



## **Year in Review: Legislation in the Government Finance and Administration Policy Area**

**November 2, 2023**

Throughout the year, CSAC has kept you apprised of the status of significant legislation. Now that Governor Newsom has determined final actions on the remaining measures, CSAC will publish a series of articles to spotlight new laws of interest and impact in each policy area, and significant legislation that was vetoed. This week, the Government Finance and Administration policy area provides information on chaptered and vetoed legislation impacting broadband, the Brown Act, elections, government liability, labor relations, retirement, revenue and taxation, and more. A complete list of 2023 legislation that CSAC monitored and advocated for related to Government Finance and Administration is also available on the [CSAC website](#).

### ***Broadband***

#### ***Chaptered***

##### **[AB 286 \(Wood\)](#) (Chapter 645, Statutes of 2023) - Supported**

###### **Broadband infrastructure mapping**

This measure increases the information that the California Public Utilities Commission must include in the California Interactive Broadband Map (maintained for years as part of their administering of the California Advanced Services Fund program). The map must now include the provider and speed of broadband services for each address in the state and must include features for residents to provide feedback and self-reported data. Governor Newsom signed AB 286 on October 10, 2023, which will take effect on January 1, 2024.

##### **[AB 965 \(Carrillo, J.\)](#) (Chapter 553, Statutes of 2023) - Removed Opposition**

###### **Batch broadband permit processing**

This measure requires local agencies to process broadband project permits simultaneously in batches if the local agency receives two or more broadband permit applications at the same time from the same applicant for substantially similar projects sites. The measure includes specified reasonable limitations on this new process and authorizes local agencies to impose fees to effectuate these requirements. Governor Newsom signed AB 965 on October 8, 2023, which will take effect on January 1, 2024.

#### ***Vetoed***

##### **[AB 41 \(Holden\)](#) – Removed Support**

###### **Telecommunications: The Digital Equity in Video Franchising Act of 2023**

This measure would have made changes to The Digital Infrastructure in Video and Cable Act of 2006 and rename it as The Digital Equity in Video Franchising Act of 2023. The changes were intended to prioritize equal access to broadband infrastructure and strengthen anti-discrimination standards for cable franchises but significant amendments were made while in the second chamber. Governor Newsom vetoed AB 41 on October 8, 2023, stating that the measure does not go far enough to meaningfully increase digital equity in California.

## ***Brown Act***

### ***Chaptered***

#### **[AB 557 \(Hart\)](#) (Chapter 534, Statutes of 2023) – Co-Sponsored**

##### **Emergency remote meeting procedures**

This measure eliminates the sunset date on emergency remote meeting procedures and improves on those procedures by extending the timeframe necessary to renew emergency meeting procedures to 45 days, an increase from the former 30-day period. AB 557 ensures that county governments can respond to emergencies promptly without needing to first establish the rules for remote meetings. Governor Newsom signed AB 557 on October 8, 2023. While AB 557 will take effect on January 1, 2024, the provisions of [AB 361 \(Rivas, R.\)](#) (Chapter 165, Statutes of 2021) that first established the emergency remote meeting procedures furthered by this bill will remain in effect until that date.

## ***Elections***

### ***Chaptered***

#### **[AB 398 \(Pellerin\)](#) (Chapter 398, Statutes of 2023) – Supported**

##### **Requesting replacement ballots by phone**

This measure improves the ease of voting by mail for voters who never received, lost, or destroyed their ballots by allowing elections official to provide a replacement vote-by-mail ballot to a voter without the need for the voter to provide a specified statement under penalty of perjury. Effectively, the measure allows voters to request a replacement ballot by phone. Governor Newsom signed AB 398 on October 10, 2023, and it will take effect on January 1, 2024.

#### **[AB 764 \(Bryan\)](#) (Chapter 343, Statutes of 2023) – Removed Opposition**

##### **Local redistricting**

This measure revises the FAIR MAPS Act of 2019 to make changes to the laws dictating local redistricting processes. Governor Newsom signed AB 764 on October 7, 2023, which will take effect on January 1, 2024.

#### **[AB 910 \(Wilson\)](#) (Chapter 669, Statutes of 2023) – Supported**

##### **Qualifications and documentation for county auditor candidates**

This measure improves clarity for the qualifications for the office of county auditor and expands the documentation that must be submitted to a county elections official by a candidate for specified county offices and for a candidate's name to be printed on the ballot for a direct primary. Governor Newsom signed AB 910 on October 10, 2023, which will take effect on January 1, 2024.

#### **[AB 1037 \(Berman\)](#) (Chapter 673, Statutes of 2023) – Supported**

##### **Electronic signature verification for vote-by-mail ballots**

This measure permits voters to electronically address a missing or mismatched signature on their vote-by-mail ballots, at the discretion of local elections officials. The measure allows, but does not require, local elections officials to implement these new provisions that expand existing methods to addressing

missing or mismatched signatures on vote-by-mail ballots. Governor Newsom signed AB 1037 on October 10, 2023, which will take effect on January 1, 2024.

### **[SB 386 \(Newman\)](#) (Chapter 870, Statutes of 2023) – Supported**

#### **Referendum signature verification**

This measure extends the signature verification period for local election officials to make determinations of the number of qualified signatures on state and local petitions. The measure extends the signature verification period from 30 days to 60 days, under certain specified circumstances. Governor Newsom signed SB 386 on October 13, 2023, which will take effect on January 1, 2024.

### **[SB 485 \(Becker\)](#) (Chapter 611, Statutes of 2023) – Supported**

#### **Election worker protections.**

This measure clarifies and broadens existing law that prohibits interfering with individuals in public positions that are conducting an election or conducting a canvass or interfering with voters exercising their right to vote. Governor Newsom signed SB 485 on October 8, 2023, which will take effect on January 1, 2024.

#### ***Vetoed***

### **[AB 1248 \(Bryan\)](#) -- Opposed**

#### **Independent redistricting commissions**

This measure would have required counties with populations of 300,000 or above to create an independent redistricting commission for the 2030 redistricting process and every decennial sentence thereafter. Governor Newsom vetoed AB 1248 on October 7, 2023, citing concerns about state-mandated reimbursable costs.

## ***Government Liability***

#### ***Chaptered***

### **[AB 452 \(Addis\)](#) (Chapter 655, Statutes of 2023) - Opposed**

#### **Elimination of statute of limitations for childhood sexual assault**

This measure eliminates the statute of limitations to bring a civil action against an employer where there has been a claim against an employee of that organization for alleged child sexual abuse that occurs on or after January 1, 2024. Governor Newsom signed AB 452 on October 10, 2023, which will take effect on January 1, 2024.

### **[SB 558 \(Rubio\)](#) (Chapter 887, Statutes of 2023) - Opposed**

#### **Extension of statute of limitations for retroactive claims of childhood sexual abuse**

This measure extends the statute of limitations relating to child sexual assault to allow for retroactive liability and revives expired claims against an employer where there has been a claim against an employee of that organization for penal code violations involving alleged child sexual abuse material (CSAM) prior to January 1, 2024. Victims of CSAM now have up to 10 years from the discovery of the material, or until they reach the age of 40, whichever comes first, to pursue legal action. This measure

also expands the definition of childhood sexual assault to include obscene images of minors. Governor Newsom signed SB 558 on October 13, 2023, which will take effect on January 1, 2024.

## ***General Government***

### ***Chaptered***

**[AB 1637 \(Irwin\)](#) (Chapter 877, Statutes of 2023) - Opposed**

#### **Uniform domains for local government websites and email addresses**

This measure requires cities and counties to ensure that their Internet website utilizes a “.gov” domain or a “.ca.gov” domain, and to ensure that each email address provided to its employees utilizes a “.gov” or a “.ca.gov” domain name. Governor Newsom signed AB 1637 on October 13, 2023, which will take effect on January 1, 2029.

**[SB 878](#), [SB 879](#), [SB 880](#), (Committee on Governance & Finance) (Chapters 30, 31, and 32, Statutes of 2023) - Supported**

#### **Annual administrative clean-up of public agency bond statute**

The annual Validating Acts protect investors from the chance that a minor error might undermine the legal integrity of a public agency’s bond. The three Validating Acts cure typographical, grammatical, and procedural errors. Governor Newsom signed these bills on June 29, 2023. The First Validating Act (SB 878) validates errors made before the date on which the bill is chaptered. The Second Validating Act (SB 879) became operative on September 1, validating mistakes made after SB 878 is chaptered. The Third Validating Act (SB 880) will take effect on January 1, 2024, covering the period between SB 879’s operative date and the end of 2023.

## ***Labor Relations***

### ***Chaptered***

**[AB 1484 \(Zbur\)](#) (Chapter 691, Statutes of 2023) - Opposed**

#### **Temporary public employees and collective bargaining**

This measure mandates that temporary employees must be included within the same bargaining unit as permanent employees. Governor Newsom signed AB 1484 on October 10, 2023, which will take effect on January 1, 2024.

**[SB 428 \(Blakespear\)](#) (Chapter 286, Statutes of 2023) - Supported**

#### **Temporary restraining orders and protective orders for employees**

This measure will allow an employer to seek a temporary restraining order on behalf of an employee who is being harassed by a third party such as a member of the public. This bill provides an effective balance of providing employers with the tools they need to protect their employees from undue harassment as a result of their jobs, while ensuring that the public retains the right to respectfully engage with their government. Governor Newsom signed SB 428 on September 30, 2023, which will take effect on January 1, 2025.

**[SB 525 \(Durazo\)](#) (Chapter 890, Statutes of 2023) - Removed Opposition**

#### **Increased minimum wage for health care workers**

This measure raises the minimum wage broadly across the health care sector to \$25 per hour for hourly workers and increases the salaries of full-time employees to no less than 150% of the health care worker minimum wage or 200% of the state’s applicable minimum wage, whichever is greater. Based on employer size, county population size, and hospital governmental payor mix, this measure utilizes a phased-in approach over several years. Once the \$25 per hour is reached, the minimum wage must increase annually by 3.5 % or the United States Consumer Price Index, whichever is lower. See tiers and timeline below. This measure applies to county hospitals, clinics (with county clinics exempted from the

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|--|---|-----------------------------|-----------------------------|
| <p><b>Early Adoption</b><br/>Any covered health care facility employer with 10,000 or more full-time equivalent employees, OR<br/>A covered health facility owned, affiliated, or operated by a county with a population of more than 5 million.</p> | June 1, 2024 – May 31, 2025                       | June 1, 2025 – May 31, 2026 | June 1, 2026 and thereafter |
|  | \$23 per hour                                     | \$24 per hour               | \$25 per hour               |
| <p><b>Mid-Adoption</b><br/>Any covered health care facility employer with county population size 250,000 to 5 million.</p>   | June 1, 2024 – May 31, 2026                       | June 1, 2026 – May 31, 2028 | June 1, 2028 and thereafter |
|  | \$21 per hour                                     | \$23 per hour               | \$25 per hour               |
| <p><b>Late Adoption</b><br/>Any covered health care facility with a population of less than 250,000.</p>   | June 1, 2024 – May 31, 2033                       | June 1, 2033 – Thereafter   |                             |
|  | \$18 per hour with 3.5 percent increases annually | \$25 per hour               |                             |

clinic provisions in the bill), mental health facilities, and correctional health facilities. Governor Newsom signed SB 525 on October 13, 2023. Counties can delay implementing these provisions until January 1, 2025.

### **[SB 553 \(Cortese\)](#) (Chapter 289, Statutes of 2023) - Opposed**

#### **Workplace violence prevention plans**

This measure requires employers, including public employers, to create workplace violence prevention plans with several specified, prescriptive elements. Governor Newsom signed SB 553 on September 30, 2023, which will take effect on January 1, 2024.

#### ***Vetoed***

### **[AB 504 \(Reyes\)](#) - Opposed**

#### **Striking as a human right**

This measure would have declared the acts of sympathy striking and honoring a strike line a human right, disallowing provisions in public employer policies or collective bargaining agreements going

forward that would limit or prevent an employee's right to sympathy strike. Governor Newsom vetoed AB 504 on October 8, 2023.

### **[SB 799 \(Portantino\)](#) - Opposed**

#### **Unemployment benefits for striking workers**

This measure would have allowed striking workers to draw unemployment benefits after two weeks of strike action. Governor Newsom vetoed SB 799 on September 30, 2023, citing the fiscal pressures that this measure would result in, exacerbating California's outstanding federal unemployment insurance debt trending to be nearly \$20 billion by the end of this year.

## ***Retirement***

### ***Chaptered***

#### **[AB 1020 \(Grayson\)](#) (Chapter 554, Statutes of 2023) - Opposed**

##### **Disability retirement presumption expansion**

This measure changes the County Employees Retirement Law of 1937 (CERL) by expanding the scope of medical conditions and employment-related presumptions for disability retirement for firefighters, members in active law enforcement, and public safety members who have completed five years or more of service, for conditions that arise out of and in the course of employment; establishing parity between the CERL and the workers' compensation presumptions in the Labor Code. Governor Newsom signed AB 1020 on October 10, 2023, which will take effect on January 1, 2024.

#### **[SB 548 \(Niello\)](#) (Chapter 307, Statutes of 2023) - Supported**

##### **Option for counties and courts to separate retirement systems**

This measure creates a voluntary option for interested counties and courts to establish a separate California Public Employment Retirement System contract for court employees, on or after January 1, 2024. Governor Newsom signed SB 548 on October 4, 2023, which will take effect on January 1, 2024.

## ***Workers' Compensation***

### ***Chaptered***

#### **[SB 623 \(Laird\)](#) (Chapter 621, Statutes of 2023) - Opposed**

##### **Worker's compensation presumption expansion**

This measure significantly expands California's current workers' compensation presumption for post-traumatic stress disorder to public safety dispatchers and communications workers until January 1, 2029. Governor Newsom signed SB 623 on October 8, 2023, which will take effect on January 1, 2024.

### ***Vetoed***

#### **[AB 1213 \(Ortega\)](#) - Opposed**

##### **Calculation of workers' compensation temporary disability payments**

This would have required that when a utilization review denial of treatment is overturned by an independent medical review or by the Workers' Compensation Appeals Board, any temporary disability payments received during this period would not be included in the maximum aggregate calculation of

temporary disability payments. Governor Newsom vetoed AB 1213 on October 8, 2023, citing a lack of data to justify the change.

## ***Revenue and Taxation***

### ***Chaptered***

**[AB 537 \(Berman\)](#) (Chapter 805, Statutes of 2023) – Supported**

#### **Short-term rental fee disclosure**

This measure prohibits a short-term rental from being advertised or offered at a room rate that does not include all required fees or charges. The measure also makes a knowing violation of those provisions subject to a civil penalty of up to \$10,000 and authorizes enforcement of those provisions via an action brought by a city attorney, district attorney, county counsel, or the California Attorney General.

Governor Newsom signed AB 537 on October 13, 2023, which will take effect on July 1, 2024.

**[SB 96 \(Portantino\)](#) (Chapter 595, Statutes of 2023) – Supported**

#### **Historic venue restoration funds**

This measure creates a dedicated funding source for infrastructure improvements for historic venues, as defined. The measure requires five percent of the total gross receipts of taxable sales resulting from specified events at historic venues be reallocated from the state to the jurisdictions that operate and maintain these historic venues, to be used for infrastructure improvements. Governor Newsom signed SB 96 on October 8, 2023, which will take effect on January 1, 2024, and sunsets on July 1, 2030.

### ***Held***

**[AB 321 \(Wilson\)](#) - Supported**

#### **State Sales and Use Tax exemption for zero-emission public transportation ferries**

This measure would have established, from January 1, 2024 until January 1, 2029, a new exemption for the purchase of zero-emission ferries by public transit agencies from the state portion of the sales and use tax. Ultimately, this measure was held in Assembly Committee on Appropriations Suspense File and died.

## ***Constitutional Amendments Introduced in the Legislature***

### ***Passed***

**[ACA 1 \(Aguiar-Curry\)](#) (Chapter 173, Statutes of 2023) – Supported**

#### **Voter approval thresholds for affordable housing and public infrastructure**

This constitutional amendment would reduce the voter threshold from two-thirds to 55 percent for bond and special tax measures that help fund critical infrastructure, affordable housing projects, and permanent supportive housing for persons at risk of chronic homelessness. These changes would create parity for counties and other local governments for voter approval thresholds already granted to school districts. The legislature passed ACA 1 on September 14, 2023. Now that this measure has passed the Legislature, it will go before the California voters on the November 2024 statewide ballot for consideration. Constitutional amendments introduced in the Legislature do not require the Governor's approval.

## [ACA 13 \(Ward\)](#) – Supported

### **Voter approval thresholds for constitutional amendments**

Currently, a simple majority of voters can decide to raise voter approval thresholds for future ballot measures (e.g., to at least two-thirds). This constitutional amendment would require any future initiative measure that would amend the constitution to increase voter approval requirements by the same proportion of voters. In addition, this measure guarantees in the state constitution the ability of local governments to submit advisory questions to voters. Ultimately, this measure was approved in both houses on September 14, 2023, and is being held at the desk until November 1, 2023, so that it will not automatically be placed on the March 2024 ballot, but instead would likely be placed on the November 2024 ballot.

### ***Two-Year Bills***

Although the first year of the 2023-24 Legislative Session has concluded, bills that failed to pass pursuant to the 2023 legislative deadlines are still eligible for action in 2024. These bills are generally categorized into two different categories. First, measures that remain in the same chamber they originated are subject to a truncated timeline often referred to as the “House of Origin” deadline. These bills must be moved out of their assigned policy committees by January 12th and must be passed out of their house of origin by January 31st. However, measures that have already been approved in their house of origin and are pending in the second chamber are subject to the same deadlines as newly introduced legislation. The following measures are bills that CSAC’s GFA team took a position on in 2023 and became “two-year” bills that will be monitored over the next year.

#### [AB 24 \(Haney\)](#) Emergency response: opioid antagonist kits.

*CSAC Position: Removed opposition.*

#### [AB 78 \(Ward\)](#) Grand juror compensation

*CSAC Position: Oppose Unless Amended.*

#### [AB 415 \(Rodriguez\)](#) Emergency Fairgrounds Communications Grant Act.

*CSAC Position: Support.*

#### [AB 597 \(Rodriguez\)](#) Workers’ compensation: first responders: post-traumatic stress.

*CSAC Position: Oppose.*

#### [AB 684 \(Ta\)](#) County veterans service officers: additional resources.

*CSAC Position: Support.*

#### [AB 735 \(Berman\)](#) Workforce development. utility careers.

*CSAC Position: Support.*

#### [AB 817 \(Pacheco\)](#) Open meetings. teleconferencing. subsidiary body.

*CSAC Position: Co-sponsor.*

#### [AB 972 \(Maienschein\)](#) Local assistance and grant program streamlining workgroup.

*CSAC Position: Support.*

#### [AB 1156 \(Bonta\)](#) Workers’ compensation: hospital employees.

*CSAC Position: Oppose.*

#### [AB 1249 \(Ta\)](#) Sales and use taxes: exemption: tax holiday: school supplies.

*CSAC Position: Oppose.*



**[AB 1713 \(Gipson\)](#) Local agencies: federal funds reports.**

*CSAC Position: Oppose.*

**[SB 16 \(Smallwood-Cuevas\)](#) Civil rights. discrimination. enforcement.**

*CSAC Position: Support.*

**[SB 252 \(Gonzalez\)](#) Public retirement systems: fossil fuels: divestment.**

*CSAC Position: Oppose.*

**[SB 375 \(Alvarado-Gil\)](#) Employment: employer contributions: employee withholdings: COVID-19 regulatory compliance credit.**

*CSAC Position: Support.*

**[SB 399 \(Wahab\)](#) Employer communications: intimidations.**

*CSAC Position: Oppose.*

**[SB 534 \(Padilla\)](#) Equitable access to job opportunity pilot program.**

*CSAC Position: Support.*