SOLANO COUNTY

Legislative Committee Meeting

Committee
Supervisor Erin Hannigan (Chair)
Supervisor John M. Vasquez

Staff
Michelle Heppner

August 5, 2019
1:30 p.m.

Solano County Administration Center
Sixth Floor Conference Center, Room 6003
675 Texas Street
Fairfield, CA 94533

AGENDA

i. **Introductions** *(Attendees)*

ii. **Additions / Deletions to the Agenda**

iii. **Public Comment** *(Items not on the agenda)*

iv. **Federal Legislative update** *(Paragon Government Relations)*

- Two-year budget and debt ceiling agreement reached
- Infrastructure update
- Mare Island Cemetery Amendment included in House NDAA
- Trump Administration releases SNAP eligibility rule
- Senate cannabis banking hearing

v. **Update from Solano County Legislative Delegation** *(Representative and/or staff)*

vi. **State Legislative Update** *(Matt Robinson)*

(Potential) State Action Items:

- AB 1184 (Todd D) Public records, email and retention. (Bill Analysis included)
- AB 1544 (Gipson D) Enacts the Community Paramedicine or Triage to Alternate Destination Act of 2019. (Bill Analysis included)
- SB 438 (Hertzberg D) Emergency medical services, dispatch. (Bill Analysis included)

vii. Bill Tracking report (Legislative Update)

viii. **Future Scheduled Meetings:** August 19, 2019

ix. **Adjourn**

AMENDED IN ASSEMBLY MAY 16, 2019

AMENDED IN ASSEMBLY APRIL 24, 2019

AMENDED IN ASSEMBLY MARCH 25, 2019

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

ASSEMBLY BILL No. 1184

Introduced by Assembly Member Gloria

February 21, 2019

An act to add Section 6253.32 to the Government Code, relating to public records.

LEGISLATIVE COUNSEL'S DIGEST

AB 1184, as amended, Gloria. Public records: writing transmitted by electronic mail: retention.

The California Public Records Act requires a public agency, defined to mean any state or local agency, to make public records available for inspection, subject to certain exceptions. Existing law specifies that public records include any writing containing information relating to the conduct of the public's business, including writing transmitted by electronic mail. The act requires any agency that has any information that constitutes a public record not exempt from disclosure, to make that public record available in accordance with certain provisions and authorizes every agency to adopt regulations stating the procedures to be followed when making its records available, if the regulations are consistent with those provisions. Existing law authorizes cities, counties, and special districts to destroy or to dispose of duplicate records that are less than two years old when they are no longer required by the city, county, or special district, as specified.

This bill would, unless a longer retention period is required by statute or regulation, require a public agency for purposes of the California Public Records Act to retain and preserve for at least 2 years every writing containing information relating to the conduct of the public's business prepared, owned, or used by any public agency that is transmitted by electronic ~~mail or other similar messaging system.~~ *mail.*

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 6253.32 is added to the Government Code, immediately following Section 6253.31, to read:

6253.32. Unless a longer retention period is required by statute or regulation, a public agency shall, for the purpose of this chapter, retain and preserve for at least two years every writing containing information relating to the conduct of the public's business prepared, owned, or used by any public agency that is transmitted by electronic ~~mail or other similar messaging system.~~ *mail.*

SEC. 2. The Legislature finds and declares that Section 1 of this act, which adds Section 6253.32 to the Government Code, furthers, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

This act furthers the right of public access to the writings of local public officials and local agencies by requiring that public agencies preserve for at least two years every writing containing information relating to the conduct of the public's business prepared, owned, or used by any local agency that is transmitted by electronic ~~mail or other similar messaging system.~~ *mail.*

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district under this act would result from a legislative mandate that is within the scope of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution.

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SENATE JUDICIARY COMMITTEE
Senator Hannah-Beth Jackson, Chair
2019-2020 Regular Session

AB 1184 (Gloria)
Version: May 16, 2019
Hearing Date: July 9, 2019
Fiscal: Yes
Urgency: No
AM

SUBJECT

Public records: writing transmitted by electronic mail: retention

DIGEST

This bill requires a public agency, for the purposes of the California Public Records Act (CPRA), to retain and preserve for at least two years every writing containing information relating to the conduct of the public's business prepared, owned, or used by any public agency that is transmitted by electronic mail, unless a longer retention period is required by statute or regulation.

EXECUTIVE SUMMARY

Public access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state. The CPRA makes all public records in the possession of a public agency open to public inspection upon request, unless the records are otherwise exempt from public disclosure. A public record is any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. This bill clarifies that a public agency is required to retain and preserve for at least two years every writing containing information relating to the conduct of the public's business prepared, owned, or used by any public agency that is transmitted by electronic mail, unless a longer retention period is required by statute or regulation.

The bill is author-sponsored. The bill is supported by organizations representing journalists and news publishers. The bill is opposed by various associations representing local government and some local governments themselves.

PROPOSED CHANGES TO THE LAW

Existing law:

1) Provides, pursuant to the California Constitution, that the people have the right of access to information concerning the conduct of the people's business, and, therefore, the meetings of public bodies and the writings of public officials and agencies are required to be open to public scrutiny. (Cal. Const. art. I, § 3 (b)(1).)
    a) Requires a statute to be broadly construed if it furthers the people's right of access, and narrowly construed if it limits the right of access. (Cal. const. art. I, § 3(b)(1).)
    b) Requires local agencies to comply with the CPRA and the Ralph M. Brown Act[1], and with any subsequent statutory enactment amending either act. (Cal. Const. art. I, § 3(b)(7).)
    c) Provides that the Legislature may, but is not required, to provide local government with a subvention of funds for complying with the provisions of the CPRA and the Ralph M. Brown Act, and with any subsequent statutory enactment amending either act. (Cal. Const. art. XIII B, § 6(a)(4).)

2) Governs the disclosure of information collected and maintained by public agencies pursuant to the CPRA. (Gov. Code §§ 6250 et seq.)
    a) Defines "public records" as any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. (Gov. Code § 6252(e).)
    b) Defines "public agency" as any state or local agency. (Gov. Code § 6252(d).)

3) Provides that all public records are accessible to the public upon request, unless the record requested is exempt from public disclosure. (Gov. Code § 6253.)

This bill requires a public agency to retain and preserve for at least two years every writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any public agency that is transmitted by electronic mail, unless a longer retention period is required by statute or regulation.

COMMENTS

[1] The Ralph M. Brown Act is the open meetings law that applies to local agencies. (Gov. Code §§ 59450 et. seq.)

1. Stated need for the bill

The author writes:

> AB 1184 will require public agencies to retain public records that are transmitted by email for at least two years. Current law requires cities to keep emails for a minimum of two years but as a recent Voice of San Diego investigation found, local governments have established policies that result in cities like Encinitas and Poway deleting emails after 30 days. In 2019, emails are the primary way public servants conduct their work and as it stands today, many of these emails automatically purged and therefore unavailable for pending or future Public Records Act Requests. AB 1184 ensures that our public record retention requirements are appropriately applied to emails, given their increasing importance in how public agencies conduct their work.

2. Record retention

a. CPRA

Access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state. (Gov. Cod § 6250.) In 2004, the right of public access was enshrined in the California Constitution with the passage of Proposition 59 (Nov. 3, 2004, statewide general election),[2] which amended the California Constitution to specifically protect the right of the public to access and obtain government records: "The people have the right of access to information concerning the conduct of the people's business, and therefore . . . the writings of public officials and agencies shall be open to public scrutiny." (Cal. Const., art. I, sec. 3 (b)(1).) In 2014, voters approved Proposition 42 (Jun. 3, 2014, statewide direct primary election)[3] to further increase public access to government records by requiring local agencies to comply with the CPRA and the Brown Act and with any subsequent statutory enactment amending either act, as provided. (Cal. Const., art. I, sec. 3 (b)(7).) That proposition also provided that the Legislature may, but is not required, to provide local government with a subvention of funds for complying with the provisions of the CPRA and the Brown Act, and with any subsequent statutory enactment amending either act. (Cal. const. art. XIII B, § 6(a)(4).)

Under the CPRA, public records in the possession of a public agency are open to inspection by the public at all times during the office hours of the agency, unless the records are prohibited or exempted from disclosure. (Gov. Cod § 6253(a).) A public record is defined as any writing containing information relating to the conduct of the

[2] Prop. 59 was placed on the ballot by a unanimous vote of both houses of the Legislature. (SCA 1 (Burton, Ch. 1, Stats. 2004).
[3] Prop. 42 was placed on the ballot by a unanimous vote of both houses of the Legislature. (SCA 3 (Leno, Ch. 123, Stats. 2013).

public's business prepared, owned, used, or retained by any public agency regardless of physical form or characteristics. (Gov. Code § 6252(e).) The CPRA allows a public agency 10 days or, in specified "unusual circumstances," within 14 days of the ten-day period to disclose the requested public record, and authorizes the agency to charge a fee for its "direct costs of duplication" to the record. (Gov. Code § 6253(b)-(c).)

b. Record retention

The CPRA only requires the disclosure or public records in the possession of the agency, but does not specify how long public records are to be kept by a public agency. There are, however, several other provisions of law that deal with the retention of records by public agencies.[4] One such provision is in Section 34090 of the Government Code, which authorizes, unless otherwise provided by law, the head of a city department to destroy any city record, document, instrument, book, or paper, under the department head's charge, without making a copy thereof. This section specifically provides that it does not authorize the destruction of certain records, including records less than two years old. (Gov. Code § 34090(d).) Some local jurisdictions have taken the position that records less than two years old do not include emails.

In a recent article in the *Voice of San Diego* it was reported that half of the cities in San Diego County delete their emails from city serves before two years:

> A recent survey by Voice of San Diego showed that Encinitas and Poway have the shortest retention policy, deleting emails after 30 days. Del Mar deletes theirs after 60 days. Carlsbad, Escondido and Oceanside wait until the 90-day marker, while Solana Beach waits for 100 days, Santee for 180 days and Coronado for one year.
>
> In justifying these policies, city officials argue that the law isn't as clear on email retention as some would believe and they delete emails they view as non-public records to save taxpayer money. In the process, they've designated themselves the arbiters of what's public and not public — a practice that troubles some of California's leading open government advocates.[5]

This bill would remedy this issue by clarifying that a public agency is required, under the CPRA, to retain and preserve for at least two years every writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any public agency that is transmitted by electronic mail, unless a longer retention period is required by statute or regulation under. This ensures that public

[4] *See* Gov. Code §§ 12236, 26201, 26202, 26202.1, 26202.5, 26202.6, 34090.5, 34090.6, 59020, 59021, 59022, 59023, 59024, 59025, 59026, 59027; Edc. Code §§ 35253-35254.
[5] Valdez, Jonah, *These Cities Can Hardly Wait to Delete Their Records*, Voice of San Diego (Mar. 20, 2018), available at https://www.voiceofsandiego.org/topics/government/these-cities-can-hardly-wait-to-delete-their-records/ (as of Jun. 27, 2019).

agencies are required to preserve emails that fall within the definition of a public record for a minimum of two years.

c. Opponent concerns

Opponents of the bill contend that its provisions would require them to keep every email sent or received by employees of public agencies. However, the bill only requires writings containing information related to the conduct of the public's business prepared, owned, or used by a public agency that are transmitted by electronic mail to be retained for a minimum of two years. This language is identical to the definition of a public record, which is defined as "any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics." (Gov. Code § 6252(e).) If an email would not meet the definition of a public record then it would not need to be retained for a minimum of two years.

In addition, the opponents contend that the bill's provisions should not be considered as falling within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution and therefore should not qualify as exempt from state reimbursement. It is unclear why requiring emails that contain public records would not fit within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution. In addition, local agencies can bring a claim to the Commission on State Mandates asserting that they are entitled to be reimbursed by the state, and can appeal the Commission's decision to the courts. (Gov. Code §§ 17751 & 17559(b).)

3. Statements in support

Supporters of the bill include the California Immigrant Policy Center, California Newspaper Publishers Association, Coalition of California Welfare Rights Organizations, and the San Diego Pro Chapter of the Society of Professional Journalists.

The California Newspaper Publishers Association writes:

> A clear minimum standard for the retention and preservation of electronic mail is necessary as many local agencies routinely and automatically purge email communications on a weekly or monthly basis. Their reasoning for doing so is based on the fact that the California Public Records Act and most of the existing record retention statutes does not specifically address the time frame for the destruction of these ephemeral communications.

4. Statements in opposition

The bill is opposed by a coalition of various associations that represent local governments and various local governments themselves.

The coalition of associations representing local governments writes:

> To be very clear, this is not a transparency bill, it is a data storage bill. The public will have no greater access to public records under AB 1184, nor will they have less. This bill creates no new disclosures or exemptions of records. This bill only mandates that public agencies retain all emails related to agency business for two years and attempts to avoid the constitutionally required mandate subvention process by placing the data retention policy in the California Public Records Act.
>
> While this measure appears intended to improve public access to government records, in practice it will merely increase the burdens for both public agencies and CPRA requesters. The vast majority of emails consist of auto-replies, spam, and insignificant routine communications of minimal public interest. As the bulk of these emails increases, the burden to search through them and locate responsive records in the event of a CPRA request rises accordingly. Under the CPRA, the requester may be required to bear the cost of this data extraction - and indiscriminately mandating that emails be retained will thus make CPRA requests more expensive, perversely impeding public access. Moreover, for those costs that cannot be passed on to the requester, the public agency has no source for reimbursement, and must divert funds from other public programs. Compelling public agencies to retain masses of routine emails - which neither the sender nor recipient otherwise thought important enough to save - imposes significant burdens on all concerned for minimal public benefit.
>
> Additionally, Article XIII B, Section 6 states that "whenever the Legislature or any state agency mandates a new program or higher level of service on any local government, the state shall provide a subvention of funds to reimburse that local government…" There are a small number of constitutional exceptions to that rule, one of which are costs related to the CPRA. AB 1184 attempts to exploit that exception by placing the email retention requirement in the CPRA. Public agencies have numerous records retention requirements in law, however, those requirements are not contained in the CPRA, and expansion of those requirements would clearly trigger state subvention. AB 1184 purposefully endeavors to create an unfunded mandate on local agencies by placing this major new retention requirement into the CPRA, specifically to avoid reimbursing local agencies for a new program or higher level of service.

SUPPORT

California Immigrant Policy Center

California Newspaper Publishers Association
Coalition of California Welfare Rights Organizations
First Amendment Coalition
Oakland Privacy
San Diego Pro Chapter of the Society of Professional Journalists

OPPOSITION

Association of California Healthcare Districts
Association of California Water Agencies
Association of California School Administrators
California Downtown Association
California Municipal Utilities District
California Sheriffs' Association
California Special Districts Association
California State Association of Counties
City of Beaumont
City of Rancho Cucamonga
City of Stanton
City of West Hollywood
Downtown Center Business Improvement District
El Dorado Irrigation District
League of California Cities
Orange County Sanitation District
Rural County Representatives of California
Urban Counties of California

RELATED LEGISLATION

Pending Legislation: None known

Prior Legislation: None known

PRIOR VOTES:

Assembly Floor (Ayes 59, Noes 8)
Assembly Appropriations Committee (Ayes 14, Noes 4)
Assembly Judiciary Committee (Ayes 10, Noes 1)

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AMENDED IN SENATE JULY 11, 2019

AMENDED IN SENATE JUNE 25, 2019

AMENDED IN ASSEMBLY MAY 16, 2019

AMENDED IN ASSEMBLY APRIL 22, 2019

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

ASSEMBLY BILL No. 1544

Introduced by Assembly Members Gipson and Gloria
(Principal coauthor: Senator Hertzberg)

February 22, 2019

An act to amend Section 1799.2 of, to add Section 1797.259 to, to add and repeal Section 1797.273 of, and to add and repeal Chapter 13 (commencing with Section 1800) of Division 2.5 of, the Health and Safety Code, relating to community paramedicine.

LEGISLATIVE COUNSEL'S DIGEST

AB 1544, as amended, Gipson. Community Paramedicine or Triage to Alternate Destination Act.

(1) Existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, governs local emergency medical services (EMS) systems. The existing act establishes the Emergency Medical Services Authority, which is responsible for the coordination and integration of EMS systems. Among other duties, existing law requires the authority to develop planning and implementation guidelines for EMS systems, provide technical assistance to existing agencies, counties, and cities for the purpose of developing the components of EMS systems, and receive plans for the implementation of EMS and trauma care systems from local EMS

agencies. Existing law makes violation of the act or regulations adopted pursuant to the act punishable as a misdemeanor.

This bill would establish within the act until January 1, 2030, the Community Paramedicine or Triage to Alternate Destination Act of 2019. The bill would authorize a local EMS agency to develop a community paramedicine or triage to alternate destination program, as defined, to provide specified community paramedicine services. The bill would require the authority to develop regulations to establish minimum standards for a program and would further require the Commission on Emergency Medical Services to review and approve those regulations. The bill would require the authority to review a local EMS agency's proposed program and approve, approve with conditions, or deny the proposed program no later than 6 months after it is submitted by the local EMS agency. The bill would require a local EMS agency that opts to develop a program to perform specified duties that include, among others, integrating the proposed program into the local EMS agency's EMS plan. The bill would require the Emergency Medical Services Authority to submit an annual report on the community paramedicine or triage to alternate destination programs operating in California to the Legislature, as specified. The bill would also require the authority to contract with an independent 3rd party to prepare a final report on the results of the community paramedicine or triage to alternate destination programs on or before June 1, 2028, as specified.

The bill would prohibit a person or organization from providing community paramedicine or triage to alternate destination services or representing, advertising, or otherwise implying that it is authorized to provide those services unless it is expressly authorized by a local EMS agency to provide those services as part of a program approved by the authority. The bill would also prohibit a community paramedic or a triage paramedic from providing their respective services unless the community paramedic or triage paramedic has been certified and accredited to perform those services and is working as an employee of an authorized provider. Because a violation of the act described above is punishable as a misdemeanor, and because this bill would create new requirements within the act, the bill would expand an existing crime, thereby imposing a state-mandated local program.

(2) Existing law authorizes a county to establish an emergency medical care committee and requires the committee, at least annually, to review the operations of ambulance services operating within the county, emergency medical care offered within the county, and first aid

practices in the county. Existing law requires the county board of supervisors to prescribe the membership, and appoint the members, of the committee.

This bill would, if the county elects to develop a community paramedicine or triage to alternate destination program, require the committee to be established, if one is not already established, to include additional members, as specified, and to advise the local EMS agency on the development of its community paramedicine or triage to alternate destination program. The bill would specifically require the mayor of a city and county to appoint the membership.

The bill would repeal these provisions on January 1, 2030.

(3) Existing law establishes the Commission on Emergency Medical Services with 18 members. The commission, among other things, reviews and approves regulations, standards, and guidelines developed by the authority.

This bill would increase the membership of the commission to 20 members and modify the entities that submit names for appointment to the commission by the Governor, the Senate Committee on Rules, and the Speaker of the Assembly.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 1797.259 is added to the Health and Safety Code, to read:

1797.259. A local EMS agency that elects to implement a community paramedicine or triage to alternate destination program pursuant to Section 1840 shall develop and, prior to implementation, submit a plan for that program to the authority according to the requirements of Chapter 13 (commencing with Section 1800).

SEC. 2. Section 1797.273 is added to the Health and Safety Code, to read:

1797.273. (a) Notwithstanding Sections 1797.270 and 1797.272, if a local EMS agency within the county elects to develop a community paramedicine or triage to alternate destination program pursuant to Section 1840, the county board of supervisors, or in the case of a city and county, the mayor, shall establish an emergency medical care committee to advise the local EMS agency on the development of the program and other matters relating to emergency medical services. Where a committee is already established for the purposes described in this article, the county board of supervisors or the mayor, as appropriate, shall ensure that the membership meets or exceeds the requirements of subdivision (b).

(b) The board of supervisors or the mayor shall ensure that the membership of the committee includes all of the following members to advise the local EMS agency on the development of the community paramedicine or triage to alternate destination program:

(1) One emergency medicine physician and surgeon who is board certified or board eligible practicing at an emergency department within the jurisdiction of the local EMS agency.

(2) One registered nurse practicing within the jurisdiction of the local EMS agency.

(3) One licensed paramedic practicing within the jurisdiction of the local EMS agency. Whenever possible, the paramedic shall be employed by a public agency.

(4) One acute care hospital representative with an emergency department that operates within the jurisdiction of the local EMS agency.

(5) If a local EMS agency elects to implement a triage to alternate destination program to a sobering center, one individual with expertise in substance use disorder detoxification and recovery.

(6) Additional advisory members in the fields of public health, social work, hospice, or mental health practicing within the jurisdiction of the local EMS agency with expertise commensurate with the program specialty or specialties described in Section 1815 that the local EMS agency proposes to adopt.

(c) The requirements of this section shall apply to any emergency medical care committee established pursuant to this section or Section 1797.270.

(d) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

SEC. 3. Section 1799.2 of the Health and Safety Code is amended to read:

1799.2. The commission shall consist of 20 members appointed as follows:

(a) One full-time physician and surgeon, whose primary practice is emergency medicine, appointed by the Senate Committee on Rules from a list of three names submitted by the California Chapter of the American College of Emergency Physicians.

(b) One physician and surgeon, who is a trauma surgeon, appointed by the Speaker of the Assembly from a list of three names submitted by the California Chapter of the American College of Surgeons.

(c) One physician and surgeon appointed by the Senate Committee on Rules from a list of three names submitted by the California Medical Association.

(d) One county health officer appointed by the Governor from a list of three names submitted by the California Conference of Local Health Officers.

(e) One registered nurse, who is currently, or has been previously, authorized as a mobile intensive care nurse and who is knowledgeable in state emergency medical services programs and issues, appointed by the Governor from a list of three names submitted by the California Labor Federation.

(f) One full-time paramedic or EMT-II, who is not employed as a full-time peace officer, appointed by the Senate Committee on Rules from a list of three names submitted by the California Labor Federation.

(g) One prehospital emergency medical service provider from the private sector, appointed by the Speaker of the Assembly from a list of three names submitted by the California Ambulance Association.

(h) One management member of an entity providing fire protection and prevention services appointed by the Governor from a list of three names submitted by the California Fire Chiefs Association.

(i) One physician and surgeon who is board prepared or board certified in the specialty of emergency medicine by the American Board of Emergency Medicine and who is knowledgeable in state

emergency medical services programs and issues appointed by the Speaker of the Assembly.

(j) One hospital administrator of a base hospital who is appointed by the Governor from a list of three names submitted by the California Hospital Association.

(k) One full-time peace officer, who is either an EMT-II or a paramedic, who is appointed by the Governor from a list of three names submitted by the California Peace Officers Association.

(*l*) Two public members who have experience in local EMS policy issues, at least one of whom resides in a rural area as defined by the authority, and who are appointed by the Governor.

(m) One administrator from a local EMS agency appointed by the Governor from a list of four names submitted by the Emergency Medical Services Administrator's Association of California.

(n) One medical director of a local EMS agency who is an active member of the Emergency Medical Directors Association of California and who is appointed by the Governor.

(o) One person appointed by the Governor, who is an active member of the California State Firemen's Association.

(p) One person who is employed by the Department of Forestry and Fire Protection (CAL-FIRE) appointed by the Governor from a list of three names submitted by the California Professional Firefighters.

(q) One person who is employed by a city, county, or special district that provides fire protection appointed by the Governor from a list of three names submitted by the California Professional Firefighters.

(r) One physician and surgeon specializing in the comprehensive care of individuals with ~~co-occurring~~ *cooccurring* mental health or psychosocial and substance use disorders appointed by the Governor in consultation with the California Psychiatric Association and the California Society of Addiction Medicine.

(s) One licensed clinical social worker appointed by the Governor in consultation with the California State Council of the Service Employees International Union and the California Chapter of the National Association of Social Workers.

SEC. 4. Chapter 13 (commencing with Section 1800) is added to Division 2.5 of the Health and Safety Code, to read:

Chapter 13. Community Paramedicine Or Triage to Alternate Destination

Article 1. General Provisions

1800. This chapter shall be known, and may be cited, as the Community Paramedicine or Triage to Alternate Destination Act of 2019.

1801. (a) It is the intent of the Legislature to establish state standards that govern the implementation of community paramedicine or triage to alternate destination programs by local EMS agencies in California.

(b) It is the intent of the Legislature that community paramedicine or triage to alternate destination programs be community-focused extensions of the traditional emergency response and transportation paramedic model that has developed over the last 50 years and be recognized as an emerging model of care created to meet an unmet need in California's communities.

(c) It is the intent of the Legislature to improve the health of individuals in their communities by authorizing licensed paramedics, working under expert medical oversight, to deliver community paramedicine or triage to alternate destination services in California utilizing existing providers, promoting continuity of care, and maximizing existing efficiencies within the first response and emergency medical services system.

(d) It is the intent of the Legislature that a community paramedicine or triage to alternate destination program achieve all of the following:

(1) Improve coordination among providers of medical services, behavioral health services, and social services.

(2) Preserve and protect the underlying 911 emergency medical services delivery system.

(3) Preserve, protect, and deliver the highest level of patient care to every Californian.

(4) Preserve and protect the current health care workforce and empower local health care systems to provide care more effectively and efficiently.

(e) It is the intent of the Legislature that an alternate destination facility participating as part of an approved program always be

staffed by a health care professional with a higher scope of practice, such as, at minimum, a registered nurse.

(f) It is the intent of the Legislature that the delivery of community paramedicine or triage to alternate destination services is a public good to be delivered in a manner that promotes the continuity of both care and providers. It is the intent of the Legislature that the delivery of these services be coordinate and consistent with, and complementary to, the existing first response and emergency medical response system in place within the jurisdiction of the local EMS agency.

(g) It is the intent of the Legislature that a community paramedicine or triage to alternate destination program be designed to improve community health and be implemented in a fashion that respects the current emergency medical system and its providers, and the health care delivery system. In furtherance of the public interest and good, agencies that provide first response services are well positioned to deliver care under a community paramedicine or triage to alternate destination program.

(h) It is the intent of the Legislature that the development of any community paramedicine or triage to alternate destination program reflect input from all practitioners of appropriate medical authorities, including, but not limited to, medical directors, physicians, nurses, mental health professionals, first responder paramedics, hospitals, and other entities within the emergency medical response system.

(i) It is the intent of the Legislature that local EMS agencies be authorized to develop a community paramedicine or triage to alternate destination program to improve patient care and community health. A community paramedicine or triage to alternate destination program should not be used to replace or eliminate health care workers, reduce personnel costs, harm the working conditions of emergency medical and health care workers, or otherwise compromise the emergency medical response or health care system. The highest priority of any community paramedicine or triage to alternate destination program shall be improving patient care.

Article 2. Definitions

1810. Unless otherwise indicated in this chapter, the definitions contained in this article govern the provisions of this chapter.

1811. "Alternate destination facility" means a treatment location that is an authorized mental health facility, as defined in Section 1812 or an authorized sobering center as defined in Section 1813.

1812. "Authorized mental health facility" means a facility that is licensed or certified as a mental health treatment facility or a hospital, as defined in subdivision (a) or (b) of Section 1250, by the State Department of Public Health, and may include, but is not limited to, a licensed psychiatric hospital, a licensed psychiatric health facility, or a certified crisis stabilization unit. An authorized mental health facility may also be a psychiatric health facility licensed by the State Department of Health Care Services. The facility shall be staffed at all times with at least one registered nurse.

1813. "Authorized sobering center" means a noncorrectional facility that is staffed at all times with at least one registered nurse, that provides a safe, supportive environment for intoxicated individuals to become sober, and that meets any of the following requirements:

(a) The facility is a federally qualified health center, including a clinic described in subdivision (b) of Section 1206.

(b) The facility is certified by the State Department of Health Care Services, Substance Use Disorder Compliance Division to provide outpatient, nonresidential detoxification services.

(c) The facility has been accredited as a sobering center under the standards developed by the National Sobering Collaborative. Facilities granted approval for operation by OSHPD before November 28, 2017, under the Health Workforce Pilot Project No. 173, may continue operation until 12 months after the National Sobering Collaborative accreditation becomes available.

1814. "Community paramedic" means a paramedic in good standing licensed under this division who has completed the curriculum for community paramedic training adopted pursuant to paragraph (1) of subdivision (d) of Section 1830, has received certification in one or more of the community paramedicine program specialties described in Section 1815, and is certified and

accredited to provide community paramedic services by a local EMS agency as part of an approved community paramedicine program.

1815. "Community paramedicine program" means a program developed by a local EMS agency and approved by the Emergency Medical Services Authority to provide community paramedicine services consisting of one or more of the program specialties described in this section under the direction of medical protocols developed by the local EMS agency that are consistent with the minimum medical protocols established by the authority. Community paramedicine services may consist of the following program specialties:

~~(a) Providing short-term postdischarge followup for persons recently discharged from a hospital due to a serious health condition, including collaboration with, and by providing referral to, home health services when eligible.~~

~~(b)~~

(a) Providing directly observed therapy (DOT) to persons with tuberculosis in collaboration with a public health agency to ensure effective treatment of the tuberculosis and to prevent spread of the disease.

~~(c)~~

(b) Providing case management services to frequent emergency medical services users in collaboration with, and by providing referral to, existing appropriate community resources.

1816. "Community paramedicine provider" means an advanced life support provider authorized by a local EMS agency to provide advanced life support who has entered into a contract to deliver community paramedicine services as described in Section 1815 as part of an approved community paramedicine program developed by a local EMS agency.

1817. "Public agency" means a city, county, city and county, special district, or other political subdivision of the state that provides first response services, including emergency medical care.

1818. "Triage paramedic" means a paramedic licensed under this division who has completed the curriculum for triage paramedic services adopted pursuant to paragraph (2) of subdivision (d) of Section 1830 and has been accredited by a local EMS agency in one or more of the triage paramedic specialties

described in Section 1819 as part of an approved triage to alternate destination program.

1819. (a) "Triage to alternate destination program" means a program developed by a local EMS agency and approved by the Emergency Medical Services Authority to provide triage paramedic assessments consisting of one or more specialties described in this section operating under triage and assessment protocols developed by the local EMS agency that are consistent with the minimum triage and assessment protocols established by the authority. Triage paramedic assessments may consist of the following program specialties:

(1) Providing care and comfort services to hospice patients in their homes in response to 911 calls by providing for the patient's and the family's immediate care needs, including grief support in collaboration with the patient's hospice agency until the hospice nurse arrives to treat the patient. *This paragraph does not impact or alter existing authorities applicable to a licensed paramedic operating under the medical control policies adopted by a local EMS agency medical director to treat and keep a hospice patient in the patient's current residence, or otherwise require transport to an acute care hospital in the absence of an approved triage to alternate destination hospice program.*

(2) Providing patients with advanced life support triage and assessment by a triage paramedic and transportation to an alternate destination facility.

(b) This section does not prevent or eliminate any authority to provide continuous transport of a patient to a participating hospital for priority evaluation by a physician, nurse practitioner, or physician assistant before transport to an alternate destination facility.

(c) This section does not impair or otherwise interfere with an emergency medical services provider's ability to deliver emergency medical transport services as authorized pursuant to Section 1797.224 or a city or fire district to operate pursuant to Section 1797.201.

1820. "Triage to alternate destination provider" means an advanced life support provider authorized by a local EMS agency to provide advanced life support triage paramedic assessments as part of an approved triage to alternate destination program specialty, as described in Section 1819.

Article 3. State Administration

1830. (a) The Emergency Medical Services Authority shall develop regulations that establish minimum standards for the development of a community paramedicine or triage to alternate destination program.

(b) The Commission on Emergency Medical Services shall review and approve the regulations described in this section in accordance with Section 1799.50.

(c) The regulations described in this section shall be based upon, and informed by, the Community Paramedicine Pilot Program under the Office of Statewide Health Planning and Development Health Workforce Pilot Project No. 173 and the protocols and operation of the pilot projects approved under the project.

(d) The regulations that establish minimum standards for the development of a community paramedicine or triage to alternate destination program shall include all of the following:

(1) Minimum standards and curriculum for each program specialty described in Section 1815. The authority, in developing the minimum standards and curriculum, shall provide for community paramedics to be trained in one or more of the program specialties described in Section 1815 and approved by the local EMS agency pursuant to Section 1840.

(2) Minimum standards and curriculum for each program specialty described in Section 1819. The authority, in developing the minimum standards and curriculum, shall provide for triage paramedics to be trained in one or more of the program specialties described in Section 1819 and approved by the local EMS agency pursuant to Section 1840.

(3) A process for verifying on a paramedic's license the successful completion of the training described in paragraph (1) or (2).

(4) Minimum standards for approval, review, withdrawal, and revocation of a community paramedicine or triage to alternate destination program in accordance with Section 1797.105. Those standards shall include, but not be limited to, both of the following:

(A) A requirement that facilities participating in the program accommodate privately or commercially insured, Medi-Cal, Medicare, and uninsured patients.

(B) Immediate termination of participation in the program by the alternate destination facility or the community paramedicine or triage to alternate destination provider if it fails to operate in accordance with subdivision (b) of Section 1317.

(5) Minimum standards for collecting and submitting data to the authority to ensure patient safety that include consideration of both quality assurance and quality improvement. These standards shall include, but not be limited to, all of the following:

(A) Intervals for community paramedicine or triage to alternate destination providers, participating health facilities, and local EMS agencies to submit community paramedicine services data.

(B) Relevant program use data and the online posting of program analyses.

(C) Exchange of electronic patient health information between community paramedicine or triage to alternate destination providers and health providers and facilities. The authority may grant a one-time temporary waiver, not to exceed five years, of this requirement for alternate destination facilities that are unable to immediately comply with the electronic patient health information requirement.

(D) Emergency medical response system feedback, including feedback from the emergency medical care committee described in subdivision (b) of Section 1797.273.

(E) If the triage to alternate destination program utilizes an alternate destination facility, consideration of ambulance patient offload times for the alternate destination facility, the number of patients that are turned away, diverted, or required to be subsequently transferred to an emergency department, and identification of the reasons for turning away, diverting, or transferring the patient.

(6) A process to assess each community paramedicine or triage to alternate destination program's medical protocols or other processes.

(7) A process to assess the impact that implementation of a community paramedicine or triage to alternate destination program has on the delivery of emergency medical services, including the impact on response times in the local EMS agency's jurisdiction.

1831. Regulations adopted by the Emergency Medical Services Authority pursuant to Section 1830 relating to a triage to alternate destination program shall include all of the following:

(a) Local EMS agencies participating in providing patients with advanced life support triage and assessment by a triage paramedic and transportation to an alternate destination facility shall ensure that any patient who meets the triage criteria for transport to an alternate destination facility, but who requests to be transported to an emergency department of a general acute care hospital, shall be transported to the emergency department of a general acute care hospital.

(b) (1) Local EMS agencies participating in providing patients with advanced life support triage and assessment by a triage paramedic and transportation to an alternate destination facility shall require that a patient who is transported to an alternate destination facility and, upon assessment, is found to no longer meet the criteria for admission to an alternate destination facility, be immediately transported to the emergency department of a general acute care hospital.

(2) The local EMS agency shall ~~ensure that~~ *require* alternate destination facilities *to* send with each patient at the time of transfer or, in the case of an emergency, as promptly as possible, copies of all medical records related to the patient's transfer. To the extent practicable and applicable to the patient's transfer, the medical records shall include current medical findings, diagnosis, laboratory results, medications provided prior to transfer, a brief summary of the course of treatment provided prior to transfer, ambulation status, nursing and dietary information, name and contact information for the treating provider at the alternate destination facility, and, as appropriate, pertinent administrative and demographic information related to the patient, including name and date of birth. The requirements in this paragraph do not apply if the alternate destination facility has entered into a written transfer agreement with a local hospital that provides for the transfer of medical records.

(c) For authorizing transport to an alternate destination facility, training and accreditation for the triage paramedic shall include topics relevant to the needs of the patient population, including, but not limited to:

(1) A requirement that a participating triage paramedic complete instruction on all of the following:

(A) Mental health crisis intervention, to be provided by a licensed physician and surgeon with experience in the emergency department of a general acute care hospital.

(B) Assessment and treatment of intoxicated patients.

(C) Local EMS agency policies for the triage, treatment, transport, and transfer of care, of patients to an alternate destination facility.

(2) A requirement that the local EMS agency verify that the participating triage paramedic has completed training in all of the following topics meeting the standards of the United States Department of Transportation National Highway Traffic Safety Administration National Emergency Medical Services Education Standards:

(A) Psychiatric disorders.

(B) Neuropharmacology.

(C) Alcohol and substance abuse.

(D) Patient consent.

(E) Patient documentation.

(F) Medical quality improvement.

(d) For authorizing transport to a sobering center, a training component that requires a participating triage paramedic to complete instruction on all of the following:

(1) The impact of alcohol intoxication on the local public health and emergency medical services system.

(2) Alcohol and substance use disorders.

(3) Triage and transport parameters.

(4) Health risks and interventions in stabilizing acutely intoxicated patients.

(5) Common conditions with presentations similar to intoxication.

(6) Disease process, behavioral emergencies, and injury patterns common to those with chronic alcohol use disorders.

(e) A process for local EMS agencies to certify and provide periodic updates to the authority to demonstrate that the alternate destination facility authorized to receive patients maintains adequate licensed medical and professional staff, facilities, and equipment pursuant to the authority's regulations and the provisions of this chapter, which shall include all of the following:

(1) Identification of qualified staff to care for the degree of a patient's injuries and needs.

(2) Certification of standardized medical and nursing procedures for nursing staff.

(3) Certification that the necessary equipment and services are available at the alternate destination facility to care for patients, including, but not limited to, an automatic external defibrillator and at least one bed or mat per individual patient.

1832. (a) The Emergency Medical Services Authority shall develop and periodically review and update the minimum medical protocols applicable to each community paramedicine program specialty described in Section 1815 and the minimum triage and assessment protocols for triage to alternate destination program specialties described in Section 1819.

(b) In complying with the requirements of this section, the authority shall establish and consult with an advisory committee comprised of the following members:

(1) Individuals in the fields of public health, social work, hospice, substance use, or mental health with expertise commensurate with the program specialty or specialties described in Section 1815 or 1819.

(2) Physicians and surgeons whose primary practice is emergency medicine.

(3) Two local EMS medical directors selected by the EMS Medical Directors Association of California.

(4) Two local EMS directors selected by the California Chapter of the American College of Emergency Physicians.

(c) The protocols developed and revised pursuant to this section shall be based upon, and informed by, the Community Paramedicine Pilot Program under the Office of Statewide Health Planning and Development's Health Workforce Pilot Project No. 173, and further refinements provided by local EMS agencies during the course and operation of the pilot projects.

1833. (a) Notwithstanding Section 10231.5 of the Government Code, the Emergency Medical Services Authority shall submit an annual report on the community paramedicine or triage to alternate destination programs operating in California to the relevant policy committees of the Legislature in accordance with Section 9795 of the Government Code and shall post the annual report on its internet website. The authority shall submit and post its first report six months after the authority adopts the regulations described in

Section 1830. Thereafter, the authority shall submit and post its report annually on or before January 1, for a period of five years.

(b) The report required by this section shall include all of the following:

(1) An assessment of each program specialty, including an assessment of patient outcomes in the aggregate and an assessment of any adverse patient events resulting from services provided under plans approved pursuant to this chapter.

(2) An assessment of the impact that the program specialties have had on the emergency medical system.

(3) An update on the implementation of program specialties operating in local EMS agency jurisdictions.

(4) Policy recommendations for improving the administration of local plans and patient outcomes.

(c) All data collected by the authority shall be posted on its internet website in a downloadable format and in a manner that protects the confidentiality of individually identifiable patient information.

1834. (a) Notwithstanding Section 10231.5 of the Government Code, on or before June 1, 2028, the Emergency Medical Services Authority shall submit a final report on the results of the community paramedicine or triage to alternate destination programs operating in California to the relevant policy committees of the Legislature, in accordance with Section 9795 of the Government Code, and shall post the report on its internet website.

(b) The authority shall identify and contract with an independent third-party evaluator to develop the report required by this section.

(c) The report shall include all of the following:

(1) A detailed assessment of each community paramedicine or triage to alternate destination program operating in local EMS agency jurisdictions.

(2) An assessment of patient outcomes in the aggregate resulting from services provided under approved plans under the program.

(3) An assessment of workforce impact due to implementation of the program.

(4) An assessment of the impact of the program on the emergency medical services system.

(5) An assessment of how the currently operating program specialties achieve the legislative intent stated in Section 1801.

(6) An assessment of community paramedic and triage training.

(d) The report may include recommendations for changes to, or the elimination of, community paramedicine or triage to alternate destination program specialties that do not achieve the community health and patient goals described in Section 1801.

1835. (a) The Emergency Medical Services Authority shall review a local EMS agency's proposed community paramedicine or triage to alternate destination program using procedures consistent with Section 1797.105 and review the local EMS agency's program protocols in order to ensure compliance with the statewide minimum protocols developed under Section 1832.

(b) The authority may impose conditions as part of the approval of a community paramedicine or triage to alternate destination program that the local EMS agency is required to incorporate into its program to achieve consistency with the authority's regulations and the provisions of this chapter.

(c) The authority shall approve, approve with conditions, or deny the proposed community paramedicine or triage to alternate destination program no later than six months after it is submitted by the local EMS agency.

1836. *(a)* A community paramedicine pilot program approved under the Office of Statewide Health Planning and Development's Health Workforce Pilot Project No. 173 before January 1, 2020, is authorized to operate until one year after the regulations described in Section 1830 become effective.

(b) Notwithstanding subdivision (a), a community paramedicine short-term, post-discharge followup pilot program that was approved on or before January 1, 2019, under the Office of Statewide Health Planning and Development's Health Workforce Pilot Project No. 173, and was continuing to enroll patients as of January 1, 2019, may continue operation until January 1, 2023. The authority shall seek federal funding or funding from private sources to support the continued operation of the post-discharge programs described in this subdivision. As part of any annual reports submitted in 2022 and 2023, the authority shall include in its annual report to the Legislature, as required by Section 1833, an analysis of the post-discharge followup pilot programs operating pursuant to this subdivision.

Article 4. Local Administration

1840. A local EMS agency may develop a community paramedicine or triage to alternate destination program that is consistent with the Emergency Medical Services Authority's regulations and the provisions of this chapter and submit evidence of compliance with the requirements of Section 1841 to the authority for approval pursuant to Section 1835.

1841. A local EMS agency that elects to develop a community paramedicine or triage to alternate destination program shall do all of the following:

(a) Integrate the proposed community paramedicine or triage to alternate destination program into the local EMS agency's emergency medical services plan described in Article 2 (commencing with Section 1797.250) of Chapter 4.

(b) Consistent with this article, develop a process to select community paramedicine providers or triage to alternate destination providers, to provide services as described in Section 1815 or 1819, at a periodic interval established by the local EMS agency.

(c) Facilitate any necessary agreements with one or more community paramedicine or triage to alternate destination providers for the delivery of community paramedicine or triage to alternate destination services within the local EMS agency's jurisdiction that are consistent with the proposed community paramedicine or triage to alternate destination program. The local EMS agency shall provide medical control and oversight of the program.

(d) The local EMS agency shall not include, in a request for proposal or otherwise, the provision of community paramedic program specialties or triage to alternate destination program specialties as part of an existing or proposed contract for the delivery of emergency medical transport services awarded pursuant to Section 1797.224. The local EMS agency shall not offer additional points or preferences to a bidder for emergency medical transport services on the basis that the bidder will provide, or has negotiated or agreed to provide, community paramedicine or triage to alternate destinations.

(e) Coordinate, review, and approve any agreements necessary for the provision of community paramedicine specialties or triage to alternate destination services consistent with all of the following:

(1) Provide a first right of refusal to the public agency or agencies within the jurisdiction of the proposed program area to provide the proposed program specialties. If the public agency or agencies agree to provide the proposed program specialties, the local EMS agency shall review and approve any written agreements necessary to implement the program with those public agencies.

(2) Review and approve agreements with community paramedicine and triage to alternate destination providers that partner with a private provider to deliver those program specialties.

(3) If a public agency declines to provide the proposed program specialties pursuant to paragraph (1) or (2), the local EMS agency shall develop a process to select community paramedicine or triage to alternate destination providers to deliver the program specialties.

(f) Facilitate necessary agreements between the triage to alternate destination program provider and the existing emergency medical transport provider to ensure transport to the appropriate facility.

(g) At the discretion of the local medical director, develop additional triage and assessment protocols commensurate with the need of the local programs authorized under this act.

(h) Prohibit triage and assessment protocols or a triage paramedic's decision to authorize transport to an alternate destination facility from being based on, or affected by, a patient's ethnicity, citizenship, age, preexisting medical condition, insurance status, economic status, ability to pay for medical services, or any other characteristic listed or defined in subdivision (b) or (e) of Section 51 of the Civil Code, except to the extent that a circumstance such as age, sex, preexisting medical condition, or physical or mental disability is medically significant to the provision of appropriate medical care to the patient.

(i) Certify and provide documentation and periodic updates to the Emergency Medical Service Authority showing that the alternate destination facility authorized to receive patients maintains adequate licensed medical and professional staff, facilities, and equipment that comply with the requirements of the Emergency Medical Services Authority's regulations and the provisions of this chapter.

(j) Secure an agreement with the alternate destination facility that requires the facility to notify the local EMS agency within 24

hours if there are changes in the status of the facility with respect to protocols and the facility's ability to care for patients.

(k) Secure an agreement with the alternate destination that requires the facility to operate in accordance with Section 1317. The agreement shall provide that failure to operate in accordance with Section 1317 will result in the immediate termination of use of the facility as part of the triage to alternate destination facility.

(*l*) In implementing a triage to alternate destination program specialties described in Section 1819, the local EMS agency shall continue to use, and coordinate with, any emergency medical transport providers operating within the jurisdiction of the local EMS agency pursuant to Section 1797.201 or 1797.224. The local EMS agency shall not in any manner eliminate or reduce the services of the emergency medical transport providers.

(m) Establish a process to verify training and accreditation of community paramedics in each of the proposed community paramedicine program specialties described in subdivisions (a) to (c), inclusive, of Section 1815.

(n) Establish a process for training and accreditation of triage paramedics in each of the proposed triage to alternate destination program's specialties described in Section 1819.

(o) Facilitate funding discussions between a community paramedicine provider, triage to alternate destination provider, or incumbent emergency medical transport provider and public or private health system participants to support the implementation of the local EMS agency's community paramedicine or triage to alternate destination program.

Article 5. Miscellaneous

1850. A community paramedicine pilot program approved under the Office of Statewide Health Planning and Development's Health Workforce Pilot Project No. 173 before January 1, 2020, to deliver community paramedicine services, as described in Section 1815, or triage to alternate destination services, as described in Section 1819, is authorized to continue the use of existing providers and is exempt from subdivisions (d) and (e) of Section 1841 until the provider elects to reduce or eliminate one or more of those community paramedicine services approved under

the pilot program or fails to comply with the program standards as required by this chapter.

1851. A person or organization shall not provide community paramedicine or triage to alternate destination services or represent, advertise, or otherwise imply that it is authorized to provide community paramedicine or triage to alternate destination services unless it is expressly authorized by a local EMS agency to provide those services as part of a community paramedicine or triage to alternate destination program approved by the Emergency Medical Services Authority in accordance with Section 1835.

1852. A community paramedic shall provide community paramedicine services only if the community paramedic has been certified and accredited to perform those services by a local EMS agency and is working as an employee of an authorized community paramedicine provider.

1853. A triage paramedic shall provide triage to alternate destination services only if the triage paramedic has been accredited to perform those services by a local EMS agency and is working as an employee of an authorized triage to alternate destination provider.

1854. The disciplinary procedures for a community paramedic or triage paramedic shall be consistent with subdivision (d) of Section 1797.194.

1855. Entering into an agreement to be a community paramedicine or triage to alternate destination provider pursuant to this chapter shall not alter or otherwise invalidate an agency's authority to provide or administer emergency medical services pursuant to Section 1797.201 or 1797.224.

1856. The liability provisions described in Chapter 9 (commencing with Section 1799.100) apply to this chapter.

1857. This chapter shall remain in effect only until January 1, 2030, and as of that date is repealed.

SEC. 5. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within

the meaning of Section 6 of Article XIII B of the California Constitution.

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SENATE JUDICIARY COMMITTEE
Senator Hannah-Beth Jackson, Chair
2019-2020 Regular Session

AB 1544 (Gipson)
Version: June 25, 2019
Hearing Date: July 9, 2019
Fiscal: Yes
Urgency: No
CK

SUBJECT

Community Paramedicine or Triage to Alternate Destination Act

DIGEST

This bill enacts the Community Paramedicine or Triage to Alternate Destination Act of 2019. The bill authorizes local emergency medical services (EMS) agencies to develop programs to provide community paramedic or triage to alternate destination services in various specialties.[1]

EXECUTIVE SUMMARY

In 2014, the Office of Statewide Health Planning and Development (OSHPD) approved a pilot project sponsored by the Emergency Medical Services Authority (EMSA). The project, Health Workforce Pilot Project #173 (the Pilot), was initially authorized to test, demonstrate, and evaluate the practice of "community paramedicine" in specified areas. Over a dozen sites have tested community paramedicine programs and the Pilot has been renewed several times but is set to expire later this year.

This bill authorizes local EMS agencies to develop programs to provide community paramedic or triage to alternate destination services in various specialties with permission by EMSA. EMSA will develop regulations setting minimum standards for the development of a community paramedicine or triage to alternate destination program. The regulations must be based upon, and informed by, the Pilot and the protocols and operation of the pilot projects.

This bill is sponsored by the California Professional Firefighters. It is opposed by various groups including counties and the California Nurses Association. This bill passed out of the Senate Health Committee on a vote of 6 to 0.

PROPOSED CHANGES TO THE LAW

[1] This analysis includes amendments agreed to by the author in the Senate Health Committee to be taken in this Committee. This analysis is of the bill as so amended.

Existing law:

1) Establishes the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, which states its intent is to provide the state with a statewide system for emergency medical services. (Health & Saf. Code § 1797 et seq.)

2) Establishes EMSA and charges it with developing planning and implementation guidelines for emergency medical services systems addressing specified components. (Health & Saf. Code § 1797.100 et seq.)

3) Authorizes each county to develop an emergency medical services program. Such counties are required to designate a local EMS agency which shall be the county health department, an agency established and operated by the county, an entity with which the county contracts for the purposes of local emergency medical services administration, or a joint powers agency created for the administration of emergency medical services by agreement between counties or cities and counties as specified. (Health & Saf. Code § 1797.200.)

4) Establishes the Commission on Emergency Medical Services in the Health and Human Services Agency. The commission must review and approve regulations, standards, and guidelines to be developed by EMSA for implementation of the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act. (Health & Saf. Code § 1799 et seq.)

5) Authorizes the OSHPD to designate experimental health workforce projects as approved projects where the projects are sponsored by community hospitals or clinics, nonprofit educational institutions, or government agencies engaged in health or education activities. Nothing in this section shall preclude approved projects from utilizing the offices of physicians, dentists, pharmacists, and other clinical settings as training sites. (Health & Saf. Code § 128135.)

6) Establishes the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, which provides a series of limitations on liability. (Health & Saf. Code § 1799.100 et seq.)

This bill:

1) Establishes the Community Paramedicine or Triage to Alternate Destination Act of 2019, and states the intent of the Legislature that, among other things, delivery of community paramedicine or triage to alternate destination services is a public good and is complementary to the existing emergency response system.
2) Defines "community paramedicine program," for purposes of this bill, as a program developed by a local EMS agency and approved by EMSA to provide community paramedicine services consisting of one or more of the program

specialties described in this bill under the direction of medical protocols developed by the local EMS agency that are consistent with the minimum protocols established by EMSA. Permits community paramedic services to consist of the following specialties:

a) providing directly observed therapy to persons with tuberculosis in collaboration with a public health agency; and,
b) providing case management services to frequent EMS users in collaboration with, and by providing referral to, existing appropriate community resources.

3) Defines "triage to alternate destination program," for purposes of this bill, as a program developed by a local EMS agency and approved by EMSA to provide triage paramedic assessments consisting of one or more specialties described in this bill operating under triage and assessment protocols developed by the local EMS agency that are consistent with the minimum triage and assessment protocols established by EMSA. Permits triage paramedic assessments to consist of the following program specialties:

a) providing care and comfort services to hospice patients in their homes in response to 911 calls by providing for the patient's and family's immediate care needs, including grief support, in collaboration with the patient's hospice agency until the hospice nurse arrives to treat the patient. This provision does not impact or alter existing authorities applicable to a licensed paramedic operating under the medical control policies adopted by a local EMS agency medical director to treat and keep a hospice patient in the patient's current residence, or otherwise require transport to an acute care hospital in the absence of an approved triage to alternate destination hospice program; and,
b) providing patients with advanced life support triage and assessment by a triage paramedic and transportation to an alternate destination facility.

4) Requires EMSA to develop regulations that establish minimum standards for the development of a community paramedicine or triage to alternate destination program, and requires the Commission on EMS to review and approve the regulations.

5) Requires EMSA to develop and periodically review and update the minimum medical protocols for each community paramedicine program specialty, and minimum triage and assessment protocols for triage to alternate destination program specialties, in consultation with a committee of advisory members.
6) Requires EMSA to review a local EMS agency's proposed community paramedicine or triage to alternate destination program, and review the program's protocols to ensure the proposed program is consistent with EMSA's regulations and the provisions in this bill, and to approve, approve with

conditions, or deny the proposed program within six months after it is submitted by the local EMS agency.

7) Requires a local EMS agency to establish a process to verify training and accreditation of community paramedics and triage paramedics in each of the proposed program specialties.

8) Requires a county board of supervisors, if a local EMS agency opts to develop a community paramedicine or triage to alternate destination program, to establish an emergency medical care committee to advise the local EMS agency on the development of the community paramedicine program.

9) Prohibits a person or organization from providing community paramedic services or triage to alternate destination services unless it is authorized by a local EMS agency to provide those services as part of a community paramedicine or triage to alternate destination program approved by EMSA.

10) Provides that the liability provisions described in Chapter 9 (commencing with Section 1799.100) apply to the provisions of this bill.

11) Sunsets the provisions of this bill (except the changes to the composition of the Commission on EMS) on January 1, 2030.

COMMENTS

1. Stated intent of the bill

According to the author:

> Today's existing model of directing all transports to emergency rooms (ER) has created gridlock in ERs. Patients requiring more specialized services such as mental health intervention or a sobering facility, for example, are too often subjected to a merry-go-round of providers that denies them the expeditious care they need.
>
> Community Paramedicine (CP) can play an important role in improving California's health care delivery system. CP is an innovative model of care that seeks to improve the effectiveness and efficiency of health care delivery by using specially trained paramedics in partnership with other health care providers to address the needs of local health care systems. Community paramedics are rigorously licensed and extensively trained to make critical decisions in the field related to transport to emergency departments, stroke centers, trauma centers and other specialized emergency facilities. Whether it is assessing a need for mental health crisis services or working with hospice professionals to ensure

patient's wishes are respected, community paramedics benefit patients by connecting them to the right care and making healthcare more accessible.

In 2014, the Office of Statewide Health Planning and Development (OSHPD) approved the first statewide CP pilot project that encompassed 17 projects in over a dozen communities across the state. The University of San Francisco was contracted to study and analyze data from the implementation of CP pilot programs and their most recent findings from 2018 conclude, "Californians benefit from these innovative models of health care…The projects have improved coordination among providers of medical, behavioral health, and social services and reduced preventable ambulance transports, emergency department visits, and hospital readmissions. They have not resulted in any adverse outcomes for patients."

Such evidence clearly demonstrates that CP is a promising health care model that should be fostered and statutorily authorized. Unfortunately, existing CP pilot sites were only approved by OSHPD to continue operation through November of 2019. Absent legislative authorization, the CP pilot programs operating in the state will expire and be forced to cease operations. AB 1544 seeks to increase access to health care resources by authorizing community and triage paramedic services in California.

2. Community paramedicine

The OSHPD operates the Health Workforce Pilot Projects program that supports healthcare delivery projects. It provides the legal framework for healthcare organizations to demonstrate, test, and evaluate new or expanded roles for healthcare professionals.

In 2014, the OHSPD approved a pilot project sponsored by EMSA. The project, Health Workforce Pilot Project #173 (the Pilot), was initially authorized to test, demonstrate, and evaluate the practice of "community paramedicine" in the following areas:

- transporting patients with specified conditions to alternate locations other than an acute care emergency department;
- addressing the needs of frequent 9-1-1 callers or frequent visitors to emergency departments;
- providing short-term home follow-up care for persons recently discharged from a hospital and at increased risk of a return visit to the emergency department or readmission to the hospital; and
- providing short-term home support for persons with diabetes, asthma, congestive heart failure, or multiple chronic conditions.

EMSA's objectives in the Pilot were to demonstrate cost-effectiveness of care provided by community paramedics compared to the existing provision of care and to

demonstrate that community paramedics can safely and effectively provide care that improves health care efficacy, patient-centered care, and integration of health system resources with reductions in both unnecessary ambulance transports to emergency departments and hospital readmissions.

The Pilot has operated at 13 sites testing a variety of concepts. It has been renewed several times and, unless renewed again, is scheduled to expire in November 2019.

This bill authorizes local EMS agencies to develop programs to provide community paramedic or triage to alternate destination services in various specialties with permission by EMSA. EMSA will develop regulations setting minimum standards for the development of a community paramedicine or triage to alternate destination program. The regulations must be based upon, and informed by, the Pilot and the protocols and operation of the pilot projects approved under the project.

3. Policy implications of providing immunity

As a general rule, California law provides that persons are responsible, not only for the result of their willful acts, but also for an injury occasioned to another by their want of ordinary care or skill in the management of their property or person, except so far as the latter has, willfully or by want of ordinary care, brought the injury upon themselves. (Civ. Code § 1714(a).) Although immunity provisions are rarely preferable, the Legislature has, in limited scenarios, approved measured immunity from liability (as opposed to blanket immunities) to promote other policy goals that could benefit the public.

As a matter of policy, the Legislature has generally been reluctant to further immunize the acts of public employees and public agencies except in narrow circumstances. Immunity from liability disincentivizes careful planning and acting on the part of governmental actors. When an agency enjoys immunity from civil liability, it is relieved of the responsibility to act with due regard and an appropriate level of care in the conduct of its activities. Immunity provisions are also disfavored because they, by their nature, preclude parties from recovering when they are injured, and force injured parties to absorb losses for which they are not responsible. Liability acts not only to allow a victim to be made whole, but to encourage appropriate compliance with legal requirements.

Immunities are generally afforded when needed to incentivize certain conduct, such as the provision of life-saving or other critical services. Examples include protections for use of CPR, Civil Code Section 1714.2; use of an automated external defibrillator, Civil Code Section 1714.21; and use of opiate overdose treatment, Civil Code Section 1714.22. However, as indicated above, rarely is immunity absolute, and these immunities generally do not cover grossly negligent conduct or intentional misconduct.

4. Applying the liability limitations of the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act

The Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act (the Act) was enacted to provide the state with a statewide system for emergency medical services by establishing within the Health and Welfare Agency the Emergency Medical Services Authority, which is responsible for the coordination and integration of all state activities concerning emergency medical services. (Health & Saf. Code § 1797 et seq.) One chapter of the act includes a series of liability provisions. (Health & Saf. Code § 1799.100 et seq.)

One provision provides immunity from any civil damages for public and private entities that voluntarily, and without expecting compensation, donate services, goods, labor, equipment, resources, or dispensaries or other facilities, or which sponsor, authorize, support, finance, or supervise the training of people, or certifies them, in emergency medical services. (Health & Saf. Code § 1799.100.) The stated goal of this immunity is to encourage local agencies and other organizations to train people in emergency medical services. Another section provides that no person who in good faith, and not for compensation, renders emergency medical or nonmedical care at the scene of an emergency shall be liable for any civil damages resulting from any act or omission. (Health & Saf. Code § 1799.102.) The scene of an emergency does not include emergency departments and other places where medical care is usually offered. This provision only applies to specified medical, law enforcement, and emergency personnel; a companion provision creates a qualified immunity for other individuals.

The Act also provides immunity from liability for civil damages to a physician or nurse, who in good faith gives emergency instructions to an EMT-II or mobile intensive care paramedic at the scene of an emergency. (Health & Saf. Code § 1799.104.) An EMT-II or mobile intensive care paramedic rendering care within the scope of their duties who, in good faith and in a nonnegligent manner, follows those instructions cannot be held liable for any civil damages as a result of following such instructions.

Pursuant to the act, a firefighter, police officer or other law enforcement officer, EMT-I, EMT-II, EMT-P, or registered nurse who renders emergency medical services at the scene of an emergency or during an emergency air or ground ambulance transport is only liable in civil damages for grossly negligent or bad faith conduct. (Health & Saf. Code, § 1799.106.) It only holds their public agency employers liable if these personnel are liable. Also immune from liability, unless the conduct was grossly negligent or in bad faith, are public entities and emergency rescue personnel acting within the scope of their employment in their provision of emergency services and any properly certified person providing prehospital emergency field care treatment at the scene of an emergency. (Health & Saf. Code §§ 1799.107, 1799.108.)

The Act's liability limitations provide definitions for "registered nurse," "emergency rescue personnel," "emergency medical services," "emergency medical care," "scene of an emergency," and "emergency services."

These immunity provisions are narrowly tailored to specific situations and specific personnel. From a policy standpoint, civil immunity is extended to individuals in these emergency situations because it reflects a policy recognition that a person cannot be expected to act as reasonably or clear thinking when faced with danger or an emergency situation as they normally would.

This bill provides that these liability limitations apply to the bill's provisions. Such a provision is likely unnecessary but ensures that these liability limitations apply where the criteria of any particular limitation within the Act is met. The provision regarding liability in this bill does not expand the scope or application of these liability provisions.

5. Support and opposition

The California Professional Firefighters, the sponsor of the bill, write:

> When communities are asked who they trust, firefighters are always ranked among the most trustworthy leaders, which makes them well-positioned to utilize existing resources and apply expanded protocols developed by medical and behavioral health experts to improve patient care in the jurisdictions they serve. Further, firefighters are positioned throughout the community 24/7 at strategically placed firehouses. As such, community paramedicine programs will allow timely, improved access to essential services.

A coalition in opposition, including the California State Association of Counties, writes:

> Recent amendments do help clarify the definition of mental health facilities and sobering centers, which will help ensure patient safety and proper care. However, another amendment requiring the local EMS agency to ensure the transfer of medical records causes us concerns and we request that the language instead require the local EMS agency to establish a policy requiring the medical facility to transfer medical records.
>
> Counties continue to support alternate destination and triage programs, many of which may also help our members in their efforts to combat homelessness, improve the health and behavioral health of residents, and improve community health by providing the appropriate level of services to the appropriate individuals in the appropriate setting.

6. Amendments agreed to in the Senate Health Committee

The following amendments were agreed to by the author in the Senate Health Committee and are to be taken in this Committee:

On page 6, in line 27, strike out "co-occurring" and insert: cooccurring

On page 10, strike out lines 19 to 22, inclusive, in line 23, strike out "(b)" and insert: (a)

On page 10, in line 27, strike out "(c)" and insert: (b)

On page 11, in line 21, after the period insert: This paragraph does not impact or alter existing authorities applicable to a licensed paramedic operating under the medical control policies adopted by a local EMS agency medical director to treat and keep a hospice patient in the patient's current residence, or otherwise require transport to an acute care hospital in the absence of an approved triage to alternate destination hospice program.

On page 14, in line 31, strike out "ensure that" and insert: require

On page 14, in line 32, after "facilities" insert: to

On page 18, in line 32, after "1836." insert: (a)

On page 18, below line 36, insert: (b) Notwithstanding subdivision (a), a community paramedicine short-term, post-discharge followup pilot program that was approved on or before January 1, 2019, under the Office of Statewide Health Planning and Development's Health Workforce Pilot Project No. 173, and was continuing to enroll patients as of January 1, 2019, may continue operation until January 1, 2023. The authority shall seek federal funding or funding from private sources to support the continued operation of the post-discharge programs described in this subdivision. As part of any annual reports submitted in 2022 and 2023, the authority shall include in its annual report to the Legislature, as required by Section 1833, an analysis of the post-discharge followup pilot programs operating

SUPPORT

California Professional Firefighters (sponsor)

OPPOSITION

California Nurses Association
California State Association of Counties
County Health Executives Association of California
National Nurses United

Rural County Representatives of California
Urban Counties of California

RELATED LEGISLATION

Pending Legislation: None known

Prior Legislation:

AB 944 (Hertzberg, 2018) would have enacted the Community Paramedicine Act of 2018. It was substantially similar to this bill. It died in the Assembly Appropriations Committee.

AB 1795 (Gipson, 2018) would have authorized local emergency medical services agencies to include, as part of its emergency medical services plan, a program to transport specified patients who meet triage criteria to a behavioral health facility or a sobering center, as defined. It would require EMSA to develop and adopt guidelines for such programs. This bill died in the Assembly Appropriations Committee.

AB 820 (Gipson, 2017) would have authorized a local emergency medical services agency to transport specified patients to a community care facility, as defined, in lieu of transportation to a general acute care hospital. This bill died in the Assembly Health Committee.

AB 1650 (Maienschein, 2017) would have created the Community Paramedic Program within EMSA and allowed EMSA to authorize local emergency medical services agencies to participate in the program. This bill died in the Assembly Appropriations Committee.

PRIOR VOTES:

Senate Health Committee (Ayes 6, Noes 0)
Assembly Floor (Ayes 68, Noes 3)
Assembly Appropriations Committee (Ayes 15, Noes 3)
Assembly Health Committee (Ayes 15, Noes 0)

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AMENDED IN ASSEMBLY JULY 11, 2019

AMENDED IN ASSEMBLY JUNE 18, 2019

AMENDED IN SENATE MAY 2, 2019

AMENDED IN SENATE MARCH 25, 2019

SENATE BILL No. 438

Introduced by Senator Hertzberg
(Principal coauthor: Assembly Member Eggman)
(Coauthor: Senator Galgiani)
~~(Coauthor: Assembly Member Aguiar-Curry)~~
(Coauthors: Assembly Members Aguiar-Curry, Bonta, and Rodriguez)

February 21, 2019

An act to amend Section 53110 of, and to add Section 53100.5 to, the Government Code, and to add Sections 1797.223 and 1798.8 to the Health and Safety Code, relating to emergency services.

LEGISLATIVE COUNSEL'S DIGEST

SB 438, as amended, Hertzberg. Emergency medical services: dispatch.

Existing law, the Warren-911-Emergency Assistance Act, requires every local public agency to establish within its jurisdiction a basic emergency telephone system that includes, at a minimum, police, firefighting, and emergency medical and ambulance services. Existing law authorizes a public agency to incorporate private ambulance service into the system.

This bill would prohibit a public agency from delegating, assigning, or contracting for "911" emergency call processing ~~or notification duties regarding~~ *services for* the dispatch of emergency response resources unless the delegation or assignment is to, or the contract or agreement

is with, another public agency. The bill would exempt from that prohibition a public agency that is a joint powers authority that *delegated, assigned, or* contracted for ~~emergency response resources~~ *"911" call processing services* on or before January 1, 2019, under certain conditions. The bill would *also* authorize a public agency that *delegated, assigned, or* contracted for ~~dispatch of emergency response resources~~ *"911" call processing services* on or before January 1, 2019, to continue ~~that contract or to renegotiate or adopt new contracts if the public agency and~~ *to do so with the concurrence of* the public safety agencies that provide prehospital emergency medical ~~services consent.~~ *services. If a public safety agency does not concur with the public agency to continue to delegate, assign, or contract for those services, the bill would authorize the public agency to continue to delegate, assign, or contract for those services for the remaining concurring public safety agencies.* The bill would state the Legislature's intent to affirm and clarify a public agency's duty and authority to develop emergency communication procedures and respond quickly to a person seeking emergency services through the "911" emergency telephone system.

Existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, authorizes each county to develop an emergency medical services (EMS) program and designate a local EMS agency. Existing law delegates responsibility over the medical direction and management of an EMS system to the medical director of the local EMS agency, and requires the local EMS agency to maintain medical control over the EMS system in accordance with minimum standards established by the Emergency Medical Services Authority.

This bill would require a public safety agency that provides ~~dispatch of prehospital emergency response resources~~ *"911" call processing services for medical response* to make a connection available from the public safety agency dispatch center to an EMS provider's dispatch center, as specified. The bill would provide that the public safety agency is entitled to recover from an EMS provider the *actual* costs incurred in establishing and maintaining the connection. The bill would require ~~all local EMS agency approved~~ *the local EMS-agency-authorized* EMS providers and *the* EMS system providers *within the jurisdiction of the incident,* to be simultaneously notified and dispatched at the same response ~~code. The bill would also, unless the local EMS agency takes affirmative action to the contrary, deem a public safety agency's plan~~

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~~to implement an EMD or advanced life support program to be approved within 60 days of submission if the plan satisfies state guidelines and regulations.~~ *mode. The bill would require a local EMS agency to review and approve or deny a public safety agency's plan to implement an emergency medical dispatcher or advanced life support program within 90 days of submission of the plan.*

This bill would provide that medical control by a local EMS agency medical ~~director~~ *director,* or medical direction and management of an EMS ~~system~~ *system,* may not be construed to, among other things, limit the authority of a public safety agency to directly receive and ~~administer~~ *process* "911" emergency requests originating within the agency's territorial jurisdiction or authorize a local EMS agency to *unilaterally* reduce a public safety agency's response mode *below that of the EMS transport provider, prevent a public safety response,* or *alter the* deployment of emergency response resources within the agency's territorial jurisdiction. The bill would also clarify that a public safety agency does not transfer its authority to administer emergency medical services to a local EMS agency by adhering to the policies, procedures, and protocols adopted by a local EMS agency.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 53100.5 is added to the Government Code, to read:

53100.5. The Legislature finds and declares all of the following:

(a) The provision of fire protection services, rescue services, emergency medical services, hazardous material response services, ambulance services, and other services related to the protection of lives and property is a matter of public safety and critical to the public peace, health, and safety of the state.

(b) It is in the public interest that emergency services be deployed quickly and efficiently in the interest of saving lives and reducing the damage or destruction of property.

(c) The establishment of a uniform, statewide policy regarding a public agency's ability to receive and process emergency calls is a matter of statewide concern and an interest to all inhabitants and citizens of this state.

(d) The purpose of the act that added this section is to affirm and clarify a public agency's duty, responsibility, and jurisdiction to establish and improve emergency communication procedures and quickly respond to any person calling the telephone number "911" seeking fire, medical, rescue, or other emergency services.

SEC. 2. Section 53110 of the Government Code is amended to read:

53110. (a) Every system shall include police, firefighting, and emergency medical and ambulance services, and may include other emergency services, in the discretion of the affected local public agency, such as poison control services, suicide prevention services, and civil defense services. The system may incorporate private ambulance service. In areas in which a public safety agency of the state provides emergency services, the system shall include the public safety agency or agencies.

(b) Notwithstanding subdivision (a), a public agency shall not delegate, assign, or enter into a contract for "911" call processing ~~or emergency notification duties regarding~~ *services for* the dispatch of emergency response resources except as provided in subdivision (c) or if the delegation or assignment is to, or the contract or agreement is with, another public agency.

(c) Notwithstanding subdivision (b), the following entities may *delegate or assign to a nonpublic agency, or* contract ~~for dispatch of emergency response resources~~ *with a nonpublic agency for, "911" call processing services* only as ~~described:~~ *described in paragraphs (1) and (2).*

(1) A joint powers authority that *delegated, assigned, or* contracted for ~~dispatch of emergency response resources~~ *"911" call processing services* on or before January 1, 2019, may continue to *delegate, assign, or* contract for ~~dispatch of those resources and may~~ *those services and may, upon the expiration of the delegation, assignment, or contract,* renegotiate or adopt new contracts, if the membership of the joint powers authority includes all public safety agencies that provide prehospital emergency medical services and the joint powers authority consents to the *continued delegation, assignment, or* renegotiation or adoption of the contract.

(2) A public agency that has *delegated, assigned, or* contracted for ~~dispatch of emergency response resources~~ *"911" call processing services* on or before January 1, 2019, may continue to ~~contract for dispatch of those resources and may renegotiate or~~

~~adopt new contracts if the public agency and~~ *do so with the concurrence of* the public safety agencies that provide prehospital emergency medical ~~services consent to the renegotiation and adoption of the contract.~~ *services. If a public safety agency does not concur with the delegation, assignment, or contracting of the "911" call processing services within its jurisdictional boundaries, the following shall apply:*

(A) The public agency may continue to delegate, assign, or contract for "911" call processing services as described in this paragraph for the remaining concurring public safety agencies, and the nonconcurring public safety agency shall discharge "911" call processing duties within its jurisdictional boundaries. Notwithstanding this subparagraph, if the delegation, assignment, or contract provided the option for one or more public safety agencies to withdraw from the delegation, assignment, or contract, the terms of that delegation, assignment, or contract shall prevail.

(B) If continuing the delegation, assignment, or contract described in subparagraph (A) is not feasible, the withdrawing public safety agency shall assume "911" call processing services for the service area originally subject to delegation, assignment, or contract.

(d) This section does not prohibit a public agency or public safety agency from entering into an agreement for backup "911" call processing services.

SEC. 3. Section 1797.223 is added to the Health and Safety Code, to read:

1797.223. (a) (1) A public safety agency that provides ~~dispatch of prehospital emergency response resources~~ *"911" call processing services for emergency medical response* shall make a connection available from the public safety agency dispatch center to an emergency medical services (EMS) provider's dispatch center for the timely transmission of emergency response information.

(2) A public safety agency shall be entitled to recover from an EMS provider the *actual* costs incurred in establishing and maintaining a connection required by this subdivision.

(3) An EMS provider that elects not to use the connection provided pursuant to this subdivision shall be dispatched by the appropriate public safety agency and charged ~~the same rates as any other EMS provider being dispatched by that agency.~~ *a rate negotiated by the parties.*

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(4) If an EMS provider is not directly dispatched from a public safety agency, the response interval for calculations for that EMS provider shall not include the call processing times of the public safety agency and shall begin upon receipt of notification by the EMS provider of the emergency response caller data, either electronically or by any other means prescribed in paragraph (5).

(5) For purposes of this subdivision, "connection" means either a direct computer aided ~~despatch~~ *dispatch* (CAD) to CAD link, where permissible under law, between the public safety agency and an EMS provider or an indirect connection, including, but not limited to, a ring down line, intercom, radio, or other electronic means for timely notification of caller data and the location of the emergency response.

(b) Unless ~~an~~ *a local* EMS agency has approved an emergency medical dispatch (EMD) program *in conformance with Section 1798.8,* that allows for a tiered or modified response, ~~all local EMS providers approved by the local EMS agency~~ *the local EMS-agency-authorized EMS system providers,* and ~~all statutorily-authorized~~ *the statutorily authorized* EMS system providers *within the jurisdiction of the incident,* shall be simultaneously notified, or as close as technologically feasible, and dispatched at the same response ~~code. A~~ *mode.*

(c) A public safety agency implementing an EMD program shall be subject to the review and approval of the local EMS ~~agency~~ *agency,* and shall *perform "911" call processing services and* operate the program in accordance with applicable state guidelines and ~~regulations.~~ *regulations, and the policies adopted by the local EMS agency that are consistent with Section 1798.8.*

~~(c) Unless the~~

(d) A local EMS agency ~~takes affirmative action to the contrary,~~ *shall review and approve or deny* a public safety agency's plan to implement an EMD or advanced life support program ~~shall be deemed approved within 60 days of submission if the plan satisfies state guidelines and regulations.~~ *within 90 days of submission of the plan. A public safety agency may elect to appeal any action of a local EMS agency as described in paragraphs (1) and (2):*

(1) If a public safety agency's application for an EMD or advanced life support program is not timely approved or is denied, an appeal shall be conducted in conformance with the administrative adjudication proceedings set forth in Chapter 5

(commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

(2) A final decision rendered pursuant to this subdivision may be appealed to a court of competent jurisdiction.

(e) This section does not authorize a public safety agency to alter the response of a local EMS-agency-authorized EMS transport provider, including EMS transport providers operating pursuant to Section 1797.224, unless authorized by a local EMS agency.

(f) Nothing in this section supersedes Section 1797.201.

SEC. 4. Section 1798.8 is added to the Health and Safety Code, to read:

1798.8. (a) Notwithstanding any provision of this division, medical control by a local EMS agency medical director, or medical direction and management of an emergency medical services system, as described in this chapter, shall not be construed to do any of the following:

(1) Limit, supplant, prohibit, or otherwise alter a public safety agency's authority to directly ~~receive, process, and administer~~ *receive and process* requests for assistance originating within the public safety agency's territorial jurisdiction through the emergency "911" system established pursuant to Article 6 (commencing with Section 53100) of Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code. *This paragraph does not supersede the local EMS agency's authority to adopt and implement emergency lifesaving instructions or EMD prearrival instructions.*

(2) Authorize or permit a local EMS agency to delegate, assign, or enter into a contract in contravention of subdivision (b) of Section 53110 of the Government Code.

(3) Authorize or permit a local EMS agency to *unilaterally* reduce a public safety agency's response mode *below that of the EMS transport provider, prevent a public safety response,* or *alter the* deployment of public safety emergency response resources within the public safety agency's territorial jurisdiction.

(4) Authorize or permit a local EMS agency to prevent a public safety agency from providing mutual aid pursuant to the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code).

(b) A public safety agency's adherence to the policies, procedures, and protocols adopted by a local EMS agency does

not constitute a transfer of any of the public safety agency's authorities regarding the administration of emergency medical services.

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Date of Hearing: July 9, 2019

ASSEMBLY COMMITTEE ON HEALTH
Jim Wood, Chair
SB 438 (Hertzberg) – As Amended June 18, 2019

SENATE VOTE: 32-4

SUBJECT: Emergency medical services: dispatch.

SUMMARY: Prohibits, with some exceptions, a public agency from delegating, assigning, or entering into a contract for "911" call processing or emergency notification duties regarding the dispatch of emergency response services, unless the contract or agreement is with another public agency. Requires a public safety agency (PSA) that provides dispatch of prehospital emergency response resources to make a connection available from the PSA dispatch center to an emergency medical services (EMS) provider's dispatch center for the timely transmission of emergency response information. Specifies that a PSA's adherence to the policies, procedures, and protocols adopted by a local Emergency Medical Services Agency does not constitute a transfer of any of the PSA's authorities regarding the administration of EMS. States that medical control by a local emergency medical services agency (LEMSA) medical director, or medical direction and management of an EMS system, pursuant to the provisions of this bill, will not be construed to limit, supplant, prohibit, or otherwise alter a PSA's authority to directly receive, process, and administer requests for assistance originating within the PSA's territorial jurisdiction through the emergency "911" system. Specifically, **this bill**:

1) Authorizes the following entities to contract for dispatch of emergency response resources only as described:

   a) A joint powers authority (JPA) that contracted for dispatch of emergency response resources on or before January 1, 2019, may continue to contract for dispatch of those resources and renegotiate or adopt new contracts, if the membership of the JPA includes all PSAs that provide prehospital EMS and the JPA consents to the renegotiation or adoption of the contract; or,

   b) A public agency that has contracted for dispatch of emergency response resources on or before January 1, 2019, may continue to contract for dispatch of those resources and may renegotiate or adopt new contracts if the public agency and the PSAs providing prehospital EMS consent to the renegotiation and adoption of the contract.

2) Requires a PSA that provides dispatch of prehospital emergency response resources to make a connection available from the PSA dispatch center to an EMS provider's dispatch center for the timely transmission of emergency response information.

3) Authorizes a PSA to recover the costs incurred in establishing and maintaining a connection required pursuant to 2) above, from an EMS provider.

4) Requires an EMS provider that elects not to use the connection provided pursuant to 2) above, to be dispatched by the appropriate PSA and charged the same rates as any other EMS provider being dispatched by that PSA.

5) Prohibits the response interval calculations for an EMS provider that it not directly dispatched from a PSA from including the call processing times of the PSA, and requires the response interval calculations to begin upon receipt of notification by the EMS provider of the emergency response caller data, either electronically, or by any other means prescribed in 6) below.

6) Defines "connection" for purposes of 5) above, to mean either a direct computer aided dispatch (CAD) to CAD link, where permissible under law, between the PSA and an EMS provider or an indirect connection, including, but not limited to, a ring down line, intercom, radio, or other electronic means for timely notification of caller data, and the location of the emergency response.

7) Requires, unless an EMS agency has approved an emergency medical dispatch (EMD) program that allows for a tiered or modified response, all local EMS providers approved by the LEMSA and all statutorily-authorized EMS system providers, to be simultaneously notified, or as close as technologically feasible, and dispatched at the same response code. Requires a PSA implementing an EMD program to be subject to the review and approval of the LEMSA, and to operate the program in accordance with applicable state guidelines and regulations.

8) Requires a PSA's plan to implement an EMD or advanced life support program to be deemed approved within 60 days of submission, unless the LEMSA takes affirmative action to the contrary, and if the plan satisfies state guidelines and regulations.

9) States that medical control by a LEMSA medical director, or medical direction and management of an EMS system, pursuant to the provisions of this bill, will not be construed to do any of the following:

    a) Limit, supplant, prohibit, or otherwise alter a PSA's authority to directly receive, process, and administer requests for assistance originating within the PSA's territorial jurisdiction through the emergency "911" system;

    b) Authorize or permit a LEMSA to delegate, assign, or enter into a contract in contravention of 1) above;

    c) Authorize or permit a LEMSA to reduce a PSA's response mode or deployment of public safety emergency response resources within the PSA's territorial jurisdiction; or,

    d) Authorize or permit a LEMSA to prevent a PSA from providing mutual aid pursuant to the California Emergency Services Act.

10) States that a PSA's adherence to the policies, procedures, and protocols adopted by a LEMSA does not constitute a transfer of any of the PSA's authorities regarding the administration of EMS.

EXISTING LAW:

1) Establishes the Warren-911-Emergency Assistance Act, which requires every public agency to have in operation a telephone service which automatically connects a person dialing the digits "911" to an established public safety answering point. Defines public agency to include the state, any city or county, or any public district that provides or has authority to provide

firefighting, policy, ambulance, or other emergency services. Prohibits these provisions of law from prohibiting or discouraging the formation of multijurisdictional or regional systems.

2) Requires every 911 system to include police, firefighting, and emergency medical and ambulance services. Requires every 911 system, in those areas in which a PSA provides ambulance emergency services, to include such PSAs. Permits 911 systems to incorporate private ambulance services.

3) Establishes the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act (EMS Act) to provide for a statewide system for emergency medical services (EMS), and establishes the Emergency Medical Services Authority (EMSA), which is responsible for the coordination and integration of all state activities concerning EMS, including the establishment of minimum standards, policies, and procedures.

4) Authorizes counties to develop an EMS program and designate a LEMSA responsible for planning and implementing an EMS system, which includes day-to-day EMS system operations.

5) Requires every LEMSA to have a licensed physician as medical director, to assure medical accountability throughout the planning, implementation, and evaluation of the EMS system. Requires the medical direction and management of an EMS system to be under the medical control of the medical director

6) Requires a LEMSA, using state minimum standards, to establish policies and procedures approved by the medical director of the LEMSA to assure medical control of the EMS system. Authorizes the policies and procedures approved by the medical director to require basic life support emergency medical transportation services to meet any medical control requirements including dispatch, patient destination policies, patient care guidelines, and quality assurance requirements.

7) Requires authority for patient health care management in an emergency to be vested in the licensed or certified health care professional, including any paramedic or other prehospital emergency personnel, at the scene of the emergency who is most medically qualified regarding the provision of rendering emergency medical care. If no licensed or certified health care professional is available, requires the authority to be vested in the most appropriate medically qualified representative of public safety agencies who may have responded to the scene of the emergency.

8) Permits a committee to be established in any county that desires to establish a unified command structure for patient management at the scene of an emergency within that county, comprised of representatives of the agency responsible for county emergency medical services, the county sheriff's department, the California Highway Patrol, public prehospital-care provider agencies serving the county, and public fire, police, and other affected emergency service agencies within the county.

9) Requires the administration of prehospital EMS by cities and fire districts providing such services as of June 1, 1980, to be retained by those cities and fire districts and to be continued at not less than the existing level until such time that a written agreement is reached between a city or fire district and a county.

10) Permits a LEMSA to create one or more exclusive operating areas in the development of a local plan, if a competitive process is utilized to select the provider or providers of the services. Specifies that no competitive process is required if the LEMSA develops or implements a local plan that continues the use of existing providers operating within a local EMS area in the manner and scope in which the services have been provided without interruption since January 1, 1981.

FISCAL EFFECT: None

COMMENTS:

1) **PURPOSE OF THIS BILL**. According to the author, in emergency situations, life can be lost in a matter of seconds. With that in mind, the call processing and administration of emergency response functions is traditionally recognized as one of the highest priorities and obligations of government. However, many jurisdictions choose to outsource their local emergency services, under the guise of cost savings. Efforts to privatize public services often result in increased costs to citizens, a reduction in services provided, and in the worst cases, a failure to deliver timely services. The author states that this bill prohibits a public agency from outsourcing its local emergency dispatch services to a private, for-profit entity. Privatization results in an inherent pressure: the demand to turn a profit while caring for people in their most vulnerable moments. The author concludes that this bill ensures that the safety of all Californians is in the hands of a public agency, ensuring the best possible standard of emergency care.

2) **BACKGROUND**. EMSA is the lead agency and centralized resource to oversee emergency and disaster medical services. Day-to-day EMS system management is the responsibility of the local and regional LEMSAs. California has 33 LEMSA systems that provide EMS for California's 58 counties. Regional systems are usually comprised of small, more rural, less-populated counties and single-county systems generally exist in the larger and more urban counties. There are seven regional EMS agencies comprised of 32 counties and 26 single-county LEMSAs. Both single and multi-county LEMSAs develop and submit five-year EMS plans and annual updates to EMSA for a local emergency EMS system according to the state system standards and guidelines. The purpose of the local EMS plans is to meet community EMS needs through the effective utilization of local resources.

   The EMS Act comprehensively regulates emergency medical care in California. Enacted in 1980, the Act provides for the creation of emergency medical procedures and protocols, certification of emergency medical personnel, and coordination of emergency responses by fire departments, ambulance services, hospitals, specialty care centers, and other providers within the local EMS system. Health and Safety Code §1797.201, generally known as "201 rights," was added late in the legislative process that led to the passage of the EMS Act. Section 201 was included to address concerns some cities expressed about the Act's potential impact on their authority to continue providing EMS programs they had previously started in their cities. While the goal of the Act was to establish a statewide system for emergency medical response, §1797.201 acknowledged the concerns of the cities and fire districts by allowing them to continue to administer EMS within the city or fire district "until such time that an agreement is reached, prehospital emergency medical services shall be continued at not less than the existing level, and the administration of prehospital EMS by cities and fire districts presently providing such services shall be retained by those cities and fire districts…."

Although qualified cities and fire districts were permitted to retain administration of their EMS programs, the Legislature required "201" cities and fire districts to operate in accordance with the medical control of the LEMSA medical director.

a) **911.** The Warren 911 Act authorizes cities and counties to form contracts regulating the implementation of a 911 system. The basic structure of the 911 system is designed to ensure that when a person dials 911, a law enforcement agency serving as a primary Public Safety Answering Point (PSAP) receives 911 requests from the area where the person is calling. If a 911 caller requests emergency medical assistance, the primary PSAP may retain the caller if it directly provides EMS dispatch, or may transfer the caller to a secondary PSAP for emergency medical response. The medical secondary PSAP can be a public agency, public/private partnership, or private EMS provider designated or recognized by the LEMSA as serving the entire EMS area or portion of the EMS area.

b) **County of San Bernardino v. City of San Bernardino (1997).** The issue of medical control of EMS systems was the subject of litigation, decided in 1997, between the City of San Bernardino and the San Bernardino County. The court case involved, among other issues, an attempt by the City of San Bernardino to take over ambulance transport services in the city that had been performed by a private ambulance operator. Ultimately, the California Supreme Court ruled on three issues: First, that cities and fire districts may maintain administrative control of their emergency medical services that they provided as of June 1, 1980 (their "201 rights"), until they enter into an agreement with a LEMSA to integrate their systems. Second, that this administrative control does not give a city or fire district the prerogative to expand into services it did not provide prior to June 1, 1980, without the consent of the LEMSA. And third, a fire department having administrative control pursuant to its "201 rights" does not take away the ability of the LEMSA to exercise medical control, including implementing dispatch protocols.

c) **San Joaquin County EMS dispatch**. The primary example of the type of privately-operated EMS dispatch operation that this bill seeks to prohibit is in San Joaquin County. In 2006, the San Joaquin County Board of Supervisors awarded an ambulance service contract to American Medical Response (AMR) that included the requirement that AMR provide a dispatch center capable of serving as the primary point of contact for all emergency medical dispatch requests. A JPA, known as the San Joaquin Joint Radio Users Group, consisting of 13 fire districts and two small ambulance operators, was formed to negotiate with AMR for emergency dispatch communication services, which was later named the Valley Regional Emergency Communication Center (VRECC). VRECC annually processes approximately 155,000 emergency calls serving a population of 1.3 million people. When a person dials 911 in San Joaquin County, the call is initially answered by a primary PSAP operated by a law enforcement agency. If the caller reports a medical emergency, the primary PSAP transfers the caller to VRECC, which provides emergency medical dispatch services including pre-arrival medical instructions and dispatches emergency ambulances and fire first responders in accordance with the medical control policies of the LEMSA medical director.

   Proponents of this bill argue that VRECC does not always alert a city fire department about some medical emergency calls, even when the fire department could arrive at the scene faster than an AMR ambulance.

d) **Rural 911 dispatch and response.** Most rural counties run their 911 dispatch through their Sheriff's office and contract with both PSAs and private ambulance providers for transport. This bill is drafted to provide Sonoma County with an exception to the prohibition on contracting with a private entity for dispatch, as long as the JPA includes all of the PSAs that provide prehospital EMS. The bill also provides an exemption to Fresno and Tulare as long as the PSAs' providing prehospital EMS in those counties consent to any renegotiation and adoption of the contract. The bill does not define what constitutes consent and it is unclear how a LEMSA would have to restructure their emergency medical services plan if one public agency decided they no longer want to participate in the JPA.

3) **SUPPORT**. The California Professional Firefighters and the California Fire Chiefs Association are the sponsors of this bill and state, under this bill, public agencies are authorized to delegate, assign, or subcontract its 911-call processing or emergency notification duties with respect to dispatching emergency response services only to another public agency, which includes JPAs and cooperative agreements. This bill enables a JPA, which currently outsources local emergency dispatch services in some counties, to continue to do so, as well as renegotiate and adopt future contracts, if the JPA consents and its membership includes all affected public safety agency pre-hospital EMS providers. The sponsors state that this bill does *nothing* to exempt city or special district fire agencies from medical control policies required by the LEMSAs established by counties. It simply recognizes that these accountable public agencies have responsibility for dispatch and response modes that best protect their communities. The sponsors conclude that every dispatch and resource mode must always meet or exceed LEMSA medical control policies.

4) **OPPOSITION**. The California State Association of Counties, Urban Counties of California, Rural County Representatives of California, County Health Executives Association of California, Emergency Medical Services Administrators Association of California, and the Emergency Medical Services Medical Directors Association of California, are opposed to this bill. They state that several LEMSAs in California already utilize public agencies for medical dispatch. However, this bill would dismantle existing medical dispatch structures in counties that structured their system using private entities, some in combination with public agencies, in order to provide proper medical call processing and resource deployment, such as ensuring the closest ambulance responds to a medical emergency. They believe this will have significant impacts on the medical communication plans and processes in 17 counties including: Fresno, Glenn, Kings, Madera, Merced, Monterey, San Benito, San Joaquin, Santa Cruz, Shasta, Solano, Sonoma, Stanislaus, Sutter, Tulare, Yolo, and Yuba.

The opponents note that, while recent amendments would allow these counties to keep their existing medical dispatch structure in place for the duration of their current contracts, any use of a private entity for medical dispatch in the future would be subject to the "consent" of all public safety agencies that provide prehospital emergency services. This bill does not provide a remedy should this consent not be reached, nor does it require those entities that do not consent to be willing to provide medical dispatch beyond their jurisdiction to ensure that there is no system fragmentation.

The opponents also note, that additionally, while proponents have stated that this bill is not intended to undermine LEMSA medical control, the proposed language in Section 1798.8 to the Health and Safety Code alters existing medical control statute by placing limitations on

how medical control is applied to the governance of EMS systems. This weakens the medical control authority of the LEMSA, as recognized by the California Supreme Court, in the case of *County of San Bernardino v. City of San Bernardino (1997 15.Cal. 4th 909)*. The State Supreme Court explained in enacting the EMS Act in 1980, "the Legislature conceived of 'medical control' in fairly expansive terms, encompassing matters directly related to regulating the quality of emergency medical services, including policies and procedures governing dispatch and patient care." Other subjects of medical control include those policies designed to improve the "speed and effectiveness" of emergency response as well as "how the various providers will interact at the emergency scene."

5) **OPPOSE UNLESS AMENDED**. The League of California Cities (LCC) is opposed to this bill unless it is amended. LCC notes that it agrees with the proposed change that would make it clear that county LEMSAs do not have the power to dictate when a city fire department or fire district units are dispatched in response to a 911 call in their own jurisdictions. However, LCC strongly opposes the provision that would permanently bar any local jurisdiction that does not have an existing contract for private EMS dispatch services, from entering into such an agreement in the future. LCC states that this provision not only limits cities' flexibility to provide EMS resources in times of financial distress, but also sets a precedent against future public-private contracting of any other services that may be in the best interest of cities. LCC would be willing to support this bill if it was limited to ensuring that PSAs can deploy emergency response resources within agencies' respective territorial jurisdictions.

6) **RELATED LEGISLATION**. AB 1544 (Gipson) establishes the Community Paramedicine or Triage to Alternate Destination Act of 2020 to establish state guidelines to govern the implementation of community paramedicine programs or triage to alternate destination programs by LEMSAs in California. AB 1544 is pending in the Senate Health Committee.

7) **PREVIOUS LEGISLATION**.

   a) AB 3115 (Gipson) of 2018 was similar to AB 1544. AB 3115 was vetoed by Governor Brown.

   b) SB 944 (Hertzberg of 2018) would have enacted the Community Paramedicine Act of 2018, to permit LEMSAs, with approval by EMSA, to develop a program to provide community paramedic services in one or more of the following five specialties: i) providing short-term postdischarge followup; ii) providing directly observed tuberculosis therapy; iii) providing case management services to frequent emergency medical services users; iv) providing hospice services to treat patients in their homes; and, v) providing patients with transport to an alternate destination, which can either be an authorized mental health facility, or an authorized sobering center. SB 944 was held on the Senate Appropriations suspense file.

   c) AB 2961 (O'Donnell) Chapter 656, Statutes of 2018, requires a LEMSA to report ambulance patient offload time (APOT) to EMSA, and requires EMSA to calculate APOT by jurisdiction and by each facility within a jurisdiction, and report this data to the Commission on EMS twice per year, and to submit a report to the Legislature by December 1, 2020.

d) AB 1223 (O'Donnell), Chapter 379, Statutes of 2015, requires EMSA to adopt a statewide standard methodology for the calculation and reporting by a LEMSA of APOT, and permits LEMSAs to adopt policies and procedures for calculating and reporting APOT using the statewide methodology.

e) AB 1129 (Burke), Chapter 377, Statutes of 2015, requires an emergency medical care provider, when submitting data to a LEMSA, to use an electronic health record system that is compatible with specified standards, and that includes those data elements that are required by the LEMSA.

f) AB 503 (Rodriguez), Chapter 362, Statutes of 2015, authorizes health facilities to release patient-identifiable medical information to an EMS provider and LEMSA when specific data elements are requested for the purpose of quality assessment and improvement.

8) PROPOSED AMENDMENTS. The author is proposing to amend this bill as follows:

a) As currently drafted this bill partially "grandfathers" some existing private contracts, until the contract expires, but only if all PSAs agree to continue the contract. The author is proposing amendments to allow the contracting arrangements to continue either: i) without the PSA that wishes to provide its own dispatch, or, ii) if the contract arrangement will not work without all PSAs' participation, requiring the withdrawing PSA to provide dispatch for the service area originally subject to the contract.

b) As currently drafted this bill would provide "deemed approval" within 60 days of a PSA's submission of an EMD plan or advanced life support program, unless the LEMSA takes affirmative action to the contrary. The author is proposing to amend these provisions to instead require a LEMSA to make a determination to approve or deny a plan within 90 days, and, if a LEMSA denies an EMD plan, to provide for administrative adjudication.

c) As currently drafted, this bill requires all local EMS providers approved by a LEMSA, and all statutorily-authorized EMS providers to be notified simultaneously by the dispatcher. The author is proposing to amend these provisions to clarify that the notification must only be provided to EMS providers **within the jurisdiction of the incident**, and that EMS providers must operate in compliance with the LEMSA's policies.

d) As currently drafted, this bill limits a LEMSA's ability to reduce a PSA's response mode or the deployment of PSA emergency response resources within the PSA's territorial jurisdiction. The author is proposing to clarify that any reduction of services cannot be below that of the contracted EMS transport provider.

e) To clarify that the bill only limits contracting of 911 "call processing" and does not apply to OES notifications.

f) Technical amendments to correct two typos.

REGISTERED SUPPORT / OPPOSITION:

Support

Bodega Bay Fire Protection District
California Fire Chiefs Association
California Professional Firefighters
California State Firefighters' Association
Central County Fire Department
City of Alameda
City of Corona Fire Department
City of Dinuba
City of Fairfield
City of Lodi Fire Department
City of Oceanside
City of Palo Alto Fire Department
City of Petaluma
City of Rancho Cucamonga
City of Santa Rosa Fire Department
City of Tracy
City of Tulare
City of Ventura Fie Department
City of Watsonville
East Contra Costa Fire Protection District
Lathrop Manteca Fire Protection District
Marin County Fire Chiefs Association
Montecito Fire Department
Monterey County Fire Chiefs Association
Newport Beach Fire Department
North County Fire Authority
North County Fire Protection District
Novato Fire District
Orange County Fire Authority
Sacramento Metropolitan Fire District
San Joaquin County Regional Fire Dispatch Authority
San Luis Obispo Fire Department
San Ramon Valley Fire Protection District
Seaside Fire Department
South San Joaquin County Fire Authority
Southern Marin Fire Protection District

Oppose

California State Association of Counties
City of Placentia
County Health Executives Association of California
Emergency Medical Services Administrators' Association of California
EMS Medical Directors Association of California

Fresno County
Madera County
Mendocino County Board of Supervisors
Rural County Representatives of California
San Joaquin County
Santa Clara County
Shasta County Board of Supervisors
Siskiyou County
Stanislaus County
Urban Counties of California

Analysis Prepared by: Lara Flynn / HEALTH / (916) 319-2097

Solano County Legislation of Interest
Tuesday, July 30, 2019

Bill ID/Topic	Location	Summary	Position
SPONSOR			
SB 128 Beall D **Public contracts: Best Value Construction Contracting for Counties Pilot Program.**	Assembly Appropriations 7/10/2019-From committee with author's amendments. Read second time and amended. Re-referred to Com. on APPR.	Existing law establishes a pilot program to allow the Counties of Alameda, Los Angeles, Riverside, San Bernardino, San Diego, San Mateo, Solano, and Yuba to select a bidder on the basis of best value, as defined, for construction projects in excess of $1,000,000. Existing law also authorizes these counties to use a best value construction contracting method to award individual annual contracts, not to exceed $3,000,000, for repair, remodeling, or other repetitive work to be done according to unit prices, as specified. Existing law establishes procedures and criteria for the selection of a best value contractor and requires that bidders verify specified information under oath. Existing law requires the board of supervisors of a participating county to submit a report that contains specified information about the projects awarded using the best value procedures described above to the appropriate policy committees of the Legislature and the Joint Legislative Budget Committee before January 1, 2020. Existing law repeals the pilot program provisions on January 1, 2020.This bill would authorize the County of Santa Clara and the County of Monterey to utilize this pilot program and would extend the operation of those provisions until January 1, 2025. The bill, instead, would require the board of supervisors of a participating county to submit the report described above to the appropriate policy committees of the Legislature and the Joint Legislative Budget Committee before March 1, 2024. By expanding the crime of perjury, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. **Last Amended: 7/10/2019**	Sponsor
SUPPORT			
AB 539 Limón D **California Financing Law: consumer loans: charges.**	Senate Appropriations 7/10/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 1.) (July 9). Re-referred to Com. on APPR.	(1)The California Financing Law (CFL) provides for the licensure and regulation of finance lenders and brokers by the Commissioner of Business Oversight. The CFL prohibits anyone from engaging in the business of a finance lender or broker without obtaining a license. A willful violation of the CFL is a crime, except as specified. Under existing law, a licensee who lends any sum of money is authorized to contract for and receive charges at a maximum rate that does not exceed specified sums on the unpaid principal balance per month, ranging from 2 1/2 % to 1%, based on the consumer loan amount, as specified. This provision, however, does not apply to any loan of a bona fide principal amount of $2,500 or more, as determined in accordance with a provision governing regulatory ceilings and evasion of the CFL. This bill, entitled the Fair Access to Credit Act, would authorize a finance lender, with respect to a loan of a bona fide principal amount of $2,500 or more but less than $10,000, to contract for or receive charges at a rate not exceeding an annual simple interest rate of 36% plus the Federal Funds Rate. The bill would require finance lenders making loans subject to these provisions to, among other requirements, report each borrower's payment performance to at least one consumer reporting agency that compiles and maintains files on consumers on a nationwide basis and to also offer, at no cost to the borrower, a credit education program or seminar that has been previously reviewed and approved by the commissioner, in accordance with specific requirements. The bill would further specify that a licensee may contract for and receive an administrative fee, as described above, in addition to these charges.This bill contains other related provisions and other existing laws. **Last Amended: 7/1/2019**	Support
AB 1769 Frazier D **County of Solano: mental health facilities.**	Assembly Appropriations Suspense File 5/16/2019-In committee: Held under submission.	Existing law requires the counties to establish a system of mental health services and provides various methods for funding those services, including through the Medi-Cal program and the Mental Health Services Act.This bill would appropriate $14,000,000 to the County of Solano from the General Fund in the 2019–20 fiscal year for the planning, construction, and operation of two integrated mental health residential facilities, as specified. The bill would require the county to report specified information to the Governor and the Legislature annually, on or before January 1, of each year, commencing in 2022, and ending, upon repeal of the provision, in 2025. **Last Amended: 4/12/2019**	Support
ACA 1 Aguiar-Curry D	Assembly Third Reading	(1)The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions.This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to	Support

Local government financing: affordable housing and public infrastructure: voter approval.	5/20/2019-Read second time. Ordered to third reading.	service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements. The measure would specify that these provisions apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for these purposes that is submitted at the same election as this measure.This bill contains other related provisions and other existing laws. **Last Amended: 3/18/2019**	
OPPOSE			
AB 901 Gipson D **Juveniles.**	Senate Appropriations 7/10/2019-VOTE: Do pass as amended, but first amend, and re-refer to the Committee on [Appropriations] (PASS)	(1)Existing law authorizes a pupil to be referred to a school attendance review board, or to the probation department for services if the probation department has elected to receive these referrals, if the pupil is habitually truant, a chronic absentee, or is habitually insubordinate or disorderly at school. Existing law requires the school attendance review board or probation officer to direct those pupils or their parents or guardians to make use of community services, if available. Upon a determination that available community services cannot resolve the problem of truancy or insubordination, existing law authorizes the school attendance review board or probation officer to notify the district attorney in a county that has elected to participate in a truancy mediation program. In a county that has not elected to participate in a truancy mediation program, existing law authorizes the county superintendent of schools to petition the juvenile court on behalf of a pupil for proper disposition of a case. In a county that has not established a school attendance review board, existing law authorizes the school district to notify the district attorney or probation officer, as specified, that available community resources cannot resolve the problem of truancy or insubordination.This bill would repeal the authority of those persons and entities to refer a pupil to the school attendance review board, district attorney, or probation officer, respectively, because the pupil was insubordinate or disorderly. The bill would repeal the authority of the county superintendent of schools to petition the juvenile court on behalf of a pupil, as described above, in a county that has not elected to participate in a truancy mediation program. The bill would make conforming changes to related provisions.This bill contains other related provisions and other existing laws. **Last Amended: 6/20/2019**	Oppose
AB 1486 Ting D **Surplus land.**	Senate Appropriations 7/3/2019-From committee: Do pass and re-refer to Com. on G.O. (Ayes 8. Noes 3.) (July 2). Re-referred to Com. on G.O. Withdrawn from committee. Re-referred to Com. on APPR. *8/12/2019 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, PORTANTINO, Chair*	(1)Existing law prescribes requirements for the disposal of surplus land by a local agency. Existing law defines "local agency" for these purposes as every city, county, city and county, and district, including school districts of any kind or class, empowered to acquire and hold real property. Existing law defines "surplus land" for these purposes as land owned by any local agency that is determined to be no longer necessary for the agency's use, except property being held by the agency for the purpose of exchange. Existing law defines "exempt surplus land" to mean land that is less than 5,000 square feet in area, less than the applicable minimum legal residential building lot size, or has no record access and is less than 10,000 square feet in area, and that is not contiguous to land owned by a state or local agency and used for park, recreational, open-space, or affordable housing.This bill would expand the definition of "local agency" to include sewer, water, utility, and local and regional park districts, joint powers authorities, successor agencies to former redevelopment agencies, housing authorities, and other political subdivisions of this state and any instrumentality thereof that is empowered to acquire and hold real property, thereby requiring these entities to comply with these requirements for the disposal of surplus land. The bill would specify that the term "district" includes all districts within the state, and that this change is declaratory of existing law. The bill would revise the definition of "surplus land" to mean land owned in fee simple by any local agency, for which the local agency's governing body takes formal action, in a regular public meeting, declaring that the land is surplus and is not necessary for the agency's use, as defined. The bill would provide that "surplus land" for these purposes includes land held in the Community Redevelopment Property Trust Fund and land that has been designated in the long-range property management plan, either for sale or for future development, as specified. The bill would also broaden the definition of "exempt surplus land" to include specified types of lands.This bill contains other related provisions and other existing laws. **Last Amended: 6/27/2019**	Oppose

SB 13 Wieckowski D **Accessory dwelling units.**	Assembly Appropriations 7/11/2019-From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (July 10).	(1)The Planning and Zoning Law authorizes a local agency, by ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, to provide for the creation of accessory dwelling units in single-family and multifamily residential zones. Existing law requires accessory dwelling units to comply with specified standards, including that the accessory dwelling unit is either attached to, or located within, the proposed or existing primary dwelling or detached if located within the same lot, and that it does not exceed a specified amount of total area of floor space.This bill would, instead, authorize the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use. The bill would also revise the requirements for an accessory dwelling unit by providing that the accessory dwelling unit may be attached to, or located within, an attached garage, storage area, or other structure, and that it does not exceed a specified amount of total floor area.This bill contains other related provisions and other existing laws. **Last Amended: 7/1/2019**	Oppose
SB 330 Skinner D **Housing Crisis Act of 2019.**	Assembly Appropriations 7/11/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 1.) (July 10). Re-referred to Com. on APPR. (Received at desk July 10 pursuant to JR 61(a)(10)).	(1)The Housing Accountability Act, which is part of the Planning and Zoning Law, prohibits a local agency from disapproving, or conditioning approval in a manner that renders infeasible, a housing development project for very low, low-, or moderate-income households or an emergency shelter unless the local agency makes specified written findings based on a preponderance of the evidence in the record. The act specifies that one way to satisfy that requirement is to make findings that the housing development project or emergency shelter is inconsistent with both the jurisdiction's zoning ordinance and general plan land use designation as specified in any element of the general plan as it existed on the date the application was deemed complete. The act requires a local agency that proposes to disapprove a housing development project that complies with applicable, objective general plan and zoning standards and criteria that were in effect at the time the application was deemed to be complete, or to approve it on the condition that it be developed at a lower density, to base its decision upon written findings supported by substantial evidence on the record that specified conditions exist, and places the burden of proof on the local agency to that effect. The act requires a court to impose a fine on a local agency under certain circumstances and requires that the fine be at least $10,000 per housing unit in the housing development project on the date the application was deemed complete.This bill, until January 1, 2025, would specify that an application is deemed complete for these purposes if a preliminary application was submitted, as described below.This bill contains other related provisions and other existing laws. **Last Amended: 7/1/2019**	Oppose
OTHER MONITORED LEGISLATION			
AB 35 Kalra D **Worker safety: blood lead levels: reporting.**	Senate Appropriations 7/10/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 4. Noes 1.) (July 10). Re-referred to Com. on APPR. *8/12/2019 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, PORTANTINO, Chair*	Existing law requires the Department of Industrial Relations, by interagency agreement with the State Department of Public Health, to establish a repository of current data on toxic materials and harmful physical agents in use or potentially in use in places of employment in the state. That repository is known as the Hazard Evaluation System and Information Service (HESIS). Existing law requires the HESIS, among other things, to provide information and collect and evaluate data relating to possible hazards to employees resulting from exposure to toxic materials or harmful physical agents. Existing law establishes the Division of Occupational Safety and Health within the Department of Industrial Relations and requires the division to, among other things, monitor, analyze, and propose health and safety standards for workers. Existing law authorizes the Division of Occupational Safety and Health to adopt regulations to implement health and safety standards.This bill would require the State Department of Public Health (department) to consider a report from a laboratory of an employee's blood lead level at or above 20 micrograms per deciliter to be injurious to the health of the employee and to report that case within 5 business days of receiving the report to the Division of Occupational Safety and Health (division). The bill would further provide that the above-described report would constitute a serious violation and subject the employer or place of employment to an investigation, as provided, by the division, and would require the division to make any citations or fines imposed as a result of the investigation publicly available on an annual basis. The bill would specify that the blood lead levels identified in these provisions that trigger action by the department and the division do not supersede any lower blood lead levels established by regulations adopted by the division that would trigger required action by an employer. **Last Amended: 3/21/2019**	
AB 36 Bloom D	Assembly Rules	Existing law, the Costa-Hawkins Rental Housing Act, prescribes statewide limits on the application of local rent control with regard to certain properties. That act, among other things, authorizes an owner of residential real	

Residential tenancies: rent control.	4/25/2019-Re-referred to Com. on RLS. pursuant to Assembly Rule 96(a).	property to establish the initial and all subsequent rental rates for a dwelling or unit that has been issued a certificate of occupancy after February 1, 1995, has already been exempt from a residential rent control ordinance as of February 1, 1995, pursuant to a local exemption for newly constructed units, or is alienable separate from the title to any other dwelling unit or is a subdivided interest in a subdivision and meets specified requirements, subject to certain exceptions.This bill would modify those provisions to authorize an owner of residential real property to establish the initial and all subsequent rental rates for a dwelling or unit that has been issued its first certificate of occupancy within 20 years of the date upon which the owner seeks to establish the initial or subsequent rental rate, or for a dwelling or unit that is alienable separate from the title to any other dwelling unit or is a subdivided interest in a subdivision and the owner is a natural person who owns 10 or fewer residential units within the same jurisdiction as the dwelling or unit for which the owner seeks to establish the initial or subsequent rental rate, subject to certain exceptions. **Last Amended: 4/22/2019**	
AB 69 Ting D **Land use: accessory dwelling units.**	Senate Appropriations Suspense File 7/1/2019-In committee: Referred to APPR. suspense file.	Existing law requires the Department of Housing and Community Development to propose building standards to the California Building Standards Commission, and to adopt, amend, or repeal rules and regulations governing, among other things, apartment houses and dwellings, as specified.This bill would require the department to propose small home building standards governing accessory dwelling units smaller than 800 square feet, junior accessory dwelling units, and detached dwelling units smaller than 800 square feet, as specified, and to submit the small home building standards to the California Building Standards Commission for adoption on or before January 1, 2021. **Last Amended: 6/20/2019**	
AB 125 McCarty D **Early childhood education: reimbursement rates.**	Senate Appropriations 7/10/2019-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 7. Noes 0.) (July 10). Re-referred to Com. on APPR. *8/12/2019 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, PORTANTINO, Chair*	(1)The Child Care and Development Services Act establishes a system of childcare and development services for children up to 13 years of age. Existing law requires the Superintendent of Public Instruction to implement a plan that establishes reasonable standards and assigned reimbursement rates, which vary with the length of the program year and the hours of service. Existing law requires the reimbursement system to be submitted to the Joint Legislative Budget Committee.This bill would require the Superintendent to implement a reimbursement system plan that establishes reasonable standards and assigned reimbursement rates that would vary with additional factors, including a quality adjustment factor to address the cost of staffing ratios, as provided. The bill would require the reimbursement system plan, including methodology, standards, county rate targets as provided, and the total statewide funding amount necessary to reach annual rate targets for all agencies to be annually submitted to the Joint Legislative Budget Committee, on or before November 10. The bill would require the plan to include a formula for annually adjusting reimbursement rates, as provided.This bill contains other related provisions and other existing laws. **Last Amended: 6/18/2019**	
AB 137 Cooper D **Facilities of the State Plan of Flood Control.**	Senate Appropriations 7/11/2019-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 8. Noes 0.) (July 9). Read second time and amended. Re-referred to Com. on APPR. *8/12/2019 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, PORTANTINO, Chair*	Existing law establishes the Central Valley Flood Protection Board and authorizes the board to engage in various flood control activities along the Sacramento River, the San Joaquin River, their tributaries, and related areas. Existing law requires every plan of reclamation, flood control, drainage, improvement, dredging, or work, that includes or contemplates the construction, enlargement, revetment, or alteration of any levee, embankment, canal, or other excavation in the bed of or along or near the banks of the Sacramento or San Joaquin Rivers or any of their tributaries or connected therewith, upon any land adjacent thereto, within any of the overflow basins thereof, or upon any land susceptible to overflow therefrom, to be approved by the board before construction is commenced. Existing law prohibits a levee along a river or bypass at any of those specified places, or any levee forming part of any adopted flood control plan, from being cut or altered without permission of the board. Existing law makes a violation of the latter provisions a misdemeanor.This bill would instead prohibit a person from concealing, defacing, destroying, modifying, using, occupying, cutting, altering, or physically or visually obstructing any levee along a river or bypass at any of those specified places, any levee forming part of any flood control plan, or any other facility of the State Plan of Flood Control, including, but not limited to, any and all associated rights of way, without permission of the board. By expanding the behavior that would be punishable as a misdemeanor, the bill would impose a state-mandated local program. The bill would authorize the board or its designee, or a local agency that maintains the levee or facility, to inspect and remove any physical or visual obstructions placed or alterations made on any of the above-specified levees or facilities, including, but not limited to, any and all associated rights of way. The bill would authorize a peace officer, as defined, to enforce those provisions punishable by a misdemeanor in any place in the state to which the peace	

		officer's authority extends.This bill contains other related provisions and other existing laws. **Last Amended: 7/11/2019**	
AB 175 Gipson D **Foster care: rights.**	Senate Appropriations 7/10/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 1.) (July 9). Re-referred to Com. on APPR. *8/12/2019 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, PORTANTINO, Chair*	Existing law provides for the out-of-home placement, including foster care placement, of children who are unable to remain in the custody and care of their parents, and imposes various requirements on the county child welfare agency in regard to arranging and overseeing the foster care placement. Existing law provides that it is the policy of the state that all minors and nonminors in foster care have specified rights, including, among others, the right to receive medical, dental, vision, and mental health services, the right to be placed in out-of-home care according to their gender identity, regardless of the gender or sex listed in their court or child welfare records, the right to review their own case plan and plan for permanent placement if the child is 12 years of age or older and in a permanent placement, and the right to attend Independent Living Program classes and activities if the child meets applicable age requirements.This bill would instead require all children and nonminor dependents in foster care to have these rights and would revise various rights, including providing the right to review their own case plan and plan for permanent placement to children 10 years of age or older regardless of whether they are in a permanent placement and the right to not be prevented from attending Independent Living Program classes by the caregiver as a punishment. The bill would include additional rights, including, among others, the right to be referred to by the child's preferred name and gender pronoun, the right to maintain the privacy of the child's sexual orientation and gender identity and expression, except as provided, and the right to have reasonable access to computer technology and the internet. To the extent that the bill would impose additional duties on counties, this bill would impose a state-mandated local program.This bill contains other related provisions and other existing laws. **Last Amended: 6/28/2019**	
AB 206 Chiu D **Public nuisance: abatement: lead-based paint.**	Senate Third Reading 6/24/2019-Read second time. Ordered to third reading.	Existing law defines a public nuisance as one that affects an entire community or neighborhood at the same time, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal, and provides that a public nuisance may be remedied by an indictment or information, a civil action, or abatement.This bill would make a property owner, or agent thereof, who participates in a program to abate lead-based paint created as a result of a judgment or settlement in any public nuisance or similar litigation, and all public entities, immune from liability in any lawsuit seeking to recover any cost associated with that abatement program. The bill would prohibit participation in a lead paint abatement program from being considered as evidence that a property constitutes a nuisance, or is substandard or untenantable, as provided. **Last Amended: 5/30/2019**	
AB 213 Reyes D **Local government finance: property tax revenue allocations: vehicle license fee adjustments.**	Senate Appropriations 7/8/2019-In committee: Set, first hearing. Hearing canceled at the request of author.	Existing property tax law requires the county auditor, in each fiscal year, to allocate property tax revenue to local jurisdictions in accordance with specified formulas and procedures, and generally provides that each jurisdiction be allocated an amount equal to the total of the amount of revenue allocated to that jurisdiction in the prior fiscal year, subject to certain modifications, and that jurisdiction's portion of the annual tax increment, as defined.This bill, for the 2019–20 fiscal year, would instead require the vehicle license fee adjustment amount to be the sum of the vehicle license fee adjustment amount in the 2018–19 fiscal year, the product of that sum and the percentage change in gross taxable assessed valuation within the jurisdiction of that entity between the 2018–19 fiscal year to the 2018–19 fiscal year, and the product of the amount of specified motor vehicle license fee revenues that the Controller allocated to the applicable city in July 2010 and 1.17. This bill, for the 2020–21 fiscal year, and for each fiscal year thereafter, would require the vehicle license fee adjustment amount to be the sum of the vehicle license fee adjustment amount for the prior fiscal year and the product of the amount as so described and the percentage change from the prior fiscal year in gross taxable assessed valuation within the jurisdiction of the entity.This bill contains other related provisions and other existing laws.	
AB 256 Aguiar-Curry D **Wildlife: California Winter Rice Habitat**	Senate Appropriations 7/10/2019-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 8. Noes 0.) (July 9). Re-referred to Com. on APPR.	Existing law establishes the California Winter Rice Habitat Incentive Program that authorizes the Director of Fish and Wildlife to enter into contracts for an initial term of 3 years with nonpublic entities that are owners of record or with lessees of productive agricultural rice lands that are winter-flooded and that are determined by the director to be important for the conservation of waterfowl. Existing law provides that, under these contracts, the use of the land is restricted for waterfowl conservation and habitat purposes in a manner that allows for the use of the land for rice farming.Existing law requires the lessees of the rice lands to have the owners of record execute the contracts and defines "productive agricultural rice lands that are winter-flooded" for these purposes.	

Incentive Program.	*8/12/2019 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, PORTANTINO, Chair*	Existing law requires each contract to include, among other things, an agreement by the owner and any lessee to restore, enhance, and protect the waterfowl habitat character of the described land.This bill would no longer require the lessees of the rice lands to have the owners of record execute the contracts and would revise the definition of "productive agricultural rice lands that are winter-flooded." The bill would revise that agreement to instead require an agreement by the owner and the lessee to restore, enhance, and protect the waterfowl habitat character of an established number of acres of described land that may be annually rotated provided that the minimum contracted acreage amount is achieved for each of the contracted winter-flooding seasons. The bill would also authorize the Department of Fish and Wildlife to contract with a qualified entity that has demonstrated experience and understanding of California rice farming practices and wildlife-related conservation practices to administer the conservation contracts on behalf of the department. **Last Amended: 6/28/2019**	
AB 302 Berman D **Parking: homeless students.**	Senate Appropriations 7/11/2019-Read second time and amended. Re-referred to Com. on APPR.	Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, and authorizes the governing board of a community college district to grant the use of college facilities or grounds for specified purposes. Existing law requires a community college campus that has shower facilities for student use to grant access, as specified, to those facilities to any homeless student who is enrolled in coursework, has paid enrollment fees, and is in good standing with the community college district, and requires the community college to determine a plan of action to implement this requirement.This bill, until December 31, 2022, would require a community college campus that has parking facilities on campus to grant overnight access to those facilities, commencing on or before April 1, 2020, to any homeless student who is enrolled in coursework, has paid any enrollment fees that have not been waived, and is in good standing with the community college, for the purpose of sleeping in the student's vehicle overnight. The bill would require the governing board of the community college district, commencing on or before April 1, 2020, and with the participation of student representatives, to determine a plan of action to implement this requirement, as specified. The bill would require a community college district to develop a document that clearly and concisely describes the rules and procedures established pursuant to the bill's overnight parking requirements, provide the document to participating students, and make the document available at an overnight parking facility in paper form or post the document conspicuously on the internet website of the community college campus in which the facility is located. The bill would also grant a community college district immunity from civil liability for a district employee's good faith act or omission that fails to prevent an injury to a participating student that occurs in, or in close proximity to, and during the hours of operation of, overnight parking. The bill would limit this immunity by making the immunity inapplicable to gross negligence, intentional misconduct, or violations of other provisions of law.This bill contains other related provisions and other existing laws. **Last Amended: 7/11/2019**	
AB 324 Aguiar-Curry D **Childcare services: state-subsidized childcare: professional support stipends.**	Senate Appropriations 7/9/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (July 8). Re-referred to Com. on APPR. *8/12/2019 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, PORTANTINO, Chair*	Existing law requires the State Department of Education to contract with local contracting agencies for alternative payment programs that are intended to allow for maximum parental choice in childcare. Existing law requires that moneys in a specified item of the Budget Act of 2000 be allocated to local childcare and development planning councils based on the percentage of state-subsidized, center-based childcare funds received in the county in which the council is located, and requires that these funds be used to address the retention of qualified childcare employees in state-subsidized childcare centers.This bill would instead require these funds to be used to address the professional support of qualified childcare employees in state-subsidized childcare centers.This bill contains other related provisions and other existing laws. **Last Amended: 6/27/2019**	
AB 454 Kalra D **Migratory birds: California**	Senate Appropriations 7/10/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 1.) (July 9). Re-referred to Com. on APPR. *8/12/2019 10 a.m. - John L. Burton Hearing Room*	Existing federal law, the Migratory Bird Treaty Act, provides for the protection of migratory birds, as specified. The federal act also authorizes states and territories of the United States to make and enforce laws or regulations that give further protection to migratory birds, their nests, and eggs. Existing state law makes unlawful the taking or possession of any migratory nongame bird, or part of any migratory nongame bird, as designated in the federal act, except as provided by rules and regulations adopted by the United States Secretary of the Interior under provisions of the federal act.This bill, the California Migratory Bird Protection Act, would instead, until January 20, 2025, make unlawful the taking or possession of any migratory nongame bird designated in the	

Migratory Bird Protection Act.	*(4203) SENATE APPROPRIATIONS, PORTANTINO, Chair*	federal act before January 1, 2017, any additional migratory nongame bird that may be designated in the federal act after that date, or any part of those migratory nongame birds, except as provided by rules and regulations adopted by the United States Secretary of the Interior under the federal act before January 1, 2017, or subsequent rules or regulations adopted pursuant to the federal act, unless those rules or regulations are inconsistent with the Fish and Game Code.This bill contains other related provisions and other existing laws. **Last Amended: 5/16/2019**	
AB 457 Quirk D **Occupational safety and health: lead: permissible exposure levels.**	Senate Inactive File 7/5/2019-Ordered to inactive file at the request of Senator Hill.	Existing law authorizes the Occupational Safety and Health Standards Board (board) to adopt, amend, or repeal occupational safety and health standards and orders, as prescribed. Existing law requires the Division of Occupational Safety and Health in the Department of Industrial Relations, known as Cal-OSHA, to propose to the board for its review and adoption, a standard that protects the health and safety of employees who engage in lead-related construction work and meets all requirements imposed by the federal Occupational Safety and Health Administration. Existing regulations promulgated by the division require an employer to ensure that an employee is not exposed to lead at concentrations greater than 50 micrograms per cubic meter of air averaged over an 8-hour period.This bill would require Cal-OSHA to conduct rulemaking, in conjunction with the standards board, as specified, to complete the rulemaking and adopt the lead standards in the regulations described above no later than February 1, 2020. The bill would authorize the adoption of emergency regulations by the standards board as necessary to implement these provisions. **Last Amended: 5/13/2019**	
AB 600 Chu D **Local government: organization: disadvantaged unincorporated communities.**	Senate Third Reading 6/24/2019-Read second time. Ordered to third reading.	The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the authority and procedure for the initiation, conduct, and completion of changes of organization, reorganization, and sphere of influence changes for cities and districts, as specified. Existing law prohibits a local agency formation commission from approving an annexation to a city of any territory greater than 10 acres where there exists a disadvantaged unincorporated community that is contiguous to the area of proposed annexation, unless an application to annex the disadvantaged unincorporated community into the subject city has been filed. Under existing law, an application to annex a contiguous disadvantaged community is not required if, among other things, the commission finds that a majority of the registered voters within the disadvantaged unincorporated community are opposed to the annexation, as specified.This bill would additionally provide that an application to annex a contiguous disadvantaged community is not required if the commission finds that a majority of the registered voters within the affected disadvantaged unincorporated community would prefer to address the service deficiencies through an extraterritorial service extension.This bill would also provide that the existing approval prohibition and the exemptions to the application requirement, as so expanded, apply to the annexation of two or more contiguous areas that take place within 5 years of each other and that are individually less than 10 acres but cumulatively more than 10 acres. **Last Amended: 4/29/2019**	
AB 627 Frazier D **Developmental services: regional centers.**	Senate Appropriations 6/25/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (June 24). Re-referred to Com. on APPR. *8/12/2019 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, PORTANTINO, Chair*	Existing law, the Lanterman Developmental Disabilities Services Act, requires the State Department of Developmental Services to contract with regional centers to provide services and supports to individuals with developmental disabilities. Existing law requires contracts between the department and regional centers to specify the service area and the categories of persons that regional centers are expected to serve and the services and supports that are to be provided.This bill would require the Director of Developmental Services to identify regional centers that are in need of a satellite office or satellite offices in catchment areas where barriers to access may exist. The bill would require the director, on or before July 1, 2020, to consult with each regional center identified by the director to determine an appropriate location for the satellite office or offices. The bill would require each regional center identified by the director to inform the public of its plans to open one or more satellite offices, and to offer services to individuals with developmental disabilities at those satellite offices on or before July 1, 2021. **Last Amended: 5/16/2019**	
AB 819 Stone, Mark D **Foster care.**	Senate Appropriations 7/9/2019-From committee: Do pass and re-refer to Com. on PUB. S. (Ayes 6. Noes 0.) (July 8). Re-referred to Com. on PUB. S. From committee: Do pass and re-refer to Com. on APPR. with	(1)Existing law, commonly known as Continuum of Care Reform (CCR), states the intent of the Legislature to improve California's child welfare system and its outcomes by increasing the use of home-based family care and creating faster paths to permanency resulting in shorter durations of involvement in the child welfare and juvenile justice systems, among other things.This bill would require counties and foster family agencies, when a resource family seeks approval by a subsequent foster family agency or transfer of their approval to a county, to request or provide documents in the resource family file maintained by a county or the resource family case	

	recommendation: To Consent Calendar. (Ayes 7. Noes 0.) (July 9). Re-referred to Com. on APPR. *8/12/2019 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, PORTANTINO, Chair*	record maintained by a foster family agency, including any updates to the file or record. By imposing additional duties on counties, the bill would impose a state-mandated local program.This bill contains other related provisions and other existing laws. **Last Amended: 7/1/2019**	
AB 831 Grayson D **Department of Housing and Community Development: study: local fees: new developments.**	Senate Rules 6/6/2019-Referred to Com. on RLS.	Existing law requires the Department of Housing and Community Development, by June 30, 2019, to complete a study to evaluate the reasonableness of local fees charged to new developments, as defined, and requires the study to include findings and recommendations regarding potential amendments to the Mitigation Fee Act to substantially reduce fees for residential development.This bill would require the department to post the study on its internet website on or before March 1, 2020. The bill would also require the department, by January 1, 2024, to issue a report to the Legislature on the progress of cities and counties in adopting the recommendations made in the study. **Last Amended: 5/16/2019**	
AB 836 Wicks D **Wildfire Smoke Clean Air Centers for Vulnerable Populations Incentive Program.**	Senate Appropriations 7/3/2019-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 7. Noes 0.) (July 3). Re-referred to Com. on APPR. *8/12/2019 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, PORTANTINO, Chair*	Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution and air pollution control and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources.This bill would establish the Wildfire Smoke Clean Air Centers for Vulnerable Populations Incentive Program, to be administered by the state board, to provide funding through a grant program to retrofit ventilation systems to create a network of clean air centers in order to mitigate the adverse public health impacts due to wildfires and other smoke events, as specified. The bill would specify that moneys for the program would be available upon appropriation. **Last Amended: 5/20/2019**	
AB 849 Bonta D **Elections: city and county redistricting.**	Senate Appropriations 7/10/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 1.) (July 10). Re-referred to Com. on APPR. *8/12/2019 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, PORTANTINO, Chair*	Existing law establishes criteria and procedures pursuant to which cities and counties adjust or adopt council and supervisorial district area boundaries, as applicable, for the purpose of electing members of the governing body of each of those local jurisdictions.This bill would revise and recast these provisions. The bill would require the governing body of each local jurisdiction described above to adopt new district boundaries after each federal decennial census, except as specified. The bill would specify redistricting criteria and deadlines for the adoption of new boundaries by the governing body. The bill would specify hearing procedures that would allow the public to provide input on the placement of boundaries and on proposed boundary maps. The bill would require the governing body to take specified steps to encourage the residents of the local jurisdiction to participate in the redistricting process. By increasing the duties of these local jurisdictions, the bill would impose a state-mandated local program.This bill contains other related provisions and other existing laws. **Last Amended: 7/3/2019**	
AB 933 Petrie-Norris D **Ecosystem resilience: watershed protection: watershed coordinators.**	Senate Appropriations 7/11/2019-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 7. Noes 1.) (July 9). Read second time and amended. Re-referred to Com. on APPR. *8/12/2019 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, PORTANTINO, Chair*	Existing law provides that it is the intent of the Legislature that the state should coordinate and integrate its watershed programs and implement those programs by working with diverse interests at the local level. Existing law provides that the state's watershed management goals should include maintaining and restoring healthy watersheds that support thriving communities, provide clean water, and sustain natural habitats for future generations.This bill would require the department, to the extent funds are available, to establish and administer the Ecosystem Resilience Program to fund watershed coordinator positions, as provided, and other necessary costs, throughout the state for the purpose of achieving specified goals, including the goal to develop and implement watershed improvement plans, and other plans to enhance the natural functions of a watershed, aligned with multiple statewide and regional objectives across distinct bioregions. The bill would require the department to develop performance measures and accountability controls to track progress and outcomes of all watershed coordinator grants. The bill would require, on or before January 31, 2022, and every 3 years	

		thereafter, the department to report those outcomes to the appropriate fiscal and policy committees of the Legislature.This bill contains other existing laws. **Last Amended: 7/11/2019**	
AB 936 Rivas, Robert D **Oil spills: response and contingency planning.**	Senate Appropriations 7/3/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 1.) (July 3). Re-referred to Com. on APPR. *8/12/2019 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, PORTANTINO, Chair*	(1)The Lempert-Keene-Seastrand Oil Spill Prevention and Response Act generally requires the administrator for oil spill response, acting at the direction of the Governor, to implement activities relating to oil spill response, including emergency drills and preparedness, and oil spill containment and cleanup, and to represent the state in any coordinated response efforts with the federal government. Existing law requires the Governor to establish a California oil spill contingency plan that provides for an integrated and effective state procedure to combat the results of major oil spills within the state and that specifies state agencies to implement the plan. Existing law requires the administrator to submit to the Governor and the Legislature an amended California oil spill contingency plan that addresses marine oil spills, by January 1, 1993, and to submit revised plans every 3 years thereafter. Beginning January 1, 2017, and every 3 years thereafter, the administrator is required to submit an amended California oil spill contingency plan that addresses both marine and inland oil spills.This bill would define "nonfloating oil" for purposes of the act. The bill would require the administrator to hold, on or before January 1, 2022, a technology workshop devoted solely to the topic of technology for addressing nonfloating oil spills, to conduct and publish a review of scientific and technical literature concerning that technology, to make a set of findings defining the elements of state-of-the-art response capability to nonfloating oil spills and identifying the best achievable technology and best practices for responding to those spills, and to update those findings at least biennially thereafter. The bill would require the administrator to include in the revision to the California oil spill contingency plan due on or before January 1, 2023, provisions addressing nonfloating oil reflecting findings made following the technology workshop and review of scientific and technical literature. The bill, upon appropriation by the Legislature, would require the administrator to conduct testing of new products for use in nonfloating oil spill cleanup, and to provide grants or conduct technology competitions to facilitate the development of those products.This bill contains other related provisions and other existing laws. **Last Amended: 6/26/2019**	
AB 1001 Ting D **Child care: strategic planning councils.**	Senate Appropriations 7/9/2019-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 6. Noes 0.) (July 8). Re-referred to Com. on APPR. *8/12/2019 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, PORTANTINO, Chair*	Existing law requires the county board of supervisors and the county superintendent of schools to select members for the local child care and development planning council, known as a local planning council, for that county. Existing law provides requirements for the makeup of a local planning council. Existing law requires a local planning council, by May 30 of each year, and upon approval by the county board of supervisors and the county superintendent of schools, to submit to the State Department of Education the local priorities it has identified that reflect all child care needs in the county, and requires the local planning council, in order to identify those local priorities, to do certain things, including, among others, encourage public input in the development of the priorities, collaborate with specified entities to foster partnerships designed to meet local child care needs, and conduct an assessment of child care needs in the county at least once every 5 years. Existing law defines "child care" for purposes of these provisions to mean all licensed child care and development services and license-exempt child care for all children up to and including 12 years of age, as provided.This bill would rename "local planning council" to "strategic planning council" and would revise the definition of "child care" to include early childhood education services. The bill would revise the makeup requirements for strategic planning councils, as provided. The bill would authorize a county board of supervisors and a county superintendent of schools to merge the strategic planning council with the Quality Rating and Improvement System local consortia or with another strategic planning council in a contiguous county under certain conditions, as provided. The bill would repeal all of the requirements imposed on strategic planning councils in order for the strategic planning council to identify local priorities, except those listed above, as provided. The bill would require the needs assessment to be due by May 30 of each year in which it is due, and would require a strategic planning council, beginning in 2021, to use the needs assessment template developed by the department in collaboration with the strategic planning councils. The bill would require specified state and local entities to provide to the department the information necessary for a strategic planning council to complete the needs assessment, and would require the department to share data and information necessary to complete the needs assessment with strategic planning councils and counties implementing individualized county child care subsidy plans.This bill contains other related provisions and other existing laws. **Last Amended: 7/3/2019**	

AB 1019 Frazier D **Apprenticeship: developmentally disabled persons.**	Assembly Enrolled 7/23/2019-Enrolled and presented to the Governor at 11:30 a.m.	Existing law establishes the Interagency Advisory Committee on Apprenticeship (committee) within the Division of Apprenticeship Standards within the Department of Industrial Relations, and requires that committee to provide advice and guidance to the Administrator of Apprenticeship and the Chief of the Division of Apprenticeship Standards on apprenticeship programs, standards, and agreements, as well as preapprenticeship, certification, and on-the-job training and retraining programs, in nonbuilding trades industries. Existing law requires the membership of the committee to be composed of specified ex officio members of various departments and 6 persons appointed by the Secretary of Labor and Workforce Development who are familiar with specified apprenticeable occupations that meet specified requirements. Existing law authorizes the committee to create subcommittees as needed to address specific industry sectors or projects.This bill would add to the ex officio members of the committee the Director of Rehabilitation and the executive director of the State Council on Developmental Disabilities. The bill would require the committee to create a subcommittee to address apprenticeship for the disabled community.This bill contains other related provisions and other existing laws. **Last Amended: 4/10/2019**	
AB 1137 Nazarian D **The California Department of Aging.**	Senate Appropriations Suspense File 7/1/2019-In committee: Referred to APPR. suspense file.	Existing law, the Mello-Granlund Older Californians Act, establishes the California Department of Aging in the California Health and Human Services Agency, and sets forth its mission to provide leadership to the area agencies on aging in developing systems of home- and community-based services that maintain individuals in their own homes or least restrictive homelike environments. Existing law requires the department to develop minimum standards for service delivery, and requires those standards to ensure that a system meets specified requirements, including that it has cost containment and fiscal incentives consistent with the delivery of appropriate services at the appropriate level.This bill would delete that cost containment and fiscal incentives requirement.This bill contains other related provisions and other existing laws. **Last Amended: 4/22/2019**	
AB 1275 Santiago D **Mental health services: county pilot program.**	Senate Appropriations Suspense File 7/8/2019-In committee: Referred to APPR. suspense file.	Existing law establishes a community support system to, among other things, conduct active outreach to persons who are mentally disabled and homeless to secure and maintain income, housing, food, and clothing. Existing law states the intent of the Legislature, when funds are made available, that counties ensure the delivery of long-range services and community support assistance to these persons.This bill would require the State Department of Health Care Services to establish a 3-year pilot project to include the County of Los Angeles and up to 9 additional counties in which each participating county would be required to establish an outreach team, comprised of county employees, to provide outreach services to individuals with a history of mental illness or substance use disorders who are unable to provide for urgently needed medical care and who are homeless or at risk of experiencing homelessness. The bill would require an outreach team to facilitate early intervention and treatment for these individuals in the least restrictive environment and to provide intensive outreach, case management, and linkage to services, including housing and treatment services. The bill would require the department to report to the Legislature during the course of the pilot project, as specified. The bill would only become operative upon appropriation by the Legislature for the specific implementation and administration of the pilot program. **Last Amended: 5/16/2019**	
AB 1362 O'Donnell D **Electricity: load-serving entities: rate and program information.**	Senate Appropriations 7/2/2019-Action From E. U., & C.: Do pass as amended.To APPR..	Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. Existing law authorizes a community choice aggregator to aggregate the electrical load of electricity consumers within its boundaries and within the service territory of an electrical corporation. Existing law requires an electrical corporation to cooperate fully with any community choice aggregator that investigates, pursues, or implements community choice aggregation programs, including providing appropriate billing and electrical load data, which includes electrical consumption data, as defined. Under existing law, a violation of the Public Utilities Act or any order, decision, rule, direction, demand, or requirement of the commission is a crime.This bill would require the commission to establish a centralized clearinghouse of residential electric rate tariffs and programs of electrical corporations, electric service providers, and community choice aggregators to enable customers and local governments to compare rates, services, environmental attributes, and other offerings. The bill would require this information to be available and easily accessible on the commission's and those electricity providers' internet websites. The bill would require each of those electricity providers to make available to the commission all information about its residential electric rate tariffs and programs.This bill contains other related provisions and other existing laws. **Last Amended: 6/24/2019**	

AB 1396 Obernolte R **Protective orders: elder and dependent adults.**	Senate Third Reading 7/5/2019-From Consent Calendar. Ordered to third reading.	Existing law authorizes an elder or dependent adult who has suffered abuse, or another person who is legally authorized to seek that relief on behalf of that elder or dependent adult, to seek a protective order and governs the procedures for issuing that order.This bill would authorize the court to order a restrained party, if appropriate, to participate in mandatory clinical counseling or anger management courses, as specified, when the court issues a protective order for abuse involving acts of physical abuse or acts of deprivation by a care custodian of goods or services that are necessary to avoid physical harm or mental suffering. The bill would require the Judicial Council, on or before January 1, 2021, to revise or promulgate forms as necessary to effectuate these provisions. The bill would also require each county adult protective services agency, in consultation with local elder abuse prevention programs, to develop a resource list of appropriate community elder abuse prevention programs and services in the county and to provide the resources to all trial court facilities in the county with self-help services and to each person applying for a protective order pursuant to the above-described provisions. By imposing an additional duty on county adult protective services agencies, this bill would create a state-mandated local program.This bill contains other existing laws. **Last Amended: 5/20/2019**	
AB 1483 Grayson D **Housing data: collection and reporting.**	Senate Appropriations 7/10/2019-VOTE: Do pass as amended, but first amend, and re-refer to the Committee on [Appropriations] (PASS)	(1)The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. That law requires the planning agency of a city or county to provide by April 1 of each year an annual report to, among other entities, the Department of Housing and Community Development (department) that includes, among other specified information, the number of net new units of housing that have been issued a completed entitlement, a building permit, or a certificate of occupancy, thus far in the housing element cycle, as provided. This bill would require a planning agency to include in that annual report specified additional information regarding housing development projects located within the jurisdiction, and other information as provided. The bill would require the department, if requested, to provide technical assistance in providing this additional information to the local public entity. The bill would also authorize the department to assess the accuracy of the information submitted as part of the annual report and, if it determines that any report submitted to it by a planning agency contains inaccurate information, require that the planning agency correct that inaccuracy. The bill would require the department to publish each report submitted pursuant to these provisions on its internet website within a reasonable time of receiving the report.This bill contains other related provisions and other existing laws. **Last Amended: 6/24/2019**	
AB 1516 Friedman D **Fire prevention: wildfire risk: defensible space and fuels reduction management.**	Senate Appropriations 7/10/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 12. Noes 0.) (July 10). Re-referred to Com. on APPR. *8/12/2019 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, PORTANTINO, Chair*	(1)Existing law requires the Director of Forestry and Fire Protection to identify areas in the state as very high fire hazard severity zones based on specified criteria and the severity of the fire hazard. Existing law requires that 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 repeated violation within a specified timeframe of those requirements is a crime.This bill would require a person described above to utilize more intense fuel reductions between 5 and 30 feet around the structure, and to create a noncombustible zone within 5 feet of the structure. Because a violation of these provisions would be a crime or expand the scope of an existing crime, the bill would impose a state-mandated local program.This bill contains other related provisions and other existing laws. **Last Amended: 7/3/2019**	
AB 1544 Gipson D **Community Paramedicine or Triage to Alternate Destination Act.**	Senate Appropriations 7/11/2019-Read second time and amended. Re-referred to Com. on APPR. *8/12/2019 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, PORTANTINO, Chair*	(1)Existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, governs local emergency medical services (EMS) systems. The existing act establishes the Emergency Medical Services Authority, which is responsible for the coordination and integration of EMS systems. Among other duties, existing law requires the authority to develop planning and implementation guidelines for EMS systems, provide technical assistance to existing agencies, counties, and cities for the purpose of developing the components of EMS systems, and receive plans for the implementation of EMS and trauma care systems from local EMS agencies. Existing law makes violation of the act or regulations adopted pursuant to the act punishable as a misdemeanor.This bill would establish within the act until January 1, 2030, the Community Paramedicine or Triage to Alternate Destination Act of 2019. The bill would authorize a local	

		EMS agency to develop a community paramedicine or triage to alternate destination program, as defined, to provide specified community paramedicine services. The bill would require the authority to develop regulations to establish minimum standards for a program and would further require the Commission on Emergency Medical Services to review and approve those regulations. The bill would require the authority to review a local EMS agency's proposed program and approve, approve with conditions, or deny the proposed program no later than 6 months after it is submitted by the local EMS agency. The bill would require a local EMS agency that opts to develop a program to perform specified duties that include, among others, integrating the proposed program into the local EMS agency's EMS plan. The bill would require the Emergency Medical Services Authority to submit an annual report on the community paramedicine or triage to alternate destination programs operating in California to the Legislature, as specified. The bill would also require the authority to contract with an independent 3rd party to prepare a final report on the results of the community paramedicine or triage to alternate destination programs on or before June 1, 2028, as specified.This bill contains other related provisions and other existing laws. **Last Amended: 7/11/2019**	
AB 1560 Friedman D **California Environmental Quality Act: transportation: major transit stop.**	Senate Appropriations 7/8/2019-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on APPR. *8/12/2019 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, PORTANTINO, Chair*	The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA exempts from its requirements residential projects on infill sites that meet certain requirements, including a requirement that the projects are located within 1/2 mile of a major transit stop. CEQA defines "major transit stop" to include, among other things, the intersection of 2 or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.This bill would revise the definition of "major transit stop" to include a bus rapid transit station, as defined.This bill contains other existing laws. **Last Amended: 7/8/2019**	
AB 1633 Grayson D **Regional transportation plans: traffic signal optimization plans.**	Senate Appropriations 6/27/2019-Withdrawn from committee. Re-referred to Com. on APPR. *8/12/2019 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, PORTANTINO, Chair*	Existing law requires designated transportation planning agencies to, among other things, prepare and adopt a regional transportation plan. Existing law requires a regional transportation plan to include a policy element, an action element, a financial element, and, if the transportation planning agency is also a metropolitan planning organization, a sustainable communities strategy. Existing law requires each transportation planning agency to consider and incorporate into its regional transportation plan the transportation plans of cities, counties, districts, private organizations, and state and federal agencies, as appropriate.This bill would authorize a city located within the jurisdiction of MTC to develop and implement a traffic signal optimization plan intended to reduce emissions of greenhouse gases, criteria air pollutants, and toxic air contaminants, and to reduce travel times, the number of stops, and fuel use. The bill would also require the Department of Transportation and a city that develops a traffic signal optimization plan pursuant to these provisions to coordinate on any adjustments to traffic signals owned or operated by the department.This bill contains other existing laws. **Last Amended: 6/26/2019**	
ACA 3 Mathis R **Clean Water for All Act.**	Assembly Water, Parks and Wildlife 4/30/2019-In committee: Set, first hearing. Failed passage. Reconsideration granted.	Under existing law, the Department of Water Resources performs duties relating to water resources throughout the state, and the State Water Resources Control Board exercises regulatory functions relating to water quality. Existing law, the Water Quality, Supply, and Infrastructure Improvement Act of 2014, approved by the voters as Proposition 1 at the November 4, 2014, statewide general election, authorizes the issuance of general obligation bonds in the amount of $7,545,000,000 to finance a water quality, supply, and infrastructure improvement program.This measure, the Clean Water for All Act, would additionally require, commencing with the 2021–22 fiscal year, not less than 2% of specified state revenues to be set apart for the payment of principal and interest on bonds authorized pursuant to the Water Quality, Supply, and Infrastructure Improvement Act of 2014; water supply, delivery, and quality projects administered by the department, and water quality projects administered by the state board, as provided.This bill contains other existing laws. **Last Amended: 3/20/2019**	
ACR 1 Bonta D	Senate Third Reading	This measure would condemn regulations proposed by the Department of Homeland Security to prescribe how a determination of inadmissibility for a person who is not a citizen or national is made based on the likelihood	

Immigration: public charges.	6/11/2019-From committee: Be adopted. Ordered to Third Reading. (Ayes 5. Noes 0.) (June 10).	that the person will become a public charge. This measure would also urge the federal government to reconsider and roll back the proposed regulations. **Last Amended: 3/6/2019**	
SB 5 Beall D **Affordable Housing and Community Development Investment Program.**	Assembly Appropriations 7/11/2019-From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (July 10).	Existing property tax law requires the county auditor, in each fiscal year, to allocate property tax revenue to local jurisdictions in accordance with specified formulas and procedures, subject to certain modifications. Existing law requires an annual reallocation of property tax revenue from local agencies in each county to the Educational Revenue Augmentation Fund (ERAF) in that county for allocation to specified educational entities.This bill would establish in state government the Affordable Housing and Community Development Investment Program, which would be administered by the Affordable Housing and Community Development Investment Committee. The bill would authorize a city, county, city and county, joint powers agency, enhanced infrastructure financing district, affordable housing authority, community revitalization and investment authority, transit village development district, or a combination of those entities, to apply to the Affordable Housing and Community Development Investment Committee to participate in the program and would authorize the committee to approve or deny plans for projects meeting specific criteria. The bill would also authorize certain local agencies to establish an affordable housing and community development investment agency and authorize an agency to apply for funding under the program and issue bonds, as provided, to carry out a project under the program.This bill contains other related provisions and other existing laws. **Last Amended: 6/17/2019**	
SB 6 Beall D **Residential development: available land.**	Assembly Appropriations 7/3/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (July 3). Re-referred to Com. on APPR.	Existing law requires each state agency to make a review of all proprietary state lands over which it has jurisdiction, subject to certain exceptions, and to report to the Department of General Services on those lands in excess of its foreseeable needs. Existing law requires the jurisdiction over lands reported excess to be transferred to the department upon request. Existing law requires the Department of General Services to report to the Legislature annually on the lands declared excess. Existing law requires a city or county to have a general plan for development with a housing element and to submit the housing element to the Department of Housing and Community Development prior to adoption or amendment. Existing law requires that the housing element include an inventory of land suitable and available to residential development, as specified.This bill would require the Department of Housing and Community Development to furnish the Department of General Services with a list of local lands suitable and available for residential development as identified by a local government as part of the housing element of its general plan. The bill would require the Department of General Services to create a database of that information and information regarding state lands determined or declared excess and to make this database available and searchable by the public by means of a link on its internet website. The bill would require for any housing element adopted on or after January 1, 2021, that an electronic copy of the inventory of land suitable for residential development be submitted to the Department of Housing and Community Development. By requiring local governments to electronically submit the inventory of land suitable for residential development to the department, the bill would impose a state-mandated local program.This bill contains other related provisions and other existing laws. **Last Amended: 4/23/2019**	
SB 19 Dodd D **Water resources: stream gages.**	Assembly Appropriations Suspense File 7/3/2019-July 3 set for first hearing. Placed on APPR. suspense file.	Under existing law, the State Water Resources Control Board administers a water rights program pursuant to which the board grants permits and licenses to appropriate water. Existing law, the Open and Transparent Water Data Act, requires the Department of Water Resources, the board, and the Department of Fish and Wildlife to coordinate and integrate existing water and ecological data from local, state, and federal agencies.This bill would require the Department of Water Resources and the board, upon an appropriation of funds by the Legislature, to develop a plan to deploy a network of stream gages that includes a determination of funding needs and opportunities for modernizing and reactivating existing gages and deploying new gages, as specified. The bill would require the department and the board, in consultation with the Department of Fish and Wildlife, the Department of Conservation, the Central Valley Flood Protection Board, interested stakeholders, and, to the extent they wish to consult, local agencies, to develop the plan to address significant gaps in information necessary for water management and the conservation of freshwater species. The bill would require the Department of Water Resources and the board to give priority in the plan to placing or modernizing and reactivating stream gages where lack of data contributes to conflicts in water management or where water can	

		be more effectively managed for multiple benefits and to consider specified criteria in developing the plan. **Last Amended: 6/11/2019**	
SB 137 Dodd D **Federal transportation funds: state exchange programs.**	Assembly Appropriations 7/2/2019-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 15. Noes 0.) (July 1). Re-referred to Com. on APPR.	Existing federal law apportions transportation funds to the states under various programs, including the Surface Transportation Program and the Highway Safety Improvement Program, subject to certain conditions on the use of those funds. Existing law provides for the allocation of certain of those funds to local entities. Existing law provides for the exchange of federal and state transportation funds between local entities and the state under certain circumstances.This bill would authorize the Department of Transportation to allow the above-described federal transportation funds that are allocated as local assistance to be exchanged for State Highway Account funds appropriated to the department.This bill contains other existing laws. **Last Amended: 6/18/2019**	
SB 139 Allen D **Independent redistricting commissions.**	Assembly Appropriations 7/3/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 3.) (July 3). Re-referred to Com. on APPR.	Existing law authorizes a local jurisdiction, defined as including a county, general law city, school district, community college district, or special district, to establish an independent redistricting commission, a hybrid redistricting commission, or an advisory redistricting commission to change, or recommend changes to, the district boundaries of the legislative body of the local jurisdiction. Existing law provides for the establishment of the County of Los Angeles Citizens Redistricting Commission and the County of San Diego Independent Redistricting Commission.This bill would, with certain exceptions, require a county with more than 250,000 residents on and after January 1, 2019, and on and after January 1 of every subsequent year ending in the number 9, to establish either a 9-member or 12-member independent redistricting commission to adopt the county's supervisorial districts after each federal decennial census pursuant to a specified procedure. The bill would require a county that does not establish a commission by March 1, 2020, and by March 1 of every subsequent year ending in the number zero to establish a 12-member commission pursuant to those procedures. The bill would require a commission established pursuant to those procedures to take steps to encourage county residents to participate in the redistricting process, and would specify certain procedures for the commission's hearing process relating to notice, the number of hearings, and translation of hearings. The bill would require the county to provide for reasonable funding and staffing of the commission. The bill would require the board of supervisors of a county to petition the superior court of the county for an order establishing supervisorial district boundaries if the independent redistricting commission does not adopt supervisorial district boundaries by a specified deadline. By increasing the duties of counties, the bill would impose a state-mandated local program. The bill would clarify that a local jurisdiction that is partially or wholly located in the County of Los Angeles or the County of San Diego may contract with the County of Los Angeles Citizens Redistricting Commission and the County of San Diego Independent Redistricting Commission to adopt the local jurisdiction's election district boundaries.This bill contains other related provisions and other existing laws. **Last Amended: 6/12/2019**	
SB 155 Bradford D **California Renewables Portfolio Standard Program: integrated resource plans.**	Assembly Appropriations 7/11/2019-From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 11. Noes 0.) (July 8).	Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. The California Renewables Portfolio Standard Program requires the Public Utilities Commission to establish a renewables portfolio standard requiring all retail sellers, defined as including electrical corporations, electric service providers, and community choice aggregators, to procure a minimum quantity of electricity products from eligible renewable energy resources, as defined, so that the total kilowatthours of those products sold to their retail end-use customers achieves 25% of retail sales by December 31, 2016, 33% by December 31, 2020, 44% by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030. Existing law requires the commission to direct each retail seller to prepare and submit an annual report to the commission that includes specified information on the retail seller's compliance with requirements related to eligible renewable energy resource procurement.This bill would require the commission to review each annual compliance report filed by a retail seller, to notify a retail seller if the commission has determined, based upon its review, that the retail seller may be at risk of not satisfying the renewable procurement requirements for the then-current or future compliance period, and to provide recommendations in that circumstance regarding satisfying those requirements.This bill contains other related provisions and other existing laws. **Last Amended: 5/1/2019**	
SB 163 Portantino D	Assembly Appropriations	Existing law, the Lanterman Developmental Disabilities Services Act, requires the State Department of Developmental Services to contract with regional centers to provide services and supports to individuals with	

Health care coverage: pervasive developmental disorder or autism.	6/27/2019-Read second time and amended. Re-referred to Com. on APPR.	developmental disabilities and their families. Existing law defines developmental disability for these purposes to include, among other things, autism.This bill would revise the definition of behavioral health treatment to require the services and treatment programs provided to be based on behavioral, developmental, relationship-based, or other evidence-based models. The bill would remove the exception for health care service plans and health insurance policies in the Medi-Cal program, consistent with the MHPAEA. This bill contains other related provisions and other existing laws. **Last Amended: 6/27/2019**	
SB 167 Dodd D **Electrical corporations: wildfire mitigation plans.**	Assembly Appropriations 7/11/2019-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 15. Noes 0.) (July 10). Re-referred to Com. on APPR. (Received at desk July 10 pursuant to JR 61(a)(10)).	Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations and gas corporations. Existing law authorizes the commission to establish rules for all public utilities, subject to control by the Legislature. Existing law requires each electrical corporation to construct, maintain, and operate its electrical lines and equipment in a manner that will minimize the risk of catastrophic wildfire posed by those electrical lines and equipment. Existing law requires each electrical corporation to annually prepare and submit a wildfire mitigation plan to the commission for review and approval. Existing law requires those wildfire mitigation plans to include specified information, including protocols for disabling reclosers and deenergizing portions of the electrical distribution system that consider the associated impacts on public safety, as well as protocols related to mitigating the public safety impacts of those protocols, including impacts on critical first responders and on health and communication infrastructure. Existing law requires the commission to designate a baseline quantity of electricity and gas necessary for a significant portion of the reasonable energy needs of the average residential customer and requires the commission to establish a standard limited allowance in addition to the baseline quantity of gas and electricity for residential customers dependent on life-support equipment, as specified, which is referred to as a medical baseline allowance.This bill would require each electrical corporation, as part of those protocols, to additionally include protocols related to mitigating the public safety impacts of disabling reclosers and deenergizing portions of the electrical distribution system that consider the impacts on customers who are receiving medical baseline allowances. The bill would authorize electrical corporations to deploy backup electrical resources or provide financial assistance for backup electrical resources to those customers receiving medical baseline allowances and who meet specified requirements.This bill contains other related provisions and other existing laws. **Last Amended: 4/8/2019**	
SB 174 Leyva D **Early childhood education: reimbursement rates.**	Assembly Appropriations 7/11/2019-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 7. Noes 0.) (July 10). Re-referred to Com. on APPR. (Received at desk July 10 pursuant to JR 61(a)(10)).	(1)The Child Care and Development Services Act establishes a system of childcare and development services for children up to 13 years of age, and requires the Superintendent of Public Instruction to implement a plan establishing assigned reimbursement rates, per unit of average daily enrollment, to be paid by the state to provider agencies for the provision of those services.This bill would instead require, until January 1, 2021, the regional market rate ceilings to be established at the 75th, and thereafter, at the 85th, percentile of the 2018 regional market survey for that region or the regional market rate ceiling that existed in that region on December 31, 2017, whichever is greater. The bill would require, on and after January 1, 2021, reimbursement to license-exempt childcare providers to instead not exceed 70% of the commensurate rate for both full-time and part-time care, as provided. The bill would make these provisions subject to an appropriation, as provided.This bill contains other related provisions and other existing laws. **Last Amended: 6/13/2019**	
SB 214 Dodd D **Medi-Cal: California Community Transitions program.**	Assembly Appropriations 7/10/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 15. Noes 0.) (July 9). Re-referred to Com. on APPR.	Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Existing federal law establishes the Money Follows the Person Rebalancing Demonstration, which is designed to achieve various objectives with respect to institutional and home and community-based long-term care services provided under State Medicaid programs.This bill would require the department to implement and administer the California Community Transitions (CCT) program, as authorized under federal law and pursuant to the terms of the Money Follows the Person Rebalancing Demonstration, to help an eligible Medi-Cal beneficiary move to a qualified residence, as defined, after residing in an institutional health facility for a period of 90 days or longer. The bill would require CCT program services to be provided by a lead organization, as defined, which would coordinate and ensure the delivery of all services necessary to implement the program. The bill would specify the functions of the lead organization, the services to be offered under the CCT program, and the targeted populations for those services.	

		The bill would specify that the CCT program is voluntary, and that eligibility to participate in the program would be determined by CCT lead organizations in accordance with specified requirements. The bill would require the department to use federal funds made available through the Money Follows the Person Rebalancing Demonstration to implement the CCT program, and if the demonstration is not reauthorized or sufficient funds are unavailable, to fund and administer the program in a manner that attempts to maximize federal financial participation. The bill would also authorize the department to seek enhanced and complementary funding. The bill would be operative only upon an appropriation in the annual Budget Act or another statute for the purposes of the bill.This bill contains other related provisions. **Last Amended: 5/17/2019**	
SB 234 Skinner D **Family daycare homes.**	Assembly Appropriations 6/25/2019-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 12. Noes 0.) (June 25). Re-referred to Com. on APPR.	Under existing law, the California Child Day Care Facilities Act, the State Department of Social Services licenses and regulates family daycare homes. Under existing law, a small family daycare home, which may provide care for up to 8 children, is considered a residential use of property for purposes of all local ordinances. Existing law authorizes a city, county, or city and county to either classify a large family daycare home, which may provide care for up to 14 children, as residential use of the property or to provide a process for applying for a permit to use the property as a large family daycare home. This bill would instead require a large family daycare home to be treated as a residential use of property for purposes of all local ordinances. This bill contains other related provisions and other existing laws. **Last Amended: 4/9/2019**	
SB 253 Dodd D **Cannella Environmental Farming Act of 1995: Environmental Farming Incentive Program.**	Assembly Appropriations 7/9/2019-Read second time and amended. Re-referred to Com. on APPR.	Existing law, the Cannella Environmental Farming Act of 1995, requires the Department of Food and Agriculture to establish and oversee an environmental farming program to provide incentives to farmers whose practices promote the well-being of ecosystems, air quality, and wildlife and their habitat. The act requires the Secretary of Food and Agriculture to convene the Scientific Advisory Panel on Environmental Farming, as prescribed, for the purpose of providing advice to the secretary on the implementation of the Healthy Soils Program and the State Water Efficiency and Enhancement Program and assistance to federal, state, and local government agencies on issues relating to the impact of agricultural practices on air, water, and wildlife habitat, as specified.This bill would additionally require the panel to assist government agencies to incorporate the conservation of natural resources and ecosystem services practices into agricultural programs. The bill would require the department, with advice from the panel, to establish and administer the California Environmental Farming Incentive Program, subject to an appropriation by the Legislature. The bill would require the program to support on-farm practices seeking to optimize environmental benefits while supporting the economic viability of California agriculture by providing incentives, educational materials, and outreach to farmers whose management practices contribute to wildlife habitat and result in on-farm activities that provide multiple conservation benefits, as prescribed. The bill would require the department, in consultation with the panel, to determine priorities for the program and give priority to specified projects, such as those that occur in and benefit certain disadvantaged communities. The bill would create the California Environmental Farming Incentive Program Fund in the State Treasury, and upon appropriation by the Legislature, authorize the department to expend funds for purposes of the program. The bill would require the department to provide funds for incentives to private landowners, nonprofit organizations, the University of California Cooperative Extension, or local agencies, including resource conservation districts, for activities that support the program and implementation of on-farm practices. The bill would require the department, when providing funds for technical assistance, to provide funds directly to a resource conservation district, and would authorize the department to provide funds directly to the University of California Cooperative Extension in regions where the department determines that a resource conservation district is not capable of providing technical assistance. **Last Amended: 7/9/2019**	
SB 255 Bradford D **Women, minority, disabled veteran, and LGBT business**	Assembly Appropriations 7/5/2019-Read second time and amended. Re-referred to Com. on APPR.	Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical, gas, water, and telephone corporations. Existing law authorizes the commission to establish rules for all public utilities, subject to control by the Legislature.This bill would change the $25,000,000 annual gross revenue threshold above which these requirements become applicable to $15,000,000 in gross annual California revenues, and would extend these requirements to electric service providers, as specified. The bill would additionally include energy storage system and vegetation management projects within the enumerated projects to which these requirements apply.This bill contains other related provisions and other existing laws. **Last Amended: 7/5/2019**	

enterprise procurement: electric service providers: energy storage system companies: community choice aggregators.			
SB 264 Glazer D **Wine growers: tasting rooms.**	Assembly Appropriations 6/27/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 19. Noes 0.) (June 26). Re-referred to Com. on APPR.	(1)Existing law, the Alcoholic Beverage Control Act, which is administered by the Department of Alcoholic Beverage Control, regulates the application, issuance, and suspension of alcoholic beverage licenses. Existing law defines a licensed branch office with reference to certain winegrower and brandy manufacturer facilities for which a duplicate license has been issued. Existing law prohibits a winegrower or brandy manufacturer from selling wine or brandy to consumers, or engaging in winetasting activities, at more than one licensed branch premise. Existing law limits the effect of this prohibition in connection with other premises, as specified. Existing law generally provides that a violation of the Alcoholic Beverage Control Act is a misdemeanor. This bill would revise the prohibition described above to allow a winegrower or brandy manufacturer to sell wine or brandy to consumers, or to engage in winetasting activities, at up to 2 licensed branch premises. By broadening the definition of a crime, this bill would impose a state-mandated local program.This bill contains other related provisions and other existing laws.	
SB 298 Caballero D **Poverty reduction.**	Assembly Appropriations 7/5/2019-Read second time and amended. Re-referred to Com. on APPR.	Existing law establishes the Lifting Children and Families Out of Poverty Task Force, for the purpose of submitting a report to the Legislature and the executive branch that recommends future comprehensive strategies to achieve the reduction of deep poverty among children and reduce the overall child poverty rate in the state. Existing law requires the State Department of Social Services to invite and convene the task force and to assist the task force in carrying out its duties. Existing law repeals these provisions on January 1, 2020.This bill would require the State Department of Social Services, commencing in 2020 and every 5 years thereafter, until January 1, 2039, to conduct an analysis and submit a report to the Legislature with specified information, including, among other things, the current California child poverty rate and an estimate of the progress that California is making toward ending deep child poverty by 2024 and reducing overall child poverty by 50% by 2039. **Last Amended: 7/5/2019**	
SB 393 Stone R **Vessels: impoundment.**	Assembly Third Reading 7/8/2019-From consent calendar on motion of Assembly Member Calderon. Ordered to third reading.	Existing law makes it a crime to operate any vessel, as defined, while under the influence of an alcoholic beverage, any drug, or the combined influence of an alcoholic beverage and any drug. Existing law authorizes a peace officer to remove and seize a motor vehicle upon arresting a person for committing specified crimes using that motor vehicle. Existing law prohibits impounding that motor vehicle for more than 30 days, as specified.This bill would authorize a court to order the impoundment of a vessel, as defined, for a period of not less than one nor more than 30 days, if the registered owner is convicted of a specified crime involving the operation of a vessel while under the influence of an alcoholic beverage, any drug, or the combined influence of an alcoholic beverage and any drug and the conduct resulted in the unlawful killing of a person. The bill would authorize a court to consider certain factors in the interest of justice when determining whether a vessel used in the commission of such a crime shall be impounded pursuant to those provisions.	
SB 438 Hertzberg D **Emergency medical services: dispatch.**	Assembly Second Reading 7/11/2019-Read second time and amended. Ordered to second reading.	Existing law, the Warren-911-Emergency Assistance Act, requires every local public agency to establish within its jurisdiction a basic emergency telephone system that includes, at a minimum, police, firefighting, and emergency medical and ambulance services. Existing law authorizes a public agency to incorporate private ambulance service into the system.This bill would prohibit a public agency from delegating, assigning, or contracting for “911” emergency call processing services for the dispatch of emergency response resources unless the delegation or assignment is to, or the contract or agreement is with, another public agency. The bill would exempt from that prohibition a public agency that is a joint powers authority that delegated, assigned, or contracted for “911” call processing services on or before January 1, 2019, under certain conditions. The bill	

		would also authorize a public agency that delegated, assigned, or contracted for "911" call processing services on or before January 1, 2019, to continue to do so with the concurrence of the public safety agencies that provide prehospital emergency medical services. If a public safety agency does not concur with the public agency to continue to delegate, assign, or contract for those services, the bill would authorize the public agency to continue to delegate, assign, or contract for those services for the remaining concurring public safety agencies. The bill would state the Legislature's intent to affirm and clarify a public agency's duty and authority to develop emergency communication procedures and respond quickly to a person seeking emergency services through the "911" emergency telephone system.This bill contains other related provisions and other existing laws. **Last Amended: 7/11/2019**	
SB 672 Hill D **Planning and zoning: regional housing need allocation: City of Brisbane.**	Assembly Appropriations 7/11/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (July 10). Re-referred to Com. on APPR. (Received at desk July 10 pursuant to JR 61(a)(10)).	(1)The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan that includes, among other specified mandatory elements, a housing element. For the 4th and subsequent revisions of the housing element, that law requires the Department of Housing and Community Development (department) to determine the existing and projected need for housing for each region, as provided, and requires the appropriate council of governments, or the department for cities and counties without a council of governments, to adopt a final regional housing need plan allocating a share of the regional housing need to each city, county, or city and county that furthers various specified objectives. Existing law requires each council of governments, or a delegate subregion, to develop a proposed methodology for distributing the existing and projected regional housing need, as provided. For cities and counties without a council of governments, that law requires the department to determine and distribute the existing and projected housing need, unless that responsibility is delegated to cities and counties, as provided.This bill, for the 5th and 6th cycle of the housing element planning period for the City of Brisbane, would prohibit the Association of Bay Area Governments from allocating to the City of Brisbane a share of the regional housing need that exceeds the share allocated to the city for the current planning period if specified conditions apply. Among these conditions, the bill would require that the City of Brisbane has taken action during the current planning period to zone or rezone sites sufficient to accommodate 615% or more of its regional housing need allocation for the current planning period. The bill would require the City of Brisbane to report to the department, as part of its annual report required by existing law, information regarding demonstrable progress on meeting the 615% of its regional housing need allocation required by these provisions.This bill contains other related provisions and other existing laws. **Last Amended: 4/25/2019**	
SB 676 Bradford D **Transportation electrification: electric vehicles: grid integration.**	Assembly Appropriations 7/10/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 12. Noes 0.) (July 10). Re-referred to Com. on APPR.	Under existing law, the Public Utilities Commission (PUC) has regulatory authority over public utilities, including electrical corporations, while local publicly owned electric utilities are under the direction of their governing boards. Existing law requires the PUC, in consultation with the State Energy Resources Conservation and Development Commission (Energy Commission), the State Air Resources Board, electrical corporations, and the motor vehicle industry, to evaluate policies to develop infrastructure sufficient to overcome any barriers to the widespread deployment and use of plug-in hybrid and electric vehicles. Existing law requires the PUC, in consultation with the Energy Commission and the State Air Resources Board, to direct electrical corporations to file applications for programs and investments to accelerate widespread transportation electrification to achieve specified results. Existing law requires the PUC to approve, or modify and approve, programs and investments in transportation electrification, including those that deploy charging infrastructure, through a reasonable cost recovery mechanism, under certain circumstances. Existing law requires the PUC to consider facilitating the development of technologies that promote grid integration.This bill would require the PUC, by December 31, 2020, in an existing proceeding, to establish strategies and quantifiable metrics to maximize the use of feasible and cost-effective electric vehicle grid integration, as defined, by January 1, 2030, as specified. The bill would require the PUC to reference the electric vehicle grid integration strategies in relevant ongoing and subsequent proceedings that address issues of transportation electrification in any part and to identify how programs and investments that the PUC may approve will advance the achievement of the strategies. The bill would require the PUC, when executing its transportation electrification responsibilities, to consider how, or if, electric vehicle grid integration can mitigate any generation, transmission, or distribution costs, or increase the economic, social, or environmental benefits associated with transportation electrification, and to not foreclose future utilization of electric vehicle grid integration. The bill would require electrical corporations and community choice	

		aggregators to provide to the PUC certain information relating to the electric vehicle integration strategies. The bill would require each local publicly owned electric utility serving more than 700 gigawatthours of annual electrical demand, in its integrated resource plan update adopted on and after January 1, 2020, to consider establishing electric vehicle grid integration strategies and evaluating how its existing and planned programs further those strategies.This bill contains other related provisions and other existing laws. **Last Amended: 7/5/2019**	