



PCOC

Legislative Matrix

Hot List Bills

AB 1588

(Atkins D) Professions and vocations: reservist licensees: fees and continuing education.

Introduced: 2/6/2012

Status: 3/28/2012 - In committee: Set, first hearing. Referred to APPR. suspense file.

Location: 3/28/2012 - A . APPR. SUSPENSE FILE

| 2Year Dead | Desk | Policy | Fiscal | Floor | Desk | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
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Summary: Existing law provides for the regulation of various professions and vocations by boards , commissions, or bureaus within the Department of Consumer Affairs and for the licensure or registration of individuals in that regard. Existing law authorizes any licensee whose license expired while he or she was on active duty as a member of the California National Guard or the United States Armed Forces to reinstate his or her license without examination or penalty if certain requirements are met. This bill would require the boards , commissions, or bureaus described above to waive the renewal fees and continuing education requirements, if either is applicable, of any licensee or registrant who is a reservist called to active duty as a member of the United States Military Reserve or the California National Guard if certain requirements are met.

HOT Support

SB 953

(Strickland R) Government reorganization: realignment or closure.

Introduced: 1/5/2012

Status: 4/24/2012 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 4. Page 3262.) (April 24). Re-referred to Com. on APPR.

Location: 4/24/2012 - S . APPR.

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Calendar: 5/7/2012 11 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, KEHOE, Chair

Summary: The State Government Strategic Planning and Performance and Review Act requires each state agency, department, office, and commission for which strategic planning efforts are recommended to develop a strategic plan, as specified, that identifies, among other things, the steps being taken to develop performance measures to implement a performance budgeting system or a performance review. The act also requires that these entities report to the Governor and the Joint Legislative Budget Committee by April 1 of each year on the steps being taken to develop and adopt a strategic plan. This bill would enact the Bureaucracy Realignment and Closure Act of 2013. It would establish the Bureaucracy Realignment and Closure Commission in state government with a specified membership. Beginning on January 1, 2013, the Controller, the Director of Finance, the Legislative Analyst, the Legislative Counsel, the Milton Marks "Little Hoover" Commission on California State Government Organization and Economy, and the State Auditor would be required to develop recommendations for the closure or realignment of state bureaucracies for consideration by the commission. It would require the commission to independently evaluate the recommendations, conduct 3 public hearings, and, by January 1, 2014, have at least one member of the commission visit each state bureaucracy considered for realignment or closure. This bill contains other related provisions and other existing laws.

HOT Watch

SB 1114

(Dutton R) Employment: overtime compensation.

Introduced: 2/17/2012

Status: 4/11/2012 - Set, first hearing. Failed passage in committee. (Ayes 1. Noes 4. Page 3122.)

Location: 4/11/2012 - S . L. & I.R.

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HOT Support

Summary: Existing law, with certain exceptions, establishes 8 hours as a day's work and a 40-hour workweek, and requires payment of prescribed overtime compensation for additional hours worked. Existing law authorizes the adoption, by 2/3 of employees in a work unit, of alternative workweek schedules providing for workdays no longer than 10 hours within a 40-hour workweek. This bill, until January 1, 2015, instead would establish 40 hours as a week's work and require payment of prescribed overtime compensation for hours worked in excess of 10 hours in one workday. The bill would also make conforming changes.

SB 1230

(Wright D) Occupational Safety and Health Standards Board: emissions control.

Introduced: 2/23/2012

Status: 4/11/2012 - Set, first hearing. Hearing canceled at the request of author.

Location: 3/8/2012 - S . L. & I.R.

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HOT Support

Summary: Existing law establishes the Occupational Safety and Health Standards Board within the Department of Industrial Relations and requires the standards board to adopt occupational safety and health standards. Certain violations of these standards are crimes. This bill would require the Occupational Safety and Health Standards Board to adopt standards designed to ensure the safety of the operator in the installation, use, and operation of a verified diesel emission control strategy, as defined, required by a regulation adopted by the State Air Resources Board to be installed on an on-road heavy-duty diesel-fueled motor vehicle. The bill would prohibit the State Air Resources Board from requiring a fleet owner, as defined, to install a verified diesel emission control strategy until 6 months after the adoption of the standards. Because certain violations of the safety standard adopted by the Occupational Safety and Health Standards Board would be a crime pursuant to provisions of existing law, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

SB 1255

(Wright D) Employee compensation: itemized statements.

Introduced: 2/23/2012

Status: 4/26/2012 - Set for hearing May 8.

Location: 4/11/2012 - S . JUD.

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Calendar: 5/8/2012 1:30 p.m. - Room 112 SENATE JUDICIARY, EVANS, Chair

HOT

Summary: Existing law requires every employer, semimonthly or at the time of each payment of wages, to furnish each employee an accurate itemized statement in writing showing specified information, including, among other things, the name of the employee and the last 4 digits of his or her social security number or an employee identification number, the gross wages earned, all deductions, net wages earned, the inclusive dates of the period for which the employee is paid, and the name and address of the legal entity that is the employer and, if the employer is a farm labor contractor, as defined, the name and address of the legal entity that secured the services of the employer. Existing law provides that an employee suffering injury as a result of a knowing and intentional failure by an employer to comply with this requirement is entitled to recover the greater of all actual damages or a specified sum, not exceeding an aggregate penalty of \$4,000, and is entitled to an award of costs and reasonable attorney's fees. This bill would provide that an employee is deemed to suffer injury for purposes of the above-referenced penalty if the employer fails to provide a wage statement or fails to provide a wage statement showing the name of the employee and the last 4 digits of his or her social security number or employee identification number. The bill would also provide that an employee is deemed to suffer injury for that penalty if the employer fails to provide accurate and

complete information, as specified, and the employee cannot promptly and easily determine from the wage statement alone the amount of the gross and net wages paid to the employee during the pay period and how those gross and net wages were determined by reference only to specified information on the itemized wage statement, the deductions the employer made from the gross wages to determine the net wages paid to the employee during the pay period, and the name and address of the employer or legal entity that secured the services of the employer, as specified.

Tracked Bills

[AB 1450](#) **(Allen D) Employment: discrimination: status as unemployed.**

Introduced: 1/5/2012

Status: 4/26/2012 - Re-referred to Com. on APPR.

Location: 4/26/2012 - A. APPR.

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Summary: Existing law contains provisions that define unlawful discrimination and employment practices by employers and employment agencies. This bill would make it unlawful, unless based on a bona fide occupational qualification or any other provision of law, for an employer, an employment agency, or a person who operates an Internet Web site for posting jobs in this state to take specified employment actions relating to employment status, as defined, including, among other things, refusing to hire a person because of that person's employment status and publishing an advertisement or announcement for any job that includes provisions pertaining to an individual's current employment or employment status, as specified. This bill contains other related provisions and other existing laws.

[AB 1596](#) **(Cook R) Income taxes: credits: hiring full-time employees.**

Introduced: 2/6/2012

Status: 4/9/2012 - In committee: Set, first hearing. Referred to REV. & TAX. suspense file.

Location: 2/17/2012 - A. REV. & TAX SUSPENSE FILE

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Calendar: 5/14/2012 1:30 p.m. - State Capitol, Room 126 ASSEMBLY REVENUE AND TAXATION SUSPENSE FILE, PEREA, Chair

Summary: The Personal Income Tax Law and the Corporation Tax Law authorize various credits against the taxes imposed by those laws, including a credit for taxable years beginning on or after January 1, 2009, in the amount of \$3,000 for each full-time employee hired by a qualified employer. Those laws define "qualified employer" as a taxpayer that employed 20 or fewer employees as of the last day of the preceding taxable year. This bill would, under both laws, for taxable years beginning on or after January 1, 2012, expand the definition of "qualified employer" to mean a taxpayer that employed 50 or fewer employees as of the last day of the preceding taxable year. This bill contains other related provisions.

[AB 1964](#) **(Yamada D) Discrimination in employment: reasonable accommodations.**

Introduced: 2/23/2012

Status: 4/26/2012 - From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (April 24).

Location: 4/26/2012 - A. SECOND READING

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Calendar: 4/30/2012 #22 ASSEMBLY ASSEMBLY SECOND READING FILE

Summary: Existing law, the California Fair Employment and Housing Act, protects and safeguards the right and opportunity of

all persons to seek, obtain, and hold employment without discrimination or abridgment on account of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, or sexual orientation. Specifically, an employer or other covered entity is required to reasonably accommodate the religious belief or observance, or disability or medical condition, of an individual unless the accommodation would be an undue hardship on the conduct of the business of the employer or other entity. This bill would specify a factor to be considered in determining undue hardship for the purposes of these protections against discrimination, and would provide that an accommodation is not reasonable if the accommodation requires segregation of an employee from customers or the general public. The bill would include the practice of wearing religious clothing or a religious hairstyle as a belief or observance covered by the protections.

[AB 1975](#) (Halderman R) Medical marijuana: pesticide regulation.

Introduced: 2/23/2012

Status: 2/24/2012 - From printer. May be heard in committee March 25.

Location: 2/23/2012 - A. PRINT

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Summary: Existing law establishes the Medical Marijuana Program to exempt certain qualified patients who hold an identification card issued pursuant to the program, and the caregivers of those persons, from certain state criminal sanctions related to the possession, cultivation, transportation, processing, or use of limited amounts of marijuana, as specified. This bill would state the intent of the Legislature to enact legislation that would require the Department of Pesticide Regulation to develop guidelines to enforce state pesticide regulations on medical marijuana cultivation.

[AB 2103](#) (Ammiano D) Employment: wages and hours: overtime.

Introduced: 2/23/2012

Status: 4/19/2012 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 1.) (April 18). Re-referred to Com. on APPR.

Location: 4/19/2012 - A. APPR.

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Calendar: 5/2/2012 9 a.m. - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS, FUENTES, Chair

Summary: Existing law, with certain exceptions, establishes 8 hours as a day's work and a 40-hour workweek, and requires payment of prescribed overtime compensation for additional hours worked. A violation of overtime compensation laws is a crime. Existing law provides that for the purpose of computing the overtime rate of compensation required to be paid to a nonexempt full-time salaried employee, the employee's regular hourly rate shall be 1/40th of the employee's weekly salary. This bill would provide that payment of a fixed salary to a nonexempt employee shall be deemed to provide compensation only for the employee's regular, nonovertime hours, notwithstanding any private agreement to the contrary. Because a violation of this provision would be a crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

[AB 2373](#) (Norby R) Independent contractor: definition.

Introduced: 2/24/2012

Status: 3/22/2012 - Referred to Coms. on L. & E. and INS.

Location: 3/22/2012 - A. L. & E.

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Summary: Existing law defines "independent contractor" for purposes of the Labor Code to mean a person who renders service for a specified recompense for a specified result under the control of his or her principal as to the result of his or her work only and not as to the means by which this result is accomplished. This bill would amend that definition to state that

whether a person is an independent contractor is determined by considering various factors, as specified. The bill would amend various other statutory codes to incorporate this definition of independent contractor.

[AB 2517](#)

(Eng D) Wage liens: laborers and car washing and polishing employees.

Introduced: 2/24/2012

Status: 4/26/2012 - From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 6. Noes 3.) (April 24).

Location: 4/26/2012 - A . SECOND READING

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Calendar: 4/30/2012 #35 ASSEMBLY ASSEMBLY SECOND READING FILE

Summary: Existing law provides that specified persons, including laborers, as defined, who contribute labor, skill, or services to a work of improvement, shall have a mechanic's lien upon the property so improved. This bill would authorize a car washing and polishing employee to record and enforce a wage lien upon specified real and personal property for wages and other compensation and related penalties and damages owed the employee. The bill would prescribe requirements relating to the recording and enforcement of the wage lien. This bill contains other related provisions and other existing laws.

[AB 2570](#)

(Hill D) Licensees: settlement agreements.

Introduced: 2/24/2012

Status: 4/25/2012 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 3.) (April 24). Re-referred to Com. on APPR.

Location: 4/25/2012 - A . APPR.

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Summary: Existing law provides that it is a cause for suspension, disbarment, or other discipline for an attorney to agree or seek agreement that the professional misconduct or the terms of a settlement of a claim for professional misconduct are not to be reported to the disciplinary agency, or to agree or seek agreement that the plaintiff shall withdraw a disciplinary complaint or not cooperate with an investigation or prosecution conducted by the disciplinary agency. This bill would prohibit a licensee who is regulated by the Department of Consumer Affairs or various boards, bureaus, or programs, or an entity or person acting as an authorized agent of a licensee, from including or permitting to be included a provision in an agreement to settle a civil dispute that prohibits the other party in that dispute from contacting, filing a complaint with, or cooperating with the department, board, bureau, or program, or that requires the other party to withdraw a complaint from the department, board, bureau, or program. A licensee in violation of these provisions would be subject to disciplinary action by the board, bureau, or program. The bill would also prohibit a board, bureau, or program from requiring its licensees in a disciplinary action that is based on a complaint or report that has been settled in a civil action to pay additional moneys to the benefit of any plaintiff in the civil action.

[AB 2575](#)

(Furutani D) Barbering and Cosmetology Act: reporting requirements.

Introduced: 2/24/2012

Status: 4/24/2012 - In committee: Set, first hearing. Hearing canceled at the request of author.

Location: 4/9/2012 - A . B.,P. & C.P.

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Summary: Existing law, the Barbering and Cosmetology Act, establishes the State Board of Barbering and Cosmetology in the Department of Consumer Affairs. Existing law requires that, not later than September 1, 2005, the board conduct various studies, some in conjunction with the Office of Examination Resources and some in coordination with the Department of Industrial Relations, and to report the results to the department and to the Joint Committee on Boards, Commissions, and Consumer Protection in the Legislature. This bill would repeal the provisions regarding these reporting requirements.

SB 52**(Steinberg D) Environmental quality: jobs and economic improvement.****Introduced:** 12/15/2010**Status:** 2/1/2012 - In Assembly. Read first time. Held at Desk.**Location:** 2/1/2012 - A . DESK

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Summary: 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 (EIR) 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. This bill would require instead that a project result in a minimum investment of \$100,000,000 spent on planning, design, and construction of the project. The bill, in order to maximize public health, environmental, and employment benefits, would require a lead agency to place the highest priority on feasible measures that will reduce greenhouse gas emissions on the project site and in the neighboring communities of the project site. This bill contains other related provisions and other existing laws.

SB 691**(Lieu D) Unemployment insurance: compensation.****Introduced:** 2/18/2011**Status:** 4/19/2012 - Referred to Com. on INS.**Location:** 4/19/2012 - A . INS.

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Summary: Under existing law, the information obtained in the administration of the Unemployment Insurance Code is for the exclusive use and information of the Director of Employment Development in the discharge of his or her duties and is not open to the public. However, existing law permits the use of the information for specified purposes. Existing law lists as a specified purpose to provide an authorized governmental agency with relevant information that relates to any specific workers' compensation insurance fraud investigation, as provided. This bill would expand the definition of "authorized governmental agency" to include the Contractors' State License Board.

SB 1076**(Emmerson R) California Global Warming Solutions Act of 2006: tire inflation regulation.****Introduced:** 2/14/2012**Status:** 4/25/2012 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (April 24). Re-referred to Com. on APPR.**Location:** 4/25/2012 - S . APPR.

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Calendar: 5/7/2012 11 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, KEHOE, Chair

Summary: The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020, and to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions. A violation of a regulation adopted by the state board pursuant to the act is subject to specified civil and criminal penalties. Pursuant to the act, the state board adopted a regulation requiring automobile service providers, by September 1, 2010, among other things, to check and inflate vehicle tires to the recommended pressure rating when performing automobile maintenance or repair services. This bill, until January 1, 2018, would require a tire pressure gauge used to meet the requirements of this regulation to be accurate within a range of plus or minus 2 pounds per square inch of pressure (2 psi). The bill, until January 1, 2018, would authorize automotive service

providers to meet the requirements of the regulation without checking and inflating a vehicle's tires if those tires are determined to be unsafe, as defined. The bill, until January 1, 2018, would require the state board to adopt regulations on tire age and safety if the National Highway Traffic Safety Administration adopts regulations establishing a correlation between tire age and safety.

[SB 1119](#) (Berryhill R) Pesticides: violations: civil penalties.

Introduced: 2/17/2012

Status: 3/8/2012 - Referred to Coms. on AGRI. and E.Q.

Location: 3/8/2012 - S. AGRI.

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Summary: Existing law provides that every person who violates a provision of law relating to pesticides, or any regulation issued pursuant thereto, is guilty of a misdemeanor. In lieu of seeking prosecution for a misdemeanor, existing law authorizes the Director of Pesticide Regulation to prosecute a violation civilly, as specified. In lieu of a civil prosecution by the director, existing law authorizes the county agricultural commissioner to levy a civil penalty against a person violating specified provisions of law relating to pest control operations, pesticides, pesticides and worker safety, use of an unregistered pesticide, structural pest control devices, or regulations adopted pursuant to these provisions. This bill would provide that if the county agricultural commissioner determines that a conflict-of-interest exists, another commissioner designated by the director may levy a civil penalty pursuant to these provisions. This bill contains other related provisions and other existing laws.

[SB 1127](#) (Vargas D) Volatile organic compounds: consumer products.

Introduced: 2/21/2012

Status: 4/16/2012 - Set, first hearing. Failed passage in committee. (Ayes 2. Noes 4. Page 3189.) Reconsideration granted.

Location: 4/16/2012 - S. E.Q.

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Summary: Existing law requires the State Air Resources Board to adopt regulations to achieve the maximum feasible reduction in volatile organic compounds emitted by consumer products, as defined, if the state board determines adequate data exist to establish the regulations are necessary to attain state and federal ambient air quality standards, and the regulations are commercially and technologically feasible and necessary. Existing law prohibits an air pollution control district or air quality management district from adopting any regulation pertaining to disinfectants or any regulation pertaining to a consumer product that is different from any regulation adopted by the state board for that purpose. This bill would require the South Coast Air Quality Management District to amend a specified regulation relating to consumer products. By adding to the duties of the South Coast Air Quality Management District, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

[SB 1374](#) (Harman R) Liability: good faith reliance on administrative regulation.

Introduced: 2/24/2012

Status: 4/26/2012 - Set for hearing May 8.

Location: 4/23/2012 - S. JUD.

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Calendar: 5/8/2012 1:30 p.m. - Room 112 SENATE JUDICIARY, EVANS, Chair

Summary: Existing law provides that every person is responsible, not only for the result of his or her willful acts, but also for an injury occasioned to another by his or her want of ordinary care or skill in the management of his or her property or person, except so far as the latter has, willfully or by want of ordinary care, brought the injury upon himself or herself. This bill would provide that any person who relies upon a written order, ruling, approval, interpretation, or enforcement policy of a state agency

shall not be liable or subject to punishment for a violation of a civil statute or regulation in a judicial or administrative proceeding if the person pleads and proves to the trier of fact that, at the time the alleged act or omission occurred, the person had sought an applicable written order, ruling, approval, interpretation, or enforcement policy from the state agency charged with interpreting that area of law, and relied upon and conformed to that order, ruling, approval, interpretation, or enforcement policy . The bill would provide that these provisions apply to all actions and proceedings that have not resulted in a final judgment on or after January 1, 2013, regardless of whether the action or proceeding was commenced, or based upon, an alleged act or omission that occurred before, on, or after January 1, 2013. Additionally, the bill would state that it would not require a state agency to issue an order, ruling, approval, interpretation, or enforcement policy. This bill contains other existing laws.

Total Measures: 20

Total Tracking Forms: 20