



*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](#).*

**January 19, 2024**

## **This Week's Fiscal Deadline Narrows Universe of Two-Year Bills**

As we have reported previously, bills introduced in the first year of the two-year legislative session must pass out of the house of origin by the end of January to remain viable. Today was the deadline for any two-year bill with a fiscal impact to be passed out of the relevant appropriations committee; those committees held suspense file hearings this week and made determinations on which fiscal measures would move forward. Below we provide you with updates on several bills of interest.

**AB 797 (Weber) – Local Police Review Boards** **AB 797**, by Assembly Member Akilah Weber, proposes to require each city and county in the state to establish an independent community-based commission on law enforcement oversight by January 15, 2025. The measure specifies both the duties of the local commissions and key elements of the organizational and staffing structure, including hiring of an executive director, independent investigators, independent legal counsel, support staff, as well as the appointment of an unspecified number of commissioners. Local commission authority would extend to conducting independent investigations of complaints against a peace officer in cases involving injury or death; issuing and enforcing compliance of subpoenas associated with the commission's investigations; and issuing post-investigation reports. The measure was silent on how its provisions would affect jurisdictions that already have a local police review board in place.

The county statewide associations – CSAC, UCC, and RCRC – jointly raised concerns with the local cost implications of the bill. Per the Assembly Appropriations

Committee analysis, AB 797 would likely impose costs in the hundreds of millions of dollars annually if enacted. The measure was held on the Assembly Appropriations Committee suspense file and will not move forward.

**AB 977 (Rodriguez) – Emergency Departments: Assault and Battery AB 977**, by Assembly Member Freddie Rodriguez, would increase the criminal penalty for assault and battery committed against a health care worker engaged in providing services within a hospital emergency department, making these offenses punishable by imprisonment in a county jail for up to one year, a fine up to \$2,000, or both. The Assembly Appropriations Committee passed the measure on January 18. The bill, which now moves to the Assembly Floor, must be approved by the full Assembly by January 31.

**AB 1047 (Maienschein) – Firearms Purchase Notification Registry AB 1047**, by Assembly Member Brian Maienschein, would require the Department of Justice (DOJ) to create a registry to which a person (“registrant”) can voluntarily add their name and the email address of a licensed behavioral health clinician. If a registrant attempts to purchase a firearm, DOJ must notify the registrant’s specified clinician during the 10-day firearm purchase waiting period. For registrants that do not list a clinician, the bill would make county behavioral health the default for notifications. The Assembly Appropriations Committee held the measure on its suspense file; it will not move forward this year.

**AB 1316 (Irwin) – Emergency Services: Psychiatric Emergency Medical Conditions AB 1316**, by Assembly Member Jacqui Irwin, would revise the definition of “psychiatric emergency medical condition” to apply, regardless of whether a patient in a health facility is voluntary or involuntarily detained for evaluation, and would require the Medi-Cal program to cover all services and care necessary to treat an emergency medical condition, including a psychiatric emergency medical condition. The bill also would clarify that Medi-Cal managed care plans must cover all hospital emergency department visits, including psychiatric emergencies. The Assembly Appropriations Committee passed the measure on January 18. In keeping with two-year bill deadlines, AB 1316 must be approved by the Assembly by January 31.

**Governor Announces Legislative Framework to Address Property Crimes** Last week, the Governor issued a [press release](#) announcing support for a package of bills to address property crime, which would specifically target professional thieves involved in smash and grabs, retail theft, and car burglaries who then profit from the resale of stolen goods. Specifically, the Governor is proposing to (1) create new penalties targeting those engaged in retail theft to resell, and those that resell the stolen property — increasing felony penalties and prison time; (2)

bolster existing law to ensure law enforcement can arrest suspects of retail theft, even if they did not witness a crime in progress; (3) clarify that the Penal Code allows law enforcement to combine the value of multiple thefts — even across different victims — to reach the threshold for grand theft; (4) create new penalties for professional auto burglary; (5) eliminates the sunset date for the organized retail crime statute, which will permit the CHP and other involved agencies continue the work of the Organized Retail Crime Task Force beyond January 1, 2026; and (6) increase penalties for large-scale resellers of stolen goods.

The Governor’s proposed approach does not contemplate amending provisions of Proposition 47 (2014), although a number of recently introduced legislative proposals would do so. We will keep you apprised as the Governor’s legislative framework comes into print and related bills are considered in relevant policy committees.

## **Advisory Council Releases Report and Recommendations on Transforming San Quentin Rehabilitation Center**

In March 2023, Governor Newsom announced his vision for reimagining San Quentin State Prison and transforming it into the San Quentin Rehabilitation Center, a rehabilitative model built on international best practices in corrections. An advisory council subsequently formed in May 2023 released its independent **report** on the design of the San Quentin rehabilitative model earlier this month. As outlined in the report’s nearly 40 recommendations, the Advisory Council calls for expanding rehabilitative and reentry plans, optimizing job training and education programs, and facilitating a more rehabilitative culture by refining correctional officer training. Other focus areas in the report recommend reducing the size of the facility’s population, improving housing for those who live and work at San Quentin, and reprioritizing dedicated funding on other infrastructure projects that would help carry out the vision of the rehabilitative center. More information on the San Quentin Rehabilitation Center, including the composition of the Advisory Council responsible for the recently released report and recommendations, can be found **[here](#)**.

## **Office of Health Care Affordability Releases Health Care Spending Target**

The Office of Health Care Affordability (OHCA) released its proposed **health care spending target** this week. Consistent with the OHCA Board’s preliminary discussion of the spending target at its December 2023 meeting, the staff recommendation released this week recommends a 3 percent per capita spending growth target for each year from 2025 to 2029.

Under existing law, the OHCA Board has until June 1, 2024 to adopt its final target. In December, staff laid out the following timeline for adopting spending target for 2025:

- **December 19, 2023** – OHCA proposes model for board discussion (more informal)
- **January 15, 2024** – OCHA recommends formal proposed target (the proposal was released January 17, 2024)
- **January 23, 2024** – Advisory Committee discusses proposed target
- **January 24, 2024** – Board discusses proposed target
- **February 28, 2024** – Board meeting
- **March 8, 2024** – closing of the 45-day comment period from board meeting
- **March 9 to June 1, 2024** – Board adopts final target

At its November 2023 meeting, a Board member asked about whether the spending target should be adjusted to account for the price of health care technology. OHCA staff recommended no adjustment to the value of the spending target to account for trends in the price of health care technologies. As such, their recommendation does not include an adjustment. The spending target will be discussed at several additional Board meetings, including the January 24 meeting and very likely the February and March meetings.

## **Senate President pro Tempore Announces Gubernatorial Run**

As had been rumored among Capitol observers for several months, Senate President Pro Tempore Toni Atkins officially announced her campaign for Governor today. Senator Atkins will conclude her time as Pro Tem on February 5 when Senator Mike McGuire is sworn in to succeed her. Senator Atkins kicked off her campaign this morning in San Diego, which has been her California home since she moved to the state in 1985.

Senator Atkins served as a director of a women’s health clinic before entering local government, first as a San Diego City Council staffer before being elected to the Council in 2000. In 2010, she was elected to the Assembly, where she won the speakership in 2014. She was subsequently elected to the state Senate in 2016. Sworn in as Senate leader in 2018, Senator Atkins is the first person in 150 years — and third ever in state history — to hold the top job in both houses.

Senator Atkins joins a growing field of candidates for Governor, including Lieutenant Governor Eleni Kounalakis, former State Controller Betty Yee, and Superintendent of

Public Schools Tony Thurmond. Attorney General Rob Bonta and former Los Angeles Mayor Antonio Villaraigosa have both publicly stated interest in running for the post.