

No. 128

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Senate Supplemental File #3



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(FLOOR SESSION)

ONE HUNDRED TWENTY – EIGHTH DAY IN SESSION

(Please report any errors or omissions to Daily File Clerk: Phone 916-651-4171)

UNFINISHED BUSINESS

139

S.B. No. 11—Ashby.

An act relating to artificial intelligence technology.

Legislative Counsel's Digest of Assembly Amendments

SB 11, as it passed the Senate, required, by December 1, 2026, any person or entity that sells or provides access to any artificial intelligence technology that is designed to create a digital replica to provide a consumer warning that misuse of the technology may result in civil or criminal liability for the user. SB 11, as it passed the Senate, required the Department of Consumer Affairs to specify the form and content of the consumer warning and post it on a publicly accessible page of its internet website by July 1, 2026. SB 11, as it passed the Senate, imposed a civil penalty not to exceed \$25,000 for each day of violation and authorized the department to enforce these provisions.

The Assembly amendments require any person or entity that makes available to consumers any artificial intelligence technology that enables a user to create a digital replica to provide the specified consumer warning, except as provided, and prescribe various requirements for placement and display of the warning. The Assembly amendments instead impose a civil penalty not to exceed \$10,000 for each day of violation and authorize a public prosecutor to enforce these provisions. The Assembly amendments make nonsubstantive changes to avoid the chaptering out of other related provisions of SB 683.

Vote: 21. Substantial substantive change: yes.

(Final vote in the Senate: AYES—38. NOES—0.)

2025

Sep. 13—In Senate. Concurrence in Assembly amendments pending.

UNFINISHED BUSINESS—Continued

140

S.B. No. 59—Wiener et al.

An act relating to vital records, and declaring the urgency thereof, to take effect immediately.

Legislative Counsel's Digest of Assembly Amendments

SB 59, as it passed the Senate, expanded confidentiality protections, regardless of the age of the petitioner and to take immediate effect, for a petition for a change of gender and sex identifier, for a single petition for change to the petitioner's name and to recognize the change of gender and sex identifier, or for a change of name to conform the name to the gender identity.

The Assembly amendments restructure these confidentiality provisions, specify the nature of the court records, and make changes to the list of individuals authorized to obtain access to the court records at different stages of the petition process.

SB 59, as it passed the Senate, made these confidentiality provisions retroactive and applicable to petition filings up to 5 years before the effective date of SB 59, through a method overseen by the Judicial Council.

The Assembly amendments delete the 5-year retroactivity and apply the confidentiality requirements if (1) a petition is filed on or after July 1, 2026, (2) a petitioner files a request for confidentiality in the case of a petition filed before July 1, 2026, or (3) the records were previously made confidential. The Assembly amendments require the Judicial Council to develop forms and rules to implement these provisions.

SB 59, as it passed the Senate, required the court to seal an entire petition and all court records and papers associated with the proceedings, without a public hearing, upon the request of the petitioner and a finding that the petitioner has met certain criteria within state regulations.

The Assembly amendments delete that requirement and instead state that nothing in these provisions preclude a court from granting a motion to seal all court records under those regulations.

The Assembly amendments make other changes, including adding a statement about a transgender person's privacy interest.

Vote: 27. Substantial substantive change: yes.

(Final vote in the Senate: AYES—28. NOES—10.)

2025

Sep. 13—In Senate. Concurrence in Assembly amendments pending.

UNFINISHED BUSINESS—Continued

141

S.B. No. 245—Reyes.

An act relating to criminal procedure.

Digest of Assembly Amendments Pending

(Final vote in the Senate: AYES—29. NOES—9.)

2025

Sep. 13—In Senate. Concurrence in Assembly amendments pending.

142

S.B. No. 271—Reyes.

An act relating to public postsecondary education.

Digest of Assembly Amendments Pending

(Final vote in the Senate: AYES—39. NOES—0.)

2025

Sep. 13—In Senate. Concurrence in Assembly amendments pending.

UNFINISHED BUSINESS—Continued

143

S.B. No. 294—Reyes et al.
An act relating to employment.

Legislative Counsel's Digest of Assembly Amendments

SB 294, as it passed the Senate, established the Workplace Know Your Rights Act to, among other things, require an employer, within 30 days after the Labor Commissioner posts a template notice on its internet website, and annually thereafter, to provide a stand-alone written notice to each current employee of specified workers' rights, including, among other things, protection against misclassification of an employee as an independent contractor, paid sick days, and the constitutional rights of employees when interacting with law enforcement at the workplace, as specified. SB 294, as it passed the Senate, required the Labor Commissioner to develop a template notice that an employer may use to comply with the notice requirements, required the template notice to be available in different languages, including English, Spanish, Chinese, Tagalog, Vietnamese, and Korean, and required the Labor Commissioner to develop a video for employees advising them of their rights under the areas described above and to develop a video for employers advising them of their requirements under those areas. SB 294, as it passed the Senate, required an employer, if an employee has designated an emergency contact for this purpose, to notify the designated emergency contact if the employee is arrested or detained on their worksite, and provided that an employer who violates the bill may be subject to a civil penalty of up to \$500 per employee for each violation.

The Assembly amendments revise the list of information to be included in the notice, require the employer to provide the notice to each current employee on or before February 1, 2026, and annually thereafter. The Assembly amendments require an employer to keep records of compliance with the notice requirements for 3 years, as provided. The Assembly amendments require the Labor Commissioner to post the template notice on its internet website on or before January 1, 2026, and expand the list of required languages for the template notice to include Hindi, Urdu, and Punjabi. The Assembly amendments require the Labor Commissioner to make the video for the employees described above available in English and Spanish, and would require the Agricultural Labor Relations Board, the Public Employment Relations Board, and the Attorney General's office to provide specified input for the template notice and the videos. The Assembly amendments require an employer to

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UNFINISHED BUSINESS—Continued

provide an employee the opportunity to name an emergency contact on or before March 30, 2026, for an existing employee, and at the time of hiring for a new employee, as provided, and provide an exception to the penalty provisions to provide that the penalty for a violation of the provisions relating to emergency contacts would be an amount up to \$500 per employee for each day the violation occurs, up to a maximum of \$10,000 per employee.

Vote: 21. Substantial substantive change: yes.

(Final vote in the Senate: AYES—28. NOES—10.)

2025

Sep. 13—In Senate. Concurrence in Assembly amendments pending.

UNFINISHED BUSINESS—Continued

144

S.B. No. 326—Becker et al.

An act relating to wildfire safety.

Legislative Counsel's Digest of Assembly Amendments

SB 326, as it passed the Senate, required the Deputy Director of Community Wildfire Preparedness and Mitigation in the Office of the State Fire Marshal to, among other things, prepare a Wildfire Risk Mitigation Planning Framework, a Wildfire Risk Baseline and Forecast, and a Wildfire Mitigation Scenarios Report, and authorized the deputy director to contract with a private consultant or a public university for related reporting duties, as provided.

The Assembly amendments require the deputy director to consult with the state hazard mitigation officer in completing the above-described tasks, and to contract with a private consultant for related reporting duties, as provided. The Assembly amendments additionally (1) move up the effective date of ember-resistant zone requirements for certain existing structures in the state responsibility area, and (2) revise and recast an existing local assistance grant program for fire prevention and home hardening education activities by, among other things, requiring the Department of Forestry and Fire Protection, contingent upon annual appropriations by the Legislature, to make funds available through the program for local government activities (A) that are maximally consistent with the Wildfire Risk Mitigation Planning Framework, or (B) that facilitate early implementation of the ember-resistant zone rules for existing commercial and residential structures, as provided. The Assembly amendments also require the State Fire Marshal to propose to extend the applicability of specified fire protection building standards to all reconstruction of all buildings destroyed within the perimeters of wildfires that occur on or after July 1, 2026. The Assembly amendments also incorporate additional changes made by AB 1455, to be operative only if both bills are enacted and this bill is enacted last.

Vote: 21. Substantial substantive change: yes.

(Final vote in the Senate: AYES—39. NOES—0.)

2025

Sep. 13—In Senate. Concurrence in Assembly amendments pending.

UNFINISHED BUSINESS—Continued

145

S.B. No. 415—Reyes et al.

An act relating to land use.

Legislative Counsel's Digest of Assembly Amendments

SB 415, as it passed the Senate, among other things, revised the definition of “logistics use,” required that a truck routing plan describe the operational characteristics of the logistics use and of the facility operator, as provided, and authorized the Attorney General to enforce certain provisions requiring a county or city to update its circulation element by imposing a fine every 6 months against a jurisdiction if the required updates have not been made and the Attorney General finds that the jurisdiction has not made a good faith effort to meet the requirements.

The Assembly amendments, among other various changes, instead, modify certain definitions, including defining “logistics use development,” for the purposes of SB 415, and require that the truck routing plan describe the operational characteristic of the logistics use development and of the logistics use operator, as specified. The Assembly amendments, instead, provide that in an action brought by the Attorney General, a jurisdiction that is in violation of the bill’s provisions requiring a county or city to update its circulation element and that has been found by the Attorney General not to have made a good faith effort to meet the requirement shall be subject to a fine imposed every 6 months, for each violation, accrued from the date of the violation until the violation is cured, paid to the office of the Attorney General, in addition to any other liability, penalties, and remedies imposed by any other law, all costs of investigating and prosecuting the action, and other relief deemed appropriate by the court.

Vote: 21. Substantial substantive change: yes.

(Final vote in the Senate: AYES—38. NOES—0.)

2025

Sep. 13—In Senate. Concurrence in Assembly amendments pending.

UNFINISHED BUSINESS—Continued

146

S.B. No. 461—Padilla.

An act relating to state property, and making an appropriation therefor.

Digest of Assembly Amendments Pending

(Final vote in the Senate: AYES—38. NOES—0.)

2025

Sep. 13—In Senate. Concurrence in Assembly amendments pending.

147

S.B. No. 541—Becker et al.

An act relating to electricity.

Digest of Assembly Amendments Pending

(Final vote in the Senate: AYES—27. NOES—10.)

2025

Sep. 13—In Senate. Concurrence in Assembly amendments pending.

148

S.B. No. 682—Allen.

An act relating to product safety.

Digest of Assembly Amendments Pending

(Final vote in the Senate: AYES—28. NOES—7.)

2025

Sep. 13—In Senate. Concurrence in Assembly amendments pending.

UNFINISHED BUSINESS—Continued

149

S.B. No. 756—Smallwood-Cuevas.

An act relating to motion picture tax credits.

Digest of Assembly Amendments Pending

(Final vote in the Senate: AYES—38. NOES—0.)

2025

Sep. 13—In Senate. Concurrence in Assembly amendments pending.

150

S.B. No. 775—Ashby.

An act relating to healing arts.

Digest of Assembly Amendments Pending

(Final vote in the Senate: AYES—39. NOES—0.)

2025

Sep. 13—In Senate. Concurrence in Assembly amendments pending.

151

S.B. No. 776—Ashby.

An act relating to healing arts.

Digest of Assembly Amendments Pending

(Final vote in the Senate: AYES—39. NOES—0.)

2025

Sep. 13—In Senate. Concurrence in Assembly amendments pending.

UNFINISHED BUSINESS—Continued

152

S.B. No. 42—Umberg et al.

An act relating to the Political Reform Act of 1974.

Legislative Counsel's Digest of Assembly Amendments

SB 42, as it passed the Senate, removed prohibitions imposed on a public officer or candidate to expend or accept public funds, as defined, for the purpose of seeking elective office unless the funds are earmarked by a state or local entity for education, transportation, or public safety. SB 42, as it passed the Senate, increased the fines imposed upon a foreign government or foreign principal, as defined, when found to have made a contribution, expenditure, or independent expenditure in connection with any state or local ballot measure or in connection with the election of a candidate to state or local office. SB 42, as it passed the Senate, required the Secretary of State to submit the substantive provisions of the bill to the voters for approval at the November 3, 2026, statewide general election.

The Assembly amendments incorporate additional changes proposed by AB 953 to become operative pursuant to specified conditions. The Assembly amendments provide additional direction to the Secretary of State as to the submission of the measure to the voters, depending on whether AB 953 is enacted.

Vote: 21. Substantial substantive change: yes.

(Final vote in the Senate: AYES—28. NOES—10.)

2025

Sep. 13—In Senate. Concurrence in Assembly amendments pending.

UNFINISHED BUSINESS—Continued

153

S.B. No. 53—Wiener et al.

An act relating to artificial intelligence.

Legislative Counsel's Digest of Assembly Amendments

SB 53, as it passed the Senate, established within the Government Operations Agency a consortium required to develop a framework for the creation of a public cloud computing cluster to be known as “CalCompute” that advances the development and deployment of artificial intelligence that is safe, ethical, equitable, and sustainable by, among other things, fostering research and innovation that benefits the public, as prescribed, and instituted specified protections for whistleblowers working with certain artificial intelligence models.

The Assembly amendments additionally enact the Transparency in Frontier Artificial Intelligence Act (TFAIA) to ensure the safety of a foundation model developed by a frontier developer, as those terms are defined. In this regard, the Assembly amendments require a large frontier developer to write, implement, and clearly and conspicuously publish on its internet website a frontier AI framework that applies to the large frontier developer’s frontier models and describes how the large frontier developer approaches certain AI safety-related items. The TFAIA also provides for the reporting of certain risk assessments to the Office of Emergency Services, as specified.

Vote: 21. Substantial substantive change: yes.

(Final vote in the Senate: AYES—37. NOES—0.)

2025

Sep. 13—In Senate. Concurrence in Assembly amendments pending.

UNFINISHED BUSINESS—Continued

154

S.B. No. 63—Wiener et al.

An act relating to transportation.

Legislative Counsel's Digest of Assembly Amendments

SB 63, as it passed the Senate, established the Transportation Revenue Measure District with jurisdiction extending throughout the boundaries of the Counties of Alameda and Contra Costa and the City and County of San Francisco, to be governed by the same board that governs the Metropolitan Transportation Commission. SB 63, as it passed the Senate, authorized a retail transactions and use tax applicable to the entire district to be imposed by the board of the district or by a qualified voter initiative, for a duration of 10 to 15 years, inclusive, and in an amount of 0.5% in the Counties of Alameda and Contra Costa and 0.5% to 1% in the City and County of San Francisco, subject to voter approval at the November 3, 2026, statewide general election.

The Assembly amendments change the name of the district to the Public Transit Revenue Measure District and expand its jurisdiction to include the boundaries of the Counties of San Mateo and Santa Clara. The Assembly amendments require the tax proposed in the district to have a duration of 14 years and to be set at a rate of 1% in the City and County of San Francisco and 0.5% in all of the other counties of the district.

The Assembly amendments apply provisions of law governing validation proceedings to any judicial action or proceeding to validate, attack, review, set aside, void, or annul a tax ordinance approved by the voters of the district, as specified. The Assembly amendments also revise various procedural requirements established by SB 63, as it passed the Senate, for the election to approve a tax proposed in the district.

SB 63, as it passed the Senate, required the board of the district, after paying certain administrative expenses, to allocate an unspecified portion of the revenues generated by the tax to the commission, which in turn was required to allocate those revenues in unspecified amounts to initiatives included in a certain commission plan and to the Alameda-Contra Costa Transit District (AC Transit), the Peninsula Corridor Joint Powers Board (Caltrain), the San Francisco Bay Area Rapid Transit District (BART), and the San Francisco Municipal Transportation Agency (Muni) for operating expenses. SB 63, as it passed the Senate, required the board of the district, after allocating those portions, to subvene the remaining proceeds directly

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UNFINISHED BUSINESS—Continued

to the counties comprising the district for public transportation expenses.

The Assembly amendments revise and recast the expenditure requirements to instead require the district, after paying certain administrative expenses, to transfer portions of the proceeds of the tax to the commission for allocation in specified amounts to certain programs and other purposes and for allocation in specified amounts to AC Transit, BART, Caltrain, and Muni, and to other specified transit operators, for transit operations expenses, and to transfer other portions of the proceeds of the tax in specified amounts directly to other local transportation agencies, including transit operators located in the Counties of San Mateo and Santa Clara, for public transit expenses. The Assembly amendments require the amounts allocated or transferred for each of those purposes to be based on specified percentages of the revenue generated from the tax measure in each county of the district.

SB 63, as it passed the Senate, required the commission, upon the approval of a tax measure by the voters of the district, to contract with a third party to conduct a financial efficiency review of AC Transit, BART, Caltrain, and Muni. SB 63, as it passed the Senate, required each of those transit operators, after receiving the final report of the review, to finalize an implementation plan that described, among other things, efficiency measures the transit operator planned to take, and to submit the implementation plan to the commission, as a condition of receiving funds from the tax measure approved by the voters of the district.

The Assembly amendments delete those provisions and instead require the commission to contract with a consultant to conduct a financial efficiency review of those transit operators to be completed in 2 phases, with the analysis for the 2nd phase only required if the tax measure is approved by the voters of the district. The Assembly amendments require the consultant to transmit the analysis for each phase to an oversight committee for review and adoption. The Assembly amendments require each transit operator to take specified actions in response to the analysis for the first phase and, subject to review of the oversight committee, to adopt an implementation plan that describes the cost-saving measures identified in the analysis for the 2nd phase that the transit operator plans to implement, as specified. The Assembly amendments require each transit operator to verify its compliance with the requirements of the review as a condition of receiving funds from the tax measure approved by the voters of the district.

SB 63, as it passed the Senate, also required AC Transit, BART, Caltrain, and Muni, as a condition of receiving funds from the tax measure approved by the voters of the district, to comply with a maintenance of effort requirement and with a

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UNFINISHED BUSINESS—Continued

requirement to comply with the policies and programs adopted by the commission through its Regional Network Management framework.

The Assembly amendments delete the requirement to comply, as a condition of receiving funding from the tax measure, with the policies and programs adopted by the commission through its Regional Network Management framework and expand the requirement to comply with the maintenance of effort requirement to other specified transit operators receiving an allocation of funds from the commission pursuant to the tax measure.

The Assembly amendments require the commission, if the tax measure is approved by the voters of the district and other conditions are satisfied, to establish an ad hoc adjudication committee for a transit operator subject to the above-described financial efficiency review to assess and adjudicate petitions submitted by a participating county transportation entity, as defined, or a county board of supervisors with regard to the performance of the transit operator within the geographic jurisdiction of the entity submitting the petition, as provided.

Vote: 21. Substantial substantive change: yes.

(Final vote in the Senate: AYES—28. NOES—10.)

2025

Sep. 13—In Senate. Concurrence in Assembly amendments pending.

UNFINISHED BUSINESS—Continued

155

S.B. No. 80—Caballero et al.

An act relating to energy.

Legislative Counsel's Digest of Assembly Amendments

SB 80, as it passed the Senate, established the Fusion Research and Development Innovation Hub Program within the State Energy Resources Conservation and Development Commission to accelerate the development and growth of fusion energy by advancing fusion science and technology with the goal of delivering the world's first fusion energy pilot plant in the state by the 2040s. SB 80, as it passed the Senate, also required the commission, upon appropriation by the Legislature, to provide grants to fusion research and development innovation hubs, designated pursuant to the bill, for the purpose of accelerating the deployment of new research and technology capabilities that support the commercialization of fusion energy.

The Assembly amendments, among other things, instead name the established entity the Fusion Research and Development Innovation Initiative. The amendments require the commission, rather than designated hubs, to administer the initiative, and require the commission to also provide financial incentives for projects that, among other things, advance research and development into fusion energy, accelerate the deployment of new research and technology capabilities that support the commercialization of fusion energy, or achieve the initiative's goal of delivering the world's first fusion energy pilot plant in the state by the 2040s. The Assembly amendments repeal the bill's provisions on January 1, 2028.

Vote: 21. Substantial substantive change: yes.

(Final vote in the Senate: AYES—38. NOES—0.)

2025

Sep. 13—In Senate. Concurrence in Assembly amendments pending.

156

S.B. No. 404—Caballero et al.

An act relating to hazardous waste.

Digest of Assembly Amendments Pending

(Final vote in the Senate: AYES—36. NOES—0.)

2025

Sep. 13—In Senate. Concurrence in Assembly amendments pending.

UNFINISHED BUSINESS—Continued

157

S.B. No. 451—Archuleta et al.
An act relating to gambling.

Digest of Assembly Amendments Pending

(Final vote in the Senate: AYES—39. NOES—0.)

2025

Sep. 13—In Senate. Concurrence in Assembly amendments pending.

158

S.B. No. 629—Durazo et al.
An act relating to wildfires.

Digest of Assembly Amendments Pending

(Final vote in the Senate: AYES—29. NOES—3.)

2025

Sep. 13—In Senate. Concurrence in Assembly amendments pending.

159

S.B. No. 638—Padilla et al.
An act relating to career technical education.

Digest of Assembly Amendments Pending

(Final vote in the Senate: AYES—30. NOES—3.)

2025

Sep. 13—In Senate. Concurrence in Assembly amendments pending.