

ALERT

Governor Completes Action on Major Bills for Business



Governor Gavin Newsom laid down his lawmaking pen the night of October 13 after signing 890 new laws into effect, and vetoing another 156, including three California Chamber of Commerce job killer bills.

The CalChamber tracked more than 700 bills this year, formally opposing more than 100. Most of the legislation the CalChamber opposed was either stopped or amended to address concerns.

Of 19 job killer bills identified this year, the Legislature sent seven to the Governor, who signed four of those bills into law. At the urging of the CalChamber, the Governor rejected three job killer bills.

In one of labor's major defeats of the year, the CalChamber led a large coalition to secure a veto of **SB 799 (Portantino; D-Burbank)**, which would have provided unemployment compensation to striking workers. (See [October 6 Alert](#).)

The Governor also vetoed several other onerous labor-supported bills, including **SB 627 (Smallwood-Cuevas; D-Los Angeles)**, setting a stringent recall process for certain employers to return former employees to the workforce; **AB 1356 (Haney; D-San Francisco)**, a WARN Act expansion; and **SB 725 (Smallwood-Cuevas; D-Los Angeles)**, requiring grocery stores to pay mandatory severance.

He also vetoed a plaintiff attorney-sponsored bill, **AB 524 (Wicks; D-Oakland)**, which would have subjected employers, especially small employers, to litigation.

Job Killer Bills

The Governor signed the following job killer bills:

- **AB 647 (Holden; D-Pasadena) Grocery Workers.** Significantly expands statute related to successor grocery employers, including disrupting the ability for independent small stores to join together and creating a significant new private right of action.

- **SB 365 (Wiener; D-San Francisco) Undermines Arbitration.** Discriminates against use of arbitration agreements by allowing trial courts to continue trial proceedings during any appeal regarding the denial of a motion to compel.

- **SB 616 (Gonzalez; D-Long Beach) Costly Sick Leave Expansion on All Employers.** Imposes new costs and leave requirements on employers of all sizes, which is in addition to all other enacted leave mandates that small employers throughout the state are already struggling with to implement and comply.

- **SBX1 2 (Skinner; D-Berkeley) Windfall Profits Tax.** Sets an arbitrary cap on the amount of profit that a refiner operating in the state of California can earn over a quarterly basis. This measure would further diminish supply, discourages operational efficiencies, and would limit the amount of capital a refiner could reinvest into their infrastructure to support California's long-term climate goals.

The Governor vetoed the following job killer bills:

- **AB 524 (Wicks; D-Oakland) Expansion of Litigation Under FEHA.** Exposes employers to costly litigation under the Fair Employment and Housing Act by asserting that any adverse employment action was in relation to the employee's family caregiver status, which is broadly defined to include any employee who provides direct care of any person of their choosing, and creates a *de*

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Governor Signs CalChamber-Supported Mental Health Care Package



SUPPORT

mental health needs and substance use disorders.

California Chamber of Commerce President and CEO Jennifer Barrera, who attended the October 12 signing, applauded the Governor and the Legislature for taking the bold steps to address the social crises manifesting on the state's streets.

"California employers, especially retailers, public-facing leisure and hospitality businesses, and health care, are at the front lines, and many struggle daily to stay open and provide a safe and welcoming business environment for their workers and customers," she said. "This ambitious response provides the necessary resources to enable a more effective response by service providers and get help to those most in need."

The Governor signed two bills, which the CalChamber supported: **SB 326 (Eggman; D-Stockton)** and **AB 531 (Irwin; D-Thousand Oaks)**. These

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*Labor Law Corner***Floating Holiday Policy Determines Payout When Employment Ends**

Lisa Guzman
Employment Law
Expert

Our company offers floating holidays to employees. Do these floating holidays have to be paid out at termination?

The short answer is — it depends. As discussed below, employers must be careful that their floating holiday policies clearly state when floating holidays may be taken and for what reason. Otherwise, you may end up having to pay out floating holidays as vested time at termination.

What Is a Floating Holiday?

Many California businesses provide a certain number of traditional paid holidays to employees such as Christmas and New Year's Day, etc. Although not required by law, some employers also choose to offer paid "floating holidays" (or personal days) to employees.

These additional days may allow employees flexibility to observe a holiday such as Rosh Hashanah, Diwali or Juneteenth, or to celebrate a significant day such as a birthday or work anniversary.

Some employers do not require employees to use these holidays for a specific day or event; instead, the holidays "float," and the employee can use the floating holidays whenever they wish.

Payout Upon Termination?

As most employers are aware, California law prohibits "use-it-or-lose-it" vacation policies and requires that an employer pay all accrued and unused vacation to an employee whenever the employment relationship ends. (California Labor Code Section 227.3)

Under California law, traditional holiday pay is not a vested benefit and does not have to be paid out at termination.

Depending on an employer's approach,

however, unused floating holidays may need to be paid out at termination. If a floating holiday is treated generally like vacation (that is, it can be taken at any time and is not connected to a specific event), the floating holiday will be treated as vested time (like vacation) and must be paid out at termination.

The Division of Labor Standards Enforcement (DLSE) has stated that leave time which is provided without condition is presumed to be vacation, no matter what name the employer gives to the leave. (*DLSE Enforcement Policies and Interpretations Manual*, Section 15.1.12)

Bottom line: if you offer floating holidays that are available to an employee to use at any time for any reason, you must treat the floating holidays as vested vacation time and pay out any unused days at the end of the employment relationship.

On the other hand, a floating holiday that is treated like a traditional holiday and is tied to a specific event (such as an employee's birthday or work anniversary, or the selection of one of several holidays) is not treated as vacation and does not have to be paid out at termination. (*DLSE Enforcement Policies and Interpretations Manual*, Section 15.1.12)

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CalChamber-Sponsored Seminars/Trade Shows

More information at www.calchamber.com/events.

Labor and Employment

SB 553 — California's New Workplace Violence Standards. CalChamber.

November 2, Online. (800) 331-8877.

International Trade

2023 Taiwan Trade Shows. Taiwan Trade Center, San Francisco. March 6–November 8, Taiwan and Online. (408) 988-5018.

Canada Hot Sauce Mission and Trade Show. Western U.S. Agricultural Trade Association. October 22–26, Toronto, Canada. export@wusata.org.

Smart City Expo World Congress (SCEWC). Smart City Expo World Congress. November 7–9, Barcelona, Spain. (704) 248-6875.

Cambodia Business Expo. Cambodian Chamber in California. November 9,

Long Beach. normarikawa@gmail.com. MEDICA CEO Program. Governor's Office of Business and Economic Development (GO-Biz). November 13–16, Düsseldorf. patricia.utterback@gobiz.ca.gov.

APEC CEO Summit 2023. National Center for APEC (Asia-Pacific Economic Cooperation). November 15–16, San Francisco. (206) 441-9022. 2023 Cosmoprof Asia. GO-Biz.

November 15–17, Hong Kong. (916) 447-7946.

Arab Health. GO-Biz. January 29–February 1, 2024. patricia.utterback@gobiz.ca.gov.

California Pavilion at the Singapore Airshow. GO-Biz. February 20–25, 2024, Singapore. (916) 447-7946.

Journey to Panama. San Diego Diplo-

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California to Receive More than \$1 Billion to Produce Hydrogen



California will receive up to \$1.2 billion from the U.S. Department of Energy

to accelerate the development and deployment of clean renewable hydrogen, critical to cutting pollution and expanding the clean energy economy statewide.

California is one of seven regions selected by the federal government to be a “hydrogen hub.” The California Hydrogen Hub spans from Southern California to Northern California and encompasses three ports: Los Angeles, Long Beach and Oakland.

One goal is to power sites like the state’s busy ports with carbon free power. Officials estimate that will cut two million metric tons of carbon emissions—equivalent to the pollution of 445,000 gasoline-powered cars annually. Hydrogen also will be key in heavy-duty trucking and trucks transporting goods from ports.

The Alliance for Renewable Clean Hydrogen Energy Systems (ARCHES), a statewide public-private partnership to build the framework for California’s renewable clean hydrogen hub, anticipates to partner with more than 400 organizations representing civic, business, labor, transportation, and communities across the state. It estimates these projects will create more than 200,000 new jobs and will ultimately result in \$2.95 billion per year (starting in 2030) in economic value, including increased health and health-care cost savings due to significant reductions in air pollution.

Hydrogen Hub Program

President Joe Biden’s Bipartisan Infrastructure Law includes \$65 billion in clean energy investments at the Department of Energy, including \$8 billion for a Regional Clean Hydrogen Hubs Program to support the development of hubs for clean hydrogen production, delivery, and end-use.

Hydrogen can be produced from diverse domestic resources like solar energy, wind, nuclear energy, biomass, and natural gas with safe and responsible carbon capture, with the potential for

near-zero greenhouse gas emissions from production.

The program allocates \$7 billion toward developing the regional clean hydrogen hubs that will catalyze multi-state hydrogen ecosystems that ultimately will expand and connect to form a national hydrogen economy. Up to \$1 billion of the remaining funding will be used for demand-side support for the hubs to drive innovative end-uses of clean hydrogen.

The hubs selected for the federal program are:

- **California Hydrogen Hub** (California): The California Hydrogen Hub will leverage the Golden State’s leadership in clean energy technology to produce hydrogen exclusively from renewable energy and biomass. It will provide a blueprint for decarbonizing public transportation, heavy-duty trucking, and port operations—key emissions drivers in the state and sources of air pollution that are among the hardest to decarbonize. This hydrogen hub has committed to requiring Project Labor Agreements for all projects connected to the hub, which will expand opportunities for disadvantaged communities and create an expected 220,000 direct jobs—130,000 in construction jobs and 90,000 permanent jobs.

- **Mid-Atlantic Hydrogen Hub** (Pennsylvania, Delaware, New Jersey): The Mid-Atlantic Hydrogen Hub will help unlock hydrogen-driven decarbonization in the Mid-Atlantic while repurposing historic oil infrastructure and using existing rights-of-way. It plans to develop renewable hydrogen production facilities from renewable and nuclear electricity using both established and innovative electrolyzer technologies, where it can help reduce costs and drive further technology adoption.

- **Appalachian Hydrogen Hub** (West Virginia, Ohio, Pennsylvania): The Appalachian Hydrogen Hub will leverage the region’s ample access to low-cost natural gas to produce low-cost clean hydrogen and permanently and safely store the associated carbon emissions. The strategic location of this hydrogen hub and the development of hydrogen pipelines, multiple hydrogen fueling stations, and permanent CO2 storage also have the

potential to drive down the cost of hydrogen distribution and storage.

- **Gulf Coast Hydrogen Hub** (Texas): The Gulf Coast Hydrogen Hub will be centered in the Houston region, the traditional energy capital of the United States. It will help kickstart the clean hydrogen economy with its plans for large-scale hydrogen production through both natural gas with carbon capture and renewables-powered electrolysis, leveraging the Gulf Coast region’s abundant renewable energy and natural gas supply to drive down the cost of hydrogen—a crucial step to achieving market liftoff.

- **Heartland Hydrogen Hub** (Minnesota, North Dakota, South Dakota): The Heartland Hydrogen Hub will leverage the region’s abundant energy resources to help decarbonize the agricultural sector’s production of fertilizer, decrease the regional cost of clean hydrogen, and advance the use of clean hydrogen in electric generation and for cold climate space heating. It also plans to offer unique opportunities of equity ownership to tribal communities through an equity partnership and to local farmers and farmer co-ops through a private sector partnership that will allow local farmers to receive more competitive pricing for clean fertilizer.

- **Midwest Hydrogen Hub** (Illinois, Indiana, Michigan): Located in a key U.S. industrial and transportation corridor, the Midwest Hydrogen Hub will enable decarbonization through strategic hydrogen uses including steel and glass production, power generation, refining, heavy-duty transportation, and sustainable aviation fuel. This hydrogen hub plans to produce hydrogen by leveraging diverse and abundant energy sources, including renewable energy, natural gas, and low-cost nuclear energy.

- **Pacific Northwest Hydrogen Hub** (Washington, Oregon, Montana): The Pacific Northwest Hydrogen Hub plans to leverage the region’s abundant renewable resources to produce clean hydrogen exclusively from renewable sources. Its anticipated widescale use of electrolyzers will play a key role in driving down electrolyzer costs, making the technology more accessible to other producers, and reducing the cost of hydrogen production.

Governor Signs CalChamber-Supported Mental Health Care Package

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proposals will need to be approved by voters and will appear on the March 2024 ballot.

Mental Health Services Reform

SB 326 modernizes and reforms the Mental Health Services Act (MHSA), which was passed as Proposition 63 by voters in 2004.

This legislation expands services to include treatment for those with substance use disorders, in addition to prioritizing care for those with the most serious mental illness; provides more guaranteed resources for housing and developing a workforce; and continues community support for prevention, early intervention, and innovative pilot programs—all with new and increased accountability for the money going into the programs.

Infrastructure Bond

AB 531 is a \$6.38 billion general obligation bond to build 10,000 new treatment beds and housing units with support.

It will create new, dedicated housing for people experiencing homelessness

who have behavioral health needs and substance use disorders, with a dedicated investment to serve veterans, providing Californians experiencing behavioral health conditions a place to stay while safely stabilizing, healing and receiving ongoing support.

Among Californians experiencing homelessness, nearly 40,000 have a serious mental illness and more than 36,000 have a chronic substance use disorder.

California employers are at the front lines of these social crises, and many struggle daily to stay open and provide a safe and welcoming business environment for their workers and customers.

The Behavioral Health Services Act (BHSA) initiative in SB 326 and the bond funding in AB 531 are an ambitious response to the growing dysfunction manifesting on California's streets and will provide the resources and accountability metrics necessary for a more effective response by service providers by creating and maintaining the housing and support services that are foundational for

treatment to be successful.

It also broadens the population eligible for these services to include individuals with substance use disorders, which may be the predominate cause of homelessness and source of decay in California's cities.

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CalChamber President and CEO Jennifer Barrera (right) joins Governor Gavin Newsom and other statewide leaders in Los Angeles on October 12 at the signing ceremony for the CalChamber-supported mental health care package.

Employers at Front Lines of Social Crises

For residents of California, the three interrelated social crises of homelessness, untreated serious mental illness, and drug abuse have strained the social cohesion, undermined quality of life, and visited suffering on thousands of Californians.

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facto accommodation requirement that will burden small businesses.

- **SB 627 (Smallwood-Cuevas; D-Los Angeles) Onerous Return to Work Mandate.** Imposes an onerous and stringent process to hire employees based on seniority alone for nearly every industry, including hospitals, retail, restaurants and movie theaters, which will delay hiring and eliminates contracts for at-will employment.

- **SB 799 (Portantino; D-Burbank)**

Increased Unemployment Insurance Taxes to Subsidize Striking Workers. SB 799 will allow striking workers to claim UI benefits when they choose to strike. Because the UI Fund is paid for entirely by employers, SB 799 will effectively add more debt onto California employers. Moreover, SB 799 will effectively force employers to subsidize strikes at completely unrelated businesses because the UI Fund's debt adds taxes for all employers, regardless of whether they've had a strike.

Many CalChamber-supported bills were signed.

Also worth noting are the water-related CalChamber-opposed bills that were stopped this year, but may be brought up again in 2024. The bills dealt with groundwater, water rights and the Delta Conveyance Project.

For a full list of the CalChamber priority bills that were stopped, amended to address business concerns, or signed into law, see the [Final Status Report](#) in this *Alert*.

CalChamber Final Status Report on Major Legislation for Business

The following list summarizes the final status of priority bills for the California Chamber of Commerce.

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

October 14 was the last day for the Governor to sign or veto bills passed by

the Legislature on or before September 14 and in his possession after September 14.

Bills signed by the Governor will become law on January 1, 2024. 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.

The CalChamber will publish a record of legislators' votes on key bills affecting the California business climate on November 3. Generally, the bills selected for the vote record have appeared in a status report.

Subject—CalChamber Position	Status
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Agriculture, Food and Natural Resources

Investment Ban. SB 224 (Hurtado; D-Sanger) Prohibits foreign governments from owning or leasing agricultural land, limiting ability for farmers to get mortgages and invest in their operations. Oppose Unless Amended.	Senate Appropriations Suspense File 5/1/23
Smoke Exposure Study. AB 54 (Aguilar-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 4/19/23; Failed Deadline
Product Regulation. AB 363 (Bauer-Kahan; D-Orinda) Presupposes outcomes of Department of Pesticide Regulation review of neonicotinoid insecticides and dictates regulation of those products. Oppose.	Signed—Chapter 520
Product Regulation. AB 652 (Lee; D-San Jose) Increases regulatory red tape through creating a duplicative advisory committee. Oppose.	Signed—Chapter 662

Air Quality

Emission Reduction Credit System. AB 985 (Arambula; D-Fresno) Arbitrarily dismantles a program established by a local air district to allow for the voluntary reduction of emissions beyond current requirements. Oppose.	Failed Assembly Concurrence in Senate Amendments 9/13/23
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Banking and Finance

Fraudulent Financial Transactions. SB 278 (Dodd; D-Napa) Makes it easier for consumer attorneys to sue banks and financial institutions for fraud on elder customers when banks do not have actual knowledge of fraud. Oppose.	Senate Banking and Financial Institutions 6/1/23; Failed Deadline
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Budget

State Budget Bill, v.2. AB 102 (Ting; D-San Francisco) Updated the state budget and appropriated money to re-start the Industrial Welfare Commission (IWC), but limited its authority to change regulations that would unduly burden employers. IWC language later repealed. Oppose.	Signed—Chapter 38 7/10/23
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Subject—CalChamber Position	Status
State Budget Bill, v.2. SB 102 (Skinner; D-Berkeley) Updates the state budget and appropriates money to re-start the Industrial Welfare Commission, but limits its authority to change regulations that will unduly burden employers. Oppose.	Assembly Budget 6/29/23
Corporate Tax Hike. SB 220 (Committee on Budget and Fiscal Review) Increases the corporate tax rate to 10.99% for many California employers which will drive them out of the state and decrease the revenue they contribute to the General Fund. Oppose/ Job Killer 2023.	Senate Budget and Fiscal Review 5/25/23

California Environmental Quality Act (CEQA)

Streamlines Critical Infrastructure from CEQA. AB 914 (Friedman; D-Glendale) Supports timely permitting of critically needed clean energy infrastructure by exempting from the requirements of the California Environmental Quality Act (CEQA) any expansion, upgrade or modification to an electrical infrastructure project or the construction of new, expanded or upgraded electrical substations or line facilities in California. In doing so, the bill will protect these clean energy projects from delays and frivolous litigation. Support.	Senate Appropriations Suspense File 8/21/23; Failed Deadline
Streamlines Housing. AB 356 (Mathis; R-Porterville) Extends the sunset contained in AB 2341 (Mathis) that provides aesthetic impacts are not a CEQA impact for any project involving the refurbishment, conversion, repurposing or replacement of an existing building into housing. Support.	Signed—Chapter 116
Expedites Housing. AB 1633 (Ting; D-San Francisco) Closes a known CEQA loophole used by some local jurisdictions to block housing projects and helps ensure that legally compliant homes are permitted and built by expanding the definition of “disapproving a project” under the Housing Accountability Act (HAA) to include stalling once the environmental review documents have been completed. Support.	Signed—Chapter 768

Climate Change

Corporate Climate Accountability Act. SB 253 (Wiener; D-San Francisco) Imposes a mandatory climate tracking, and auditing on climate emissions that will fall heavily on all California businesses, impacting competitiveness and increasing costs. Oppose.	Signed—Chapter 382
Greenhouse Gases. AB 9 (Muratsuchi; D-Torrance) Imposes additional evaluation criteria on California’s cap-and-trade program that will lead to market instability and increased costs for consumers. Job Killer status removed due to April 17, 2023 amendments, but CalChamber remains opposed. Oppose/ Former Job Killer 2023.	Assembly Inactive File 6/1/23
Arbitrary Greenhouse Gas Target. SB 12 (Stern; D-Canoga Park) Arbitrarily changes the State’s greenhouse gas 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 2023.	Senate Appropriations Suspense File 5/15/23; Failed Deadline
Climate-Related Financial Risk. SB 261 (Stern; D-Canoga Park) Requires any business with revenues over \$500 million annually to prepare a climate financial risk assessment on its holdings including any supply chain assets. Oppose.	Signed—Chapter 383
Voluntary Carbon Emissions Offsets. AB 1305 (Gabriel; D-Woodland Hills) Imposes duplicative reporting requirements on buyers and sellers of carbon offsets participating in the voluntary carbon offset market. Oppose.	Signed—Chapter 365
Carbon Dioxide Removal. SB 308 (Becker; D-Menlo Park) Duplicates existing programs to create an added layer of compliance obligations.	Assembly Natural Resources 6/8/23; Failed Deadline

Subject—CalChamber Position	Status
Low Carbon Fuel Standard. SB 709 (Allen; D-Santa Monica) Establishes arbitrary standards for the Low Carbon Fuel Standard which would strand hundreds of millions of dollars in investments toward a key methane emissions reduction program. Oppose.	Senate Appropriations Suspense File 5/1/23; Failed Deadline
Low-Methane Natural Gas. SB 781 (Stern; D-Canoga Park) Originally included procurement requirements of certified low-methane natural gas on state entities. Opposition removed after clarification that those requirements would not lead to added costs for ratepayers. Neutral.	Assembly Appropriations Suspense File 8/16/23; Failed Deadline

Crime

Organized Cargo Theft. AB 523 (Vince Fong; R-Bakersfield) Expands definition of organized retail theft to include thefts that occur from cargo containers. Support.	Assembly Public Safety 2/17/23; Failed Deadline
Combatting Retail Theft. AB 1708 (Muratsuchi; D-Torrance) Increases criminal penalties for repeat retail theft offenders. Support.	Assembly Public Safety 4/17/23; Failed Deadline

Education

Community College Districts Student Housing. AB 358 (Addis; D-Morro Bay) Eases construction of student housing by easing compliance with Field Act. Support.	Signed—Chapter 83
Truck Driver Shortage Through Student Financial Aid. AB 376 (Villapudua; D-Stockton) Adjusts Cal Grant C award to increase training for truck drivers and helps address existing supply chain issues. Support.	Vetoed
Report on Cybersecurity Regional Alliances Pilot Program. AB 569 (Garcia; D-Coachella) Requires reporting to legislature on existing Cybersecurity Regional Alliances and Multistakeholder Partnerships Pilot Program. Support.	Signed—Chapter 117
Workplace Law Education and Work Permits. AB 800 (Ortega; D-San Leandro) Adjusts educational curriculum to add emphasis to labor movement history and its positive contributions, as well as suggesting a labor-sponsored think tank prepare a form for distribution to all students seeking work permits. Oppose.	Signed—Chapter 271
Vocational Training Information for Inmates. AB 857 (Ortega; D-San Leandro) Requires the Department of Corrections and Rehabilitation, upon the release of an individual from prison, to provide a form to sign up for the vocational rehabilitation and independent living services provided by the Department of Rehabilitation. Support.	Signed—Chapter 167
Personal Finance Education. AB 984 (McCarty; D-Sacramento) Requires high school students complete a one-semester course in economics, including personal finance, as part of their history-social science curriculum. Support.	Assembly Inactive File 5/31/23; Failed Deadline
Computer Science Education for All Students. AB 1054 (Berman; D-Palo Alto) Requires each school district or charter school offering high school coursework to adopt a plan to provide at least one course in computer science education by the 2025–2026 school year. Support.	Senate Appropriations Suspense File 8/14/23; Failed Deadline
Computer Science Teaching Workgroup. AB 1251 (Luz Rivas; D-San Fernando Valley) Convenes a workgroup to examine which teaching credentials should additionally authorize computer science teaching, with the eventual goal of increasing computer science classes by increasing teacher availability. Support.	Signed—Chapter 834

Subject—CalChamber Position	Status
Improvements to the Community College System’s Economic and Workforce Development Program. AB 1370 (Ta; R-Westminster) Extends the existing Economic and Workforce Development Program indefinitely, as well as modernizing various portions. Support.	Senate Appropriations Suspense File 7/3/23; Failed Deadline
Student Achievement Data. SB 293 (Grove; R-Bakersfield) Requires information from the annual California Assessment of Student Performance and Progress (CASPP) be posted online annually by a specified date. Support.	Signed—Chapter 177
Middle Class Scholarship Program at Community Colleges. SB 307 (Ashby; D-Sacramento) Expands existing scholarship programs to also cover current or former foster youth pursuing transfer to a 4-year college or technical education certificate. Support.	Assembly Higher Education 6/1/23; Failed Deadline
Financial Literacy for California Students. SB 342 (Seyarto; R-Murrieta) Requires the commission on history-social science to add age-appropriate financial education for students in grades 1–12 as part of the next curriculum revision. Support.	Senate Education 2/15/23; Failed Deadline

Elections and Fair Political Practices

Dismantles Referendum Process. AB 421 (Bryan; D-Los Angeles) Dramatically changes state’s direct democracy process to essentially eliminate the ability for anyone to qualify a referendum. Oppose.	Signed—Chapter 162
Bans Political Contributions. AB 83 (Lee; D-San Jose) This unconstitutional proposal bans corporations with 50% or more of foreign investment from contributing to campaigns or independent expenditures. Oppose.	Assembly Inactive File 6/1/23
Burdens on Political Speech. AB 868 (Wilson; D-Suisun City) Requires State’s Fair Political Practices Commission (FPPC) to set up massive new database and bureaucracy to manage and compile most digital advertisements, which can already be tracked via Secretary of State. Oppose.	Held in Senate Appropriations Suspense File 9/1/23
Signature Verification. AB 1004 (Ta; R-Westminster) Streamlines the ability for Californians to ensure that their voice is heard in the initiative and referendum process. Support.	Assembly Appropriations Suspense File 5/10/23; Failed Deadline
Clarifying Local Bond Measures. SB 798 (Glazer; D-Contra Costa) Makes local bond measures easier to understand for voters by simplifying the ballot description of the amount of new taxes a property owner would pay. Support.	Signed—Chapter 720
Ballot Measure Transparency. SB 858 (Niello; R-Sacramento) Removes the politics from the ballot measure process by ensuring the Legislative Analyst’s Office completes title and summary rather than Attorney General. Support.	Held in Senate Appropriations 9/1/23
Ballot Measure Transparency. SCA 3 (Niello; R-Sacramento) Removes the politics from the ballot measure process by ensuring the Legislative Analyst’s Office completes title and summary rather than Attorney General. Support.	Held in Senate Appropriations Suspense File 9/1/23

Energy

Windfall Profits Tax. SBX1 2 (Skinner; D-Berkeley) Sets an arbitrary cap on the amount of profits that a refiner operating in the state of California can earn over a quarterly basis. This measure would further diminish supply, discourages operational efficiencies, and would limit the amount of capital a refiner could reinvest into their infrastructure to support California’s long-term climate goals. Oppose/ Job Killer 2023.	Signed—Chapter 1, First Extraordinary Session 3/28/23
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Subject—CalChamber Position	Status
Multistate Regional Transmission Organization. AB 538 (Holden; D-Pasadena) Defines a process by which the California Independent System Operator can join a multistate regional transmission organization that will further enhance reliability and generate savings for electricity customers. Support.	Assembly Appropriations 4/27/23; Failed Deadline
Public Purpose Program Costs. AB 982 (Villapudua; D-Stockton) Lessens impact to all ratepayers by offsetting costs associated with the Public Purpose Program with General Fund dollars. Support.	Assembly Appropriations Suspense File 4/26/23; Failed Deadline
Electricity Bill Stability. AB 1513 (Calderon; D-Whittier) Creates a financing mechanism to better manage costs associated with infrastructure improvements for the purpose of resiliency, reliability, and safety. Support.	Assembly Appropriations Suspense File 5/17/23; Failed Deadline
Electrical Transmission Facility Projects. SB 420 (Becker; Menlo Park) Reduces approvals required for upgrades to existing projects and new projects at the sub-transmission and distribution level located in designated areas. Support.	Vetoed
Electrical Transmission Projects. SB 619 (Padilla; D-Chula Vista) Expands the facilities eligible to be certified as environmental leadership development projects by the Energy Commission to include electrical transmission projects at the sub transmission and transmission level. Support.	Vetoed
Energy. AB 1373 (Garcia; D-Coachella) Streamlines processes to ensure more rapid buildout of certain energy technologies and infrastructure. Support.	Signed—Chapter 367
Transportation Network Companies: Participating Drivers: Vehicle Inspections. SB 429 (Bradford; D-Gardena) Streamlines vehicle inspections process for rideshare drivers by allowing for remote or virtual inspections. Support.	Vetoed

Environmental Regulation

Oil and Gas Wells: Civil Liability. SB 556 (Gonzalez; D-Long Beach) Sets disturbing precedent by creating liability without proof for oil well owners/operators if individuals who lived within 3,200 feet of a wellhead develop certain health conditions. Oppose.	Senate Appropriations Suspense File 5/15/23; Failed Deadline
EPR Program Textiles and Apparel. SB 707 (Newman; D-Fullerton) Establishes the first extended producer responsibility (EPR) program in California for almost all textiles and many household apparel items under an untested concept that could overwhelm CalRecycle and the businesses tasked with implementing such a program. Failure could constrain supply chains and increase costs on everyday items Californians rely on, from shirts, pants and undergarments to diapers and bibs. Oppose.	Assembly Natural Resources 6/15/23; Failed Deadline

Gaming/Alcohol

Food and Beverage Service. AB 1217 (Gabriel; D-Woodland Hills) Extends existing regulatory modifications that allow neighborhood restaurants to continue to serve the public in expanded, outdoor dining areas. Support.	Signed—Chapter 569
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Subject—CalChamber Position	Status
Hazardous Waste	
Allows Proprietary Information to be Shared Publicly. SB 244 (Eggman; D-Stockton) Forces manufacturers of devices and equipment to treat any alleged repair attempt the same as the manufacturer or authorized retailer and allows proprietary equipment and trade secrets to be shared with the public. Oppose.	Signed—Chapter 704
Health Care	
Distressed Hospital Loan Program. AB 412 (Soria; D-Fresno) Creates a state loan program for non-profit and public hospitals that are either experiencing dire financial distress and in danger of closing or attempting to reopen. Support.	Senate Health 6/14/23
Behavioral Health Infrastructure Bond. AB 531 (Irwin; D-Thousand Oaks) Provides \$6.38 billion to fund critically needed behavioral health treatment beds and supportive housing through a general obligation bond measure. Support.	Signed—Chapter 789
Behavioral Health Services. SB 326 (Eggman; D-Stockton) Restructures California's behavioral health services programs to provide services for substance use disorders and move homeless individuals to shelter for treatment. Support.	Signed—Chapter 790
Health Care Cost Driver. AB 874 (Weber; D-San Diego) Increases premiums for California's employers by requiring health plans, insurers, and pharmacy benefit managers (PBM) take any amounts paid for an enrollee or insured's out-of-pocket expenses using a discount, repayment, product voucher, or other reduction and count them toward their health plan or policy's cost-sharing requirement. Oppose.	Assembly Health 2/23/23; Failed Deadline
Pharmacy Network Disruption. AB 913 (Petrie-Norris; D-Irvine) Limits the use of preferred pharmacy networks and financial incentives which will lead to increased drug costs for patients. Oppose Unless Amended.	Assembly Business and Professions 3/16/23; Failed Deadline
Dental Benefit Cost Driver. AB 1048 (Wicks; D-Oakland) Increases premiums for California's employers and employees by prohibiting plans and insurers that cover dental services from imposing dental waiting periods or preexisting condition provisions. Oppose.	Signed—Chapter 557
Durable Medical Equipment Mandate. AB 1157 (Ortega; D-San Leandro) Increases premiums for California's employers and employees by requiring health plans and insurers to cover rehabilitative and habilitative services including durable medical equipment (DME), services, and repairs. Oppose.	Senate Appropriations Suspense File 8/14/23; Failed Deadline
Prohibits STI Cost Sharing. AB 1645 (Zbur; D-West Hollywood) Increases premiums for California's employers and employees by prohibiting health plans and insurers from imposing cost sharing requirements for coverage of recommended sexually transmitted infection (STI) screening. Oppose.	Vetoed
Prescription Drug Cost Driver. SB 70 (Wiener; D-San Francisco) Increases premiums for California's employers and employees because it would prohibit limiting or excluding coverage of a drug, dose of a drug, or dosage form of a drug that is prescribed for off-label use if the drug has been previously covered for a chronic condition or cancer, regardless of whether the drug, dose, or dosage form is on the plan's or insurer's formulary. Oppose.	Assembly Appropriations Suspense File 8/16/23; Failed Deadline
Increases Health Care Costs. SB 90 (Wiener; D-San Francisco) Increases health care costs by capping cost sharing for insulin prescriptions at \$35 for 30-day supply. Oppose.	Vetoed

Subject—CalChamber Position	Status
Expensive Diagnostic Imaging Mandate. SB 257 (Portantino; D-Burbank) 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.	Vetoed
Costly Coverage Mandate. SB 427 (Portantino; D-Burbank) Increases premiums for employers and employees by mandating health plans and insurers cover all U.S. Food and Drug Administration (FDA)-approved or Centers for Disease Control and Prevention (CDC)-recommended antiretroviral drugs, products, and devices (ARVs) for HIV/AIDS with no cost sharing or utilization review requirements. Oppose.	Assembly Inactive File 9/14/23; Failed Deadline
Expensive Gold Card Program. SB 598 (Skinner; D-Berkeley) Prevents health plans and insurers from requiring certain contracted health care providers obtain 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 8/23/23; Failed Deadline
Pharmaceutical Cost Containment. SB 621 (Caballero; D-Merced) Reduces pharmaceutical costs and premiums for employers by allowing plans and insurers to utilize less expensive but equally as effective biosimilar drugs prior to administering a reference biologic. Support.	Signed—Chapter 495
Health Care Cost Driver. SB 729 (Menjivar; D-Los Angeles) 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 8/23/23; Failed Deadline
Government-Run Health Care. SB 770 (Wiener; D-San Francisco) Directs the state to create a workgroup to petition the federal government to redirect hundreds of billions of dollars in Medicare and Medi-Cal funding to a costly new, untested state-run health care system. Oppose.	Signed—Chapter 412
Increases Health Care Premiums. SB 873 (Bradford; D-Gardena) Increases health care premiums by requiring an enrollee 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 Suspense File 8/23/23; Failed Deadline

Housing and Land Use

De Facto Ban of Warehouses. AB 1000 (Reyes; D-San Bernardino) Mandates a statewide setback of 1,000 feet from sensitive receptors for all new or expanded logistics use facilities, regardless of environmental impacts, establishing a <i>de facto</i> ban. Also creates a new private right of action in California. Oppose/ Job Killer 2023 .	Failed passage in Assembly Local Government, 4/26/23; Reconsideration granted; Failed Deadline
Quashes Housing. AB 68 (Ward; D-San Diego) Worsens California's existing housing crisis by preventing local governments from permitting new housing units in most of their jurisdictions. Oppose/ Job Killer 2023 .	Assembly Housing and Community Development 3/16/23; Failed Deadline
Costly Housing Mandate. AB 919 (Kalra; D-San Jose) Creates a cumbersome new process and invites costly lawsuits by forcing owners of residential property to offer tenants first right to buy the rental property before placing their property on the open marketplace. The process is convoluted and sets up a costly, unrealistic extended timeline that creates a back-and-forth between the landlord and tenant that forces landlords to respond to any and every demand from the tenant or risk lawsuits, thereby stalling the sale of a property for months. Oppose.	Assembly Judiciary 2/23/23; Failed Deadline

Subject—CalChamber Position	Status
Better Housing Data. SB 405 (Cortese; D-San Jose) Requires local governments to effectively ensure that land they count as available for housing for purposes of regional housing needs allocation (RHNA) number compliance in their housing element is actually going to be available for housing. Such a policy will provide better data to decisionmakers who rely on data provided by locals to craft and make land use policies and decisions. Support.	Senate Appropriations Suspense File 5/15/23; Failed Deadline
Ban on Criminal Background Checks: Residential. SB 460 (Wahab; D-Hayward) Prohibits some, but not all, landlords from being able to run criminal background checks before renting to prospective tenants, thereby jeopardizing the owners' ability to choose whom to safely rent their property to. Oppose.	Senate Judiciary 2/22/23; Failed Deadline
Credit History. SB 267 (Eggman; D-Stockton) Originally prohibited a landlord from using a person's credit history as part of the application process for rental housing without first offering the applicant the option of providing undefined alternative evidence of financial responsibility. Opposition removed after amendments allowing rental property owners to reference an applicant's credit report as long as owners consider verifiable alternative evidence offered by the applicant to demonstrate ability to pay rent. Neutral.	Signed—Chapter 776
Hurts Small Rental Property Owners. SB 567 (Durazo; D-Los Angeles) Originally prohibited owners of rental property from moving into their rentals unless they could show a 51% or greater ownership stake, creating an impossible standard to comply with if the property was owned 50/50 with someone else. Also made it difficult, if not impossible, to repair or sell one's rental property by placing arbitrary new requirements on small property owners. Opposition removed after amendments eliminated these provisions. Neutral.	Signed—Chapter 290
Labor and Employment	
Special Benefits for Workers. SCA 7 (Umberg; D-Santa Ana) This bill enshrines in the California Constitution unnecessary and unprecedented special benefits that will damage government operations and performance, destabilize the California economy, and is rife with unintended consequences. Oppose.	Senate Elections and Constitutional Amendments 6/26/23
Costly Sick Leave Expansion on All Employers. SB 616 (Gonzalez; D-Long Beach) Imposes new costs and leave requirements on employers of all sizes, by nearly doubling existing sick leave mandate, which is in addition to all other enacted leave mandates that small employers throughout the state are already struggling with to implement and comply. Oppose/ Job Killer 2023.	Signed—Chapter 309
Expansion of Litigation Under FEHA. AB 524 (Wicks; D-Oakland) Exposes employers to costly litigation under the Fair Employment and Housing Act by asserting that any adverse employment action was in relation to the employee's family caregiver status, which is broadly defined to include any employee who provides direct care of any person of their choosing, and creates a <i>de facto</i> accommodation requirement that will burden small businesses. Oppose/ Job Killer 2023.	Vetoed
Prohibits Consideration of Conviction History in Employment. SB 809 (Smallwood-Cuevas; D-Los Angeles) Prohibits nearly every employer from considering conviction history of an applicant or existing employee in employment decisions and imposes cumbersome process on employers that are legally not allowed to hire individuals with certain convictions. Oppose/ Job Killer 2023.	Senate Appropriations Suspense File 5/8/23; Failed Deadline
Bans Employer Speech. SB 399 (Wahab; D-Hayward) Chills employer speech regarding religious and political matters, including unionization. Is likely unconstitutional under the First Amendment and preempted by the National Labor Relations Act. Oppose/ Job Killer 2023.	Assembly Appropriations 7/11/23; Failed Deadline
Grocery Workers. AB 647 (Holden; D-Pasadena) Significantly expands statute related to successor grocery employers, including disrupting the ability for independent small stores to join together and creating a significant new private right of action. Oppose/ Job Killer 2023.	Signed—Chapter 452

Subject—CalChamber Position	Status
Onerous Return to Work Mandate. SB 627 (Smallwood-Cuevas; D-Los Angeles) Imposes an onerous and stringent process to hire employees based on seniority alone for nearly every industry, including hospitals, retail, restaurants, and movie theaters, which will delay hiring and eliminates contracts for at-will employment. Oppose/ Job Killer 2023 .	Vetoed
Public Prosecutor Enforcement. AB 594 (Maienschein; D-San Diego) Allows all public prosecutors to enforce significant portion of the Labor Code, risking inconsistent enforcement and with no protection against public prosecutors contracting out their enforcement authority to private attorneys. Oppose.	Signed—Chapter 659
Onerous Return to Work Mandate. SB 723 (Durazo; D-Los Angeles) Unnecessarily extends sunset on COVID-19 specific law that created an onerous and stringent process for specific employers to return employees to the workforce for specified industries, including hotels and restaurants that have been disproportionately impacted by this pandemic. Job killer status removed due to September 7, 2023 amendments. Oppose/ Former Job Killer 2023 .	Signed—Chapter 719
Costly Minimum Wage Increase. SB 525 (Durazo; D-Los Angeles) Imposes significant cost on health care facilities and any employer who works with health care facilities by mandating increase in minimum wage to \$25. Job killer status removed due to September 11, 2023 amendments, which phased in certain minimum wage increases based on hospital size and operations. Neutral/ Former Job Killer 2023 .	Signed—Chapter 890
Franchise Joint Liability. AB 1228 (Holden; D-Pasadena) Originally created joint liability between franchisee and franchisor, destroying franchise model in California. Opposition removed due to September 11, 2023 amendments removing joint liability provision and phasing in certain minimum wage increases. Neutral.	Signed—Chapter 262
WARN Act Expansion. AB 1356 (Haney; D-San Francisco) Significantly expands WARN Act by increasing notice period, changing definition of covered establishment, and expanding applicability to workers under overly broad definition of “employee of a labor contractor.” Oppose.	Vetoed
Improved Labor Law Compliance. SB 592 (Newman; D-Fullerton) Requires labor law guidance to be translated into commonly spoken languages in California and protects business owners from being penalized if they relied in good faith on guidance issued by the Division of Labor Standards Enforcement (DLSE). Sponsor/Co-Sponsor/ Job Creator 2023 .	Senate Labor, Public Employment and Retirement 2/22/23; Failed Deadline
Flexible Workweek. SB 703 (Niello; R-Sacramento) Allows for an employee-selected flexible work schedule and relieves employers of the administrative cost and burden of adopting an alternative workweek schedule per division, which accommodates employees, helps retain employees, and allows the employer to invest these savings into growing its workforce. Support/ Job Creator 2023 .	Senate Labor, Public Employment and Retirement 3/1/23; Failed Deadline
Sick Leave Reform. SB 881 (Alvarado-Gil; D-Jackson) Significantly improves employers’ ability to implement California mandatory paid sick leave and curb attempts to take leave for impermissible purposes. Support.	Senate Labor, Public Employment and Retirement 3/29/23; Failed Deadline
Small Employer Mediation Program. AB 1756 (Committee on Judiciary) Extends the sunset on the Civil Rights Department small employer mediation program, which allows small employers to mediate certain employment claims under the Government Code. Support.	Signed—Chapter 478
Non-Compete Agreements. AB 747 (McCarty; D-Sacramento) Jeopardizes benefits programs by prohibiting employers from offering certain bonuses or tuition payments and imposes steep, mandatory \$5,000 per employee penalty on business of any size if it is determined that their program or policy qualifies as a non-compete. Oppose.	Assembly Inactive File 6/1/23; Failed Deadline

Subject—CalChamber Position	Status
Grocery Stores. AB 853 (Maienschein; D-San Diego) Requires grocery stores, including independent stores, to send unnecessary notice to Attorney General that includes proprietary information. Opposition removed due to July 13, 2023 amendments. Neutral.	Signed—Chapter 457
Website Accessibility. AB 950 (Maienschein; D-San Diego) Outlines requirements for filing civil action based on website accessibility; creates presumption of compliance. No Position.	Assembly Appropriations Suspense File 5/10/23; Failed Deadline
Rest Periods for Direct Support Workers. AB 1031 (Blanca Rubio; D-Baldwin Park) Appropriately modifies existing rest period laws to meet needs of direct support workers who must supervise individuals with disabilities who are under their care. Support.	Assembly Labor and Employment 3/23/23; Failed Deadline
Electronic Notices. AB 1355 (Valencia; D-Anaheim) Allows workers to request certain employment notices to be delivered electronically rather than in paper, benefiting both workers and the environment. Support.	Signed—Chapter 277
Call Centers. AB 1381 (Weber; D-San Diego) Increases costs of state contracts by requiring call center operations to be located in California where contract is unrelated to call center services. Oppose.	Assembly Governmental Organization 6/14/23; Failed Deadline
Restrict University of California Competitiveness. ACA 6 (Haney; D-San Francisco) Requires the University of California to comply with a host of labor law provisions and contracting restrictions, raising costs for students and harming competitiveness of the premier university system in the world. Oppose.	Failed passage in Senate Elections and Constitutional Amendments 9/11/23; Reconsideration granted
Minimum Wage Working Group. AB 1516 (Kalra; D-San Jose) Requires convening of working group regarding minimum wage increase that does not include employer representatives, which undermines purpose and objectivity of the proposed working group. Oppose Unless Amended.	Assembly Inactive File 5/31/23; Failed Deadline
Airline Worker Benefits. SB 41 (Cortese; D-San Jose) Creates exception to California's overly rigid meal and rest break rules for flight crew employees who are covered under collective bargaining agreement. Support.	Signed—Chapter 2 3/23/23
Veterans Hiring Preference. SB 73 (Seyarto; R-Murrieta) Allows employers to take advantage of federal tax credit by clarifying that establishing a veterans hiring preference policy does not violate the Fair Employment and Housing Act. Support.	Assembly Judiciary 6/21/23; Failed Deadline
PAGA Notices. SB 330 (Niello; R-Sacramento) Makes common-sense reforms to required content of Private Attorneys General Act (PAGA) notices to provide employers with additional information about alleged Labor Code violations. Support.	Senate Labor, Public Employment and Retirement 3/29/23; Failed Deadline
90-Day Retaliation Presumption. SB 497 (Smallwood-Cuevas; D-Los Angeles) Implements 90-day retaliation presumption for certain claims, which is unnecessary in light of existing case law and will waste judicial resources by allowing claims to continue regardless of their merit. Oppose.	Signed—Chapter 612
Mandatory Severance. SB 725 (Smallwood-Cuevas; D-Los Angeles) Unnecessarily requires grocery stores to pay mandatory severance, which should be left to the discretion of the employer. Oppose.	Vetoed

Subject—CalChamber Position	Status
Reproductive-Related Bereavement Leave. SB 848 (Susan Rubio; D-Baldwin Park) Requires employers to provide five days of bereavement leave for various reasons related to fertility, adoption, and surrogacy with a 20-day cap on total time that may be taken and insufficient guardrails as far as when that may be taken. Oppose Unless Amended.	Signed—Chapter 724

Legal Reform

Undermines Arbitration. SB 365 (Wiener; D-San Francisco) Discriminates against use of arbitration agreements by allowing trial courts to continue trial proceedings during any appeal regarding the denial of a motion to compel. Oppose/ Job Killer 2023 .	Signed—Chapter 710
Consumer Protection around Ticket Sales. AB 8 (Friedman; D-Glendale) Originally included language that would have protected ticket scalping techniques, hurting fans and artists. Opposition removed after June 19, 2023 amendments removed these provisions. Neutral.	Senate Appropriations Suspense File 8/28/23; Failed Deadline
Requiring Additional Proof to Collect Debts in Court. AB 1414 (Kalra; D-San Jose) Disallows a longtime practice of using so-called “book accounts” or “common counts” to prove a debt, and instead requires original contracts and/or documents. Particularly problematic for collection of long-term debts, such as credit cards. Oppose.	Signed—Chapter 688
Modest Increase to Small and Limited Claims Case Thresholds. SB 71 (Umberg; D-Santa Ana) Small increases to limited and small claims court thresholds to encourage efficiency in litigation. Opposition removed after threshold changes were reduced to avoid unintended litigation consequences and discovery issues in the July 3, 2023 amendments. Neutral.	Signed—Chapter 861
Stakeholder Input in Regulatory Economic Analysis. SB 279 (Niello; R-Sacramento) Allows stakeholders to provide public comment on the Standardized Regulatory Impact Assessment (SRIA), including commenting on whether a proposed regulation should qualify for SRIA analysis and whether such analysis is accurate. Support.	Senate Appropriations Suspense File 5/8/23; Failed Deadline
New Duplicative Enforcement Authority for the Attorney General. SB 478 (Dodd; D-Napa) Allows the Attorney General and other public attorneys to pursue any potential false advertising under the Consumer Legal Remedies Act, which would allow a private right of action. Notably, the Attorney General can already pursue false advertisers under the existing False Advertising Law. Oppose.	Signed—Chapter 400
Right to Cure. SB 585 (Niello; R-Sacramento) Provides businesses with time to cure an alleged Americans with Disabilities Act (ADA) violation to curb frivolous litigation. Support.	Assembly Judiciary 6/8/23; Failed Deadline

Low/Zero-Emission Vehicles

Bi-Directional Charging. SB 233 (Skinner; D-Berkeley) Allows for auto manufacturers to include bi-directional charging capabilities after consultation by California Energy Commission and California Public Utilities Commission. Neutral.	Assembly Inactive File 9/13/23; Failed Deadline
Conversion to Zero-Emission Vehicles. SB 301 (Portantino; D-Burbank) Incentivizes production of zero-emission vehicle parts in the state, increasing manufacturing and jobs, by offering a rebate for zero-emissions vehicle conversions. Support/ Job Creator .	Assembly Inactive File 9/13/23; Failed Deadline

Subject—CalChamber Position	Status
Other	
<p>Flavored Tobacco Ban Enforcement. AB 935 (Connolly; D-San Rafael) Originally banned sales of all tobacco products to individuals born in or after 2007. Opposition removed after gut and amend on April 13, 2023 to allow flavored tobacco ban to be enforced in the same manner as law governing the sale of tobacco to underage persons. Neutral.</p>	Signed—Chapter 351
Public Employment Retirement System (PERS)	
<p>Increased Fiscal Analysis for Pension Legislation. SB 300 (Seyarto; R-Murrieta) Increases information for elected officials considering divestment legislation affecting the public employees’ retirement fund by requiring the Legislative Analyst’s Office to prepare an economic analysis on each piece of proposed legislation. Support.</p>	Senate Appropriations Suspense File 5/15/23; Failed Deadline
Privacy and Cybersecurity	
<p>Bias and Discrimination Through Automated Decision Tools. AB 331 (Bauer-Kahan; D-Orinda) Regulates all uses of automated decision tools (ADT) making consequential decisions with overly broad prescriptive mandates on how ADT developers/deployers assess and deploy the tools, including by conducting non-confidential impact assessments and requiring notice and opportunity to opt-out to be provided to individuals subject to an ADT. Makes “algorithmic discrimination” violations subject to a civil action brought by public prosecutors, including the Attorney General. Sets penalties up to \$10,000 for each failure to submit the mandated ADT assessment to the Civil Rights Department and allows CRD to share these assessments for any purpose with other state agencies. Oppose.</p>	Assembly Appropriations Suspense File 5/17/23; Failed Deadline
<p>Timeline for Enforcing Privacy Act. AB 1546 (Gabriel; D-Woodland Hills) Extends the time within which the Attorney General (AG) may begin civil enforcement actions under the California Consumer Privacy Act (CCPA) from one year to 5 years from the date that a cause of action accrued to seemingly provide parity with administrative actions begun by the California Privacy Protection Agency (CPPA). However, unlike CPPA administrative actions, provides no opportunity to cure before the civil action is begun. Does not toll damages if the AG could have begun enforcement within the first year, thereby allowing damages to accrue for the time before the enforcement action made the violation known to the alleged violator. Oppose.</p>	Senate Appropriations Suspense File 8/21/23; Failed Deadline
<p>Civil Penalty for Features that Harm Children on Social Media. SB 287 (Skinner; D-Berkeley) Prohibits a social media platform from using a design, algorithm, or feature that it knows, or by exercise of reasonable care should have known, causes child users to purchase a controlled substance or firearm in violation of the Penal Code; commit suicide or inflict harm on themselves or others; develop an eating disorder; or experience addiction to the social media platform. Provides that a platform is not in violation of the bill if it both instituted and maintained a program of at least quarterly audits, as specified, and corrected, within 30 days of the audit, any design, algorithm or feature discovered to present a more than <i>de minimis</i> risk of violating the bill. Any platform that knowingly and willingly violates these provisions is subject to a civil penalty not to exceed \$250,000 per violation, an injunction, and an award of litigation costs and attorney’s fees. Oppose.</p>	Senate Inactive File 6/1/23; Failed Deadline
<p>Declaring Social Media Platforms a “Traditional First Amendment Forum.” AB 836 (Essayli; R-Corona) Declares any social media platform “located in California” to be a traditional First Amendment forum, as set forth in <i>PruneYard Shopping Center v. Robbins</i> (1980) 447 U.S. 74, and requires them to develop a policy or mechanism to address content or communications that constitute unprotected speech. Ultimately impedes companies’ ability to moderate illegal content on their platforms and exposes users to many forms of harmful speech (both running afoul of the First Amendment and the Section 230 preemption clause of the Communications Decency Act and wasting judicial resources to litigate the issue) and conflicts with recent social media laws passed by the California Legislature. For purposes of this bill, any platform with a user located in California would be considered to be “located in California” even if the person operating the platform does not operate a business in California. Oppose.</p>	Assembly Judiciary 2/23/23; Failed Deadline

Subject—CalChamber Position	Status
<p>Fees for Content Clicks. AB 886 (Wicks; D-Oakland) Requires internet platforms to pay usage fee to any “eligible digital journalism provider” for the platforms’ website links to the provider’s content. Violates the First Amendment and forces social media to fund potentially misleading or otherwise problematic content; favors large conglomerates over small and independent outlets by basing fees on the number of “clicks” or views that they attract, rather than the quality of reporting or number of journalists employed; and also undermines the open internet and conflicts with copyright law, giving content creators unprecedented rights when others merely link to their work. Oppose.</p>	<p>Senate Judiciary 6/14/23; Failed Deadline</p>
<p>Controlled Substances Online. AB 1027 (Petrie-Norris; D-Irvine) Originally sought to require a social media platform to not only maintain a record of all communications, including private messages, between users, but also made the content of those messages subject to significant liability, raising serious privacy concerns around content retention requirements as well as First Amendment and federal preemption issues. Opposition removed after April 27 amendments removed the liability provisions and addressed privacy concerns, to instead submit a terms of service report, as specified, to the Attorney General. The bill also requires a social media platform to retain data on the content it has taken action to take down or remove for violations related to controlled substances and related paraphernalia and retain that content and the username of the violating account for a period of 90 days. Neutral.</p>	<p>Signed—Chapter 824</p>
<p>Social Media Platform Liability for Harmful Content by Users. AB 1394 (Wicks; D-Oakland) Starting January 1, 2025, requires social media platforms to (1) “permanently block” reported material that is displayed, stored, or hosted on the platform where there is a reasonable basis to believe the reported material is child sexual abuse material where the report contains basic identifying information, as specified; (2) make reasonable efforts to remove and block other instances of the same reported material; and (3) provide a reasonably accessible mechanism that allows users who are California residents to report material that meets such criteria, among other things. A platform must, with limited exceptions, comply with these requirements within 30 days of the report or be subject to significant liability, including statutory damages up to \$250,000 per violation. Any platform that knowingly facilitates, aids, or abets commercial sexual exploitation under this bill is also subject to liability of not less than \$1 million and up to \$4 million unless it took action within 30 days of the completion of a specified biennial audit to mitigate or eliminate not only anything that violates, but that contributes to a violation of this bill. In addition to raising significant constitutionality issues and being federally preempted under Section 230, the bill creates significant implementation issues for platforms. Oppose.</p>	<p>Signed—Chapter 579</p>
<p>In-Vehicle Cameras. SB 296 (Dodd; D-Napa) Originally placed overly restrictive limitations on any sharing of images and recordings collected from in-vehicle cameras, making it impossible for industry to comply due to conflicts between consent requirements and anti-discrimination requirements. Opposition removed after amendments that provide clarity and expansion of necessary exceptions to the general prohibition against sharing data with third parties. Neutral.</p>	<p>Signed—Chapter 864</p>
<p>Data Broker Deletion Mechanism. SB 362 (Becker; D-Menlo Park) Makes significant changes to the existing Data Broker Registry, adding extensive new disclosure requirements and deletion obligations for a subset of businesses that are already subject to the California Consumer Privacy Act (CCPA), using a new deletion mechanism to be created by the California Privacy Protection Agency by January 1, 2026. Among other things, starting on August 1, 2026, any data broker on this registry must delete the content of a user every 45 days, into perpetuity, subject to various exemptions provided under the CCPA. Many requirements are duplicative, confusing and unnecessary given existing protections under the CCPA and the existing data broker registry, creating significant compliance issues and operational burdens for businesses on the registry without demonstrated need. Oppose.</p>	<p>Signed—Chapter 709</p>
<p>Liability for Distributing Illicit Pictures. SB 646 (Cortese; D-San Jose) Frustrates companies’ ongoing efforts to identify and remove child sexual abuse material (CSAM) as is required by federal law and informed by industry best practices, actually making it more challenging to address CSAM and exploitative content by mandating an unworkable system. Imposes a two-day window to remove, destroy, or return actionable material, which creates unintended consequences. While designed to inspire quick action, special handling requirements divert staff from other detection and reporting activities, slowing down the process of addressing illegal content. Exposes platforms to costly litigation with a private right of action. Oppose.</p>	<p>Assembly Appropriations Suspense File 8/16/23; Failed Deadline</p>

Subject—CalChamber Position	Status
Civil Penalty for Features that Harm Children on Social Media. SB 680 (Skinner; D-Berkeley) Subject to significant liability, prohibits a social media platform from using a design, algorithm, or feature that it knows, or by exercise of reasonable care should have known, can result in any of the following for children, including (1) to inflict harm on themselves or others; (2) develop an eating disorder; or (3) experience “addiction” to the social media platform. Provides that a platform is not in violation if it instituted and maintained a program of at least quarterly audits of its designs, algorithms, and features to detect such issues and it, within 30 days of the audit, corrected any design, algorithm or feature discovered to present a more than <i>de minimis</i> risk of violation. Any platform that knowingly and willingly violates these provisions is subject to a civil penalty of up to \$250,000 per violation, an injunction, and an award of litigation costs and attorney’s fees in an action brought by the Attorney General or other public attorneys. Oppose.	Assembly Appropriations Suspense File 8/16/23; Failed Deadline
Social Media App Requirement. SB 845 (Stern; D-Canoga Park) Requires social media companies to create an app for third party providers, but prohibits them from setting any requirements or limitations on how the third party providers would be able to interface with the company. Oppose.	Senate Judiciary 3/1/23; Failed Deadline

Product Regulation

Chemical Ban. AB 418 (Gabriel; D-Woodland Hills) Prior to amendments striking titanium dioxide from the bill, the bill banned five food chemical additives found to be safe by the federal Food and Drug Administration. Opposition removed after amendments narrowed the scope of chemicals banned. Neutral.	Signed—Chapter 328
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Recycling

Bans Critical Packaging. AB 1290 (Luz Rivas; D-San Fernando Valley) Circumvents the Circular Economy framework outlined in SB 54 (Allen-2022) by banning critically needed packaging used for products like over-the-counter medicines and to extend the shelf life of food products. Oppose.	Assembly Inactive File 5/31/23; Failed Deadline
Paper Receipt Ban. AB 1347 (Ting; D-San Francisco) Prohibits any person or entity from printing a paper receipt in California unless expressly asked for by the consumer regardless of whether that entity has that technological capability or uses paper receipt to prevent retail theft. Further, bans BPA/BPS thermal paper by 2024. Oppose Unless Amended.	Senate Appropriations Suspense File 8/21/23; Failed Deadline
Unnecessary Regulations on Hotels. AB 1590 (Friedman; D-Glendale) Duplicates and conflicts with existing auditing and reporting requirements with the California Coastal Commission, County Agricultural Commission, California Department of Food and Agriculture that hotels and resorts are already subject to; creates a new whistleblower protection for any disgruntled employee to go to the media with; and conflicts with CRV and SB 54 (Allen) laws that already address single-use plastics and single-serve items. Oppose.	Assembly Natural Resources 4/11/23; Failed Deadline
Bans Plastic Gift Cards. SB 728 (Limón; D-Goleta) Prohibits the sale of plastic gift cards starting January 1, 2026, despite the fact that not every consumer is able to accommodate digital gift cards only, nor the fact that paper gift cards are less durable and more prone to being damaged or destroyed. Oppose.	Vetoed

Regulatory Reform

Non-Profits. AB 590 (Hart; D-Santa Barbara) Removes barriers to nonprofits timely receiving funds from grants and state contracts. Support.	Signed—Chapter 535
Improving CPUC Communications. AB 1068 (Valencia; D-Anaheim) Provides for greater transparency and accountability to the California Public Utilities Commission’s (CPUC’s) decision making process, and ensures that all interested stakeholders can participate. Support.	Signed—Chapter 826

Subject—CalChamber Position	Status
Disability Access. AB 1404 (Wendy Carrillo; D-Los Angeles) Requires all demand letters sent to small businesses alleging website-related accessibility claims to provide written notice of disability access laws and provides small business defendants 60 days to correct the violation. Neutral.	Signed—Chapter 842
Taxation	
Wealth Tax. AB 259 (Lee; D-San Jose) Seeks to impose a massive tax increase upon all forms of personal property or wealth, whether tangible or intangible, despite California already having the highest income tax in the country. This tax increase will drive high-income earners out of the State as well as the revenue they contribute to the General Fund. Oppose/ Job Killer 2023 .	Assembly Revenue and Taxation 3/30/23
Wealth Tax. ACA 3 (Lee; D-San Jose) Seeks to impose a massive tax increase upon all forms of personal property or wealth, whether tangible or intangible, despite California already having the highest income tax in the country. This tax increase will drive high-income earners out of the State as well as the revenue they contribute to the General Fund. Oppose/ Job Killer 2023 .	Assembly Revenue and Taxation 3/30/23
Lowens Voter Threshold to Increase Property Taxes. ACA 1 (Aguiar-Curry; D-Winters) Overbroad constitutional amendment lowers voter approval threshold from two-thirds to 55% to increase taxes for affordable housing and public infrastructure, thereby providing increased tax authority for every government agency in California — not just cities and counties, but thousands of potentially overlapping special districts. Oppose.	Resolution Chapter 173
Increases Voter Threshold for Taxpayer Protections. ACA 13 (Ward; D-San Diego) Aims to amend the California Constitution to require a higher voter approval requirement for citizen-proposed ballot initiatives that seek to increase protections for adoption of new taxes but does not impose that same voting threshold burden for tax increases placed on the ballot by the Legislature or local governments. Oppose.	Held at Assembly Desk by unanimous consent until November 1, 2023
Manufacturing Tax Credit Expansion. AB 52 (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/ Job Creator 2023 .	Held in Senate Appropriations Suspense File 9/1/23
Student Loan Repayment Tax Relief. AB 509 (Vince Fong; R-Bakersfield) Exempts \$5,250 of loan repayments from an employee's gross state income when those payments are made by an employer. Support.	Held in Assembly Appropriations Suspense File 5/18/23
Criteria Air Pollutant Tax Credit. AB 769 (Bauer-Kahan; D-Orinda) Allows for a tax credit in the amount of \$800 per ton of criteria air pollutant reduced beyond a baseline amount. Support.	Assembly Revenue and Taxation 2/23/23
Targeted Tax. AB 657 (Jackson; D-Moreno Valley) Targeted tax on candy distributors designed to fund a mental health servicing fund. Oppose	Assembly Health 3/23/23
Minimum Franchise Tax Exemption. AB 778 (Ta; R-Westminster) Provides new and struggling employers with some financial relief by exempting them from paying the \$800 minimum franchise tax until their business has earned gross receipts of at least \$20,000. Support.	Held in Assembly Appropriations Suspense File 5/1/23
Hotel Tax Credit. AB 877 (Addis; D-Morro Bay) Establishes a tax credit for hotels, inns, or other temporary lodging that provide accommodations free of charge to a displaced person during a declared state of emergency. Support.	Held in Assembly Appropriations Suspense File 5/18/23
Expanding Use of Net Operating Loss. AB 1105 (Petrie-Norris; D-Irvine) Permits small businesses operating in science, technology, engineering, and math (STEM) fields to sell their unused NOL carryover for at least 80% of its value. Support.	Held in Assembly Appropriations Suspense File 5/1/23

Subject—CalChamber Position	Status
Board of Equalization Elimination. ACA 11 (Ting; D-San Francisco) Eliminates important checks and balances between taxpayers and tax administrators by abolishing the elected State Board of Equalization (BOE). Oppose.	Assembly Revenue and Taxation 6/27/23
COVID-19 Regulatory Compliance Tax Credit. SB 375 (Alvarado-Gil; D-Jackson) Allows an employer to claim a COVID-19 regulatory compliance credit for expenses incurred as a result of following the state's stringent and expensive COVID-19 regulations. Support.	Senate Appropriations Suspense File 5/8/23; Failed Deadline
Childcare Tax Credit for Employers. SB 533 (Limón; D-Goleta) Provides California's businesses with a tax credit for startup and construction expenses associated with a childcare facility as well as costs paid for qualified care plan for their employees. Support.	Senate Appropriations 5/3/23
Targeted Tax on Short-Term Rentals. SB 584 (Limón; D-Goleta) Harms California's tourism economy by implementing a 15% tax on short-term rental stays in order to fund the Laborforce Housing Fund. Oppose.	Assembly Housing and Community Development 6/15/23

Telecommunications

Undoes Statewide Video Agreements. AB 41 (Holden; D-Pasadena) Originally undid statewide video franchise agreements and created complex and duplicative local government oversight. Opposition removed after amendments ensuring the bill's updates to the Digital Infrastructure and Video Competition Act are feasible for industry, including increasing time frames for the California Public Utilities Commission to review video franchise applications and renewals for completeness. Neutral.	Vetoed
Digital Equity. AB 414 (Reyes; D-San Bernardino) Originally required state agencies to deploy broadband prescriptively. Opposition removed after March 9 amendments encouraging equal access to broadband. Neutral.	Signed—Chapter 436
Deploys Broadband Faster. AB 965 (Juan Carrillo; D-Palmdale) Streamlines deployment of broadband infrastructure and will allow for higher speed internet to be provided to more Californians. Support.	Signed—Chapter 553
Reduces Broadband Access. AB 1714 (Wood; D-Santa Rosa) Places broadband service under the Public Utilities Commission, which is already overburdened with their current responsibilities. Will slow the deployment of broadband and lead to less investment in California. Oppose.	Assembly Communications and Conveyance 3/9/23; Failed Deadline

Tourism

Refundability of All Hotels and Short-Term Rentals for 24 Hours After Purchase. SB 644 (Glazer; D-Contra Costa) Requires all rentals be refundable for 24 hours after initial purchase. Opposition removed after June 22, 2023 amendments to ensure a minimum cutoff of refundability prior to check-in and other clean-up. Neutral.	Signed—Chapter 718
Price Clarity for Hotels and Online Bookings. SB 683 (Glazer; D-Contra Costa) Requires full cost be displayed in hotel or short-term rental bookings to avoid surprise fees. Opposition removed after amendments to clarify the bill and exclude governmental fees and taxes. Neutral.	Assembly Inactive File 9/13/23
Price Clarity for Hotels and Online Bookings. AB 537 (Berman; D-Palo Alto) Requires full cost be displayed in hotel or short-term rental bookings to avoid surprise fees. Opposition removed after amendments to clarify the bill and exclude governmental fees and taxes. Neutral.	Signed—Chapter 805

Subject—CalChamber Position	Status
Transportation	
Autonomous Vehicles. AB 316 (Aguiar-Curry; D-Winters) Codifies an arbitrary date by which heavy duty autonomous vehicles will need to keep a human safety operator within the vehicle and bypasses the state's current regulatory process. Oppose.	Vetoed
Electric Vehicle Service Equipment. AB 591 (Gabriel; D-Woodland Hills) Creates a standard that conflicts with federal guidelines for electric vehicle (EV) charging equipment. Oppose.	Senate Transportation 5/10/23; Failed Deadline
Advanced Air Mobility. SB 800 (Caballero; D-Merced) Requires Department of Transportation to establish advisory panel to develop a three-year workplan to promote equity of access to advanced air mobility infrastructure. Support.	Signed—Chapter 416
Transit Operators: Street Harassment Survey. SB 434 (Min; D-Irvine) Requires California's 10 largest transit districts to collect and publish data on street harassment that occurs on public transit systems with the intent of improving the safety of ridership on public transit systems. Support.	Signed—Chapter 396
Unemployment Insurance	
Increased Unemployment Insurance Taxes to Subsidize Striking Workers. SB 799 (Portantino; D-Burbank) Will allow striking workers to claim UI benefits when they choose to strike. Because the UI Fund is paid for entirely by employers, SB 799 will effectively add more debt onto California employers. Moreover, SB 799 will effectively force employers to subsidize strikes at completely unrelated businesses because the UI Fund's debt adds taxes for all employers, regardless of whether they've had a strike. Oppose/ Job Killer 2023 .	Vetoed
Water Supply and Quality	
Water Rights. AB 1337 (Wicks; D-Oakland) Gives broad authority to State Water Board to curtail water rights of any seniority or claim of right. Allows curtailments to issue without a hearing, depriving water rights holders of due process. Oppose.	Senate Natural Resources and Wildlife 6/7/23; Failed Deadline
Water Rights. AB 460 (Bauer-Kahan; D-Orinda) Gives State Water Board broad authority to issue interim relief orders for a wide variety of alleged water use violations, with little or no opportunity to be heard. Prevents judicial review of an interim relief order. Oppose.	Senate Natural Resources and Wildlife 6/7/23; Failed Deadline
Water Rights. SB 389 (Allen; D-Santa Monica) Originally would have empowered State Water Board to investigate claimed water rights with little process and more easily strip water rights holders of rights. Opposition removed after July 6, 2023 amendments focused the bill on the Board's information-gathering abilities and removed provisions relating to forfeiture of rights. Neutral.	Signed—Chapter 486
Groundwater Restriction. AB 1563; Bennett; D-Ventura) Adds new regulatory layer to groundwater well permitting processes. Increases costs and liability risks associated with well permitting. Oppose.	Senate Governance and Finance 6/22/23; Failed Deadline
Investments in Water Rights. AB 1205 (Bauer-Kahan; D-Orinda) Originally would have banned the sale or transfer of water rights from agricultural land by an investment fund for profit as an illegal waste and unreasonable use of water. Opposition removed after July 13, 2023 amendments removed the ban component. Neutral.	Senate Inactive File 9/11/23; Failed Deadline

Subject—CalChamber Position	Status
Improved Reservoir Operations. AB 30 (Ward; D-San Diego) Integrates forecast-informed reservoir operations into water supply operations to better store water during storm events and to reduce flood risk. Support.	Signed—Chapter 134
Groundwater Restriction. AB 429 (Bennett; D-Ventura) Adds new regulatory layer to groundwater well permitting processes with unclear triggers for applicability. Increases costs and liability risks associated with well permitting. Oppose.	Assembly Water, Parks and Wildlife 3/2/23; Failed Deadline
Groundwater Adjudication Proceedings. AB 560 (Bennett; D-Ventura) Imposes new requirements for courts to consult with State Water Board prior to entering a final judgment in a groundwater adjudication, raising questions about role of executive in the judiciary. Oppose.	Senate Appropriations Suspense File 8/14/23; Failed Deadline
Water Use Definitions. AB 676 (Bennett; D-Ventura) Originally would have vaguely defined “domestic use” of water, creating confusion and possible litigation. Opposition removed after June 12, 2023 amendments aligned the definition with existing law. Neutral.	Vetoed
Groundwater Adjudications. AB 779 (Wilson; D-Suisun City) Originally would have imposed burdensome and duplicative requirements on parties in comprehensive groundwater adjudications. Opposition removed after July 3, 2023 amendments reduced burdens on litigants and avoided separation of powers concerns. Neutral.	Signed—Chapter 665
Permit Streamlining for Groundwater Recharge. AB 830 (Soria; D-Fresno) Exempts groundwater recharge projects using flood flows from needing to obtain duplicative and burdensome California Department of Fish and Wildlife authorizations. Support.	Senate Appropriations Suspense File 8/21/23; Failed Deadline
Turf Ban. AB 1572 (Friedman; D-Glendale) Prohibits the use of potable water for irrigating non-functional turf on commercial and institutional properties. Opposition removed after April 20, 2023 amendments reduced burdens on private water providers and consolidated enforcement powers. Neutral.	Signed—Chapter 849
Cross-Border Rivers. AB 1597 (Alvarez; D-San Diego) Funds cleanup efforts for highly polluted rivers that flow from Mexico into California. Support.	Senate Environmental Quality 6/14/23; Failed Deadline
Water Project Streamlining. SB 23 (Caballero; D-Merced) Keeps permitting processing on track for water supply and flood control projects by setting deadlines for agency action. Incentivizes use of regional programs to guide mitigation for project impacts. Support.	Senate Appropriations Suspense File 5/15/23; Failed Deadline
California Water Plan Update. SB 366 (Caballero; D-Merced) Requires California Water Plan to be updated to include water supply targets and outlines meaningful steps toward achieving supply goals. Support.	Assembly Water, Parks and Wildlife 6/8/23; Failed Deadline
CEQA Streamlining. SB 651 (Grove; R-Bakersfield) Makes groundwater recharge and other Sustainable Groundwater Management Act (SGMA)-related water supply projects eligible for quicker judicial resolution under CEQA, saving time and money on important projects. Support.	Assembly Natural Resources 6/20/23; Failed Deadline
Groundwater Recharge. SB 659 (Ashby; D-Sacramento) Requires state to plan for creating 10 million acre-feet of new groundwater recharge storage by 2028. Support.	Signed—Chapter 624
Delta Conveyance. SB 687 (Eggman; D-Stockton) Stops progress on the Delta Conveyance Project until Bay-Delta Water Quality Control Plan is updated and fully implemented. Holds infrastructure project to modernize California’s water system hostage until a lengthy planning process is both complete and “fully implemented.” Oppose.	Senate Appropriations Suspense File 5/8/23; Failed Deadline

Subject—CalChamber Position	Status
Workers' Compensation	
Expands Costly Presumption of Injury. AB 1156 (Bonta; D-Alameda) 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 2023 .	Assembly Insurance 3/2/23; Failed Deadline
Workers' Compensation Presumption. AB 597 (Rodriguez; D-Pomona) Costly expansion of workers' compensation presumption for post-traumatic stress disorder (PTSD) to private employees that is not supported by data. Oppose.	Assembly Insurance 2/17/23; Failed Deadline
Tolling Temporary Disability Payments. AB 1213 (Ortega; D-San Leandro) Requires tolling of temporary disability payments if utilization review decision is overturned during Independent Medical Review, which will drastically increase the number of unnecessary Independent Medical Review requests and is unnecessary in light of data supporting accuracy of utilization review decisions. Oppose.	Vetoed
Physician Licensing. SB 636 (Cortese; D-San Jose) Unnecessarily requires physicians in utilization review process to be licensed in California, which will reduce number of physicians available to review claims. Oppose.	Assembly Inactive File 8/28/23; Failed Deadline
Workplace Safety	
Workplace Violence Standard. SB 553 (Cortese; D-San Jose) Creates workplace violence regulation including training and logging of workplace violence incidents. Opposition removed after considerable amendments to bring bill into accordance with Cal/OSHA's proposal, including removal of various infeasible requirements. Neutral.	Signed—Chapter 289

Floating Holiday Policy Determines Payout When Employment Ends

From Page 2

For example, if an employer offers a floating holiday to each employee to be used on or near their birthday, no payout for that floating holiday is required when an employee separates from a company before their birthday.

Clear Written Policies

Because employers can treat floating

holidays in different ways, an employer's policy is critical to determining if unused floating holidays will need to be included in an employee's final pay.

Employers who want to avoid paying out floating holidays at termination should consider having a floating holiday policy that clearly connects time off to a specific event, such as an employee's birthday or work anniversary. Otherwise, the floating

holiday will likely be viewed as merely vacation by another name, subject to payout at the time of termination.

Column based on questions asked by callers on the Labor Law Helpline, a service to California Chamber of Commerce preferred members and above. 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

macy Council. April 1–5, 2024, Panama. (619) 291-8105.

Hannover Messe: California Pavilion. GO-Biz. April 22–26, 2024, Hannover, Germany. patricia.utterback@gobiz.ca.gov.

Trade Winds – Europe. GO-Biz and U.S. Commercial Service. May 13–15, 2024 Istanbul, Turkey. Optional: May 9–10, 2024, Denmark or Romania; May 16–17, 2024, Poland or Italy. Register interest. patricia.utterback@gobiz.ca.gov.

Farnborough International Air Show: California Pavilion. GO-Biz. July 18–22, 2024, Farnborough, United Kingdom. patricia.utterback@gobiz.ca.gov.

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LIVE WEBINAR | NOVEMBER 2 | 10 - 11 AM PT

SB 553: California's New Workplace Violence Standards

Applicable to all employers in California except those in the health care sector, SB 553 has a significant list of workplace violence prevention requirements that employers must review and address before many of the provisions become effective in 2024.



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