



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. Just over 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](#).

October 13, 2023

Governor's Signing and Veto Decisions This Week; 36(ish) Hours Remain for Final 2023 Actions

The Governor's deadline for making signing and veto decisions for all bills presented to him in the closing days of the 2023 legislative year is tomorrow at midnight. Over last weekend, his office released several voluminous announcements reflecting major progress in disposing of the approximately 900 bills sent to him in September. It is now estimated that approximately 100 bills remain to be acted on. To date, Governor Newsom's veto rate is slightly higher than normal; it's currently sitting at 19.5 percent as compared to 14 or 15 percent in an average year. Several of the Governor's veto messages incorporate an identical rationale for the veto, noting concerns about ongoing economic risk and revenue uncertainty. He points out that the Legislature sent him bills outside of the state budget process that, if all enacted, would add nearly \$19 billion of unaccounted costs in the budget, of which \$11 billion would be ongoing.

Below we group the Governor's decisions on notable legislation – focused only on the measures that have been disposed of since our last update – into two categories: signed and vetoed. Look for an update next week that will report his decisions on the final set of measures that, as of this writing, still await his action. As always, let us know if you have any questions on these or other measures.

Please note that the Governor has not yet acted on [SB 525 \(Durazo\)](#), which would implement a \$25 per-hour health care minimum wage.

Signed by the Governor

AB 242 (Wood) – Will permanently authorize a federally certified critical access hospital (CAH) to employ physicians and charge for their services.

AB 338 (Aguiar-Curry) – Expands the definition of public works, for which prevailing wage must be paid to workers, to include publicly funded fuel reduction work that is done under contract as part of a fire mitigation project and falls within an apprenticeship occupation in the building and construction trades.

AB 386 (Nguyen) – Expands the type and amount of financial records that must be provided during law enforcement investigations of suspected financial elder abuse.

AB 426 (Jackson) – Increases enforcement and penalties for unlicensed residential facilities for foster youth. The bill allows the state to place a “temporary manager” over a residential foster care facility and fine county staff; it also increases penalties on counties for unlicensed placements from \$200 to \$5,000 per day. Additionally, AB 426 allows the state to impose civil penalties on a person that fails to “locate appropriate placements for all of the foster children and youth residing in an unlicensed facility within 60 days after receiving the formal statement of allegations.”

AB 505 (Ting) – Revises several provisions negotiated in **SB 823** (2020), the measure that realigned Division of Juvenile Justice (DJJ) responsibilities from the state to counties. AB 505: (1) makes changes to the leadership structure of the local planning body, (2) revises the local planning process and the process by which the Office of Youth and Community Restoration (OYCR) reviews local implementation plans as well as increases the frequency of required plan updates, and (3) expands the scope of OYCR’s role and authority.

AB 531 (Irwin) – Enacts the Behavioral Health Infrastructure Bond Act of 2023, a major component of the Governor’s behavioral health modernization proposal. The measure includes \$6.38 billion for housing and treatment, including acute psychiatric beds. Select sections of AB 531 and SB 326 (Eggman) – as specified in each bill – will appear as Proposition 1 on the March 2024 ballot.

AB 663 (Haney) – Authorizes a county, city and county, and special hospital’s authority to operate more than one mobile pharmacy units. This bill provides that the pharmacist-in-charge will determine how many mobile units are appropriate for a particular pharmacy license. It also makes clarifying changes regarding controlled substances to the current authorization of a county or a city and county to operate a licensed mobile unit to provide prescription medication to individuals within the county’s jurisdiction.

AB 764 (Bryan) – Updates the procedures local agencies must follow when adjusting the boundaries of the districts used to elect members of their governing bodies and establishes a procedure for legal challenges when a local jurisdiction does not comply with redistricting requirements.

AB 1484 (Zbur) – Requires inclusion of temporary employees in the same bargaining unit as permanent employees upon request of the recognized employee organization to a local public employer. Amendments will clarify the terms in which temporary employees have access to the grievance process, among other changes.

AB 1637 (Irwin) – Requires a local agency (with the exception of special districts and school districts) that maintains a website and email addresses accessible to the public to utilize a “.gov” or “.ca.gov” domain no later than January 1, 2029.

SB 4 (Wiener) – Creates a streamlined by-right approval process for housing on lands owned by churches and qualifying higher education institutions.

SB 35 (Umberg) – Makes various changes to the Community, Assistance, Recovery, and Empowerment (CARE) Act (**SB 1338**, 2022), including provisions to clarify and modify the CARE Court process, the obligations and responsibilities of CARE petitioners and county behavioral health agencies, and the provisions relating to a respondent’s privacy and the circumstances under which a health care provider may share the respondent’s health care information with a behavioral health agency in the course of the CARE process.

SB 43 (Eggman) – Expands the definition of “gravely disabled,” for purposes of involuntarily detaining an individual, to include a condition in which a person, as a result of a severe substance use disorder (SUD) or co-occurring mental health disorder with severe SUD, is unable to provide for their personal needs. Includes personal safety and necessary medical care as “personal needs.” As amended late in the legislative year, the bill allows a county to opt in and clarifies the hearsay section.

SB 75 (Roth) – Authorizes the creation of 26 new superior court judgeships, subject to an appropriation, which would be distributed to courts – once funded – based on the Judicial Council’s biennial Judicial Needs Assessment.

SB 91 (Umberg) – Eliminates the January 2025 sunset date for a CEQA exemption for projects that convert motels and hotels into supportive or transitional housing.

SB 326 (Eggman) – Revises and recasts the Mental Health Services Act (MHSA) as the Behavioral Health Services Act (BHSA), representing the second major component of the Governor’s behavioral health reform package. Select sections of SB 326 and AB 531 – as specified in each bill – will appear as Proposition 1 on the March 2024 ballot.

SB 406 (Cortese) – Creates a CEQA exemption for actions undertaken by a local agency to provide financial assistance or insurance for low- and moderate-income residential housing projects.

SB 423 (Wiener) – Eliminates the sunset date and expands the applicability of the ministerial by-right approval process for eligible housing projects created by SB 35 (2017).

SB 548 (Niello) – Authorizes a county and a trial court that have a joint contract with the California Public Employees Retirement System (CalPERS) for the provision of retirement benefits for their employees to voluntarily separate the contract into two individual contracts.

SB 747 (Caballero) – Makes numerous changes to the Surplus Land Act (SLA) including expanding the definition of exempt surplus land, modifying SLA procedures, defining disposals of surplus land to include leases of longer than 15 years, in addition to other changes. While the Chair did not explicitly note that amendments were forthcoming, stakeholders have been actively negotiating on all SLA-related measures.

SB 749 (Smallwood-Cuevas) – Eliminates the deadline to file petitions for relief by persons seeking reduction of prior felony convictions to misdemeanors as authorized under Proposition 47 (2014).

SB 770 (Wiener) – Senator Wiener’s single payer effort directs the Secretary of the California Health and Human Services Agency to pursue discussions with the federal government to obtain a waiver to enable creation of a comprehensive health care system with unified financing.

SB 789 (Allen) – Moves **SCA 2** (2022), **SCA 5** (2023), and **ACA 1** (2023) to the November 5, 2024 state ballot.

Vetoed by the Governor

AB 41 (Holden) – Would have made comprehensive changes to existing state law enacted by the Digital Infrastructure and Video Competition Act of 2006 (DIVCA), which this bill renames the Digital Equity in Video Franchising Act of 2023 (DEVFA). Governor Newsom vetoed AB 41 this week, expressing concerns that

the bill did not go far enough to reform DIVCA. The Governor's veto message can be viewed [here](#).

AB 504 (Reyes) – Would have established and protected the right of public employees, except certain “essential employees”, to engage in sympathy strikes. AB 504 was vetoed by the Governor, citing a number of concerns raised by local governments, including the potential to disrupt access to critical safety net programs. The Governor's veto message is available [here](#).

AB 1057 (Weber) – Would have given additional flexibility to local health jurisdictions to administer more Home Visiting Programs that address the unique needs of their communities and provide support to families who need it most. The Governor's **veto message** directs the California Department of Public Health to ensure there is collaboration with home visiting partners, local health directors, local health officers, and other affected stakeholders to meet local California Home Visiting Program needs. The message also notes the bill's fiscal impact not contemplated in the state budget, as well as cost pressures if the California Home Visiting Program approves additional home visiting models outside of the annual budget process.

AB 1085 (Mainenschein) – Would have required the Department of Health Care Services (DHCS) to seek any necessary federal approvals for a Medi-Cal benefit to cover housing support services, under specified conditions. In his **veto message**, the Governor notes that the costs to implement AB 1085 – estimated by DHCS to range between \$18.3 million to \$40.4 million annually – were not included in the budget.

AB 1207 (Irwin) – Would have strengthened provisions barring the advertisement or marketing of cannabis or cannabis products that are attractive to children, as defined. In the Governor's veto **message**, he cites concerns that the limitations contemplated in the bill are overly broad and would be unlikely to provide meaningful protections for children beyond what's in current law.

AB 1248 (Bryan) – Would have required a city or county with over 300,000 residents and a school district or community college district with over 500,000 residents to establish an independent redistricting commission (IRC). AB 1248 was vetoed by the Governor, citing the considerable mandated costs associated with the bill. In his veto message, available [here](#), the Governor cited the need to consider such costs within the state budget process.

AB 1512 (Bryan) – Would have required ending the practice of recouping the costs of a child's time in foster care through collecting their survivor's and/or disability benefits provided through Social Security Income (SSI). The Governor's

veto message notes cost concerns, citing a concern that if counties are not permitted to use SSI to cover the cost of providing care to foster youth, the General Fund will need to offset those costs; those additional cost pressures were not contemplated as part of the budget process.