



## Special Legislative Update ■ May 6, 2020

### **Governor Newsom Announces New Executive Order on Property Taxes**

Today, Governor Newsom issued Executive Order [N-61-20](#), providing county treasurer-tax collectors with the authority to waive penalties and interest associated with late property tax payments for economic hardship through May 6, 2021. Additionally, business personal property statements slated to be filed with county assessors this week (by May 7) will now be due on May 31, 2020. *Please see [attached](#) a joint statement from CSAC, UCC, RCRC, and the California Association of County Treasurer Tax Collectors responding to the Governor's order.*

### **Governor Newsom Announces New Workers' Compensation Provisions for COVID-19**

Governor Newsom also signed Executive Order [N-62-20](#), establishing new workers' compensation provisions for those workers whose employers – in the context of the pandemic – require them to physically go to work or do their job outside of the home. Specifically, an employee who tests positive for COVID-19 or is diagnosed with COVID-19 (and subsequently confirmed with a positive test) by a doctor will be eligible for workers' compensation benefits. The benefit is retroactive to March 19 (the start of the state's shelter-in-place order) and ends on July 5. The presumption that COVID-19 was contracted at work is rebuttable by employers. Recall that a recent [study](#) by the Workers' Compensation Insurance Risk Board suggested that workers' compensation costs associated with COVID-19 could be many billions of dollars, an estimated \$11.2 billion in the mid-range.

The Director of the Department of Industrial Relations indicated that the state will be providing additional guidance on the new workers' compensation provisions in the coming days.

### **Governor Announces Continued Pursuit of Vaping Tax**

In response to a question from a reporter during today's noon press conference, the Governor gave a preview of his May Revision, indicating that he would continue to pursue a vaping tax. Recall that in his January proposed budget, the Governor had proposed a new nicotine content-based e-cigarette tax. The vaping tax would be effect January 1, 2021 and would impose a \$2 tax for each 40 milligrams of nicotine in the product and be an addition to the existing taxes on e-cigarettes. The Administration estimated at the time that the tax would generate \$32 million in 2020-21, which would – at least as conceived in January – be used for administration, enforcement, youth prevention, and health care workforce programs.

## **Senate Special Committee on Pandemic Emergency Response**

The Senate Special Committee on Pandemic Emergency Response held its first hearing this afternoon – focusing on testing and contact tracing. The agenda and materials can be found [here](#). The first panel, comprised of state and local officials, included an overview of state activities and of the state task force on testing, the role of local public health departments in testing and contact tracing, and testing and contact tracing challenges in rural counties. The second panel focused on academic institutions' response, commercial laboratories, and health disparities.

Senators were very engaged in the discussion with panelists, asking a variety of questions. Topics covered include: 1) whether California has sufficient tests to move to the second phase of the Governor's four-stage re-opening; 2) further clarification from the Administration on privacy issues related to the use of technology to do contact tracing; 3) the lack of availability of testing sites in rural California; 4) challenges to do contact tracing and testing in small rural counties with limited public health department staff; 5) the lack of swabs for testing; 6) testing availability for people who don't drive or don't have access to the internet; 7) sufficient PPE to do the testing; 8) payment mechanisms for community health centers to perform the tests, including PPE costs; 9) how the state plans to address staffing for contact tracing over the long-term; 10) whether public health departments have the capacity to do anything over than COVID-19 testing and tracing in the near term and how they will address other public health functions during the pandemic; 11) interest in whether some of the unemployed Californians can be retrained to become contact tracers and whether this is a workforce development opportunity; 12) essential health worker, including farm worker, guidance; 13) LGBTQ issues; 14) California Medical Association's request for an Executive Order to allow pharmacists to perform testing to expand capacity; and 15) challenges in – and ways to address – testing reluctance on the part of hard-to-serve populations, such as the homeless.

The hearing attracted testimony from the general public, primarily from individuals who appeared to be affiliated with the anti-vaccination movement. They raised concerns with whether the public can opt in or opt out of testing and tracing, data breaches, data privacy, whether testing would be required to resume work or to attend schools, false positives, isolation and quarantine. The County Health Executives Association of California (CHEAC) urged the Legislature to consider rebuilding local public health capacity as part of the effort to address the pandemic, reminding the Committee that public health staff is not a short-term need. Community health centers urged greater collaboration between clinics and local public health and to consider the use of community health center staff as potential contact tracers.

## **Legislative Calendars**

The Assembly and Senate released updated legislative calendars today to reflect new deadlines for policy and fiscal committees to hear bills and to pass bills out of the house of origin. The two calendars differ until July 13, when both houses will return from a summer recess. We will share links to the houses' updated calendars once they are available online.

## **LAO Summarizes Judicial Branch Actions to Respond to the Pandemic**

In today's [post](#), the Legislative Analyst's Office summarizes the various emergency orders and other actions adopted by the Governor, Judicial Council and local courts to make needed operational changes in light of the pandemic.