

CALIFORNIA BUSINESS PROPERTIES ASSOCIATION



SIGNED/VETOED PRIORITY BILLS 2020

CBPA PRIORITY BILLS SIGNED BY GOVERNOR

Measure	Author	Topic	Brief Summary	Position
AB 168	Aguiar-Curry D	Planning and zoning: annual report: housing development: streamlined approvals.	The Planning and Zoning Law requires the planning agency of a city or county to provide by April 1 of each year an annual report to the legislative body of the city or county, the Office of Planning and Research, and the Department of Housing and Community Development that includes, among other specified information, the status of the general plan and progress in its implementation. This bill would additionally require that this annual report include information on the progress of the city or county in adopting or amending its general plan or local open-space element in compliance with its obligations to consult with California Native American tribes, and to identify and protect, preserve, and mitigate impacts to specified places, features, and objects, pursuant to specified law.	NEUTRAL (AMENDS TAKEN)
AB 434	Daly D	Housing financing programs: uniform procedures.	Current law establishes, among other housing programs administered by the Department of Housing and Community Development, the Multifamily Housing Program, pursuant to which the department provides assistance in the form of deferred payment loans to pay for specified eligible costs of development of specified housing projects. This bill would authorize the department, in administering the Multifamily Housing Program, to establish set-asides for specific project types or projects that serve specific target populations.	SUPPORT
AB 685	Reyes D	COVID-19: imminent hazard to employees: exposure: notification: serious violations.	Would authorize the Division of Occupational Safety and Health, when, in its opinion, a place of employment, operation, or process, or any part thereof, exposes workers to the risk of infection with severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2, also known as COVID-19), so as to constitute an imminent hazard to employees, to prohibit the performance of that operation or process, or entry into that place of employment. The bill would require the division to provide a notice thereof to the employer, to be posted in a conspicuous place at the place of employment. The bill would require such a prohibition to be limited to the immediate area in which the imminent hazard exists, as specified. The bill would require such a prohibition to be issued in a manner so as not to materially interrupt the performance of critical governmental functions essential to ensuring public health and safety functions or the delivery of electrical power or water.	OPPOSE
AB 713	Mullin D	California Consumer Privacy Act of 2018.	The California Consumer Privacy Act of 2018 (CCPA) grants a consumer various rights with regard to personal information relating to that consumer collected by a business. The act also grants a consumer the right to request a business to delete any personal information about the consumer collected by the business and requires a business to do so upon receipt of a verified request, except as specified. The act excepts certain categories of personal information and entities from its provisions, including medical information, as specified. This bill would except from the CCPA information that was deidentified in accordance with specified federal law, or was derived from medical information, protected health information, individually identifiable health information, or identifiable private information, consistent with specified federal policy, as provided.	SUPPORT
AB 725	Wicks D	General plans: housing element: moderate-income and above moderate-income housing: suburban and metropolitan jurisdictions.	The Planning and Zoning Law requires that the housing element include, among other things, an inventory of land suitable for residential development, to be used to identify sites that can be developed for housing within the planning period and that are sufficient to provide for the jurisdiction's share of the regional housing need determined pursuant to specified law. This bill, commencing January 1, 2022, would require that at least 25% of a metropolitan jurisdiction's share of the regional housing need for moderate-income housing be allocated to sites with zoning that allows at least 4 units of housing, but no more than 100 units per acre of housing. The bill would	NEUTRAL

			require that at least 25% of a metropolitan jurisdiction's share of the regional housing need for above moderate-income housing be allocated to sites with zoning that allows at least 4 units of housing. The bill would exclude unincorporated areas from this prohibition and would include related legislative findings.	
AB 841	Ting D	Energy: transportation electrification: energy efficiency programs: School Energy Efficiency Stimulus Program.	Current law requires the PUC, in consultation with the State Energy Resources Conservation and Development Commission and the State Air Resources Board, to direct electrical corporations to file applications for programs and investments to accelerate widespread transportation electrification to reduce dependence on petroleum, meet air quality standards, achieve the goals set forth in the Charge Ahead California Initiative, and reduce emissions of greenhouse gases to 40% below 1990 levels by 2030 and to 80% below 1990 levels by 2050. That law requires that the programs proposed by electrical corporations seek to minimize overall costs and maximize overall benefits. The PUC is required to approve, or modify and approve, programs and investments in transportation electrification, including those that deploy charging infrastructure, through a reasonable cost recovery mechanism, if they are consistent with the above-described purposes, do not unfairly compete with nonutility enterprises, include performance accountability measures, and are in the interests of ratepayers. This bill would require not less than 35% of the investments pursuant to these provisions to be in underserved communities, as defined.	NEUTRAL (AMENDS TAKEN)
AB 1281	Chau D	Privacy: California Consumer Privacy Act of 2018.	The California Consumer Privacy Act of 2018, until January 1, 2021, exempts from its provisions certain information collected by a business about a natural person in the course of the natural person acting as a job applicant, employee, owner, director, officer, medical staff member, or contractor, as specified. The act also, until January 1, 2021, exempts from specified provisions personal information reflecting a written or verbal communication or a transaction between the business and the consumer, if the consumer is a natural person who is acting as an employee, owner, director, officer, or contractor of a company, partnership, sole proprietorship, nonprofit, or government agency and whose communications or transaction with the business occur solely within the context of the business conducting due diligence regarding, or providing or receiving a product or service to or from that company, partnership, sole proprietorship, nonprofit, or government agency. This bill would extend both exemptions until January 1, 2022.	OPPOSE
AB 1286	Muratsuchi D	Shared mobility devices: agreements.	Would require a shared mobility service provider, as defined, to enter into an agreement with, or obtain a permit from, the city or county with jurisdiction over the area of use. The bill would require that the provider maintain a specified amount of commercial general liability insurance in a user agreement before distributing a shared mobility device within that jurisdiction. The bill would define shared mobility device to mean an electrically motorized board, motorized scooter, electric bicycle, bicycle, or other similar personal transportation device, except as provided.	SUPPORT
AB 1561	Garcia, Cristina D	Planning and zoning: housing element and entitlement extensions.	The Planning and Zoning Law requires a city or county to adopt a general plan for land use and development within its boundaries that includes, among other things, a housing element. The housing element is required to include an analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels and for persons with disabilities, as provided. This bill would authorize an analysis, at the department's discretion, of those constraints upon housing for persons with a characteristic identified by a specified provision of the Unruh Civil Rights Act.	SUPPORT
AB 1731	Boerner Horvath D	Unemployment insurance: work sharing plans.	Current law provides for the payment of unemployment compensation benefits to eligible persons who are unemployed through no fault of their own. Current law deems an employee unemployed in any week if the employee works less than their usual weekly hours of work for the employee's regular employer as the result of the employer's participation in a work sharing plan that meets specified requirements and has been approved by the Director of Employment Development, pursuant to which the employer, in lieu of layoff, reduces employment and stabilizes the workforce. Current law requires an employer who wishes to participate in the work sharing program to submit to the director a signed, written work sharing plan application form that meets specified requirements. This bill, until January 1, 2024, would create an alternative process for the submission and approval of employer work sharing plan applications. The bill would require the Director of Employment Development to accept an application to participate in, or renew participation in, the work sharing program that is submitted electronically and would require the Employment Development Department to create a portal on its internet website for the provision and receipt of these applications.	OPPOSE

AB 1947	Kalra D	Employment violation complaints: requirements: time.	Current law creates the Division of Labor Standards Enforcement, which is headed by the Labor Commissioner, and commits to it the general authority to enforce the requirements of the Labor Code. Current law generally authorizes people who believe that they have been discharged or otherwise discriminated against in violation of any law enforced by the Labor Commissioner to file a complaint with the Division of Labor Standards Enforcement within 6 months after the occurrence of the violation. Existing law generally requires the Labor Commissioner to commence actions to enforce labor standards within 3 years of their accrual, as specified. This bill would extend the period of time within which people may file complaints subject to the 6-month deadline, described above, to within one year after the occurrence of the violations.	OPPOSE
AB 2043	Rivas, Robert D	Occupational safety and health: agricultural employers and employees: COVID-19 response.	Would require the Division of Occupational Safety and Health within the Department of Industrial Relations to disseminate, in both English and Spanish, information on best practices for COVID-19 infection prevention, as specified, consistent with the Guidance Documents available on the division's internet website, including, but not limited to, the Guidance Document entitled, "Cal/OSHA Safety and Health Guidance: COVID-19 Infection Prevention for Agricultural Employers and Employees." The bill would also require the division to work collaboratively with community organizations and organizations representing employees and employers to conduct a statewide outreach campaign, targeted at agricultural employees, to assist with the statewide dissemination of the best practices information and to educate employees on any COVID-19-related employment benefits to which they are entitled, including access to paid sick leave and workers' compensation.	OPPOSE
AB 2231	Kalra D	Public works.	Current law requires that, except as specified, not less than the general prevailing rate of per diem wages, determined by the Director of Industrial Relations, be paid to workers employed on public works projects. Current law defines "public works" to include, among other things, construction, alteration, demolition, installation, or repair work done under contract and paid for, in whole or in part, out of public funds, but exempts from that definition, among other projects, an otherwise private development project if the state or political subdivision provides, directly or indirectly, a public subsidy to the private development project that is de minimis in the context of the project. This bill would generally provide that a public subsidy is de minimis if it is both less than \$600,000 and less than 2% of the total project cost. The bill would specifically provide that a public subsidy for a residential project that consists entirely of single-family dwellings is de minimis if it is less than 2% of the total project cost.	OPPOSE
AB 2992	Weber D	Employment practices: leave time.	Current law prohibits an employer from discharging, or discriminating or retaliating against, an employee who is a victim of domestic violence, sexual assault, or stalking, for taking time off from work to obtain or attempt to obtain relief to help ensure the health, safety, or welfare of the victim or victim's child. Current law authorizes an employee to file a complaint with the Division of Labor Standards Enforcement for a violation of that prohibition, and makes it a misdemeanor for an employer to refuse to rehire, promote, or restore an employee who has been determined to be so eligible by a grievance procedure or legal hearing. This bill would expand the above provision to prohibit an employer from discharging, or discriminating or retaliating against, an employee who is a victim of crime or abuse for taking time off from work to obtain or attempt to obtain relief, as prescribed.	NEUTRAL (AMENDS TAKEN)
AB 3074	Friedman D	Fire prevention: wildfire risk: defensible space: ember-resistant zones.	Current law requires a person who owns, leases, controls, operates, or maintains an occupied dwelling or structure in, upon, or adjoining a mountainous area, forest-covered land, brush-covered land, grass-covered land, or land that is covered with flammable material that is within a very high fire hazard severity zone, as designated by a local agency, or a building or structure in, upon, or adjoining those areas or lands within a state responsibility area, to maintain a defensible space of 100 feet from each side and from the front and rear of the structure, as specified. A violation of these requirements is a crime. This bill would require a person described above to use more intense fuel reductions between 5 and 30 feet around the structure, and to create an ember-resistant zone within 5 feet of the structure, based on regulations promulgated by the State Board of Forestry and Fire Protection, as provided.	SUPPORT
AB 3075	Gonzalez D	Wages: enforcement.	Current law requires a statement of information to contain certain information, including specified statements regarding the general type of business that constitutes the principal business activity of the corporation or limited liability company. Current law provides that an individual who signs a statement of information for any limited liability company or foreign limited liability company affirms under penalty of perjury the information stated in the statement is accurate. This bill, beginning January 1, 2022, or upon certification by the Secretary of State that	OPPOSE

			California Business Connect is implemented, whichever is earlier, would require the statement of information to also contain a statement indicating whether any officer or any director, or, in the case of a limited liability company, any member or any manager, has an outstanding final judgment issued by the Division of Labor Standards Enforcement or a court of law, for which no appeal therefrom is pending, for the violation of any wage order or provision of the Labor Code.	
AB 3088	Chiu D	Tenancy: rental payment default: mortgage forbearance: state of emergency: COVID-19.	Current law prescribes various requirements to be satisfied before the exercise of a power of sale under a mortgage or deed of trust. Current law requires that a notice of default and a notice of sale be recorded and that specified periods of time elapse between the recording and the sale. Current law establishes certain requirements in connection with foreclosures on mortgages and deeds of trust, including restrictions on the actions mortgage servicers may take while a borrower is attempting to secure a loan modification or has submitted a loan modification application. Existing law applies certain of those requirements only to a first lien mortgage or deed of trust that is secured by owner-occupied residential real property containing no more than four dwelling units. This bill, the Tenant, Homeowner, and Small Landlord Relief and Stabilization Act of 2020, would, among other things, until January 1, 2023, additionally apply those protections to a first lien mortgage or deed of trust that is secured by residential real property that is occupied by a tenant, contains no more than four dwelling units, and meets certain criteria, including that a tenant occupying the property is unable to pay rent due to a reduction in income resulting from the novel coronavirus.	NEUTRAL (AMENDS TAKEN – COMMERCIAL EXEMPTED)
SB 288	Wiener D	California Environmental Quality Act: exemptions: transportation-related projects.	CEQA includes exemptions from its environmental review requirements for numerous categories of projects, including, among others, projects for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use and projects for the institution or increase of passenger or commuter service on high-occupancy vehicle lanes already in use, as specified. This bill would further exempt from the requirements of CEQA certain projects, including projects for the institution or increase of new bus rapid transit, bus, or light rail services on public rail or highway rights-of-way, as specified, whether or not the right-of-way is in use for public mass transit, as specified, and projects for the designation and conversion of general purpose lanes, high-occupancy toll lanes, high-occupancy vehicle lanes, or highway shoulders, as specified. The bill would additionally exempt transit prioritization projects, projects that improve customer information and wayfinding for transit riders, bicyclists, or pedestrians, projects by a public transit agency to construct or maintain infrastructure to charge or refuel zero-emission transit buses, projects carried out by a city or county to reduce minimum parking requirements, and projects for pedestrian and bicycle facilities.	SUPPORT
SB 973	Jackson D	Employers: annual report: pay data.	Current law establishes within the Department of Industrial Relations the Division of Labor Standards Enforcement, which is vested with the general duty of enforcing various labor laws, including provisions prohibiting wage rates that discriminate on the basis of gender or race. This bill would authorize the DFEH to receive, investigate, conciliate, mediate, and prosecute complaints alleging practices unlawful under those discriminatory wage rate provisions. The bill would require the DFEH, in coordination with the division, to adopt procedures to ensure that the departments coordinate activities to enforce those provisions.	OPPOSE
SB 1079	Skinner D	Residential property: foreclosure.	Current law prescribes various requirements to be satisfied before the exercise of a power of sale under a mortgage or deed of trust and prescribes a procedure for the exercise of that power. If the deed of trust or mortgage containing a power of sale is secured by real property containing from 1 to 4 single-family residences, existing law requires the notice of sale to contain specified notices to potential bidders and to the property owner in substantially prescribed language. This bill, until January 1, 2026, would require the notice of sale also to contain a specified notice to a tenant regarding the tenant’s potential right to purchase a property containing from 1 to 4 single-family residences pursuant to a process the bill would prescribe. In connection with these properties, the bill would also require a trustee to maintain an internet website and a telephone number to provide specified information on the properties that is free of charge and available 24 hours a day, 7 days a week.	OPPOSE
SB 1159	Hill D	Workers’ compensation: COVID-19: critical workers.	Would define “injury” for an employee to include illness or death resulting from the 2019 novel coronavirus disease (COVID-19) under specified circumstances, until January 1, 2023. The bill would create a disputable presumption, as specified, that the injury arose out of and in the course of the employment and is compensable, for specified dates of injury. The bill would limit the applicability of the presumption under certain circumstances.	OPPOSE

			The bill would require an employee to exhaust their paid sick leave benefits and meet specified certification requirements before receiving any temporary disability benefits or, for police officers, firefighters, and other specified employees, a leave of absence. The bill would also make a claim relating to a COVID-19 illness presumptively compensable, as described above, after 30 days or 45 days, rather than 90 days.	
SB 1383	Jackson D	Unlawful employment practice: California Family Rights Act.	Would expand the California Family Rights Act to make it an unlawful employment practice for any employer with 5 or more employees to refuse to grant a request by an employee to take up to 12 workweeks of unpaid protected leave during any 12-month period to bond with a new child of the employee or to care for themselves or a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner, as specified. The bill would require an employer who employs both parents of a child to grant leave to each employee.	OPPOSE

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Measure	Author	Topic	Brief Summary	Position
AB 1066	Gonzalez D	Unemployment compensation: benefits payable: collection.	Under current law, if an employer fails to keep and furnish to the Director of Employment Development any required records or reports necessary for a full determination, decision, or other proper disposition of a claim for unemployment benefits within a reasonable time as the director may by rule, regulation, or procedure prescribe, it is to be conclusively presumed that the claimant is entitled to the maximum total amount of benefits payable unless the director deems sufficient a lesser total amount is due and owing to the claimant. This bill would require, on and after January 1, 2021, that if an employer, within 10 days after receiving an initial notice from the director of the need to furnish over required records or reports necessary for a full determination of a claim for unemployment compensation benefits, fails to furnish those required records or reports to the director, it be conclusively presumed that the claimant is entitled to the maximum total benefits payable, unless the director determines, based on the evidence, that the claimant is entitled to a lesser amount.	OPPOSE
AB 2004	Calderon D	Medical test results: verification credentials.	Would require the Government Operations Agency, on or before July 1, 2021, to appoint a working group, consisting of representatives from the public and private sectors, as specified, to explore the use of verifiable health credentials for communication of COVID-19 test results or other medical test results in this state. The bill would require the working group to report its recommendations to the Legislature on or before July 1, 2022. The bill would require the Department of Consumer Affairs to, among other things, in consultation with the working group, develop and maintain a verifiable issuer registry, as defined.	OPPOSE
AB 3216	Kalra D	Unemployment: rehiring and retention: state of emergency.	Would require an employer, as defined, to offer its laid-off employees specified information about job positions that become available for which the laid-off employees are qualified, and to offer positions to those laid-off employees based on a preference system, in accordance with specified timelines and procedures. The bill would define the term "laid-off employee" to mean any employee who was employed by the employer for 6 months or more in the 12 months preceding the state of emergency giving rise to the application of the bill's provisions, and whose most recent separation from active service was due to a public health directive, government shutdown order, lack of business, a reduction in force, or other economic, nondisciplinary reason related to the state of emergency, as defined.	OPPOSE
SB 182	Jackson D	Local government: planning and zoning: wildfires.	Current law requires that the Office of Planning and Research, among other things, coordinate with appropriate entities, including state, regional, or local agencies, to establish a clearinghouse for climate adaptation information for use by state, regional, and local entities, as provided. This bill would require the safety element, upon the next revision of the housing element or the hazard mitigation plan, on or after June 1, 2022, whichever occurs first, to	OPPOSE

			be reviewed and updated as necessary to include a comprehensive retrofit strategy to reduce the risk of property loss and damage during wildfires, as specified, and would require the planning agency to submit the adopted strategy to the Office of Planning and Research for inclusion into the above-described clearinghouse.	
SB 1102	Monning D	Employers: Labor Commissioner: required disclosures.	Current law requires an employer to provide an employee, at the time of hiring, a written notice including specified information in the language the employer normally uses to communicate employment-related information to the employee. Current law requires the Labor Commissioner to prepare a template that includes the specified information mentioned above and to make the template available to employers in the manner as determined by the commissioner. This bill would require an employer to include in their written notice to all employees, specified information required in the event of a federal or state declared disaster or applicable to the county or counties in which the employee will be employed. The bill would prohibit an employer from retaliating against an employee for raising questions about the declarations' requirements or recommendations.	OPPOSE
Total Measures: 34				
Total Tracking Forms: 34				