

SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM  
2.7  
(ID # 6960)

MEETING DATE:  
Tuesday, May 8, 2018

FROM : EXECUTIVE OFFICE:

SUBJECT: EXECUTIVE OFFICE: April 2018 Legislative Update Report, All Districts. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Receive and file the April 2018 Legislative Update Report.

ACTION: Consent

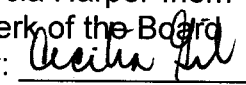
  
Brian Nestande 4/30/2018

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MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is received and filed as recommended.

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley  
Nays: None  
Absent: None  
Date: May 8, 2018  
xc: EO

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

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<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$0	\$0	\$0	\$0
<b>NET COUNTY COST</b>	\$0	\$0	\$0	\$0
<b>SOURCE OF FUNDS:</b>			<b>Budget Adjustment: No</b>	
			<b>For Fiscal Year:</b>	

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

As per Board Policy A-27, the County's Legislative Advocates provide monthly reports to the Board of Supervisors on the progress of County-sponsored legislation and issues at the forefront of discussion at State/Federal levels that may have a fiscal and/or operational impact on the County. Included in the reports are the formal positions of notable associations / organizations of elected County department heads.

**LEGISLATIVE REPORTS**

**STATE:**

At the time of this writing, the Legislature is facing a key milestone for measures introduced in 2018. All bills with a fiscal impact introduced in the second year of the 2017-18 legislative session are required to move out of the policy committee process by today. That deadline has made for full policy committee agendas over the last several weeks. Below, we provide an update on legislative measures of interest and import to the County.

On the state budget front, the Legislature's budget subcommittee hearing process following the January budget release is wrapping up. We now await the release of the Governor's May Revision on or before Monday, May 14. Budget subcommittees will reconvene to consider new or revised proposals offered in the Governor's May Revision and to deliberate on budget proposals the Legislature may advance as alternatives to the elements in the Governor's spending plan. Based on tax receipts flowing in to the state coffers through the April 17 filing deadline, it appears that the state's fiscal position remains strong and additional resources – above the January estimates – may be available as the Legislature and Governor negotiate the final state budget architecture. We provide you with an update on recent budget subcommittee activities immediately below.

**GOVERNOR'S PROPOSED 2018-19 STATE BUDGET**

In approximately two weeks, the Governor and his Department of Finance will release the May Revision, which will offer a renewed 2018-19 spending plan that takes into account tax revenue collected through April 2018. Revenue reports continue to reflect strong tax

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collections.

Areas of particular interest from the Governor's initial budget proposal and any action taken include the following:

- **340B Drug Billing Reimbursement within the Medi-Cal Program.**

The state budget proposes to eliminate the use of 340B drugs in the Medi-Cal program effective July 1, 2019. This proposed action is anticipated to impact Riverside University Medical Center and result in reduced revenues. In addition to the revenue loss, the medical center will pay wholesale prices for medications (340B rules preclude a 340B covered entity from participating in pooled purchasing arrangements like many private hospitals do). A letter of opposition has been submitted to both budget committees and the delegation. HBE met with members of Budget Subcommittee No. 3,

including Senator Stone, as part of a coalition effort to kill the Administration's proposal. HBE also met Assembly Member Arambula (chair of Assembly Budget Subcommittee No. 1), as part of the same coalition.

**STATUS:** Held open in the Senate. The Assembly is hearing the issue on Monday, April 30.

- **Cap-and-trade.** The Governor released his proposed expenditure plan for cap-and-trade funds on January 26. It proposes to spend \$1.25 billion in available cap-and-trade auction revenues across four main initiatives: Zero-Emission Vehicle Investment Initiative; Sequestration and Resilience Initiative; California Integrated Climate Investment Program; and California Climate Change Technology and Solutions Initiative. HBE's detailed write-up of the Governor's proposed

\$1.25 billion Cap and Trade Expenditure Plan was sent previously. The HBE team will continue to advocate for a more equitable allocation of cap and trade resources to Riverside County during legislative debate on the Governor's proposed plan and are working collaboratively with like-minded partners to facilitate additional resources for the County.

**STATUS:** Held open in both Assembly and Senate.

- **Child Support Funding.** A coalition of 14 counties, including Riverside, is requesting an ongoing increase to the State Department of Child Support budget in the amount of \$42.8 million – which would be matched by an additional \$83.2 million in federal funds. These 14 counties all receive less per case than the statewide average of \$630. Riverside is receiving \$425 per case, which is the third lowest cost per-case amount in the state. The last time any changes were made to the county funding formula was 2002-03. The underlying formula has remained unchanged for 15 years and funding has remained flat. Riverside County is a co-signer of a coalition letter from the 14 counties requesting an increase in county child support funding. Additionally, several members of the Riverside legislative delegation signed a delegation letter from the 14 counties that was sent to the chairs of Assembly and Senate Budget Committee. **STATUS:** The 14-county proposal was well-received in both the Senate and the Assembly, with members pushing the Administration for a resolution to the funding shortfall – primarily because of the impact on children and families. As a result of the Senate hearing on April 12, the Child Support Directors Association has convened all 58 counties to

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come to a consensus on addressing child support funding. The Directors are working on a per full-time equivalent (FTE) rather than per case funding formula (which would still result in increased funding for Riverside). The alternative proposal is unlikely to be included in the May Revise. The item was held open in the Assembly and the Senate.

- **Incompetent to Stand Trial Diversion Program.** The Governor's proposed budget includes a \$100 million appropriation over three years to support local diversion programs for the court-involved population experiencing mental illness. As now contemplated, the funding would be directed to the 15 counties – which includes the County of Riverside – with the highest number of referrals to the Department of State Hospitals (DSH) for those individuals who are deemed incompetent to stand trial (IST). The Administration is open to conversations with counties as to how best construct this program. By providing treatment in a community setting to those who are diverted, the intent is to help counties keep those with mental illness out of high-cost custody settings (jails) and, as a result, to keep this same population out of the state's high-cost custody settings (DSH). The County of Riverside is in support of this proposal.  
**STATUS:** The item was held open in the Assembly and the Senate.
- **Funding for Voting System Replacement.** The Governor's budget proposes to provide funding to assist counties in replacing voting systems and associated technology. The \$134.3 million proposed in the Governor's budget will match local investment in much-needed upgrades to county voting systems, providing an opportunity to improve voter participation and outreach across the state. The County of Riverside is in support of this proposal.  
**STATUS:** This item was heard in the Assembly and in the Senate and held open.
- **Allocation of SB 2 Funding.** The Administration has proposed an allocation methodology for the first year of funding from SB 2 (2017) to counties for purposes of combatting homelessness. The draft trailer bill language outlines an allocation that is based on the 2017 homeless Point-In-Time-County (PITC), and the County has expressed opposition to this methodology because it disadvantages counties like Riverside that have already made investments to reduce homelessness.  
**STATUS:** This item was held open in the Senate and Assembly.
- **Court Facility Construction.** The Governor's budget renews activity on courthouse construction to 1) complete the design of three courthouse projects, including one in Riverside (Mid-County) and 2) complete construction over the next two years courthouse projects that are ready to proceed, which include both Indio and Mid-County facilities in the County. A letter of support on restarting courthouse construction investment has been submitted to both budget subcommittees.  
**STATUS:** The courthouse construction item was left open in both subcommittees.
- **State Supplementation for County Assessors Program (SSCAP).** The Governor's budget includes \$5 million for a three-year pilot program to provide funding for county assessors' offices to hire

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new assessment staff and improve IT systems to more accurately value existing property and expeditiously enroll new properties. The grants would be provided to counties with a \$750,000 maximum amount and a county match of \$1 to \$2 of state funding. The County supports this item.

**STATUS:** The Senate budget subcommittee approved the item on April 26; it was held open in the Assembly budget subcommittee.

**COUNTY-SPONSORED LEGISLATION**

On behalf of the County of Riverside, HBE has been working on four County-sponsored measures, as detailed below.

**AB 1946, by Assembly Member Sabrina Cervantes**, is intended to address a problem in Riverside County of elder and dependent trafficking. A troubling practice has been identified among certain community care facilities where an elderly or dependent adult is released from a hospital setting into a licensed care facility, only to be moved to an unlicensed facility (run by same provider) that is offering substandard care. In collaboration with a small working group of County, City of Riverside, and Department of Justice stakeholders, we have been working for months to identify a tailored, constructive approach that would provide the necessary tools to either disincentivize this business practice or to make it outright illegal.

However, despite pursuing several legislative approaches to achieving either outcome, each proposed solution encountered substantive legal hurdles or significant opposition. In consultation with the

author's office, a decision was made to not move the bill forward this year to allow more time for development of a solution that will secure legislative approval. We will continue to collaborate with the working group of experts, as well as potential stakeholders, to craft a legislative approach for 2019.

- **Status:** AB 1946 will not be moving forward this year.
- **Support:** County of Riverside (sponsor)
- **Opposition:** None known.

**AB 2137 (Mayes) – Increase to no-bid contracting threshold for Riverside County Regional Parks and Open Space District**

This measure would increase from \$25,000 to \$50,000 the no-bid threshold for the Riverside County Regional Park and Open Space District. Previous legislative efforts made this same change for the East Bay Regional Park District, the Midpeninsula Regional Open Space District, and the Sonoma County Agricultural Preservation and Open Space District. Previous legislative measures in this area appear to have been non-controversial.

- **Status:** AB 2137 passed the Assembly Local Government Committee unanimously on April 11 and the Assembly Floor on a 72-0 vote on April 29. It is now in the Senate awaiting policy committee referral.
- **Support:** County of Riverside (sponsor); California Special Districts Association.
- **Opposition:** None known; previous efforts for other districts did not attract opposition.

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**AB 2821 (Mayes) – Integrated Health and Human Services System**

AB 2821, by Assembly Member Chad Mayes, would authorize the County of Riverside – upon approval of the Board of Supervisors – to operate an integrated and comprehensive county health and human services system. The Counties of San Diego and Placer Counties already have this authority. AB 2821 would provide the county with the statutory authority for an integrated health and human services system. The County of Riverside would have the authority as an integrated agency to: 1) maintain and evaluate a system of administration that integrates and coordinates the management and support of client services; and 2) maintain a system of reporting and accountability that provides for the combined provision of services without the loss of state or federal funds provided under current law. Further, the measure would give the county flexibility to move funds between health and human services subaccounts within the 2011 Realignment funding structure.

- **Status:** Assembly Human Services Committee passed AB 2821 on the April 24 consent calendar; it awaits hearing in the Assembly Appropriations Committee.
- **Support:** County of Riverside (sponsor).
- **Opposition:** None known.

**AB 3007 (E. Garcia) – Services for Children of Incarcerated Parents (CIP)**

Riverside County has designed a program to deliver a comprehensive set of services meant to boost the resiliency factors and reduce the likelihood of future involvement in the criminal justice system of children whose parents are currently or formerly incarcerated. This bill would authorize the program in the County of Riverside and specify program elements and expected outcomes.

- **Status:** AB 3007 passed Assembly Human Services Committee unanimously on April 10; the full Assembly passed the bill 72-0 on April 19. It is now in the Senate awaiting policy committee referral.
- **Support:** County of Riverside (sponsor); California Immigrant Policy Center
- **Opposition:** None known.

**TWO-YEAR BILLS**

On the County's behalf, we have engaged in several two-year measures that have carried over from the 2017 legislative year. We provide a status update below.

**AB 1250 (Jones-Sawyer) – County Contracting Out Authority**

**OPPOSE**

As of the time of this writing, there are no new developments to report on AB 1250, a measure that would considerably restrict county governments' ability to contract out for personal services. The County of Riverside – along with virtually every other county, other statewide county associations, and a significant swath of the non-profit community, among others – opposed the bill in 2017. The bill

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remains parked in the Senate Rules Committee, and there are no signals that any movement is planned. It is worth noting that AB 3224 (Thurmond) touches on somewhat related issues. This latter measure seeks to codify existing federal law and county practice with respect to requiring eligibility determinations for Medi-Cal, CalWORKs, and CalFresh be done by county employees. Our analysis indicates that AB 3224 would not impose a new requirement or unduly burden counties; CSAC has taken a neutral position on the bill. We continue to monitor keep the County well informed about developments with AB 1250, AB 3224, and any similar legislative measures that may arise this year.

- **Status:** AB 1250 remains in the Senate Rules Committee.
- **Support:** SEIU and AFSCME (co-sponsors), along with a number of other employee organizations
- **Opposition:** County of Riverside; CSAC; Urban Counties of California; Rural County Representatives of California; Howard Jarvis Taxpayers Association; Retailers Association; American Planning Association, California Chapter; California Business Properties Association; California Chamber of Commerce; dozens of additional individual counties; and hundreds of non-profit organizations and service providers

**SB 38 (Roth)/AB 2446 (Oberholte) – Judgeship Funding**

**SUPPORT**

Addressing the shortage of judicial resources – both at the trial court and appellate court level – in Riverside County has been a priority for the Board of Supervisors; the magnitude of judgeships shortfall is significant and well-documented. In 2007, 50 trial court judgeships were authorized by the Legislature (AB 159) but have yet to be funded. In its introduced version, SB 38 did the following: 1) authorized and funded one appellate court justice in the 4<sup>th</sup> District, Division Two (hearing appeals from the Riverside and San Bernardino Superior Courts) and 2) funded 10 of the 50 previously authorized trial court judgeships. SB 38 was taken up by the Senate Judiciary Committee and passed unanimously earlier this month. However, the Senate Appropriations Committee stripped out the appropriations from the bill before passing it out of its committee. The sole provision that remains in the bill is the language to statutorily create the appellate court justice. It should be noted that Assembly Member Jay Oberholte – who represents the similarly impacted San Bernardino County – has introduced AB 2446, which is nearly identical to SB 38 in its introduced form. The County also is supporting AB 2446. Assembly Member Oberholte has advanced a member's request through the state budget subcommittee process that seeks funding for this purpose; that item remains open.

- **Status:** SB 38 is in the Assembly awaiting policy committee referral; AB 2446 passed the Assembly Judiciary Committee on its April 17 consent calendar.
- **Support:** **SB 38** – Judicial Council (sponsor), County of Riverside, California Judges Association, Greater Riverside Chambers of Commerce  
**AB 2446** – County of Riverside, California Judges Association, County of San Bernardino, Judicial Council of California
- **Opposition:** None

**AB 862 (Maienschein) – Pay for Success Programs**

**SUPPORT**

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The County of Riverside is supporting Assembly Member Brian Maienschein's effort to authorize and provide \$5 million in funding to support three additional counties' participation in a pay-for-success (PFS) program. AB 1837 (Atkins, 2014) authorized an initial PFS program administered by the Board of State and Community Corrections; three counties successfully competed for the funds and are currently implementing programs that focus on reducing recidivism among a targeted group of the adult criminal justice population. AB 862 would create a pay-for-success funding option for which Riverside County could compete; it is viewed as an opportunity to seek financial support for the County's efforts to establish a program to deliver wrap-around services to reduce risk factors and develop resiliency among children whose parents are incarcerated. The bill now clarifies that the PFS programs authorized under AB 862 are separate and apart from those that were previously authorized in AB 1837.

- **Status:** AB 862 is awaiting hearing in the Senate Public Safety Committee.
- **Support:** Sacramento Regional Builders Exchange (sponsor); County of Riverside; Californians for Safety and Justice; Federation of California Builders Exchanges; Bay Area Builders Exchange; Central California Builders Exchange; Valley Contractors Exchange
- **Opposition:** None known.

**ADDITIONAL LEGISLATION OF INTEREST**

**AB 3157 (Bonta and Lackey) – Cannabis taxation**

**SUPPORT**

AB 3157, by Assembly Members Rob Bonta and Tom Lackey, would temporarily lower California's total tax on cannabis by decreasing the cannabis excise tax from 15% to 11% and suspending the cultivation tax for three years. According to the authors, this short-term tax reduction would encourage cannabis operators and consumers to enter the legal market and curtail the underground cannabis market. In accordance with the County platform that supports a lower total tax on cannabis, the County supports this measure.

- **Status:** AB 3157 passed the Assembly Revenue and Taxation Committee on April 23 and is set for hearing in the Assembly Business and Professions Committee on May 8.
- **Support:** County of Riverside; Board of Equalization Member Fiona Ma, 2nd District; California Asian Pacific Chamber of Commerce; California Cannabis Delivery Alliance; California Growers Association; California NORML; California Teamsters; Cannabis Distribution Association; CMG/Caliva Cultivation Technologies; Flow Kana River Collective; Southern California Coalition; WeDrop; Monterey County Board of Supervisors
- **Opposition:** None known.

**SB 1043 (Newman) – County Veterans Services Offices**

**SUPPORT**

SB 1043 by Senator Josh Newman would, beginning in the 2018-19 fiscal year, continuously appropriate

\$7 million to California counties to fund the activities of County Veterans Services Offices (CVSOs). In accordance with the County platform that seeks to secure full funding of CVSOs, the County supports this measure.

- **Status:** SB 1043 passed the Senate Veterans Affairs Committee unanimously on



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April 24. It will be heard in the Senate Appropriations Committee on May 7.

- **Support:** California Association of County Veterans Service Officers (sponsor); County of Riverside; American GI Forum of California American Legion-Department of California; AMVETS- Department of California; California State Commanders Veterans Council; Cities of Blythe and Indian Wells; Military Officers Association of America-California Council of Chapters; Rural County Representatives of California (RCRC); Sacramento County; Vietnam Veterans of America- California State Council
- **Opposition:** None

**AB 2756 (Medina) – Private School Data Collection**

**SUPPORT**

In response to the recent abuse case in Perris, Assembly Member Jose Medina introduced AB 2756. As amended in early April, the measure's provisions are limited to requiring collection and reporting by the California Department of Education of information regarding private homeschools. The County took a support position on the measure. More than 1,000 homeschool proponents/parents and many homeschooled students came to testify in opposition to the measure.

- **Status:** The bill failed – for lack of a motion – in its first hearing before the Assembly Education Committee on April 25.
- **Support:** County of Riverside; California Association of Private School Organizations; California Consortium for Independent Study; Riverside County Office of Education
- **Opposition:** California Homeschool Network; Celebration Education; East Contra Costa Explorers; Holitopa Academy Home School Legal Defense Association; Private and Home Educators of California Real CA Homeschool; many individuals

**SB 1303 (Pan) – Office of the County Medical Examiner**

**OPPOSE**

SB 1303, by Senator Richard Pan, would require counties with a population of more than 500,000 that operate a consolidated sheriff-coroner office – which includes the County of Riverside – to abolish the office of the coroner and establish an independent office of the medical examiner. Some counties have already opted to establish the Office of the Medical Examiner. The County of Riverside opposes this measure given that, under current law, counties have clear and unfettered authority to create a separate office of the medical examiner. Indeed, several jurisdictions have done so. SB 1303 would – irrespective of the current circumstances in a given county and without regard to a jurisdiction's capacity to assume new and likely substantial costs associated with operating the office of the medical examiner – eliminate the local boards of supervisors' authority in making an important local governance decision.

- **Status:** SB 1303 passed the Senate Governance and Finance Committee on April 11 and the Senate Public Safety Committee on April 24; it awaits hearing before the Senate Appropriations Committee.
- **Support:** California Medical Association (sponsor); American Federation of State, County and Municipal Employees; AFL-CIO; California Public Defenders Association; California Society of Pathologists; College of American Pathologists; Consumer Attorneys of

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California; County of Santa Clara

- **Opposition:** County of Riverside; California State Association of Counties; California State Sheriffs' Association; San Joaquin County Board of Supervisors

**SB 1325 (Moorlach) – Right to Self-Quarantine**

**OPPOSE**

SB 1325, by Senator John Moorlach, would enact the Peaceful and Natural Dignity Act. This measure would entitle an individual or group, during an emergency, to exercise the right of self-quarantine alone or together by electing to remain within the self-quarantine area for the self-quarantine period, as specified. It further would prohibit a person from obstructing or interfering with the exercise of the right of self-quarantine as set forth in this bill, notwithstanding any other law. The measure raises significant public health and safety concerns.

- **Status:** SB 1325 failed passage in Senate Health Committee on April 18.
- **Support:** California Naturopathic Doctors Association; National Vaccine Information Center; Pacific Justice Institute-Center for Public Policy
- **Opposition:** County of Riverside; American Academy of Pediatrics – California; California Medical Association; California State Association of Counties; County Health Executives Association of California; County of Santa Clara; Health Officers Association of California; Vaccinate California

**AB 1912 (Rodriguez) – Liabilities of Joint Powers Agreements (JPAs)**

**OPPOSE**

AB 1912, by Assembly Member Freddie Rodriguez, would impose considerable new burdens and unworkable requirements on local and state agencies regarding JPAs. The bill attempts to address a circumstance – as recently happened with a JPA in Los Angeles County – when several government agencies form a joint powers authority (JPA), and the JPA dissolves or is otherwise unable to meet its pension obligations, resulting in reductions to retirees' pensions. This measure would apply retroactive as well as prospective joint and several liability for all retirement-related obligations to any current or former member of a JPA since inception. The County of Riverside joined a local government coalition in opposing this measure, pointing out both fiscal and practical problems with AB 1912.

- **Status:** The bill passed the Assembly Public Employees, Retirement, and Social Security Committee on April 18 and the Assembly Judiciary Committee on April 24; it awaits hearing in the Assembly Appropriations Committee.
- **Support:** SEIU California (sponsor); Association of California State Supervisors; California Association of Professional Scientists; California State Retirees; LIUNA Local 792; Orange County Professional Firefighters Association, IAFF; Local 3631 Professional Engineers in California Government; Retired Public Employees Association
- **Opposition:** County of Riverside; California Association of Joint Powers Authority; California Contract Cities Association; California Special Districts Association; California State Association of Counties; City of Glendora; City of La Canada Flintridge; League of California Cities; Urban Counties of California

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**AB 3087 (Kalra) – Health Care Cost Containment Commission**

**OPPOSE**

AB 3087, by Assembly Member Ash Kalra, would establish an independent Health Care Cost, Quality and Equity Commission. Premised on the belief that the high cost of health care is unsustainable, AB 3087 would require the state to set base payment amounts that hospitals, doctors, and other providers can collect from payers. The Commission would use Medicare rates as a floor for determining base amounts for providers and Medicare Advantage rates to set payments to health plans. Providers and health plans

would be allowed to appeal for a higher amount based on outstanding factors. A coalition of labor organizations and consumer groups are co-sponsoring AB 3087. The Assembly Health Committee held a special order of business this week to discuss the measure. Despite many negative comments by most committee members, the measure passed out of committee on a party-line vote.

- **Status:** The bill passed the Assembly Health Committee on April 24; it awaits hearing in the Assembly Appropriations Committee.
- **Support:** California Labor Federation (cosponsor); Health Access California (cosponsor); SEIU California (cosponsor); UNITE HERE International Union (cosponsor); Western Center on Law and Poverty; and dozens of labor union and other groups
- **Opposition:** California Hospital Association; California Medical Association; and more than 200 other hospital and health system and related associations

**AB 2571 (Gonzalez Fletcher) – Public Employee Retirement Investments**

**OPPOSE**

AB 2571, by Assembly Member Lorena Gonzalez-Fletcher, would restrict California public pension systems from making new, additional, or renewed investments in an alternative investment vehicle if it is managed by an investment manager that has not adopted nor committed to comply with a race and gender pay equity policy. This measure was widely viewed as a divestiture bill, which would have undermined the fiduciary responsibilities of the pension systems.

- **Status:** AB 2571 was pulled from the Assembly Public Employees, Retirement, and Social Security Committee hearing on April 18 and was not heard.
- **Support:** UNITE HERE, Local 11 (sponsor); California Federation of Teachers; Central American Resource Center; National Employment Law Project
- **Opposition:** County of Riverside; California State Association of Counties; League of California Cities; California Special Districts Association; California Chamber of Commerce; California Business Properties Association; California Hotel and Lodging Association; California Lodging Industry Association; California Restaurant Association; California Travel Association

**AB 2598 (Quirk) and SB 1416 (McGuire) – Code Enforcement**

**PENDING**

In accordance with the County platform supporting expansion of tools to assist in code enforcement compliance, we have been monitoring measures in this policy area. We highlight two measures below, for which the County is considering support. AB 2598, by Assembly

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Member Bill Quirk, would increase the fine amount cities and counties may assess for violations of building and safety codes; it would further create a new fine for specified violations on commercial property. Secondly, SB 1416, by Senator Mike McGuire, would authorize, until January 1, 2024, cities and counties to collect fines related to the nuisance abatement using a lien or special assessment; it would also require any recovered fines or penalties related to these provisions to be used for supporting local enforcement of state and local building and fire code standards.

- **Status:** AB 2598 passed the Assembly Local Government Committee on April 11 and now awaits action of the full Assembly. SB 1416 is set for hearing on May 9 before the Senate Governance and Finance Committee, chaired by the bill's author.
- **Support: AB 2598** – League of California Cities and California Association of Code Enforcement Officers (co-sponsors)  
**SB 1416** – Unknown at this time.
- **Opposition: AB 2598** – American Civil Liberties Union of California; East Bay Community Law Center; Lawyers' Committee for Civil Rights of the San Francisco Bay Area; Legal Services for Prisoners with Children; and Western Center on Law and Poverty  
**SB 1416** – Unknown

**Various measures – Definition of Gravely Disabled/New Category of Conservatorship  
PENDING**

There are a number of measures before the Legislature from members representing various regions of the state with an interest in revisiting the definition of "gravely disabled" under Welfare and Institutions Code 5150. The provisions of 5150 allow for involuntary holds of up to 72-hours for individuals who are deemed to be a danger to themselves or others. Given the potential for local impacts, we will be monitoring legislative activity in this arena and have provided below a list of measures that seek to make policy changes in this area. As expected, organizations including the American Civil Liberties Union and Disabilities Rights California have weighed in with opposition on those measures that expand the circumstances under which an involuntary hold (AB 1971) or a conservatorship (SB 1045) can be imposed to oppose efforts to expand this area of the law.

<p>AB 1971 (Santiago (D-Los Angeles), Chen (R-Diamond Bar), and Friedman (D-Glendale))</p>	<p>Would expand the definition of gravely disabled to include individuals who, as a result of a mental health disorder or chronic alcoholism, is unable to provide for his or her medical treatment. This measure is sponsored by the County of Los Angeles.</p> <p><b>Assembly Member Chen has joined AB 1971 as a co-author and will not be pursuing AB 2156.</b></p> <p><i>Passed Assembly Health Committee (15-0) on April 10; awaiting hearing in Assembly Appropriations Committee</i></p>
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<p>AB 2099 (Gloria, D-San Diego)</p>	<p>Would allow facilities to treat a copy of the document detailing the circumstances of a 5150 hold as an original for specified purposes and under specified circumstances. Under current law, 5150 paperwork with an original signature must accompany the patient as he or she moves through the associated referral/transfer to a 5150 facility. Some patients who are not in possession of the original paperwork have been refused services and treatment. This measure would facilitate access to treatment for those placed on a 5150 hold who have digital, faxed, or other duplicate versions of the otherwise required paperwork. This measure is sponsored by the American College of Emergency Physicians (California Chapter).</p>
<p>AB 2156 (Chen, R-Diamond Bar)</p>	<p>Would change the definition of gravely disabled to include being incapable of making informed decisions about or providing for medical care without significant supervision and assistance from another person. <i>As noted above, measure is not moving; Assembly Member Chen has</i></p>
<p>SB 1045 (Wiener, D- San Francisco)</p>	<p>Would create a new category of conservatorship for a person who is chronically homeless and incapable of caring for his or her own health and well-being due to acute and severe mental illness or a severe substance abuse disorder, as evidenced by specified circumstances. As amended in early April, the measure makes it clear that any county must affirmatively opt in to make use of the provisions in SB</p>
	<p>the bill is awaiting amendments – at the request and direction of the Senate Judiciary Committee – that would yet again narrow the measure to create a five-year, two-county pilot for the City and County of San Francisco and the County of Los Angeles. The author has indicated an openness and interest in expanding the pilot further to name other counties that wish to opt in. <i>Passed Senate Public Safety Committee with amendments on April 24; awaiting hearing in the Senate Appropriations Committee.</i></p>

**ATTACHMENTS:**

- **State Legislative Summary**



## HURST+BROOKS+ESPINOSA

April 27, 2018

To: Brian Nestande, Deputy County Executive Officer  
County of Riverside

From: Hurst Brooks Espinosa, LLC

Re: **April 2018 – State Legislative Update**

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At the time of this writing, the Legislature is facing a key milestone for measures introduced in 2018. All bills with a fiscal impact introduced in the second year of the 2017-18 legislative session are required to move out of the policy committee process by today. That deadline has made for full policy committee agendas over the last several weeks. Below, we provide an update on legislative measures of interest and import to the County.

On the state budget front, the Legislature's budget subcommittee hearing process following the January budget release is wrapping up. We now await the release of the Governor's May Revision on or before Monday, May 14. Budget subcommittees will reconvene to consider new or revised proposals offered in the Governor's May Revision and to deliberate on budget proposals the Legislature may advance as alternatives to the elements in the Governor's spending plan. Based on tax receipts flowing in to the state coffers through the April 17 filing deadline, it appears that the state's fiscal position remains strong and additional resources – above the January estimates – may be available as the Legislature and Governor negotiate the final state budget architecture. We provide you with an update on recent budget subcommittee activities immediately below.

### **GOVERNOR'S PROPOSED 2018-19 STATE BUDGET**

In approximately two weeks, the Governor and his Department of Finance will release the May Revision, which will offer a renewed 2018-19 spending plan that takes into account tax revenue collected through April 2018. Revenue reports continue to reflect strong tax collections.

Areas of particular interest from the Governor's initial budget proposal and any action taken include the following:

- **340B Drug Billing Reimbursement within the Medi-Cal Program.** The state budget proposes to eliminate the use of 340B drugs in the Medi-Cal program effective July 1, 2019. This proposed action is anticipated to impact Riverside University Medical Center and result in reduced revenues. In addition to the revenue loss, the medical center will pay wholesale prices for medications (340B rules preclude a 340B covered entity from participating in pooled purchasing arrangements like many private hospitals do). A letter of opposition has been submitted to both budget committees and the delegation. HBE met with members of Budget Subcommittee No. 3,

including Senator Stone, as part of a coalition effort to kill the Administration's proposal. HBE also met Assembly Member Arambula (chair of Assembly Budget Subcommittee No. 1), as part of the same coalition.

**STATUS:** Held open in the Senate. The Assembly is hearing the issue on Monday, April 30.

- **Cap-and-trade.** The Governor released his proposed expenditure plan for cap-and-trade funds on January 26. It proposes to spend \$1.25 billion in available cap-and-trade auction revenues across four main initiatives: Zero-Emission Vehicle Investment Initiative; Sequestration and Resilience Initiative; California Integrated Climate Investment Program; and California Climate Change Technology and Solutions Initiative. HBE's detailed write-up of the Governor's proposed \$1.25 billion Cap and Trade Expenditure Plan was sent previously. The HBE team will continue to advocate for a more equitable allocation of cap and trade resources to Riverside County during legislative debate on the Governor's proposed plan and are working collaboratively with like-minded partners to facilitate additional resources for the County.

**STATUS:** Held open in both Assembly and Senate.

- **Child Support Funding.** A coalition of 14 counties, including Riverside, is requesting an ongoing increase to the State Department of Child Support budget in the amount of \$42.8 million – which would be matched by an additional \$83.2 million in federal funds. These 14 counties all receive less per case than the statewide average of \$630. Riverside is receiving \$425 per case, which is the third lowest cost per-case amount in the state. The last time any changes were made to the county funding formula was 2002-03. The underlying formula has remained unchanged for 15 years and funding has remained flat. Riverside County is a co-signer of a coalition letter from the 14 counties requesting an increase in county child support funding. Additionally, several members of the Riverside legislative delegation signed a delegation letter from the 14 counties that was sent to the chairs of Assembly and Senate Budget Committee.  
**STATUS:** The 14-county proposal was well-received in both the Senate and the Assembly, with members pushing the Administration for a resolution to the funding shortfall – primarily because of the impact on children and families. As a result of the Senate hearing on April 12, the Child Support Directors Association has convened all 58 counties to come to a consensus on addressing child support funding. The Directors are working on a per full-time equivalent (FTE) rather than per case funding formula (which would still result in increased funding for Riverside). The alternative proposal is unlikely to be included in the May Revise. The item was held open in the Assembly and the Senate.

- **Incompetent to Stand Trial Diversion Program.** The Governor's proposed budget includes a \$100 million appropriation over three years to support local diversion programs for the court-involved population experiencing mental illness. As now contemplated, the funding would be directed to the 15 counties – which includes the County of Riverside – with the highest number of referrals to the Department of State Hospitals (DSH) for those individuals who are deemed incompetent to stand trial (IST). The Administration is open to conversations with counties as to how best construct this program. By providing treatment in a community setting to those who are diverted, the intent is to help counties keep those with mental illness out of high-cost custody settings (jails) and, as a result, to keep this same population out of the state's high-cost custody settings (DSH). The County of Riverside is in support of this proposal.

**STATUS:** The item was held open in the Assembly and the Senate.

- **Funding for Voting System Replacement.** The Governor’s budget proposes to provide funding to assist counties in replacing voting systems and associated technology. The \$134.3 million proposed in the Governor’s budget will match local investment in much-needed upgrades to county voting systems, providing an opportunity to improve voter participation and outreach across the state. The County of Riverside is in support of this proposal.  
**STATUS:** This item was heard in the Assembly and in the Senate and held open.
- **Allocation of SB 2 Funding.** The Administration has proposed an allocation methodology for the first year of funding from SB 2 (2017) to counties for purposes of combatting homelessness. The draft trailer bill language outlines an allocation that is based on the 2017 homeless Point-In-Time-County (PITC), and the County has expressed opposition to this methodology because it disadvantages counties like Riverside that have already made investments to reduce homelessness.  
**STATUS:** This item was held open in the Senate and Assembly.
- **Court Facility Construction.** The Governor’s budget renews activity on courthouse construction to 1) complete the design of three courthouse projects, including one in Riverside (Mid-County) and 2) complete construction over the next two years courthouse projects that are ready to proceed, which include both Indio and Mid-County facilities in the County. A letter of support on restarting courthouse construction investment has been submitted to both budget subcommittees.  
**STATUS:** The courthouse construction item was left open in both subcommittees.
- **State Supplementation for County Assessors Program (SSCAP).** The Governor’s budget includes \$5 million for a three-year pilot program to provide funding for county assessors’ offices to hire new assessment staff and improve IT systems to more accurately value existing property and expeditiously enroll new properties. The grants would be provided to counties with a \$750,000 maximum amount and a county match of \$1 to \$2 of state funding. The County supports this item.  
**STATUS:** The Senate budget subcommittee approved the item on April 26; it was held open in the Assembly budget subcommittee.

#### **COUNTY-SPONSORED LEGISLATION**

On behalf of the County of Riverside, HBE has been working on four County-sponsored measures, as detailed below.

#### **AB 1946 (Cervantes) – Elder and dependent adult trafficking**

AB 1946, by Assembly Member Sabrina Cervantes, is intended to address a problem in Riverside County of elder and dependent trafficking. A troubling practice has been identified among certain community care facilities where an elderly or dependent adult is released from a hospital setting into a licensed care facility, only to be moved to an unlicensed facility (run by same provider) that is offering substandard care. In collaboration with a small working group of County, City of Riverside, and Department of Justice stakeholders, we have been working for months to identify a tailored, constructive approach that would provide the necessary tools to either disincentivize this business practice or to make it outright illegal. However, despite pursuing several legislative approaches to achieving either outcome, each proposed solution encountered substantive legal hurdles or significant opposition. In consultation with the



author's office, a decision was made to not move the bill forward this year to allow more time for development of a solution that will secure legislative approval. We will continue to collaborate with the working group of experts, as well as potential stakeholders, to craft a legislative approach for 2019.

- **Status:** AB 1946 will not be moving forward this year.
- **Support:** County of Riverside (sponsor)
- **Opposition:** None known.

#### **AB 2137 (Mayes) – Increase to no-bid contracting threshold for Riverside County Regional Parks and Open Space District**

This measure would increase from \$25,000 to \$50,000 the no-bid threshold for the Riverside County Regional Park and Open Space District. Previous legislative efforts made this same change for the East Bay Regional Park District, the Midpeninsula Regional Open Space District, and the Sonoma County Agricultural Preservation and Open Space District. Previous legislative measures in this area appear to have been non-controversial.

- **Status:** AB 2137 passed the Assembly Local Government Committee unanimously on April 11 and the Assembly Floor on a 72-0 vote on April 29. It is now in the Senate awaiting policy committee referral.
- **Support:** County of Riverside (sponsor); California Special Districts Association.
- **Opposition:** None known; previous efforts for other districts did not attract opposition.

#### **AB 2821 (Mayes) – Integrated Health and Human Services System**

AB 2821, by Assembly Member Chad Mayes, would authorize the County of Riverside – upon approval of the Board of Supervisors – to operate an integrated and comprehensive county health and human services system. The Counties of San Diego and Placer Counties already have this authority. AB 2821 would provide the county with the statutory authority for an integrated health and human services system. The County of Riverside would have the authority as an integrated agency to: 1) maintain and evaluate a system of administration that integrates and coordinates the management and support of client services; and 2) maintain a system of reporting and accountability that provides for the combined provision of services without the loss of state or federal funds provided under current law. Further, the measure would give the county flexibility to move funds between health and human services subaccounts within the 2011 Realignment funding structure.

- **Status:** Assembly Human Services Committee passed AB 2821 on the April 24 consent calendar; it awaits hearing in the Assembly Appropriations Committee.
- **Support:** County of Riverside (sponsor).
- **Opposition:** None known.

#### **AB 3007 (E. Garcia) – Services for Children of Incarcerated Parents (CIP)**

Riverside County has designed a program to deliver a comprehensive set of services meant to boost the resiliency factors and reduce the likelihood of future involvement in the criminal justice system of children whose parents are currently or formerly incarcerated. This bill would authorize the program in the County of Riverside and specify program elements and expected outcomes.

- **Status:** AB 3007 passed Assembly Human Services Committee unanimously on April 10; the full Assembly passed the bill 72-0 on April 19. It is now in the Senate awaiting policy committee referral.

- **Support:** County of Riverside (sponsor); California Immigrant Policy Center
- **Opposition:** None known.

## **TWO-YEAR BILLS**

On the County's behalf, we have engaged in several two-year measures that have carried over from the 2017 legislative year. We provide a status update below.

### **AB 1250 (Jones-Sawyer) – County Contracting Out Authority**

**OPPOSE**

As of the time of this writing, there are no new developments to report on AB 1250, a measure that would considerably restrict county governments' ability to contract out for personal services. The County of Riverside – along with virtually every other county, other statewide county associations, and a significant swath of the non-profit community, among others – opposed the bill in 2017. The bill remains parked in the Senate Rules Committee, and there are no signals that any movement is planned. It is worth noting that AB 3224 (Thurmond) touches on somewhat related issues. This latter measure seeks to codify existing federal law and county practice with respect to requiring eligibility determinations for Medi-Cal, CalWORKs, and CalFresh be done by county employees. Our analysis indicates that AB 3224 would not impose a new requirement or unduly burden counties; CSAC has taken a neutral position on the bill. We continue to monitor keep the County well informed about developments with AB 1250, AB 3224, and any similar legislative measures that may arise this year.

- **Status:** AB 1250 remains in the Senate Rules Committee.
- **Support:** SEIU and AFSCME (co-sponsors), along with a number of other employee organizations
- **Opposition:** County of Riverside; CSAC; Urban Counties of California; Rural County Representatives of California; Howard Jarvis Taxpayers Association; Retailers Association; American Planning Association, California Chapter; California Business Properties Association; California Chamber of Commerce; dozens of additional individual counties; and hundreds of non-profit organizations and service providers

### **SB 38 (Roth)/AB 2446 (Oberholte) – Judgeship Funding**

**SUPPORT**

Addressing the shortage of judicial resources – both at the trial court and appellate court level – in Riverside County has been a priority for the Board of Supervisors; the magnitude of judgeships shortfall is significant and well-documented. In 2007, 50 trial court judgeships were authorized by the Legislature (AB 159) but have yet to be funded. In its introduced version, SB 38 did the following: 1) authorized and funded one appellate court justice in the 4<sup>th</sup> District, Division Two (hearing appeals from the Riverside and San Bernardino Superior Courts) and 2) funded 10 of the 50 previously authorized trial court judgeships. SB 38 was taken up by the Senate Judiciary Committee and passed unanimously earlier this month. However, the Senate Appropriations Committee stripped out the appropriations from the bill before passing it out of its committee. The sole provision that remains in the bill is the language to statutorily create the appellate court justice. It should be noted that Assembly Member Jay Oberholte – who represents the similarly impacted San Bernardino County – has introduced AB 2446, which is nearly identical to SB 38 in its introduced form. The County also is supporting AB 2446. Assembly Member Oberholte has advanced a member's request through the state budget subcommittee process that seeks funding for this purpose; that item remains open.

- **Status:** SB 38 is in the Assembly awaiting policy committee referral; AB 2446 passed the Assembly Judiciary Committee on its April 17 consent calendar.

- **Support:** **SB 38** – Judicial Council (sponsor), County of Riverside, California Judges Association, Greater Riverside Chambers of Commerce  
**AB 2446** – County of Riverside, California Judges Association, County of San Bernardino, Judicial Council of California
- **Opposition:** None

**AB 862 (Maienschein) – Pay for Success Programs**

**SUPPORT**

The County of Riverside is supporting Assembly Member Brian Maienschein's effort to authorize and provide \$5 million in funding to support three additional counties' participation in a pay-for-success (PFS) program. AB 1837 (Atkins, 2014) authorized an initial PFS program administered by the Board of State and Community Corrections; three counties successfully competed for the funds and are currently implementing programs that focus on reducing recidivism among a targeted group of the adult criminal justice population. AB 862 would create a pay-for-success funding option for which Riverside County could compete; it is viewed as an opportunity to seek financial support for the County's efforts to establish a program to deliver wrap-around services to reduce risk factors and develop resiliency among children whose parents are incarcerated. The bill now clarifies that the PFS programs authorized under AB 862 are separate and apart from those that were previously authorized in AB 1837.

- **Status:** AB 862 is awaiting hearing in the Senate Public Safety Committee.
- **Support:** Sacramento Regional Builders Exchange (sponsor); County of Riverside; Californians for Safety and Justice; Federation of California Builders Exchanges; Bay Area Builders Exchange; Central California Builders Exchange; Valley Contractors Exchange
- **Opposition:** None known.

**ADDITIONAL LEGISLATION OF INTEREST**

**AB 3157 (Bonta and Lackey) – Cannabis taxation**

**SUPPORT**

AB 3157, by Assembly Members Rob Bonta and Tom Lackey, would temporarily lower California's total tax on cannabis by decreasing the cannabis excise tax from 15% to 11% and suspending the cultivation tax for three years. According to the authors, this short-term tax reduction would encourage cannabis operators and consumers to enter the legal market and curtail the underground cannabis market. In accordance with the County platform that supports a lower total tax on cannabis, the County supports this measure.

- **Status:** AB 3157 passed the Assembly Revenue and Taxation Committee on April 23 and is set for hearing in the Assembly Business and Professions Committee on May 8.
- **Support:** County of Riverside; Board of Equalization Member Fiona Ma, 2nd District; California Asian Pacific Chamber of Commerce; California Cannabis Delivery Alliance; California Growers Association; California NORML; California Teamsters; Cannabis Distribution Association; CMG/Caliva Cultivation Technologies; Flow Kana River Collective; Southern California Coalition; WeDrop; Monterey County Board of Supervisors
- **Opposition:** None known.

**SB 1043 (Newman) – County Veterans Services Offices**

**SUPPORT**

SB 1043 by Senator Josh Newman would, beginning in the 2018-19 fiscal year, continuously appropriate \$7 million to California counties to fund the activities of County Veterans Services Offices (CVSOs). In

accordance with the County platform that seeks to secure full funding of CVSOs, the County supports this measure.

- **Status:** SB 1043 passed the Senate Veterans Affairs Committee unanimously on April 24. It will be heard in the Senate Appropriations Committee on May 7.
- **Support:** California Association of County Veterans Service Officers (sponsor); County of Riverside; American GI Forum of California American Legion-Department of California; AMVETS-Department of California; California State Commanders Veterans Council; Cities of Blythe and Indian Wells; Military Officers Association of America-California Council of Chapters; Rural County Representatives of California (RCRC); Sacramento County; Vietnam Veterans of America-California State Council
- **Opposition:** None

#### **AB 2756 (Medina) – Private School Data Collection**

**SUPPORT**

In response to the recent abuse case in Perris, Assembly Member Jose Medina introduced AB 2756. As amended in early April, the measure's provisions are limited to requiring collection and reporting by the California Department of Education of information regarding private homeschools. The County took a support position on the measure. More than 1,000 homeschool proponents/parents and many homeschooled students came to testify in opposition to the measure.

- **Status:** The bill failed – for lack of a motion – in its first hearing before the Assembly Education Committee on April 25.
- **Support:** County of Riverside; California Association of Private School Organizations; California Consortium for Independent Study; Riverside County Office of Education
- **Opposition:** California Homeschool Network; Celebration Education; East Contra Costa Explorers; Holitopa Academy Home School Legal Defense Association; Private and Home Educators of California Real CA Homeschool; many individuals

#### **SB 1303 (Pan) – Office of the County Medical Examiner**

**OPPOSE**

SB 1303, by Senator Richard Pan, would require counties with a population of more than 500,000 that operate a consolidated sheriff-coroner office – which includes the County of Riverside – to abolish the office of the coroner and establish an independent office of the medical examiner. Some counties have already opted to establish the Office of the Medical Examiner. The County of Riverside opposes this measure given that, under current law, counties have clear and unfettered authority to create a separate office of the medical examiner. Indeed, several jurisdictions have done so. SB 1303 would – irrespective of the current circumstances in a given county and without regard to a jurisdiction's capacity to assume new and likely substantial costs associated with operating the office of the medical examiner – eliminate the local boards of supervisors' authority in making an important local governance decision.

- **Status:** SB 1303 passed the Senate Governance and Finance Committee on April 11 and the Senate Public Safety Committee on April 24; it awaits hearing before the Senate Appropriations Committee.
- **Support:** California Medical Association (sponsor); American Federation of State, County and Municipal Employees; AFL-CIO; California Public Defenders Association; California Society of Pathologists; College of American Pathologists; Consumer Attorneys of California; County of Santa Clara

- **Opposition:** County of Riverside; California State Association of Counties; California State Sheriffs' Association; San Joaquin County Board of Supervisors

**SB 1325 (Moorlach) – Right to Self-Quarantine**

**OPPOSE**

SB 1325, by Senator John Moorlach, would enact the Peaceful and Natural Dignity Act. This measure would entitle an individual or group, during an emergency, to exercise the right of self-quarantine alone or together by electing to remain within the self-quarantine area for the self-quarantine period, as specified. It further would prohibit a person from obstructing or interfering with the exercise of the right of self-quarantine as set forth in this bill, notwithstanding any other law. The measure raises significant public health and safety concerns.

- **Status:** SB 1325 failed passage in Senate Health Committee on April 18.
- **Support:** California Naturopathic Doctors Association; National Vaccine Information Center; Pacific Justice Institute–Center for Public Policy
- **Opposition:** County of Riverside; American Academy of Pediatrics – California; California Medical Association; California State Association of Counties; County Health Executives Association of California; County of Santa Clara; Health Officers Association of California; Vaccinate California

**AB 1912 (Rodriguez) – Liabilities of Joint Powers Agreements (JPAs)**

**OPPOSE**

AB 1912, by Assembly Member Freddie Rodriguez, would impose considerable new burdens and unworkable requirements on local and state agencies regarding JPAs. The bill attempts to address a circumstance – as recently happened with a JPA in Los Angeles County – when several government agencies form a joint powers authority (JPA), and the JPA dissolves or is otherwise unable to meet its pension obligations, resulting in reductions to retirees' pensions. This measure would apply retroactive as well as prospective joint and several liability for all retirement-related obligations to any current or former member of a JPA since inception. The County of Riverside joined a local government coalition in opposing this measure, pointing out both fiscal and practical problems with AB 1912.

- **Status:** The bill passed the Assembly Public Employees, Retirement, and Social Security Committee on April 18 and the Assembly Judiciary Committee on April 24; it awaits hearing in the Assembly Appropriations Committee.
- **Support:** SEIU California (sponsor); Association of California State Supervisors; California Association of Professional Scientists; California State Retirees; LIUNA Local 792; Orange County Professional Firefighters Association, IAFF; Local 3631 Professional Engineers in California Government; Retired Public Employees Association
- **Opposition:** County of Riverside; California Association of Joint Powers Authority; California Contract Cities Association; California Special Districts Association; California State Association of Counties; City of Glendora; City of La Canada Flintridge; League of California Cities; Urban Counties of California

**AB 3087 (Kalra) – Health Care Cost Containment Commission**

**OPPOSE**

AB 3087, by Assembly Member Ash Kalra, would establish an independent Health Care Cost, Quality and Equity Commission. Premised on the belief that the high cost of health care is unsustainable, AB 3087 would require the state to set base payment amounts that hospitals, doctors, and other providers can collect from payers. The Commission would use Medicare rates as a floor for determining base amounts for providers and Medicare Advantage rates to set payments to health plans. Providers and health plans

would be allowed to appeal for a higher amount based on outstanding factors. A coalition of labor organizations and consumer groups are co-sponsoring AB 3087. The Assembly Health Committee held a special order of business this week to discuss the measure. Despite many negative comments by most committee members, the measure passed out of committee on a party-line vote.

- **Status:** The bill passed the Assembly Health Committee on April 24; it awaits hearing in the Assembly Appropriations Committee.
- **Support:** California Labor Federation (cosponsor); Health Access California (cosponsor); SEIU California (cosponsor); UNITE HERE International Union (cosponsor); Western Center on Law and Poverty; and dozens of labor union and other groups
- **Opposition:** California Hospital Association; California Medical Association; and more than 200 other hospital and health system and related associations

**AB 2571 (Gonzalez Fletcher) – Public Employee Retirement Investments**

**OPPOSE**

AB 2571, by Assembly Member Lorena Gonzalez-Fletcher, would restrict California public pension systems from making new, additional, or renewed investments in an alternative investment vehicle if it is managed by an investment manager that has not adopted nor committed to comply with a race and gender pay equity policy. This measure was widely viewed as a divestiture bill, which would have undermined the fiduciary responsibilities of the pension systems.

- **Status:** AB 2571 was pulled from the Assembly Public Employees, Retirement, and Social Security Committee hearing on April 18 and was not heard.
- **Support:** UNITE HERE, Local 11 (sponsor); California Federation of Teachers; Central American Resource Center; National Employment Law Project
- **Opposition:** County of Riverside; California State Association of Counties; League of California Cities; California Special Districts Association; California Chamber of Commerce; California Business Properties Association; California Hotel and Lodging Association; California Lodging Industry Association; California Restaurant Association; California Travel Association

**AB 2598 (Quirk) and SB 1416 (McGuire) – Code Enforcement**

**PENDING**

In accordance with the County platform supporting expansion of tools to assist in code enforcement compliance, we have been monitoring measures in this policy area. We highlight two measures below, for which the County is considering support. AB 2598, by Assembly Member Bill Quirk, would increase the fine amount cities and counties may assess for violations of building and safety codes; it would further create a new fine for specified violations on commercial property. Secondly, SB 1416, by Senator Mike McGuire, would authorize, until January 1, 2024, cities and counties to collect fines related to the nuisance abatement using a lien or special assessment; it would also require any recovered fines or penalties related to these provisions to be used for supporting local enforcement of state and local building and fire code standards.

- **Status:** AB 2598 passed the Assembly Local Government Committee on April 11 and now awaits action of the full Assembly. SB 1416 is set for hearing on May 9 before the Senate Governance and Finance Committee, chaired by the bill's author.
- **Support:** **AB 2598** – League of California Cities and California Association of Code Enforcement Officers (co-sponsors)  
**SB 1416** – Unknown at this time.

- **Opposition: AB 2598** – American Civil Liberties Union of California; East Bay Community Law Center; Lawyers' Committee for Civil Rights of the San Francisco Bay Area; Legal Services for Prisoners with Children; and Western Center on Law and Poverty  
**SB 1416** – Unknown

**Various measures – Definition of Gravely Disabled/New Category of Conservatorship PENDING**

There are a number of measures before the Legislature from members representing various regions of the state with an interest in revisiting the definition of “gravely disabled” under Welfare and Institutions Code 5150. The provisions of 5150 allow for involuntary holds of up to 72-hours for individuals who are deemed to be a danger to themselves or others. Given the potential for local impacts, we will be monitoring legislative activity in this arena and have provided below a list of measures that seek to make policy changes in this area. As expected, organizations including the American Civil Liberties Union and Disabilities Rights California have weighed in with opposition on those measures that expand the circumstances under which an involuntary hold (AB 1971) or a conservatorship (SB 1045) can be imposed to oppose efforts to expand this area of the law.

<p><u>AB 1971</u> (Santiago (D-Los Angeles), Chen (R-Diamond Bar), and Friedman (D-Glendale))</p>	<p>Would expand the definition of gravely disabled to include individuals who, as a result of a mental health disorder or chronic alcoholism, is unable to provide for his or her medical treatment. This measure is sponsored by the County of Los Angeles.  <b>&gt; Assembly Member Chen has joined AB 1971 as a co-author and will not be pursuing AB 2156.</b>  <i>Passed Assembly Health Committee (15-0) on April 10; awaiting hearing in Assembly Appropriations Committee.</i></p>
<p><u>AB 2099</u> (Gloria, D-San Diego)</p>	<p>Would allow facilities to treat a copy of the document detailing the circumstances of a 5150 hold as an original for specified purposes and under specified circumstances. Under current law, 5150 paperwork with an original signature must accompany the patient as he or she moves through the associated referral/transfer to a 5150 facility. Some patients who are not in possession of the original paperwork have been refused services and treatment. This measure would facilitate access to treatment for those placed on a 5150 hold who have digital, faxed, or other duplicate versions of the otherwise required paperwork. This measure is sponsored by the American College of Emergency Physicians (California Chapter).  <i>Passed Assembly Health Committee (15-0) on 3/20; awaiting action on Assembly Floor.</i></p>
<p><u>AB 2156</u> (Chen, R-Diamond Bar)</p>	<p>Would change the definition of gravely disabled to include being incapable of making informed decisions about or providing for medical care without significant supervision and assistance from another person.  <i>As noted above, measure is not moving; Assembly Member Chen has joined as co-author to AB 1971.</i></p>
<p><u>SB 1045</u> (Wiener, D-San Francisco)</p>	<p>Would create a new category of conservatorship for a person who is chronically homeless and incapable of caring for his or her own health and well-being due to acute and severe mental illness or a severe substance abuse disorder, as evidenced by specified circumstances. As amended in early April, the measure makes it clear that any county must affirmatively opt-in to make use of the provisions in SB 1045. Although not yet in print,</p>

	<p>the bill is awaiting amendments – at the request and direction of the Senate Judiciary Committee – that would yet again narrow the measure to create a five-year, two-county pilot for the City and County of San Francisco and the County of Los Angeles. The author has indicated an openness and interest in expanding the pilot further to name other counties that wish to opt in.</p> <p><i>Passed Senate Public Safety Committee with amendments on April 24; awaiting hearing in the Senate Appropriations Committee.</i></p>
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Finally, we have attached a status report of all active bills in the legislative process where the County has weighed in, but does not include measures HBE is actively monitoring where the Board has taken no official position. We will continue to track legislative activity and communicate with the CEO's Office regarding legislative measures on which the County may wish to engage. Please do not hesitate to contact us with any questions on these or other topics of interest. Thank you.