

ALERT

CalChamber-Led Coalition Helps Stop 1 Job Killer Bill

Legislators Send 2 Job Killers to Governor



On the final day of the session, Assembly members heeded the concerns raised by the California Chamber of Commerce and a coalition of more than 110 organizations and stopped a last-minute greenhouse gas (GHG) emissions reduction proposal.

AB 2133 (Quirk; D-Hayward), a job killer, would have arbitrarily changed the State’s greenhouse gas (GHG) reduction goal from 40% of 1990 levels by 2030 to 55%. By the State’s own estimate, this proposal would have forced 17 million gas-powered cars off the road in the next 10 years. AB 2133 died in the final hour of the session when the Assembly failed to concur in Senate amendments, 37-22.

The CalChamber-led coalition oppos-

ing AB 2133 included business, agriculture, industry groups and local chambers of commerce.

“We are relieved AB 2133 failed passage and grateful to the legislators who voted no on the measure,” said CalChamber President and CEO Jennifer Barrera in a September 1 statement. “It is clear this measure would have been detrimental to our economy. The bill threatened the state with excessive costs that would have hurt both California residents and businesses.”

To Governor

Earlier in the evening, the Legislature sent to the Governor the climate change job killer **SB 1137 (Lena Gonzalez; D-Long Beach)**.

“CalChamber supports climate change
See CalChamber-Led: Page 25

Governor Signs Bill to Relicense Diablo Canyon Power Plant



SUPPORT

a source of essential carbon-free electricity to California has been signed by the Governor.

SB 846 (Dodd; D-Napa) passed the Legislature in the final hours of the session on August 31. Governor Gavin Newsom signed the bill on September 2 — the third consecutive day of the heatwave that has been straining energy resources in California and the Western United States all week. The bill went into effect immediately.

“The need to ensure reliability — and the unacceptable consequences of not having enough electricity available at the right time of day — makes the operations extension of Diablo Canyon an obvious short-term solution to a possible power shortfall,” said CalChamber President and CEO Jennifer Barrera.

SB 846 extends for a limited time the operation of the Diablo Canyon Nuclear Power Plant, which supplies 8.6% of California’s total electricity supply and 17% of the state’s carbon-free electricity supply. It ensures supply reliability and safeguards residential health and safety, as

See Governor Signs: Page 4

Opposition in Final Days of Legislative Session Stops Onerous Requirements for Businesses



OPPOSE

local chambers of commerce, prevented the passage of a number of harmful proposals.

The CalChamber-opposed bills stopped include the following:

In the closing days of the legislative session, strong **opposition** from the California Chamber of Commerce and allied groups, including many

- **SB 260 (Wiener; D-San Francisco) Increased Regulatory Burden.** Imposes a mandatory climate tracking, auditing, and cap on climate emissions that will fall heavily on all California businesses, impacting competitiveness and increasing costs. The unworkable, dangerous and costly mandate will do nothing to stop the climate crisis while hurting California businesses and leading to increased costs of goods and services for Californians.

Fell short of the votes needed in the Assembly on August 31, 37-25.

- **SB 1149 (Leyva; D-Chino)**

See Opposition: Page 4

Inside

Major Bills Status Update:
Pages 5-23

Labor Law Corner

Final Paycheck: Employee Pickup or Mail? Answers to FAQs



Ellen S. Savage
HR Adviser

If an employee quits without giving any notice, I believe I have a window of time to prepare a final paycheck. Does the employee have to come pick it up or should I mail it to them?

When an employee quits without any notice at all, you have 72 hours to cut a final paycheck and have it ready for them to pick up. If an employee gives less than 72 hours' notice you have 72 hours from the time notice is given to have the check ready. The 72 hours runs regardless of

business hours. It generally is the responsibility of the employee to return to pick up their check or request that it be mailed.

Some of the most common questions about final paychecks in this situation are:

- *Where should the check be for the employee to pick up?*

A final paycheck must be available for them to pick up "at the office of the employer within the county in which the work was performed," according to California Labor Code Section 202.

So, for example, an employee who works at a Northern California branch of your company could not be required to travel to your Southern California branch where your payroll is done to pick up a final paycheck. You would need to make sure it was available for the employee to pick up at the Northern California branch by the 72-hour deadline.

- *What if my payroll is done out of state and I can't get a check in time?*

Unfortunately, there is no exception to the 72-hour rule based on where your payroll is done, so if the check is late you would be subject to waiting time penalties of a day's wages for every day it is late up to 30 calendar days.

- *What if an employee doesn't come to pick up their final paycheck?*

Often an employee will not return to pick up a check, in which case an employer might wonder if they need to eventually mail it to the employee.

California law is clear that the

final paycheck should be mailed to an employee who quits only if the employee *specifically requests* that it be mailed and *also* designates a mailing address.

- *If the employee does not come in to pick up their final paycheck and never requests that it be mailed, should I mail it anyway just to be sure they get their wages?*

No. If you drop it in the mail and then the employee comes in to pick up the check before it arrives at the employee's home, you will be liable for penalties for late wages for every day the employee then has to wait for the check to arrive.

In addition, if you don't have a current address on file, the check may go to the wrong address and cause even further penalties to accrue.

- *If an employee requests that I mail the check, does it have to arrive at the employee's home within 72 hours?*

No. The date of the mailing is considered the date of payment for purposes of the requirement to provide payment within 72 hours of the notice of quitting. So as long as the check is mailed on time, there is no legal violation even though it may take several days in the mail to reach the employee's home.

First class mail is considered sufficient for mailing, although some employers may choose to use a form of delivery that provides proof of receipt.

- *What if an employee is working*

See Final Paycheck: Page 24

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CalChamber-Sponsored Seminars/Trade Shows

More at www.calchamber.com/events.

Labor and Employment

Best Practices for Compliant Paid Time Off Policies. CalChamber. September 15, Online. (800) 331-8877.

Leaves of Absence: Making Sense of It All Virtual Seminar. CalChamber. September 29-30, Online. (800) 331-8877.

Virtual HR Symposium. CalChamber. November 3-4, Online. (800) 331-8877.

HR Boot Camp Virtual Seminar. CalChamber. December 8-9, Online. (800) 331-8877.

International Trade

2022 Taiwan Trade Shows. Taiwan External Trade Development Council. Through October 30, Online and In-Person. +886-2-2725-5200.

Untangling the Supply Chain. National Association of District Export Councils. September 14, Online.

Concrete Show South East Asia 2022. MEREBO GmbH Messe International. September 14-17, Jakarta, Indonesia. 49-40-399 99 05-15.

British Politics After Boris Johnson. Insti-
See CalChamber-Sponsored: Page 24

CalChamber Calendar

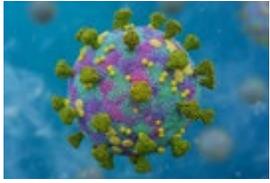
International Luncheon Forum:

September 22, Sacramento

Public Affairs Conference:

November 29-30, Laguna Niguel

COVID-19 Supplemental Paid Sick Leave Relief Bill Awaits Action



Legislation establishing the COVID-19 Relief Grant Program within the Governor's Office of

Business and Economic Development (GO-Biz) awaits action by the Governor.

AB 152 (Committee on Budget) passed the Legislature on August 31. It will help qualified small businesses or nonprofits with grants of up to \$50,000 to

reimburse COVID-19 supplemental paid sick leave provided between January 1, 2022 and December 31, 2022.

The bill provides funds for an additional \$70 million in grants in addition to the \$250 million passed in the budget earlier this year for a total of \$320 million.

The bill also extends COVID 19 supplemental paid sick leave provisions from September 30, 2022 to December 31, 2022 to enable employees to take any unused COVID supplemental paid sick

leave, keeping the total amount of leave available the same.

AB 152 states that an employer has no obligation to provide additional COVID-19 supplemental paid sick leave if the employee refuses to submit to a test. Employers will be allowed to ask for an additional test between days 5–10 after the first positive test.

As a budget bill, AB 152 will take effect immediately upon being signed by the Governor.

DFEH Renamed California Civil Rights Department



Civil Rights Department
STATE OF CALIFORNIA

Don't be confused if you start hearing about the California

Civil Rights Department (CRD). It's not a new government agency — just the renamed California Department of Fair Employment and Housing (DFEH).

Beginning July 1, 2022, the DFEH was renamed to the CRD, which is now starting to update its website content, posters and brochures with the new name and logo. For instance, its new web address is <https://calcivilrights.ca.gov> (although the old DFEH web address currently reroutes to that).

Civil Rights Services

The CRD still reflects all the same existing powers and authorities of the DFEH; the rename is to more fully capture the services that the department provides — and hopefully increase public access to its services.

Although the DFEH enforced civil rights for housing and employment, it

was also required to respond to allegations of civil rights violations in several other contexts, such as prohibiting:

- Discrimination against consumers;
- Discrimination between businesses;
- Hate violence;
- Discrimination in public accommodations;
- Discrimination in state-funded programs and activities;
- Human trafficking; and
- Sexual harassment in business, service or professional relationships.

Similarly, the Fair Employment and Housing Council (FEHC) has been renamed as the **California Civil Rights Council (CRC)**.

Stakeholder feedback over the last few years motivated the name change, “especially since the pandemic struck and the increase in hate violence, and recognition that the former name of the department was actually an obstacle to some people being able to access our services,” said CRD Deputy Director of Executive Programs Adam Romero at the **CRC's August 10 Meeting**.

New Name, Same Duties

What Does This Mean for California Employers?

Not much. Over the next year, the CRD plans on launching a public education campaign to let Californians know that the CRD is doing the same work as the DFEH, just under a new name.

Employers will need to keep an eye out for any new updates to the CRD's **required posters, guides and fact sheets**, as the name, logo and version/date will likely be updated within the next six months.

CalChamber will update these resources once the changes occur and is currently working on updating DFEH references on *HRCalifornia* to CRD.

CalChamber members can read more about **Laws Prohibiting Discrimination**, including the state Fair Employment and Housing Act (FEHA) and California laws prohibiting human trafficking, in the HR Library on *HRCalifornia*. Not a member? See how CalChamber **can help you**.

Staff Contact: Katie Culliton



CalChamber Member Feedback

“CalChamber gives our Management Team access to extensive experience and expertise through their policy team, as well as a solid reputation at the State Capitol.”

Craig D. Gott
President
Suburban Water Systems

Opposition in Final Days of Session Stops Onerous Requirements

From Page 1

Disclosure of Trade Secrets, Increased Litigation, and Outlawing Settlement Practices.

Re-writes longstanding use of protective orders in lawsuits, as well as outlawing non-disclosure agreements as part of settlements based on vague terminology. Will force companies to settle early so as to avoid public release of broad documents sought in discovery, as well as overwhelm California courts with unprecedented discovery fights as companies seek to protect their trade secrets. *Fell short of votes needed to pass the Assembly on August 29, 31-18.*

- **AB 2201 (Bennett; D-Ventura)**

Groundwater. Adds new regulatory layer to groundwater well permitting processes, even in sustainable basins. Increases costs and liability risks associated with well permitting. Inconsistent with the Governor's March 2022 executive order and the goals outlined in the Governor's August 11, 2022 Water Supply Strategy, which emphasizes the need for local agencies to have flexibility in managing groundwater resources. The strategy also emphasizes the need for more groundwater storage, and the bill's definition of "well interference" threatens the viability of water banking projects. *Assembly concurrence in Senate amendments still pending when the Assembly adjourned on September 1.*

- **AB 437 (Kalra; D-San Jose)**

Exclusivity Options. Prohibits use of exclusivity clauses in acting contracts, which undermines collective bargain-

ing in the film industry and will result in lower value contracts and job loss. *Placed on Senate Inactive File, August 22.*

Opposed Bills Passed

The following are among the CalChamber-opposed bills that passed the Legislature in the final days of the session:

- **AB 2188 (Quirk; D-Hayward)**

Workplace Marijuana Testing. Before amendments, risked workplace safety by promoting marijuana use to a protected class under California's discrimination law, on par with national origin or religion. Also effectively prohibited pre-employment drug testing, harming employers' ability to keep their workplace safe and drug free. Now requires saliva (or other non-metabolite) testing when conducting marijuana testing in pre-employment or workplace settings, along with prohibiting discrimination based on marijuana usage. Job killer status removed due to June 30, 2022 amendments which, among other provisions, protected pre-employment testing and handled federal/state conformity issues surrounding marijuana's legality. CalChamber still opposes. *Passed Legislature on August 30. To Governor.*

- **AB 257 (Holden; D-Pasadena)**

Fast Food Industry. Creates unelected Fast Food Council with power to set sweeping standards for fast food industry's wages, hours, and working conditions that prevail over existing laws. The council also will have the power to repeal or amend laws and regulations created by the Legislature

or a regulatory agency. Earlier versions of the bill also would have established statutory, mandatory joint liability within the franchise industry. AB 257 specifically allows any minimum wage increase to go up to \$23 per hour in 2023, \$6.50 above the minimum wage in other industries. *Passed Legislature on August 29. Signed on September 5.*

- **AB 2273 (Wicks; D-Oakland)**

Age-Appropriate Design Code. Creates overinclusive and difficult to interpret/implement standard for designing online services, products or features for young people by importing requirements used in United Kingdom without the guidance UK regulators make available to companies. Provides fewer opportunities to fix mistakes and a more aggressive approach to fines and penalties than the UK model. Uses subjective standard for the children to be protected rather than a well-established federal standard under the Children's Online Privacy Protection Act (COPPA). *Oppose Unless Amended. Passed Legislature on August 30. To Governor.*

- **AB 2106 (R. Rivas; D-Hollister)**

New Water Quality Permit Requirement. Imposes new permitting requirements on stormwater discharges from commercial and institutional facilities that may expose permittees to citizen lawsuits. Constrains State Water Board discretion in addressing stormwater that may have unintended consequences on regulated entities. *Passed Legislature on August 30. To Governor.*

Governor Signs Bill to Relicense Diablo Canyon Power Plant

From Page 1

well as investment in new industries that depend on a reliable electricity supply.

In a letter sent to legislators on August 30, the CalChamber pointed out that with the well-known difficulties in the supply chain, project permitting, and the availability of new technologies, many in the business community are deeply concerned that the electricity generation resources later this decade will not keep up with anticipated load growth and necessary power reserves.

In his signing statement, Governor Newsom expressed his appreciation for "the Legislature's action to maintain

energy reliability as the State accelerates the transition to clean energy."

He commented that SB 846 facilitates the actions necessary to keep the option of the Diablo Canyon Power Plant "as a statewide reliability asset" beyond the current 2024–2025 retirement dates of the plant's two units.

Awaiting Action

Other CalChamber-supported bills sent to the Governor in the final days of the legislative session include:

- **SB 1338 (Umberg; D-Santa Ana)**

CARE ACT Services for the Mentally Ill. Changes the state's process for caring

for those facing extreme mental illness or drug addiction. Creates a system with advocates for those who need care, but also provides wraparound services to ensure those most in need get the treatment that's needed. *Passed Legislature on August 31.*

- **AB 1951 (Grayson; D-Concord)**

Manufacturing Tax Credit Expansion. Expands investment and production in California by expanding the sales and use tax exemption for the purchase of manufacturing and research and development (R&D) equipment. *Passed Legislature on August 25.*

CalChamber Status Update Report on Major Legislation for Business

The following list summarizes top priority bills for the California Chamber of Commerce and their status as of August 31, when the Legislature began its final recess.

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

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

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

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

Bills signed by the Governor will become law on January 1, 2023. 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.

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 October 21.

Status of legislative action on bills as of August 31, 2022. 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	
Livestock Ban. AB 2764 (Nazarian; D-Van Nuys) Bans new or expanded commercial animal feeding and processing operations for meat, poultry, eggs, and dairy. Will increase food prices for Californians and force food to be imported from out of state to meet consumer demand. Oppose/ Job Killer .	Assembly Agriculture 3/17/22; Failed Deadline
Product Restrictions. AB 2146 (Bauer-Kahan; D-Orinda) Imposes restrictions on use of pesticide important for combatting citrus disease. Circumvents science-focused regulatory processes. Oppose.	To Governor
Smoke Exposure Study. AB 2213 (Aguiar-Curry; D-Winters) Creates an advisory committee to study impacts of wildfire smoke on grapes and wine and investigate ways to prevent or minimize smoke damage. Support.	Assembly Appropriations Suspense File 5/18/22; Failed Deadline
Air Quality	
Carbon Capture Projects. SB 905 (Caballero; D-Salinas) Requires California Air Resources Board (CARB) to create the Geologic Carbon Sequestration Demonstration Initiative but caps the number of demonstration projects at 3 and limits the projects to a very narrow list of industries, thereby stifling the ability of carbon capture technology to become more prevalent and help to reduce additional greenhouse gases (GHGs). Oppose Unless Amended.	To Governor
Sustainable Aviation Fuel Incentives. AB 1322 (R. Rivas; D-Hollister) Requires state agencies to develop a plan to incentivize the production of sustainable aviation fuel to no less than 1.5 billion gallons per year by 2030 and implement said plan by July 1, 2024. Support.	To Governor
Carbon Capture Sequestration Expansion. AB 2101 (Flora; R-Ripon) Adds whole orchard recycling projects to the list of eligible Carbon Capture Sequestration Registry projects that are eligible to seek funding from state agencies or private entities. Support.	Signed—Chapter 117

Subject—CalChamber Position	Status
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Banking and Finance

<p>Burdensome Foreclosure Requirements. SB 1323 (Archuleta; D-Pico Rivera) Increases difficulty in recovering collateral property when a borrower is in default. Increases risks associated with lending and creates an unnecessary new procedure for selling property with equity after default. Oppose.</p>	<p>Assembly Inactive File 8/18/22; Failed Deadline</p>
<p>Credit Availability. AB 2424 (B. Rubio; D-Baldwin Park) 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>	<p>To Governor</p>

Budget

<p>COVID 19 Economic Relief. AB 87 (Committee on Budget) Transfers \$150 million into the California Emergency Relief Fund to fund remaining eligible wait-listed grant applicants from last year’s California Small Business COVID-19 Relief Grant Program. Additionally, conforms state tax law to federal tax law for entities that received grants from Restaurant Revitalization Fund and Shuttered Venue Operators Grant programs so these entities will avoid state tax obligations they don’t shoulder federally. Support.</p>	<p>Senate Budget and Fiscal Review 2/9/22; Failed Deadline</p>
<p>California Employer Economic Relief. SB 113 (Committee on Budget and Fiscal Review) Restores Net Operating Loss deduction and lifts cap placed on business incentive tax credits that were suspended in 2020’s state budget. Support.</p>	<p>Signed—Chapter 3 2/9/22</p>
<p>Performing Arts. SB 1116 (Portantino; D-La Cañada Flintridge) Provides funding to increase performing arts jobs throughout California. Support.</p>	<p>To Governor</p>

California Environmental Quality Act (CEQA)

<p>Warehouse and Logistics Project Ban. AB 2840 (Reyes; D-San Bernardino) Circumvents the California Environmental Quality Act, creates an unprecedented ban on warehouses and logistics use projects irrespective of whether there are any project impacts, usurps local authority over land use decisions, exacerbates supply chain problems, and forces union labor for proposed private projects that are not banned. Oppose/Job Killer.</p>	<p>Senate Governance and Finance 6/8/22; Failed Deadline</p>
<p>CEQA Streamlining. SB 886 (Wiener; D-San Francisco) Streamlines the CEQA process for housing development around University of California campuses to increase student housing. Support.</p>	<p>To Governor</p>
<p>Makes CEQA Worse and Hurts Housing. SB 1404 (Stern; D-Canoga Park) Arbitrarily and statutorily defines what is considered a significant environmental impact when removing an oak tree, substantially changing how the California Environmental Quality Act (CEQA) has operated since its inception. In doing so, SB 1404 would have made the construction of housing even harder and jeopardized the state’s ability to mitigate wildfires. Oppose.</p>	<p>Senate Appropriations Suspense File 5/9/22; Failed Deadline</p>
<p>CEQA: Transportation Impacts. (SB 1410; Caballero; D-Salinas) Requires the Office of Planning and Research, by January 1, 2025, to conduct and submit study on the impacts and implementation of transportation impact guidelines required by existing law. Also requires the office, upon appropriation of funds by the Legislature, to establish a grant program to provide financial assistance to local jurisdictions for implementing those guidelines. Support.</p>	<p>Assembly Appropriations Suspense File 6/29/22; Failed Deadline</p>

Subject—CalChamber Position	Status
Climate Change	
Arbitrary Greenhouse Gas Target. AB 2133 (Quirk; D-Hayward) Arbitrarily changes the State’s GHG reduction goal from 40% of 1990 levels by 2030 to 55%. By the State’s own estimate this proposal will force 17 million gas-powered cars off the road in the next 10 years. Oppose/ Job Killer .	Failed Concurrence in Assembly, 8/31/22
Threatens Oil and Gas Development Operations. SB 1137 (Lena Gonzalez; D-Long Beach) Threatens to eliminate thousands of high-paying California jobs and force California to import even more foreign oil by politicizing and undermining the California Geologic Energy Management (CalGEM) Division’s ongoing regulatory process regarding new requirements near oil and gas extraction sites by predisposing what setback requirements should be before the agency even begins its analysis. Oppose/ Job Killer .	To Governor
Limits Technological Development. AB 1279 (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.	To Governor
Increased Regulatory Burden. SB 260 (Wiener; D-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.	Failed passage in Assembly 8/31/22
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 8/31/22; Failed Deadline
Government Regulation of Natural Lands. AB 1757 (C. Garcia; D-Bell Gardens) Requires the State’s Natural Resources Agency to come up with unattainable targets for carbon sequestration on various public and private lands while doing nothing to streamline the deployment of carbon sequestration projects that would help the state achieve its climate goals. Oppose.	To Governor
Duplicative Cap and Trade Reporting. AB 2793 (Muratsuchi; D-Torrance) Requires CARB to provide triennial updates on the state’s cap and trade program. This bill is duplicative and unnecessary as there are already frequent updates provided as well as CARB going through its existing Scoping Plan process right now. Additionally, this would bring uncertainty to the existing marketplace, which is operating efficiently and effectively. Oppose.	Failed passage in Assembly 5/26/22
Limiting Cap and Trade. SB 1391 (Kamlager; D-Los Angeles) Dramatically undercuts the rather successful cap and trade program by making it nearly impossible for the program to be linked with other states or nations in terms of expanding the program and making it even more inclusive of other entities. Particularly as CARB is in the middle of the Scoping Plan process, this proposal is premature. Oppose.	Failed passage in Assembly 8/29/22
Excessive Regulatory Authority to Non-Legislative Body. AB 1640 (Ward; D-San Diego) Without clarifying amendments, the bill could be read to confer broad regulatory authority to entities that are not subject to the oversight of any legislative body or elected official. Neutral.	Senate Appropriations Suspense File 8/2/22; Failed Deadline
Increases the Cost of Construction. SB 1297 (Cortese; D-San Jose) By imposing requirements for new and untested materials in building construction, threatens to increase litigation and impose additional costs on buildings, including housing. Oppose Unless Amended.	Assembly Appropriations Suspense File 8/3/22; Failed Deadline

Subject—CalChamber Position	Status
Crime	
Occupational License Eligibility. AB 1662 (Gipson; D-Carson) Allows prospective applicants for occupational licenses to seek an early determination as to whether a prior criminal conviction will prohibit them from being licensed. Enables prospective applicants to know their eligibility before spending time on training. Support.	Senate Appropriations Suspense File 8/8/22; Failed Deadline
Education	
Inland Rising Fund. AB 2046 (Medina; D-Riverside) Establishes Inland Rising Fund to support development, operation and maintenance of new research into medicine and climate change at the University of California Riverside, and the University of California Merced. Support.	To Governor
Grants for More Computer Science Teachers. AB 1853 (Berman; D-Palo Alto) Creates a grant program encouraging K-12 computer science certification for educators and coursework to improve California's computer science education pipeline. Support.	Assembly Appropriations Suspense File 4/27/22; Failed Deadline
STEM Partnership Academies. AB 1923 (Mathis; R-Visalia) Reprioritizes existing science, technology, engineering and math (STEM) grant funding to prioritize education for pupils that are underrepresented in STEM, including rural populations, economically disadvantaged populations, as well as other populations. Support.	Signed—Chapter 114
Career Technical Education. AB 2058 (O'Donnell; D-Long Beach) Re-works and improves funding structure for workforce development, including convening a stakeholder workgroup by January 2023, among other provisions. Support.	Senate Education 6/8/22; Failed Deadline
Golden State Apprenticeship Program. AB 2263 (Villapudua; D-Stockton) Provides financial aid for those entering apprenticeship and vocational training programs to help address California's skills gap. Support.	Assembly Appropriations Suspense File 5/4/22; Failed Deadline
College and Career Access Pathways. AB 2617 (Holden; D-Pasadena) Appropriates \$500 million to the Department of Education to provide competitive grants to establish opportunities for high school students to take classes at community colleges concurrently. Support.	Senate Appropriations Suspense File 6/27/22; Failed Deadline
Cybersecurity Regional Alliances and Multistakeholder Partnerships Pilot Program. AB 2695 (Berman; D-Palo Alto) Creates pilot program to improve cybersecurity education at multiple California State University (CSU) campuses, with data to be shared with the CSU Chancellor and Legislature annually. Support.	Assembly Appropriations Suspense File 5/18/22; Failed Deadline
Financial Literacy Education. AB 2051 (Cunningham; R-San Luis Obispo) Improves financial literacy education for California's youth by providing educational materials and professional development to promote financial literacy education. Support.	Senate Appropriations Suspense File 8/2/22; Failed Deadline
Financial Literacy Education. AB 2215 (B. Rubio; D-Baldwin Park) Improves financial literacy education for California's youth by requiring the Department of Education to develop curriculum and instructional materials and share them on its website. Support.	Senate Education 6/1/22; Failed Deadline

Subject—CalChamber Position	Status
Elections and Fair Political Practices	
<p>Political Contributions. AB 1819 (Lee; D-San Jose) Unconstitutional proposal bans corporations with 50% or more of foreign investment from contributing to campaigns or independent expenditures. Oppose.</p>	<p>Assembly Appropriations Suspend File 5/11/22; Failed Deadline</p>
Energy	
<p>Transportation Electrification. AB 1814 (Grayson; D-Concord) Disproportionately benefits non-community choice aggregators in deploying infrastructure around transportation electrification. Oppose.</p>	<p>Assembly Utilities and Energy 2/18/22; Failed Deadline</p>
<p>Grid Regionalization. ACR 188 (Holden; D-Pasadena). Encourages the California Independent System Operator to report on the impacts of grid regionalization with other organizations in Colorado, Nevada and other regional states. Grid regionalization is an effective policy to help ensure that energy is delivered in an efficient and effective manner. Support.</p>	<p>Resolution Chapter 138</p>
<p>Diablo Canyon Powerplant. SB 846 (Dodd; D-Napa) Extends for a limited time the operation of the Diablo Canyon Nuclear Power Plant, which supplies 8.6% of California’s total electricity supply and 17% of the state’s carbon-free electricity supply. Ensures supply reliability and safeguards residential health and safety, as well as investment in new industries that depend on a reliable electricity supply. Support.</p>	<p>Signed—Chapter 239 9/2/22</p>
<p>Undergrounding Mandate. SB 884 (McGuire; D-Healdsburg) The bill attempts to incentivize investor-owned utilities (IOU) to underground their poles and wires, but in reality it simply reduces the IOU’s ability to generate a rate of return for the massive investment that this would require. Additionally, it requires telecommunications companies to underground their equipment on any site that is collocated with the energy companies. This would slow the pace of undergrounding that is currently being proposed while dramatically increasing the cost of energy for consumers — residential, commercial and industrial. Neutral.</p>	<p>To Governor</p>
Environmental Regulation	
<p>Ban on Enhanced Oil Recovery. SB 1314 (Limón; D-Goleta) Prohibits enhanced oil recovery produced by a carbon dioxide capture project or a carbon dioxide capture and sequestration project into a Class II injection well, including the facilitation of enhanced oil recovery from another well. This prohibits an important tool to potentially reduce greenhouse gases. Oppose.</p>	<p>To Governor</p>
Gaming/Alcohol	
<p>Cigarette Filter Ban. AB 1690 (L. Rivas; D-Arleta) Interferes with Food and Drug Administration regulations and puts California at a disadvantage by banning single-use filtered cigarettes in the state. Neutral.</p>	<p>Assembly Inactive File 5/16/22; Failed Deadline</p>
<p>Craft Distillers: Delivery. SB 620 (Allen; D-Santa Monica) Recent amendments unfairly exclude the use of common carriers who contract out for delivery services, which limits the ability to engage in direct-to-consumer shipping and is an unwarranted attempt to eliminate legal contracting in the common carrier industry. Oppose Unless Amended.</p>	<p>Assembly Governmental Organization 4/28/22; Failed Deadline</p>

Subject—CalChamber Position	Status
Hazardous Waste	
Super Liens. AB 870 (Santiago; D-Los Angeles) Creates statutory super liens that empower the state to levy liens on contaminated properties that supersede all other liens, even ones recorded before, thereby disrupting banking and lending in California for all types of properties including residential. Oppose Unless Amended.	Assembly Judiciary 1/11/22; Dead
Health Care	
Government-Run Health Care. AB 1400 (Kalra; D-San Jose) Penalizes employers, eliminates individual choice, and results in hundreds of billions of dollars in new taxes on all Californians and California businesses by creating a new single-payer government-run, multibillion-dollar health care system. Oppose/ Job Killer .	Died on Assembly Floor 2/1/22
Government-Run Health Care. ACA 11 (Kalra; D-San Jose) Penalizes employers, eliminates individual choice, and results in hundreds of billions of dollars in new taxes on all Californians and California businesses by creating a new single-payer government-run, multibillion-dollar health care system. Oppose/ Job Killer .	Assembly Print 1/5/22; Failed Deadline
CARE ACT Services for the Mentally Ill. SB 1338 (Umberg; D-Santa Ana) Changes the state’s process for caring for those facing extreme mental illness or drug addiction. Creates a system with advocates for those who need care, but also provides wraparound services to ensure those most in need get the treatment that’s needed. Support.	To Governor
Expensive Gold Card Program. SB 250 (Pan; D-Sacramento) Prevents health plans and insurers from requiring certain contracted health care providers from obtaining a prior authorization (PA) for any health care services if those providers meet certain PA approval thresholds. Increases health care costs by eradicating an effective cost control measure, leading to higher premiums for California’s employers. Oppose.	Assembly Appropriations Suspense File 8/3/22; Failed Deadline
Prevents Health Entities from Executing Prudent Business Decisions. AB 2080 (Wood; D-Santa Rosa) Presumptively characterizes health plan, insurer, and health system market activity as anticompetitive and gives the Attorney General unnecessary and overbroad power to reject this activity. Oppose.	Senate Health 6/8/22; Failed Deadline
Increases Health Care Premiums. AB 933 (Daly; D-Anaheim) Increases health care premiums by requiring an enrollee’s or insured’s prescription drug cost sharing be calculated at the point of sale (POS) based on a price that is reduced by an amount equal to 90% of all rebates received, or to be received, in connection with the dispensing or administration of the drug. Oppose.	Assembly Appropriations 1/11/22; Failed Deadline
Health Care Cost Increase. AB 1859 (Levine; D-San Rafael) Before amendments, increased health care costs by requiring health plans and insurers to schedule outpatient appointments within an extremely short period of time. Amendments allowed plans more time to schedule follow-up appointments. Neutral.	To Governor
Health Care Cost Driver. AB 1880 (Arambula; D-Fresno) Increases health care costs for employers by requiring prior authorization and step therapy denial appeals be reviewed by clinical peers in addition to expensive new reporting requirements for health plans and insurers. Oppose Unless Amended.	To Governor
Health Care Cost Increase. AB 2024 (Friedman; D-Glendale) Increases health care costs by prohibiting cost sharing for screening mammography, medically necessary or supplemental breast examinations, or testing. Oppose.	Senate Appropriations Suspense File 8/8/22; Failed Deadline

Subject—CalChamber Position	Status
Health Care Cost Driver. AB 2029 (Wicks; D-Oakland) Increases health care costs by mandating plans and insurers provide coverage for fertility services to diagnose and treat infertility, including in vitro fertilization. Oppose.	Assembly Appropriations Suspense File 5/18/22; Failed Deadline
Locking Vial Mandate for Schedule II Drugs. AB 2265 (Arambula; D-Fresno) Increases prescription drug prices by requiring non-hospital pharmacies to dispense schedule II and IIN drugs in a lockable vial and seek reimbursement for the vials from drug manufacturers. Oppose Unless Amended.	Assembly Appropriations Suspense File 4/27/22; Failed Deadline
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.	Assembly Appropriations Suspense File 8/3/22; Failed Deadline
Increases Health Care Premiums. SB 853 (Wiener; D-San Francisco) Increases health care premiums by mandating plans and insurers that include a pharmacy benefit to provide coverage for a drug or dose during the entire duration of a utilization review and during any appeal of that review. Oppose.	Assembly Appropriations Suspense File 8/3/22; Failed Deadline
Increases Prescription Drug Costs. SB 939 (Pan; D-Sacramento) Increases prescription drug costs for consumers by allowing any drug to be dispensed by mail by any pharmacy. Oppose Unless Amended.	Assembly Health 5/27/22; Failed Deadline
Prescription Drug Cost Driver. SB 958 (Limón; D-Goleta) Increases prescription drug costs for employers by banning brown bagging and augmenting white bagging practices for injectable and infusible medications. Oppose.	Assembly Health 5/27/22; Failed Deadline
Expensive Diagnostic Imaging Mandate. SB 974 (Portantino; D-La Cañada Flintridge) Increases premiums for employers and employees by mandating plans and insurers provide coverage without imposing cost sharing for follow-up screening mammography and medically necessary diagnostic breast imaging. Oppose.	To Governor
Health Care Cost Driver. SB 999 (Cortese; D-San Jose) Increases health care costs for employers by requiring plans and insurers to retain expensive health care providers to review step therapy and prior authorization appeals and denials. Oppose Unless Amended.	To Governor
Health Care Mandate. SB 1337 (McGuire; D-Healdsburg) Increases premiums for California’s employers and employees by mandating plans and insurers provide coverage for coordinated specialty care services for the treatment of first episode psychosis. Oppose.	Senate Appropriations Suspense File 5/16/22; Failed Deadline
Increases Health Care Premiums. SB 1361 (Kamlager; D-Los Angeles) Increases health care premiums by requiring an enrollee’s or insured’s prescription drug cost sharing be calculated at the point of sale (POS) based on a price that is reduced by an amount equal to 90% of all rebates received, or to be received, in connection with the dispensing or administration of the drug. Oppose.	Senate Appropriations Suspense File 5/16/22; Failed Deadline

Housing and Land Use

Expands CEQA and Hurts Housing. AB 1001 (C. Garcia; D-Bell Gardens) Creates new highly subjective, non-quantifiable and litigation-bait standards in CEQA that will threaten California’s economic recovery and ability to construct much-needed housing. It also removes local government discretion regarding how to analyze and mitigate proposed project impacts, thereby making projects more expensive, harder to build and more likely to be thrown into courts by NIMBY opposition. Oppose/ Job Killer .	Senate Environmental Quality 5/4/22; Failed Deadline
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Subject—CalChamber Position	Status
<p>Los Angeles County Tax Authority. SB 679 (Kamlager; D-Los Angeles) Creates new agency with broad taxing authority on various entities in Los Angeles County under the guise of creating a new low-income housing program. However, the County already has jurisdiction over this issue and has billions in unspent funds to build affordable housing. Oppose.</p>	To Governor
<p>San Diego County Tax Authority. SB 1105 (Hueso; D-San Diego) Creates new agency with broad taxing authority on various entities in San Diego County under the guise of creating a new low-income housing program. However, the County already has jurisdiction over this issue and has billions in unspent funds to build affordable housing. Oppose.</p>	Assembly Appropriations Suspense File 8/3/22; Failed Deadline
<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>	Assembly Housing and Community Development 5/24/22; Failed Deadline
<p>Ellis Act Restrictions. AB 854 (Lee; D-San Jose) Prohibits an owner of a residential rental property from being able to withdraw their rental units from the market or take any action to recover possession of accommodations unless all the owners of the accommodations have been owners of record for at least 5 continuous years. Further, prohibits an owner of rental units who files a notice of intent to withdraw the rental units from the market, and the owner subsequently acquires a new property containing accommodations within 10 years of that filing, from ever withdrawing the accommodations at the new property from the market. Oppose.</p>	Died on Assembly Floor 2/1/22
<p>Fire Hardening of New Homes. AB 2705 Quirk-Silva; D-Fullerton) Requires significantly greater wildfire protection for new home and community construction through the land use approval process within very high fire hazard severity zones. Based on three decades of experience, science, and an analysis of the State Fire Marshal’s Property Loss Data, the bill proposes to set more stringent requirements based on size of the project. Support.</p>	Senate Appropriations Suspense File 8/8/22; Failed Deadline
<p>Blocks Consumer Credit Reports for Rentals. SB 1335 (Eggman; D-Stockton) Prohibits a rental property owner from requiring a consumer credit report as part of the application process for a rental housing accommodation in instances where there is a government rent subsidy. In doing so, the bill hurts rental property owners and their ability to determine a tenant’s ability to pay, as well as complicating the application process for tenant applicants as rental property owners look for other ways to verify a tenant. Oppose.</p>	Assembly Housing and Community Development 6/2/22; Failed Deadline
<p>Codifies Building Codes. AB 1710 (Lee; D-San Jose) Proposes to codify building standards pertaining to residential and outdoor LED fixtures thereby changing longstanding policies to address these types of issues relating to maintaining occupant safety at night with the Department of Housing and Community Development (HCD). Oppose.</p>	Assembly Print 1/26/22; Failed Deadline
<p>Rent Control. AB 2050 (Lee; D-San Jose) Upends the Ellis Act and creates a host of challenges for existing and new property owners — families and tenants alike — by forcing rental property owners to stay in business even when they no longer can afford to do so and interferes with new owner’s desire to live in their own purchased property. Oppose.</p>	Assembly Inactive File 6/2/22; Failed Deadline
<p>Prohibits Background Checks on Rental Units. AB 2203 (L. Rivas; D-Arleta) Prohibits a rental property owner from requiring a consumer credit report as part of the application process for a rental housing accommodation in instances where there is a government rent subsidy. Oppose.</p>	Assembly Inactive File 5/26/22; Failed Deadline
<p>Rental Registry in California. AB 2469 (Wicks; D-Oakland) Requires the state to develop and administer a rental registry online portal and for cities and counties to collect onerous information from rental property owners to post in the portal. Will do nothing to help solve our housing affordability crisis and cost state and taxpayers millions of dollars to administer an expensive new public website and program. Oppose.</p>	Assembly Housing and Community Development 3/10/22; Failed Deadline

Subject—CalChamber Position	Status
<p>Labor and Employment</p>	
<p>Publication of Pay Data. SB 1162 (Limón; D-Goleta) Encourages litigation against employers based on the publication of broad, unreliable data collected by the state. Undermines employers’ ability to hire, imposes burdensome administrative and record keeping requirements, and subjects employers to a private right of action. Job killer tag removed due to August 15, 2022 amendments removing requirement to publish individual pay data reports online. Oppose/Former Job Killer.</p>	<p>To Governor</p>
<p>State of Emergency. SB 1044 (Durazo; D-Los Angeles) Allows employees to leave work or refuse to show up to work if employee feels unsafe regardless of whether employer has provided health and safety protections and subjects employers to costly PAGA lawsuits if they dispute the employee’s decision or need to have another employee take over any job duties. Job killer tag and opposition removed due to amendments taken on August 15, 2022 narrowing the scope of the bill and recognizing existing health and safety regulations. Neutral/Former Job Killer.</p>	<p>To Governor</p>
<p>Unfair Denial of State Opportunities. AB 2095 (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 unfairly criticize employers for lawful conduct by publishing that data on the Labor and Workforce Development Agency’s website and using such data to rank employers and deny them state opportunities, and will subject employers to frivolous litigation and settlement demands. Oppose/Job Killer.</p>	<p>Assembly Appropriations Suspense File 4/27/22; Failed Deadline</p>
<p>Expansion of Duty to Accommodate Employees and Litigation Under FEHA. AB 2182 (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) by asserting that any adverse employment action was in relation to the employee’s family responsibilities, rather than a violation of employment policies. Oppose/Job Killer.</p>	<p>Assembly Appropriations Suspense File 5/11/22; Failed Deadline</p>
<p>Increased Overtime Requirement. AB 2932 (Low; D-Campbell) Significantly increases labor costs by imposing an overtime pay requirement after 32 hours and other requirements that are impossible to comply with, exposing employers to litigation under the Private Attorneys General Act (PAGA). Oppose/Job Killer.</p>	<p>Assembly Labor and Employment 3/24/22; Failed Deadline</p>
<p>Forced Unionization Process for Agricultural Employees. AB 2183 (Stone; D-Scotts Valley) Limits an employee’s ability to independently and privately vote for unionization in the workplace and forces employers into union submission, by eliminating a secret ballot election and replacing it with card check or requiring employers to waive certain rights to proceed through an untested ballot procedure under which the ballot can be filled out by labor organizations. Also, unfairly limits an employer’s ability to challenge the cards submitted 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.</p>	<p>To Governor</p>
<p>Fast Food Industry: Franchises; Wage and Hour. AB 257 (Holden; D-Pasadena) 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>	<p>Signed—Chapter 246</p>

Subject—CalChamber Position	Status
<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>	To Governor
<p>University of California: Vendors. SB 1364 (Durazo; D-Los Angeles) Discourages small businesses and other vendors from contracting with the University of California to the detriment of students, faculty, and the local community, especially as it relates to the UC hospitals that provide vital health-care services. Oppose.</p>	To Governor
<p>Exclusivity Options. AB 2926 (Kalra; D-San Jose) Retroactively prohibits use of exclusivity options in any industry, to the detriment of many workers, and undermines collective bargaining in the music and film industries. Oppose.</p>	Assembly Arts, Entertainment, Sports, Tourism and Internet Media 3/31/22; Failed Deadline
<p>Exclusivity Options. AB 983 (Kalra; D-San Jose) Changes the rules for recording agreements in our state, undermines the freedom to contract, and jeopardizes California’s music industry. Oppose.</p>	Senate Judiciary 6/23/22; Failed Deadline
<p>Exclusivity Options. AB 437 (Kalra; D-San Jose) Prohibits use of exclusivity clauses in acting contracts, which undermines collective bargaining in the film industry and will result in lower value contracts and job loss. Oppose.</p>	Senate Inactive File 8/22/22; Failed Deadline
<p>COVID-19 Vaccination Requirements. AB 1993 (Wicks; D-Oakland) Mandates employers to ensure all employees and independent contractors are vaccinated against COVID-19. Watch.</p>	Assembly Labor and Employment 2/10/22; Failed Deadline
<p>Call Centers. AB 1601 (Weber; D-San Diego) Improperly seeks to penalize California companies who move their call centers out of the country. Oppose.</p>	To Governor
<p>Background Checks. SB 1262 (Bradford; D-Gardena) Preserves access to work by removing road-blocks to timely completion of employment background checks. Support.</p>	To Governor
<p>Flexible Workweek. AB 1761 (Voepel; R-Santee) Allows for an employee-selected flexible work schedule and relieves employers of the administrative cost and burden of adopting an alternative work-week schedule per division, which accommodates employees, helps retain employees, and allows the employer to invest these savings into growing its workforce. Support.</p>	Assembly Labor and Employment 2/10/22; Failed Deadline
<p>Disability Access: Funding. AB 2164 (Lee; D-San Jose) Benefits small businesses and consumers by providing funding to small businesses to ensure their properties are accessible. Support.</p>	To Governor
<p>Child Care. AB 1649 (Quirk-Silva; D-Fullerton) Increases access to child care by permanently extending a policy that ensures subsidized childcare providers are paid a guaranteed rate for their services. Support.</p>	Assembly Appropriations Suspense File 4/6/22; Failed Deadline

Subject—CalChamber Position	Status
Legal Reform and Protection	
<p>Disclosure of Trade Secrets, Increased Litigation, and Outlawing Settlement Practices. SB 1149 (Leyva; D-Chino) Rewrites longstanding use of protective orders in lawsuits, as well as outlawing non-disclosure agreements as part of settlements based on vague terminology. Will force companies to settle early so as to avoid public release of broad documents sought in discovery, as well as overwhelm California courts with unprecedented discovery fights as companies seek to protect their trade secrets. Oppose.</p>	<p>Assembly Floor 6/16/22; Failed Deadline</p>
<p>Sexual Assaults Claims Reviver. AB 2777 (Wicks; D-Oakland) Formerly created vague liability for any “inappropriate conduct” going back decades, including comments which may have been appropriate at the time. Amendments limited liability to sexual assault, eliminating the risk of conversations or other nonphysical conduct creating liability. Due to these significant amendments, opposition removed. Neutral.</p>	<p>To Governor</p>
<p>Changes to Judgments and Debts. SB 1200 (Skinner; D-Berkeley) Previously provided for complete end of ability to renew judgment debts and created confusing system of applicable interest rates. Opposition removed with amendments protecting ability for one renewal filing on judgments for five years, and providing a clearer, simpler 5% interest applicable to renewals. Neutral.</p>	<p>To Governor</p>
<p>Wage Garnishment. SB 1477 (Wieckowski; D-Fremont) Adjusts formula for permissible wage garnishment in California. Initially included a doubling of the baseline discretionary income for which garnishment was allowed. Amendments greatly reduced baseline threshold, resulting in a significantly reduced effect for the bill. Due to this change in the formula, opposition removed. Neutral.</p>	<p>To Governor</p>
<p>Regulatory Oversight. AB 2893 (Daly; D-Anaheim) Improves the Standardized Regulatory Impact Analysis (SRIA) process by ensuring the covered agency incorporates feedback from the Department of Finance. Support.</p>	<p>Senate Appropriations Suspense File 8/2/22; Failed Deadline</p>
<p>Certified Access Specialist Grant Program. AB 2829 (Low; D-Campbell) Assists small businesses in receiving disability access inspections, which help minimize Americans with Disabilities Act (ADA) lawsuits and related disability access liability. Support.</p>	<p>Assembly Appropriations Suspense File 5/11/22; Failed Deadline</p>
<p>Changes to Unfair Competition Law. AB 2766 (Maienschein; D-San Diego) Previously provided relatively unchecked new authority for city attorneys to enforce statute presently reserved for district attorneys and Attorney General. With amendments, limitations were placed on use of power by city attorneys. Neutral.</p>	<p>To Governor</p>

Marijuana/Cannabis

<p>Increases Cannabis Fees. SB 1097 (Pan; D-Sacramento) Requires cannabis producers to create duplicative and unnecessary labels and inserts on products that will also lead to higher fees for both producers and consumers. Oppose.</p>	<p>Assembly Inactive File 8/24/22; Failed Deadline</p>
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Privacy and Cybersecurity

<p>Workplace Technology. AB 1651 (Kalra; D-San Jose) Imposes overbroad, unworkable mandates on employers of all sizes, including public entities and tribal communities, that would reduce worker privacy, chill the development of new technologies, and wipe out small businesses for even a good faith mistake due to its excessively punitive enforcement mechanisms. Oppose.</p>	<p>Assembly Privacy and Consumer Protection 4/21/22; Failed Deadline</p>
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Subject—CalChamber Position	Status
<p>New Private Right of Action for Biometric Information. SB 1189 (Wieckowski; D-Fremont) Creates legal liability for businesses large and small, potentially in the millions to tens of millions of dollars, while not providing any exceptions, such as for the use of biometric data for safety, security, or other reasonable purposes. Also imposes new, untenable restrictions on the use and disclosure of biometric information in a thinly veiled attempt to undermine the California Privacy Rights Act (CPRA) limited private right of action for data breaches. Oppose.</p>	<p>Senate Appropriations Suspense File 4/25/22; Failed Deadline</p>
<p>Social Media Platform Duty to Children Act. AB 2408 (Cunningham; R-San Luis Obispo) Prohibits a social media platform, as defined, from using a design, feature, or affordance that the platform knew, or by the exercise of reasonable care should have known, causes a child user, as defined, to become addicted to the platform. Authorizes the Attorney General or a district attorney, county counsel, or city attorney to bring an action to recover or obtain certain relief, including a civil penalty of up to \$250,000 for a knowing and willful violation, and an award of litigation costs and attorneys’ fees. Provides specified “safe harbors” wherein a social media platform would not be subject to a civil penalty. Oppose.</p>	<p>Senate Appropriations Suspense File 8/2/22; Failed Deadline</p>
<p>Political Purpose Disclosures. SB 746 (Skinner; D-Berkeley) Originally expanded the California Privacy Rights Act (CPRA) to require a business that collects personal information about a consumer and uses that information for a political purpose to make certain disclosures, among other things. Opposition removed after amendments struck all changes to the CPRA and instead ensure that existing disclosure requirements, prohibitions, and limitations of the Political Reform Act generally apply to any business entity that intentionally uses its products or services to disseminate communications made for political purposes. Neutral.</p>	<p>To Governor</p>
<p>Restrictions on Smart Speakers. AB 1262 (Cunningham; R-San Luis Obispo) Creates an outright prohibition on the use of information from smart speakers for advertising. Creates an opt-in requirement for smart speakers and places limitations on how voice data can be used by smart speakers, all while requiring smart speakers to continue functioning. Oppose.</p>	<p>To Governor</p>
<p>Student Test Taker Privacy Protection Act. SB 1172 (Pan; D-Sacramento) As amended, adds a new provision to the Business and Professions Code to prohibit a business providing proctoring services in an educational setting from collecting, retaining, using, or disclosing personal information except to the extent strictly necessary to provide those proctoring services and in other specified circumstances. Enforceable per existing law, Business and Professions Code Section 17200. Opposition removed after June 29, 2022 amendments. Neutral.</p>	<p>To Governor</p>
<p>Age-Appropriate Design Code. AB 2273 (Wicks; D-Oakland) Creates overinclusive and difficult to interpret/implement standard for designing online services, products or features for young people by importing requirements used in United Kingdom without the guidance UK regulators make available to companies. Provides fewer opportunities to fix mistakes and a more aggressive approach to fines and penalties than the UK model. Uses subjective standard for the children to be protected rather than a well-established federal standard under the Children’s Online Privacy Protection Act (COPPA). Oppose Unless Amended.</p>	<p>To Governor</p>
<p>Unnecessarily Expands Scope of Data Broker Registry. SB 1059 (Becker; D-Menlo Park) Undermines purpose and efficacy of existing Data Broker Registry with overly broad expansion of the definition of “data broker” that makes it harder for consumers to identify third-party entities selling their information. Requires businesses registered on the Registry to disclose information about any data breach they have experienced without defining clearly what makes a breach worthy of disclosure. Creates potential for consumer confusion and frustration by requiring covered entities to provide information already readily available to consumers in the entities’ privacy policies. Transfers responsibility for the Registry to the new California Privacy Protection Agency, thus risking further delay in the rules businesses need to implement the California Privacy Rights Act. Oppose.</p>	<p>Senate Appropriations Suspense File 5/16/22; Failed Deadline</p>

Subject—CalChamber Position	Status
<p>New Authority without Safeguards. AB 2826 (Muratsuchi; D-Torrance) Grants sweeping new powers to the California Department of Technology, requiring companies to turn over data and information to loosely defined “qualified researchers” under terms dictated by the department without ensuring adequate protections of privacy for consumers or companies, including sensitive company information and intellectual property. Oppose.</p>	<p>Assembly Privacy and Consumer Protection 3/24/22; Failed Deadline</p>
<p>Cyberbullying. AB 2879 (Low; D-Campbell) Requires social media platforms, as defined and subject to specified exceptions, to disclose all “cyberbullying,” reporting procedures in the social media platform’s terms of service and requiring a social media platform to establish a mechanism within its internet-based service that allows an individual to report cyberbullying or any content that violates the existing terms of service. Delayed enactment of penalties. Starting September 1, 2023, intentional violations are subject to specified civil penalties or injunction, to be prosecuted in a court of competent jurisdiction by the Attorney General. Specifies that its provisions shall not be deemed to create a private right of action or limit any existing private right of action. Opposition removed after June 21, 2022 amendments. Neutral.</p>	<p>To Governor</p>
<p>In-Vehicle Cameras. SB 346 (Wieckowski; D-Fremont) Requires manufacturers of cars with in-vehicle cameras to make certain disclosures, prohibits the sale/lease of new cars without a specified and prominent disclosure. Prohibits any images or video recordings collected through the operation of an in-vehicle camera from being used for any advertising purpose or being sold to third parties and significantly limits the sharing of such recording with third parties. Raises concerns with the removal of consumer choice/control over the use of their data; creates overly restrictive prohibitions against sharing data; fails to differentiate between identifiable and non-identifiable images and recordings; and undermines and complicates compliance with the Consumer Privacy Rights Act by establishing industry- and technology-specific privacy standards. Oppose.</p>	<p>To Governor</p>
<p>Platform Accountability and Transparency Act. SB 1018 (Pan; D-Sacramento) Requires social media platforms to disclose statistics regarding the extent to which, in the prior 12-month period, items of content that the platform determined violated its policies were recommended or amplified by its algorithms, not only after a violation of their terms of service was identified, but before. Specifies that this does not require companies to disclose granular details about content on their platform, as well as require the disclosure of sensitive company information and intellectual property. Subject to sole enforcement by the Attorney General, for civil penalties of up to \$100,000. Oppose Unless Amended.</p>	<p>To Governor</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>To Governor</p>

Procurement

<p>Overbroad Burden on Procurement. AB 1979 (Kalra; D-San Jose) Requires any companies submitting bids for state procurement contracts involving a range of common goods, including wood, rubber, paper, and others, to adopt new internal policies regarding sourcing of materials for all contracts, not just state-related contracts, and provide potentially proprietary information regarding their supply chain to the state as part of the application process. Oppose.</p>	<p>Assembly Accountability and Administrative Review 2/18/22; Failed Deadline</p>
<p>Equity in State Procurement. AB 2019 (Petrie-Norris; D-Laguna Beach) Promotes equity and inclusion in the state’s public contracting process by ensuring consideration for disadvantaged business enterprises. Support.</p>	<p>To Governor</p>

Subject—CalChamber Position	Status
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Product Regulation

<p>State Regulation of Household Products. AB 2247 (Bloom; D-Santa Monica) Sets up an unprecedented level of state regulation for PFAS substances including duplicating oversight already done by the U.S. Environmental Protection Agency. Oppose.</p>	To Governor
<p>PFAS Ban in Cosmetics. AB 2771 (Friedman; D-Glendale) Holds companies liable for the presence of perfluoroalkyl and polyfluoroalkyl substances (PFAS) even if the company did not add the PFAS to their cosmetic product. Oppose Unless Amended.</p>	To Governor

Recycling

<p>Circular Economy and Recycling. SB 54 (Allen; D-Santa Monica) Creates the first Extended Producer Responsibility program in California for single-use packaging in order to create a circular economy that significantly increases recycling, reduces superfluous packaging, and mitigates any environmental impacts associated with improper disposal or recycling of single-use plastic packaging. No Position.</p>	Signed—Chapter 54 6/30/22
<p>Bans Packaging. AB 2026 (Friedman; D-Glendale) Bans critically important ecommerce packaging without adequate substitutes that will lead to more broken products, more greenhouse gas emissions and worse supply chain constraints. Oppose Unless Amended.</p>	Senate Appropriations Suspense File 8/2/22; Failed Deadline
<p>Improve Recycling Process. AB 1897 (Boerner Horvath; D-Encinitas) Provides necessary clarity in terms of materials that are shipped to responsible end markets as part of the recently passed SB 54. Support.</p>	Assembly Floor 8/31/22; Failed Deadline
<p>Battery Recycling. AB 2440 (Irwin; D-Thousand Oaks) Updates and streamlines the process for batteries to be recycled throughout the state. Neutral.</p>	To Governor
<p>Thermoform Containers. AB 2784 (Ting; D-San Francisco) Sets out unreasonable timelines and percentages for thermoform plastic containers to achieve recycled plastic goals while also requiring producers to pay arbitrary and excessive fees. Oppose Unless Amended.</p>	To Governor

Regulatory Reform

<p>Regulatory Reform. AB 1996 (Cooley; D-Rancho Cordova) Requires regulatory agencies to identify outdated, duplicative, or unnecessary regulations and revise those regulations. Support.</p>	Assembly Appropriations Suspense File 4/27/22; Failed Deadline
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Taxation

<p>Wealth Tax. ACA 8 (Lee; D-San Jose) Seeks to impose a massive tax increase upon all forms of personal property or wealth despite California already having the highest income tax in the country. This tax increase will drive high-income earners and job creators out of the State as well as the revenue they contribute to the General Fund. Oppose/Job Killer.</p>	Assembly Revenue and Taxation 4/7/22; Failed Deadline
<p>Targeted Tax on Certain Home Sellers. AB 1771 (Ward; D-San Diego) Seeks to impose a tax — in addition to the capital gains tax — of 25% on the profits from a home resold within three years after it is purchased. The tax rate is reduced on a sliding scale for seven years thereafter. This will worsen housing unaffordability and constrain the already-limited housing supply. Oppose/Job Killer.</p>	Assembly Revenue and Taxation 3/3/22; Failed Deadline

Subject—CalChamber Position	Status
<p>Wealth Tax. AB 2289 (Lee; D-San Jose) Seeks to impose a massive tax increase upon all forms of personal property or wealth despite California already having the highest income tax in the country. This tax increase will drive high-income earners and job creators out of the State as well as the revenue they contribute to the General Fund. Oppose/Job Killer.</p>	<p>Assembly Revenue and Taxation 3/3/22; Failed Deadline</p>
<p>Manufacturing Tax Credit Expansion. AB 1951 (Grayson; D-Concord) Expands investment and production in California by expanding the sales and use tax exemption for the purchase of manufacturing and research and development (R&D) equipment. Support.</p>	<p>To Governor</p>
<p>The Small Business Recovery Act. AB 820 (Cooley; D-Rancho Cordova) Proposes to incentivize California banks to provide loans to small businesses adversely impacted by the COVID-19 pandemic. Support.</p>	<p>Assembly Appropriations 1/10/22; Failed Deadline</p>
<p>Business Rent Relief. AB 1146 (Cervantes; D-Corona). Establishes the California Rent Forgiveness and Tax Relief Program for the purpose of providing grants to qualified counties to implement local rent forgiveness and tax relief programs. Support.</p>	<p>Assembly Appropriations 1/10/22; Failed Deadline</p>
<p>California New Markets Tax Credit Program. AB 1572 (Committee on Jobs, Economic Development and the Economy) Would be administered by the Governor’s Office of Business and Economic Development and offer a new economic development tool for supporting inclusive business growth within the state. Support.</p>	<p>Assembly Appropriations 1/10/22; Failed Deadline</p>
<p>Charging Station Tax Credit. AB 1873 (Boerner Horvath; D-Encinitas) Incentivizes the installation of, and provides greater access to, electric vehicle (EV) charging stations by offering a tax credit for up to 40% of the qualified costs for the installation of Level 2 EV charging stations, direct current fast chargers (DCFC), or both, in covered multifamily dwellings. Support.</p>	<p>Assembly Revenue and Taxation 2/18/22; Failed Deadline</p>
<p>COVID-19 Supplemental Paid Sick Leave Tax Credit. AB 1890 (Choi; R-Irvine) Creates a tax credit equal to the amount an employer pays in COVID-19 supplemental paid sick leave benefits to help offset the cost of COVID-19 paid sick leave mandated by the state. Support.</p>	<p>Assembly Revenue and Taxation 3/10/22; Failed Deadline</p>
<p>COVID Sick Leave Tax Credit. AB 1920 (M. Fong; D-Monterey Park) Offers California’s employers — both private and nonprofit — a tax credit to offset the state-mandated COVID-19 supplemental paid sick leave (SPSL) that was recently signed into law. Support.</p>	<p>Assembly Revenue and Taxation 3/24/22; Failed Deadline</p>
<p>California New Employment Credit. AB 2035 (Villapudua; D-Stockton) Assists bars and restaurants financially recover by permitting a taxpayer that is primarily engaged in food services to claim the New Employment Tax Credit. Support.</p>	<p>Assembly Revenue and Taxation 2/24/22; Failed Deadline</p>
<p>Net Operating Loss Deduction Carryback. AB 2065 (B. Rubio; D-Baldwin Park) Fosters economic growth by authorizing a net operating loss carryback for businesses that completed a substantial sale of fixed assets or other property during taxable years beginning January 1, 2020, but before January 1, 2022. Support.</p>	<p>Assembly Revenue and Taxation 2/24/22; Failed Deadline</p>
<p>Intermodal Equipment Manufacturing Tax Credit. AB 2227 (O’Donnell; D-Long Beach) Helps ease port congestion by establishing a 6% tax credit on the amount paid for machinery and equipment used by companies that manufacture intermodal equipment and components in California, up to \$5 million. Support.</p>	<p>Assembly Revenue and Taxation 2/24/22; Failed Deadline</p>
<p>California Export Tax Credits. AB 2770 (Villapudua; D-Stockton) Provides tax relief and incentives to California exporters by offering tax credits based on breakbulk tonnage and hired export equipment moved. Support.</p>	<p>Assembly Appropriations Suspense File 5/18/22; Failed Deadline</p>

Subject—CalChamber Position	Status
Decarbonizing Fuels Incentive. AB 2797 (Petrie-Norris; D-Laguna Beach) Incentivizes investments in the production of low carbon and carbon negative transportation fuels by offering incentive payments based on the carbon intensity of a transportation fuel, multiplied by the equivalent amount of diesel gallons or gasoline gallons of a qualified liquid or gaseous transportation fuel sold during the year. Support.	Assembly Appropriations Suspense File 5/11/22; Failed Deadline
Dependent Care Tax Credit. AB 2803 (Valladares; R-Santa Clarita) Provides California’s businesses with a tax credit for contributions they make on behalf of their employees for childcare services. Support.	Assembly Revenue and Taxation 3/31/22; Failed Deadline
Community Development Tax Credit Program. AB 2950 (Gray; D-Merced) Facilitates and assists with California’s economic recovery and propagates business development in struggling communities by establishing the Community Development Tax Credit Program. Support.	Assembly Appropriations Suspense File 5/18/22; Failed Deadline
Extension of Film Tax Credits. SB 485 (Portantino; D-La Cañada Flintridge) Extends California’s current tax credit for motion picture and television productions, continuing the success of this tax credit, which has brought more film and television production jobs to this state and has increased business to California companies that supply productions with goods and services. Support.	Assembly Inactive File 8/25/22; Failed Deadline
Special Tax Authority Expansion. SB 852 (Dodd; D-Napa) Allows a climate resiliency district, which is a kind of Enhanced Infrastructure Financing District (EIFD), to levy taxes due to a new and expanded special tax authority which exceeds current EIFD law. Oppose Unless Amended.	To Governor
Space Flight Tax Credit. SB 862 (Umberg; D-Santa Ana) Extends the sunset on tax exemptions for property used in space flight. Also expands on the current property tax exemptions that were outlined in AB 777 (2014) and allows California’s aerospace industry to continue to play a vital role for our economy and workforce. Support.	Senate Appropriations Suspense File 5/16/22; Failed Deadline
Fossil Fuel Investment Surcharge. SB 1301 (Becker; D-Menlo Park) Before amendments, arbitrarily raised taxes on companies that invest in fossil fuel businesses based upon the financing amount. This added another layer of expenses onto the fossil fuel industry that would have significantly increased the costs of doing business, thereby increasing prices paid by consumers for goods and services in California. Opposition and job killer tag removed due to April 28, 2022 amendments creating a tax credit equal to 10% of the manufacturing costs associated with clean energy products, thus incentivizing investment in green energy and allowing private sector to work toward state goal of net zero emissions. CalChamber now supports the bill. Support/ Former Job Killer.	Assembly Revenue and Taxation 6/2/22; Failed Deadline
Work Opportunity Tax Credit. SB 1349 (Caballero; D-Salinas) Establishes a Work Opportunity Tax Credit (WOTC) available to California employers for hiring individuals from targeted groups who have consistently faced significant barriers to employment. Support.	Assembly Appropriations Suspense File 8/10/22; Failed Deadline
Litigation Incentive. SB 1377 (Newman; D-Fullerton) Encourages litigation by creating a tax deduction for payments of attorneys’ fees and court costs under 18 different federal and state consumer protection statutes. Oppose.	Assembly Appropriations Suspense File 8/3/22; Failed Deadline

Telecommunications

Consumer Warranties. SB 983 (Eggman; D-Stockton) Forces manufacturers of devices and equipment to treat any alleged repair attempt the same as the manufacturer or authorized retailer. Allows proprietary equipment and trade secrets to be shared with the public. Oppose.	Senate Appropriations Suspense File 5/2/22; Failed Deadline
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Subject—CalChamber Position	Status
Internet Rate Regulation. AB 2751 (E. Garcia; D-Coachella) Prohibits the State from doing business with companies that do not comply with arbitrary standards for cost that would ultimately slow down the internet speeds offered to Californians. Oppose	Senate Governmental Organization 6/2/22; Failed Deadline
Broadband Deployment Streamlining. AB 2749 (Quirk-Silva; D-Fullerton) Streamlines the state’s California Advanced Services Fund grant application process which will hasten the deployment of broadband to all communities within the state. Support.	To Governor
Streamline Broadband Deployment. SB 717 (Dodd; D-Napa) Requires the state Department of Technology to create a report identifying obstacles to, opportunities for and investment in broadband access points. This will allow for a more rapid deployment of broadband infrastructure throughout the state. Support.	To Governor

Transportation and Infrastructure

Street Harassment Prevention and Education. AB 2549 (Bonta; D-Alameda) Helps provide a comprehensive education strategy with the goal of reducing street harassment — particularly of women. Street harassment leaves California’s residents and businesses feeling unsafe and a recent study disclosed that more than 70% of women have to endure this type of harassment. Support.	Assembly Appropriations Suspense File 5/11/22; Failed Deadline
Reducing Harassment of Women on Public Transit. SB 1161 (Min; D-Irvine) Requires the leading transportation agencies to gather data on the prevalence of harassment of women on their vehicles and in their stations. It also compels them to create data-driven plans to help limit this type of harassment that women endure each and every day in the future. Support.	To Governor
Autonomous Vehicle Expansion. SB 1258 (Allen; D-Santa Monica) Helps incentivize the expansion of autonomous vehicles in California by allowing them to apply for grant funding from the Clean Transportation Program and expand the infrastructure necessary for these vehicles to meet the state’s mandate of being electric by 2030. Support.	Assembly Appropriations Suspense File 8/3/22; Failed Deadline

Unemployment Insurance

Aid for Unemployment Insurance Tax Fund and Business Taxes. AB 2570 (Daly; D-Anaheim) Appropriates \$7.25 billion to the state’s UI Fund to help reduce the fund’s insolvency, reducing future taxes on employers and state debts in coming years. Support.	Assembly Appropriations Suspense File 5/4/22; Failed Deadline
Work Sharing Plans. AB 1854 (Boerner Horvath; D-Encinitas) Extends availability of workshare programs to allow employers the option of taking advantage of program when attempting to reduce workforce while minimizing salary loss for employees. Support.	Signed—Chapter 112
Self-Employed Individuals. SB 1138 (Allen; D-Santa Monica) Originally sought to provide unemployment insurance to self-employed individuals without any funding stream, effectively charging unrelated employers for self-employed individuals’ benefits. Opposition removed after amendments to provide for a study by Employment Development Department of the issues surrounding self-employed individuals. Neutral.	To Governor

Water Supply and Quality

Groundwater. AB 2201 (Bennett; D-Ventura) Adds new regulatory layer to groundwater well permitting processes, even in sustainable basins. Increases costs and liability risks associated with well permitting. Oppose.	Assembly Floor 8/30/22; Failed Deadline
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Subject—CalChamber Position	Status
New Water Quality Permit Requirement. AB 2106 (R. Rivas; D-Hollister) Imposes new permitting requirements on stormwater discharges from commercial and institutional facilities that may expose permittees to citizen lawsuits. Constrains State Water Board discretion in addressing stormwater that may have unintended consequences on regulated entities. Oppose.	To Governor
Water Quality Regulation. AB 2108 (R. Rivas; D-Hollister) Imposes unnecessary requirements on the composition of State and Regional Water Boards. Injects burdensome analyses and mitigation requirements for State and Regional Water Board decisions on water quality planning and permitting decisions. Oppose Unless Amended.	To Governor
Water Rights Permits. SB 1205 (Allen; D-Santa Monica) Requires development of standardized methods for determining water availability for those seeking water rights permits. Support If Amended.	To Governor
Desalination Study. AB 2016 (Bauer-Kahan; D-Orinda) Requires the state to conduct a study into the feasibility of desalination as part of California’s water supply, including its ability to combat drought and develop jobs. Support.	Senate Appropriations Suspense File 8/2/22; Failed Deadline
Reservoir Operations. AB 2078 (Flora; R-Ripon) Ensures continued study and improvements to predicting atmospheric rivers and forecast-informed reservoir operations to better capture water during storm events for storage and flood risk reduction. Support.	Assembly Appropriations Suspense File 4/27/22; Failed Deadline
Water Quality Certifications. AB 2605 (Villapudua; D-Stockton) Streamlines the process for new development to receive a required water quality certification by setting forth deadlines by which water boards must act on applications. Provides certainty by requiring water boards to identify any deficiencies in applications that are denied. Support.	Assembly Environmental Safety and Toxic Materials 3/10/22; Failed Deadline
Bay-Delta Water Plan Update. AB 2639 (Quirk; D-Hayward) Requires update and implementation of Bay-Delta water quality and flow plan by certain date. Prohibits issuance of new water rights or extensions of water rights that include new diversions within the Delta watershed until implementation is complete. Oppose Unless Amended.	Assembly Floor 5/19/22; Failed Deadline

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 .	Assembly Insurance 5/5/22; Failed Deadline
Review of Claims. SB 1127 (Atkins; D-San Diego) Fundamentally alters longstanding 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. Significantly increases mandatory penalties that will be leveraged to increase litigation costs. Oppose.	To Governor
Presumption of Discrimination. SB 1458 (Limón; D-Goleta) Automatically increases benefits for all members of one gender based on a presumption that they are being discriminated against by the same amount based on misleading, or unrelated data, and likely violates both the federal and state constitutions. Oppose.	Senate Appropriations Suspense File 5/9/22; Failed Deadline
Independent Bill Review. AB 399 (Salas; D-Bakersfield) Recent amendments make problematic changes to the Independent Bill Review (IBR) system in workers’ compensation that will increase frictional costs and encourage abuse of IBR. Oppose.	Senate Labor, Public Employment and Retirement 5/4/22; Failed Deadline

Subject—CalChamber Position	Status
<p>Contractors. AB 2614 (Rodriguez; D-Pomona) Imposes significant cost on the workers’ compensation system by requiring employers to obtain duplicative policies that cover non-employees, regardless of whether those workers are already covered by a workers’ compensation policy. Neutral.</p>	<p>Senate Appropriations Suspense File 6/27/22 ; Failed Deadline</p>
<p>Workplace Safety</p>	
<p>Workplace Marijuana Testing. AB 2188 (Quirk; D-Hayward) Requires saliva (or other non-metabolite) testing be used when conducting marijuana testing in pre-employment or workplace settings, along with prohibiting discrimination based on marijuana usage. Job killer status removed due to June 30, 2022 amendments which, among other provisions, protected pre-employment testing and handled federal/state conformity issues surrounding marijuana’s legality. Oppose/Former Job Killer.</p>	<p>To Governor</p>
<p>Cal/OSHA Regulatory Suggestions. AB 2243 (E. Garcia; D-Coachella) Suggests Cal/OSHA consider various updates to the Wildfire Smoke Regulation and Heat Illness Prevention in Outdoor Places of Employment regulations, but does not compel action. Previously included duplicative and ambiguous provisions, as well as compelling Cal/OSHA to approve the listed changes. Due to significant amendments limiting its scope and making such changes optional, opposition removed. Neutral.</p>	<p>To Governor</p>
<p>COVID-19 Workplace Notice. AB 2693 (Reyes; D-San Bernardino) Formerly required individual written notice for all employees after a case entered the workplace and maintained emergency-level notice requirements until 2025, despite COVID-19 becoming an endemic disease and considerable medical improvements related to vaccination and treatment. Amended for a shorter duration and more feasible notice provisions, resulting in significantly shorter and more feasible requirements for California businesses. Due to these amendments, opposition removed. Neutral.</p>	<p>To Governor</p>
<p>Access to Non-Public Restrooms for Certain Health Conditions. AB 1632 (Weber; D-San Diego) Originally allowed individuals with certain health conditions to have access to non-public restrooms in virtually all businesses based on vague standards, and potentially created new construction obligations, and potentially prevented discipline of employees who denied legally required access. Opposition removed after August 1, 2022 amendments to address concerns. Neutral.</p>	<p>To Governor</p>

Capitol Insider

presented by **CalChamber**

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Final Paycheck: Employee Pickup or Mail? Answers to FAQs

From Page 2

remotely from their home in another county?

The law on final paychecks simply says the check must be available at the office of the employer within the county in which the work was performed, and does not address remote workers.

If an employee is working from home in a different county than the one where the employer is located, it's unclear where the final check would need to be.

However, an employer could ask the employee if they would simply like the check mailed to avoid any issues.

• *What if the employee has given more than 72 hours' notice, or if we have terminated them or laid them off?*

Note that the above mailing rules do not apply when an employee quits with more than 72 hours' notice, in which case the wages are due on the last day of work. These rules also do not apply when an employee is terminated or laid off, in

which case the wages are due at the time and place of termination or layoff.

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

From Page 2

Institute of European Studies, University of California, Berkeley. September 19, UC Berkeley Campus and Online. (510) 643-4558.

Discover Global Markets: The Blue Economy: A New Age in Ocean Technology, Sustainability and Logistics. U.S. Commercial Service. September 20–22, Providence, Rhode Island.

Cal-Mex Aerospace Expo. California Inland Empire District Export Council. September 22, San Bernardino International Airport.

Arabian Adventures with the Los Altos Chamber of Commerce. October 4–11, Dubai and Abu Dhabi. (866) 978-2997.

Automated Commercial Environment (ACE) Exports Compliance Webinar. U.S. Census Bureau, Bureau of Industry and Security, South Florida District Export Council. October 5, Online.

Singapore Week of Innovation and Tech-

nology (SWITCH). October 25–28, Singapore.

Women in Tech Trade Mission to Europe. U.S. Department of Commerce. October 30–November 5.

43rd World Congress of Vine and Wine. National Assembly, International Organization of Vine and Wine. October 31–November 4, Baja California. +52 (55) 9000-0199.

Information and Communication Technology (ICT) and Clean Technology Trade Mission to Serbia and Montenegro.

U.S. Department of Commerce. October 31–November 4. (817) 684-5348.

Aerospace and Defense Trade Mission to the Middle East. U.S. Department of Commerce. November 6–11, Tel Aviv, Israel; Riyadh, Saudi Arabia; Manama, Bahrain. (623) 377-9641.

Exporting 101: Pathways to Developing International Markets. California Centers for International Trade Development. November 9, February 22,

2023, Online. (559) 243-7280.

U.S. Pavilion at Formnext 2022. U.S. Department of Commerce. November 15–18, Frankfurt, Germany. 49-211-737767-30.

Beijing International Life and Health Industry Expo. Ministry of Commerce, World Federation of Chinese Medicine Societies, Chinese Research Hospital Association, China Chamber of International Commerce. November 25, Online. +86 15801079798.

Spain and Portugal Trade Mission. U.S. Department of Agriculture. November 29–December 2, Madrid, Spain. Deadline to Apply: September 15.

VI International InvestChile Forum 2022. InvestChile. December 5–7, Santiago, Chile. (56-2) 2663 9200.

U.S. EXIM Bank 2022 Annual Conference. Export-Import Bank of the United States. December 13, Washington, D.C. (800) 565-3946.

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CalChamber-Led Coalition Helps Stop 1 Job Killer Bill

From Page 1

laws and regulations that are cost-effective, technology-neutral and promote the use of market-based strategies to reduce greenhouse gas emissions,” Barrera emphasized again in her statement released the morning after legislators approved SB 1137.

“It is extremely disheartening that in the final days of the legislative session, lawmakers introduced two job killing climate change proposals with very little opportunity for public debate or scrutiny.”

She pointed out that lawmakers passed SB 1137 “over the objections of a large and diverse coalition of Californians. This policy will not only kill an estimated 8,000 jobs in the state; it will drive oil production out of California and force the state to rely on even more foreign oil imports that are produced in locations with less environmental and human rights protections than California. We are tremendously concerned about the fact

that SB 1137 threatens the state with up to \$4 billion in lost revenue and poses a significant risk of legal liability under the takings clause of the U.S. Constitution.”

SB 1137 threatens to eliminate thousands of high-paying California jobs and force California to import even more foreign oil by politicizing and undermining the California Geologic Energy Management (CalGEM) Division’s ongoing regulatory process regarding new requirements near oil and gas extraction sites by predisposing what setback requirements should be before the agency even begins its analysis.

A third job killer, **AB 2183 (Stone; D-Scotts Valley)**, a forced unionization process for agricultural employees, was sent to the Governor on August 29.

AB 2183 limits an employee’s ability to independently and privately vote for unionization in the workplace, and forces employers into union submission,

by eliminating a secret ballot election and replacing it with card check or requiring employers to waive certain rights to proceed through an untested ballot procedure under which the ballot can be filled out by labor organizations. It also unfairly limits an employer’s ability to challenge the cards submitted 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. The bill 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.

Governor Gavin Newsom has until September 30 to sign or veto bills sent to him in the closing days of the legislative session.

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