

ALERT

CalChamber Board Names Barrera Next President/CEO



Jennifer Barrera

The California Chamber of Commerce Board of Directors has appointed Jennifer Barrera as the organization's next president and CEO, effective October 1, 2021.

Barrera will succeed retiring CalChamber President and CEO Allan Zarembeg, who will remain on the job until the end of 2021. Zarembeg has served as CalChamber president and CEO for 23 years.

The CalChamber Board voted to appoint Barrera to the leadership role at its September 3 meeting.

"Jennifer is a proven leader and a powerful voice for California business," said Donna Lucas, chair of the CalChamber Board of Directors. "Jennifer's experience, her effectiveness in serving CalChamber members and her dedication to improving California's business climate has been demonstrated consistently throughout her tenure with CalChamber. She will step into the role of President and CEO ready to lead on day one."

"I am honored to lead a talented and respected team in representing and serving CalChamber's 14,000 members," said Barrera. "CalChamber is fortunate to have a strong Board of Directors that supports our work as the preeminent voice of California business. Thanks to all who have led CalChamber to this point, we are well-positioned for future

See CalChamber Board Names: Page 28

Legislature Sends Two Job Killer Bills to Governor



A California Chamber of Commerce **job killer** bill that will eliminate an agricultural employee's right to cast an independent vote in secret union

ballot elections and a job killer bill that increases costs and liability on employers in the garment industry have passed the Legislature and are headed to the Governor's desk.

A CalChamber-opposed bill that expands statutory contractor-retention policies in the lodging industry also passed the Legislature and will be presented to the Governor.

Governor Gavin Newsom has until **October 10** to sign or veto bills passed by the Legislature in the closing days of the session.

The CalChamber is urging the Governor to veto the following bills:

Job Killer Bills

- **AB 616 (Stone; D-Scotts Valley)** limits an employee's ability to independently and privately vote for unionization in the workplace, by essentially eliminating a secret ballot election and replacing it with the submission of repre-

See Legislature Sends: Page 28

California Voters Reject Recall of Governor



Governor Gavin Newsom

California voters said "no" to recalling Governor Gavin Newsom in this week's historic election.

Shortly after the polls closed on Tuesday, September

14, major news outlets, including CNN, CBS, ABC and the Associated Press, called the race for the Governor.

As of Thursday morning, with all precincts partially reporting, the

Secretary of State website showed 63.8% of voters statewide saying "no" to the recall and 36.2% saying "yes."

Appearing before reporters at the Democratic headquarters in Sacramento minutes after news outlets declared him the winner, Governor Newsom said, "No is not the only thing that was expressed tonight."

He continued, "I want to focus on what we said yes to as a state. We said yes to science. We said yes to vaccines. We said yes to ending this pandemic. We said yes to people's right to vote without fear of fake, fraud or voter suppression..."

"We said yes to all those things we hold dear as Californians, and I would

See California Voters: Page 29

Inside

- **Economic Outlook:** Pages 5-6
- **Major Bills Status Update:** Pages 7-25
- **Oppose Bills Stopped, Amended:** Page 26

Labor Law Corner

Applicant's Workers' Comp Claim History Can't Be Used for Screening



Matthew J. Roberts
Employment Law
Counsel/Subject
Matter Expert

We work in an industry that is at a higher risk for workplace injury. In an effort to keep our workers' compensation costs lower, can we ask if applicants for employment have an active workers' compensation claim or if they have ever filed for workers' compensation benefits?

Workers' compensation laws are complex and uniquely different from other employment-related issues — which often can lead to employer misunderstandings about what can and cannot be done in this context.

California Chamber Officers

Donna L. Lucas
Chair

Kailesh Karavadra
First Vice Chair

Gregory S. Bielli
Second Vice Chair

Janet A. Liang
Third Vice Chair

Mark Jansen
Immediate Past Chair

Allan Zarembeg
President and Chief Executive Officer

Alert (ISSN 0882-0929) is published weekly during legislative session with exceptions by California Chamber of Commerce, 1215 K Street, Suite 1400, Sacramento, CA 95814-3918. Subscription price is \$50 paid through membership dues.

Send email address changes to alert@calchamber.com. Publisher: Allan Zarembeg. Executive Editor: Ann Amioka. Art Director: Neil Ishikawa. Capitol Correspondent: Sara Proffitt.

Permission granted to reprint articles if credit is given to the California Chamber of Commerce Alert, citing original publication date of article, and reprint is emailed to Alert at address above.

*Email: alert@calchamber.com.
Home page: www.calchamber.com.*

California workers' compensation laws cover essentially every employer and require employers to maintain insurance to cover an employee's work-related injury or illness.

This means that employers are compelled to incur this insurance expense just in the ordinary course of business and thus are looking for ways to minimize that cost.

No Discrimination

Employers tempted to screen out applicants based on past workplace injuries or past workers' compensation claims are prohibited from doing so by California Labor Code Section 132a. Labor Code Section 132a prevents employers from discriminating against workers for suffering injuries in the course and scope of employment.

Labor Code Section 132a also prohibits employers from discriminating against workers who intend to file or have filed workers' compensation claims, or have received workers' compensation benefits.

This means that employers cannot condition employment based on whether a worker filed a claim in the past or has an active claim now.

Questions for Applicants

Employers in higher-risk industries that are concerned about whether an employee can physically perform the job duties or whether they may be a workers' compensation risk in the future must be cautious with the questions they ask during interviews.

Employers may not ask applicants about specific medical conditions or

disabilities that the applicant may have as this is an impermissible disability-related inquiry.

Instead, the employer may ask the applicant whether the employee can perform the job duties of the open position with or without a reasonable accommodation.

Pre-Employment Exam

Employers also may require applicants to undergo a physical examination prior to employment; however, there are a few rules employers must follow.

- The examination cannot be conducted until after the employer has made a conditional offer of employment.

- The employer must pay for the examination and all entering employees in the same job classification must be subject to the same examination.

- An employer may then withdraw the offer based on the examination results only if the applicant is unable to perform the essential functions of the job with or without a reasonable accommodation.

Employers with concerns about limiting workplace injuries and illnesses should ensure that all workplace safety rules are up-to-date based upon job duties and that any safety policies and procedures in place are strictly and uniformly enforced.

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.

CalChamber-Sponsored Seminars/Trade Shows

More at www.calchamber.com/events.

Labor and Employment

HR Symposium. CalChamber. October 7 and October 8, Online. (800) 331-8877.

Business Resources

Proposition 65 Annual Conference. Prop. 65 Clearinghouse. September 27, Online. (415) 391-9808.

International Trade

2021 InvestTaiwan Roadshow. Taiwan Ministry of Economic Affairs. September 15 (U.S. East Coast) and September 22 (U.S. West Coast),

Online. (886) 2 8797 7333.

EXIM 2021 Virtual Annual Conference.

Export-Import Bank of the United States. September 21–23, Online.

(800) 565-EXIM (3946).

Expo Dubai 2021. Expo 2020 Dubai

See CalChamber-Sponsored: Page 3

Next Alert: October 1

Coming Soon: U.S. Emergency Rule Establishing Large Employer Vaccination or Testing Mandate



On September 9, 2021, President Joe Biden announced that the U.S. Department of Labor through its

Occupational Safety and Health Administration (OSHA) is working to create an emergency temporary standard (ETS) requiring employers with 100 or more employees to ensure that their workers are fully vaccinated or to require any remaining unvaccinated workers to produce a negative COVID-19 test result on a weekly basis in order to enter a worksite.

Employers should know that despite President Biden's announcement, OSHA has not yet published the ETS and there's currently no requirement that all employers with 100 or more employees require vaccination or weekly negative tests of their employees, unless the employer is otherwise subject to a different industry-specific federal, state or local order such as California's Department of Public

Health [vaccine mandate](#) for health care workers.

Cal/OSHA Standard

Notably, California's own [COVID-19 ETS](#) still remains in effect. While California's ETS doesn't mandate vaccination, it still requires employers to take different precautions for unvaccinated employees as illustrated in the California Division of Occupational Safety and Health ([Cal/OSHA guidance](#)).

Although there currently is not a federal ETS, the expectation is that OSHA will publish one in the coming weeks. Unfortunately, without any further information beyond President Biden's announcement, it's difficult to anticipate how employers will be expected to comply with the ETS. Once the ETS is published, it would take effect very shortly thereafter.

Federal Emergency Rulemaking

[OSHA's emergency rulemaking process](#) is much different than the ordi-

nary rulemaking process because OSHA doesn't need to wait for public comment and consideration before publishing and enforcing an ETS. This means that employers who may be subject to this ETS need to stay up-to-date on this evolving process to maximize preparation time for compliance.

In a related action, President Biden also signed an [Executive Order](#) requiring contractors who do business with the federal government to ensure their employees are vaccinated.

This Executive Order extends the standard that now applies to all federal executive branch workers, which President Biden created September 9 in a separate [Executive Order](#). Employers who may be subject to these new standards should consult with legal counsel regarding compliance.

The CalChamber will continue to provide updates as further information is released.

Staff Contacts: [Robert Moutrie](#), [Matthew Roberts](#)

CalChamber-Sponsored Seminars/Trade Shows

From Page 2

UAE. October 1, 2021–March 31, 2022, Dubai, United Arab Emirates. (+971) 800 EXPO (3976).

Taiwan Trade Shows. Taipei Economic & Cultural Office, San Francisco. October 6–December 27, Online. (415) 362-7680.

Build Expo Greece 2021. Build Expo. October 15–17, Athens, Greece. +30 211 180 1801.

2021 Select LA Investment Summit.

World Trade Center Los Angeles and Los Angeles County Economic Development Corporation. October 20–21, Los Angeles. (213) 236-4853.

Israel Defense Expo. Israel Defense & HLS Expo and Israeli Chamber of Commerce. November 9–11, Tel Aviv, Israel. +972-3-691-4564 x 300.

Smart City Expo World Congress 2021. U.S. Commercial Service. November 16–18, Barcelona, Spain. (704) 248-6976.

12th World Chambers Congress: Dubai 2021. International Chamber of Commerce World Chambers Federation and Dubai Chamber of Commerce & Industry. November 23–25, Dubai, United Arab Emirates. worldchambercongress@iccwbo.org.

Athens International Tourism & Culture Expo 2021. Greek Ministry of Tourism and Greece 2021 Committee. November 25–27, Athens, Greece. +30 210-614 1164.



CalChamber Member Feedback

"The CalChamber is laser focused on positive outcomes for the business community and has an unsurpassed track record of success, not only in the Legislature, but with the regulatory agencies, the courts and at the ballot box."

Charles D. Ahlem
Founding Co-Owner
Hilmar Cheese Company, Inc.

Japan Business Leaders in California Mark 20th Annual Meeting with CalChamber



The 20th annual meeting between the California Chamber of Commerce and Japan business leaders high-

lighted California's continuing interdependence with one of its largest trade and investment partners.

Leading the Japanese business delegation were Hironori Kobayashi, chair of the [Japan Business Association of Southern California \(JBA\)](#) and director for the Americas of All Nippon Airways ANA Co., Ltd., as well as Tasha Yorozu, president of the [Japanese Chamber of Commerce of Northern California \(JCCNC\)](#) and managing attorney for Yorozu Law Group.

Representing the CalChamber at the Wednesday, September 8 virtual meeting were Allan Zaremborg, retiring president and CEO; Jennifer Barrera, incoming president and CEO; Susanne T. Stirling, vice president, international affairs; and Nikki Ellis, international trade assistant.

Discussion Themes

The JBA and JCCNC meeting covered a variety of themes, including California's current tight labor market and ways Japanese companies could overcome this challenge. State and federal labor, energy, environmental, visa and trade policies also were on the agenda.

The group also spoke about the many important Japanese contributions to the California economy, as Japan is the top foreign direct investor in California. Lastly, the group asked the CalChamber to share its top priorities.

Trans Pacific Partnership

Japan was among the 11 Pacific Rim countries that signed the revised Trans-Pacific Partnership on March 8, 2018 in Santiago, Chile, finalizing the trade and investment agreement just over a year after the U.S. withdrawal left its fate in question.

The pact, renamed the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP or TPP-11), retains all the tariff reductions and elim-



(From left) Allan Zaremborg, president and CEO, CalChamber; Tasha Yorozu, board president 2021, Japanese Chamber of Commerce of Northern California/managing attorney, Yorozu Law Group; Jennifer Barrera, incoming president and CEO, CalChamber; Hironori Kobayashi, chairman, Japan Business Association of Southern California/general manager of the Los Angeles office, All Nippon Airways; Fumitaka Oguri, president, OYO Corporation USA; Masahiro Maruyama, COO, HULFT, Inc.; Aki Tohyama, president, USJP Business Advisors; Kenichi Tsuji, executive director, JCCNC; Kenji Sakai, senior vice president, CBRE, Inc.; Aya Dorwart, deputy director, JCCNC; Susanne Stirling, vice president of international affairs, CalChamber; Steve Teraoka, managing partner, Teraoka & Partners; Noriko Sakurada, branch manager, IACE Travel; Takashi Sasaki, president and CEO, Innovation Core SEI, Inc.; and Nicole Ellis, International Affairs, CalChamber.

inations from the original version signed in 2016 by the 11 nations and the United States. The CPTPP suspends 22 other provisions, including some intellectual property rules.

The CPTPP reduces tariffs in countries that together amount to more than 13% of the global economy — a total of \$10 trillion in gross domestic product. With the United States, it would have represented 40%. Even without the United States, the deal spans a market of nearly 500 million people, making it one

of the world's largest trade agreements.

Britain made a formal request to join the CPTPP on Monday, February 1, 2021, seeking membership in the 11-country deal to open new avenues for post-Brexit trade and influence. The CPTPP removes 95% of tariffs among its members: Japan, Canada, Australia, Vietnam, New Zealand, Singapore, Mexico, Peru, Brunei, Chile and Malaysia.

The CalChamber supports considering the United States re-entering the CPTPP.

See Japan Business Leaders: Page 29

Strong Demand for Goods; Supply Lagging; Imbalance Keeps Upward Pressure on Prices

The Economy Is Powering Ahead

Overview

The recession is officially over. It ended more than a year ago, but it takes time for the group of economists at the National Bureau of Economic Research, the organization that determines peaks and troughs of a business cycle, to wait for all the revised economic data to formally determine the start and end of recessions.

This recent recession ended last April. It was the shortest recession and deepest recession in the post-World War II period.

But that was then, and this is now. The economy is growing on most cylinders. It rose 6.5% in Q2. In Q3, growth is expected to be slightly more robust, with the Bloomberg economic consensus estimate around 7.0%. If that plays out, it will be the strongest quarterly growth rate of this year and the most robust rate of growth going back to 2000, outside of last year's Q3 reopening.

With the continued growth since the reopening, economic output has surpassed the previous peak, which moves this economy from the recovery phase to the expansion phase. The economy now stands 0.8% stronger than it did before the pandemic set in. Based upon the Fed's projection of gross domestic product (GDP) growth, the economic output should be above the previous trend growth rate by the end of Q4.

Unfortunately, the labor market has yet to recover fully. The employment deficit stands at 5.7 million below the February 2020 peak of 152.5 million (3.7% below that peak). But the employment recovery is well underway. There are 10.1 million job openings, which is the highest level on record with data going back to 2000. In addition, 9.5 million people are looking for jobs, which means there are 1.1 job openings for every job seeker.

Gross Domestic Product

Capacity Constraints Put a Cap on Growth

The economy grew 6.5% in Q2. Although slower than expected (forecast 8.5%), the gentler growth rate was due to the lack of supply, not demand. The decline in inventories alone took away 1.1 percentage points. As the economy works through bottlenecks, the supply will meet the demand, keeping economic growth strong.

Still, at 6.5%, we are talking about a breakneck pace, more than three times

Most state and local governments have ended COVID-19 restrictions, and shoppers went out and spent money. As expected, there is starting to be a pivot in consumer spending away from goods and toward services. Sales of sectors that benefited from staying at home (furniture, sporting goods, and building materials) declined. In contrast, sales at restaurants, bars, and stores that sell clothing accessories all benefit from shoppers being able to return to the stores en masse.

The sales of vehicles fell for the third straight month. They are being strangled due to a lack of inventories because of supply chain problems with semiconductors. This significantly impacts retail sales since vehicle sales account for more than one-fifth of total sales.

Households are still benefiting from the generosity of the federal government's stimulus checks. However, as that fades over the coming months (last year's checks took about six months), it will be partially offset by some households benefiting from the child tax credits (about \$15 billion per month). As

the economy works its way through the bumpy recovery, fortunately, household spending has not been, and will not be, one of the problems.

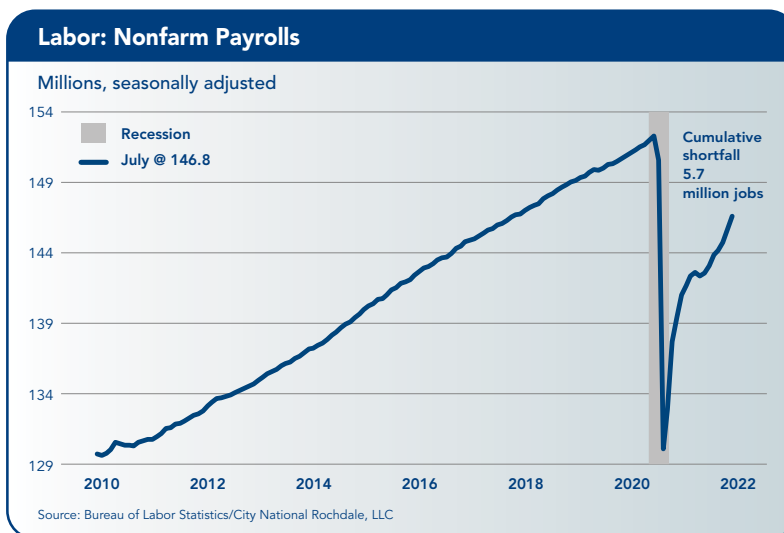
Labor

Strong Labor Gains Expected to Continue

Employment growth should be strong over the coming months, as the economy opens up, and there will be the complete termination of the expanded unemployment benefits. These factors will pressure potential workers to accept job offers that may not have been viewed as appealing when they could collect an unemployment check.

The strengthening trend in the three-

See Next Page



the economy's pace averaged during the past expansion. Moreover, demand is expected to stay strong due in part to the high level of savings. Although the saving rate is off its recent unsustainable highs, it is still well above the average for the past few decades.

Consumer spending is the driving force behind the high Q2 GDP. There was a torrid pace of spending in Q2. It was up 11.8%, which was on top of Q1's eye-popping gain of 11.4%. Outside of the craziness of last year's closing and opening, these have been impressive gains in the first two quarters of this year, about three times greater than the long-term average of 3.3%. The \$2.5 trillion in extra household savings has been burning holes in consumers' pockets.

Demand/Supply Imbalance Keeps Upward Pressure on Prices

From Previous Page

month moving average is expected to continue despite economic growth peaking. This is because employment gains always lag economic growth.

Inflation

Inflation May Have Peaked, But Will Not Fall Quickly

The reopening of the economy and the high number of vaccinations have caused a surge in demand for goods and services to record heights, pushing economic output up when the supplies of goods and services have not been able to keep up, lifting prices.

This quarter looks like the apex of this cycle. GDP and inflation appear to be peaking in Q3. That said, economic growth and inflation should continue to run at a robust pace well into next year.

Spending has been the fun side of the normalization of the economy, but higher inflation has caused misery. Some of the high inflation is due to the comparison to the meager prices during the lockdown (base effect).

For example, oil in the past year is up 87%, but compared to two years ago, it is up just 26%, and compared to three years ago, it is down 1%.

So, how bad is this inflation? Other parts of the high inflation are due to shortages; this is most notable in automobiles. The shortage of semiconductors has restricted the number of new vehicles being produced and sold, pushing up demand and prices of used cars, up 42% in the past year. This has helped push up the transportation component of inflation, which is the driving force behind the high inflation rate.

We view the unprecedented levels of fiscal stimulus as the catalyst for the burst in inflation. It will lessen over the coming months. Eventually, the economy will return to the one it was before the pandemic, and consumers will again be price-sensitive. The base effect will age

away, and production is being ramped up to meet the demand for those products in short supply.

The streak of outsized inflation gains is probably over. The July monthly gain was 0.5%; the previous three months averaged 0.8%. Although this is good news, the return to pre-pandemic inflation levels remains in the distant future — the higher transient prices will be with us longer than previously thought.

This belief has been substantiated in recent weeks with many corporate announcements suggesting that supply chain normalization may not be complete until late next year.

the raising of short-term interest rates. However, that will probably not happen until the Fed has finished tapering their bond-buying program, which would be the end of 2022 or 2023.

Pandemic

Rise in COVID Cases Gives Jitters to Financial Markets

The number of cases of the Delta variant has surged, reversing the optimistic tone that the market had embraced since cases started to decline at the beginning of January. The average daily case count stood at 150,000 on September 3, up from the low point of 12,000 in June.

The risk in the United States appears to be manageable since hospitalizations and death rates are well below the previous peak. However, the risk to the global economy, especially where vaccination rates are much lower, is a growing concern.

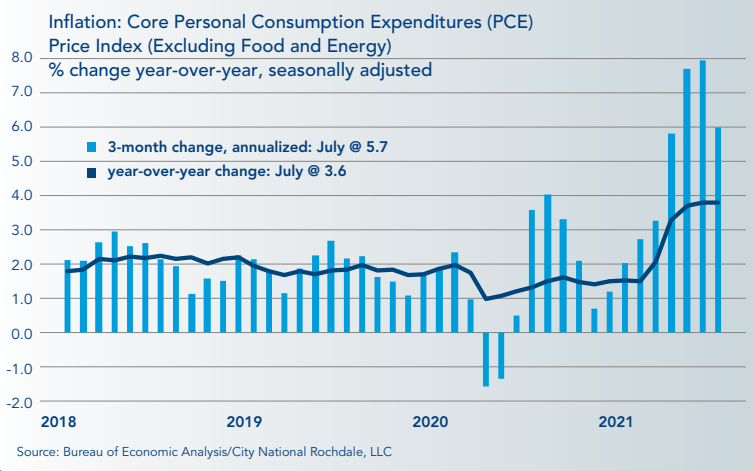
City National Rochdale View

Despite mixed data over the past few weeks, the economy continues to thrive. What is happening with the economy is simple: Demand is strong, and supply is struggling to keep up. The imbalance, of course, is continuing to have an impact on prices.

As a result, the “transitory price pressures” are no longer predicted to last just a few months but now at least six months to maybe a year. But payroll gains are expected to continue at a robust pace and economic growth will grow above the long-term trend rate for some time.

Staff Contact: Dave Kilby

‘Transitory’ Inflation Lasting a Lot Longer than First Thought



Federal Reserve

Still on Hold

The outlook is improving enough that the Fed is contemplating removing some of the massive amounts of stimulus they provide the economy. They are not ready to move yet, but they are talking about it.

The first step will be to reduce their bond-buying program, which used to be called quantitative easing. Currently, they are buying \$120 billion each month (\$80 billion in treasuries and \$40 billion in mortgages).

City National Rochdale believes the Fed will wait until year-end or 2022 before they begin tapering those bond purchases.

The second step in reducing stimulus is much further down the road. It will be



This economic outlook report to the CalChamber Board of Directors was prepared by Paul Single, managing director, senior portfolio manager, City National Rochdale.

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 10, 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 10 is the last day for the Governor to sign or veto bills passed by the Legislature before September 10 and in the Governor’s possession on or after September 10.

The CalChamber will publish its final status report, showing the ultimate fate of bills sent to the Governor this year, on October 15.

Bills signed by the Governor will become law on January 1, 2022. 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 2022.

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 5.

Status of legislative action on bills as of September 10, 2021. 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 Natural Resources	
Bees. AB 391 (Villapudua; D-Stockton) Appropriates funding to the Department of Food and Agriculture and its partners to reach out and facilitate grower participation in farm practices that improve or enhance bee habitat and forage. Support.	Senate Inactive File 9/9/21
Dispute Resolution. AB 554 (Mathis; R-Visalia) Helps landowners resolve disputes over regulatory conflicts with the Department of Fish and Wildlife. Support.	Assembly Appropriations Suspense File 4/28/21; Failed Deadline
Labeling. SB 651 (Wieckowski; D-Fremont) Requires food product packing and menus and menu boards to disclose if synthetic dyes are used in the food item. Oppose.	Senate Health 3/3/21; Failed Deadline

Air Quality

Duplicative Regulatory Authority. AB 426 (Bauer-Kahan; D-Orinda) Expands the authority of Regional Air Districts to regulate mobile sources and additional pollutants, which are already the purview of the Air Resources Board, resulting in duplicative regulations and increased costs. Oppose.	Assembly Natural Resources 2/12/21; Failed Deadline
Duplicative Regulatory Authority. AB 1547 (Reyes; D-San Bernardino) Duplicates the California Environmental Quality Act and creates an across-the-board buffer for warehouse projects, usurping local authority over land use decisions. Oppose.	Assembly Natural Resources 3/25/21; Failed Deadline
Overrides Democratic Process. SB 342 (Lena Gonzalez; D-Long Beach) Seeks to expand board membership and imposes limitations on the types of appointees to the local air districts. Oppose.	Senate Inactive File 6/3/21; Failed Deadline

Subject—CalChamber Position	Status
Banking and Finance	
<p>New Mandate. AB 1177 (Santiago; D-Los Angeles) Burdens businesses with another unnecessary regulation that requires them to provide direct payroll deposit to the BankCal in addition to any other direct payroll program with commercial institutions or even if they do not provide direct deposit at all. Also exposes employers to steep penalties and Private Attorneys General Act litigation for any mistake. Opposition removed after August 26, 2021 amendments turned bill into a feasibility study. Neutral.</p>	To Governor
<p>Onerous New Report. SB 449 (Stern; D-Canoga Park) Requires any business with revenues over \$500 million annually to prepare a financial risk assessment on its holdings including any supply chain assets. Oppose.</p>	Senate Appropriations Suspense File 5/17/21; Failed Deadline
<p>Crowdfunding. AB 511 (Muratsuchi; D-Torrance) Allows start-up and emerging small businesses to help find investors to help capitalize them while providing greater protections for investors participating in crowdfunding. Support.</p>	To Governor
<p>Credit Availability. AB 1089 (Grayson; D-Concord) Prevents frivolous and false disputes made by credit repair services that delay credit availability. Updates the Credit Repair Services Act to provide transparency for costs of services rendered and expected results. Support.</p>	Assembly Appropriations Suspense File 5/12/21; Failed Deadline
<p>Debt Collection Abuse. SB 373 (Min; D-Irvine) Harms businesses by allowing dismissal of valid debts. Negates existing legal remedies and court oversight. Oppose Unless Amended.</p>	Senate Banking and Financial Institutions 2/17/21; Failed Deadline

Budget

<p>COVID-19 Paid Sick Leave. SB 95 (Skinner; D-Berkeley) Imposes costly new paid sick leave mandate on employers that is retroactive to January 1, 2021, exposing employers to litigation. Oppose.</p>	Signed—Chapter 13 3/19/21
<p>Onerous Return to Work Mandate. AB 84 (Assembly Budget)/SB 93 (Senate Budget and Fiscal Review) Imposes an onerous and stringent process for specific employers to return employees to the workforce for specified industries, including hotels and restaurants that have been disproportionately impacted by this pandemic, which would have delayed rehiring and employers' ability to reopen after being forced to close or reduce operations due to COVID-19. Oppose.</p>	AB 84 Senate Budget and Fiscal Review 5/18/21; SB 93 Signed—Chapter 16 4/16/21
<p>Public Employment. SB 132 (Senate Budget and Fiscal Review) Punishes University of California for use of contractors by encumbering its ability to spend or pledge public funds for facilities unless a third party audits and certifies its use of direct employees for every service performed at those facilities. Oppose.</p>	Assembly Budget 6/29/21

California Environmental Quality Act (CEQA)

<p>CEQA Transparency. AB 819 (Levine; D-San Rafael) Codifies existing best practices by requiring lead agencies to post and submit electronically certain CEQA notice and other environmental review documents. Support.</p>	Signed—Chapter 97
---	-------------------

Climate Change

<p>Increased Regulatory Burden. SB 260 (Wiener; San Francisco) Imposes a mandatory climate tracking, auditing, and cap on climate emissions that will fall heavily on all California businesses, impacting competitiveness and increasing costs. Oppose.</p>	Senate Appropriations Suspense File 5/17/21; Failed Deadline
---	--

Subject—CalChamber Position	Status
Increased Costs and Consolidation of Markets. AB 284 (R. Rivas; D-Hollister) Imposes a climate neutrality goal on California agricultural operations prior to the development of a statewide climate neutrality plan, which will increase the cost of food and potentially consolidate markets. Oppose Unless Amended.	Senate Inactive File 9/2/21
Substantial Cost Increase. SB 582 (Stern; D-Canoga Park) Threatens substantial increases in the cost of goods and services of entities subject to cap-and-trade by doubling our 2030 carbon emissions reduction goals. Oppose.	Senate Inactive File 6/3/21; Failed Deadline
Limits Technological Development. AB 1395 (Muratsuchi; D-Torrance) Proposes to limit the technology necessary to reach our carbon neutrality goals by more than doubling our state goal while also imposing limits on technology-assisted carbon reductions, sending market signal to not develop carbon removal or storage technology. Oppose.	Senate Inactive File 9/10/21
Cost Shift on Agricultural Products. SB 27 (Skinner; D-Berkeley) Originally sought to impose carbon neutrality metrics on the agricultural sector, resulting in cost shifts to consumers and reduction in crop diversity. Opposition removed after amendments that provide more flexibility for the agricultural sector. Neutral.	To Governor
Increases Costs. AB 1218 (McCarty; D-Sacramento) Imposes a “feebate” structure on manufacturers, which has the effect of increasing the cost of all vehicles in a manufacturer’s fleet, including the cost of light duty vehicles used by commercial and industrial businesses. Oppose.	Assembly Appropriations 4/19/21; Failed Deadline

Crime

Retail Theft Enforcement. AB 331 (Jones-Sawyer; D-South Los Angeles) Extends the organized retail theft criminal statutes and the California Highway Patrol’s task force to better enforce crimes against retailers. Support.	Signed—Chapter 113 7/21/21
--	----------------------------

Education

Facilitate Pupil Financial Aid Applications. AB 469 (Reyes; D-San Bernardino) Requires high schools to assist students in preparing the Free Application for Federal Student Aid (FAFSA), which would ensure that more of California’s students receive already-available federal funds to pursue higher education. Also includes an opt out provision for circumstances where such completion is not necessary or preferred. Support.	To Governor
Computer Science Access Initiative. AB 498 (Quirk-Silva; D-Fullerton) Establishes the Computer Science Access Initiative to be administered by the California Department of Education to provide grants to school districts, county offices, or other educational entities that will help educational entities train educators with computer science skills so that they can pass those economically critical skills on to California’s students. Support.	Senate Appropriations 9/10/21
Federally Preempted Limitation on Arbitration. AB 272 (Kiley; R-Roseville) Creates a federally preempted right for minors to disavow an arbitration clause — but no other provisions — in enrollment agreements signed by their parents. Oppose.	Signed—Chapter 146
Ensure California Students Can Complete Cal Grant Applications Despite COVID-19-Related Disruptions. AB 1185 (Cervantes; D-Corona) Temporarily extends the deadline for Californians to apply for Cal Grant funding to support higher education to allow for COVID-19-related disruptions to the application process. Support.	To Governor
School Facilities Act. AB 75 (O’Donnell; D-Long Beach) Establishes an ongoing fund to assist school districts in modernizing their facilities. Partner legislation to SB 22. Support.	Senate Education 6/18/21

Subject—CalChamber Position	Status
<p>School Facilities Bond. SB 22 (Glazer; D-Contra Costa) Places a \$15 billion bond on the 2022 ballot to address overdue maintenance for educational facilities of all levels — from preschool through college — in California, prioritizing facilities that are older than 75 years. Partner legislation to AB 75. Support.</p>	<p>Senate Education and Senate Higher Education 6/10/21</p>
<p>Educational Data System. AB 99 (Irwin; D-Thousand Oaks) Takes a critical step in the formation of an over-arching data repository of student progress in California by creating the governing board for the ensuing system. Eventually, this “Cradle to Career” system will connect the data of various state agencies, the University of California, the California State University, and the California Community College systems. This unified database will improve our ability to analyze and improve educational outcomes for California’s students. Support.</p>	<p>Senate Education 6/9/21; Failed Deadline</p>
<p>Grants to Encourage Career Technical Education. AB 299 (Villapudua; D-Stockton) Creates the California Apprenticeship Grant Program, under the Chancellor of the California Community Colleges, to provide grants to support high school and community college students, as well as unemployed and employed workers, who are seeking career technical education and are enrolled in a qualified apprenticeship program. Support.</p>	<p>Assembly Higher Education 2/12/21; Failed Deadline</p>

Elections and Fair Political Practices

<p>Restrictions on Citizen Ballot Initiatives and Voter Signature Gathering. SB 660 (Newman; D-Fullerton) Drastically increases the cost of voter initiatives by requiring any citizen initiative to pay employees an hourly rate to collect signatures for ballot initiatives, referendums, and recall petitions, as opposed to piece-rate signature gathering, thus excluding low-funded citizen initiatives from the ballot process. Oppose.</p>	<p>To Governor</p>
<p>Political Contributions Disclosures for LLCs. AB 236 (Berman; D-Palo Alto) Expands disclosure obligations to limited liability companies (LLCs) and requires LLCs to file a statement of members for any political contribution of \$1,000 or more. Opposition removed due to May 20, 2021 amendments that increase the financial threshold, reduce the lookback period for inclusion on the statement of members, and strike section 84110 from the bill. Neutral.</p>	<p>Assembly Inactive File 6/3/21</p>
<p>Political Contributions Disclosures for LLCs. SB 686 (Glazer; D-Contra Costa) Expands disclosure obligations to LLCs and requires LLCs to file a statement of members for any political contribution of \$1,000 or more. Opposition removed due to June 23, 2021 amendments that increase the financial threshold, reduce the lookback period for inclusion on the statement of members, and strike section 84110 from the bill. Neutral.</p>	<p>To Governor</p>
<p>Ban on Political Contributions from Investor-Owned Utilities. AB 871 (Kiley; R-Roseville) Places an outright ban on political contributions only for investor-owned utilities, likely in violation of the First Amendment. Oppose.</p>	<p>Held in Assembly Elections 4/15/21</p>
<p>Elections Referenda and Ballot Language. SCA 1 (Hertzberg; D-Van Nuys) Together with SB 443 will change the California Constitution to swap the meaning of a “yes” vote and a “no” vote, creating confusion to the public and voters and adding superfluous legalese to the ballot. Oppose.</p>	<p>Senate Inactive File 9/1/21</p>
<p>Elections Referenda and Ballot Language. SB 443 (Hertzberg; D-Van Nuys) Together with SCA 1 will change the California Constitution to swap the meaning of a “yes” vote and a “no” vote, creating confusion to the public and voters and adding superfluous legalese to the ballot. Oppose.</p>	<p>Assembly Rules 6/17/21</p>

Energy

<p>Utility Rate Increase. SB 67 (Becker; D-Menlo Park) Threatens rate increases by proposing to alter the renewable portfolio standard to incorporate an every-hour newly defined “clean energy” standard. Oppose.</p>	<p>Senate Energy, Utilities and Communications 3/11/21; Failed Deadline</p>
---	---

Subject—CalChamber Position	Status
Eliminates Electric Customer Refund. AB 1087 (Chiu; D-San Francisco) Eliminates 85% of the Climate Credit created as part of the cap-and-trade program, which provides bill refunds to residential and business customers that the Legislature determined would face a risk of closure due to cost burdens. Oppose.	Assembly Appropriations Suspense File 5/12/21; Failed Deadline
Utility Rate Increase. SB 31 (Cortese; D-San Jose) Expands ratepayer-funded program for building electrification, benefiting one class of utility ratepayers at the expense of the remainder of the utility rate base, which would increase residential and commercial utility bills. Oppose.	Senate Appropriations Suspense File 5/10/21; Failed Deadline
Increased Rates and Insurance Premiums. SB 440 (Dodd; D-Napa) Funds home hardening program that benefits only some residents by imposing an additional premium and threatening energy rate increases that could destabilize the energy market. Oppose.	Senate Insurance 2/21/21
Rate Increase. SB 345 (Becker; D-Menlo Park) Adds nonjurisdictional “benefits” into statutory cost benefit analysis conducted by the Public Utilities Commission, resulting in cost shifts to ratepayers. Oppose.	Senate Appropriations Suspense File 4/5/21; Failed Deadline

Environmental Regulation

Oil and Gas Development Ban. SB 467 (Wiener; D-San Francisco) Eliminates thousands of high-paying California jobs and requires California to import even more foreign oil by shutting down approximately 95% of oil and gas production in California. Oppose/ Job Killer 2021 .	Failed Passage in Senate Natural Resources and Water 4/13/21; Failed Deadline
Proposition 65 Reform. AB 693 (Chau; D-Monterey Park) Bans out-of-court settlements, thereby substantially raising the costs for many companies to settle cases; provides a 14-day cure provision for food entities that are alleged to have a Proposition 65 violation; and requires the underlying data a private enforcer gives to the California Attorney General to the defendant. Oppose Unless Amended.	Assembly Environmental Safety and Toxic Materials 4/21/21
Anti-Housing. SB 261 (Allen; D-Santa Monica) Substantially increases the difficulty and costs to build more housing in California by compelling the California Air Resources Board to set future greenhouse gas (GHG) emissions reduction targets and new vehicle miles traveled reduction targets for automobiles and light duty trucks for all metropolitan planning organizations, and then further mandates that those targets be included in each region’s adopted regional transportation plan by 2022. Oppose.	Senate Transportation 3/15/21; Failed Deadline
Increased Oversight of Oil Wells. SB 25 (Hurtado; D-Sanger) Enhances the regulatory oversight of well stimulation treatments to ensure public health and safety by requiring the operator of a well to monitor for earthquakes of magnitude 2.7 or greater from the beginning of the process until 30 days after completion. If an earthquake of that magnitude occurs, the operator would be required to immediately notify the California Geologic Energy Management Division (CalGEM) and cease operations until CalGEM has completed an evaluation and is satisfied that the hydraulic fracturing does not create a heightened risk of seismic activity. Support.	Senate Natural Resources and Water 3/18/21; Failed Deadline
Substantial Cost Increase. AB 1001 (C. Garcia; D-Bell Gardens) Threatens substantial increases in the cost of goods and services of entities subject to cap-and-trade by doubling our 2030 carbon emissions reduction goals. Oppose.	Assembly Natural Resources 3/4/21; Failed Deadline

Gaming/Alcohol

Alcohol Sales. SB 389 (Dodd; D-Napa) Allows restaurants to sell prepackaged alcohol for off-site consumption. Support.	To Governor
Wineries. SB 19 (Glazer; D-Contra Costa) Opens new opportunities for increased revenues by allowing wineries to have one additional off-site tasting room. Support.	To Governor

Subject—CalChamber Position	Status
Hazardous Waste	
<p>Treated Wood Waste. AB 332 (Assembly Environmental Safety and Toxic Materials Committee) Provides an option to manage and dispose of treated wood waste through alternative standards if certain criteria are met, a process that had been in place for decades before sunseting in 2020, in order to avoid the unnecessary and cost-prohibitive management of these materials as Resource Conservation and Recovery Act (RCRA) hazardous waste materials. Support.</p>	<p>Signed—Chapter 147 8/30/21</p>
Health Care	
<p>Government-Run Health Care. AB 1400 (Kalra; D-San Jose) Penalizes responsible employers and individuals and results in significant new taxes on all California businesses and individuals by creating a new single-payer government-run, multibillion-dollar health care system financed by an unspecified and undeveloped “revenue plan.” Oppose/Job Killer 2021.</p>	<p>To Print in Assembly 2/19/21; Failed Deadline</p>
<p>Costly Health Care Coverage Mandate. AB 570 (Santiago; D-Los Angeles) Originally sought to mandate employees’ dependent parents and stepparents be provided health care coverage on employer-sponsored health plans. Opposition removed after May 24, 2021 amendments required only individual health plans, not employer-sponsored plans, provide coverage to dependent parents and stepparents. Neutral.</p>	<p>To Governor</p>
<p>Increases Health Care Costs. SB 568 (Pan; D-Sacramento) Increases health care costs by prohibiting a deductible requirement for a covered prescription drug as well as certain equipment and supplies, and limits the amount paid for the benefit to no more than the amount of copayment or coinsurance specified in the applicable summary of benefits and coverage. Oppose.</p>	<p>Assembly Health 6/10/21; Failed Deadline</p>
<p>Increases Health Care Costs. SB 524 (Skinner; D-Berkeley) Increases prescription drug costs for consumers by preventing certain network designs between health plans, insurers, pharmacy benefit managers, and pharmacies. Oppose.</p>	<p>To Governor</p>
<p>Health Care Cost Increase. SB 306 (Pan; D-Sacramento) Mandates health care service plans to provide coverage for home test kits for sexually transmitted diseases as well as their associated laboratory processing costs which will increase employer health care premiums. Oppose.</p>	<p>To Governor</p>
<p>Increases Health Care Costs. AB 97 (Nazarian; D-Van Nuys) Increases health care costs by prohibiting a health care service plan or a health disability insurance policy from imposing a deductible on an insulin prescription drug. Oppose.</p>	<p>Senate Appropriations 7/14/21</p>
<p>Increases Health Care Costs. SB 473 (Bates; R-Laguna Niguel) Increases health care costs by capping cost sharing for insulin prescriptions at \$50 for 30-day supply and no more than \$100 total per month, regardless of the amount or type of insulin ordered. Oppose.</p>	<p>Senate Health 2/25/21; Failed Deadline</p>
<p>Increases Health Care Premiums. AB 1011 (Waldron; R-Escondido) 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>Assembly Health 3/4/21; Failed Deadline</p>
<p>Encourages Litigation and Disrupts Established Law. AB 849 (Reyes; D-San Bernardino) Originally encouraged litigation and sought to overturn state Supreme Court precedent by amending the Health and Safety Code to allow for \$500 per Patients’ Bill of Rights violation for skilled nursing facility residents. Opposition removed due to August 16, 2021 amendments requiring a multi-factor assessment be used when awarding statutory damages as well as ensuring the bill would not be applied retroactively. Neutral.</p>	<p>To Governor</p>

Subject—CalChamber Position	Status
<p>Creates State Office to Review, Analyze and Assess Health Care Cost Trends. AB 1130 (Wood; D-Santa Rosa) Creates the Office of Health Care Affordability, which will analyze the health care market for cost trends and drivers of spending, create a state strategy for controlling the cost of health care and ensure affordability for consumers and purchasers, and enforce cost targets. Support If Amended.</p>	<p>Senate Health 6/16/21; Failed Deadline</p>
<p>Reduction in Telehealth Options. AB 457 (Santiago; D-Los Angeles) Originally disrupted patient telehealth options by requiring a health plan arrange for an enrollee to treat with a third-party telehealth provider only if the service was not available through a contracting individual health professional. Opposition removed after September 3, 2021 amendments that provide greater protection for patient telehealth options. Neutral.</p>	<p>To Governor</p>
<p>Mandated Health and Dental Plan Payments to Providers for Business Expenses. SB 242 (Newman; D-Fullerton) Onerous mandate that requires health plans, health insurers, and dental plans to permanently fund provider expenses for personal protective equipment (PPE), infection control supplies, information technology systems, and other undefined business expenses. Oppose.</p>	<p>To Governor</p>
<p>Increases Health Care Costs. AB 454 (Rodriguez; D-Pomona) Increases health care costs by requiring health plans and insurers provide financial relief to providers who have been impacted by a declared state of emergency. Oppose.</p>	<p>Assembly Appropriations Suspense File 5/12/21; Failed Deadline</p>
<p>Burdensome Reporting Requirements. SB 637 (Newman; D-Fullerton) Burdens hospitals with unnecessary and redundant reporting requirements regarding staffing and COVID-19 positivity rates. Oppose.</p>	<p>Assembly Inactive File 9/10/21</p>
<p>Locking Vial Mandate for Schedule II Drugs. AB 1430 (Arambula; D-Fresno) Increases prescription drug prices by requiring nonhospital pharmacies to dispense schedule II and IIN drugs in a lockable vial and seek reimbursement for the vials from drug manufacturers. Oppose.</p>	<p>Assembly Appropriations Suspense File 5/12/21; Failed Deadline</p>
<p>Overbroad Attorney General Review Authority. SB 642 (Kamlager; D-Los Angeles) Gives the Attorney General unnecessary and overbroad power to reject hospital and health system mergers, affiliations, sales or acquisitions. Oppose Unless Amended.</p>	<p>Senate Appropriations Suspense File 5/17/21; Failed Deadline</p>
<p>Increases Health Care Costs. AB 935 (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>Assembly Appropriations 4/27/21; Failed Deadline</p>
<p>Prior Authorization Waiver for Genetic Biomarker Testing. SB 535 (Limón; D-Goleta) Originally sought to prohibit health plans and insurers from requiring prior authorizations for all genetic biomarker testing for a patient with advanced, metastatic, recurrent, or progressive stage 3 or 4 cancer. Opposition removed after amendments clarified plans and insurers may institute a prior authorization requirement on biomarker testing that is not for Food and Drug Administration-approved therapy in addition to the bill's provisions going into effect in 2022. Neutral.</p>	<p>To Governor</p>
<p>Telehealth Payment Parity. AB 32 (Aguiar-Curry; D-Winters) Requires coverage and reimbursement at parity with the equivalent in-person service for synchronous telehealth, including live video and telephone (audio-only) visits. Oppose Unless Amended.</p>	<p>Senate Health 6/9/21; Failed Deadline</p>
<p>Increases Health Care Premiums. SB 562 (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>Assembly Inactive File 9/10/21</p>
<p>Prostate Cancer Screening Mandate. AB 1520 (Levine; D-San Rafael) Prohibits health plans and insurers from applying a deductible, copayment, or coinsurance to coverage for prostate cancer screening services for certain enrollees and insureds. Oppose.</p>	<p>Assembly Appropriations Suspense File 5/5/21; Failed Deadline</p>

Subject—CalChamber Position	Status
<p>Continues Review of Health Care Mandates. AB 1082 (Waldron; R-Escondido) Protects employers from increased health care premiums by extending authorization of the California Health Benefits Review Program to provide the Legislature valuable independent analyses of the medical, financial and public health impacts of proposed health insurance benefit mandates and repeals. Support.</p>	<p>To Governor</p>
<p>Housing and Land Use</p>	
<p>Development Ban. SB 55 (Stern; D-Canoga Park) Removes local land use authority by prohibiting any residential or commercial construction in either Very High Fire Severity Zones or State Responsibility Areas, which effectively bans development activity in 1/3 of the State of California and will exacerbate the existing housing crisis. Oppose/Job Killer 2021.</p>	<p>Senate Governance and Finance 4/15/21; Failed Deadline</p>
<p>Development Ban. SB 499 (Leyva; D-Chino) Prohibits cities and counties from designating any land uses that have potential to adversely impact disadvantaged communities, even if any potential impacts could be mitigated. In doing so, the bill removes local land use authority, creates new CEQA litigation and worsens the state’s housing crisis. Oppose/Job Killer 2021.</p>	<p>Senate Governance and Finance 2/25/21; Failed Deadline</p>
<p>Housing Development Ban. AB 1295 (Muratsuchi; D-Torrance) Removes local land use authority and exacerbates the housing crisis by prohibiting cities and counties from entering into a residential development agreement in Very High Fire Severity Zones, which strips local communities of their land use authority and applies a one-size-fits-all ban on development throughout large swaths of California. Oppose/Job Killer 2021.</p>	<p>Assembly Local Government 3/4/21; Failed Deadline</p>
<p>Wildfire Housing Bill. SB 12 (McGuire; D-Healdsburg) Establishes legally treacherous land use hurdles that would provide NIMBY opponents with additional tools to block the development of housing in Very High Fire Severity Zones even though housing projects will be required to develop to the highest building code and fire resiliency standards in the world. Oppose.</p>	<p>Failed Passage in Assembly Housing and Community Development 7/12/21; Failed Deadline</p>
<p>Pro-Housing Production. SB 9 (Atkins; D-San Diego) Streamlines more infill housing and provides substantial local control to land use development by allowing, among other things, property owners to build two residential units within a single-family residential zone so long as the units are consistent with all local land use laws, including aesthetics which help retain neighborhood character. Support.</p>	<p>To Governor</p>
<p>Pro-Housing Production. SB 290 (Skinner; D-Berkeley) Removes four barriers that limit density bonus applicability in California by allowing low-income student housing projects to receive up to one incentive, aligning the density bonus approval requirements with those in the Housing Accountability Act, expanding the definition of for-sale projects beyond common interest developments, and adding a parking waiver for housing developments within one-half mile of transit that include 40% moderate-income, for-sale units. Support.</p>	<p>To Governor</p>
<p>Pro-Housing Production. SB 8 (Skinner; D-Berkeley) Provides technical cleanup to and extends the sunset date for SB 330 (Skinner), a law that promotes more affordable housing by reducing permitting delays and unexpected fees levied during the housing development permitting process. Support.</p>	<p>To Governor</p>
<p>Requires Commercial Lessors to Be Safety Net. AB 255 (Muratsuchi; D-Torrance) Requires primarily small commercial lessors to absorb up to 75% of their owed rent from their tenants so long as they claim a COVID-19 related financial impact, thereby turning mom and pop commercial lessors into acting as the state’s safety net. Oppose Unless Amended.</p>	<p>Failed Passage in Assembly 6/2/21; Failed Deadline</p>
<p>Local Control Streamline Housing. SB 10 (Wiener; D-San Francisco) Addresses the need for more housing by providing local cities and counties with full authority to streamline rezoning in their jurisdiction for up to 10 additional middle income density housing units per parcel, if they choose. Support.</p>	<p>To Governor</p>

Subject—CalChamber Position	Status
<p>Housing Production. AB 215 (Chiu; D-San Francisco) Helps ensure more housing units are constructed by requiring any localities not meeting their regional average production requirements to consult with the Department of Housing and Community Development; incentivizes local governments to amend local requirements to encourage more housing production; and empowers the Attorney General to enforce the Housing Crisis Act of 2019. Support.</p>	To Governor

Immigration

<p>Duplicative Registration of Farm Labor Contractors. AB 364 (Rodriguez; D-Pomona) Requires farm labor contractors to register under and comply with the requirements for foreign labor contractors, despite such contractors already being required to register and comply with their own pre-existing set of requirements under their own farm labor contractors registration system. Oppose.</p>	Senate Inactive File 9/10/21
---	------------------------------

Insurance

<p>Rewrite Notice Obligations for Insurance Contracts. AB 1498 (Low; D-Campbell) Creates new, retro-active requirements related to notice for existing insurance contracts, with unclear benefits to consumers. Oppose.</p>	Assembly Insurance 3/11/21; Failed Deadline
--	---

Labor and Employment

<p>Public Shaming of Employers. AB 1192 (Kalra; D-San Jose) Places new onerous administrative burdens on employers by requiring annual reporting of wage and hour data and employee benefits on an employer’s entire United States workforce that will publicly shame employers for lawful conduct by publishing that data on the Labor and Workforce Development Agency’s website, and will subject employers to frivolous litigation and settlement demands. Oppose/Job Killer 2021.</p>	Assembly Inactive File 6/3/21; Failed Deadline
<p>Costly Sick Leave Expansion on All Employers. AB 995 (Lorena Gonzalez; D-San Diego) Imposes new costs and leave requirements on employers of all sizes, by expanding the number of paid sick days employers are required to provide, which is in addition to all of the recently enacted leave mandates (COVID-19 sick leave, Cal/OSHA emergency paid time off, California Family Rights Act (CFRA) leave, workers’ compensation, etc.) that small employers throughout the state are already struggling with to implement and comply. Oppose/Job Killer 2021.</p>	Assembly Inactive File 6/3/21; Failed Deadline
<p>Expansion of Duty to Accommodate Employees and Litigation Under FEHA. AB 1119 (Wicks; D-Oakland) Imposes new burdens on employers to accommodate any employee with family responsibilities, which will essentially include a new, uncapped protected leave for employees to request time off and exposes employers to costly litigation under the Fair Employment and Housing Act (FEHA) that any adverse employment action was in relation to the employee’s family responsibilities, rather than a violation of employment policies. Oppose/Job Killer 2021.</p>	Assembly Appropriations Suspense File 5/12/21; Failed Deadline
<p>Costly New Mandate on Employers to Pay for Employee Childcare. AB 1179 (Carrillo; D-Los Angeles) Imposes a new, costly mandate on public and private employers to cover up to 60 hours of employees’ childcare costs each year, with any alleged violation resulting in litigation under PAGA. Oppose/Job Killer 2021.</p>	Assembly Appropriations Suspense File 5/5/21; Failed Deadline
<p>Healthcare workers: COVID-19 Bonuses. AB 650 (Muratsuchi; D-Torrance) Imposes at least an estimated \$7 billion in direct payroll costs on healthcare providers through mandatory bonuses, which will jeopardize access to affordable healthcare due to the billions of dollars the healthcare industry has lost during the pandemic. Prohibits healthcare providers from reducing staff even if they are unable to afford to continue to pay those bonuses. Oppose/Job Killer 2021.</p>	Assembly Inactive File 6/3/21; Failed Deadline

Subject—CalChamber Position	Status
<p>Increased Costs and Liability on Employers. SB 62 (Durazo; D-Los Angeles) Significantly increases the burden on nonunionized employers in the garment manufacturing industry in California, by eliminating piece rate as a method of payment even though it can benefit the employee, expanding joint and several liability for any wage violations to the entire supply chain, and shifting the evidentiary standards in a Labor Commissioner hearing to limit the ability for an employer to defend against an alleged wage violation. These additional requirements will encourage companies to contract with manufacturers outside of California, thereby limiting the demand and workforce of garment manufacturers in California. Oppose/Job Killer 2021.</p>	To Governor
<p>Forced Unionization Process for Agricultural Employees. AB 616 (Stone; D-Scotts Valley) Limits an employee’s ability to independently and privately vote for unionization in the workplace, by essentially eliminating a secret ballot election and replacing it with the submission of representation cards signed by over 50% of the employees, which leaves employees susceptible to coercion and manipulation by labor organizations. Also, unfairly limits an employer’s ability to challenge any order by the Agricultural Labor Relations Board (ALRB) by forcing employers to post an unreasonable bond, and then limits an employee’s ability to decertify a union, by forcing them to go through the ballot election process instead of submission of representation cards. Also includes an unnecessary presumption of retaliation that is effectively unlimited in scope because it would apply for the duration of an election campaign, which could last for a year or more. Oppose/Job Killer 2021.</p>	To Governor
<p>Burdensome New Bereavement Leave Mandate. AB 95 (Low; D-Campbell) Imposes a significant new burden on employers of every size by mandating that they provide employees up to 10 days of bereavement leave upon the death of a spouse, child, parent, sibling, grandparent, grandchild, or domestic partner, regardless of how long the employee has worked for the employer. The bill further opens up new avenues for litigation against California employers by establishing a brand new private right of action (in addition to liability under the Private Attorneys General Act (PAGA) and administrative enforcement through the Division of Labor Standards Enforcement). Oppose/Job Killer 2021.</p>	Assembly Appropriations Suspense File 4/21/21; Failed Deadline
<p>Fast Food Industry: Franchises; Wage and Hour. AB 257 (Lorena Gonzalez; D-San Diego) Undermines the existence of the franchise model by holding franchisors responsible for all conduct by individual franchisees. Establishes Fast Food Sector Council that would have unprecedented authority to write its own labor and employment laws for fast food restaurant employees, circumventing the California Legislature and other regulatory agencies’ position in establishing such laws. Oppose.</p>	Failed passage in Assembly 6/3/21; Assembly Inactive File 6/28/21
<p>Onerous Return to Work Mandate. AB 1074 (Lorena Gonzalez; D-San Diego) Prior to amendments, would have imposed an onerous and stringent process that is unlimited in time for specific employers to return employees to the workforce for specified industries, including hotels and restaurants that have been disproportionately impacted by this pandemic, which would have delayed rehiring and employers’ ability to reopen after being forced to close or reduce operations due to COVID-19. Job killer tag removed due to April 19, 2021 amendments eliminating COVID-19 related recall provisions from the bill. Oppose/Former Job Killer 2021.</p>	To Governor
<p>Limitation on Severance Agreements. SB 331 (Leyva; D-Chino) Unnecessarily limits the use and scope of severance agreements, and subjects employers to multiple threats of litigation for any alleged violations, which will limit the use or offer of severance packages to employees. Opposition removed due to cumulative amendments through the legislative process including final set made on August 16, 2021 narrowing language in bill and clarifying that the amount of a severance agreement may be kept confidential. Neutral.</p>	To Governor
<p>Significant Expansion of Family Leave and Paid Sick Leave. AB 1041 (Wicks; D-Oakland) Prior to amendments, would have significantly expanded multiple existing leave requirements in California that apply to employers of five or more, including small employers with limited employees who are struggling as a result of the pandemic, by allowing an employee to take leave to care for any family member or any person of their choosing without limitation, and subjecting the employer to costly litigation under the Fair Employment and Housing Act or the Labor Code Private Attorneys General Act (PAGA), for any alleged interference, interruption, discouragement, or denial. Job killer tag removed due to April 22, 2021 amendments narrowing the bill so that the only additional persons that an employee can take leave to care for is one designated person per 12-month period. Oppose/Former Job Killer 2021.</p>	Senate Inactive File 9/9/21

Subject—CalChamber Position	Status
<p>Required Disclosures and New Travel Time Requirements. AB 857 (Kalra; D-San Jose) Establishes new unnecessary and burdensome requirements on all employers to provide information to employees, and imposes duplicative and unnecessary disclosure requirements for employers of H-2A employees. Modifies existing law regarding when employee travel time must be compensated. Oppose.</p>	<p>Senate Inactive File 9/9/21</p>
<p>Joint Liability. SB 727 (Leyva; D-Chino) Expands joint liability within construction industry by expanding a direct contractor’s liability to include penalties, liquidated damages, and interest. Oppose Unless Amended.</p>	<p>To Governor</p>
<p>Music and Television Industry. AB 1385 (Lorena Gonzalez; D-San Diego) Undermines collective bargaining process by legislating around agreement reached between unions and entertainment industry through years of negotiations. Oppose.</p>	<p>Assembly Labor and Employment 3/18/21; Failed Deadline</p>
<p>Criminal Liability for Good Faith Mistakes. AB 1003 (Lorena Gonzalez; D-San Diego) Prior to amendments, would have proposed to criminalize small employers, managers, and supervisors, who in good faith, make a mistake in the application of the law, that even the Labor Commissioner and the courts disagree with on how to interpret. Job killer tag and opposition removed due to April 22, 2021 amendments narrowing the application of the bill to only criminalize fraudulent and knowingly unlawful conduct by bad actors. Neutral/Former Job Killer 2021.</p>	<p>To Governor</p>
<p>Small Employer Mediation Program. AB 1033 (Bauer-Kahan; D-Orinda) Establishes a more practical, streamlined procedure for implementing the small employer family leave mediation program established in 2020 by AB 1867 and fixes a drafting error in SB 1383. Sponsor/Co-Sponsor.</p>	<p>To Governor</p>
<p>Mutual Arbitration Waiver. AB 385 (Flora; R-Ripon) Allows employee and employer to mutually agree to keep all wage claims in court rather than arbitration in exchange for waiver of PAGA penalties. Applies only to claims arising during the COVID-19 pandemic with a sunset date of one year after the end of the state of emergency. Sponsor/Co-Sponsor.</p>	<p>Assembly Labor and Employment 2/12/21; Failed Deadline</p>
<p>Flexible Workweek. AB 230 (Voepel; R-Santee) Allows for an employee-selected flexible work schedule and relieves employers of the administrative cost and burden of adopting an alternative workweek schedule per division, which accommodates employees, helps retain employees, and allows the employer to invest these savings into growing its workforce. Support.</p>	<p>Assembly Labor and Employment 1/28/21; Failed Deadline</p>
<p>Telecommuting/Employee Notices and Acknowledgments; Final Pay. AB 513 (Bigelow; R-O’Neals) Makes commonsense amendments to the Labor Code to allow companies with employees who are telecommuting to comply with notice, acknowledgment, and final paycheck requirements that would otherwise require employees to physically come to the workplace. Support.</p>	<p>Assembly Labor and Employment 2/18/21; Failed Deadline</p>
<p>Telecommuting: Flexibility. AB 1028 (Seyarto; R-Murrieta) Allows employee who is telecommuting the flexibility to choose their own schedule, choose when they take meal and rest breaks, and would eliminate the financial penalty against employers for providing that flexibility as well as PAGA penalties in certain circumstances. Support.</p>	<p>Assembly Labor and Employment 3/4/21; Failed Deadline</p>
<p>Employment Discrimination. AB 1122 (C. Garcia; D-Bell Gardens) Increases diversity in the workplace by limiting the threat of litigation under the Fair Employment and Housing Act against employers that hire and promote diverse applicants. Support.</p>	<p>Assembly Labor and Employment 3/11/21; Failed Deadline</p>
<p>Telecommuting. AB 530 (Fong; R-Bakersfield) Allows employers to satisfy notice requirements under the Labor Code using electronic means for telecommuting employees and allows employers to mail final paychecks so telecommuting employees need not physically come to the workplace to pick up their check. Support.</p>	<p>Assembly Labor and Employment 2/18/21; Failed Deadline</p>

Subject—CalChamber Position	Status
Employee Payroll Records: Time to Produce. AB 436 (Fong; R-Bakersfield) Makes the responsive deadline provisions for employee payroll records requests consistent with the deadline provisions for employee personnel records requests where an employee submits a request for both sets of records. Support.	Assembly Labor and Employment 2/12/21; Failed Deadline
Telecommuting. SB 657 (Ochoa Bogh; R-Yucaipa) Allows employers to satisfy notice requirements under the Labor Code using electronic means for telecommuting employees. Support.	Signed—Chapter 109

Legal Reform and Protection

Pain and Suffering Damages. SB 447 (Laird; D-Santa Cruz) Prior to amendments, undermined existing law and provided individuals with an additional category of noneconomic damages for a tort, that will significantly increase attorney fees and costs of litigation in California. Opposition removed due to August 30, 2021 amendments that limited the scope of the claims that would be entitled to noneconomic damages as well as providing a sunset. Neutral.	To Governor
Strict Product Liability. AB 1182 (Stone; D-Scotts Valley) Expands strict product liability for alleged defects onto an “electronic place” that did not manufacture or sell the product. Oppose.	Assembly Judiciary 3/4/21; Failed Deadline
Government Price Fixing. AB 286 (Lorena Gonzalez; D-San Diego) Unnecessary government interference in business to business contracts, by fixing a contract price between two private entities. The bill claims to be addressing harm caused by the pandemic, but is not limited to the pandemic, and lacks any data that price fixing will provide any financial relief as opposed to loss. Opposition removed due to April 27, 2021 amendments that removed price fixing. Neutral.	To Governor
Automatic Renewal and Continuous Service Contracts. AB 390 (Berman; D-Palo Alto) Originally would have created prescriptive notice requirements for automatic renewal and continuous service offers, including requirements for free trials and gifts. Opposition removed due to June 14, 2021 amendments that resolve problems with the timing and means of notice and termination. Neutral.	To Governor

Other

Over-Enforcement. AB 54 (Kiley; R-Roseville) Protects businesses from duplicative enforcement by the Department of Consumer Affairs when Cal/OSHA already has enforcement authority and penalties. Support.	Failed passage in Assembly Business and Professions 4/13/21
Over-Enforcement. SB 102 (Melendez; R-Lake Elsinore) Protects businesses from duplicative enforcement by the Department of Consumer Affairs when Cal/OSHA already has enforcement authority and penalties. Support.	Failed passage in Senate Business, Professions and Economic Development 4/5/21

Privacy and Cybersecurity

Automated Decision Systems for Procurement. AB 13 (Chau; D-Monterey Park) Allows local agencies to require businesses to submit impact assessments to audit automated decision systems as a requirement for successfully submitting bids to cities, but does not clearly define the framework for doing so, and does not account for intellectual property or the effect on businesses that will be excluded from bidding on such contracts because they do not have the resources to conduct such reports. Oppose.	Senate Appropriations Suspense File 8/16/21
Platform Content Controls for Underage Viewers. AB 1545 (Wicks; D-Oakland) Creates restrictions on specific features and content that can be viewed by underage users online. Oppose.	Assembly Appropriations Suspense File 5/5/21; Failed Deadline

Subject—CalChamber Position	Status
<p>Compulsory Tags on Edited Images. AB 613 (C. Garcia; D-Bell Gardens) Requires platforms, as defined, to place labels on images, specifically those that depict humans and have been altered with regard to bodily figure or skin, and are posted for promotional or commercial purposes. Oppose.</p>	<p>Assembly Privacy and Consumer Protection 2/25/21; Failed Deadline</p>
<p>Mandatory Content Moderation Reporting and Auditing. AB 587 (Gabriel; D-San Fernando Valley) Requires all social media companies to make detailed disclosures on a quarterly basis detailing content moderation practices and procedures, including details that could threaten the security and efficacy of content moderation practices currently in place. Oppose Unless Amended.</p>	<p>Senate Judiciary 6/16/21; Failed Deadline</p>
<p>California Consumer Privacy Act (CCPA) Political Purpose Disclosures. SB 746 (Skinner; D-Berkeley) Requires businesses to disclose detailed information about whether the business uses personal information for political purposes, regardless of whether the use of said information is partisan or whether there is an intent to use such information for political purposes. Oppose.</p>	<p>Senate Inactive File 6/1/21; Failed Deadline</p>
<p>Social Media Content Management. SB 388 (Stern; D-Canoga Park) Requires social media platforms to divulge onerous reports relating to content management to the Department of Justice on an annual basis. Oppose.</p>	<p>Senate Judiciary 4/7/21; Failed Deadline</p>
<p>Restrictions on Personal Health Devices. AB 1252 (Chau; D-Monterey Park) Turns every business offering software or hardware to consumers, including websites and mobile applications, that is designed to maintain identifiable information about an individual’s mental or physical health conditions, into a provider of health-care subject to the California Confidentiality of Medical Information Act (CMIA). Oppose.</p>	<p>Assembly Inactive File 6/2/21; Failed Deadline</p>
<p>Restrictions on Personal Health Devices. AB 1436 (Chau; D-Monterey Park) Turns every business offering software or hardware to consumers, including websites and mobile applications, that is designed to maintain identifiable information about an individual’s mental or physical health conditions, into a provider of healthcare subject to the California Confidentiality of Medical Information Act (CMIA). AB 1436 was gutted and amended to reflect the language from AB 1252 (Chau). Oppose.</p>	<p>Senate Appropriations 7/14/21</p>
<p>Restrictions on Smart Speakers. AB 1262 (Cunningham; R-San Luis Obispo) Creates an unworkable opt-in for smart speakers requiring mandatory disclosure language that does not accurately describe how all smart speakers function, and creates limitations on how voice data can be used by smart speakers, all while requiring smart speakers to continue functioning. Oppose.</p>	<p>Senate Judiciary 5/19/21; Failed Deadline</p>
<p>Expansion to Information Privacy Act of 1977. AB 825 (Levine; D-San Rafael) Expands the Information Privacy Act of 1977 to include genetic data, broadly defined to include information that is not necessarily the direct result of analysis of a biological sample. Oppose Unless Amended.</p>	<p>To Governor</p>
<p>Limits on Contact Tracing. AB 814 (Levine; D-San Rafael) Prohibits the use of all data that is used to assist with contact tracing and imposes a mandatory deletion requirement, discouraging businesses from using any helpful information or data that can be useful to assist in contact tracing efforts. Oppose.</p>	<p>Senate Appropriations 7/7/21</p>
<p>Ban on Unsolicited Commercial Mail. SB 324 (Limón; D-Goleta) Restrains small businesses from using the United States Postal Service to send advertisements and other print material that help businesses remain visible in local communities and neighborhoods, threatening small businesses with a penalty up to \$1 million for each piece of mail sent in violation of this rule. Oppose.</p>	<p>Senate Business, Professions and Economic Development 2/17/21; Failed Deadline</p>
<p>Prohibition on Use of Unlawfully Obtained Data. AB 1391 (Chau; D-Monterey Park) Originally sought to prohibit access and use of information that was obtained pursuant to the commission of a crime, regardless of whether the access or use was for a legitimate purpose. Opposition removed after August 16, 2021 amendments that provide more flexibility for legitimate identity protection and fraud prevention purposes. Neutral.</p>	<p>To Governor</p>

Subject—CalChamber Position	Status
<p>Regulations on Unmanned Aircraft Systems. AB 1292 (Chau; D-Monterey Park) Restricts the ability for unmanned aircraft systems to develop effective delivery services by limiting the amount of data that can be collected by these systems. Oppose.</p>	<p>Assembly Privacy and Consumer Protection 3/4/21; Failed Deadline</p>
<p>California Privacy Protection Agency Board Positions. AB 1490 (Chau; D-Monterey Park) Amends qualifications to serve on Board of California Privacy Protection Agency to require experience in consumer rights as a minimum qualification. Opposition removed due to May 6, 2021 amendments, which clarify that experience in consumer rights is not a required minimum qualification for consideration to sit on the Board. Neutral.</p>	<p>Assembly Inactive File 6/1/21; Failed Deadline</p>

Product Regulation

<p>Chemical Ban and Warning Labels. AB 1200 (Ting; D-San Francisco) Bans intentionally adding any class of PFAS in foodware products by January 1, 2023, and, prior to amendments, created a new warning label for all cookware products warning customers of the health and environmental risks associated with a product containing any chemical on the Department of Toxic Substances Control list of thousands of chemicals, with no thresholds or other scientific basis for establishing when a warning is appropriate. Opposition removed on August 25, 2021 after a number of Author amendments were taken, including the elimination of the warning label and 1-800-number requirements, as well as technical amendments that narrowed the scope of products covered. Neutral.</p>	<p>To Governor</p>
<p>Chemical Ban. AB 652 (Friedman; D-Glendale) Prior to amendments, the bill circumvented the Safer Consumer Products program by proposing to ban per- and polyfluoroalkyl substances (PFAS) chemicals far beyond the stated intent of banning PFAS in juvenile products, including in electronics and medical devices, that would have substantial unintended consequences. Opposition removed on August 20, 2021 after a number of Author amendments were taken to narrow the scope of the bill and make other technical changes. Neutral.</p>	<p>To Governor</p>

Recycling

<p>Packaging Ban. AB 1371 (Friedman; D-Glendale) Bans critical packaging materials from being able to be sold or distributed in California without regard for whether any adequate substitutes are available nor how such a policy would lead to more waste created by spoilage and breakage and additional greenhouse gas (GHG) emissions from much heavier packaging. Oppose.</p>	<p>Failed passage in Assembly 6/3/21; Failed Deadline</p>
<p>Single-Use Plastic Packaging/Products. SB 54 (Allen; D-Santa Monica) Reintroduction of SB 54 (2019) increases the cost to manufacture and ship consumer products sold in California and could increase food waste by providing CalRecycle with broad authority to develop and impose new mandates on manufacturers of all single-use plastic packaging and certain single-use plastic consumer products under a compliance timeline that fails to address California’s lack of recycling and composting infrastructure. Oppose Unless Amended.</p>	<p>Senate Inactive File 5/20/21; Failed Deadline</p>
<p>Extended Battery Producer Responsibility. SB 289 (Newman; D-Fullerton) Attempts to address fires at Material Recovery Facilities that are potentially caused by improperly disposed of batteries by creating an extended producer responsibility program for the collection and management of batteries, but brings the risks of catastrophic fire closer to consumers by forcing retailers to take the batteries back in-store. Oppose.</p>	<p>Senate Appropriations Suspense File 5/17/21; Failed Deadline</p>
<p>Battery Recycling Education and Fire Prevention. SB 244 (Archuleta; D-Pico Rivera) Reduces fires caused by improper battery disposal by requiring CAL FIRE, the California Highway Patrol, Department of Toxic Substances Control, and CalRecycle to work with waste industry experts and local governments to develop protocols for managing discarded lithium-ion batteries and to develop a guidance document to inform, educate and increase public awareness about fire risk from improper disposal of lithium-ion batteries. It also requires waste industry enterprises to work with county fire marshals annually to develop a protocol for discarded lithium-ion batteries and thus prevent future fires. Support.</p>	<p>To Governor</p>

Subject—CalChamber Position	Status
Taxation	
<p>Massive Corporate Tax Increase. AB 71 (L. Rivas; D-Arleta) Significantly increases the taxation on the gross income of international companies to create a homelessness fund, thereby shifting the responsibility of the crisis onto the private sector, despite the state’s \$15 billion in unexpected revenue. Oppose/Job Killer 2021.</p>	<p>Assembly Inactive File 6/3/21</p>
<p>Wealth Tax. AB 310 (Lee; D-San Jose) Seeks to impose a massive tax increase upon all forms of personal property or wealth, whether tangible or intangible, despite California already having the highest income tax in the country. This tax increase will drive high-income earners out of the state as well as the revenue they contribute to the General Fund. Oppose/Job Killer 2021.</p>	<p>Assembly Revenue and Taxation 4/6/21</p>
<p>Wealth Tax. ACA 8 (Lee; D-San Jose) Proposes to amend the Constitution to impose a massive tax increase upon all forms of personal property or wealth, whether tangible or intangible, despite California already having the highest income tax in the country. This tax increase will drive high-income earners out of the state as well as the revenue they contribute to the General Fund. Oppose/Job Killer 2021.</p>	<p>From Printer in Assembly 3/23/21</p>
<p>Massive Personal Income Tax Increase. AB 1253 (Santiago; D-Los Angeles) Increases the state personal income tax rate, which is already the highest in the country, on high wage earners and sole proprietors. This tax increase will drive high-income earners out of the state as well as the revenue they contribute to the General Fund. Oppose/Job Killer 2021.</p>	<p>Assembly Revenue and Taxation 3/26/21</p>
<p>Targeted Tax on Homeowners. AB 1199 (Gipson; D-Carson) Imposes an excise tax on certain homeowners which will increase rental rates and worsen housing unaffordability for vulnerable tenants. Oppose/Job Killer 2021.</p>	<p>Assembly Revenue and Taxation 4/6/21</p>
<p>Small Business Grant Program. SB 74 (Borgeas; R-Fresno) Establishes a \$2.6 billion grant program that offers struggling small businesses a lifeline while they struggle through pandemic-induced shut-downs and regulations. Support.</p>	<p>Senate Business, Professions and Economic Development 3/11/21</p>
<p>Lowers Voter Threshold to Increase Property Taxes. ACA 1 (Aguiar-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>Assembly Local Government and Assembly Appropriations 4/22/21</p>
<p>Tax Relief for Businesses that Received PPP Funds. AB 80 (Burke; D-Inglewood) Brings California into partial conformity with federal tax law by allowing up to \$150,000 of expenses paid for using Paycheck Protection Program loans to be deductible. Support If Amended.</p>	<p>Signed—Chapter 17 4/29/21</p>
<p>Cal/OSHA Compliance Tax Credit. AB 62 (Gray; D-Merced) Provides a dollar-for-dollar tax credit for any costs businesses incur attempting to comply with stringent Cal/OSHA COVID-19 regulations. Support.</p>	<p>Assembly Revenue and Taxation 3/22/21</p>
<p>Tax Relief for Pass-Through Entities. SB 104 (McGuire; D-Healdsburg) Allows pass-through entities to calculate their state and local taxes in a manner that reduces their federal tax burden. Support.</p>	<p>Senate Appropriations Suspense File 4/20/21; Failed Deadline</p>

Subject—CalChamber Position	Status
<p>Tax Credit for State and Local Fees Paid by Closed Businesses. SB 49 (Umberg; D-Santa Ana) Allows a business to claim a tax credit for fees paid to a state agency or a local government in connection with a permit, license, or other mandatory operating cost imposed by the state or a local government during the time in which the taxpayer was required to cease business operations in response to an emergency order. Support.</p>	<p>Senate Inactive File 5/28/21</p>
<p>License Renewal Fee Relief. SB 94 (Skinner; D-Berkeley) Relieves bars, restaurants, and those working in barbering and cosmetology from having to pay license renewal fees for two years. Support.</p>	<p>Signed—Chapter 9 2/23/21</p>
<p>License Fee Relief. AB 83 (Assembly Budget Committee) Provides for two years of fee relief for restaurants, bars and those working in barbering and cosmetology. Support.</p>	<p>Signed—Chapter 11 3/17/21</p>
<p>Small Business License Relief. AB 259 (Davies; R-Laguna Niguel) Provides a tax credit beginning on or after January 1, 2020, but before January 1, 2021 equal to 50% of the annual fee paid or incurred for an alcohol license by a qualified establishment. Support.</p>	<p>Assembly Revenue and Taxation 3/22/21</p>
<p>Small Business Grant Program. SB 87 (Caballero; D-Salinas) Establishes a \$2.6 billion grant program that offers struggling small businesses a lifeline while they struggle through pandemic-induced shutdowns and regulations. Support.</p>	<p>Signed—Chapter 7 2/23/21</p>
<p>Tax Amnesty Program. AB 879 (B. Rubio; D-Baldwin Park) Requires the Franchise Tax Board and California Department of Tax and Fee Administration to administer a tax amnesty program from February 1, 2022, through March 31, 2022, for all tax years prior to January 1, 2021. The bill relieves pressure for tax hikes on corporate taxpayers by bringing in additional state revenue without increasing taxes, and provides an avenue for taxpayers to remit owed taxes without costly and onerous penalties. Support.</p>	<p>Assembly Appropriations Suspense File 5/19/21; Failed Deadline</p>
<p>Bar, Hotel and Restaurant Tax Credit. SB 408 (Min; D-Irvine) Assists certain bars, hotels and restaurants with their economic recovery by providing them with a \$10,000 tax credit if they ceased business for at least 30 days in 2020 or 2021. Support.</p>	<p>Held in Senate Appropriations 5/20/21</p>
<p>Work Opportunity Tax Credit. SB 553 (Limón; D-Goleta) Provides businesses with a tax credit when they hire individuals from targeted groups, including disabled veterans, individuals receiving public assistance, or those who have been incarcerated. Support.</p>	<p>Held in Senate Appropriations 5/20/21</p>
<p>Suspends Annual Franchise Tax for Struggling Small Businesses. AB 664 (Bigelow; R-O’Neals) Small businesses with \$250,000 or less in annual revenue would not be required to pay the annual minimum franchise tax. Support.</p>	<p>Assembly Revenue and Taxation 3/22/21</p>
<p>Transient Occupancy Tax for Short-Term Rentals. SB 555 (McGuire; D-Healdsburg) Streamlines a statewide system for collecting and dispensing Transient Occupancy Tax (TOT) revenue from short-term rental hosting platforms back to local communities. Support.</p>	<p>Assembly Appropriations 7/14/21</p>

Telecommunications

<p>Duplicative Outage Reporting and Network Resiliency Requirements. SB 341 (McGuire; D-Healdsburg) Imposes significant costs and operational burdens on telecom providers by duplicating existing and ongoing network outage reporting regulations and requiring providers to duplicate emergency reporting to the California Public Utilities Commission, despite existing requirements to report to California Office of Emergency Services. Oppose.</p>	<p>To Governor</p>
--	--------------------

Subject—CalChamber Position	Status
Tourism	
Rebuilding California’s Tourism Sector. SB 285 (McGuire; D-Healdsburg) Provides for \$45 million in advertising funding to stimulate tourism in California — including both internal and inter-state tourists — to be utilized only once the state has met safety benchmarks. Support.	Senate Inactive File 5/28/21; Failed Deadline
Transportation and Infrastructure	
Unnecessarily Targets New Technology. SB 500 (Min; D-Irvine) Originally proposed to require that autonomous vehicles be all electric well in advance of other vehicles, despite great potential to increase safety, efficiency, and other environmental improvements, hindering technological development in the commercial and passenger space. Position changed after amendments removed medium/heavy duty trucking and better aligned implementation date to market conditions. Neutral.	To Governor
Ensure Transportation Funding. SB 339 (Wiener; D-San Francisco) Extends the Road User Charge Advisory Committee and allows the Transportation Agency to conduct pilot studies to evaluate potential replacements for gas tax funding for roads and infrastructure. Support.	To Governor
Tax Exemption. AB 906 (Carrillo; D-Los Angeles) Exempts from sales tax, property tax, and licensing fees for zero emission medium- or heavy-duty trucks, alleviating burdens on business and reducing the cost of new technology. Support.	Assembly Revenue and Taxation 2/25/21; Failed Deadline
Unemployment Insurance	
Changes to Repayment of UI Fraud and Unintentional Overpayment. AB 548 (Carrillo; D-Los Angeles) Lessens penalties for unemployment insurance (UI) fraud by lessening obligations for repayment by those who profited from UI fraud. Also changes re-payment obligations for those who received overpayments of UI fraudulently (or nonfraudulently) by removing obligations to pay interest on amounts held by the claimant for multiple years, which would have — under present law — generated interest based on the time which the claimant held the overpayment. Taken together, these changes would have added insolvency to the UI fund, and consequently increased California employers’ obligations to repay California’s outstanding UI fund loans. Oppose.	Assembly Insurance 4/26/21; Failed Deadline
Data Sharing Between EDD and Department of Corrections to Prevent UI Fraud. AB 110 (Petrie-Norris; D-Laguna Beach) Requires the Department of Corrections and counties to share the names and Social Security information of current inmates with the Employment Development Department (EDD) to prevent payments on fraudulent claims using inmate information, and requires EDD to utilize this information in its screening process. This would bring California up to speed with other states, and also help prevent one of the most widespread types of fraud that was widely reported during the COVID-19 shut-down from occurring in the future. Support.	To Governor
Preventing UI Fraud from California’s Prisons. SB 39 (Grove; R-Bakersfield) Allows the Department of Corrections and local counties to share inmate information with EDD in order to combat UI fraud, and allows EDD to share information about potential fraud with law enforcement to facilitate potential investigation. Support.	Assembly Appropriations Suspense File 7/7/21
Short- and Long-Term Oversight of EDD to Improve Outcomes. SB 232 (Nielsen; R-Tehama) Puts into statute the recommendations of the State Auditor to improve EDD’s performance in two key areas — benefits distribution and fraud prevention — where COVID-19 revealed considerable failures. Support.	Assembly Appropriations Suspense File 7/7/21

Subject—CalChamber Position	Status
<p>Requires EDD to Plan for Next Crisis. SB 390 (Laird; D-Santa Cruz) Requires EDD to develop a comprehensive plan to prepare for future economic recessions and the correlated increased demands on EDD’s system for distributing unemployment insurance benefits, including staffing, logistics, and identity verification tools. Support.</p>	To Governor
<p>Unemployment Insurance Integrity Enforcement Program. SB 420 (Umberg; D-Santa Ana) Creates the Unemployment Insurance Integrity Enforcement Program, including a task force consisting of the State Auditor and Attorney General representatives, to cost-effectively pursue UI fraud and recover money for the state UI fund. Support.</p>	Assembly Appropriations 7/13/21

Water Resources

<p>Central Valley Canal Fund. SB 559 (Hurtado; D-Sanger) Establishes a fund to repair subsiding canals that are responsible for delivering reliable and necessary water to agricultural operations and homes in the San Joaquin Valley and Southern California region. Support.</p>	Assembly Inactive File 9/8/21
<p>Surface Water Standard. AB 377 (R. Rivas; D-Hollister) Imposes unobtainable discharge limits to surface water. Prioritizes enforcement for any violation of water quality standards instead of using risk-based enforcement criteria. Cripples industrial, institutional and agricultural operations. Oppose.</p>	Assembly Appropriations Suspense File 5/19/21; Failed Deadline
<p>Delays Regulatory Compliance. AB 564 (Lorena Gonzalez; D-San Diego) Significantly delays state agencies’ ability to permit or approve necessary projects like vegetative management or streambed alterations on private and public lands and changes regulatory compliance standards. Oppose.</p>	Assembly Accountability and Administrative Review 2/18/21; Failed Deadline

Workers’ Compensation

<p>Workers’ Compensation: Expands Costly Presumption of Injury. SB 213 (Cortese; D-San Jose) 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 2021.</p>	Failed passage in Senate 6/3/21; Senate Inactive File 6/3/21
<p>Workers’ Compensation: Medical Provider Networks. AB 1465 (Reyes; D-San Bernardino) Prior to amendments, would have mandated the creation of state-run Medical Provider Network for workers’ compensation claims, which would have imposed millions of dollars of costs on the current system as well as the state while reducing injured workers’ access to quality care. Job killer tag and opposition removed due to April 26, 2021 amendments narrowing the bill to only require a study of access to workers’ compensation care in medical provider networks. Neutral/Former Job Killer 2021.</p>	Senate Labor, Public Employment and Retirement 6/16/21; Failed Deadline.
<p>Workers’ Compensation: Review of Claims. SB 335 (Cortese; D-San Jose) Fundamentally alters long-standing rules and timeframes related to investigation of eligibility of workers’ compensation claims such that it substantially reduces the time an employer has to investigate a claim and significantly increases the cost of care an employer would be required to provide during that investigation. Oppose.</p>	Assembly Insurance 6/10/21; Failed Deadline
<p>Workers’ Compensation: Apportionment. SB 788 (Bradford; D-Gardena) Undermines the doctrine of apportionment in the workers’ compensation system by prohibiting apportionment where a permanent disability is caused in part by factors such as age or genetic characteristics. Opposition removed due to June 17, 2021 amendments. Neutral.</p>	To Governor

Subject—CalChamber Position	Status
Workplace Safety	
<p>Selective Exception from Thorough Financial Analysis for Cal/OSHA Regulations. SB 410 (Leyva; D-Chino) Specifically exempts Cal/OSHA regulations from the Standardized Regulatory Impact Analysis (SRIA) process, which provides thorough economic analysis and Department of Finance oversight for proposed regulations and is presently applicable to all regulations with a financial impact of more than \$50 million. Oppose.</p>	<p>Assembly Inactive File 9/8/21</p>
<p>New Private Right of Action, PAGA Litigation, and Regulations for Warehouses. AB 701 (Lorena Gonzalez; D-San Diego) Threatens warehouse employers with duplicative costly litigation by creating a duplicative and likely inconsistent regulation from Cal/OSHA regarding appropriate performance levels in warehouses. Also creates rebuttable presumption of retaliation that can be triggered multiple times which will interfere with legitimate discipline, as well as creating a new Private Attorneys General Act (PAGA) claim related to warehouse work speed. Job killer tag removed due to July 15, 2021 amendments narrowing the application of the bill on multiple fronts, including PAGA litigation and injunctive relief. Oppose/Former Job Killer 2021.</p>	<p>To Governor</p>
<p>Expansion of Cal/OSHA Authority and Enforcement. SB 606 (Lena Gonzalez; D-Long Beach) Significantly expands Cal/OSHA authority by creating new “egregious employer” category in Labor Code, creates a new category of “enterprise-wide” citations that face higher citation amounts based on, at times, evidence at only one location. Job killer tag removed due to March 25, 2021 amendments limiting certain overbroad provisions, but CalChamber remains opposed due to structural changes to Cal/OSHA enforcement. Oppose/Former Job Killer 2021.</p>	<p>To Governor</p>
<p>Clarification and Cleanup re COVID-19 Notice. AB 654 (Reyes; D-San Bernardino) Clarifies and improves last year’s AB 685, which requires notice of COVID-19 cases in the workplace, by eliminating duplicative obligations for businesses in certain industries, matching them to corresponding federal guidelines, and making other favorable improvements. Support.</p>	<p>To Governor</p>
<p>Fair Notice for Local Public Health Orders. SB 336 (Ochoa Bogh; R-Yucaipa) Requires publication of local public health orders and creation of an email list for stakeholders to ensure they are kept apprised of any changes. Sponsor/Co-Sponsor</p>	<p>To Governor</p>
<p>Joint Liability Related to OSHA Citations for Drayage Drivers. Additional Joint and Several Liability for Port Drayage Carriers. SB 338 (Lena Gonzalez; D-Long Beach) Adds to existing published list of drayage motor carriers subject to joint and several liability due to unsatisfied judgments by adding certain other misconduct which would also place a drayage carrier on the list and therefore make them qualify for joint and several liability related to certain health- and safety-related offenses. Opposition removed due to June 14, 2021 amendments ensuring that any business placed on the list and subject to joint and several liability was able to efficiently appeal and ensuring that affected companies could be quickly removed once the issues were resolved. Neutral.</p>	<p>To Governor</p>

CalChamber, Allied Business Groups Help Stop 7 Oppose Bills, Amend 4



OPPOSE

seven CalChamber-opposed bills from advancing for the year, while negotiating amendments that allowed CalChamber to remove opposition from four other pieces of proposed legislation.

Amended Bills

- **SB 331 (Leyva; D-Chino):** Before amendments, this bill would have unnecessarily limited the use and scope of severance agreements and would have subjected employers to multiple threats of litigation for any alleged violation, which would have limited the use or offer of severance packages to employees. *Opposition removed based on cumulative amendments through the legislative process including the final set made on August 16, 2021 narrowing language in the bill and clarifying that the amount of a severance agreement may be kept confidential. Neutral. To Governor.*

- **AB 457 (Santiago; D-Los Angeles):** Originally disrupted patient telehealth options by requiring a health plan arrange for an enrollee to treat with a third-party telehealth provider only if the service was not available through a contracting individual health professional. *Opposition removed after September 3, 2021 amendments that provide greater protection for patient telehealth options. Neutral. To Governor.*

- **AB 652 (Friedman; D-Glendale):** Prior to amendments, the bill circumvented the Safer Consumer Products program by proposing to ban per- and polyfluoroalkyl substances (PFAS) chemicals far beyond the stated intent of banning PFAS in juvenile products, including in electronics and medical devices, that would have substantial unintended consequences. *Opposition removed on August 20, 2021 after a*

California Chamber of Commerce policy advocates working alongside advocates from allied business groups succeeded in stopping

number of Author amendments were taken to narrow the scope of the bill and make other technical changes. Neutral. To Governor.

- **AB 1200 (Ting; D-San Francisco):** Bans intentionally adding any class of PFAS in foodware products by January 1, 2023, and, prior to amendments, created a new warning label for all cookware products falsely warning customers of the health and environmental risks associated with a product containing any chemical on the Department of Toxic Substances Control list of thousands of chemicals, with no thresholds or other scientific basis for establishing when a warning is appropriate. *Opposition removed on August 25, 2021 after a number of Author amendments were taken, including the elimination of the warning label and 1-800-number requirements, as well as technical amendments that narrowed the scope of products covered. Neutral. To Governor.*

Bills Stopped for the Year

- **SB 410 (Leyva; D-Chino):** Would have specifically exempted Cal/OSHA regulations from the Standardized Regulatory Impact Assessment (SRIA) process, which provides thorough economic analysis and Department of Finance oversight for proposed regulations and is presently applicable to all regulations with a financial impact of more than \$50 million. *Assembly Inactive File 9/8/21.*

- **SB 637 (Newman; D-Fullerton):** Would have burdened hospitals with unnecessary and redundant reporting requirements regarding staffing and COVID-19 positivity rates. *Assembly Inactive File 9/10/21.*

- **AB 13 (Chau; D-Monterey Park):** Would have allowed local agencies to require businesses to submit impact assessments to audit automated decision systems as a requirement for successfully submitting bids to cities, but did not clearly define the framework for doing so, and did not account for intellectual property or the effect on businesses that would have been excluded from bidding on such contracts because they do not have the resources to conduct such

reports. *Senate Appropriations Suspense File 8/16/21.*

- **AB 284 (Robert Rivas; D-Hollister):** Would have imposed a climate neutrality goal on California agricultural operations prior to the development of a statewide climate neutrality plan, which would have increased the cost of food and potentially consolidated markets. *Oppose Unless Amended. Senate Inactive File 9/2/21.*

- **AB 1041 (Wicks; D-Oakland):** Prior to amendments, would have significantly expanded multiple existing leave requirements in California that apply to employers of five or more, including small employers with limited employees who are struggling as a result of the pandemic, by allowing an employee to take leave to care for any family member or any person of their choosing without limitation, and subjecting the employer to costly litigation under the Fair Employment and Housing Act or the Labor Code Private Attorneys General Act (PAGA), for any alleged interference, interruption, discouragement, or denial. Job killer tag removed due to April 22, 2021 amendments narrowing the bill so that the only additional persons that an employee can take leave to care for is one designated person per 12-month period. *Senate Inactive File 9/9/21.*

- **AB 1252 (Chau; D-Monterey Park):** Would have turned every business offering software or hardware to consumers, including websites and mobile applications, that is designed to maintain identifiable information about an individual's mental or physical health conditions, into a provider of health care subject to the California Confidentiality of Medical Information Act (CMIA). *Assembly Inactive File 6/2/21.*

- **AB 1395 (Muratsuchi; D-Torrance):** Proposed to limit the technology necessary to reach our carbon neutrality goals by more than doubling our state goal while also imposing limits on technology-assisted carbon reductions, sending market signal to not develop carbon removal or storage technology. *Failed passage in Senate, 14-12, then placed on Senate Inactive File, 9/10/21.*

CalChamber Halts Limit on Climate Technology Innovation



Legislation that would have limited technological development and hurt the state's ability to meet its carbon

neutrality goals failed to move out of Senate in the closing hours of the session thanks to opposition from the California Chamber of Commerce and bipartisan assistance from senators.

AB 1395 (Muratsuchi; D-Torrance) proposed limiting the technology needed to meet California's carbon neutrality goals by more than doubling the state goal while also imposing limits on technology-assisted carbon reductions, thereby signaling market forces not to develop carbon removal or storage technology.

On September 10, the last day of the session, AB 1395 fell short of votes needed to pass the Senate, 14-12. A bipartisan group of senators who chose to wait on supporting the bill noted that California needs to see the analysis coming out of the California Air Resources Board (CARB) this spring and finish working out the unresolved issues in the bill, as well as determine how to

protect good paying jobs in the transition before California moves forward with setting new broad goals.

The bill was granted reconsideration and placed on the Senate Inactive File, meaning it can be considered again in January 2022.

Undermined Climate Goals

AB 1395 would have limited economic development and undermined California's ability to become a climate technology leader. It would have banned the use of carbon capture and sequestration in certain oil industries.

Also problematic is the bill's banning of carbon capture where it would cause any "adverse impact" — an undefined term that could be interpreted as broadly as similar terms have been, such as under the California Environmental Quality Act.

As the CalChamber has noted repeatedly, the CARB is already evaluating the state's climate goals. The CARB Scoping Plan is scheduled to be released in the spring of 2022. Besides reporting on pathways for the state to reach carbon neutrality by 2045 and 2035, the Scoping Plan will include both environmental and economic analyses.

Not waiting for the Scoping Plan

would mean the broad mandate in AB 1395 will not come back for the Legislature to revisit until 2035.

Businesses Work for Sustainability

Even without regulation, California companies, including many CalChamber members, are tracking and setting their own climate and sustainability goals. Some of those efforts were outlined in a CalChamber [article](#) last fall.

Since that article was published, more companies have announced climate goals, zero-emission goals, carbon neutrality goals, and sustainability goals.

Just this week, [Chevron announced it would be tripling its investment](#) in low-carbon technologies, allocating \$10 billion through 2028 on biofuels, hydrogen production, carbon capture and other technologies, an increase from its prior commitment of about \$3 billion.

Also this week, [Procter & Gamble said it plans to reach net zero greenhouse gas emissions](#) across its operations and supply chain by 2040. P&G also committed to finding tools and technologies not yet available in the marketplace to reduce carbon emissions.

Staff Contact: Leah Silverthorn

CalChamber Board Hears Reporter's Assessment of Recall Politics



Seema Mehta, political writer for the *Los Angeles Times*, shares with the CalChamber Board of Directors in a virtual presentation on September 2 her thoughts on how the pandemic has changed the logistics of covering political campaigns, including reporters' ability to chat with candidates and voters.

CalChamber Board Names Jennifer Barrera Next President/CEO

From Page 1

success. I look forward to continuing the important work of CalChamber that will ensure California's economic success, protect our jobs climate, promote international trade and provide the very best compliance resources available for employers."

CalChamber's Zarembek strongly endorsed the Board of Directors vote, saying, "Jennifer is respected by CalChamber members for her leadership and advocacy on business issues. California employers will be well served as she assumes the role of CalChamber President and CEO. CalChamber's expertise on labor law compliance through *HR California* and our Helpline will benefit from Jennifer's background in labor law and particularly from her experience as a

labor law attorney defending and advising businesses.

"During her time with CalChamber, Jennifer has been a big contributor positioning the organization for future success, and I have no doubt that, under her leadership, CalChamber will continue to be the strongest voice for California employers at the State Capitol as well as the industry leader in compliance resources."

In her current role as CalChamber executive vice president, Barrera oversees the development and implementation of policy and strategy for the organization. She represents CalChamber on legal reform issues and has been active in CalChamber's business compliance activities, interpreting important changes in employment law for California companies.

Barrera is well known for her success rate with CalChamber's annual list of job killer legislation, efforts to reform the Private Attorneys General Act (PAGA) and leadership working with employers on critical issues, including most recently those arising from the COVID-19 pandemic.

Barrera joined CalChamber in 2010, after gaining extensive experience in employment law working for a statewide labor and employment defense law firm. She assumed the role of CalChamber's Executive Vice President in 2019.

Barrera's full biography is available at <https://advocacy.calchamber.com/bios/jennifer-barrera/>.

Legislature Sends Two Job Killer Bills to Governor

From Page 1

sensation cards signed by over 50% of the employees, which leaves employees susceptible to coercion and manipulation by labor organizations. Also, unfairly limits an employer's ability to challenge any order by the Agricultural Labor Relations Board (ALRB) by forcing employers to post an unreasonable bond, and then limits an employee's ability to decertify a union, by forcing them to go through the ballot election process instead of submission of representation cards. Also includes an unnecessary presumption of retaliation that is effectively unlimited in scope because it would apply for the duration of an election campaign, which could last for a year or more.

• **SB 62 (Durazo; D-Los Angeles)** significantly increases the burden on nonunionized employers in the garment manufacturing industry in California by eliminating piece rate as a method of payment even though it can benefit the employee, expanding joint and several liability for any wage violations to the entire supply chain, and shifting the evidentiary standards in a Labor Commissioner hearing to limit the ability for an employer to defend against an alleged wage violation. These additional requirements will encourage companies to contract with manufacturers outside of

California, thereby limiting the demand and workforce of garment manufacturers in California.

Nothing in SB 62 will address the problem of underground, bad actors in the garment industry evading the law. Instead, SB 62 simply eliminates piece rate work and allows those bad actors to continue to operate with business as usual while passing the buck to companies that have no control over these workers. To eliminate the bad actors that presently operate outside of the law in this industry, the Legislature should look to its existing enforcement mechanisms and educating workers about their rights.

Opposed Bill

• **AB 1074 (Lorena Gonzalez; D-San Diego)**, prior to amendments, would have imposed an onerous and stringent process that is unlimited in time for specific employers to return employees to the workforce for specified industries, including hotels and restaurants that have been disproportionately impacted by this pandemic, which would have delayed rehiring and employers' ability to re-open after being forced to close or reduce operations due to COVID-19. The CalChamber job killer tag on this bill was removed due to April 19, 2021 amendments eliminating COVID-19 related recall provisions from the bill.

Specifically, this measure expands statutory contractor-retention policies to apply to "hotel services including guest service, food and beverage, or cleaning performed within the State of California, including any subcontracts for janitorial or building maintenance services or hotel services." While "guest services" was amended to include services performed on the premises, the bill still fails to define "hotel services." Therefore, as written, every function a hotel contractor performs to the benefit of its guests could be subject to the retention mandate, including: booking systems, website disability-access programs, pool cleaning services, hotel advertising services which offer special pricing, and every other potential service the guest interacts with.

California's hotel industry was the most impacted industry by the pandemic, with more than 20% of all hotels closing and more than 122,000 employees laid off during the pandemic. By most estimates, it will take three to five years to return to pre-pandemic levels, and longer for some metropolitan areas. AB 1074 would not help the lodging industry or people employed by it, but would increase operating costs, threaten small businesses, and represent a significant shift in how the law approaches service contracting.

Staff Contact: Ashley Hoffman

California Voters Reject Recall of Governor

From Page 1

argue, as Americans. Economic justice, social justice, racial justice, environmental justice are values where California has made so much progress. All of those things were on the ballot this evening.

"I'm humbled and grateful to the millions and millions of Californians that exercised their fundamental right to vote

and express themselves so overwhelmingly by rejecting the division, by rejecting the cynicism, by rejecting so much of the negativity that's defined our politics in this country over the course of so many years."

Citing his experience as a father, he said adults have "a responsibility to disregard this false separateness. We have so

much more in common as a state and a nation than we give ourselves credit for."

For the latest election results and the relative standings of the recall replacement candidates for Governor, visit the website of the Secretary of State at www.sos.ca.gov.

Japan Business Leaders Mark 20th Annual Meeting with CalChamber

From Page 4

Strong California-Japan Ties

California continues to be the top exporting state to Japan, accounting for more than 16.6% of total U.S. exports. Japan has remained California's fourth largest export market since 2010, after Mexico, Canada and China.

California exports to Japan, the world's third largest economy, totaled \$10.65 billion in 2020. Computers and electronic products accounted for 18.9% of total exports.

Imports into California from Japan were \$20.36 billion in 2020, with transportation equipment accounting for over a quarter of total imports. California is

currently the top importing state in the United States for products from Japan.

In California, Japan is the largest source of foreign direct investment (FDI) through foreign-owned enterprises (FOEs). Japanese FOEs in California in 2020 provided 115,420 jobs through 3,672 firms amounting to \$10.6 billion in wages, down from 121,223 jobs through 3,880 firms amounting to \$10.988 billion in wages in 2019.

The top jobs by sector are: manufacturing, wholesale trade, retail trade, financial activities, and professional/business services. ([World Trade Center Los Angeles FDI Report, June 2021](#)).

Other Notes

The annual report prepared by JCCNC and JBA includes the following: It is said that the first arrival of a Japanese person to California was in 1850. Following this, the first official Japanese delegation to the United States arrived in San Francisco on March 17, 1860.

Since then, California and Japan have built a strong relationship through various historical, cultural, and economic events. California and Japan have established 98 sister cities — 25% of all sister cities in the United States.

For more information on Japan, please visit the CalChamber's [Japan Trading Partner Portal](#).

Staff Contact: Susanne T. Stirling

2021 HR SYMPOSIUM

Presented by CalChamber



October 7 & 8

THANK YOU TO OUR MAJOR SPONSORS

BARNARD-BAHN
COACHING & CONSULTING

DOORDASH

CalChamber's annual HR Symposium returns in 2021 as a virtual event, featuring two half days of live presentations:

Thursday, October 7th: 8:30 a.m. - 12:30 p.m.

Friday, October 8th: 8:30 a.m. - 12:30 p.m.

You'll engage with top subject matter experts who will share timely, relevant information.

Preferred and Executive Members receive their 20 percent member discount.

LEARN MORE at calchamber.com/2021hrsymposium