

ALERT

VOLUME 39, NUMBER 23 • JULY 26, 2013

 **CalChamber**
CALIFORNIA CHAMBER OF COMMERCE

California Chambers Press for Immigration Reform



Chambers of commerce in California are continuing to push for comprehensive immigration reform legislation this year to ensure the state's critical industries will have the

workers and talent needed to create necessary California jobs.

Coalition for Reform

The California Chamber of Commerce and a coalition of more than 70 local chambers of commerce emphasize that immigration reform is more important to California than any other state, with the technology, agriculture and tourism industries, among others, depending on reform to thrive.

"As a border city with a booming tech industry, San Diego is uniquely impacted by immigration policy," said Jerry Sanders, president and CEO of the San Diego Regional Chamber of Commerce.

"The current system is not responsive to the labor demands of our local business community," Sanders said. "We would like to see legislation passed like the Senate's bipartisan bill that reforms

high-skilled visa requirements and legalizes the undocumented workforce, allowing them to pay taxes and fully participate in the economy as consumers and employees."

A robust temporary worker program is among the critical needs for the state's agriculture-rich areas.

"Comprehensive immigration reform is a stepping stone along the path to economic recovery for this state and especially for the Central Valley," said Cindy Pollard, president and CEO of the Greater Bakersfield Chamber of Commerce. "If we don't fix the very broken system now, we cannot expect a healthier economy anytime soon."

California is home to about 23% of the nation's undocumented immigrants, half of whom have lived here for more than 10 years.

"Resolving the immigration status of 2.6 million California residents would unlock billions of dollars of consumer spending and investment," commented Steve Van Dorn, president and CEO of the Santa Clara Chamber & Convention-Visitors Bureau.

Cindy Roth, president and CEO of the Greater Riverside Chambers of Commerce offered this summation: "Immigration

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Coalition Asks Cal/OSHA What Data Justifies Amending Heat Illness Standard



The California Chamber of Commerce and a large coalition of employer associations have asked the California Division of Occupational Safety and

Health (Cal/OSHA) to justify with data the rationale for amending the heat illness prevention standard.

California has almost eight years of experience with its heat illness prevention regulation and has gathered significant information about the rule's impact on the incidence of heat-related illness and fatalities, as well as the increase in compliance over the years. The coalition does not understand why, given this wealth of data, a presentation and analysis of the data was not the starting point for discussing whether there is a need to change provisions of the standard.

The coalition is urging Cal/OSHA to take a holistic approach and consider regulatory change as the last option rather than the first. California employers understand the regulation and have demonstrated a high level of compliance with the nation's only heat illness prevention standard.

The coalition believes it would be unwise to change the rules in a manner that would create new requirements and liabilities for employers without first

See Coalition Asks: Page 6

Top 10 Things Employers Do to Get Sued

California has numerous labor and employment regulations that far exceed those mandated at the federal level. As a result,

employers struggle with meeting the overwhelming employment requirements

CALIFORNIA **TOP 10** EMPLOYERS
THINGS EMPLOYERS
DO TO GET SUED

imposed while trying to develop and grow their businesses.

A new California Chamber of Commerce infographic illustrates

some of the mistakes that could lead to employment lawsuits (*see Page 3*).

Inside

*Status Report on
Major Bills: Pages 7-23*

Labor Law Corner

Employer Must Pay Expense of Business-Related Electronic Devices



Barbara Wilber
HR Adviser

What are the laws, if any, around BYOD policies, or compensation for personal devices when requiring employees to access Web-based content through their personal devices?

BYOD means “bring your own device” and refers to a growing number of employers who require employees to link their own electronic device(s) to a company’s Web-based programs and content.

Although this practice is being adopted by employers nationwide, and actually worldwide, in California, there are several laws that affect how a BYOD policy is implemented.

Employer Obligation

Pursuant to Labor Code Section 2802 and the Industrial Welfare Commission (IWC) Orders, an employer has an obligation to both provide and maintain any tools and equipment required by the employer, and to pay expenses associated with the use of the equipment.

Further complicating the issue are those situations where the employee is requesting to link his/her personal equipment to company programs.

In this scenario, an employer may or may not avoid paying the initial cost of the device, but subsequent expenses will be an issue. Since the device is now being used for company business and personal business, how are recoverable expenses determined?

In this world of quickly evolving technology, it is tricky to both comply with the laws already in place and to move forward, remain competitive, and recruit employees who want the convenience of personal devices to enhance their work environment and productivity.

Pay for Time Worked

Since the employee is connected 24/7 and could conceivably be responding to work issues at all hours, another large consideration is payment for time worked. While an employee is answering and responding to a smart phone, email, etc., this time meets the definition of hours worked.

Possibly an employer’s policy should outline restrictions and expectations about when an employee should be “off duty” completely. Of course, if the employee is salaried exempt, additional payment is not necessary. However, the day of rest rule, discussed in Labor Code sections 550 through 554, applies to both exempt and nonexempt employees.

Note that the IWC section referencing tools and equipment allows an exception for hand tools an employee provides, but this exception is limited to hand tools as opposed to power tools. Hand-held electronic devices do not appear to meet this very narrow exception.

Labor Code Section 450 further limits

the employer’s ability to mandate the purchase of a particular device: “No employer, or agent or officer thereof, or other person, may compel or coerce any employee, or applicant for employment, to patronize his or her employer, or any other person, in the purchase of anything of value.”

Other Issues

Not part of this discussion are other issues, such as employee privacy, employer’s right to monitor use, what happens when information technology personnel need to access information, location tracking, and security breaches of the company’s information and programs. How do you weigh an employee’s right to privacy against an employer’s need to protect company information?

As you can see, policies such as these raise difficult questions. Pursuant to the laws presently in place, employers should provide and maintain any device they require an employee to use and should reimburse employees for any business expenses connected with the use of the device.

For nonexempt employees, establish a method of tracking time and pay for all hours worked. Unfortunately, there are no definitive answers regarding how comprehensive your policy should be. Proceed carefully, review all privacy issues, and consult with legal counsel before attempting to implement a BYOD policy.

The Labor Law Helpline is 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.

Next Alert: August 9

**Quick Answers
to Tough
HR Questions**

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

POSTMASTER: Send address changes to Alert, 1215 K Street, Suite 1400, Sacramento, CA 95814-3918. Publisher: Allan Zaremborg. Executive Editor: Ann Amioka. Associate Editor: Sara Espinosa. Art Director: Neil Ishikawa. Capitol Correspondent: Christine Haddon.

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CALIFORNIA **TOP 10** EMPLOYERS THINGS EMPLOYERS DO TO GET SUED

Most California employers would never intentionally violate employment laws.
But it's easy to do if you're not clear on the rules.
Here's a list of the top 10 missteps that could lead to costly lawsuits.

1 MISSTEP	CLASSIFY ALL EMPLOYEES AS EXEMPT.  <p>"Keeping track of time is too much work."</p>	6 TERMINATE ANYONE WHO TAKES A LEAVE OF ABSENCE.  <p>"Who knows if the employee will return anyway?"</p>
2 MISSTEP	LET STAFF TAKE LUNCH WHENEVER.  <p>"It's a nice thing to do."</p>	7 DON'T GIVE A FINAL CHECK IF EMPLOYEES DON'T RETURN COMPANY PROPERTY.  <p>"Hey, it's only fair."</p>
3 MISSTEP	MAKE EVERYONE AN INDEPENDENT CONTRACTOR.  <p>"Employees are simply too much trouble."</p>	8 LOAN EMPLOYEES MONEY AND DEDUCT IT FROM THEIR PAYCHECKS.  <p>"That's the easiest way to do it."</p>
4 MISSTEP	DON'T BOTHER PROVIDING HARASSMENT PREVENTION TRAINING.  <p>"Supervisors can manage without it."</p>	9 USE NON-COMPETE AGREEMENTS TO PROTECT CONFIDENTIAL INFORMATION.  <p>"No one wants employees to go work for a competitor."</p>
5 MISSTEP	LET EMPLOYEES CHOOSE WHEN THEY WORK AND FOR HOW LONG.  <p>"It's OK, as long as they get their work done."</p>	10 IMPLEMENT A "USE IT OR LOSE IT" VACATION POLICY.  <p>"Who wants to pay out all that money if they resign."</p>

For more info on avoiding the legal consequences of these missteps, [download](#) CalChamber's free "The Top 10 Things Employers Do to Get Sued" white paper: calchamber.com/10things

Regulatory Reform Bills Await Action



SUPPORT

California Chamber of Commerce-supported legislation aimed at easing the regulatory burden on employers will be considered by legislators when they

return from the summer recess in August.

The bills have been moving through both houses of the Legislature without votes in opposition, reflecting bipartisan consensus on incremental regulatory reform.

Accountability

A proposal dealing with regulatory impact analysis, **AB 12 (Cooley; D-Rancho Cordova)**, is scheduled for a hearing on August 12 in the Senate Appropriations Committee.

AB 12 increases transparency and accountability for regulations by strengthening requirements for agencies that conduct regulatory impact analysis for major regulations.

Annual reviews of agency compliance levels, recommendations for legislative

action to improve compliance, and Internet posting of noncompliance will raise awareness about the costs and benefits of major regulations and ensure legislators have the information they need to improve California's regulatory environment.

Centralized Information

AB 393 (Cooley; D-Rancho Cordova), provides centralized information for business on permits and fees. AB 393 has already passed both the Assembly and the Senate, and is back in the Assembly.

The bill eases the burden on employers to locate permit information from a variety of websites and offices by centralizing the information regarding permits and fees at the Governor's Office of Business and Economic Development (GO-Biz) website.

Current law requires the GO-Biz to post on its website information or links to information about licensing, permitting and registration requirements for starting a business.

AB 393 adds to that website the associated fee information or links to the fee schedules. California has many

requirements that fit into this category and it often is difficult for businesses to know and comply. Compiling the information all in one place will ease the burden and facilitate a path to compliance.

Building Standards

Awaiting action in the Assembly Appropriations Committee is **SB 401 (Hueso; D-Logan Heights)**, which addresses the economic impact of building standards.

SB 401 provides transparency for the commercial construction industry by requiring economic impact analysis of new commercial building standards, building upon current law which already provides this information for residential building standards.

Since 1982, state agencies have been required to prepare an economic impact analysis that clearly identifies any adverse economic impacts on business, small business and housing.

That analysis, however, has most often been accompanied by boilerplate language that states: "The agency has determined

See Regulatory Reform: Page 5

CalChamber-Sponsored Seminars/Trade Shows

More information: calchamber.com/events.

Labor Law

HR Boot Camp: Toughest Challenges.

CalChamber. September 11, San Diego. (800) 331-8877.

Put It in Writing: Employee Handbooks

Webinar. CalChamber. September 19. (800) 331-8877.

California Rules for Pay/Scheduling

Nonexempt Webinar. CalChamber. October 17. (800) 331-8877.

Business Resources

Affordable Care Act: Tax and Accounting Considerations Webinar. CalChamber and Moss Adams. August 1. (800) 331-8877.

Affordable Care Act: Employee Benefits Webinar. CalChamber and Wells Fargo Insurance. August 15. (800) 331-8877.

California HR Conference. Professionals in Human Resources Association. August 26-28, Anaheim. (310) 416-1210.

International Trade

Go Global Webinars. U.S. Department of Commerce. July 30 and August 13: Trade Financing; August 27: Documen-

tation and Shipping; September 10 and September 24: Understanding Export Regulations; October 8: Avoiding and Resolving Problems.

Modern China: Creation of a Global Power. World Affairs Council of Northern California. July 31, San Francisco. (415) 293-4600.

America's Cup: San Francisco 2013. America's Cup. September 7-22, San Francisco.

China International Auto Parts Expo 2013. Consulate General of People's Republic of China, San Francisco. September 13-15, Beijing, China. (415) 852-5972.

Guy Fox Maritime Industry Salute Dinner. International Seafarers Center of Long Beach-Los Angeles. September 18, Aboard RMS Queen Mary. (310) 816-6510.

Trade Mission to Myanmar. California Centers for International Trade Development. September 19-26, Myanmar. (951) 571-6458.

The Americas Business Forum. Los Angeles Area Chamber. September

25-26, Los Angeles. (213) 580-7570.

Expo Pakistan. Trade Development Authority of Pakistan. September 26-29, Karachi, Pakistan.

Select USA 2013 Investment Summit. U.S. Department of Commerce, International Trade Administration, and SelectUSA. October 31-November 1, Washington, D.C. (202) 482-6800.

Interwine China 2013. MEREBO Messe Marketing. November 28-30, Guangzhou, China.

CalChamber Calendar

Water Committee:

September 12, La Jolla

CalChamber Fundraising Committee:

September 12, La Jolla

Board of Directors:

September 12-13, La Jolla

International Trade Breakfast:

September 13, La Jolla

2013 PAC Workshop:

September 27, Burbank

State Agency Considering New Prop. 65 Rules

CalChamber Supports Scientific Approach to Putting Chemicals on Prop. 65 List



The California Chamber of Commerce this week urged the Office of Environmental Health Hazard Assessment (OEHHA) to make sure that any future regulations written by the agency provide

certainty for businesses and use science as the basis for placing chemicals on the Proposition 65 list using the Labor Code listing mechanism.

Proposition 65

“The Safe Drinking Water and Toxic Enforcement Act of 1986,” most commonly referred to as Proposition 65, was approved via initiative by voters. The goal of the proposition is to protect drinking water sources from toxic substances that cause cancer and birth defects and to reduce or eliminate exposure to those chemicals.

Proposition 65 requires the state to publish a list of chemicals that are known to cause cancer or reproductive toxicity.

OEHHA Workshop

OEHHA held a pre-regulatory workshop on June 17 to gather input from interested parties on the content of a regulation that would address the Proposition 65 Labor Code listing mechanism.

The CalChamber is generally supportive of OEHHA's goal of crafting regulations as long as they ensure transparency, as well as provide certainty and clarity for business and the enforcement community related to the Labor Code listing mechanism for Proposition 65, especially in light of recent developments in case law and changes to the federal Hazard Communication Standard.

Labor Code Mechanism

One way that chemicals are added to the list is using the so-called “Labor Code mechanism.” Health and Safety Code Section 25249.8(a), which contains the text of Proposition 65, requires the Governor to maintain a list of chemicals “known to the state to cause cancer or reproductive toxicity within the meaning of this chapter,” and, “shall include at a minimum those substances identified by reference in Labor Code Section 6382(b)(1) and those substances identified additionally by reference in Labor Code Section 6382(d).”

Labor Code Section 6382(d), in turn, states that, “any substance within the scope of the federal Hazard Communication Standard (29 C.F.R. Sec. 1910.1200) is a hazardous substance subject to this chapter.”

The federal regulations in turn reference lists of carcinogens, one put together by the National Toxicology Program (NTP) and the other by the International Agency for Research on Cancer (IARC).

Court Ruling

Late in 2012, A California appellate court ruled that that OEHHA may not list a chemical as causing cancer under Proposition 65 using the Labor Code mechanism solely on the basis of the chemical's identification by one of those two groups.

Instead, the court said that OEHHA may list chemicals identified by those organizations only when the chemicals are known to cause cancer, as required by Proposition 65.

The CalChamber suggests that OEHHA's proposed regulation adopt the same approach.

Clarifying the treatment of chemicals on these lists will help prevent more litigation in this area, and also help ensure that sound science is the basis for placing chemicals on the Proposition 65 list using the Labor Code mechanism. This approach helps employers because it protects them from being forced to reformulate products or warn consumers about chemicals that do not pose an actual threat.

Preserving the integrity of the list also helps individuals know that all the chemicals on it pose a real threat, not one that should be disregarded.

OEHHA will conduct a public workshop on the concept for regulations addressing Proposition 65 warnings on July 30 in Sacramento.

Staff Contact: Mira Guertin

Regulatory Reform Bills Await Action in Legislature

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that there will be no significant economic impact on business/housing.”

As is widely recognized, such regulations more often than not do have a cost impact, and this generic sentence gives no real indication to the public as to what the estimated cost (in dollars) and benefits are with the proposed building standard.

SB 401 is narrowly drafted, and merely requires a state agency proposing a building standard to cite the estimated cost and benefits of compliance. For decades, state agencies have been developing this information to support a determination of economic impact. SB 401 simply requires disclosure of

information already being prepared.

Public Notice Requirements

SB 176 (Galgiani; D-Stockton)

expands public notice requirements for rulemaking. The bill awaits action in the Assembly Accountability and Administrative Review Committee.

Since the adoption of the Administrative Procedures Act (APA) in 1945, the process for developing regulations has evolved substantially, and today a majority of regulations are developed during the pre-rulemaking process. Additionally, the Office of Administrative Law (OAL) requires all documents to be submitted in hard copy and does not

permit state agencies to opt for a more cost effective and timely electronic delivery of rulemaking notices or files.

SB 176 will:

- Require state agencies to consult with interested persons and those affected by a regulation at the very beginning of any rulemaking procedures; and
- Permit state agencies to electronically submit mandated notices and rulemaking documents to OAL.

By streamlining government processes, SB 176 will result in a cost savings to the state and increased public involvement and transparency in rule-making procedures.

Staff Contact: Marti Fisher

California Chambers Press for Immigration Reform This Year

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reform is an important issue for Inland Southern California, the state, and the entire nation. Immigrants have always been and continue to be an essential part of our state and national workforce, and the lack of an effective and comprehensive national policy regarding immigration has resulted in a multitude of challenges for businesses.

"Our leaders in Washington, D.C. need to reform the national immigration policy so that it includes an earned pathway to legal status by establishing a guest worker program, improvements to the visa program, steps to secure our national borders, and stricter enforcement of existing laws."

Media Coverage

Continuing to attract media attention is a CalChamber News video in which CalChamber President and CEO Allan Zaremborg states the case for immigration reform and California's congressional delegation leading the debate.

"They can't let somebody else, who doesn't have a stake in this, determine the outcome," Zaremborg says in the video.

What happens in California affects the rest of the country, Zaremborg says. "Our economy is going to help drive the economic recovery in the rest of the United States."

To date, media outlets reaching audiences in Northern California, the Central Valley and Southern California have picked up the story of the CalChamber call for immigration reform.

See the video at calchamber.com/calchambernews.

Reform Principles

The CalChamber and local chamber coalition support the following comprehensive reform principles:

- Strong border security without jeopardizing trade with Mexico (California's largest trading partner);
- A temporary worker program that meets the needs of employers for both high- and low-skilled jobs that cannot be filled by U.S. workers.
- Strict enforcement of employment verification combined with 100% reliable employment eligibility information;
- An earned pathway to legal status.



CalChamber President and CEO Allan Zaremborg poses for a photo to accompany a media story about the campaign to encourage California representatives in Congress to lead the discussion toward passing comprehensive immigration reform this year.

Action Needed

U.S. House members will be home soon for the August recess. Contact your representative and express your support for comprehensive immigration reform.

An easy-to-edit sample letter is available at calchambervotes.com.

Staff Contact: Marti Fisher

Coalition Asks Cal/OSHA What Data Justifies Amending Heat Illness Standard

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considering more practical and effective approaches.

Cal/OSHA has many tools to achieve employer compliance that enhances employee safety. All should be considered before rulemaking, such as consultation, partnering with employer associations, training, outreach, education and effective enforcement focusing on the worst actors who jeopardize not only employee safety, but the viability of legitimate businesses that attempt in good faith to comply with all the laws and regulations already on the books.

Employers have repeatedly asked Cal/OSHA for a data-based explanation of why the heat illness prevention standard needs to be changed.

First Request for Data

On July 1, a coalition of trade associations representing most of the industry sectors covered by the regulation, including the CalChamber, sent a letter to the Heat Illness Prevention Advisory Committee asking that the com-

mittee's July 8 meeting open with a presentation focusing on the necessity and rationale for amending the heat illness prevention standard.

In the letter, the coalition asked that the presentation focus on the incidence of heat- and work-related fatalities and illnesses each year since 2005, comparing incidents that occurred in a workplace complying with the heat illness prevention standard with incidents which occurred in a workplace not complying with the standard. The presentation should have particular focus on how previous and proposed amendments to the standard may have had an impact on those comparisons, the coalition stated.

The coalition also asked that the presentation information be made available to all stakeholders, so that there can be a robust and data-driven discussion about the impact of the heat standard to date and what implications that information has, not only for the potential need for further rulemaking, but also for the potential necessity for Cal/OSHA to change its enforcement, consultation

assistance and educational strategies.

Second Request/Public Meeting

On July 8, Cal/OSHA held an advisory meeting to hear public comments about potential changes to the heat illness prevention standard. The coalition's written request for a data-based presentation on the necessity and rationale for amending the heat illness prevention standard went unheeded.

At numerous times during the July 8 meeting, various stakeholders also requested that Cal/OSHA provide data regarding the need for any changes to the regulation.

All requests for data have been declined to date. The discussion at the advisory meeting consisted primarily of anecdotal speculation on what changes to the standard may or may not be useful without regard to the effectiveness of or compliance with the existing regulation.

At this time Cal/OSHA has not revealed next steps in the process.

Staff Contact: Marti Fisher

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 July 12, when the Senate began its summer recess (the Assembly began its summer recess on July 3).

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

The CalChamber will publish a second status report in September,

showing the status of priority legislation when the Legislature begins its interim recess on September 13.

October 13 is the last day for the Governor to sign or veto bills passed by the Legislature on or before September 13.

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

Bills signed by the Governor will

become law on January 1, 2014. Urgency and budget-related measures go into effect immediately upon being signed.

Each fall, the CalChamber also publishes a record of legislators' votes on key bills affecting the California business climate. Generally, the bills selected for the vote record have appeared in one of the status reports. This year's vote record is scheduled to be published on November 8.

Federal bills are marked with an *.

Status of bills as of July 12, 2013. Dates listed are the date the bill was assigned to a committee, the latest date of committee action, the next hearing date or when the bill reached the floor, unless action is stated.

Subject—CalChamber Position	Status
Agriculture and Natural Resources	
Mandatory Mediation. SB 25 (Steinberg; D-Sacramento) Inappropriately shortens the bargaining process, forces mediation within 90 days and binds a new owner to a contract negotiated by the prior owner by making various changes to the Agricultural Labor Relations Act. Oppose.	Assembly Third Reading 7/3/13
Coastal Commission Enforcement. AB 976 (Atkins; D-South Park/Golden Hill) Inappropriately expands the Coastal Commission's enforcement by allowing the commission to impose administrative civil penalties and incentivizes the imposition of fines and penalties at the expense of due process that occurs in the judicial system. Oppose.	Senate Appropriations Hearing 8/12/13
Coastal Permits. AB 203 (Stone; D-Scotts Valley) Slows development in the coastal zone by allowing commission staff to halt the permit process for alleged violations anywhere on the project. Carves out new development projects in harbors, ports, or marinas if under separate ownership. Oppose.	Assembly Inactive File 5/31/2013; Failed Deadline
Slack Fill. SB 465 (Correa; D-Santa Ana) Makes it easier for companies to comply with labeling and packaging requirements by clarifying what the acceptable difference is between the actual capacity of a package and the volume of product it contains. Support.	Assembly Business, Professions and Consumer Protection 7/3/13
Fire Prevention. AB 350 (Wieckowski; D-Fremont) Preserves rural economies by allowing thinning of larger trees near structures as fire suppression activities exempt from the requirements to file a Timber Harvest Plan. Support.	Failed passage in Assembly Natural Resources 4/29/13; Failed Deadline
Livestock Trailers. SB 478 (Cannella; R-Ceres) Helps rural economies by giving California ranchers more access to auction yards and facilities near highways and national routes by allowing 53-foot livestock trailers to operate on state highways. Support.	Senate Transportation and Housing 3/11/13; Failed Deadline
Increased Penalties. SB 507 (Cannella; R-Ceres) Aids agricultural businesses by increasing the penalty for deliberately burning feedlots or stockyards including livestock. Support.	Failed passage in Senate Public Safety 4/30/13; Failed Deadline
Bans. AB 1213 (Bloom; D-Santa Monica) Causes economic losses in the livestock industry from bobcat predations by prohibiting the trapping of bobcats in certain areas. Oppose.	Senate Appropriations Hearing 8/12/13

Subject—CalChamber Position	Status
Banking/Finance	
Verification. AB 844 (Dickinson; D-Sacramento) Before amendments, severely limited information an online retailer could request to verify credit/debit card holders. Opposition removed due to 5/28/13 amendments. No Position.	Senate Banking and Financial Institutions 7/12/13; Failed Deadline
ID Verification. SB 383 (Jackson; D-Santa Barbara) Interferes with fraud prevention efforts by limiting the information that may be requested to verify the identity of a credit card holder during an online purchase. Oppose.	Senate Inactive File 5/30/13; Failed Deadline
Uniform Commercial Code. AB 502 (Wagner; R-Irvine) Updates and conforms California law with federal law regarding the Uniform Commercial Code covering transactions that involve credit secured by personal property. Support.	Senate Appropriations Hearing 8/12/13
Budget	
Business Filings Processing. AB 113 (Committee on Budget) Ensures that California is competitive by eliminating the Secretary of State backlog of business filings by appropriating funds to support overtime and temporary workers. Support.	Signed—Chapter 3
California Environmental Quality Act (CEQA)	
Comprehensive CEQA Reform. SB 731 (Steinberg; D-Sacramento) Establishes the Legislature's intent to address a variety of problems with the CEQA process and CEQA litigation including: 1) expanding the infill exemption, 2) streamlining the process for several types of projects, 3) adopting thresholds of significance for certain environmental impacts, 4) streamlining the process for projects subject to a plan with a full EIR, 5) giving clearer instruction to trial courts, and 6) addressing document dumping. Support/ Job Creator .	Assembly Local Government 7/2/13
Dramatic CEQA Expansion. SB 754 (Evans; D-Santa Rosa) Expands and incentivizes litigation under the California Environmental Quality Act (CEQA) and increases the complexity and cost of CEQA compliance by 1) prohibiting a lead agency from asking a project proponent to draft an EIR, 2) forcing re-analysis of projects that are more than seven years old, 3) creating a new cause of action to allow anyone to stop a project by alleging a mitigation measure has not been implemented, and 4) removing limits on archeological resources mitigation fees. Oppose/ Job Killer .	Held in Senate Appropriations Suspense File 5/23/13; Failed Deadline
CEQA Consultation with Tribes. AB 52 (Gatto; D-Los Angeles) Creates new opportunities for CEQA litigation by requiring lead agencies to engage in "meaningful consultation" with Native American tribes regarding land use projects that could have an adverse impact on a tribal cultural resource. Oppose/ Job Killer .	Senate Environmental Quality 7/12/13; Failed Deadline
Increases CEQA Litigation. AB 953 (Ammiano; D-San Francisco) Invites more litigation over CEQA projects by overturning a recent court decision and allowing project opponents to challenge EIRs that don't adequately evaluate and mitigate impacts related to conditions and physical features in the environment like sea-level rise and fault-lines. Oppose/ Job Killer .	Assembly Inactive File 5/31/13; Failed Deadline
Comprehensive CEQA Expansion. SB 617 (Evans; D-Santa Rosa) Inappropriately expands CEQA, slowing development and growth in the state and inviting more litigation over CEQA projects, by requiring lead agencies to evaluate and mitigate for potential impacts on a project caused by conditions in the environment like earthquakes, wildfires, flooding, and sea-level rise. Oppose/ Job Killer .	Senate Inactive File 5/30/13; Failed Deadline
Mandatory CEQA Mitigation. AB 823 (Eggman; D-Stockton) Adds additional costs and hurdles to critically needed new infrastructure and development projects by imposing unreasonable, mandatory mitigation requirements whenever agricultural land is converted to another use. Oppose/ Job Killer .	Assembly Agriculture 4/29/13; Failed Deadline

Subject—CalChamber Position	Status
Costly New CEQA Requirement. AB 543 (Campos; D-San Jose) Increases the cost and burden of development, and exposes lead agencies and project proponents to new lawsuits, by requiring them to translate CEQA notices into all languages spoken by 25% or more of the individuals located at or near an area of the proposed project. Oppose.	Senate Environmental Quality 7/12/13; Failed Deadline
Misuse of Judicial Resources. SB 123 (Corbett; D-San Leandro) Uses already limited judicial resources to establish a new land use division within the state court system rather than fixing problems with the CEQA process and other areas of land use policy that lead to excessive litigation in the first place. Oppose.	Held in Senate Appropriations Suspense File 5/23/13; Failed Deadline
Misuse of Judicial Resources. AB 515 (Dickinson; D-Sacramento) Taxes already-limited judicial resources by establishing a land-use division in the court system to try and expedite CEQA and other permitting cases. Oppose.	Assembly Judiciary 4/23/13; Failed Deadline
Expedites CEQA Litigation. AB 37 (Perea; D-Fresno) Originally streamlined CEQA litigation for projects by allowing a project proponent to have the lead agency prepare the administrative record for trial concurrently with the CEQA process at the project proponent's expense. Amended June 20 to deal with another subject, so support changed to No Position.	Senate Natural Resources and Water 7/12/13; Failed Deadline
Limits CEQA Litigation. SB 787 (Berryhill; R-Modesto) Streamlines the CEQA process and provides certainty for employers seeking to expand in California by prohibiting litigation over aspects of a project that meet all existing state, local and federal environmental standards. Support.	Failed passage in Senate Environmental Quality 5/1/13; Failed Deadline
Limits CEQA Litigation. AB 1302 (Hagman; R-Chino Hills) Streamlines the CEQA process and provides certainty for employers seeking to expand in California by prohibiting litigation over aspects of a project that meet all existing state, local and federal environmental standards. Support.	Failed passage in Assembly Natural Resources 4/29/13; Failed Deadline
Climate Change	
Greenhouse Gas Emissions Reductions. SB 605 (Lara; D-Bell Gardens) Increases the cost of AB 32 compliance and leads to leakage of emissions and jobs by requiring specified criteria be included in the California Air Resources Board scoping plan and requiring greenhouse gas emission reductions be achieved within the areas that are most impacted by greenhouse gas emissions and other air pollutants. Prematurely spends AB 32 auction revenues. Oppose.	Assembly Natural Resources Hearing 8/12/13
AB 32 Auction Revenues. AB 26 (Bonilla; D-Concord) Prematurely establishes parameters around the expenditure of AB 32 auction revenues and specifies that money from the Greenhouse Gas Reduction Fund is public money. Oppose.	Senate Labor and Industrial Relations 7/12/13; Failed Deadline
AB 32 Auction Revenues. AB 574 (Lowenthal; D-Long Beach) Prematurely spends AB 32 auction revenues to fund the implementation of sustainable communities. Oppose.	Held in Assembly Appropriations Suspense File 5/24/13; Failed Deadline
AB 32 Auction Revenues. AB 1023 (Eggman; D-Stockton) Prematurely spends AB 32 auction revenues to create the Greenhouse Gas Reduction through Recycling, Composting, and Recycled Content Manufacturing Investment Program providing incentives for eligible industry sectors to reduce greenhouse gas emissions. Oppose.	Held in Assembly Appropriations Suspense File 5/24/13; Failed Deadline
AB 32 Auction Revenues. AB 1051 (Bocanegra; D-Pacoima) Prematurely spends AB 32 auction revenues and from that appropriates an unspecified sum to the Department of Housing and Community Development to provide loans for the development and construction of housing development projects within close proximity to transit stations, and to other projects and programs that show greenhouse gas reductions. Oppose.	Held in Assembly Appropriations Suspense File 5/24/13; Failed Deadline
AB 32 Auction Revenue Expenditures. SB 64 (Corbett; D-San Leandro) Prematurely spends AB 32 auction revenues to establish the Clean Technology Investment Fund for development, demonstration and deployment of technologies with the intent of reducing greenhouse gas emissions. Oppose.	Assembly Natural Resources Hearing 8/12/13

Subject—CalChamber Position	Status
AB 32 Auction Revenue Expenditures. AB 1375 (Chau; D-Alhambra) Prematurely spends AB 32 auction revenues to establish the Clean Technology Investment Fund for development, demonstration and deployment of technologies with the intent of reducing greenhouse gas emissions. Oppose.	Assembly Appropriations 5/15/2013; Failed Deadline
California Global Warming Solutions Act of 2006: Offsets. AB 153 (Bonilla; D-Concord) Encourages cost-effective emission reductions and helps businesses meet their AB 32 goals by promoting the development of offsets in the cap-and-trade program. Support If Amended.	Held in Assembly Appropriations Suspense File 5/15/13; Failed Deadline
Creates Regulatory Certainty. SB 34 (R. Calderon; D-Montebello) Advances the state's environmental policies and promotes job creation by reducing the regulatory burdens for the permitting process of carbon capturing and storage projects. Support/ Job Creator	Held in Senate Appropriations Suspense File 5/23/13
Crime	
Penalties. AB 924 (Bigelow; R-O'Neals) Saves ranchers money by increasing penalties for stealing livestock. Support.	Senate Third Reading 7/9/13
Enforcement. AB 909 (Gray; D-Merced) Saves businesses money by escalating enforcement of metal theft crimes. Support.	Senate Appropriations Hearing 8/12/13
Licenses. SB 485 (R. Calderon; D-Montebello) Enhances enforcement efforts of metal theft crimes by requiring junk dealers/recyclers to pay a supplemental fee for a new or renewal of a weighmaster's license and allows dealers to verify that the dealers' permits and licenses are valid and up-to-date. Support.	Assembly Business, Professions and Consumer Protection Hearing 8/13/13
Education	
Workforce Development. SB 594 (Steinberg; D-Sacramento) Provides California employers with a highly skilled workforce by authorizing financial incentives to integrate academic and work-based learning. Support.	Assembly Education 6/26/13
Improves Teacher Quality. SB 453 (Huff; R-Diamond Bar) Improves the quality of teachers in California and ensures that when schools must lay off teachers due to budget cuts, they have the ability to make cuts based on teacher quality, rather than just on seniority. Support.	Failed passage in Senate Education 4/24/13; Failed Deadline
Civics Education. SB 696 (Block; D-San Diego) Promotes civic engagement, which is important to democracy and free enterprise, by requiring the California Department of Education to recommend for adoption to the State Board of Education an assessment to measure a student's understanding of the relevance of public policy, the structure of the federal, state and local governments, and both the California and U.S. Constitutions. Support.	Held in Senate Appropriations Suspense File 5/23/13; Failed Deadline
Civics Education. AB 137 (Buchanan; D-Alamo) Promotes civic engagement, which is important to democracy and free enterprise, by requiring the Instructional Quality Commission, when revising the history-social science framework, to receive input from civics learning experts. Support.	Senate Third Reading 7/2/13
Civics Education. SB 619 (Yee; D-San Francisco/San Mateo) Promotes civic engagement, which is important to democracy and free enterprise, by requiring the Department of Education, if private funds are secured for this purpose, to develop and make available online a state employee civics orientation on federal and state government. Support.	Held in Senate Appropriations Suspense File 5/23/13; Failed Deadline
Elections and Fair Political Practices	
Corporation and Shareholder Detriment. SB 121 (Evans; D-Santa Rosa) Exposes publicly held companies to harassing lawsuits and duplicate reporting of political expenditures by creating a cause of action if the company does not meet all of the requirements of the mandated shareholder disclosure and notification of the company's political expenditures. Oppose.	Failed passage in Senate Banking and Financial Institutions 4/17/13; Failed Deadline

Subject—CalChamber Position	Status
Energy	
Reduces Energy Costs. AB 762 (Patterson; R-Fresno) Reduces energy costs and promotes renewable energy by including hydroelectric generation in the definition of a renewable energy resource. Support/ Job Creator .	Failed passage in Assembly Utilities and Commerce 4/22/13; Failed Deadline
Natural Gas Act. AB 1257 (Bocanegra; D-Pacoima) Benefits California businesses and consumers by requiring the California Energy Commission to evaluate and recommend natural gas strategies to reduce greenhouse gas emissions and cultivate a clean energy economy in order to ensure the efficient use of natural gas. Support.	Senate Appropriations Hearing 8/12/13
Bid Preference. SB 124 (Corbett; D-San Leandro) Increases the cost of state contracts and limits choice by establishing a 5% bid preference to businesses that use a clean energy device, technology or system manufactured in California. Oppose.	Assembly Appropriations 7/3/13
Environmental Regulation	
Threatens All Oil and Gas Production. SB 395 (Jackson; D-Santa Barbara) Threatens all oil and gas production in California, driving up fuel and energy prices and harming the job market in these sectors, by requiring oil and gas generators to prove that produced water used in oil and natural gas wells is not hazardous before it can be disposed of in a disposal well, the most commonly used and cost-effective means of disposal available in California. Oppose/ Job Killer .	Senate Inactive File 5/30/13; Failed Deadline
Moratorium on Hydraulic Fracturing. AB 1323 (Mitchell; D-Los Angeles) Substantially hinders oil and gas production in the state, driving up fuel and energy prices and harming the job market in these sectors, by prohibiting hydraulic fracturing and the use of fresh water in hydraulic fracturing until Cal/EPA re-authorizes the practice under a new regulatory scheme, if at all, in 2019. Oppose/ Job Killer .	Failed passage in Assembly 5/30/13; Failed Deadline
Moratorium on Hydraulic Fracturing. AB 1301 (Bloom; D-Santa Monica) Substantially hinders oil and gas production in the state, driving up fuel and energy prices and harming the job market in these sectors, by imposing a moratorium on the use of hydraulic fracturing until the Legislature re-authorizes it through subsequent legislation that limits the conditions under which it can be conducted. Oppose/ Job Killer .	Held in Assembly Appropriations Suspense File 5/24/13; Failed Deadline
Moratorium on Hydraulic Fracturing. AB 649 (Nazarian; D-Studio City) Substantially hinders oil and gas production in the state, driving up fuel and energy prices and harming the job market in these sectors, by prohibiting hydraulic fracturing and the use of fresh water in hydraulic fracturing until Cal/EPA re-authorizes the practice under a new regulatory scheme, if at all, in 2019. Oppose/ Job Killer .	Held in Assembly Appropriations Suspense File 5/24/13; Failed Deadline
Unnecessary New Regulatory Scheme. SB 747 (DeSaulnier; D-Concord) Establishes a costly, duplicative, and burdensome program that requires the Department of Public Health to regulate manufacturers of consumer products that the department determines contribute to a significant public health epidemic (i.e., obesity, diabetes, cancer, heart disease), and allows the department to restrict or prohibit the sale of such products. Oppose/ Job Killer .	Senate Health 4/25/13; Failed Deadline
Dramatically Increases Pollution Penalties. SB 691 (Hancock; D-Oakland) Dramatically increases existing strict-liability penalties for nuisance-based, non-vehicular air-quality violations without adequately defining what types and levels of pollution would trigger those penalties. Oppose/ Job Killer .	Assembly Natural Resources Hearing 8/12/13
Disposable Fast-Food Container Ban. SB 529 (Leno; D-San Francisco) Places an unworkable ban on disposable food services containers or single-use carryout bags, unless they can meet an increasing recycling threshold that will reach 75% on July 1, 2020. Oppose/ Job Killer .	Held in Senate Appropriations Suspense File 5/23/13; Failed Deadline

Subject—CalChamber Position	Status
Threatens Use of Hydraulic Fracturing. AB 288 (Levine; D-San Rafael) The most recent amendments deleted a de facto moratorium on the use of hydraulic fracturing in the state, but the measure still deletes California's policy in favor of in-state energy production, driving up fuel and energy prices and threatening the job market in these sectors. Job killer status removed due to 5/28/13 amendments, but the CalChamber remains opposed. Oppose/ Former Job Killer.	Assembly Inactive File 6/3/13; Failed Deadline
Stops Drive-by Lawsuits. AB 227 (Gatto; D-Los Angeles) Protects small businesses from drive-by lawsuits by providing a 14-day right to cure for allegations of a failure to post a Proposition 65 warning related to chemicals produced during the cooking process, alcohol, second-hand smoke, and car exhaust. Support/ Job Creator.	Senate Appropriations Hearing 8/12/13
Protects Auto Industry Jobs. SB 498 (Lara; D-Bell Gardens) Protects automobile manufacturers from duplicative regulation by the Department of Toxic Substances Control by exempting automobiles from the Green Chemistry program. Support/ Job Creator.	Senate Environmental Quality 5/1/13; Failed Deadline
Ensures Proposition 65 List is Scientific. AB 1026 (Quirk; D-Hayward) Provides certainty for businesses and guidance for the state Office of Environmental Health Hazard Assessment as to the evidentiary standard to use when placing a chemical on the Proposition 65 list using the Labor Code listing mechanism. Sponsor/Co-Sponsor.	Assembly Environmental Safety and Toxic Materials 4/30/13; Failed Deadline
Threatens Oil and Gas Production. SB 4 (Pavley; D-Agoura Hills) Requires overly restrictive and burdensome regulation of the use of hydraulic fracturing, jeopardizing oil and gas production in the state, which could drive up fuel and energy prices and harm the job market in these sectors. Oppose.	Assembly Appropriations 7/2/13
Unworkable Recycling Program. AB 521 (Stone; D-Scotts Valley) Establishes an unworkable "producer responsibility"-style recycling program for the 10 most common types of marine litter, forcing product manufacturers to meet aggressive recycling rates and dates, which will not actually impact litter rates. Oppose.	Held in Assembly Appropriations Suspense File 5/24/13; Failed Deadline
Costly Regulation of Pharmaceuticals. SB 727 (Jackson; D-Santa Barbara) Drives up the cost of prescription drugs and harms the pharmaceutical industry by mandating that pharmaceutical companies pay for 100% of the costs to administer a new, expansive statewide product stewardship program for pharmaceutical drugs, and subjects those employers to harsh penalties. Oppose.	Senate Environmental Quality 5/1/13; Failed Deadline
Industry-Run Mattress Recycling. SB 254 (Hancock; D-Oakland) Establishes a private sector-run product stewardship program patterned on successful recycling legislation for paint and carpet products. Support.	Assembly Natural Resources Hearing 8/12/13
Air Pollution Bounty-Hunter Provision. AB 818 (Blumenfield; D-San Fernando Valley) Inappropriately grants some city attorneys, without expertise in this area, the authority to bring an action to recover air pollution control penalties and keep the profits without evidence that enforcement by the Air Resources Board and regional air districts is inadequate. Oppose.	Assembly Natural Resources 4/25/13; Failed Deadline
Cost-Effective Options for Employers. AB 358 (Holden; D-Pasadena) Potentially reduces the cost of lead testing by allowing the Department of Public Health to adopt regulations permitting the use of less costly tests. Support.	Senate Appropriations Hearing 8/12/13
New Infrastructure and Investment Program. SB 798 (De León; D-Los Angeles) Prematurely uses AB 32 auction revenues to establish a Green Infrastructure Bank charged with helping fund various types of economic development projects. Oppose.	Senate Governance and Finance 4/15/13; Failed Deadline
Gaming/Alcohol	
Beer Manufacturers. AB 779 (Bocanegra; D-Pacoima) Expands business opportunities by allowing certain beer manufacturers to make and sell cider. Support.	Senate Appropriations Hearing 8/12/13
Liquor Licenses. AB 593 (Quirk; D-Hayward) Encourages new business by streamlining the permit process for restaurants. Support.	Senate Appropriations Hearing 8/12/13

Subject—CalChamber Position	Status
Health	
Expansion of Discrimination Litigation and New Health Care Coverage Penalties. AB 880 (Gomez; D-Los Angeles) Discourages hiring of entry or re-entry workers, increases discrimination litigation and increases costs by taxing large employers with a penalty if any of their employees who work as little as 8 hours per week enroll in California's Medi-Cal program and expands the Labor Code to include a protected classification for any person who is enrolled in California's Medi-Cal program or in the California Health Benefit Exchange. Oppose/ Job Killer .	Failed passage in Assembly 6/27/13; Placed on Assembly Inactive File 7/1/13
Tax Increase. AB 1176 (Bocanegra; D-Pacoima) Taxes health plans, which will be passed on to small employers and individual consumers in the form of higher health insurance premiums, by assessing \$5 per covered life to pay for medical residencies. Oppose.	Held in Assembly Appropriations Suspense File 5/24/13
Wellness Programs. SB 189 (Monning; D-Carmel) Undermines important wellness incentive provisions of the federal Patient Protection and Affordable Care Act designed to improve health and reduce medical costs by imposing stringent unworkable requirements on wellness programs. Oppose.	Failed passage in Senate Appropriations 5/23/13; Failed Deadline
Limits Choice for Small Business. SB 161 (E. Hernandez; D-West Covina) Before amendments, severely limited a small employer's ability to select the most appropriate, affordable health care coverage for its employees by regulating stop-loss insurance and requiring the employer to bear an unreasonably high level of claims costs before stop-loss coverage applies. Opposition removed due to 5/28/13 amendments. No Position.	Assembly Appropriations 7/2/13
Health Premium Increases. SB 639 (E. Hernandez; D-West Covina) Eliminates lower-priced plans, inhibits competition and innovation, and leads to less affordable coverage for California businesses and their employees. Oppose.	Assembly Health Hearing 8/13/13
Increased Health Insurance Premiums. AB 975 (Wieckowski; D-Fremont) Increases costs and limits the ability of California's nonprofit hospitals to invest in community prevention efforts that meet the needs of the local community by creating an unnecessary new definition of charity care and mandating a rigid process for developing a community needs assessment and community benefit plans. Oppose.	Assembly Inactive File 5/31/13; Failed Deadline
Increased Health Insurance Premiums. AB 889 (Frazier; D-Oakley) Reduces health plan flexibility in benefit management, increases health care costs and premiums and reduces employers' choice of benefit packages to offer their employees by limiting step-therapy protocols to manage prescription drug use. Oppose.	Senate Appropriations Hearing 8/12/13
Increased Health Insurance Premiums. AB 912 (Quirk-Silva; D-Fullerton) Increases medical costs, which will be passed on to medium and large employers in the form of higher premiums, by mandating coverage of fertility preservation services in certain medical treatments. Oppose.	Senate Appropriations Hearing 8/12/13
Individual Health Care Coverage. AB 18 (Pan; D-Sacramento) Increases costs for dental insurance by subjecting dental plans to unnecessary new administrative burdens. Oppose Unless Amended.	Assembly Appropriations 7/3/13
Increases Health Insurance Premiums. AB 219 (Perea; D-Fresno) Reduces employers' flexibility to purchase a benefit design that will fit within their budget by imposing a rigid copayment cap. Oppose.	Senate Appropriations Hearing 8/12/13
Increased Health Insurance Premiums. SB 320 (Beall; D-San Jose) Drives up employers' health insurance premiums by undermining the ability of health plans and insurers to manage their networks by mandating the plans and insurers to contract with various types of facilities. Oppose.	Held in Senate Appropriations Suspense File 5/23/13; Failed Deadline
Increased Health Insurance Premiums. SB 353 (Lieu; D-Torrance) Increases costs for health plans, which will be passed on to employers in the form of higher premiums, by imposing significant new translation requirement on plans that advertise or market to new communities that speak languages other than English. Oppose.	Assembly Health Hearing 8/13/13

Subject—CalChamber Position	Status
Health Premium Increase. SB 746 (Leno; D-San Francisco) Interferes with an employer's negotiation with health plans and increases costs by subjecting insurers to excessive, onerous disclosure requirements. Oppose.	Assembly Appropriations 7/2/13
Curbs Illegal Drug Manufacturing. SB 506 (Hill; D-San Mateo) Curbs the illegal manufacture of methamphetamine by making it more difficult to purchase pseudoephedrine (PSE) by implementing a statewide electronic tracking program that monitors all California over-the-counter PSE purchases to prevent purchases beyond federal limits. Support.	Held in Senate Appropriations Suspense File 5/23/13; Failed Deadline
Increased Health Insurance Premiums. SB 780 (Jackson; D-Santa Barbara) Increases costs for health plans, which will be passed on to employers in the form of higher premiums and drive affordable preferred provider organization products out of the market, by imposing new reporting and disclosure requirements not appropriate to this type of product. Oppose.	Held in Senate Appropriations Suspense File 5/23/13; Failed Deadline
Housing and Land Use	
Stifles Economic Development. AB 667 (R. Hernández; D-West Covina) Undermines local land use discretion by mandating an additional and costly economic and community impact report prior to approving a permit to construct a large retail establishment. Oppose.	Failed passage in Senate Governance and Finance 6/26/13; Failed Deadline
Barriers to Development. SB 673 (DeSaulnier; D-Concord) Undermines local land use discretion by requiring a project proponent to provide a cost benefit analysis on development projects that will receive a subsidy of more than \$1 million. Oppose.	Senate Inactive File 5/30/13; Failed Deadline
Sustainable Communities Strategy. AB 1002 (Bloom; D-Santa Monica) Increases the cost of doing business by imposing a \$6 fee on vehicle registration to carry out the state's sustainable communities strategies (SB 375). Oppose.	Assembly Local Government 4/30/13
Increased Housing Costs. AB 1229 (Atkins; D-South Park/Golden Hill) Increases the cost of housing by allowing the adoption of inclusionary housing elements as a condition of development. Oppose.	Senate Third Reading 7/8/13
New Home Construction. AB 116 (Bocanegra; D-Pacoima) Facilitates the smooth recovery of the housing market by extending the life of active tentative subdivision maps and parcel maps for a period of two years. Support.	Signed—Chapter 62 (urgency)
Unnecessary and Duplicative Regulation. AB 127 (Skinner; D-Berkeley) Establishes an unnecessary and duplicative regulatory process by delegating authority to the California Building Standards Commission to regulate the use of flame retardant chemicals in building insulation even though that organization lacks the necessary expertise to conduct such rigorous human health and environmental impact assessments, and despite the fact that the Department of Toxic Substances Control already has jurisdiction over these materials. Oppose.	Senate Appropriations Hearing 8/12/13
Immigration	
Foreign Labor Contractors. SB 516 (Steinberg; D-Sacramento) Approaches the real problem of human trafficking in an overly broad manner that will harm legitimate employers by imposing significant burdens on and risks to California employers who hire workers from foreign countries. Oppose.	Assembly Judiciary Hearing 8/13/13
Industrial Safety and Health	
Occupational Safety and Health Appeals Board. AB 1277 (Skinner; D-Berkeley) Creates employer exposure to unwarranted Cal/OSHA citations. Unduly burdens employers in the Cal/OSHA citation and appeals process, creating new unwarranted opportunities for citations and litigation against employers. Oppose.	Held in Assembly Appropriations Suspense File 5/24/13; Failed Deadline

Subject—CalChamber Position	Status
Increased Costs for Citation Appeal Process. AB 1165 (Skinner; D-Berkeley) Proposes a costly double-appeal process for workplace safety citations that presumes guilt for employers, undermines due process with regards to citations for workplace safety violations and is unnecessary in light of recently adopted regulations for an expedited appeals process for these situations. Oppose.	Senate Appropriations Hearing 8/12/13
Unjustified Disclosure of Customer Information. SB 193 (Monning; D-Carmel) Increases administrative burdens on business and jeopardizes confidentiality of sensitive customer information by allowing Cal/OSHA's repository of toxicity data—Hazard Evaluation System and Information Service (HESIS)—to obtain customer lists of certain chemicals from manufacturers, formulators, suppliers and distributors. Oppose Unless Amended.	Assembly Appropriations 7/2/13
Injury Reporting. AB 326 (Morrell; R-Rancho Cucamonga) Provides clarity for employers regarding when a work-related hospitalization or fatality must be reported to Cal/OSHA by conforming with federal OSHA rules. Support.	Failed passage in Assembly Labor and Employment 4/10/13; Failed Deadline
Insurance	
New Tax to Fund Emergency Response. AB 468 (Chesbro; D-North Coast) Replaces targeted fire prevention fee with new and higher tax of 4.8% on all property insurance. Oppose.	Assembly Natural Resources 5/2/13
Increased Auto Insurance Costs. AB 862 (Wieckowski; D-Fremont) Creates a new type of auto insurance to provide higher maximum payouts for liability in the event of an accident, which would result in higher premiums. Oppose.	Assembly Insurance 5/2/13; Failed Deadline
International Relations/Trade	
*Trade Promotion Authority. Grants authority to the President and U.S. Trade Representative, by Congress to enter into trade negotiations in order to lower trade barriers. Support.	Pending Congressional Action
Facilitate Expeditious Exporting. AB 1400 (Committee on Jobs, Economic Development and the Economy) Improves the business climate in California by reducing delays in processing necessary documents for California exporters. Support.	Senate Appropriations Suspense File 6/24/13
Labor and Employment	
Automatic Minimum Wage Increase. AB 10 (Alejo; D-Salinas) Unfairly imposes an automatic \$2 increase in minimum wage over the next five years that will continue to increase costs on employers of all sizes, regardless of other economic factors or costs that California employers are struggling with to sustain their business. Oppose/ Job Killer .	Senate Appropriations Hearing 8/12/13
Unproven Wage Liens. AB 1164 (Lowenthal; D-Long Beach) Creates a dangerous and unfair precedent in the wage-and-hour arena by allowing employees to file liens on an employer's real or personal property, or property where work was performed, based upon alleged yet unproven wage claims. Oppose/ Job Killer .	Assembly Appropriations 5/15/13; Failed Deadline
Expansion of Paid Family Leave Program. SB 761 (DeSaulnier; D-Concord) Transforms the paid family leave program from a wage replacement program into a new protected leave of absence that will burden small and large businesses by allowing an employee to file litigation for any alleged retaliation or discrimination as a result of their intent, request, or use of the paid family leave program. Oppose/ Job Killer .	Senate Inactive File 5/30/13; Failed Deadline
Expansion of Discrimination Litigation. SB 404 (Jackson; D-Santa Barbara) Makes it virtually impossible for employers to manage their employees and exposes them to a higher risk of litigation by expanding the Fair Employment and Housing Act to include a protected classification for any person who is, perceived to be, or associated with an individual who provides medical or supervisory care to a listed family member. Oppose/ Job Killer .	Assembly Appropriations 7/3/13

Subject—CalChamber Position	Status
Unconstitutional Budget Trailer Bill. SB 71 (Committee on Budget and Fiscal Review) Violates Proposition 25, approved by voters in June 2010, by including policy language in this budget trailer bill that is unrelated to the implementation of the budget. Oppose Unless Amended.	Signed—Chapter 28
Unconstitutional Budget Trailer Bill. AB 76 (Committee on Budget) Violates Proposition 25, approved by voters in June 2010, by including policy language in this budget trailer bill that is unrelated to the implementation of the budget. Oppose.	Vetoed
Flexible Workweek Schedules. AB 907 (Conway; R-Tulare) Allows an employee to voluntarily request a flexible work schedule, with an opportunity to work 4/10-hour workdays without the employer incurring overtime. Support/ Job Creator.	Assembly Labor and Employment 4/22/13; Failed Deadline
Reduced Costs to Employers. SB 607 (Berryhill; R-Modesto) Lowers costs for employees and provides more flexibility by allowing employees to request and work up to 10 hours in a day without the payment of overtime. Support/ Job Creator.	Failed passage in Senate Labor and Industrial Relations 4/24/13; Failed Deadline
Expansion of Discrimination Lawsuits. SB 400 (Jackson; D-Santa Barbara) Increases the burden on California employers to conduct business and exposes them to a higher risk of litigation by creating a protected classification for employees who are victims of domestic violence, sexual assault, or stalking and imposes a burden on employers to accommodate such individuals. Oppose.	Assembly Appropriations 6/27/13
Local Enforcement of Labor Laws. AB 1383 (Committee on Labor and Employment) Allows local authorities to impose more stringent labor and employment requirements than those already required in the Labor Code, including stricter reporting requirements, notifications, overtime laws, meal and rest breaks, etc., leading to a patchwork of labor laws across the state that will burden small employers as well as large employers that have multiple locations. Oppose.	Senate Third Reading 7/1/13
Expansive Employer Liability. AB 263 (R. Hernández; D-West Covina) Unfairly expands employer liability and threatens the complete loss of the ability to conduct business in California if a supervisor engages in “unfair immigration practices.” Oppose.	Senate Appropriations Hearing 8/12/13
Mixed-Motive Discrimination. SB 655 (Wright; D-Inglewood) Directly undermines a Supreme Court ruling issued February 2013 by establishing a statutory penalty of \$25,000 against an employer who had an objective, independent, non-discriminatory basis upon which to terminate or discipline an employee. Oppose.	Assembly Judiciary Hearing 8/13/13
Domestic Work Employees. AB 241 (Ammiano; D-San Francisco) Discourages individuals from retaining the services of domestic work employees by requiring individuals and families who hire “domestic work employees” to comply with onerous wage-and-hour mandates that even sophisticated businesses in California struggle to satisfy. Oppose.	Senate Appropriations Hearing 8/12/13
Reduced Costs to Employers of Licensed Residential Facilities. SB 554 (Anderson; R-Alpine) Lowers costs for these facilities by generally exempting employees from daily overtime requirements. Support.	Senate Labor and Industrial Relations 4/24/13; Failed Deadline
Mandatory Right to Inspect Payroll Records. AB 155 (Alejo; D-Salinas) Creates an unsafe work environment for other employees by requiring an employer to allow a former employee, about whom the employer has concerns with regard to safety, to enter the premises in order to inspect payroll records. Oppose.	Senate Labor and Industrial Relations 7/12/13; Failed Deadline
Employee-Union Agent Evidentiary Privilege. AB 729 (R. Hernández; D-West Covina) Creates a new evidentiary privilege that is one-sided and will provide a union representative with an unfair opportunity to preclude relevant evidence during litigation regarding labor disputes or collective bargaining, that may ultimately result in the miscarriage of justice. Oppose.	Senate Third Reading 7/10/13
Employer Right to Attorney Fees. SB 462 (Monning; D-Carmel) Undermines a recent Supreme Court ruling and existing statute to preclude the recovery of attorney fees for employers who prevail in wage-and-hour litigation, unless the employer can prove the action was pursued in “bad faith.” Oppose.	Assembly Third Reading 7/3/13

Subject—CalChamber Position	Status
Successor Liability of Farm Labor Contractors. SB 168 (Monning; D-Carmel) Creates potential liability for successor employers with regard to a predecessor's wage-and-hour violations, despite the lack of fair notice to the successor employer or a significant degree of continuity between the business of the successor and the predecessor. Oppose Unless Amended.	Assembly Appropriations 6/27/13
Exempt Employees/Piece Rate. SB 435 (Padilla; D-Pacoima) Before amendments, would have increased labor costs for employers by significantly expanding the meal-and-rest period requirements by including exempt employees under the meal-and-rest period requirement as well as any employee who is paid in part, on a piece rate basis. Opposition removed due to amendments. No Position.	Assembly Labor and Employment Hearing 8/14/13
Exposure to Increased Litigation for Compliance with Federal Law. SB 666 (Steinberg; D-Sacramento) Before amendments, imposed significant penalties and increased frivolous litigation against attorneys and employers for alleged retaliation or discrimination on the basis of actual or perceived immigration or citizenship status, for any current, prospective, or former employee who exercises an employment-related right under the Labor Code, Government Code, or Civil Code, including a statutory penalty up to \$10,000, as well as litigation under the Private Attorney General Act. Opposition removed due to amendments. No Position.	Assembly Appropriations 6/27/13
Legal Reform and Protection	
Safety Recalls. SB 686 (Jackson; D-Santa Barbara) Exposes car dealers to significant liability and precludes them from renting, leasing, loaning, or selling a car despite the lack of actual knowledge that the car was subject to a recall, that may or may not pose any imminent harm to the consumer or renter. Oppose/ Job Killer .	Assembly Business, Professions and Consumer Protection 7/2/13
Reliance on State Agencies' Written Advice. SB 713 (Correa; D-Santa Ana) Protects employers from inappropriate litigation by affirming they can rely upon the state government to provide them with information regarding how to comply with the law. Sponsor/Co-Sponsor/ Job Creator .	Senate Judiciary 5/7/13; Failed Deadline
Increased Exposure to Frivolous Litigation. AB 5 (Ammiano; D-San Francisco) Before amendments, would have imposed on employers costly and unreasonable mandates that could jeopardize the health and safety of others by creating a new protected classification of employees and customers who are or are perceived to be homeless, low-income, suffering from a mental disability or physical disability, and establishing a private right of action for such individuals that includes statutory damages, punitive damages, and attorney fees. With 4/30/13 amendments, "job killer" status removed. CalChamber still opposes. Oppose/ Former Job Killer .	Held in Assembly Appropriations Suspense File 5/24/13; Failed Deadline
Expanded Liability for Use of Independent Contractors. SB 556 (Corbett; D-San Leandro) Before amendments, unfairly imposed liability on any contracting entity for the damages caused by the contractor or contractor's employees, including wage-and-hour violations, penalties, fines, and willful misconduct, solely on the basis that the contractor or its employees wore a uniform similar to that of the contracting entity or drove a vehicle with the contracting entity's logo. "Job killer" status removed due to 5/29/13 amendments. Opposition removed due to 6/19/13 amendments. No Position/ Former Job Killer .	Assembly Third Reading 7/2/13
Independent Contractors. AB 906 (Pan; D-Sacramento) Before amendments, harmed small businesses that contract with the state by prohibiting the state from contracting for personal services unless specifically authorized by the Legislature and even then, significantly limited the duration of the contract. With 4/22/13 amendments, "job killer" status removed. Opposition removed due to 5/24/13 amendments. No Position/ Former Job Killer .	Senate Public Employment and Retirement 7/12/13; Failed Deadline
Reduction of Summary Judgment Standard of Review. AB 715 (Dickinson; D-Sacramento) Before amendments, unjustifiably reduced the standard of review regarding the admissibility of evidence used to support a summary judgment in order to more easily overturn such decisions. Opposition removed due to 6/25/13 amendments. No Position.	Senate Third Reading 7/8/13

Subject—CalChamber Position	Status
Burden on Arbitration Providers. AB 802 (Wieckowski; D-Fremont) Imposes burdensome data collection requirements, some of which are confidential, on arbitration providers and subjects them to private litigation for failure to accurately report such data, which will ultimately discourage such providers from offering arbitration as an alternative dispute resolution in California. Oppose.	Assembly Inactive File 5/30/13; Failed Deadline
Limitation of Vehicle Sales. AB 964 (Bonta; D-Alameda) Significantly limits the ability for a dealer to sell a used vehicle if the dealer “knew or should have known” the vehicle was subject to a safety recall, even though the anticipated federal database where such information should be located is not yet operative and will not identify an existing recall as “safety” versus “non-safety.” Oppose.	Assembly Inactive File 5/31/13; Failed Deadline
Reduction of Class Action Litigation. SB 737 (Huff; R-Diamond Bar) Reduces unmeritorious class actions by permitting the right to petition for appeal of an order granting or denying class certification and sets forth factors the court must consider when granting or denying the appeal. Support.	Failed passage in Senate Judiciary 4/30/13; Failed Deadline
Motion to Compel. AB 1183 (Jones; R-Santee) Reduces abuses of the discovery process by clarifying that the deadline to file a motion to compel starts to accrue from the service of a verified discovery response. Support.	Signed—Chapter 18
Expansion of Litigation for Franchisors. SB 610 (Jackson; D-Santa Barbara) Creates a new private right of action for failure to act in “good faith” as defined, with the right to recover attorney fees only for franchisees. Oppose.	Assembly Business, Professions and Consumer Protection Hearing 8/13/13
Unnecessary Restrictions on Trial Courts. AB 566 (Wieckowski; D-Fremont) Unfairly limits the trial courts’ ability to minimize costs in light of the budget reductions they have faced by placing severe restrictions on their ability to contract for services. Oppose.	Senate Appropriations Hearing 8/12/13
Employer Immunity for Good Samaritan Employees. AB 633 (Salas; D-Bakersfield) Encourages employees to voluntarily provide emergency services to patrons in need, by protecting employers from any civil or criminal liability as a result of unintentional damages caused by such acts. Support.	Senate Third Reading 7/8/13
Jeopardizing Contracts Based on “Undue Influence.” AB 140 (Dickinson; D-Sacramento) Before amendments, would have broadened the definition of what constitutes undue influence on the elderly, which would have unfairly allowed the right to revoke valid contracts as well as the exposure to frivolous litigation. Opposition removed due to 5/6/13 amendments. No Position.	Senate Appropriations Hearing 8/12/13
Improper Tax on Civil Litigants. AB 648 (Jones-Sawyer; D-Los Angeles) Before amendments, sought to unfairly impose a \$30 tax on any civil litigant that requests a hearing of one hour or less to offset the cost of official court reporters without obtaining the necessary two-thirds vote requirement. Opposition removed due to amendments. No Position.	Senate Appropriations Hearing 8/12/13
Privacy and Confidentiality	
Disclosures. AB 1291 (Lowenthal; D-Long Beach) Unduly burdens business by imposing unworkable new regulations regarding disclosure requirements and invites lawsuits for technical violations. Oppose.	Assembly Judiciary 5/7/13; Failed Deadline
Imposes Unnecessary Costs on Businesses. AB 242 (Chau; D-Alhambra) Invites frivolous litigation and increases costs to business by requiring every business to revamp its privacy policy and hire experts to ensure that it is written at an 8th grade reading level. Oppose.	Assembly Judiciary 4/16/13; Failed Deadline
New Duties. AB 1220 (Skinner; D-Berkeley) Before amendments, created new burdensome disclosure and reporting requirements for businesses using consumer credit reports in decision making resulting in adverse recommendations for consumers. Opposition removed due to 5/20/13 amendments. No Position.	Senate Third Reading 7/2/13
Social Networking. SB 501 (Corbett; D-San Leandro) Inappropriately requires website operators to remove information from a minor’s site and places the operator in the impossible position of determining who is a minor’s legal guardian. Oppose.	Assembly Arts, Entertainment, Sports, Tourism and Internet Media 6/5/13

Subject—CalChamber Position	Status
Medical Software. AB 658 (I. Calderon; D-Whittier) Before amendments, would have subjected “non-prescription” software providers to the Confidentiality of Medical Information Act. Opposition removed due to amendments. No Position.	Senate Third Reading 7/2/13
Privacy. AB 370 (Muratsuchi; D-Torrance) Before amendments, imposed an unworkable process for website operators to allow consumers to opt out of online marketing by containing undefined terms and confusing language that actually limited consumer choice. Concerns position removed due to amendments as proposed. Neutral.	Senate Third Reading 6/26/13
Regulatory Reform	
Regulatory Impact Analysis Accountability. AB 12 (Cooley; D-Rancho Cordova) Increases transparency and accountability for regulations by strengthening the requirements for agencies that conduct regulatory impact analysis for new major regulations. Support.	Senate Appropriations Hearing 8/12/13
Centralized Information for Business. AB 393 (Cooley; D-Rancho Cordova) Eases the burden on employers to locate permit information from a variety of websites and offices by centralizing the information regarding permits and fees at the Governor’s Office of Business and Economic Development (GO-Biz) website. Support.	Passed Senate 7/8/13; In Assembly
Economic Impact of Building Standards. SB 401 (Hueso; D-Logan Heights) Provides transparency for the commercial construction industry by requiring economic impact analysis of new commercial building standards, building upon current law which already provides this information for residential building standards. Support.	Assembly Appropriations 7/3/13
Expands Public Notice Requirements for Rulemaking. SB 176 (Galgiani; D-Stockton) Expands the opportunity for the public to participate in rulemaking by expanding the rulemaking activities required to be noticed to the public. Support.	Assembly Accountability and Administrative Review 6/18/13
Taxation	
Split Roll Change of Ownership. AB 188 (Ammiano; D-San Francisco) Unfairly targets commercial property by redefining “change of ownership” so that such property is more frequently reassessed, which will ultimately lead to higher property taxes that will be passed on to tenants, consumers, and potentially employees. Oppose/ Job Killer .	Held in Assembly Revenue and Taxation Suspense File 5/13/13
Oil and Gas Severance Tax: Fuel and Gas Price Increase. SB 241 (Evans; D-Santa Rosa) Drives up fuel prices for businesses and consumers by imposing a severance tax at the rate of 9.9% of the gross value of each barrel of gas severed or 3.5% of the average price of each unit of gas, thereby discouraging production of such oil and gas in this state. Oppose/ Job Killer .	Held in Senate Appropriations Suspense File 5/23/13
Split Roll Parcel Tax. AB 59 (Bonta; D-Alameda) Potentially increases the tax burden on businesses by permitting local agencies to assess a higher parcel tax on commercial property than residential property, overturning an appellate decision that determined such taxes were unconstitutional. Oppose/ Job Killer .	Assembly Revenue and Taxation 5/10/13
Creates Inequity in the Tax Structure. AB 769 (Skinner; D-Berkeley) Harms struggling small businesses and start-ups by repealing the Net Operating Loss (NOL) carryback deduction, a lifeline that helps employers stay afloat, retain employees, and continue investing in their businesses in an economic downturn. Oppose/ Job Killer .	Assembly Revenue and Taxation Suspense File 5/13/13
Lowers Vote Requirement for Tax Increases. ACA 3 (Campos; D-San Jose) Adds complexity and uncertainty to the current tax structure and pressure to increase taxes on commercial, industrial and residential property owners to support public safety services by giving local government new authority to enact a special tax, including parcel taxes, by lowering the vote threshold from two-thirds to only 55%. Oppose/ Job Killer .	Assembly Local Government 4/4/13

Subject—CalChamber Position	Status
Lowers Vote Requirement for Tax Increases. SCA 4 (Liu; D-La Cañada Flintridge) Adds complexity and uncertainty to the current tax structure and pressure to increase taxes on commercial, industrial and residential property owners for local transportation projects by giving local government new authority to enact special taxes, including parcel taxes, by lowering the vote threshold from two-thirds to 55%. Oppose/ Job Killer .	Senate Transportation and Housing 7/9/13
Lowers Vote Requirement for Tax Increases. SCA 7 (Wolk; D-Davis) Adds complexity and uncertainty to the current tax structure and pressure to increase taxes on commercial, industrial and residential property owners to finance library construction by giving local government new authority to enact special taxes, including parcel taxes, by lowering the vote threshold from two-thirds to 55%. Oppose/ Job Killer .	Senate Appropriations 6/27/13
Lowers Vote Requirement for Tax Increases. SCA 8 (Corbett; D-San Leandro) Adds complexity and uncertainty to the current tax structure and pressure to increase taxes on commercial, industrial and residential property owners for transportation projects by giving local government new authority to enact special taxes, including parcel taxes, by lowering the vote threshold from two-thirds to 55%. Oppose/ Job Killer .	Senate Transportation and Housing 7/9/13
Lowers Vote Requirement for Tax Increases. SCA 9 (Corbett; D-San Leandro) Adds complexity and uncertainty to the current tax structure and pressure to increase taxes on commercial, industrial and residential property owners to finance community and economic development projects by giving local government new authority to enact special taxes, including parcel taxes, by lowering the vote threshold from two-thirds to 55%. Oppose/ Job Killer .	Senate Appropriations 6/27/13
Lowers Vote Requirement for Tax Increases. SCA 11 (Hancock; D-Oakland) Adds complexity and uncertainty to the current tax structure and pressure to increase taxes on commercial, industrial and residential property owners by giving local government new authority to enact special taxes, including parcel taxes, by lowering the vote threshold from two-thirds to 55%. Oppose/ Job Killer .	Senate Appropriations 6/27/13
Lowers Vote Requirement for Tax Increases. SCA 3 (Leno; D-San Francisco) Before amendments, added complexity and uncertainty to the current tax structure and pressure to increase taxes on commercial, industrial and residential property owners for education programs by giving school districts and community colleges new authority to enact a parcel tax, by lowering the vote threshold from two-thirds to 55%. Opposition and “job killer” status removed due to 6/ 20/13 amendments. No Position/ Former Job Killer .	Assembly Desk 7/3/13
Targeted Tax. SB 622 (Monning; D-Carmel) Threatens jobs in beverage, retail and restaurant industries by arbitrarily and unfairly targeting certain beverages for a new tax in order to fund children’s health programs. Oppose/ Job Killer .	Held in Senate Appropriations Suspense File 5/23/13
Limitations on Tax Credits. SB 365 (Wolk; D-Davis) Creates uncertainty for California employers making long-term investment decisions by requiring that tax incentives end 10 years after their effective date. Oppose/ Job Killer .	Assembly Third Reading 6/26/13
Increase Manufacturing and R&D Jobs. SB 376 (Correa; D-Santa Ana) Encourages employers to maintain and expand their manufacturing operating in California by providing a full state sales-and-use tax exemption for purchases of manufacturing and research-and-development equipment. Support/ Job Creator .	Held in Senate Appropriations Suspense File 5/23/13
Increase Manufacturing and R&D Jobs. AB 486 (Mullin; D-South San Francisco) Encourages employers to maintain and expand their manufacturing operating in California by providing a full state sales-and-use tax exemption for purchases of manufacturing and research-and-development equipment. Support/ Job Creator .	Assembly Appropriations 5/14/13
Increase Aerospace Manufacturing and R&D Jobs. SB 412 (Knight; R-Palmdale) Encourages employers to maintain and expand their aerospace manufacturing operating in California by providing a full state sales-and-use tax exemption for purchases of aerospace manufacturing and research-and-development equipment made through January 1, 2019. Support/ Job Creator .	Held in Senate Appropriations Suspense File 5/23/13

Subject—CalChamber Position	Status
Increases Aerospace Industry Jobs. SB 19 (Knight; R-Palmdale) Encourages aerospace industry employers to maintain and expand California operations by providing a full sales tax exemption for purchases of equipment used to construct the facilities designed to launch a space vehicle. Support/ Job Creator.	Held in Senate Appropriations Suspense File 5/23/13
Increase Manufacturing and R&D Jobs. SB 235 (Wyland; R-Escondido) Encourages employers to maintain and expand their manufacturing operating in California by providing a full state sales-and-use tax exemption for purchases of manufacturing and research-and-development equipment. Support/ Job Creator.	Senate Governance and Finance 5/14/13
Increase Manufacturing and R&D Jobs. SB 90 (Galgiani; D-Stockton) Encourages employers to maintain and expand their manufacturing operating in California by providing a full state sales-and-use tax exemption for purchases of manufacturing and research-and-development equipment. Support.	Signed—Chapter 70 (urgency)
Increase Aerospace Manufacturing Jobs. AB 1326 (Gorell; R-Camarillo) Encourages manufacturers of unmanned aerial vehicles to maintain and expand their manufacturing operating in California by providing a full state sales-and-use tax exemption for purchases of manufacturing equipment used to produce unmanned aerial vehicles through January 1, 2024. Support/ Job Creator.	Held in Assembly Appropriations Suspense File 5/24/13
Stops Retroactive Tax. SB 209 (Lieu; D-Torrance) Repeals the decision by the Franchise Tax Board to retroactively tax small business investors who relied in good faith on the law when they made the decision to invest in California and use the Qualified Small Business tax incentive which was recently found unconstitutional. Support.	Assembly Revenue and Taxation Hearing 8/12/13
Eliminates Taxpayer Penalties for Good Faith Reliance. AB 1203 (Gorell; R-Camarillo) Bars penalties and interest on any additional tax owed by a taxpayer that resulted from a court striking down a statute the taxpayer relied on when calculating tax liability. Support.	Held in Assembly Revenue and Taxation Suspense File 4/29/13
Elimination of Tax Exemption. SB 808 (De León; D-Los Angeles) Unfairly penalizes airline carriers by eliminating the jet fuel tax exemption if the carriers' contractors fail to provide employer-offered health care coverage to the contractors' employees. Oppose.	Senate Governance and Finance 5/7/13
Reduction of Minimum Franchise Tax. SB 641 (Anderson; R-Alpine) Eliminates the minimum franchise tax for the first four years of any new corporation that has gross receipts of \$10,000 or less. Support.	Senate Appropriations 5/13/13
Tax Reduction. AB 1173 (Bocanegra; D-Pacoima) Reduces the state tax penalty imposed on employees for nonqualified deferred compensation from 20% to 5%. Support.	Senate Governance and Finance Hearing 8/14/13
Targeted Tax on Cigarettes. SB 768 (De León; D-Los Angeles) Unfairly imposes an additional, targeted tax on every dealer and wholesaler of cigarettes, for the privilege of holding or storing cigarettes, in order to support new programs, which will create additional pressure on the General Fund as the taxation of cigarettes has already proven to be a declining revenue source. Oppose.	Held in Senate Appropriations Suspense File 5/23/13
Invades Taxpayer Privacy. AB 562 (Williams; D-Santa Barbara) Facilitates the misuse of sensitive tax information and discourages local economic development projects by requiring local agencies to publicly disclose sensitive tax information of any employer who receives a public subsidy. Oppose.	Senate Third Reading 7/2/13
Documentary Transfer Tax. AB 561 (Ting; D-San Francisco) Significantly expands the imposition of the documentary transfer tax to the transfer of property upon the termination of a partnership as well as expanding the definition of "realty sold" to include any change of ownership in a legal entity, despite the fact that no real property has been transferred. Oppose.	Assembly Revenue and Taxation 5/24/13
Unfair Restrictions on State-Funded Research. AB 609 (Nestande; R-Palm Desert) Interferes with publishers' ability to regain costs for value-added research if such research is funded in any way through state grants. Oppose.	Senate Governmental Organization 6/25/13
Tax Agent Registration. AB 1151 (Ting; D-San Francisco) Unnecessarily requires additional registration requirements for attorneys, accountants, and registered agents, who advocate on behalf of their clients at the county level with regard to the assessment of property taxes, when such individuals are already licensed and regulated by the state or federal government. Oppose Unless Amended.	Held in Assembly Appropriations Suspense File 5/24/13

Subject—CalChamber Position	Status
Interest on Overpayments to the State. AB 1049 (Harkey; R-Dana Point) Corrects an inequity in interest rates by requiring the payment of interest on overpayments to the state to be determined in the same manner as the interest applied to underpayments. Support.	Held in Assembly Revenue and Taxation Suspense File 4/29/13
Lowers Vote Requirement for Tax Increases. ACA 8 (Blumenfield; D-San Fernando Valley) Adds complexity and uncertainty to the current tax structure and pressure to increase taxes on commercial, industrial and residential property owners to finance local public safety, transportation, water and recreation infrastructure by lowering the vote threshold for bonded debt supported by property taxes from two-thirds to 55%. Oppose.	Senate Governance and Finance 7/10/13
Enterprise Zone Reform. AB 28 (V. M. Pérez; D-Coachella) Strengthens enterprise zone program by implementing reforms that address recognized issues and ensure the program meets its intended economic and community development goals. Support.	Assembly Jobs, Economic Development and the Economy 4/30/13
Guts Enterprise Zone Program. SB 434 (Hill; D-San Mateo) Severely harms the enterprise zone program by eliminating many economic incentives that encourage employers to create and retain jobs in impoverished areas of the state. Oppose.	Senate Inactive File 7/8/13
Property Tax Decisions. AB 43 (Bocanegra; D-Pacoima) Before amendments, would require a court to specify the reasons for its decision regarding a property tax refund case and specific instructions on remand. Support position removed due to 4/29/13 amendments. No Position.	Assembly Revenue and Taxation Hearing 8/12/13
Port Infrastructure Investments. AB 886 (Allen; R-Huntington Beach) Promotes job development and infrastructure growth in ports and surrounding areas by allowing exporters and importers to receive tax credits for their investments in port infrastructure and increased utilization of California ports. Support.	Held in Assembly Appropriations Suspense File 5/24/13
Parcel Tax Transparency. AB 892 (Daly; D-Anaheim) Requires the Board of Equalization to provide an annual report on all locally assessed parcel taxes in order to provide transparency on the different parcel taxes imposed throughout the state. Support.	Held in Assembly Appropriations Suspense File 5/24/13
Establishes the Centralized Intelligence Partnership Act. AB 576 (V. M. Pérez; D-Coachella) Brings representatives of state tax agencies together as an advisory committee to help fight the underground economy and protect legitimate businesses. Support.	Senate Appropriations Hearing 8/12/13
Telecommunications	
Lifeline Service. AB 1407 (Bradford; D-Gardena) Modernizes the Universal Telephone Service to include wireless service to better service low-income citizens. Enables business to reach potential candidates for employment more quickly. Support.	Senate Appropriations 7/11/13
Transportation and Infrastructure	
Enhanced Driver License. SB 397 (Hueso; D-Logan Heights) Encourages international trade and tourism by authorizing the Department of Motor Vehicles to issue enhanced driver licenses to U.S. citizens to expedite legal traffic at the border. Support/ Job Creator .	Assembly Judiciary Hearing 8/13/13
Enhanced Driver License. AB 17 (Hueso; D-Logan Heights) Encourages international trade and tourism by authorizing the Department of Motor Vehicles to issue enhanced driver licenses to U.S. citizens to expedite legal traffic at the border. Support. Bill shifted to SB 397 when author won election to Senate.	Assembly Transportation 4/8/13; Failed Deadline

Subject—CalChamber Position	Status
Unemployment Insurance	
Unemployment Insurance Costs. AB 152 (Yamada; D-Davis) Diverts employer-paid unemployment insurance (UI) taxes to a new program, without adequate controls, to provide UI benefits to unemployed individuals seeking to become self-employed. Oppose.	Held in Assembly Appropriations Suspense File 5/24/13
Water Supply and Quality	
Drinking Water. AB 1 (Alejo; D-Salinas) Begins the process of identifying affordable and efficient ways to access safe drinking water in productive agriculture areas and appropriately funds the process from the Waste Permit Fund rather than impose another new fee on business. Support.	Held in Assembly Appropriations Suspense File 5/24/13
Fertilizer Tax. AB 69 (Perea; D-Fresno) Inappropriately and unfairly burdens agricultural operations by imposing a fertilizer tax to address one contaminant in two regions, completely ignoring other contributors of the contaminant. Oppose.	Senate Agriculture 7/11/13
Contaminated Aquifers. SB 658 (Correa; D-Santa Ana) Robs businesses of their right to insist that cleanup actions be necessary, cost-effective and subject to public scrutiny, and fosters meritless lawsuits without providing any cleanups. Oppose.	Senate Inactive File 5/24/13; Failed Deadline
Delta. SB 735 (Wolk; D-Davis) Undermines existing state policy to advance the co-equal goals of water supply reliability and ecosystem restoration by giving the Delta Stewardship Council the authority to amend the Bay Delta Conservation Plan, thereby upsetting the balance of the co-equal goals agreed to by stakeholders. Oppose.	Assembly Water, Parks and Wildlife Hearing 8/13/13
Workers' Compensation	
Massive Workers' Compensation Cost Increase. SB 626 (Beall; D-San Jose) Unravels many of the employer cost-saving provisions in last year's workers' compensation reform package and results in employers paying nearly \$1 billion in benefit increases to injured workers without an expectation that the increases will be fully offset by system savings. Oppose/ Job Killer .	Senate Labor and Industrial Relations 4/24/13; Failed Deadline
Massive Exposure to Civil Penalties and Liability. AB 1138 (Chau; D-Alhambra) Before amendments, inappropriately increased civil cases and civil penalties on employers by permitting civil action against those employers who fail to conspicuously post a list of every employee covered under an employer's workers' compensation insurance policy and to retain this list for five years. With 4/16/13 amendments, "job killer" status removed. CalChamber still opposes this bill as it places onerous and unnecessary requirements on an employer to quarterly submit a list of all employees to the employer's workers' compensation insurance provider and to produce this list for any employee upon request. Oppose/ Former Job Killer .	Assembly Insurance 4/24/13; Failed Deadline
Increased Workers' Compensation Costs. AB 454 (Dickinson; D-Sacramento) Before amendments, exposed employers to higher costs by effectively forcing them to prematurely pay higher temporary disability payments before prevailing wage disputes are adjudicated. Opposition removed due to 7/2/13 amendments. No Position.	Senate Appropriations Hearing 8/12/13
Assists Victims of Underground Economy. AB 638 (Alejo; D-Salinas) Expedites hearings for injured employees of illegally uninsured employers to quickly resolve issues and ensure the injured employees receive access to appropriate benefits and care. Support.	Held in Assembly Appropriations Suspense File 5/24/13; Failed Deadline

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Affordable Care Act: Employee Benefits Compliance

Starting in 2015, employers with the equivalent of 50 full-time employees must at least offer minimum essential health care coverage or face penalties.

What health benefits strategies can you use to meet your compliance obligations but still offer a competitive package? What is minimum essential coverage vs. minimum value coverage? What must you know regarding the employer mandate's one-year delay?

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