiality procedures before the California Public Utilities Commission. Oppose.</p>	<p>Assembly Utilities & Energy 3/11/19; Failed Deadline</p>
<p>Promotes Transparency. AB 1083 (Burke; D-Inglewood) Increases transparency and guides development of energy policy by having the California Council on Science and Technology review and provide analysis on pending legislation, thereby disclosing impacts to ratepayers. Support.</p>	<p>To Governor</p>
<p>Duplicative Governance. SB 708 (Hueso; D-San Diego) Duplicates public comment, open meetings, and audit procedures of the Independent System Operator without apparent justification. Oppose.</p>	<p>Assembly Utilities & Energy 6/10/19; Failed Deadline</p>

Subject—CalChamber Position	Status
Infringes on Private Contractual Relations. AB 1363 (Mark Stone; D-Scotts Valley) Hinders California companies’ ability to attract and retain talent and raises constitutional takings issues by requiring a special master to set executive compensation. Oppose	Assembly Appropriations Suspense File 5/15/19; Failed Deadline
Increases Transparency. AB 1293 (Levine; D-San Rafael) Provides for greater transparency in agency decision making by requiring disclosure of impacts on ratepayers prior to agency decision. Support.	Held in Assembly Appropriations Suspense File 5/16/19; Failed Deadline
Significant Rate Increase. SB 70 (Nielsen; R-Tehama) Before amendments, threatened significant increases in energy rates by requiring that most utility lines be buried underground. Conflicts with other laws mandating flexibility in climate adaptation and designed to maximize prevention in the most cost-effective manner. Opposition removed due to April 30, 2019 amendments. Neutral.	To Governor

Environmental Regulation

Negatively Impacts Water Management and Increases Litigation. SB 1 (Atkins; D-San Diego) Undermines current state efforts to move forward with Voluntary Agreements through a rigid approach to water management that fails to appreciate science-based decision-making to manage and provide reliable water supplies for California and protect, restore, and enhance the ecosystems of the Bay-Delta and its tributaries. It further increases the potential for costly litigation by forcing a federal agency to operate the Central Valley Project subject to the California Endangered Species Act when that state law is preempted by the federal Endangered Species Act. It further creates significant regulatory uncertainty and litigation risks to regulated entities by giving certain state agencies authority to adopt rules and regulations without any of the Administrative Procedure Act safeguards when the agency, in its discretion, determines that the federal rules and regulations in effect on January 19, 2017 are “less protective” than existing federal law. Oppose/ Job Killer 2019.	To Governor
Oil and Gas Development Ban. AB 345 (Muratsuchi; D-Torrance) Eliminates thousands of high-paying California jobs and requires California to import even more foreign oil by banning new oil and gas development, re-drilling operations, and rework operations by imposing a state minimum 2,500-foot setback requirement from certain structures, and further authorizing local governments to enact even greater setback requirements, without limitation. Oppose/ Job Killer 2019.	Assembly Appropriations Suspense File 5/16/19; Failed Deadline
Paper Receipt Ban. AB 161 (Ting; D-San Francisco) Mandates most businesses in California to provide the customer with the option to opt out of any receipt at all, thereby complicating lost prevention and returns for brick-and-mortar retailers. It also mandates these same California businesses to provide only receipt paper that is BPA/BPS-free, which can cost as much as 30% more. The bill also runs afoul of the First Amendment by prohibiting what speech some businesses can provide when communicating with their customers via the receipt. Oppose.	Held in Senate Appropriations Suspense File 8/30/19; Failed Deadline
Promotes Foreign Oil Imports. AB 1440 (Levine; D-San Rafael) Before amendments, discouraged in-state production of oil and gas in favor of even more foreign oil imports by eliminating the duty of the California Division of Oil, Gas, and Geothermal Resources to develop oil and gas wisely in California. Opposition removed due to May 29, 2019 amendments. No Position.	To Governor
Restricts Development. SB 633 (Stern; D-Canoga Park) Significantly obstructs redevelopment of property by removing flexibility in cleanup standards and interfering with private land use decisions. Oppose.	Assembly Environmental Safety & Toxic Materials 9/6/19

Subject—CalChamber Position	Status
<p>Increases Cal/EPA Transparency. AB 939 (Frazier; D-Discovery Bay) Increases transparency and encourages more stakeholder participation in the public process by requiring the California Environmental Protection Agency and any department, board, commission, or office within the Cal/EPA to provide to the public, not later than 72 hours prior to involvement of the public through hearings, workshops or any other proceedings, all material and presentations relevant to the process. Support.</p>	<p>Assembly Accountability & Administrative Review 3/4/19; Failed Deadline</p>
<p>Hazardous Materials Business Plans Submittals. AB 1429 (Chen; R-Yorba Linda) Allows hazardous waste facilities that are not required to submit tier II information, to submit Hazardous Materials Business Plans one time every three years unless those facilities exceed federal reporting thresholds, in which case, annual reporting would be mandatory. Support.</p>	<p>Signed—Chapter 66</p>
<p>Deters Illegal Dumping. SB 409 (Wilk; R-Santa Clarita) Renders the transportation or acceptance of rocks, concrete, asphalt, or dirt for the purposes of illegal dumping a crime that is punishable by mandatory fines up to \$10,000. Support.</p>	<p>Assembly Public Safety 5/16/19</p>
<p>Online Disclosure of Landfills Accepting Treated Wood Waste. SB 68 (Galgiani; D-Stockton) Reduces the amount of treated wood that is improperly disposed of by requiring the Department of Toxic Substances Control to post on its website a list of approved landfills that accept treated wood waste. Support.</p>	<p>Assembly Inactive File 9/11/19</p>
<p>Acute Toxicity Study Bill. AB 733 (Quirk; D-Hayward) Provides the California Department of Toxic Substances Control (DTSC) with authority to evaluate whether alternative tests can be used to identify whether substances are hazardous waste or extremely hazardous waste, which is a positive first step toward reducing the number of products that are treated as hazardous waste when disposed of at retail. Support.</p>	<p>To Governor</p>
<p>Undermines Green Chemistry Program. SB 392 (Allen; D-Santa Monica) Before amendments, fundamentally changed how the Alternatives Analysis process operates under the Safer Consumer Products program by allowing DTSC to consider third party Alternatives Analyses and then proceed directly to regulatory responses without appropriate parameters that would ensure rigor and best science is used. Opposition removed due to June 26, 2019 amendments. Neutral.</p>	<p>Assembly Inactive File 9/10/19</p>

Government Contracting

<p>Universal Housing Financing Application. AB 434 (Daly; D-Anaheim) Creates a universal application to apply for state funds from a variety of sources to streamline housing construction in California. Support.</p>	<p>Senate Housing 6/12/19; Failed Deadline</p>
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Health

<p>Large Group Rate Review. AB 731 (Kalra; D-San Jose) Threatens employers with higher premiums by driving up administrative costs and imposing a burdensome rate and methodologies review process for health plans and insurers in the large group market. Oppose.</p>	<p>To Governor</p>
<p>Health Benefit Mandate. AB 744 (Aguiar-Curry; D-Winters) Increases health care premiums for employers and enrollees by eliminating the cost savings benefit of telehealth and requiring telehealth services to be reimbursed on the same basis and to the same extent as in-person medical services. Oppose.</p>	<p>To Governor</p>
<p>Health Coverage Mandate. AB 767 (Wicks; D-Oakland) Before amendments, significantly increased health care premiums for employers and enrollees by requiring health plans and insurers to provide coverage for fertility treatment, including in vitro fertilization and oocyte cryopreservation. The bill, as amended, requires the Exchange to develop options for including in vitro fertilization coverage as part of Covered California coverage. Oppose.</p>	<p>Senate Health 6/12/19; Failed Deadline</p>

Subject—CalChamber Position	Status
<p>Wellness Programs. AB 648 (Nazarian; D-Van Nuys) Imposes stringent requirements on already federally regulated wellness programs and creates employer criminal and civil liability for violations of those requirements which will discourage and likely eliminate the potential for voluntary workplace wellness programs that benefit employees and contribute to a healthy workforce. Oppose.</p>	<p>Assembly Appropriations Suspense File 4/24/19; Failed Deadline</p>
<p>Increases Health Care Costs. SB 227 (Leyva; D-Chino) Increases health care costs by imposing arbitrary and significant additional fines specifically for hospital violations of nurse-to-patient staffing ratios and staffing assignments that are already reviewed by the Department of Public Health and penalized if violated. Oppose.</p>	<p>To Governor</p>
<p>Increases Health Care Premiums. SB 11 (Beall; D-San Jose) Increases health care premiums by mandating lowest-tier coverage of all Food and Drug Administration-approved outpatient prescription medication related to treatment of substance use disorders and by eliminating all quality control and cost containment mechanisms. Oppose.</p>	<p>Held in Senate Appropriations Suspense File 5/16/19; Failed Deadline</p>
<p>Increases Health Care Costs. AB 1676 (Maienschein; D-San Diego) Increases health care costs by requiring the establishment and provision of a dedicated maternal and child psychiatric telehealth consultation program for providers. Oppose.</p>	<p>Held in Assembly Appropriations Suspense File 5/16/19; Failed Deadline</p>
<p>Increases Health Care Premiums. SB 163 (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>Health Care Coverage Mandate. SB 600 (Portantino; D-La Cañada Flintridge) Increases health care premiums by mandating coverage for fertility preservation services due to infertility caused by necessary medical treatment. Oppose.</p>	<p>To Governor</p>

Housing and Land Use

<p>Statewide Rolling Rent Control. AB 36 (Bloom; D-Santa Monica) Defies the will of the voters and worsens California’s housing shortage by modifying the Costa-Hawkins Rental Housing Act to allow cities to enact or expand rent control to residential properties constructed within 10 years of the date upon which the owner seeks to establish the initial or subsequent rental rate, which will discourage housing production, quality of housing, and impact low-income individuals and families. Oppose/Job Killer 2019.</p>	<p>Assembly Rules 4/25/19</p>
<p>Inclusionary Housing Requirement. AB 725 (Wicks; D-Oakland) Exacerbates California’s housing crisis by imposing a statewide, indirect inclusionary housing requirement that prohibits local jurisdictions from allocating more than 20% of their share of regional housing need for above moderate-income housing in areas zoned for single-family development. Oppose/Job Killer 2019.</p>	<p>Assembly Housing & Community Development 2/28/19; Failed Deadline</p>
<p>Statewide Rent Caps. AB 1482 (Chiu; D-San Francisco) Before amendments, placed rent caps on all rental housing in the State of California, including new construction, regardless of whether costs from utilities increase or capital improvements are made, thereby disincentivizing maintenance on existing units and new housing construction. Opposition removed due to September 5, 2019 amendments. No Position.</p>	<p>To Governor</p>
<p>Tenant Associations. SB 529 (Durazo; D-Los Angeles) Negatively impacts landlords, deters new housing development, and increases litigation by allowing tenants to form tenant associations and then withhold rent based on any alleged undefined grievances that the tenant has with the landlord, thereby forcing landlords to litigate even the most minor of grievances. Also leads to significantly higher rents and places good tenants in danger by making it much more difficult for landlords to remove bad tenants engaged in illegal or nuisance activity. Oppose.</p>	<p>Failed passage in Senate 5/29/19; Failed Deadline</p>

Subject—CalChamber Position	Status
Costly Rental Mandate. SB 329 (Mitchell; D-Los Angeles) Imposes additional and unnecessary costs on rental property owners by prohibiting rental property owners from refusing to accept tenants because they have a Section 8 voucher. Oppose.	To Governor
Promotes Transit-Oriented Development. SB 50 (Wiener; D-San Francisco) Incentivizes more housing development through a statewide mandate that upzones near jobs, good schools and mass transit by providing density bonuses and other incentives for housing projects that meet certain criteria. Support.	Held in Senate Appropriations Suspense File 5/16/19; Failed Deadline
Streamlines Housing Development. SB 330 (Skinner; D-Berkeley) Incentivizes more housing development by providing fee certainty for housing development projects by prohibiting local jurisdictions from changing fees midway through the development permitting process. Support	To Governor
Promotes Construction of Accessory Dwelling Units (ADU). SB 13 (Wieckowski; D-Fremont) . Encourages more affordable housing by limiting what development impact fees typically charged for new ADUs can be levied and precludes local jurisdictions from adopting overly restrictive local provisions, such as owner-occupant requirements. Support.	To Governor
Photovoltaic Housing Mandate Relief. AB 178 (Dahle; R-Bieber) Allows victims of natural disasters whose homes were damaged or destroyed to rebuild without having to install costly photovoltaic panels that will only raise the already-heavy cost to rebuild. Support.	Signed—Chapter 259
Requires Disability Access in New Home Construction. SB 280 (Jackson; D-Santa Barbara) Before amendments, mandated new building standards requiring disability access design features in all new single-family homes. At a time when California is struggling with a historic housing crisis, legislative mandates calling for the redesign of all single-family homes will only serve to drive up new home costs. Opposition removed due to April 10, 2019 amendments. Neutral.	To Governor
Wildfires: Defensible Space Education. SB 190 (Dodd; D-Napa) Requires the State Fire Marshal to produce educational and application tools that will increase public awareness and implementation of vital fire safety measures that will help California residents maintain adequate defensible space around their structures. Support.	To Governor
New Permit Criteria Residential Care Facilities. AB 1777 (Levine; D-San Rafael) Before amendments, would have had a chilling impact on investment and development of much-needed senior care facilities in California by creating a patchwork of differing local standards across the state by requiring a residential care facility for the elderly to disclose to local jurisdictions any compliance violations and requiring local jurisdictions to hold public hearings to determine whether land use permits should be granted. Opposition removed due to April 22, 2019 amendments. No Position.	Assembly Rules 4/25/19

Immigration

Contract Prohibition for Businesses that Provide Services to Federal Government. AB 1332 (Bonta; D-Oakland) Prohibits California public entities from contracting with, or investing in, any business that provides data-related services to an undefined group of federal agencies. Will create litigation and uncertainty for businesses that continue to work with California public entities, as the bill provides no clear guidance on how to comply with terms, and also in limited circumstances, compels public entities to breach signed contracts. Oppose/ Job Killer 2019.	Held in Assembly Appropriations Suspense File 5/16/19; Failed Deadline
New Labor Code Requirement. AB 589 (Gonzalez; 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, keep the original for three years, and post the document. Additionally, creates civil fine and duplicative misdemeanor liability for conduct which is already a felony under California law and prohibited federally. Oppose.	To Governor

Subject—CalChamber Position	Status
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Industrial Safety and Health

<p>Limitation on Ability to Maintain a Safe Workplace. AB 882 (McCarty; D-Sacramento) Significantly undermines an employer’s ability to maintain a safe, drug-free workplace, by prohibiting an employer from discharging an employee who has tested positive for a drug that is being used for medical purposes, which will expose employers to costly litigation. Oppose/Job Killer 2019.</p>	<p>Assembly Labor & Employment 3/4/19; Failed Deadline</p>
<p>Rushes OSHA Rulemaking on Lead. AB 457 (Quirk; D-Hayward) Cuts short Cal/OSHA’s time to consider the effect of drastic reductions being considered by Cal/OSHA related to lead exposure by compelling that the regulations be fully adopted by February 2020. This leaves no time for Cal/OSHA or the business community to analyze the effects of these new stringent standards and could result in regulations being rushed through that California businesses simply cannot meet. Oppose Unless Amended.</p>	<p>Senate Inactive File 7/5/19</p>
<p>Usurps Cal/OSHA Prioritization. AB 35 (Kalra; D-San Jose) Requires a workplace investigation by Cal/OSHA, within three days, whenever the Department of Public Health records an employee’s blood lead level at 20 micrograms, a level well below present regulatory standards. Also redirects Cal/OSHA resources by compelling full investigations when such may not be necessary and will undermine existing Cal/OSHA priorities. Oppose Unless Amended.</p>	<p>To Governor</p>
<p>Targeted Employer Training. AB 203 (Salas; D-Bakersfield) Seeks to address a regional safety concern regarding Valley Fever by requiring a targeted training program for employees in industries and occupations that are most at risk. Support.</p>	<p>To Governor</p>

Insurance

<p>Insurance Issues Presentations for New Legislators. AB 1591 (Cooley; D-Rancho Cordova) Creates semi-annual presentations by Insurance Commissioner to legislative committees with jurisdiction over insurance to provide critical information regarding role of National Association of Insurance Commissioners in setting insurance standards. Support.</p>	<p>To Governor</p>
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International Relations/Trade

<p>*U.S.-Mexico-Canada Agreement (USMCA). Modernized agreement with Mexico and Canada, California’s top two trading partners, serves the employment, trading and environmental interests of all parties, and is beneficial to the business community and society as a whole. Support.</p>	<p>Pending Congressional Approval</p>
<p>*Export-Import Bank (ExIm). Reauthorizes funding for the official U.S. export credit agency with mission to assist financing export of goods and services. Funding will expire 9/30/19. Support.</p>	<p>Pending Congressional Approval</p>
<p>U.S.-Mexico-Canada Agreement (USMCA). SJR 12 (Grove; R-Bakersfield) Urges Congress to approve the modernized agreement with Mexico and Canada, California’s top two trading partners, to ensure continuity of a longstanding trilateral relationship that has served the employment, trading and environmental interests of all parties. Support.</p>	<p>Assembly Jobs, Economic Development & the Economy 9/9/19</p>

Labor and Employment

<p>Independent Contractor Status. AB 5 (Gonzalez; D-San Diego) The <i>Dynamex</i> decision should not be a one size fits all and the professions and individuals identified in AB 5 should be exempted from its application; however, additional, similarly situated industries/professions/and independent contractors should also be included in the exemptions. Support If Amended.</p>	<p>Signed—Chapter 296</p>
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Subject—CalChamber Position	Status
<p>Significant Expansion of California Family Rights Act. SB 135 (Jackson; D-Santa Barbara) Significantly harms small employers in California with as few as 5 employees by requiring these employers to provide 12 weeks of a protected leave of absence each year, in addition to existing leaves of absences already required, as well as potentially requiring larger employers to provide 10 months of protected leave, with the exposure to costly litigation for any alleged violation. Oppose/Job Killer 2019.</p>	<p>Senate Inactive File 5/30/19; Failed Deadline</p>
<p>Uncapped New Leave of Absence for Employees and Their Family Members. AB 628 (Bonta; D-Oakland) Significantly expands the definition of sexual harassment under the Labor Code, which is different than the definition in the Government Code, leading to inconsistent implementation of anti-harassment policies, confusion, and litigation. Also, provides an unprecedented, uncapped leave of absence for victims of sexual harassment and their “family members” which is broadly defined, that will add another layer of burdens on employers and their ability to manage their workforce. Oppose/Job Killer 2019.</p>	<p>Failed passage in Assembly 5/29/19</p>
<p>Increased Cost on Employers for Use of Personal Services Contracts. AB 790 (Levine; D-San Rafael) Discourages and reduces the use of “personal services contracts” as defined, by requiring the hiring entity to pay a minimum contractual compensation rate at 85% of the area median income, which will presumably include wages from different industries and occupations that are not comparable to personal services, and reduce jobs for individuals who perform the work under personal services contracts. Oppose/Job Killer 2019.</p>	<p>Assembly Appropriations Suspense File 5/1/19; Failed Deadline</p>
<p>Unfair Expansion of Penalties Against an Employer for Alleged Wage Violation. AB 673 (Carrillo; D-Los Angeles) Before amendments, unfairly penalized an employer twice for the same Labor Code violation and created a new private right of action, allowing three different avenues of recovery for the same alleged violation while reducing revenue to the State. Opposition and job killer tag removed due to May 24, 2019 amendments. No Position/Former Job Killer 2019.</p>	<p>To Governor</p>
<p>New Three-Month Leave of Absence on Employers. AB 1224 (Gray; D-Merced) Before amendments, unduly burdened and increased costs on employers, by mandating they provide an additional three-month protected leave of absence from work for family medical leave, that could total over 6 months of leave for an employee, and exposed employers to costly litigation for any alleged violation. Opposition removed due to April 22, 2019 amendments. No Position.</p>	<p>Held in Assembly Appropriations Suspense File 5/16/19; Failed Deadline</p>
<p>Healthy Workplaces, Healthy Families Act. AB 555 (Gonzalez; 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 and provides state preemption for specific provisions of the Act. Oppose Unless Amended.</p>	<p>Assembly Inactive File 5/30/19; Failed Deadline</p>
<p>Expansion of Job-Protected Leave. AB 1478 (Carrillo; D-Los Angeles) Significantly amends current law regarding job-protected leave for jury duty, victims of a crime, domestic violence, sexual assault or stalking by creating a new private right of action for potential employer violations. Oppose.</p>	<p>To Governor</p>
<p>Extension of Statute of Limitations. AB 9 (Reyes; D-San Bernardino) 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.</p>	<p>To Governor</p>
<p>Sexual Harassment Retaliation Requirements. AB 171 (Gonzalez; D-San Diego) Places additional and duplicative, sexual harassment protections in the Labor Code, which are already protected under the Fair Employment and Housing Act (FEHA), exposing employers to additional liability including Private Attorneys General Act (PAGA) claims. Oppose.</p>	<p>To Governor</p>

Subject—CalChamber Position	Status
<p>Labor Contractor Joint Liability. AB 170 (Gonzalez; D-San Diego) Before amendments, expanded joint liability for labor contractors to all employment-related harassment claims. There is no basis for holding a business that contracts for services statutorily liable for the harassment of another’s employees when there is no way in which that contractor can engage or force a labor contract company to comply with provisions of the Fair Employment and Housing Act or the Labor Code. Opposition removed due to September 10, 2019 amendments. No Position.</p>	To Governor
<p>Lactation Accommodation. SB 142 (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.</p>	To Governor
<p>Food Deliveries. AB 1360 (Ting; D-San Francisco) Imposes onerous new requirements related to food handling and preparation on businesses and individuals who simply deliver for food establishments, which increases costs for delivery businesses and limits work opportunities for drivers. Oppose.</p>	Senate Inactive File 9/14/19
<p>Call Centers. AB 1677 (Weber; D-San Diego) Improperly seeks to penalize California companies who move their call centers out of the country. Oppose.</p>	To Governor
<p>Disclosure of Company Pay Data. SB 171 (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. Oppose.</p>	Held in Assembly Appropriations Suspense File 8/30/19
<p>Imposes New One-Sided Attorney’s Fee Recovery. AB 403 (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>	To Governor
<p>Prevailing Wage. AB 520 (Kalra; D-San Jose) Codifies a limited definition of the term “de minimis” to determine what level of public subsidy triggers prevailing wage requirements on an otherwise private project, overturning the established practice of viewing the subsidy in the context of the entire project. Oppose.</p>	To Governor
<p>Wage and Hour Penalties. SB 688 (Monning; D-Carmel) Before amendments, imposed Labor Code penalties for wage violations in addition to the penalties already available under the Private Attorneys General Act (PAGA), and imposed personal liability for even unintentional or minor violations. Opposition removed due to April 25, 2019 amendments. No Position.</p>	To Governor
<p>Janitorial Workers Training Requirements. AB 547 (Gonzalez; D-San Diego) Before amendments, unnecessarily mandated additional registration, enforcement, and training requirements on employers and individuals in the janitorial business. Opposition removed due to September 6, 2019 amendments. No Position.</p>	To Governor
<p>Limits Efficiency Improvements at the Ports. AB 1321 (Gipson; D-Carson) Before amendments, significantly expanded the State Lands Commission’s authority by allowing the Commission to make determinations regarding automation technology at the ports based upon employee safety, which is not the Commission’s expertise, and could have resulted in limited efficiencies at the ports. Opposition removed due to August 13, 2019 amendments. No Position.</p>	Senate Inactive File 9/9/19
<p>Unfair Disclosure Mandate. AB 1404 (Santiago; D-Los Angeles) Unfairly targets one California health facility and mandates the disclosure of personal financial information in an effort to gain leverage in collective bargaining negotiations. Oppose.</p>	Senate Inactive File 9/14/19

Subject—CalChamber Position	Status
<p>Commission on the Future of Work. SB 730 (Stern; D-Canoga Park) Before amendments, created a state Commission on the Future of Work, tasked to address the questions emerging as new technology and innovations transform entire industries with automation. Support position removed due to June 18, 2019 amendments. No Position.</p>	<p>Held in Assembly Appropriations Suspense File 8/30/19</p>

Legal Reform and Protection

<p>Ban on Arbitration Agreements. AB 51 (Gonzalez; D-San Diego) Significantly expands employment litigation and increases costs for employers and employees by banning 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. Governor Brown vetoed a similar measure last year and stated it “plainly violates federal law.” Oppose/Job Killer 2019.</p>	<p>To Governor</p>
<p>Increased Litigation. SB 320 (Jackson; D-Santa Barbara) Exposes businesses to costly litigation for a consumer’s assertion that any price difference on “substantially similar” goods, even a nominal amount, is based on gender and therefore the consumer is entitled to a minimum of \$4,000. Oppose/Job Killer 2019.</p>	<p>Failed passage in Senate Judiciary 4/30/19; Failed Deadline</p>
<p>Employee-Union Agent Evidentiary Privilege. AB 418 (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 9/12/19</p>
<p>Local Enforcement of Fair Employment and Housing Act. SB 218 (Bradford; D-Gardena) Creates uncertainty, inconsistency, and confusion with regard to the application and interpretation of the Fair Employment and Housing Act by allowing Los Angeles County to create a local agency with enforcement authority. Oppose.</p>	<p>To Governor</p>
<p>Expanding False Claims Act to Include Tax Filings. AB 1270 (Mark Stone; D-Scotts Valley) Expands the False Claims Act to allow the Attorney General and private attorneys to sue taxpayers on perceived tax errors, creating inconsistent tax enforcement, litigation, and nuisance suits for taxpayers. Oppose.</p>	<p>Held in Senate Appropriations Suspense File 8/30/19</p>
<p>Attack on Arbitration. SB 707 (Wieckowski; D-Fremont) Discourages the use of arbitration by subjecting employers to significant monetary, evidentiary, and criminal sanctions if the company fails to pay any cost or fee associated with arbitration, even if there is a valid fee dispute. Oppose.</p>	<p>To Governor</p>
<p>Ban on No-Rehire Provisions. AB 749 (Mark Stone; D-Scotts Valley) Unnecessarily bans the use of no-rehire provisions in settlement agreements for all employees, including those who have engaged in unlawful or egregious behavior. Oppose.</p>	<p>To Governor</p>
<p>Expansion of California Public Records Act. SB 749 (Durazo; D-Los Angeles) Unnecessarily requires the disclosure of private employees’ personnel and financial data, as well as private employers’ trade secrets under the California Public Records Act, thereby usurping the role of the judiciary and eliminating economic value of confidential information. Oppose.</p>	<p>Assembly Inactive File 9/13/19</p>
<p>Unfair Contractual Mandates on Use of Motorized Scooters. AB 1286 (Muratsuchi; D-Torrance) Before amendments, significantly increased costs and litigation on shared mobility providers by prohibiting arbitration agreements as a part of the consumer contract, which is preempted under the Federal Arbitration Act and will create uncertainty and delay for the resolution of disputes. Opposition and job killer tag removed due to May 1, 2019 amendments. No Position/Former Job Killer 2019.</p>	<p>Senate Judiciary 5/29/19; Failed Deadline</p>

Subject—CalChamber Position	Status
<p>Small Business Notice. AB 1607 (Boerner Horvath; D-Encinitas) Provides notice to businesses at the time they get their license of the Gender Tax Repeal Act so that they can avoid predatory and costly lawsuits. Sponsor/Co-Sponsor.</p>	Signed—Chapter 293
<p>Investment in Judicial Branch. SB 16 (Roth; D-Riverside) Funds additional superior court judge-ships, which will help ensure the efficient resolution of civil disputes. Support.</p>	Held in Senate Appropriations Suspense File 5/16/19

Marijuana/Cannabis

<p>Clarifies Existing Law. AB 228 (Aguiar-Curry; D-Winters) Updates definition of adulteration of products to explicitly exclude industrial hemp, a legal product in the United States and California. Support.</p>	Held in Senate Appropriations Suspense File 8/30/19
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Other

<p>Parking Laws Repeal. AB 516 (Chiu; D-San Francisco) Causes loss of revenue to businesses and potentially leads to community blight by allowing prolonged parking on public streets. Oppose.</p>	Held in Senate Appropriations Suspense File 8/30/19
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Privacy and Cybersecurity

<p>Significant Expansion of Liability and Litigation Under California Consumer Privacy Act (CCPA) of 2018. SB 561 (Jackson; D-Santa Barbara) Creates an onerous and costly private right of action that will primarily benefit trial lawyers, allowing them to sue for any violations of the CCPA, and removes businesses’ 30-day right to cure an alleged violation of the CCPA as well as businesses’ ability to seek guidance from the Attorney General on how to comply with this confusing and complex law. Oppose/Job Killer 2019.</p>	Held in Senate Appropriations Suspense File 5/16/19; Failed Deadline
<p>Significant, Unworkable Expansion of Business Obligations under the California Consumer Privacy Act (CCPA). AB 1760 (Wicks; D-Oakland) Seeks to impose a completely new and onerous privacy regime on businesses before the CCPA—a law that already imposes a huge burden on businesses of all sizes—has even come into effect. Among many other significant changes, the bill would redraft the CCPA’s right for a consumer to “opt out” of the sale of data and morph it into a right to “opt in” to the sharing of data. This would actually result in confusion and annoyance for consumers—forcing them to “click through” opt-in consents on just about every website they visit and more. Oppose.</p>	Assembly Judiciary 4/22/19; Failed Deadline
<p>Expansion of Civil Litigation for Data Breaches. AB 1035 (Mayes; R-Yucca Valley) Before amendments, unfairly required businesses to notify consumers of a data breach within 72 hours, which would place an unrealistic compliance burden on businesses before they can reasonably assess the extent of the breach, thereby unnecessarily causing harm to consumers and increasing businesses’ class action exposure. Opposition and job killer tag removed due to April 22, 2019 amendments. No Position/Former Job Killer 2019.</p>	Senate Judiciary 5/22/19; Failed Deadline
<p>Significant Expansion of Liability and Litigation for Consumer Data. AB 288 (Cunningham; R-San Luis Obispo) Creates an onerous private right of action with a right to excessive punitive damages for purely economic losses at a low evidentiary standard, along with attorney’s fees, for a new consumer right to delete data that conflicts with the consumer right to delete recently provided by the California Consumer Privacy Act. Oppose/Job Killer 2019.</p>	Assembly Privacy & Consumer Protection 2/11/19; Failed Deadline

Subject—CalChamber Position	Status
<p>Requires Unworkable Disclosures on Packaging of All Connected Devices and Vague Requirements on Websites and Apps. SB 299 (Jackson; D-Santa Barbara) Requires manufacturers to place onerous, duplicative, and premature data security and notification requirements on the packaging of connected devices and vaguely prohibits any websites or apps from using personal information of a minor to “direct any content” to them. Oppose.</p>	<p>Senate Judiciary 4/10/19; Failed Deadline</p>
<p>Largely Exempts Employment Data. AB 25 (Chau; D-Monterey Park) Largely exempts employee, job applicant, and contractor data from the California Consumer Privacy Act, which is a necessary fix to prevent huge, additional compliance costs for businesses for something never intended by this law designed for “consumers” and is necessary to prevent negative, unintended consequences. Support.</p>	<p>To Governor</p>
<p>Provides Two Clarifications of CCPA’s Definition of “Personal Information.” AB 874 (Irwin; D-Thousand Oaks) Adds reasonableness standard to the CCPA’s definition of personal information to avoid requiring businesses to compile consumer data in a way that would be hugely wasteful and harmful to consumer privacy. It also eliminates an unconstitutional limitation on business dissemination of publicly available government records from the definition of personal information. Support.</p>	<p>To Governor</p>
<p>Clarifies the California Consumer Privacy Act’s (CCPA) Definition of Personal Information and Deidentified Information. AB 873 (Irwin; D-Thousand Oaks) Ensures that businesses do not need to collect more personal information from consumers and keep it all in one place (which makes it more vulnerable to hackers) in order to respond to CCPA requests. Support.</p>	<p>Failed passage in Senate Judiciary 7/9/19; Failed Deadline</p>
<p>Exempts Business-to-Business Dealings from CCPA. AB 1355 (Chau; D-Monterey Park) In addition to a number of technical fixes, ensures that communications between businesses providing services or products to each other as well as the memorialization of such transactions will be largely exempt from the CCPA. Support.</p>	<p>To Governor</p>
<p>Loyalty and Rewards Programs. AB 846 (Burke; D-Inglewood) Before amendments taken in Senate Judiciary Committee, would have ensured that loyalty and rewards programs can continue by clarifying language in the CCPA that could make them unlawful. After July 11 amendments banning the “sale” of any loyalty/rewards programs data and further September 6 amendments, CalChamber removed its support because 1) this language holds loyalty program data to a higher standard than any other data in California law, even though consumers opt-in to these programs; and 2) the CCPA’s definition of “sale” is far more broad than traditional sale and will hinder operations of programs and ability of programs to offer cross-promotional benefits. No Position.</p>	<p>Senate Inactive File 9/12/19</p>
<p>Collection and Disclosures of Consumer Personal Information. AB 1416 (Cooley; D-Rancho Cordova) Ensures that crucial government programs can continue without interruption and that businesses can continue protecting consumers against fraud and identity theft, while still carrying out the intent of the California Consumer Privacy Act (CCPA). Support.</p>	<p>Senate Judiciary 6/12/19; Failed Deadline</p>
<p>Expansion of the California Consumer Privacy Act’s (CCPA) Private Right of Action. AB 1130 (Levine; D-San Rafael) Expands the CCPA’s onerous private right of action, which requires no proof of injury. Oppose Unless Amended.</p>	<p>To Governor</p>
<p>Creation of Onerous and Unnecessary Burdens for “Smart Speakers.” AB 1395 (Cunningham; R-San Luis Obispo) Creates unnecessary, unworkable requirements on smart speakers that will ultimately harm consumers’ ability to use this technology to its full potential, including those for whom this technology provides a significant improvement to quality of life, such as seniors and the disabled community. Oppose.</p>	<p>Senate Judiciary 6/6/19; Failed Deadline</p>

Subject—CalChamber Position	Status
<p>Disclosure of Facial Recognition Technology. AB 1281 (Chau; D-Monterey Park) As introduced, required a business in California that uses facial recognition technology to disclose that usage in a physical sign. CalChamber was neutral. Position changed due to July 5 amendments taken in Senate Judiciary Committee requiring the business to <i>ensure</i> consumers read signs before entering a store, which is not realistic for businesses to comply with, especially where businesses do not own the premises on which they operate. Oppose Unless Amended.</p>	Senate Inactive File 9/10/19
<p>Removes Burdensome Requirement for Some Businesses. AB 1564 (Berman; D-Palo Alto) For businesses that operate only online, this bill removes the CCPA requirement to provide a 1-800 number for consumers to exercise their CCPA rights, which is burdensome and in many circumstances is not a safe way to verify a consumer’s identity. Support.</p>	To Governor
<p>Protects Consumer Access to Vehicle Safety Information. AB 1146 (Berman; D-Palo Alto) Reasonable fix to the California Consumer Privacy Act (CCPA) to ensure consumers exercising their rights to sale and deletion of data under the CCPA do not find themselves unable to receive information regarding necessary vehicle repairs relating to warranty work or a safety recall. Support.</p>	To Governor
<p>Creation of Onerous and Unnecessary Burdens for Online Marketplaces. AB 1790 (Wicks; D-Oakland) Before amendments, weakened protections against counterfeits and fraud on online marketplaces and required online marketplaces to impose and enforce an insurance mandate on all sellers, including small or occasional sellers, which is burdensome and unrealistic. Opposition removed due to September 6, 2019 amendments. Neutral.</p>	To Governor
<p>Unnecessarily Requires Parental Consent for Social Media. AB 1138 (Gallagher; R-Nicolaus) Before amendments, required social media sites to obtain the consent of a parent or legal guardian before opening an account for someone under age 16 in a manner that conflicts with federal law. Opposition removed due to May 13, 2019 amendments that enabled the bill to conform to federal law. After July 11, 2019 amendments, CalChamber opposes again. Opposition removed again due to September 5, 2019 amendments. Neutral.</p>	Assembly refused concurrence 9/14/19
<p>Creation of Balanced Approach to Regulations of Unmanned Aircraft System Industry. AB 1190 (Irwin; D-Thousand Oaks) Intends to bring together industry, local government, law enforcement, and other stakeholders to discuss a common-sense approach to regulating the growing unmanned aircraft system (UAS) industry. Support.</p>	Senate Rules 5/24/19

Product Regulation

<p>Cosmetic Product Ban. AB 495 (Muratsuchi; D-Torrance) Bypasses a legislatively mandated analytical process to judge the safety of consumer products and seeks to prohibit safe cosmetic products based upon the mere presence of a chemical in the product, no matter the level, that will lead to potential regrettable substitutions and job losses in the cosmetic industry. Oppose/Job Killer 2019.</p>	Assembly Environmental Safety & Toxic Materials 3/28/19; Failed Deadline
<p>Cosmetic Ingredient Disclosure. SB 574 (Leyva; D-Chino) Before amendments, would have had significant economic repercussions on U.S. cosmetic manufacturers by requiring them to disclose publicly confidential business information for proprietary formulations and further added additional regulatory costs by expanding a reporting program within the California Department of Public Health not utilized by consumers. Opposition removed due to June 26, 2019 amendments. No Position.</p>	Held in Assembly Appropriations Suspense File 8/30/19
<p>Overreaching Performance Standard. AB 1672 (Bloom; D-Santa Monica) Imposes a new performance standard on flushable wipe products that would effectively ban most flushable wipes from the North American market without a sound scientific basis. Oppose.</p>	Assembly Appropriations Suspense File 5/8/19; Failed Deadline

Subject—CalChamber Position	Status
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Recycling

<p>Unprecedented Product Regulation in California. SB 54 (Allen; D-Santa Monica) Before amendments, substantially increased the cost to manufacture and ship consumer products sold in California by providing CalRecycle with broad authority to develop and impose costly and unrealistic new mandates on manufacturers of all single-use packaging and certain single-use plastic consumer products under an unrealistic compliance time frame that failed to address California’s lack of recycling and composting infrastructure. Job killer status removed due to September 6, 2019 amendments, but CalChamber still opposes. Oppose/Former Job Killer 2019.</p>	<p>Assembly Floor 9/12/19</p>
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<p>Unprecedented Product Regulation in California. AB 1080 (Gonzalez; D-San Diego) Before amendments, substantially increased the cost to manufacture and ship consumer products sold in California by providing CalRecycle with broad authority to develop and impose costly and unrealistic new mandates on manufacturers of all single-use packaging and certain single-use plastic consumer products under an unrealistic compliance time frame that failed to address California’s lack of recycling and composting infrastructure. Job killer status removed due to September 6, 2019 amendments, but CalChamber still opposes. Oppose/Former Job Killer 2019.</p>	<p>Senate Inactive File 9/14/19</p>
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<p>Lithium Ion Battery Mandate. AB 1509 (Mullin; D-South San Francisco) Establishes and imposes on manufacturers, importers, or sellers of lithium ion batteries an unmanageable obligation to meet specified annual collection and recycling rate targets far beyond rates that have ever been reached, anywhere in the world, and authorizes CalRecycle to promulgate an onerous stewardship program that would likely dismantle the Call2Recycle® battery collection program in California. Oppose.</p>	<p>Senate Environmental Quality 6/6/19; Failed Deadline</p>
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<p>Unattainable Recycling Content Mandate. AB 792 (Ting; D-San Francisco) Before amendments, required manufacturers of plastic beverage containers sold in California to meet an impossible 75% recycling content requirement by 2030 or pay fines. The amount of available rPET in the marketplace does not support any percentage requirement for recycled content in plastic containers above 25%. Opposition removed due to September 10, 2019 amendments. No Position.</p>	<p>To Governor</p>
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<p>Raises Costs for Carpet Manufacturing. AB 729 (Chu; D-San Jose) Harms the Carpet America Recovery Effort (CARE) Program, which has seen a 29% improvement in carpet recycling, by replacing the current carpet stewardship 35-cent assessment per cubic yard of carpet with a complicated, difficult to calculate and potentially costly differential assessment, thereby directly contradicting the process that CalRecycle approved in February 2019 and raising the cost of manufacturing new carpet in California. Oppose.</p>	<p>To Governor</p>
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<p>Woody Biomass Program. AB 257 (Mathis; R-Visalia) Improves California’s air quality, helps minimize the risk of wildfires, reduces the amount of organic waste disposed of in landfills and creates more jobs in rural communities by creating a woody biomass collection and conversion program that would collect and convert otherwise valueless organic matter into a renewable energy source. Support.</p>	<p>Held in Assembly Appropriations Suspense File 5/16/19; Failed Deadline</p>
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Regulatory Reform

<p>Regulatory Reform. AB 312 (Cooley; D-Rancho Cordova) Promotes greater accountability, improved efficiency and modernization of regulations by requiring agencies to review and update their regulations. Support.</p>	<p>Held in Assembly Appropriations Suspense File 5/16/19; Failed Deadline</p>
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<p>License Relief for Disaster Victims. SB 601 (Morrell; R-Rancho Cucamonga) Allows state agencies that issue business licenses to establish a procedure to reduce licensing fees for businesses affected by emergencies to help California businesses rebuild after disasters. Support/Job Creator 2019.</p>	<p>To Governor</p>
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Subject—CalChamber Position	Status
<p>Small Business Penalty Relief. AB 1545 (Obermolte; R-Big Bear Lake) Recognizes the challenges small businesses face in implementing complex state rules by allowing adjustment of civil penalties based upon specific mitigating factors. Support/Job Creator 2019.</p>	<p>Held in Assembly Appropriations Suspense File 5/16/19; Failed Deadline</p>

Taxation

<p>Unnecessary Commission to Study Tax Expenditures. SB 468 (Jackson; D-Santa Barbara) Before amendments, repealed several of California’s most popular and most important tax exemptions and expenditures, which would raise taxes by \$20 billion. Job killer status removed due to May 7, 2019 amendments that eliminate the automatic repeal of these tax exemptions. CalChamber remains Oppose Unless Amended because bill will create an unnecessary commission to study tax expenditures that will cause uncertainty for businesses. Oppose Unless Amended/Former Job Killer 2019.</p>	<p>To Governor</p>
<p>Staggering Corporate Tax Hike. SB 37 (Skinner; D-Berkeley) Imposes a targeted tax on California business, which, for certain companies, would raise California’s corporate tax rate—already one of the highest in the nation—up to a staggering 22.26%, which amounts to an increase of about 150% and would undoubtedly discourage companies from locating or further investing in the state. Oppose/Job Killer 2019.</p>	<p>Senate Rules 4/3/19</p>
<p>Targeted Tax on Oil and Gas Operators. SB 246 (Wieckowski; D-Fremont) Unfairly targets one industry by imposing a 10% oil and gas severance tax onto an oil and gas operator, adding another layer of taxes onto this industry that will significantly increase the costs of doing business, thereby increasing prices paid by consumers for goods and services in this expensive state as well. Oppose/Job Killer 2019.</p>	<p>Senate Rules 2/11/19</p>
<p>Lowers Voter Threshold to Increase Property Taxes. ACA 1 (Aguilar-Curry; D-Winters) Overbroad constitutional amendment lowers voter approval threshold from two-thirds to 55% for affordable housing and public infrastructure, thereby providing increased tax authority for every government agency in California—not just cities and counties, but thousands of potentially overlapping special districts. Also enables discrimination against certain classes of taxpayers, undermines the protections of Proposition 13, and—despite its goal of increased funding for affordable housing—adds another potential layer of cost onto homeownership in California. Oppose.</p>	<p>Refused adoption in Assembly 8/19/19</p>
<p>Lowers Voter Threshold for New Tax Increase. SCA 5 (Hill; D-San Mateo) Unnecessarily reduces the voter threshold from two-thirds to 55% for school districts and community college districts to enact a discriminatory parcel tax against disfavored industries and commercial property owners. Oppose/Job Killer 2019.</p>	<p>Senate Inactive File 5/21/19</p>
<p>Targeted Tax on Opioids. AB 1468 (McCarty; D-Sacramento) Unfairly imposes an excise tax on opioid distributors in California, which will increase their costs and force them to adopt measures that include reducing workforce and increasing drug prices for ill patients who need these medications the most, in order to fund drug prevention and rehabilitation programs that will benefit all of California. Oppose/Job Killer 2019.</p>	<p>Assembly Floor 9/6/19</p>
<p>Targeted Tax on Purchase of Tires. AB 755 (Holden; D-Pasadena) Imposes a \$1.50 targeted tax on the purchase of new tires, that will unfairly raise prices on California residents, including employers, in order to fund the mitigation of zinc in storm water for all. Oppose/Job Killer 2019.</p>	<p>Assembly Inactive File 5/29/19</p>
<p>Disaster Relief to Homeowners and Businesses Seeking to Rebuild. AB 885 (Irwin; D-Thousand Oaks) Provides greatly needed assistance to victims of natural disasters who choose to reconstruct destroyed homes and business structures on the original site of the disaster, by exempting this reconstruction from being assessed at a higher tax rate. Support.</p>	<p>To Governor</p>

Subject—CalChamber Position	Status
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Telecommunications

<p>Extends Sunset on Regulation of Voice over Internet Protocol (VoIP) and Internet Protocol Enabled Service. AB 1366 (Daly; D-Anaheim/Obernolte; R-Big Bear Lake) The California Public Utilities Commission (CPUC) is prohibited from regulating VoIP and Internet Protocol Enabled Service until January 1, 2020, because this is a role best left to the federal government. Extends the sunset date to January 1, 2030, thereby preventing a patchwork of state laws attempting to regulate the internet. Support.</p>	<p>Held in Senate Energy, Utilities & Communications 9/11/19</p>
<p>Creates Patchwork of State Laws and Enforcement to Address Illegal Robocalls. SB 208 (Hueso; D-San Diego) Unnecessarily regulates carriers’ efforts to combat illegal robocalls in California even though the industry is already working hard with the Federal Communications Commission to solve the problem of robocalls, and adding a layer of CPUC regulation will complicate efforts to stop illegal robocalls by creating a patchwork of state laws. Oppose.</p>	<p>To Governor</p>

Tourism

<p>Tourism Stimulus. AB 1387 (Wood; D-Santa Rosa) 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 changing the way fishing licenses are issued. Support.</p>	<p>Senate Natural Resources & Water 6/12/19</p>
<p>Event Incentive Program. SB 736 (Umberg; D-Santa Ana) Creates a fund and associated application process for California to assist local entities or nonprofits to compete with other states to attract large events into California, promoting tourism and local businesses. Support.</p>	<p>Held in Assembly Appropriations Suspense File 8/30/19</p>

Transportation and Infrastructure

<p>Increases Transportation Costs. SB 210 (Leyva; D-Chino) Proposes to create a “smog check” program for heavy duty diesel vehicles, which has the potential to substantially increase the costs of transportation and goods in and from California. Gives the California Air Resources Board unfettered authority to impose uncapped fees on transportation companies and truck owners to support the inspection program. Oppose Unless Amended.</p>	<p>To Governor</p>
<p>Creates Incentives for Freight Efficiency. AB 371 (Frazier; D-Discovery Bay) Creates opportunity for growth in the freight sector by creating incentives for cost-effective transition to clean fleet technology and requiring agencies to ensure a sustainable California freight industry. Support/Job Creator 2019.</p>	<p>Held in Assembly Appropriations Suspense File 5/16/19; Failed Deadline</p>
<p>Unnecessary Disclosure of Individual Data. AB 1142 (Friedman; D-Glendale) Requires the California Public Utilities Commission to disclose individual trip data that is unnecessary and unrelated to the bill’s purposes to local governments and other private entities without adequate protections for consumer data. Oppose Unless Amended.</p>	<p>Held in Senate Appropriations Suspense File 8/30/19</p>
<p>Encourages Development. AB 245 (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 If Amended.</p>	<p>Senate Governmental Organization 6/17/19; Failed Deadline</p>
<p>Creates Safety Concerns. AB 808 (Chu; D-San Jose) Creates uncertainty and safety concerns by requiring installation of wiper-activated headlamps that may flash unnecessarily at other vehicles. Discourages residents from moving to California by creating a different standard for California cars and prohibiting registration after January 1, 2021. Oppose.</p>	<p>Failed passage in Assembly Transportation 4/22/19; Failed Deadline</p>

Subject—CalChamber Position	Status
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Unemployment Insurance

<p>Unemployment During Trade Disputes. AB 1066 (Gonzalez; D-San Diego) Significantly increases costs on employers engaged in a trade dispute by allowing employees on strike to receive unemployment benefits if the strike lasts more than four weeks, incentivizing strikes, raising costs for employers, and potentially affecting the solvency of California’s Unemployment Insurance Fund. Oppose/Job Killer 2019.</p>	<p>Failed passage in Senate 9/14/19</p>
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Water Supply and Quality

<p>Water Fix. SB 204 (Dodd; D-Napa) Before amendments, increased the costs to implement the WaterFix by creating excessive delays in the contracting process and imposed unreasonable time constraints. Opposition removed due to May 17, 2019 amendments. Neutral.</p>	<p>Assembly Water, Parks & Wildlife 6/6/19, Failed Deadline</p>
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<p>Barrier to Water Supply. SB 307 (Roth; D-Riverside) Prohibits new projects in a specific part of the state by adding more unnecessary and unreasonable permit requirements for water conveyance, preventing development of the new much-needed water supplies. Oppose.</p>	<p>Signed—Chapter 169</p>
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<p>Stock Ponds. AB 448 (Eduardo Garcia; D-Coachella) Brings ranchers into compliance by streamlining a cost-efficient pathway to obtain water rights for currently constructed stock ponds. Support.</p>	<p>Held in Assembly Appropriations Suspense File 5/16/19; Failed Deadline</p>
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<p>Recycled Water. SB 332 (Hertzberg; D-Van Nuys) Imposes unworkable mandates on wastewater treatment and management processes resulting in increased costs to businesses as ratepayers. Oppose.</p>	<p>Held in Senate Appropriations Suspense File 5/16/19; Failed Deadline</p>
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Workers’ Compensation

<p>Expands Costly Presumption of Injury. SB 567 (Caballero; D-Salinas) Significantly increases workers’ compensation costs for public and private hospitals by presuming certain diseases and injuries are caused by the workplace and establishes an extremely concerning precedent for expanding presumptions into the private sector. Oppose/Job Killer 2019.</p>	<p>Failed passage in Senate Labor, Public Employment & Retirement 4/24/19; Failed Deadline</p>
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<p>Exemption from Utilization Review. AB 1107 (Chu; D-San Jose) Rolls back recent workers’ compensation system reforms, reduces injured worker protections from inappropriate and dangerous treatment, removes barriers to fraud and increases litigation. Oppose.</p>	<p>Senate Labor, Public Employment & Retirement 5/16/19; Failed Deadline</p>
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<p>Apportionment. SB 731 (Bradford; D-Gardena) Prohibits consideration of race, religious creed, color, national origin, age, gender, marital status, sex, sexual identity, sexual orientation, or genetic characteristics, for the purposes of apportionment of permanent disability (PD). Support If Amended.</p>	<p>Assembly Insurance 5/30/19; Failed Deadline</p>
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