

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



ITEM
2.9
(ID # 7625)

MEETING DATE:

Tuesday, July 31, 2018

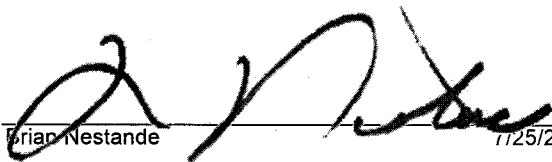
FROM : EXECUTIVE OFFICE:

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

RECOMMENDED MOTION: That the Board of Supervisors:

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


ACTION: Consent


Brian Nestande 7/25/2018

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington and Perez
Nays: None
Absent: Ashley
Date: July 31, 2018
xc: EO

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

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

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 about mid-way through its four-week summer recess. Members will return to Sacramento on Monday, August 6 to begin the last month of legislative business before wrapping up the 2017-18 session.

What remains on the legislative calendar is the August 17 deadline for all measures with fiscal impacts to move out of the Appropriations Committees. Each house will hold a hearing the first week of August and likely will send hundreds of bills to the "suspense file." On or before August 17, the respective house's committees will meet again to announce which bills will be voted off of the suspense file and move on to be considered by the floor in the second house. The Legislature will dedicate itself exclusively to moving measures off the floors and to the Governor during the last two weeks of session. The houses will adjourn on Friday, August 31.

Discussions over the legislative summer break continue on a number of policy areas of consequence, including a stewardship program for pharmaceutical waste and sharps (SB 212, Jackson); net neutrality (SB 822, Wiener); as well as wildfire liability, which is the topic of a recently named conference committee tasked with strengthening disaster preparedness and discussing policies to respond to increasing wildfire danger particularly as it relates to rules and regulations for the utility companies.

HBE will continue to keep you apprised of legislative activities on priority bills through the end of session. In addition, we will be vigilant for "gut-and-amends," a legislative maneuver often utilized during the closing days of session whereby the contents of a bill are stripped and replaced with brand new provisions that often represent very significant policy changes.

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Below we provide an update on the state budget package as well as the latest information on Riverside County-sponsored measures and other bills of priority interest.

2018-19 STATE BUDGET

Last week, the Legislature approved and the Governor has since signed two additional 2018-19 budget trailer bills: (1) SB 857, which imposes a different set of rules in three counties – Los Angeles, Orange, and Merced – regarding IHSS provider orientation for a period of three years and (2) SB 872, which makes technical and corrective changes to the definition of cannabis in the context of the grocery tax prohibition previously enacted in AB 1838. With that action, the 2018-19 budget framework and necessary implementing legislation are in place. Note that two trailer bills have yet to be taken up by the Legislature – (1) SB 862, a measure to temporarily pause implementation of AB 195 (Obernolte, 2017) regarding ballot specifications for local bonds; and (2) SB 870/AB 1836 relating to a 911 surcharge and clarification of specified disaster response operations costs. It is unclear whether these measures ultimately will be acted on.

A list of all 2018-19 budget-related measures is provided below. Our previous updates included detailed information about budget issues of particular interest to the County of Riverside. Please do not hesitate to contact us for additional information.

2018-19 Budget Bill / Trailer Bills – As of July 3, 2018

All measures below have been signed into Main 2018-19 budget bill law, except for those highlighted in blue.

SB 840	
AB 1808	K-12 education
AB 1809	Higher education
AB 1810	Health
AB 1811	Human services
AB 1812	Public safety
AB 1817	State government
AB 1824	State government
AB 1825	Education finance: constitutional minimum funding obligation: local control funding formula
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AB 1838	Local government taxation: prohibition on grocery taxes
SB 841	2017-18 augmentations
SB 847	Courts
SB 848	Transportation
SB 849	Proposition 56
SB 850	Housing
SB 852	State public employment: memorandum of

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SB 853	understanding: Bargaining Unit 6: approval
SB 854	Developmental services
SB 855	Public resources
SB 856	Taxation
SB 857	Budget Bill, Jr. (amendments and corrections to SB 840)
SB 863	In Home Supportive Services Provider Orientation
SB 866	Elections (AB 195 fix)
	Employment

COUNTY-SPONSORED LEGISLATION

On behalf of the County of Riverside, HBE has been working on four County-sponsored measures in 2018, as detailed below.

AB 1946 (Cervantes) – Elder and dependent adult trafficking

AB 1946, by Assembly Member Sabrina Cervantes, was introduced to address an elder and dependent adult trafficking problem in Riverside County. 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 provides substandard care. In collaboration with a small working group of County, City of Riverside, and Department of Justice stakeholders, we worked 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 achieve either outcome, each proposed solution encountered substantive legal hurdles or significant opposition. In consultation with the author's office, a decision was made to put the bill on hold 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 interested stakeholders, to craft a legislative approach for 2019.

- Status:** As noted in the April update, 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, as introduced, 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 – all non-controversial – 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. The objective of AB 2137 is to create savings associated with avoiding the bid preparation process that could be put to better use in advancing the parks district's mission. At the request of the Senate Governance and Finance Committee, the measure was

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amended on June 19 to increase the no-bid expenditure threshold to \$50,000 for regional parks districts statewide and to grant local districts the ability to apply annual inflationary increases by a vote of the board.

□ **Status:** AB 2137 has received unanimous support as it has made its way through the Legislative process; it now awaits action on the Senate floor.

□ **Support:** County of Riverside (sponsor); California Special Districts Association; East Bay Regional Park District.

□ **Opposition:** None known; previous efforts for other districts did not attract opposition.

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

As introduced, 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. Under this measure, 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. The Brown Administration reached out and expressed an interest in working with Riverside County to expand the provisions in AB 2821 to all counties. The measure was amended June 11 to make that change.

□ **Status:** AB 2821 will be heard August 8 in the Senate Appropriations Committee.

□ **Support:** County of Riverside (sponsor), California State Association of Counties.

□ **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. AB 3007 would authorize the program in the County of Riverside and specify program elements and expected outcomes. The measure was amended on June 6 to, among other provisions, (1) further clarify the County's authority to design eligibility criteria and other program elements that best meet local needs and (2) require the County to coordinate across affected departments for children in the CIP program who also are receiving other County services such as foster care. The measure has received no "no" votes during its progression through the Legislative process.

□ **Status:** The measure passed two policy committees in the Senate (Health Committee and Human Services Committee) – on the respective consent calendars. It moved off the Senate Floor on consent on July 3 and now awaits concurrence in Senate amendments on the Assembly floor.

□ **Support:** County of Riverside (sponsor); California Immigrant Policy Center, Riverside First 5, one individual (a former CIP)

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Opposition: None known.

TWO-YEAR BILLS

On the County's behalf, we have engaged on 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, the status quo remains on AB 1250, a measure that proposed to 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 stalled in the Senate Rules Committee, where it has been parked since September of last year, 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 new requirements 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 stalled in the Senate Rules Committee; AB 3224 is in the Assembly awaiting concurrence in Senate amendments.

Support (AB 1250): Service Employees International Union (SEIU) and American Federation of State, County and Municipal Employees (AFSCME) – co-sponsors, along with a number of other employee organizations

Support (AB 3224): Western Center on Law and Poverty (sponsor); AFSCME

Opposition (AB 1250): 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

Opposition (AB 3224): None known.

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 4th District, Division Two (hearing appeals from the Riverside, Inyo, 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

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out of its committee. The sole provision that remains in the bill is the language to statutorily create the appellate court justice. Assembly Member Jay Obernolte – who represents the similarly impacted San Bernardino County – introduced AB 2446, which is nearly identical to SB 38 in its introduced form. The County also supported AB 2446, although it died in May in the Assembly Appropriations Committee. As noted previously in our budget updates, the 2018-19 state budget includes both the authority to establish and ongoing funding for the appellate court justice position as well as funding for two superior court judgeships to be placed in Riverside County.

Status: SB 38 has been referred to the Assembly Appropriations Committee; AB 2446 was held on the Assembly Appropriations Committee Suspense File in May and will not be moving forward.

Support (SB 38): Judicial Council (sponsor), County of Riverside, California Judges Association, Greater Riverside Chambers of Commerce

Support (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 BSCC; 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 on the Senate Appropriations Committee suspense file.

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

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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 was held on the Assembly Appropriations Committee Suspense File and will not be moving forward this year.

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. Note that Senator Josh Newman was recalled in June and has been replaced by Senator Ling Ling Chang (R-Diamond Bar). Given this development, SB 1043 is effectively stalled unless and until another member accepts authorship of this measure, which has not occurred to date.

Status: SB 1043 is not moving, given that Senator Josh Newman was recalled and replaced; the measure no longer has an author and no other member has taken over the bill.

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 2598 (Quirk) and SB 1416 (McGuire) – Code Enforcement SUPPORT

In accordance with the platform supporting expansion of tools to assist in code enforcement compliance, the County is supporting two measures in this policy area. 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.

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- **Status:** AB 2598 awaits action on the Senate Floor, while SB 1416 awaits action on the Assembly Floor.
- **Support (AB 2598):** League of California Cities and California Association of Code Enforcement Officers (co-sponsors); County of Riverside
- **Support (SB 1416):** County of Riverside; California Building Officials; California Business Properties Association; California Association of Code Enforcement Officers.
- **Opposition (AB 2598):** American Civil Liberties Union (ACLU) 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
- **Opposition (SB 1416):** None known.

SB 1004 (Wiener) – MHSA: Prevention and Early Intervention NEUTRAL (OPPOSITION REMOVED)

SB 1004, by Senator Wiener, would establish priorities for the use of Mental Health Services Act prevention and early intervention (PEI) funds and develop a statewide strategy for monitoring the implementation of PEI programs. Riverside County sent an oppose unless amended letter on an earlier version of the measure, raising concerns that (1) the bill is too narrowly crafted in terms of the types of programs and specific areas of focus for PEI funding; (2) the PEI plan approval process in the bill would result in delays and undermine local investments. HBE worked with the author's office and subsequently amendments were taken on June 25 that directly addressed Riverside County's concerns. The County was able to remove its opposition and is now neutral on SB 1004.

- **Status:** SB 1004 awaits hearing in the Assembly Appropriations Committee.
- **Support:** Steinberg Institute (sponsor); California Hospital Association; California Medical Association; California State Student Association; California State University; Disability Rights California; National Center for Youth Law; Children Now; Juvenile Court Judges of California; JERICHO; Children's Defense Fund-California; California Association of Veteran Service Agencies; Californians for Safety and Justice; American Foundation for Suicide Prevention; Jed Foundation; America's Physician Groups; One Mind
- **Opposition:** California Behavioral Health Directors Association (oppose unless amended)

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 such a model. 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. As now drafted, 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. In the bill's late June hearing in the Assembly Public

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Safety Committee, the author accepted amendments to give counties the option of either establishing an independent office of the medical examiner or contracting out for cases in which a conflict may exist (e.g., a peace officer-involved shooting). The County will evaluate the amendments when they are in print.

□ **Status:** SB 1303 will be heard in the Assembly Appropriations Committee upon the Legislature's return in August.

□ **Support:** California Medical Association (sponsor); AFSCME; 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

AB 1912 (Rodriguez) – Liabilities of Joint Powers Agreements (JPAs) OPPOSE PRIOR VERSION

A previous version of AB 1912, by Assembly Member Freddie Rodriguez, would have imposed 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 have applied 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 coalition of local government entities in opposing this measure, pointing out both fiscal and practical problems with AB 1912. However, the local government associations worked with the sponsors on amendments incorporated into the bill as of July 3. As now drafted, AB 1912 would now only apply to JPAs that intend to dissolve, cease operations, or terminate their retirement contract. Joint and several liability no longer applies to any JPAs. If a JPA were to disband, the agencies must mutually agree on apportioned liability for retirement obligations. If the agencies cannot agree then the retirement agency will apportion liability in a manner based on, among other things, the share of service or populations of each member agency. If agencies cannot agree and wish to contest the retirement agency's determination of apportionment, they will have to enter into binding arbitration at their shared expense. The JPA would be prohibited from dissolving or ceasing operations until liability is agreed to.

□ **Status:** AB 1912 is set for hearing in the Senate Appropriations Committee on August 6.

□ **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 (to prior version):** 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:** AB 3007 was held on the Assembly Appropriations Committee Suspense File and will not be moving forward this year.

□ **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 systems and related associations

Various measures – Definition of Gravely Disabled/New Category of Conservatorship WATCH

There are a number of measures before the Legislature relating to “gravely disabled” provisions under Welfare and Institutions Code Section 5150. The 5150 provisions allow for involuntary holds of up to 72-hours for individuals deemed to be a danger to themselves or others. Given the potential for local impacts, we have been monitoring legislative activity in this arena closely. As expected, organizations including ACLU 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. Details on these measure are provided below. AB 1971 (Santiago (D-Los

Seeks to expand the existing definition of “gravely disabled” to include a person’s inability to provide for his or her personal needs for “medical treatment,” if the failure to receive medical treatment results in a deteriorating physical condition or death. As recently amended, AB 1971 does all of the following: (1) changes the gravely disabled definition to read “... unable to provide for his or her... medical treatment, if the failure to receive medical treatment results in a deteriorating physical condition that a medical professional, in his or her best medical judgment, attests in writing, will more likely than not, lead to death within six months”;



HURST+BROOKS+ESPINOSA

July 12, 2018

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

From: Hurst Brooks Espinosa, LLC

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

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prohibition previously enacted in AB 1838. With that action, the 2018-19 budget framework and necessary implementing legislation are in place. Note that two trailer bills have yet to be taken up by the Legislature – (1) SB 862, a measure to temporarily pause implementation of AB 195 (Obernolte, 2017) regarding ballot specifications for local bonds; and (2) SB 870/AB 1836 relating to a 911 surcharge and clarification of specified disaster response operations costs. It is unclear whether these measures ultimately will be acted on.

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All measures below have been signed into law, except for those highlighted in blue.

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<u>AB 1809</u>	Higher education
<u>AB 1810</u>	Health
<u>AB 1811</u>	Human services
<u>AB 1812</u>	Public safety
<u>AB 1817</u>	State government
<u>AB 1824</u>	State government
<u>AB 1825</u>	Education finance: constitutional minimum funding obligation: local control funding formula
<u>AB 1826</u>	State Capitol Building Annex: state office building
<u>AB 1827</u>	No Place Like Home Act of 2018
<u>AB 1830</u>	Budget Deficit Savings Account: Safety Net Reserve Fund
<u>AB 1831</u>	State government: appointments: infrastructure
<u>AB 1834</u>	Corrections
<u>AB 1838</u>	Local government taxation: prohibition on grocery taxes
<u>SB 841</u>	2017-18 augmentations
<u>SB 847</u>	Courts
<u>SB 848</u>	Transportation
<u>SB 849</u>	Proposition 56
<u>SB 850</u>	Housing
<u>SB 852</u>	State public employment: memorandum of understanding: Bargaining Unit 6: approval
<u>SB 853</u>	Developmental services
<u>SB 854</u>	Public resources
<u>SB 855</u>	Taxation
<u>SB 856</u>	Budget Bill, Jr. (amendments and corrections to SB 840)
<u>SB 857</u>	In Home Supportive Services Provider Orientation
<u>SB 863</u>	Elections (AB 195 fix)
<u>SB 866</u>	Employment

<u>SB 870/AB 1836</u>	Disaster Response-Emergency Operations Account: allocation of funds: notification: Emergency Telephone Users Surcharge Act
<u>SB 871</u>	Income taxes: credits: motion pictures
<u>SB 872</u>	Local government taxation: prohibition on grocery taxes (AB 1838 clean-up)

COUNTY-SPONSORED LEGISLATION

On behalf of the County of Riverside, HBE has been working on four County-sponsored measures in 2018, as detailed below.

AB 1946 (Cervantes) – Elder and dependent adult trafficking

AB 1946, by Assembly Member Sabrina Cervantes, was introduced to address an elder and dependent adult trafficking problem in Riverside County. 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 provides substandard care. In collaboration with a small working group of County, City of Riverside, and Department of Justice stakeholders, we worked 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 achieve either outcome, each proposed solution encountered substantive legal hurdles or significant opposition. In consultation with the author’s office, a decision was made to put the bill on hold 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 interested stakeholders, to craft a legislative approach for 2019.

- **Status:** As noted in the April update, 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, as introduced, 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 – all non-controversial – 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. The objective of AB 2137 is to create savings associated with avoiding the bid preparation process that could be put to better use in advancing the parks district’s mission. At the request of the Senate Governance and Finance Committee, the measure was amended on June 19 to increase the no-bid expenditure threshold to \$50,000 for regional parks districts statewide and to grant local districts the ability to apply annual inflationary increases by a vote of the board.

- **Status:** AB 2137 has received unanimous support as it has made its way through the Legislative process; it now awaits action on the Senate floor.
- **Support:** County of Riverside (sponsor); California Special Districts Association; East Bay Regional Park District.
- **Opposition:** None known; previous efforts for other districts did not attract opposition.

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

As introduced, 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. Under this measure, 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. The Brown Administration reached out and expressed an interest in working with Riverside County to expand the provisions in AB 2821 to all counties. The measure was amended June 11 to make that change.

- **Status:** AB 2821 will be heard August 8 in the Senate Appropriations Committee.
- **Support:** County of Riverside (sponsor), California State Association of Counties.
- **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. AB 3007 would authorize the program in the County of Riverside and specify program elements and expected outcomes. The measure was amended on June 6 to, among other provisions, (1) further clarify the County's authority to design eligibility criteria and other program elements that best meet local needs and (2) require the County to coordinate across affected departments for children in the CIP program who also are receiving other County services such as foster care. The measure has received no "no" votes during its progression through the Legislative process.

- **Status:** The measure passed two policy committees in the Senate (Health Committee and Human Services Committee) – on the respective consent calendars. It moved off the Senate Floor on consent on July 3 and now awaits concurrence in Senate amendments on the Assembly floor.
- **Support:** County of Riverside (sponsor); California Immigrant Policy Center, Riverside First 5, one individual (a former CIP)
- **Opposition:** None known.

TWO-YEAR BILLS

On the County's behalf, we have engaged on 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, the status quo remains on AB 1250, a measure that proposed to 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 stalled in the Senate Rules Committee, where it has been parked since September of last year, 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 new requirements 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 stalled in the Senate Rules Committee; AB 3224 is in the Assembly awaiting concurrence in Senate amendments.
- **Support (AB 1250):** Service Employees International Union (SEIU) and American Federation of State, County and Municipal Employees (AFSCME) – co-sponsors, along with a number of other employee organizations
- **Support (AB 3224):** Western Center on Law and Poverty (sponsor); AFSCME
- **Opposition (AB 1250):** 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
- **Opposition (AB 3224):** None known.

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 4th District, Division Two (hearing appeals from the Riverside, Inyo, 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. Assembly Member Jay Oberholte – who represents the similarly impacted San Bernardino County – introduced AB 2446, which is nearly identical to SB 38 in its introduced form. The County also supported AB 2446, although it died in May in the Assembly Appropriations Committee. As noted previously in our budget updates, the 2018-19 state budget includes both the authority to establish and ongoing funding for the appellate court justice position as well as funding for two superior court judgeships to be placed in Riverside County.

- **Status:** SB 38 has been referred to the Assembly Appropriations Committee; AB 2446 was held on the Assembly Appropriations Committee Suspense File in May and will not be moving forward.
- **Support (SB 38):** Judicial Council (sponsor), County of Riverside, California Judges Association, Greater Riverside Chambers of Commerce
- **Support (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 BSCC; 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 on the Senate Appropriations Committee suspense file.
- **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 was held on the Assembly Appropriations Committee Suspense File and will not be moving forward this year.
- **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. Note that Senator Josh Newman was recalled in June and has been replaced by Senator Ling Ling Chang (R-Diamond Bar). Given this development, SB 1043 is effectively stalled unless and until another member accepts authorship of this measure, which has not occurred to date.

- **Status:** SB 1043 is not moving, given that Senator Josh Newman was recalled and replaced; the measure no longer has an author and no other member has taken over the bill.

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

SUPPORT

In accordance with the platform supporting expansion of tools to assist in code enforcement compliance, the County is supporting two measures in this policy area. 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 awaits action on the Senate Floor, while SB 1416 awaits action on the Assembly Floor.
- **Support (AB 2598):** League of California Cities and California Association of Code Enforcement Officers (co-sponsors); County of Riverside
- **Support (SB 1416):** County of Riverside; California Building Officials; California Business Properties Association; California Association of Code Enforcement Officers.
- **Opposition (AB 2598):** American Civil Liberties Union (ACLU) 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
- **Opposition (SB 1416):** None known.

SB 1004 (Wiener) – MHSA: Prevention and Early Intervention NEUTRAL (OPPOSITION REMOVED)

SB 1004, by Senator Wiener, would establish priorities for the use of Mental Health Services Act prevention and early intervention (PEI) funds and develop a statewide strategy for monitoring the implementation of PEI programs. Riverside County sent an oppose unless amended letter on an earlier version of the measure, raising concerns that (1) the bill is too narrowly crafted in terms of the types of programs and specific areas of focus for PEI funding; (2) the PEI plan approval process in the bill would result in delays and undermine local investments. HBE worked with the author's office and subsequently amendments were taken on June 25 that directly addressed Riverside County's concerns. The County was able to remove its opposition and is now neutral on SB 1004.

- **Status:** SB 1004 awaits hearing in the Assembly Appropriations Committee.
- **Support:** Steinberg Institute (sponsor); California Hospital Association; California Medical Association; California State Student Association; California State University; Disability Rights California; National Center for Youth Law; Children Now; Juvenile Court Judges of California; JERICHO; Children's Defense Fund-California; California Association of Veteran Service Agencies; Californians for Safety and Justice; American Foundation for Suicide Prevention; Jed Foundation; America's Physician Groups; One Mind

- **Opposition:** California Behavioral Health Directors Association (oppose unless amended)

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 such a model. 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. As now drafted, 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. In the bill’s late June hearing in the Assembly Public Safety Committee, the author accepted amendments to give counties the option of either establishing an independent office of the medical examiner or contracting out for cases in which a conflict may exist (e.g., a peace officer-involved shooting). The County will evaluate the amendments when they are in print.

- **Status:** SB 1303 will be heard in the Assembly Appropriations Committee upon the Legislature’s return in August.
- **Support:** California Medical Association (sponsor); AFSCME; 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

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

OPPOSE PRIOR VERSION

A previous version of AB 1912, by Assembly Member Freddie Rodriguez, would have imposed 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 have applied 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 coalition of local government entities in opposing this measure, pointing out both fiscal and practical problems with AB 1912. However, the local government associations worked with the sponsors on amendments incorporated into the bill as of July 3. As now drafted, AB 1912 would now only apply to JPAs that intend to dissolve, cease operations, or terminate their retirement contract. Joint and several liability no longer applies to any JPAs. If a JPA were to disband, the agencies must mutually agree on apportioned liability for retirement obligations. If the agencies cannot agree then the retirement agency will apportion liability in a manner based on, among other things, the share of service or populations of each member agency. If agencies cannot agree and wish to contest the retirement agency’s determination of apportionment, they will have to enter into binding arbitration at their shared expense. The JPA would be prohibited from dissolving or ceasing operations until liability is agreed to.

- **Status:** AB 1912 is set for hearing in the Senate Appropriations Committee on August 6.

- **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 (to prior version):** 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:** AB 3007 was held on the Assembly Appropriations Committee Suspense File and will not be moving forward this year.
- **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 systems and related associations

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

WATCH

There are a number of measures before the Legislature relating to “gravely disabled” provisions under Welfare and Institutions Code Section 5150. The 5150 provisions allow for involuntary holds of up to 72-hours for individuals deemed to be a danger to themselves or others. Given the potential for local impacts, we have been monitoring legislative activity in this arena closely. As expected, organizations including ACLU 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. Details on these measure are provided below.

<p><u>AB 1971</u> (Santiago (D-Los Angeles), Chen (R-Diamond Bar), and Friedman (D-Glendale))</p>	<p>Seeks to expand the existing definition of “gravely disabled” to include a person’s inability to provide for his or her personal needs for “medical treatment,” if the failure to receive medical treatment results in a deteriorating physical condition or death. As recently amended, AB 1971 does all of the following: (1) changes the gravely disabled definition to read “... unable to provide for his or her... medical treatment, if the failure to receive medical treatment results in a deteriorating physical condition that a medical professional, in his or her best medical judgment, attests in writing, will more likely than not, lead to death within six months”;</p>
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	<p>(2) requires that, prior to a conservatorship under the expanded definition in AB 1971, a court to find that (a) the behavioral health director has made best efforts to provide the proposed conservatee with voluntary treatment for applicable mental health disorders and/or the physical health condition and (b) the proposed conservatee refused the voluntary treatment; and (3) narrows the measure to a five-year pilot in Los Angeles County only with a reporting requirement on outcomes. This measure is sponsored by the County of Los Angeles.</p> <p><i>Set for hearing in Senate Appropriations Committee on August 6.</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).</p> <p><i>Awaiting action on the Senate Floor.</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 May, the bill authorizes two specific jurisdictions – the County of Los Angeles as well as the City and County of San Francisco – to opt-in to make use of the provisions in SB 1045.</p> <p><i>Awaiting hearing in the Assembly Appropriations Committee.</i></p>

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 monitor legislative activity closely in the final weeks of the 2018 legislative year and communicate updates regularly. Please do not hesitate to contact us with any questions on these or other topics of interest. Thank you.