



*Established in 1991, UCC serves as the representative voice for state legislative advocacy for high-population counties in California. Initially composed of seven counties, the association has grown to 14 today. Nearly 80 percent of the state's population reside in UCC counties. Consequently, urban counties carry out critical programs and services to the state's most vulnerable populations. For more information, including details on our Board of Directors, please visit [our website](#).*

**September 1, 2022**

### **Houses Have Gaveled Down; 2021-22 Session Comes to a Close**

The Legislature has wrapped up its work for the year and for the 2021-22 session. Things were a little squirrely in the Assembly tonight following a dust-up over the fate of [AB 1577](#), a measure that would have allowed legislative employees to unionize. After a bit of a “will it/won't it be heard” dispute, the bill failed in an Assembly policy committee this afternoon. The *Los Angeles Times* offers its accounting of the bill and events surrounding its ultimate demise [here](#). Like most years, it was an odd – yet different kind of odd – end of session. Maybe after a good night's sleep we will have a more coherent assessment of the dynamics on the floor.

As for scheduling, the Legislature is now adjourned for the remainder of the year. The session will formally end *sine die* on November 30. The newly constituted houses – after November elections that will bring sweeping changes to the composition of the Legislature – will meet on December 5 for organizational purposes and to kick off the 2023-24 legislative session. Members will begin legislative activities in earnest in January 2023. In the meantime, we provide a summary of the final set of budget-related bills the Legislature passed this week [here](#) as well as outcomes on an array of priority bills on which we have been actively engaged.

### **Final Update on Hot Bills: Where Things Landed To the Governor**

The following bills passed both houses of the Legislature and now move to the Governor's desk for his consideration. Recall that the Governor has a full 30 days (through September 30) to make final signing and veto decisions. Expect

a full report on the Governor's actions on Monday, October 3. Do not hesitate to reach out with any questions.

**SB 1338 (Umberg and Eggman) – Community Assistance, Recovery, and Empowerment (CARE) Court Program**

SB 1338 would create an opportunity in a civil court setting for developing an individualized care plan for persons with qualifying mental health conditions. Read the Governor's statement following the Legislature's final passage of the measure [here](#).

**AB 32 (Aguiar-Curry) – Telehealth**

This bill would make various changes to Medi-Cal telehealth policy, including permitting DHCS to allow new patients to be established with providers using audio-only synchronous and other modalities, and permits exceptions from requirements to ensure beneficiary choice of modalities.

**AB 240 (Rodriguez) – Local Health Department Workforce Assessment**

AB 240 would require the California Department of Public Health (CDPH) to contract with an appropriate and qualified entity to conduct an evaluation of the adequacy of the local health department infrastructure, and to make recommendations for future staffing, workforce needs, and resources, in order to accurately and adequately fund local public health.

**AB 759 (McCarty) – Elections of county officers**

AB 759 would require elections for county sheriffs and district attorneys to be held during the presidential primary and specifically affirms that DAs and sheriffs elected in 2022 will serve six-year terms, with the next elections for those offices taking place at the 2028 presidential primary. Other provisions in AB 759 would permit a board of supervisors to determine by ordinance to hold elections for the selection of any other county officer at the presidential primary, as well.

**AB 1663 (Maienschein) – Protective proceedings**

AB 1663 would revise various procedures in the probate conservatorship process. The bill would require the petition for conservatorship to include alternatives to conservatorship considered by the petitioner or proposed conservator and reasons why those alternatives are not suitable. The bill would also establish a supported decision-making process and a process for entering into a supported decision-making agreement for adults with disabilities, as defined.

**AB 1686 (Bryan) – Child Welfare Agencies: Enforcement**

AB 1686 establishes a presumption that, when a child is in foster care, requiring the parent or guardian to pay child support for the child is likely to impose a barrier to the family's efforts to reunify.

**AB 1951 (Grayson) – Sales and use tax: exemptions: manufacturing**

AB 1951 would expand – for a five-year period – the existing partial sales and use tax exemption for manufacturing and research and development to a full exemption, incorporating the local components of the sales and use tax.

**AB 2306 (Berman) – Foster Care: Independent Living Program**

AB 2306 would expand and modernize the Independent Living Program (ILP) to include current and former foster youth up to 22 years of age, and, subject to an appropriation and federal approval, up to age 23, and expands the services for which counties can provide stipends to assist youth with specified independent living needs to include former foster youth up to 25 years of age, as specified.

**SB 846 (Dodd and Cunningham) – Extension of Diablo Canyon Powerplant Operations.**

SB 846 would require the California Public Utilities Commission to set new retirement dates for the Diablo Canyon powerplant not to exceed five years for each unit. Further, the bill establishes the intent of the Legislature to make available to the Department of Water Resources no more than \$1.4 billion for the purpose of loaning funds to facilitate the extension of the operating period of the Diablo Canyon power plant.

**SB 929 (Eggman) – Community Mental Health Services: Data Collection**

SB 929 would expand DHCS' existing responsibility to collect and publish information about involuntary detentions under the Lanterman-Petris-Short (LPS) Act to include additional information, such as clinical outcomes, services provided, and availability of treatment beds, and requires DHCS to convene a stakeholder group with specified membership to make recommendations on the methods to be used for efficiently providing the department with this information.

**SB 964 (Wiener) – Behavioral Health**

SB 964 would require the Department of Health Care Access and Information (HCAI) to commission consultants to prepare a report for the Legislature, on or before January 1, 2024, that provides a landscape analysis of the current behavioral health workforce and the state's behavioral health workforce needs, and to make recommendations on how to address the state's behavioral health workforce shortage.

**SB 966 (Limón) – Federally Qualified Health Centers and Rural Health Clinics: Visits**

SB 966 would authorize federally qualified health centers (FQHCs) and rural health clinics (RHCs) to include face-to-face service provided by an associate clinical social worker (ACSW) or associate marriage and family therapist (AMFT) in the definition of a “visit,” and prohibits the DHCS from requiring an FQHC or RHC to process the addition of services by an ACSW or AMFT as a change in scope of service.

**SB 970 (Eggman) – Mental Health Services Act**

SB 970 would establish, in the California Health and Human Services Agency, the California Mental Health Services Act Outcomes and Accountability Review (MHSOAR), with a dedicated workgroup tasked with assisting county mental health programs improve MHSA-funded activities.

**SB 1054 (Ochoa Bogh) – Public Social Services: Records: Confidentiality: Multidisciplinary Personnel Teams**

SB 1054 would specify that confidentiality provisions relating to applications and records concerning any form of public social services includes protective services provided through public social services agencies. This bill also authorizes employees of a county’s adult protective services agency (APS) or a county’s child welfare agency to disclose information with each other for the purpose of multidisciplinary teamwork in the prevention, intervention, management, or treatment of child abuse or neglect or the abuse or neglect of an elder or dependent adult, and makes technical and conforming changes.

**SB 1090 (Hurtado) – Family Urgent Response System**

SB 1090 would expand the definition of "current or former foster youth" for purposes of accessing the Family Urgent Response System (FURS) to include youth who have exited foster care for any reason, including, but not limited to, emancipation, a child or youth who is the subject of a voluntary placement agreement, a child or youth who is placed in foster care and is the subject of a petition filed pursuant to reports of abuse and neglect, and a child or youth placed in California pursuant to the Interstate Compact on the Placement of Children.

**SB 1131 (Newman) – Address confidentiality: public entity employees and contractors**

SB 1131 would establish an address confidentiality program for public entity employees and contractors, and includes additional protections for election workers and reproductive health care providers. SB 1131 contains an urgency clause.

**SB 1186 (Wiener) – Medicinal Cannabis Patients’ Right of Access Act**

SB 1186 would enact the Medicinal Cannabis Patients' Right of Access Act, which would prohibit a local jurisdiction from adopting or enforcing any regulation that prohibits the retail sale by delivery within the local jurisdiction of medicinal cannabis, as specified.

**SB 1143 (Roth) – Acute Psychiatric Hospital Loan Fund**

SB 1143 would establish the California Acute Care Psychiatric Hospital Loan Fund to provide zero-interest loans to qualifying county applicants for the purpose of constructing or renovating acute care psychiatric hospitals or psychiatric health facilities, or renovating or expanding general acute care hospitals in order to add or expand an inpatient psychiatric unit.

**SB 1449 (Caballero) – Office of Planning and Research: grant program: annexation of unincorporated areas**

SB 1449 would require the Governor's Office of Planning and Research (OPR) to establish, upon appropriation by the Legislature, the Unincorporated Area Annexation Incentive Program to fund projects related to the proposed or completed annexation of an unincorporated area into the city.

**Died**

**AB 1608 (Gipson) – Deconsolidation of Coroner-Sheriff Functions**

AB 1608 would have repealed boards of supervisors' authority to consolidate, by ordinance, the duties of county sheriff and coroner offices. The measure also specified that if those offices were consolidated prior to January 1, 2023, they would have to be separated effective upon the conclusion of the term for the person elected or appointed to the consolidated offices on or before January 1, 2023. Under the provisions of AB 1608, 48 counties would be required to separate the sheriff and coroner functions by January 2027. The bill was taken up in the Senate on August 30 and failed to secure sufficient votes for passage (13 ayes, 14 noes, and 13 abstentions); the bill was moved to the inactive file on August 31.

**AB 1881 (Santiago) – Animal welfare: Dog and Cat Bill of Rights**

AB 1881 would have required each public animal control agency, shelter, or rescue group to provide a notice related to essential needs and care for dogs and cats and establishes penalties for non-compliance.

**AB 2402 (Rubio) – Medi-Cal: Continuous Eligibility**

AB 2402 would have established continuous Medi-Cal eligibility for children ages 0-5. Please note this was included in the 2022-23 state budget. AB 2402 was moved to the Senate Inactive File on August 30 and never came up for a vote.

**AB 2493 (Chen): County employees' retirement: disallowed compensation: benefit adjustments and calculations**

AB 2493 would have made changes to the County Employees Retirement Law of 1937 ('37 Act or CERL) regarding pension calculation adjustments arising from erroneous inclusion of disallowed compensation, including requiring participating county employers to do the following: (1) reimburse their respective retirement system for pension overpayments made to peace officer and firefighter retirees arising from erroneous employer reporting of disallowed compensation and (2) pay affected retirees a lump sum amount equal to 20 percent of the present value of a retiree's "lost" pension going forward due to the system's recalculation of the retiree's benefit to exclude the disallowed compensation.

**SB 17 (Pan) – Racial Equity Commission**

SB 17 would have established the Racial Equity Commission as division within the Office of Planning and Research. The bill was moved to the Assembly Inactive File on August 31.

**SB 262 (Hertzberg) – Bail Reform**

SB 262, which had been placed on the Assembly inactive file last September, was revived last week and substantively amended. In its revised form, the bill would have required a court to order the return of money or property paid to a bail bond company when the action or proceeding against an arrestee is dismissed or when no charges are filed within 60 days of arrest. Additionally, the measure would have prohibited the imposition of costs relating to conditions of release on a person released on bail or their own recognizance. The bill did not gain passage off the Assembly floor in the closing hours of session.

**SB 866 (Wiener) – Minors: Vaccine Consent**

SB 866 would have allowed a minor 15 years of age or older may consent to receive a federally approved vaccine without parental consent. Senator Wiener acknowledged in a press statement he did not have the votes. "Sadly, months of harassment and misinformation — including death threats against me and teen advocates — by a small but highly vocal and organized minority of anti-vaxxers have taken their toll," Senator Wiener said in a statement. "The health of young people will suffer as a result."

**SB 1014 (Hertzberg) – Enhanced Clinically Integrated Program for Federally Qualified Health Centers**

SB 1014 would have required DHCS to authorize a new and voluntary supplemental payment program known as the Enhanced Clinically Integrated Program (ECIP) for federally qualified health centers (FQHCs), or, pursuant to DHCS' discretion, another type of payment program that DHCS determines will

best meet the clinical and financial goals of ECIP and is permissible under federal law. SB 1014 was moved to the Assembly Inactive File on August 30 and never came up for a vote.

### **SB 1178 (Bradford) – Elimination of Proposition 47 Records Relief Sunset**

SB 1178 would have permitted otherwise eligible individuals to petition a court to seek resentencing and records reclassification for old felonies beyond the current sunset date of November 4, 2022. It failed to secure the requisite 2/3 vote in the Assembly on the last night of session.

## **Chaptered**

### **SB 872 (Dodd) – Pharmacies: Mobile Units**

Governor Newsom signed SB 872 (Chapter 220, Statutes of 2022) into law this week. The measure authorizes a county or a city and county to operate a licensed mobile unit to provide prescription medication to individuals within the county's jurisdiction and specifies certain criteria that a mobile unit must meet.

### **DHCS Announces Medi-Cal Continuity of Coverage Policy Change**

The Department of Health Care Services (DHCS) announced last week that the department will continue existing state-funded full-scope Medi-Cal coverage for individuals who turn age 26 until the Medi-Cal expansion of people ages 26-49 takes effect on January 1, 2024. This policy change is being implemented in order to maintain continuity of coverage for individuals who turn age 26 during this gap period – even after the public health emergency ends.