

**COMMITTEE LEADERSHIP**

Erin Hannigan, District 1  
Monica Brown, District 2

**STAFF**

Matthew A. Davis, CAO



**Legislative  
Committee**

**Monday, March 6, 2023  
1:30 p.m. – 3 p.m.**

Solano County Administration Center  
675 Texas Street, Conf. Rm 6003 (6<sup>th</sup> Floor), Fairfield, CA 94533  
Call in option on MS Teams: (323) 457-3408, ID 317 428 318#

**MEETING AGENDA**

**(1) – INTRODUCTIONS** *(Attendees)*

Supervisor Hannigan  
Welcome Supervisor Monica Brown

**(2) – SELECTION OF THE LEGISLATIVE COMMITTEE CHAIR** *(Action Item)*

**(2) – ADDITIONS / DELETIONS TO THE AGENDA**

**(3) – PUBLIC COMMENT** *(Items not on the agenda)*

**(4) – FEDERAL LEGISLATIVE UPDATE**

Paragon Government Relations

- (1) Biden Administration's Fiscal Year 2024 Budget Request
- (2) Fiscal Year 2024 Appropriations - Community Project Funding
- (3) Housing and Homelessness Legislation

**(5) – UPDATE FROM SOLANO COUNTY LEGISLATIVE DELEGATION**

Representative and/or staff

**(6) – STATE LEGISLATIVE UPDATE**

Karen Lange, SYASL Partners, Inc.

- (1) State Budget update
- (2) Mental Health update
- (3) Statewide IHSS collective bargaining
- (4) Sponsored Bill, AB 1242, Assemblymember Wilson

**(7) – ACTION ITEMS**

- (1) Receive an update on [AB 910](#), [\(Wilson – D\)](#) an Act to amend the Government Code relating to County Officers, and consider making a recommendation. *(Requested and presented by Phyllis Taynton, ACO)*

## COMMITTEE LEADERSHIP

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# Legislative Committee

- (2) Receive an update on [SB 548](#), ([Niello – R](#)) an Act to amend sections of the Government Code relating to retirement, and consider making a recommendation. *(Requested and presented by Phyllis Taynton, ACO)*
- (3) Receive an update on [AB 909](#), ([Hoover – R](#)) an Act to amend the Public Resources Code relating to hazardous waste, and consider making a recommendation. *(Requested by Supervisor Hannigan, presented by Terry Schmidtbauer, Resource Management and Karen Lange, SYASL Partners)*
- (4) Receive an update on [AB 99](#), ([Connolly – D](#)) an Act to add a section to the Streets and Highways Code, relating to state highways, and consider making a recommendation. *(Requested by Supervisor Hannigan, presented by Terry Schmidtbauer, Resource Management)*
- (5) Receive an update on [AB 78](#), ([Ward – D](#)) an Act to amend the Code of Civil Procedure and amend sections of the Penal Code relating to grand juries, and consider making a recommendation. *(Requested by Supervisor Hannigan, presented by Karen Lange, SYASL Partners)*
- (6) Receive an update on [AB 40](#), ([Rodriguez – D](#)) an Act to add a section to the Government Code and sections to the Health and Safety Code relating to emergency services, and consider making a recommendation. *(Requested by Supervisor Brown, presented by Ben Gammon, Solano EMS and Karen Lange, SYASL Partners)*
- (7) Receive an update on [SB 808](#), ([Dodd – D](#)) an Act to amend the Education Code relating to public postsecondary education, and consider making a recommendation. *(Requested by Supervisor Brown, presented by Karen Lange, SYASL Partners)*
- (8) Review and consider approval of the Solano County 2023 Legislative Meeting Calendar *(Presented by Matthew Davis, County Administrator's Office)*

## **(8) – DISCUSSION ON FORMAT/OPERATIONS OF LEGISLATIVE COMMITTEE**

Supervisor Brown

## **(9) – FUTURE SCHEDULED MEETINGS**

- (1) Monday, March 27, 2023 starting at 1:30 p.m.
- (2) Monday, April 24, 2023 starting at 1:30 p.m.
- (3) Monday, May 15, 2023 starting at 1:30 p.m.

## **(10) ADJOURN**

**ASSEMBLY BILL**

**No. 910**

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**Introduced by Assembly Member Wilson**

February 14, 2023

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An act to amend Section 26945 of the Government Code, relating to county officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 910, as introduced, Wilson. County officers: auditors: qualifications.

For a county that has elected to enact an ordinance that adopts certain provisions relative to the county auditor, existing law requires a person elected or appointed to the office of county auditor to meet at least one of specified criteria, including possession of a valid certificate showing a person to be a certified public accountant or a public accountant, as specified.

This bill would remove public accountant from the above-described criteria.

Existing law also includes in the above-described criteria the possession of a baccalaureate degree with a major in accounting, or its equivalent, as specified, if a person has served within the last 5 years in a senior fiscal management position in specified organizations, including a private firm, with similar fiscal responsibilities, as specified.

This bill would include a major in business administration, as specified, to the above-described criteria. The bill would also change the above-described criteria to remove service in a private firm, and require dealing with similar public and auditing responsibilities and managing a comparable budget.

Existing law also includes in the above-described criteria possession of a certificate issued by the Institute of Internal Auditors showing the person to be a designated professional auditor with 16 college semester units, or their equivalent, in accounting, auditing, or finance.

This bill would change the above-described criteria to 24 college semester units in accounting, financial reporting, auditing, or taxation.

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

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

1 SECTION 1. Section 26945 of the Government Code is  
2 amended to read:

3 26945. No person shall hereafter be elected or appointed to the  
4 office of county auditor of any county unless the person meets at  
5 least one of the following criteria:

6 (a) The person possesses a valid certificate issued by the  
7 California Board of Accountancy under Chapter 1 (commencing  
8 with Section 5000) of Division 3 of the Business and Professions  
9 Code showing the person to be, and a permit authorizing the person  
10 to practice as, a certified public ~~accountant~~ or as a public  
11 ~~accountant~~. *accountant*.

12 (b) The person possesses a baccalaureate degree from an  
13 accredited university, college, or other four-year institution, with  
14 a major in accounting or its equivalent, as described in subdivision  
15 (a) of Section 5081.1 of the Business and Professions Code, as  
16 that section read on December 31, 2009, or *business*  
17 *administration, including at least 24 college semester units in*  
18 *accounting-related subjects, including, but not limited to,*  
19 *accounting, financial reporting, auditing, and taxation,* and has  
20 served within the last five years in a senior fiscal management  
21 position in a county, city, or other public ~~agency, a private firm,~~  
22 ~~agency,~~ or a nonprofit organization, dealing with similar ~~fiscal~~  
23 ~~responsibilities, public accounting and auditing responsibilities,~~  
24 *and managing a comparable budget,* for a continuous period of  
25 not less than three years.

26 (c) The person possesses a certificate issued by the Institute of  
27 Internal Auditors showing the person to be a designated  
28 professional internal auditor, with a minimum of ~~16~~ 24 college

- 1 semester ~~units, or their equivalent, *units* in accounting, auditing,~~  
2 ~~or finance. *accounting, financial reporting, auditing, or taxation.*~~  
3 (d) The person has served as county auditor, chief deputy county  
4 auditor, or chief assistant county auditor for a continuous period  
5 of not less than three years.

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**Introduced by Senator Niello**February 15, 2023

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An act to amend Sections 7522.02 and 20460.1 of, and to add Sections 20471.2 and 20815.6 to, the Government Code, relating to retirement.

## LEGISLATIVE COUNSEL'S DIGEST

SB 548, as introduced, Niello. Public employees' retirement: joint county and trial court contracts.

Existing law, the Public Employees' Retirement Law (PERL), establishes the Public Employees' Retirement System (PERS), which provides a defined benefit to members of the system, based on final compensation, credited service, and age at retirement, subject to certain variations, and is administered by the Board of Administration of the Public Employees' Retirement System. PERL authorizes a public agency to contract to make its employees members of PERS and prescribes a process for this. Existing law requires, for counties that contract for retirement benefits through PERS for eligible employees, as of the implementation date of the Trial Court Employment Protection and Governance Act, that a trial court and a county in which the trial court is located jointly participate in the system by joint contract. Existing law requires the PERS board of administration to do one-time, separate computations of the assets and liabilities of 2 counties and the trial courts in the counties. Existing law, the California Public Employees' Pension Reform Act of 2013 (PEPRA), establishes a variety of requirements and restrictions on public employers offering defined benefit pension plans, including limiting the benefits that may be provided to new members.

This bill would authorize a county and the trial court located within the county to elect to separate their joint PERS contract into individual

contracts, if the county and the trial court make that election voluntarily, and would prescribe a process for this. The bill would prohibit the separation from being a cause for modification of employee retirement benefits, as specified. The bill would require the system's board of administration, within its existing resources, to do a specified computation of assets and liabilities for a county and trial court seeking to separate their joint contract. For purposes of PEPRA, the bill would authorize a county and a trial court to provide employees the defined benefit plan or formula that those employees received from their respective employers prior to the exercise of the option to separate, as specified.

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

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

1 SECTION 1. Section 7522.02 of the Government Code is  
2 amended to read:  
3 7522.02. (a) (1) Notwithstanding any other law, except as  
4 provided in this article, on and after January 1, 2013, this article  
5 shall apply to all state and local public retirement systems and to  
6 their participating employers, including the Public Employees'  
7 Retirement System, the State Teachers' Retirement System, the  
8 Legislators' Retirement System, the Judges' Retirement System,  
9 the Judges' Retirement System II, county and district retirement  
10 systems created pursuant to the County Employees Retirement  
11 Law of 1937 (Chapter 3 (commencing with Section 31450) of Part  
12 3 of Division 4 of Title 3), independent public retirement systems,  
13 and to individual retirement plans offered by public employers.  
14 However, this article shall be subject to the Internal Revenue Code  
15 and Section 17 of Article XVI of the California Constitution. The  
16 administration of the requirements of this article shall comply with  
17 applicable provisions of the Internal Revenue Code and the  
18 Revenue and Taxation Code.  
19 (2) Notwithstanding paragraph (1), this article shall not apply  
20 to the entities described in Section 9 of Article IX of, and Sections  
21 4 and 5 of Article XI of, the California Constitution, except to the  
22 extent that these entities continue to be participating employers in  
23 any retirement system governed by state statute. Accordingly, any  
24 retirement plan approved before January 1, 2013, by the voters of

1 any entity excluded from coverage by this section shall not be  
2 affected by this article.

3 (3) (A) Notwithstanding paragraph (1), this article shall not  
4 apply to a public employee whose interests are protected under  
5 Section 5333(b) of Title 49 of the United States Code until a federal  
6 district court rules that the United States Secretary of Labor, or  
7 ~~his or her~~ *their* designee, erred in determining that the application  
8 of this article precludes certification under that section, or until  
9 January 1, 2016, whichever is sooner.

10 (B) If a federal district court upholds the determination of the  
11 United States Secretary of Labor, or ~~his or her~~ *their* designee, that  
12 application of this article precludes ~~him or her~~ *them* from providing  
13 a certification under Section 5333(b) of Title 49 of the United  
14 States Code, this article shall not apply to a public employee  
15 specified in subparagraph (A).

16 (4) Notwithstanding paragraph (1), this article shall not apply  
17 to a multiemployer plan authorized by Section 302(c)(5) of the  
18 federal Taft-Hartley Act (29 U.S.C. Sec. 186(c)(5)) if the public  
19 employer began participation in that plan prior to January 1, 2013,  
20 and the plan is regulated by the federal Employee Retirement  
21 Income Security Act of 1974 (29 U.S.C. Sec. 1001 et seq.).

22 (b) The benefit plan required by this article shall apply to public  
23 employees who are new members as defined in Section 7522.04.

24 (c) (1) Individuals who were employed by any public employer  
25 before January 1, 2013, and who became employed by a subsequent  
26 public employer for the first time on or after January 1, 2013, shall  
27 be subject to the retirement plan that would have been available  
28 to employees of the subsequent employer who were first employed  
29 by the subsequent employer on or before December 31, 2012, if  
30 the individual was subject to concurrent membership for which  
31 creditable service was performed in the previous six months or  
32 reciprocity established under any of the following provisions:

33 (A) Article 5 (commencing with Section 20350) of Chapter 3  
34 of Part 3 of Division 5 of Title 2.

35 (B) Chapter 3 (commencing with Section 31450) of Part 3 of  
36 Division 4 of Title 3.

37 (C) Any agreement between public retirement systems to provide  
38 reciprocity to members of the systems.

39 (D) Section 22115.2 of the Education Code.

1 (2) An individual who was employed before January 1, 2013,  
2 and who, without a separation from employment, changed  
3 employment positions and became subject to a different defined  
4 benefit plan in a different public retirement system offered by ~~his~~  
5 ~~or her~~ *their* employer shall be subject to that defined benefit plan  
6 as it would have been available to employees who were first  
7 employed on or before December 31, 2012.

8 (d) If a public employer, before January 1, 2013, offers a defined  
9 benefit pension plan that provides a defined benefit formula with  
10 a lower benefit factor at normal retirement age and results in a  
11 lower normal cost than the defined benefit formula required by  
12 this article, that employer may continue to offer that defined benefit  
13 formula instead of the defined benefit formula required by this  
14 article, and shall not be subject to the requirements of Section  
15 7522.10 for pensionable compensation subject to that formula.  
16 However, if the employer adopts a new defined benefit formula  
17 on or after January 1, 2013, that formula must conform to the  
18 requirements of this article or must be determined and certified by  
19 the retirement system's chief actuary and the retirement board to  
20 have no greater risk and no greater cost to the employer than the  
21 defined benefit formula required by this article and must be  
22 approved by the Legislature. New members of the defined benefit  
23 plan may only participate in the lower cost defined benefit formula  
24 that was in place before January 1, 2013, or a defined benefit  
25 formula that conforms to the requirements of this article or is  
26 approved by the Legislature as provided in this subdivision.

27 (e) If a public employer, before January 1, 2013, offers a  
28 retirement benefit plan that consists solely of a defined contribution  
29 plan, that employer may continue to offer that plan instead of the  
30 defined benefit pension plan required by this article. However, if  
31 the employer adopts a new defined benefit pension plan or defined  
32 benefit formula on or after January 1, 2013, that plan or formula  
33 must conform to the requirements of this article or must be  
34 determined and certified by the retirement system's chief actuary  
35 and the system's board to have no greater risk and no greater cost  
36 to the employer than the defined benefit formula required by this  
37 article and must be approved by the Legislature. New members of  
38 the employer's plan may only participate in the defined  
39 contribution plan that was in place before January 1, 2013, or a  
40 defined contribution plan or defined benefit formula that conforms

1 to the requirements of this article. This subdivision shall not be  
2 construed to prohibit an employer from offering a defined  
3 contribution plan on or after January 1, 2013, either with or without  
4 a defined benefit plan, whether or not the employer offered a  
5 defined contribution plan prior to that date.

6 (f) (1) If, on or after January 1, 2013, the Cities of Brea and  
7 Fullerton form a joint powers authority pursuant to the provisions  
8 of the Joint Exercise of Powers Act (Article 1 (commencing with  
9 Section 6500) of Chapter 5), that joint powers authority may  
10 provide employees the defined benefit plan or formula that those  
11 employees received from their respective employers prior to the  
12 exercise of a common power, to which the employee is associated,  
13 by the joint powers authority to any employee of the City of Brea,  
14 the City of Fullerton, or a city described in paragraph (2) who is  
15 not a new member and subsequently is employed by the joint  
16 powers authority within 180 days of the city providing for the  
17 exercise of a common power, to which the employee was  
18 associated, by the joint powers authority.

19 (2) On or before January 1, 2017, a city in Orange County that  
20 is contiguous to the City of Brea or the City of Fullerton may join  
21 the joint powers authority described in paragraph (1) but not more  
22 than three cities shall be permitted to join.

23 (3) The formation of a joint powers authority on or after January  
24 1, 2013, shall not act in a manner as to exempt a new employee  
25 or a new member, as defined by Section 7522.04, from the  
26 requirements of this article. New members may only participate  
27 in a defined benefit plan or formula that conforms to the  
28 requirements of this article.

29 (g) (1) If, on or after January 1, 2013, the Belmont Fire  
30 Protection District, the Estero Municipal Improvement District,  
31 and the City of San Mateo form a joint powers authority pursuant  
32 to the provisions of the Joint Exercise of Powers Act (Article 1  
33 (commencing with Section 6500) of Chapter 5), that joint powers  
34 authority may provide employees the defined benefit plan or  
35 formula that those employees received from their respective  
36 employers prior to the exercise of a common power, to which the  
37 employee is associated, by the joint powers authority to any  
38 employee of the Belmont Fire Protection District, the Estero  
39 Municipal Improvement District, and the City of San Mateo who  
40 is not a new member and subsequently is employed by the joint

1 powers authority within 180 days of the agency providing for the  
2 exercise of a common power, to which the employee was  
3 associated, by the joint powers authority.

4 (2) The formation of a joint powers authority on or after January  
5 1, 2013, shall not act in a manner as to exempt a new employee  
6 or a new member, as defined by Section 7522.04, from the  
7 requirements of this article. New members may only participate  
8 in a defined benefit plan or formula that conforms to the  
9 requirements of this article.

10 (3) *On and after January 1, 2024, a county and a trial court*  
11 *that separate their joint contract into individual contracts pursuant*  
12 *to Section 20471.2 may provide employees the defined benefit plan*  
13 *or formula that those employees received from their respective*  
14 *employers prior to the exercise of the option to separate, provided*  
15 *that the employee subsequently does not otherwise meet the*  
16 *definition of a new employee.*

17 (h) The Judges' Retirement System and the Judges' Retirement  
18 System II shall not be required to adopt the defined benefit formula  
19 required by Section 7522.20 or 7522.25 or the compensation  
20 limitations defined in Section 7522.10.

21 (i) This article shall not be construed to provide membership in  
22 any public retirement system for an individual who would not  
23 otherwise be eligible for membership under that system's  
24 applicable rules or laws.

25 (j) On and after January 1, 2013, each public retirement system  
26 shall modify its plan or plans to comply with the requirements of  
27 this article and may adopt regulations or resolutions for this  
28 purpose.

29 SEC. 2. Section 20460.1 of the Government Code is amended  
30 to read:

31 20460.1. (a) ~~For~~ *Except as provided in subdivision (d), for all*  
32 *counties that contract with the board for the provision of retirement*  
33 *benefits for their eligible employees as of the implementation date*  
34 *of the Trial Court Employment Protection and Governance Act*  
35 *(Chapter 7 (commencing with Section 71600) of Title 8), a trial*  
36 *court and a county in which the trial court is located shall jointly*  
37 *participate in this system by joint contract. All other counties and*  
38 *trial courts may elect such joint participation in accordance with*  
39 *the procedures set forth in this chapter. Except as provided in*  
40 *subdivision (b) and except as otherwise provided in this part, the*

1 trial court and the county jointly participating in this system shall  
2 each have all of the rights and all of the obligations of a contracting  
3 agency under the contract and under this part.

4 (b) A county shall not be responsible for the employer or  
5 employee contributions required to be paid on behalf of trial court  
6 employees. A trial court shall not be responsible for the employer  
7 or employee contributions required to be paid on behalf of county  
8 employees.

9 (c) As used in this chapter, “joint contract” means a contract  
10 with the board as set forth in subdivision (a).

11 (d) *A county and the trial court located within the county may*  
12 *jointly elect to separate the joint contract into individual contracts*  
13 *if the county and the trial court both make that election voluntarily,*  
14 *as specified in Section 20471.2.*

15 SEC. 3. Section 20471.2 is added to the Government Code, to  
16 read:

17 20471.2. (a) A county and a trial court shall elect to separate  
18 the joint contract into individual contracts by ordinances or  
19 resolutions adopted by both the affirmative vote of a majority of  
20 the members of the governing body of a county and the presiding  
21 officer of the trial court. In order to be effective, the resolution of  
22 the presiding officer of the trial court and the resolution or  
23 ordinance of the governing body of the county shall be adopted  
24 within 30 days of each other.

25 (b) The separation shall not be a cause for the modification of  
26 employment retirement benefits. The retirement benefit levels  
27 provided to employees under the joint contract shall not be  
28 modified until after expiration of an existing memorandum of  
29 understanding or agreement or a period of 24 months, whichever  
30 is longer, unless the county and its recognized employee  
31 organizations or the trial court and its recognized employee  
32 organizations mutually agree to a modification.

33 (c) Following the separation of the joint contract, any plan under  
34 separate contract that has under 100 members, or otherwise meets  
35 applicable board criteria, shall participate in a risk pool pursuant  
36 to Section 20840.

37 SEC. 4. Section 20815.6 is added to the Government Code, to  
38 read:

39 20815.6. (a) The board shall, within its existing resources,  
40 perform a one-time separate computation of the assets and

1 liabilities, as determined by the actuary, for a county and a trial  
2 court that elect to separate their joint contract into individual  
3 contracts. The assets and liabilities of each entity shall be moved  
4 to their respective individual contract. Subsequent to the movement  
5 of assets and liabilities to the respective individual contracts, the  
6 joint contract shall terminate.

7 (b) For purposes of this section and the computation of assets  
8 and liabilities, both of the following shall apply:

9 (1) A person shall be deemed a trial court employee for service  
10 that satisfies either of the following:

11 (A) If the person was employed by the trial court on January 1,  
12 2001, all continuous service for the county immediately preceding  
13 January 1, 2001, regardless of whether that service was as a county  
14 employee or a county employee assigned to the trial court.

15 (B) Any service on or after January 1, 2001, that the person is  
16 employed by the trial court.

17 (2) A person shall be deemed a county employee for service  
18 that satisfies either of the following:

19 (A) Any period of service prior to January 1, 2001, that is not  
20 described in subparagraph (A) of paragraph (1).

21 (B) Any service on or after January 1, 2001, that the person is  
22 employed by the county.

23 (c) Each respective trial court and county described in  
24 subdivision (a) shall identify and send to the board all of the  
25 following information within 90 days of election to separate the  
26 joint contract:

27 (1) Those active, inactive, and retired members that are  
28 considered county employees and those active, inactive, and retired  
29 members that are considered trial court employees.

30 (2) Any lump-sum payments previously made by either the  
31 county or the trial court to the system that covers the period from  
32 January 1, 2001, to the date of separation, inclusive.

33 (d) Within 180 days of election to separate the joint pension  
34 contract, the board shall forward the computation described in  
35 subdivision (a) to the respective county and trial court. The  
36 computation and separation shall be based on the most recent  
37 actuarial valuation at the time the data described in subdivision  
38 (c) is received by the board. The county and trial court shall have  
39 30 days to review the computation and provide any additional  
40 information required for clarification or correction. Subsequent to

1 the deadline of the provision of information for correction, the  
2 board shall have 60 days to amend the computation and to separate  
3 the joint contract into individual contracts for the county and trial  
4 court.

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**ASSEMBLY BILL**

**No. 909**

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**Introduced by Assembly Member Hoover**

February 14, 2023

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An act to amend Sections 48020 of the Public Resources Code, relating to hazardous waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 909, as introduced, Hoover. Solid Waste Disposal and Codisposal Site Cleanup Program.

The Solid Waste Disposal and Codisposal Site Cleanup Program, administered by the Department of Resources, Recycling and Recovery, pays for the cleanup of solid waste disposal sites and for the cleanup of solid waste at codisposal sites, as specified.

This bill would require the department, upon appropriation by the Legislature, to initiate a program to collect and properly manage illegally disposed hazardous waste and household hazardous waste, as defined, regardless of whether they were codisposed with nonhazardous solid waste.

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

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

- 1 SECTION 1. Section 48020 of the Public Resources Code, as
- 2 amended by Section 121 of Chapter 258 of the Statutes of 2022,
- 3 is amended to read:
- 4 48020. (a) For purposes of this article, the following terms
- 5 have the following meaning:

1 (1) "Codisposal site" means a hazardous substance release site  
2 listed pursuant to Article 5 (commencing with Section 78760) of  
3 Chapter 4 of Part 2 of Division 45 of the Health and Safety Code,  
4 where the disposal of hazardous substances, hazardous waste, and  
5 solid waste has occurred.

6 (2) "Hazardous waste" has the same meaning as defined in  
7 Section 25117 of the Health and Safety Code.

8 (3) "Household hazardous waste" has the same meaning as  
9 defined in Section 25218.1 of the Health and Safety Code.

10 (2)

11 (4) "Trust fund" means the Solid Waste Disposal Site Cleanup  
12 Trust Fund created pursuant to Section 48027.

13 (b) (1) The board shall, on January 1, 1994, initiate a program  
14 for the cleanup of solid waste disposal sites and for the cleanup of  
15 solid waste at codisposal sites where the responsible party either  
16 cannot be identified or is unable or unwilling to pay for timely  
17 remediation, and where cleanup is needed to protect public health  
18 and safety or the environment.

19 (2) The board shall, upon appropriation by the Legislature,  
20 initiate a program to collect and properly manage illegally  
21 disposed hazardous waste and household hazardous waste,  
22 regardless of whether they were codisposed with nonhazardous  
23 solid waste. Collection, transportation, and disposal of hazardous  
24 waste and household hazardous waste shall be performed in  
25 accordance with applicable law.

26 (c) The board shall not expend more than 5 percent of the funds  
27 appropriated for the purpose of ~~the~~ a program initiated pursuant  
28 to subdivision (b) by a statute other than the Budget Act to  
29 administer that program, unless a different amount is otherwise  
30 appropriated to administer the program in the annual Budget Act.  
31 If a different amount is appropriated to administer the program in  
32 the annual Budget Act, it shall be set forth in a separate line item.  
33 All remaining funds appropriated for purposes of the program shall  
34 be expended on direct cleanup pursuant to subdivision (b) or  
35 emergency actions at solid waste facilities, disposal sites, sites  
36 involving solid waste handling, and for solid waste at codisposal  
37 sites.

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AMENDED IN ASSEMBLY MARCH 1, 2023

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

**ASSEMBLY BILL**

**No. 99**

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**Introduced by Assembly Member Connolly**

January 9, 2023

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An act to add ~~Section 98 to the Streets and Highways Article 16.8 (commencing with Section 13178) to Chapter 2 of Division 7 of the Food and Agricultural Code, relating to state highways: pesticides.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 99, as amended, Connolly. ~~State highways: vegetation management: herbicides and pesticides. Department of Transportation: state roads and highways: integrated pest management.~~

Existing law vests the Department of Transportation with possession and control of the state highway system and associated property. Existing law prohibits each state agency that has responsibility for roadside vegetation control operations on, or along, a roadway, including a state highway, from conducting a roadside vegetation control operation on a portion of the roadway for which a property owner has made a request for information related to the roadside vegetation control operation until certain conditions are satisfied, as specified.

This bill would require the department to ~~develop and~~ adopt a statewide policy to ~~discontinue roadside spraying of herbicides and synthetic pesticides~~ *only use integrated pest management, as defined, that does not use herbicides or pesticides on state roads and highways* in each county where the county board of supervisors *that* has adopted a resolution that opposes the spraying of herbicides and synthetic pesticides in the county, except where no alternative vegetation management practice is feasible or during a state of emergency relating

to wildfire if the spraying is solely for purposes of preventing, combating, or mitigating the risk of wildfire. The bill would require the department, in developing that policy, to consider implementing alternative vegetation management practices, as specified. *an ordinance prohibiting roadside spraying of herbicides and pesticides. The bill would require the department, in developing the statewide policy, to contract with an outside entity that possesses expertise in integrated pest management.*

*Under existing law, a violation of certain provisions and regulations related to pesticides is a misdemeanor punishable by a fine of not less than \$5,000 and not more than \$50,000, or by imprisonment of not more than 6 months, or by both the fine and imprisonment.*

*Because a violation of this bill’s requirements would be a crime subject to the provision above, the bill would impose a state-mandated local program.*

*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: ~~no~~-yes.

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

1 SECTION 1. Article 16.8 (commencing with Section 13178) is  
2 added to Chapter 2 of Division 7 of the Food and Agricultural  
3 Code, to read:

4  
5 Article 16.8. Integrated Pest Management on State Roads and  
6 Highways

7  
8 13178. For purposes of this article, “integrated pest  
9 management” means a pest management strategy that focuses on  
10 long-term prevention or suppression of pest problems through a  
11 combination of techniques such as monitoring for pest presence  
12 and establishing treatment threshold levels, using nonchemical  
13 practices to make the habitat less conducive to pest development,

1 *improving sanitation, and employing mechanical and physical*  
2 *controls.*

3 *13178.1. (a) It is the policy of the state that effective least toxic*  
4 *pest management practices should be the preferred method of*  
5 *managing pests on state roads and highways and that the state*  
6 *should take the necessary steps to facilitate the adoption of effective*  
7 *least toxic pest management practices on state roads and highways.*

8 *(b) It is the intent of the Legislature that all Department of*  
9 *Transportation personnel who apply herbicides or pesticides on*  
10 *state roads and highways be trained in integrated pest management*  
11 *and the safe use of herbicides and pesticides in relation to the*  
12 *unique nature of state roads and highways.*

13 *13178.2. (a) The Department of Transportation shall adopt a*  
14 *statewide policy to only use integrated pest management that does*  
15 *not use herbicides or pesticides on state roads and highways in*  
16 *each county that has adopted an ordinance prohibiting roadside*  
17 *spraying of herbicides and pesticides.*

18 *(b) In developing the statewide policy, the department shall*  
19 *contract with an outside entity that possesses expertise in*  
20 *integrated pest management, such as the University of California*  
21 *Statewide Integrated Pest Management Program.*

22 *SEC. 2. No reimbursement is required by this act pursuant to*  
23 *Section 6 of Article XIII B of the California Constitution because*  
24 *the only costs that may be incurred by a local agency or school*  
25 *district will be incurred because this act creates a new crime or*  
26 *infraction, eliminates a crime or infraction, or changes the penalty*  
27 *for a crime or infraction, within the meaning of Section 17556 of*  
28 *the Government Code, or changes the definition of a crime within*  
29 *the meaning of Section 6 of Article XIII B of the California*  
30 *Constitution.*

31 ~~SECTION 1. Section 98 is added to the Streets and Highways~~  
32 ~~Code, to read:~~

33 ~~98. (a) (1) The department shall develop and adopt a statewide~~  
34 ~~policy to discontinue roadside spraying of herbicides and synthetic~~  
35 ~~pesticides in each county where the county board of supervisors~~  
36 ~~has adopted a resolution that opposes the spraying of herbicides~~  
37 ~~and synthetic pesticides in the county, except as specified in~~  
38 ~~paragraph (2):~~

39 ~~(2) The policy shall not apply in either of the following~~  
40 ~~circumstances:~~

1 ~~(A) Where no alternative vegetation management practice is~~  
2 ~~feasible.~~

3 ~~(B) During a state of emergency, as defined in Section 8558 of~~  
4 ~~the Government Code, relating to wildfire if the roadside spraying~~  
5 ~~of herbicides and synthetic pesticides is being performed solely~~  
6 ~~for purposes of preventing, combating, or mitigating the risk of~~  
7 ~~wildfire.~~

8 ~~(b) In developing the policy pursuant to subdivision (a), the~~  
9 ~~department shall consider implementing alternative vegetation~~  
10 ~~management practices, including, but not limited to, all of the~~  
11 ~~following:~~

12 ~~(1) Using organic pesticides.~~

13 ~~(2) Mulching.~~

14 ~~(3) Tarping.~~

15 ~~(4) Improving irrigation systems.~~

16 ~~(5) Altering landscape designs.~~

17 ~~(6) Using compost tea and turf aeration.~~

**ASSEMBLY BILL**

**No. 78**

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**Introduced by Assembly Member Ward**

December 15, 2022

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An act to amend Section 210 of the Code of Civil Procedure, and to amend Sections 890, 896, 900, 901, 903.3, and 905.5 of, and to add Section 913.5 to, the Penal Code, relating to grand juries.

LEGISLATIVE COUNSEL'S DIGEST

AB 78, as introduced, Ward. Grand juries.

Under existing law, a grand jury is a body of the required number of persons chosen from the citizens of the county to serve before a court of competent jurisdiction, and sworn to inquire of public offenses that are committed or triable within the county. Existing law permits a grand jury to inquire into all public offenses committed or triable within the county and present them to the court by indictment. Existing law requires the fees for grand jurors to be \$15 per each day's attendance as a grand juror.

This bill would require that fee to be equal to 70% of the county median daily income for each day's attendance. By increasing the fee for grand jurors, this bill would impose a state-mandated local program.

Existing law requires the superior court of each county to select grand jurors, as specified, and create a list of the persons selected to serve as grand jurors. Existing law requires the jury commissioner to file this list in the jury commissioner's office and have the list published one time in a newspaper of general circulation. Existing law requires grand juries to be impaneled from this list. Existing law authorizes the presiding judge to name up to 10 jurors not previously named, who

served on the previous grand jury and who consent to serve for a 2nd year on the grand jury.

This bill would require the list of grand jurors to contain the person's gender, age, race or ethnicity, and residential ZIP Code or supervisorial district of the respective counties. The bill would require a separate list to be published in a newspaper containing each person's name and the name of the judge who selected the jurors. The bill would require a list of specified prospective and impaneled jurors containing each person's gender, age, race or ethnicity, and residential ZIP Code or supervisorial district to be published on an internet website, and would require that version of the list to not contain the person's name. The bill would authorize the presiding judge to add up to 10 jurors from among the list of qualified jurors not selected in an effort to balance demographic diversity to reflect the general population of the county. The bill would require each court, on or before March 15, 2024, and on or before March 15 of each year thereafter, to provide the Judicial Council with the list and aggregate data of specified prospective and impaneled jurors containing the person's gender, age, race or ethnicity, and residential ZIP Code or supervisorial district of the respective counties, as well as the name of the judge who selected each person. The bill would require the Judicial Council to, on or before June 15, 2024, and on or before June 15 of each year thereafter, report that information to the Legislature. The bill would additionally authorize summons for prospective jurors to include information on how to become a juror on a grand jury.

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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

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

1 SECTION 1. Section 210 of the Code of Civil Procedure is  
2 amended to read:

1 210. The summons shall contain the date, time, and place of  
2 appearance required of the prospective juror or, alternatively,  
3 instructions as to the procedure for calling the jury commissioner  
4 for telephonic instructions for appearance as well as such additional  
5 juror information as deemed appropriate by the jury commissioner.  
6 *The summons may, as determined by the court, additionally contain*  
7 *information on how to become a juror on a grand jury pursuant*  
8 *to Chapter 2 (commencing with Section 893) of Title 4 of Part 2*  
9 *of the Penal Code.*

10 SEC. 2. Section 890 of the Penal Code is amended to read:

11 890. Unless a higher fee or rate of mileage is otherwise  
12 provided by statute or county or city and county ordinance, the  
13 fees for grand jurors are ~~fifteen dollars (\$15) a day~~ *equal to seventy*  
14 *percent of the county median daily income* for each day's  
15 attendance as a grand juror, and the mileage reimbursement  
16 applicable to county employees for each mile actually traveled in  
17 attending court as a grand juror.

18 SEC. 3. Section 896 of the Penal Code is amended to read:

19 896. (a) Immediately after an order is made pursuant to Section  
20 895, the court shall select the grand jurors required by personal  
21 interview for the purpose of ascertaining whether they possess the  
22 qualifications prescribed by subdivision (a) of Section 893. If a  
23 person so interviewed, in the opinion of the court, possesses the  
24 necessary qualifications, in order to be listed the person shall sign  
25 a statement declaring that the person will be available for jury  
26 service for the number of hours usually required of a member of  
27 the grand jury in that county.

28 (b) The selections shall be made of ~~men and women~~ *persons*  
29 who are not exempt from serving and who are suitable and  
30 competent to serve as grand jurors pursuant to Sections 893, 898,  
31 and 899. The court shall list the persons so selected and required  
32 by the order to serve as grand jurors during the ensuing fiscal year  
33 of the county, or until a new list of grand jurors is provided, and  
34 shall at once place this list in the possession of the jury  
35 commissioner. *The list shall contain the person's gender, age,*  
36 *race or ethnicity, and residential ZIP Code or supervisorial district*  
37 *of the respective counties.*

38 SEC. 4. Section 900 of the Penal Code is amended to read:

39 900. On receiving the list of persons selected by the court, the  
40 jury commissioner shall file it in the jury commissioner's ~~office~~

1 ~~and have the list,~~ *office*, which shall include the name of the judge  
 2 who selected each person on the list, ~~published and the person's~~  
 3 *gender, age, race or ethnicity, and residential ZIP Code or*  
 4 *supervisorial district of the respective counties. A separate list*  
 5 *shall be published containing only each person's name and the*  
 6 *name of the judge who selected each person on the list, one time*  
 7 in a newspaper of general circulation, as defined in Section 6000  
 8 of the Government Code, in the county. The jury commissioner  
 9 shall then do either of the following:

10 (a) Write down the names on the list onto separate pieces of  
 11 paper of the same size and appearance, fold each piece so as to  
 12 conceal the name, and deposit the pieces in a box to be called the  
 13 “grand jury box.”

14 (b) Assign a number to each name on the list and place, in a  
 15 box to be called the “grand jury box,” markers of the same size,  
 16 shape, and color, each containing a number ~~which~~ *that* corresponds  
 17 with a number on the list.

18 SEC. 5. Section 901 of the Penal Code is amended to read:

19 901. (a) The persons whose names are so returned shall be  
 20 known as regular jurors, and shall serve for one year and until  
 21 other persons are selected and returned.

22 (b) If the superior court so decides, the presiding judge may  
 23 name up to 10 regular jurors not previously so named, who served  
 24 on the previous grand jury *or are among the list of qualified jurors*  
 25 *not selected* and who so consent, to serve for a second ~~year.~~ *year*  
 26 *in an effort to balance demographic diversity to reflect the general*  
 27 *population of the county.*

28 (c) The court may also decide to select grand jurors pursuant to  
 29 Section 908.2.

30 SEC. 6. Section 903.3 of the Penal Code is amended to read:

31 903.3. (a) Pursuant to the rules or instructions adopted by a  
 32 majority of the judges of the superior court, the jury commissioner  
 33 shall return to the judges the list of persons recommended by ~~him~~  
 34 *the jury commissioner* for grand jury duty. *The list shall contain*  
 35 *the person's name, gender, age, race or ethnicity, and residential*  
 36 *ZIP Code or supervisorial district of the respective counties. The*  
 37 judges of the superior court shall examine the jury list so returned  
 38 and from such list a majority of the judges may select, to serve as  
 39 grand jurors in the superior court of the county during the ensuing  
 40 year or until a new list of jurors is required, such persons as, in

1 their opinion, should be selected for grand jury duty. The persons  
2 so selected shall, in the opinion of the judges selecting them, be  
3 persons suitable and competent to serve as jurors, as required by  
4 ~~law.~~ *law, and the list of their names shall constitute the list of*  
5 *certified names of impaneled persons.*

6 *(b) A separate list of prospective regular grand jurors, any*  
7 *carry-over grand jurors, persons recommended by the jury*  
8 *commissioner, persons selected by the court, and certified*  
9 *impaneled grand jurors shall contain the person's gender, age,*  
10 *race or ethnicity, and residential ZIP Code or supervisorial district*  
11 *of the respective counties, shall not contain the person's name,*  
12 *and shall be published on an internet website used for the*  
13 *disclosure of demographic information for the county's grand jury.*

14 SEC. 7. Section 905.5 of the Penal Code is amended to read:

15 905.5. (a) Except as otherwise provided in subdivision (b),  
16 the grand jury shall be impaneled and serve during the fiscal year  
17 of the county in the manner provided in this chapter.

18 (b) The board of supervisors of a county may provide that the  
19 grand jury shall be impaneled and serve during the calendar year.  
20 The board of supervisors shall provide for an appropriate transition  
21 from fiscal year term to calendar year term or from calendar year  
22 term to fiscal year term for the grand jury. The provisions of  
23 subdivisions (a) and (b) of Section 901 shall not be deemed a  
24 limitation on any appropriate transition provisions as determined  
25 by resolution or ordinance; and, except as otherwise provided in  
26 this chapter, no transition grand jury shall serve more than 18  
27 months.

28 *(c) Members of the grand jury shall be entitled to compensation*  
29 *in the amount described in Section 890, and reimbursed for*  
30 *reasonable travel and other costs associated with the performance*  
31 *of duties.*

32 SEC. 8. Section 913.5 is added to the Penal Code, to read:

33 913.5. (a) Each superior court shall, on or before March 15,  
34 2024, and on or before March 15 of each year thereafter, provide  
35 the Judicial Council with the list and aggregate data of prospective  
36 regular grand jurors, any carry-over grand jurors, persons  
37 recommended by the jury commissioner, persons selected by the  
38 court, and certified impaneled grand jurors that contains the  
39 person's gender, age, race or ethnicity, and residential ZIP Code  
40 or supervisorial district of the respective counties, as well as the

1 name of the judge who selected each person pursuant to Section  
2 903.3.

3 (b) The Judicial Council shall, on or before June 15, 2024, and  
4 on or before June 15 of each year thereafter, report to the  
5 Legislature on the information reported by each court pursuant to  
6 subdivision (a) on a county and statewide basis.

7 (c) A report to be submitted pursuant to subdivision (b) shall  
8 be submitted in compliance with Section 9795 of the Government  
9 Code.

10 SEC. 9. If the Commission on State Mandates determines that  
11 this act contains costs mandated by the state, reimbursement to  
12 local agencies and school districts for those costs shall be made  
13 pursuant to Part 7 (commencing with Section 17500) of Division  
14 4 of Title 2 of the Government Code.

**ASSEMBLY BILL**

**No. 40**

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**Introduced by Assembly Member Rodriguez**

December 5, 2022

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An act to add Section 53112.5 to the Government Code, and to add Sections 1797.120.5, 1797.120.6, and 1797.260 to the Health and Safety Code, relating to emergency services.

LEGISLATIVE COUNSEL'S DIGEST

AB 40, as introduced, Rodriguez. Emergency medical services.

Existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, creates the Emergency Medical Services Authority, which is responsible for the coordination of various state activities concerning emergency medical services. 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 a violation of the act or regulations adopted pursuant to the act punishable as a misdemeanor.

This bill would require the authority to develop an electronic signature for use between the emergency department medical personnel at a receiving facility and the transporting emergency medical personnel that captures the points in time when the hospital receives notification of ambulance arrival and when transfer of care is executed for documentation of ambulance patient offload time, as defined. The bill would require the authority to develop a statewide standard of 20 minutes, 90% of the time, for ambulance patient offload time. The bill

would also require the authority to develop an audit tool to improve data accuracy regarding transfer of care, as specified, and to provide technical assistance and funding as needed, subject to an appropriation, for small rural hospitals and volunteer EMS providers to implement these provisions. The bill would require the authority to adopt emergency regulations to implement these provisions on or before March 1, 2024.

The bill would require the authority, on or before March 1, 2024, to establish a working group of various stakeholders to review, update, and publish a toolkit to reduce patient offload delays in the emergency department.

The bill would additionally require local EMS agencies to create, in collaboration with local hospitals, a joint plan to respond to surges in demand for medical services and to submit the joint plans to the authority on or before March 1, 2024.

Because the bill would create new requirements within the act, thereby expanding the scope of an existing crime, the bill would impose a state-mandated local program.

Existing law, the Warren-911-Emergency Assistance Act, requires each local public agency within its respective jurisdiction to establish a basic system that automatically connects a person dialing 911 to an established public safety answering point through normal telephone service facilities.

This bill would require the Emergency Services Medical Authority, on or before March 1, 2024, to develop a public education campaign related to the use of the 911 service and other tools for access to care.

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:*

- 1 SECTION 1. Section 53112.5 is added to the Government
- 2 Code, to read:
- 3 53112.5. On or before March 1, 2024, the Emergency Medical
- 4 Services Authority shall develop, in partnership with local public

1 health departments, a public education campaign related to use of  
2 the 911 service and other tools for access to care. This shall include  
3 public service announcements and educational material.

4 SEC. 2. Section 1797.120.5 is added to the Health and Safety  
5 Code, to read:

6 1797.120.5. (a) (1) The authority shall develop a California  
7 Emergency Medical Services Information System requirement for  
8 an electronic signature for use between the emergency department  
9 medical personnel at a receiving facility and the Emergency  
10 Medical Technician (EMT), Advanced Emergency Medical  
11 Technician (AEMT), or Emergency Medical Technician-Paramedic  
12 (EMT-P) that captures the points in time when the hospital receives  
13 notification of ambulance arrival and when transfer of care is  
14 executed for documentation of ambulance patient offload time, as  
15 defined by Section 1797.120.

16 (2) The signature shall be collected when physical transfer of  
17 the patient occurs and the report is given to hospital staff and shall  
18 note ambulance arrival time at the hospital.

19 (b) The authority shall develop a statewide standard of 20  
20 minutes, 90 percent of the time, for ambulance patient offload  
21 time.

22 (c) The authority shall develop an audit tool to improve data  
23 accuracy of transfer of care with validation from hospitals and  
24 local EMS agencies.

25 (d) The authority shall provide technical assistance and funding  
26 as needed, subject to an appropriation, for small rural hospitals  
27 and volunteer EMS providers to implement this section.

28 (e) On or before March 1, 2024, the authority shall adopt  
29 emergency regulations to implement this section. The emergency  
30 regulations adopted pursuant to this section shall be adopted in  
31 accordance with Chapter 3.5 (commencing with Section 11340)  
32 of Part 1 of Division 3 of Title 2 of the Government Code, and,  
33 for purposes of that chapter, including Section 11349.6 of the  
34 Government Code, the adoption of the regulations is an emergency  
35 and shall be considered by the Office of Administrative Law as  
36 necessary for the immediate preservation of the public peace, health  
37 and safety, and general welfare.

38 SEC. 3. Section 1797.120.6 is added to the Health and Safety  
39 Code, to read:

1 1797.120.6. On or before March 1, 2024, the authority shall  
2 establish a working group of stakeholders representing hospital  
3 administration, EMS providers, local EMS agencies, and hospital  
4 employees in the emergency department and in the inpatient setting  
5 to review, update, and publish a toolkit to reduce patient offload  
6 delays in the emergency department.

7 SEC. 4. Section 1797.260 is added to the Health and Safety  
8 Code, to read:

9 1797.260. Local EMS agencies shall create, in collaboration  
10 with local hospitals, a joint plan to respond to surges in demand  
11 for medical services. Local EMS agencies shall submit the joint  
12 plans to the authority on or before March 1, 2024.

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

**Introduced by Senator Dodd**February 17, 2023

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An act to amend Section 89500 of the Education Code, relating to public postsecondary education.

## LEGISLATIVE COUNSEL'S DIGEST

SB 808, as introduced, Dodd. California State University: terms of employment: settlements and retreat rights.

Existing law establishes the California State University and provides for its administration by the Trustees of the California State University. Existing law requires the trustees to provide by rule for the government of their appointees and employees.

This bill would require the rules adopted by the trustees pursuant to those provisions to, among other things, (1) require each campus president and either a vice president or vice chancellor to approve all sexual harassment settlements, (2) require a report to the Legislature on the number of sexual harassment complaints filed, the length of time taken to complete the investigative process, and the disposition of those cases, as specified, and (3) prohibit retreat rights for any campus president, provost, or other senior administrator who has violated any California State University or campus Title IX policy, as defined. The bill would prohibit a contract for retreat rights for any of those employees determined to have violated any California State University or campus Title IX policy from being entered into on or after January 1, 2024, or upon the expiration of a conflicting memorandum of understanding that was in effect before January 1, 2024, whichever is later. The bill would make Legislative findings and declarations relating to these provisions.

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

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

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) Congress enacted Title IX of the federal Education  
4 Amendments of 1972 (20 U.S.C. Sec. 1681 et seq.) forbidding  
5 discrimination on the basis of sex at educational institutions  
6 receiving federal financial assistance and offering protections for  
7 students, faculty, and staff, which has been expanded to cover  
8 sexual harassment and sexual violence in addition to sex  
9 discrimination.

10 (b) Sexual harassment and sexual violence against university  
11 students is an issue of critical importance and is prohibited by law.

12 (c) The California State University, in its handling of sexual  
13 harassment and sexual violence complaints, especially those  
14 involving faculty, staff, and administrators, has been woefully  
15 inadequate.

16 (d) Students who suffer from sexual harassment and sexual  
17 violence are deprived of equal and free access to an education, and  
18 data suggests that graduate and professional students are  
19 particularly vulnerable to harassment from those in a position of  
20 authority at a college or university.

21 (e) Incidences at numerous California States University  
22 campuses across the state indicate a clear lack of safeguards,  
23 sufficient policies, professional oversight, and accountability in  
24 the California State University system.

25 SEC. 2. Section 89500 of the Education Code is amended to  
26 read:

27 89500. (a) (1) Notwithstanding any other ~~provision~~ of law,  
28 the trustees shall provide by rule for the government of their  
29 appointees and employees, pursuant to this chapter and other  
30 applicable ~~provisions~~ of law, including, but not limited to: *to, the*  
31 *following*: appointment; classification; terms; duties; pay and  
32 overtime pay; uniform and equipment allowances; travel expenses  
33 and allowances; rates for housing and lodging; moving expenses;  
34 leave of absence; tenure; vacation; holidays; layoff; dismissal;  
35 demotion; suspension; sick leave; reinstatement; and employer's

1 contribution to ~~employees', annuitants', and survivors'~~ *the health*  
2 ~~benefits plans.~~ *benefit plans of employees, annuitants, and*  
3 *survivors.*

4 (2) The rules adopted by the trustees relating to tenure, layoff,  
5 dismissal, demotion, suspension, and reinstatement of academic  
6 and administrative employees shall be adopted on or before  
7 February 1, 1962, and become effective on July 1, 1962, with  
8 respect to employees who are academic teaching and administrative  
9 employees as defined in subdivision (1)(e) of Section 24301, as it  
10 read on June 30, 1961, as enacted by *Section 3 of Chapter 2 of the*  
11 *Statutes of 1959.*

12 (b) The adoption of these rules and regulations shall not be  
13 subject to Chapter 3.5 (commencing with Section 11340) of Part  
14 1 of Division 3 of Title 2 of the Government Code.

15 (c) *The rules adopted by the trustees pursuant to this section*  
16 *shall do all of the following:*

17 (1) *Require each campus president and either a vice president*  
18 *or vice chancellor to approve all sexual harassment settlements.*

19 (2) *Require a report to the Legislature, consistent with the*  
20 *requirements of Section 9795 of the Government Code, on the*  
21 *number of sexual harassment complaints filed, the length of time*  
22 *taken to complete the investigative process, and the disposition of*  
23 *those cases, disaggregated by campus and the chancellor's office.*  
24 *The report shall also be posted on the California State University's*  
25 *internet website.*

26 (3) (A) *Prohibit retreat rights for any campus president,*  
27 *provost, or other senior administrator who has violated any*  
28 *California State University or campus Title IX policy.*

29 (B) *Notwithstanding subdivision (d), a contract for retreat rights*  
30 *for any employee identified in subparagraph (A) who has been*  
31 *determined to have violated any California State University or*  
32 *campus Title IX policy shall not be entered into on or after January*  
33 *1, 2024, or upon the expiration of a conflicting memorandum of*  
34 *understanding that was in effect before January 1, 2024, whichever*  
35 *is later.*

36 (C) *For purposes of paragraph (3), Title IX means Title IX of*  
37 *the federal Education Amendments of 1972 (20 U.S.C. Sec. 1681*  
38 *et seq.)*

39 (e)

1 (d) If the provisions of this section are in conflict with the  
2 provisions of a memorandum of understanding reached pursuant  
3 to Chapter 12 (commencing with Section 3560) of Division 4 of  
4 Title 1 of the Government Code, the memorandum of  
5 understanding shall be controlling without further legislative action,  
6 except~~that~~ *that*, if the provisions of a memorandum of  
7 understanding require the expenditure of funds, the provisions  
8 shall not become effective unless approved by the Legislature in  
9 the annual Budget Act.

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# Solano County 2023 Legislative Calendar – Working Draft, January 2023



Release Legislative Committee Agenda

Proposed Legislative Committee Meeting

Legislative Report to Board of Supervisors

Annual / Legislative Conference Event

Solano County Recognized Holiday

State of California Recognized Holiday

JANUARY						
S	M	T	W	TH	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

**January 1**, Statutes take effect  
**January 2**, New Year's Day holiday (observed)  
**January 4**, Legislature reconvenes  
**January 10**, Budget deadline for Governor  
**January 16**, Martin Luther King Jr. Holiday  
**January 20**, Last day to submit bill requests to Office of the Legislative Counsel

FEBRUARY						
S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

**February 11-14**, NACo Leg. Conference (Wash. D.C.)  
**February 13**, President Lincoln's birthday  
**February 17**, Last day for bills to be introduced  
**February 20**, President Washington's Day

MARCH						
S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

**March 30**, Spring recess begins upon adjournment  
**March 31**, Cesar Chavez Day

APRIL						
S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

**April 10**, Legislature reconvenes from Spring recess  
**April 11 – 13**, CSAC Annual Conference (Sacramento)  
**April 28**, Last day for policy committees to hear and report to fiscal committees; fiscal bills introduced in their house

**Legislative Committee Meetings start at 1:30 p.m. and Board meetings start at 9 a.m. (unless otherwise stated on the agenda packet)**

# Solano County 2023 Legislative Calendar – Working Draft, January 2023



Release Legislative Committee Agenda

Proposed Legislative Committee Meeting

Legislative Report to Board of Supervisors

Annual / Legislative Conference Event

Solano County Recognized Holiday

State of California Recognized Holiday

MAY						
S	M	T	W	TH	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

**May 5**, Last day for policy committees to hear and report to the Floor non-fiscal bills introduced into their house

**May 12**, Last day for policy committees to meet prior to June 5

**May 19**, Last day for fiscal committees to hear and report to the Floor bills introduced into their houses; last day for fiscal comms to meet prior to June 5

**May 29**, Memorial Day holiday

**May 30 – June 2**, Floor session only. No committees other than **conference** or **rules** committees may meet for any purpose.

JUNE						
S	M	T	W	TH	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	31	

**June 2**, Last day for each house to pass bills introduced in that house

**June 5**, Committee meetings may resume

**June 15**, Budget must be passed by midnight

**June 19**, Juneteenth holiday

JULY						
S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

**July 4**, Independence Day

**July 14**, Last day for policy committees to meet and report bills – Summer Recess begins (provided the Budget Bill has passed)

**July 21 – 24**, NACo Annual Conference (Washington County, Utah)

Legislative Committee Meetings start at 1:30 p.m. and Board meetings start at 9 a.m. (unless otherwise stated on the agenda packet)

# Solano County 2023 Legislative Calendar – Working Draft, January 2023



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AUGUST						
	M	T	W	TH	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

**August 14,** Legislature reconvenes from Summer Recess

SEPTEMBER						
S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

**Sept. 1,** Last day for fiscal committees to meet and report bills to the Floor

**Sept. 4,** Labor Day

**Sept. 5 – 14,** Floor session only. No committees, other than conference or Rules Committee

**Sept. 8.,** Last day to amend on the Floor

**Sept. 14,** Last day for each house to pass bills. Interim Study Recess begins at end of session.

**Sept. 27,** Proposed 2024 Leg. Platform Changes due to CAO's Office

OCTOBER						
S	M	T	W	TH	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

**October 9,** Columbus Day

**October 14,** Last day for Governor to sign/veto bills passed by the Legislature on or before Sept. 14

**October 16,** Legislative Committee's review of 2024 Legislative Platforms

NOVEMBER						
S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

**Date TBD,** CSAC Annual Conference

**November 7,** BOS first review of Legislative Platforms

**November 10,** Veterans Day (observed)

**November 14,** BOS second review of Legislative Platforms (if necessary)

**November 23 – 24,** Thanksgiving Holiday

**Legislative Committee Meetings start at 1:30 p.m. and Board meetings start at 9 a.m. (unless otherwise stated on the agenda packet)**

# Solano County 2023 Legislative Calendar – Working Draft, January 2023



Release Legislative Committee Agenda

Proposed Legislative Committee Meeting

Legislative Report to Board of Supervisors

Annual / Legislative Conference Event

Solano County Recognized Holiday

State of California Recognized Holiday

DECEMBER						
S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

**Dec. 22**, Half day pre-Christmas closure

**Dec. 26**, Christmas Day observed

**Dec. 29**, New Year’s Eve half-day closure

**Dec. 31**, Last day to distribute 2023 Legislative Platforms to Solano Delegation

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**2024:**

- Statutes take effect (**January 1, 2024**)
- Legislature reconvenes (**January 3, 2024**)

Legislative Committee Meetings start at 1:30 p.m. and Board meetings start at 9 a.m. (unless otherwise stated on the agenda packet)