

No. 126

CALIFORNIA LEGISLATURE

AT SACRAMENTO

2023–24 REGULAR SESSION

Senate Supplemental File #1



Compiled Under the Direction of
ERIKA CONTRERAS
Secretary of the Senate

By
HOLLY HUMMELT
Daily File Clerk
and
CLAUDIA FUENTES
Assistant Daily File Clerk

SENATE CONVENES AT 1 P.M.

THURSDAY, SEPTEMBER 14, 2023

(FLOOR SESSION)

ONE HUNDRED TWENTY – SIXTH DAY IN SESSION

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

UNFINISHED BUSINESS

110

S.B. No. 43—Eggman et al.
An act relating to mental health.

Digest of Assembly Amendments Pending

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

2023

Sep. 14—In Senate. Concurrence in Assembly amendments pending.

111

S.B. No. 241—Min et al.
An act relating to firearms.

Legislative Counsel's Digest of Assembly Amendments

SB 241, as it passed the Senate, required licensed firearms dealers and any employees that handle firearms, commencing July 1, 2025, to annually complete specified training and required the Department of Justice to develop and implement a training course and testing certification no later than January 1, 2025.

The Assembly amendments extend the training requirements for firearms dealers and their employees to July 1, 2026 and the development and implementation of the training course to February 1, 2026.

Vote: 21. Substantial substantive change: yes.

(Final vote in the Senate: AYES—31. NOES—6.)

2023

Sep. 14—In Senate. Concurrence in Assembly amendments pending.

112

S.B. No. 302—Stern et al.

An act relating to health care facilities.

Legislative Counsel’s Digest of Assembly Amendments

SB 302, as it passed the Senate, expanded the Compassionate Access to Medical Cannabis Act to a patient who is over 65 years of age with a chronic disease, as defined.

The Assembly amendments expand the definition of health care facility to also include a home health agency and require a health care facility permitting patient use of medicinal cannabis to ensure a denial of admission to the health care facility is not because of the patient’s use of medicinal cannabis. The Assembly amendments also authorize a health care facility to suspend compliance with requirements regarding medicinal cannabis on the health care facility if a regulatory agency, the United States Department of Justice, or the federal Centers for Medicare and Medicaid Services makes an inquiry about the health care facility’s activities.

Vote: 21. Substantial substantive change: yes.

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

2023

Sep. 14—In Senate. Concurrence in Assembly amendments pending.

UNFINISHED BUSINESS—Continued

113

S.B. No. 555—Wahab.

An act relating to housing.

Legislative Counsel's Digest of Assembly Amendments

SB 555, as it passed the Senate, declared a 5-year goal of creating 600,000 units of social housing and a 10-year goal of creating 1,200,000 units of social housing, as specified, and required the Department of Housing and Community Development to develop, adopt, and submit a plan to the Legislature by no later than January 1, 2025, for achieving those goals.

The Assembly amendments instead declare, among other things, a goal to create 2,500,000 new housing units, of which at least 1,000,000 must be affordable to households with low-, very low, and extremely low incomes. The Assembly amendments delete the requirement for the department to develop, adopt, and submit the above-described plan, and instead require the department to complete a study analyzing the opportunities, resources, obstacles, and recommendations for the creation of both affordable and social housing, as defined. The Assembly amendments require the study to be completed by no later than December 31, 2026, and included in the department's annual report to the Governor and the Legislature on the operations and accomplishments of its housing programs during the previous fiscal year. The Assembly amendments also require the study to include, among other things, an analysis of tenant protections, federal funding and resources, and any other subjects the department identifies that would contribute to meeting the state's housing needs.

Vote: 21. Substantial substantive change: yes.

(Final vote in the Senate: AYES—31. NOES—8.)

2023

Sep. 14—In Senate. Concurrence in Assembly amendments pending.

114

S.B. No. 684—Caballero et al.
An act relating to land use.

Digest of Assembly Amendments Pending

(Final vote in the Senate: AYES—34. NOES—0.)

2023

Sep. 14—In Senate. Concurrence in Assembly amendments pending.

115

S.B. No. 757—Archuleta.
An act relating to transportation.

Legislative Counsel’s Digest of Assembly Amendments

SB 757, as it passed the Senate, prohibited the operation of a contract crew transportation vehicle, as defined, without a “Z” permit, as provided.

The Assembly amendments instead prohibit the operation of a contract crew transportation vehicle without a valid permit, as determined by the Public Utilities Commission, as provided.

Vote: 21. Substantial substantive change: yes.

(Final vote in the Senate: AYES—29. NOES—8.)

2023

Sep. 14—In Senate. Concurrence in Assembly amendments pending.

116

S.B. No. 800—Caballero et al.

An act relating to aviation.

Legislative Counsel’s Digest of Assembly Amendments

SB 800, as it passed the Senate, required the Department of Transportation to establish an advisory committee, to be known as the Advanced Air Mobility and Aviation Electrification Committee, to assess, among other things, pathways for feasible implementation of electrification goals for the aviation industry.

The Assembly amendments instead require the department to establish an advisory panel, to be known as the Advanced Air Mobility, Zero-Emission, and Electrification Aviation Advisory Panel, to instead assess the feasibility and readiness of existing infrastructure in the state to support a vertiport network to facilitate the development of advanced air mobility services, the development of a 3-year prioritized workplan that maps out medium-term state activities necessary for the state to advance advanced air mobility services, and pathways for promoting equity of access to advanced air mobility infrastructure, as specified. The Assembly amendments exempt meetings of the advisory panel from the Bagley-Keene Open Meeting Act and repeal these provisions on January 1, 2026.

Vote: 21. Substantial substantive change: yes.

(Final vote in the Senate: AYES—40. NOES—0.)

2023

Sep. 14—In Senate. Concurrence in Assembly amendments pending.

117

S.B. No. 815—Roth et al.

An act relating to healing arts.

Legislative Counsel's Digest of Assembly Amendments

(1)SB 815, as it passed the Senate, until January 1, 2028, increased the total number of Medical Board of California members from 15 to 17 members. SB 815, as it passed the Senate, increased the number of public members who are appointed by the Senate Committee on Rules and the Speaker of the Assembly to 2 public members each.

The Assembly amendments instead reinstate the existing law requirement of the board to have 15 members and the requirement for the Senate Committee on Rules and the Speaker of the Assembly to appoint one public member, and make various changes to specified requirements of the board's membership. The Assembly amendments also make technical nonsubstantive changes to the provisions of existing law that requires legal proceedings against the board to be instituted in the City of Sacramento, Los Angeles, San Diego, or San Francisco.

(2)SB 815, as it passed the Senate, established a Complainant Liaison Unit comprised of board staff responsible for, among other things, responding to communications from the public about the complaint review and enforcement process.

The Assembly amendments condition the implementation of the unit on allocation of positions in the annual Budget Act, as specified.

(3)SB 815, as it passed the Senate, established that the physician's and surgeon's postgraduate training license shall be valid for a period of 36 months.

The Assembly amendments instead establish that any physician's and surgeon's postgraduate training license in an active status issued on or after January 1, 2020, shall be valid for a period of 36 months. The Assembly amendments additionally require a medical graduate to obtain a physician's and surgeon's postgraduate training license within 180 days after beginning a board-approved postgraduate program. The Assembly amendments extend the period for an applicant for a physician's and surgeon's license who received credit for 12 months of approved postgraduate training in another state or in Canada and who is accepted into an approved postgraduate training program to 180 days after beginning the postgraduate training program.

The Assembly amendments, for purposes of the Licensed Physicians and Dentists

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UNFINISHED BUSINESS—Continued

from Mexico Pilot Program, make various programmatic changes, including revising the requirements relating to program applicants, such as requiring the applicant to immediately seek an appropriate 3-year visa and social security number from the federal government, as specified. Under this pilot program, the Assembly amendments require, for a licensee to be eligible for an extension, certain documents to be submitted to the board no later than January 30, 2024, including a declaration signed by the licensee under penalty of perjury that the licensee meets the requirements for an extension. By expanding the crime of perjury, the Assembly amendments impose a state-mandated local program.

(4)SB 815, as passed by the Senate, deleted the requirement of an applicant's participation in an oral and maxillofacial surgery postgraduate training program to be eligible for licensure.

The Assembly amendments also delete the requirement that postgraduate training include at least four months of general medicine.

(5)SB 815, as passed by the Senate, authorized the Division of Licensing to prepare and provide electronically or mail a questionnaire to every licensed physician at the time of license renewal.

The Assembly amendments additionally require that the questionnaire include questions to establish that the physician currently has no disorder that would impair the physician's ability to practice medicine safely.

(6)SB 815, as it passed the Senate, required the review of a complaint determined to involve the quality of care rendered by a physician and surgeon to include an interview of the complainant, patient, or patient representative, if that information is provided.

The Assembly amendments require, before a complaint, as specified, pertaining to the quality of care a licensee provided to their patient may be closed, the board to conduct an interview with the complainant, patient, or the patient's representative, as specified, among other things. The Assembly amendments only make that provision operative 6 months following the allocation of positions for this purpose in the annual Budget Act.

(7)SB 815, as it passed the Senate, established that the conviction of certain felonies by a licensee constitutes cause for license revocation. SB 815, as it passed the Senate, required, if the board takes action to issue an order of revocation, the board to notify the licensee of the license revocation and of their right to elect to have a hearing, as specified, among other related changes.

The Assembly amendments instead require the board or its designee to automatically suspend a license following a conviction of a felony by a licensee, as specified.

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UNFINISHED BUSINESS—Continued

The Assembly amendments instead require the board or its designee to automatically revoke the license, as prescribed, and among other things.

(8)SB 815, as it passed the Senate, required specified statements to be considered, where relevant for purposes of adjudicating the case to which the statement pertains, as specified.

The Assembly amendments delete the above-described provision.

(9)SB 815, as it passed the Senate, required the exchange of specified information in matters brought by the board, to be completed 90 days prior to the commencement date of a hearing or as specified. SB 815, as it passed the Senate, established the standards of proof required for obtaining an order on a statement of issues or accusation for violation that would result in license suspension or revocation and for any other violation.

The Assembly amendments additionally require a statement from a complainant, patient, or patient representative relative to the harm they experienced to be exchanged in written form with counsel for the other party, and delete the provision relating to the standards of proof required for obtaining an order on a statement of issues or accusation for violation, as specified above.

(10)SB 815, as passed by the Senate, required the initial license fee applicable to the licensure of physicians and surgeons to be \$1,289 and for licenses that expire on or after January 1, 2024, the biennial renewal fee to be \$1,289.

The Assembly amendments instead require the initial license fee to be \$1,151 and for licenses that expire on or after January 1, 2024, the biennial renewal fee to be \$1,151. The Assembly amendments, beginning January 1, 2027, require the initial license fee to be \$1,255, and for licenses that expire on or after January 1, 2027, the biennial renewal fee to be \$1,255. The Assembly amendments also require the board to reduce license or other fees, as prescribed.

(11)SB 815, as it passed the Senate, among other things, transferred the administration and enforcement of duties of specified provisions from the Medical Board of California to the Board of Psychology.

The Assembly amendments instead transfer the administration and enforcement of these duties from the Medical Board of California to the Board of Psychology commencing January 1, 2025. The Assembly amendments also extend the repeal date for the review by the appropriate committees of the Legislature of the powers and duties of the Osteopathic Medical Board to January 1, 2028.

The Assembly amendments also make nonsubstantive double-jointing amendments.

Vote: 21. Substantial substantive change: yes.

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UNFINISHED BUSINESS—Continued

(Final vote in the Senate: AYES—32. NOES—1.)

2023

Sep. 14—In Senate. Concurrence in Assembly amendments pending.

118

S.B. No. 353—Dodd et al.

An act relating to beverage containers, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Legislative Counsel's Digest of Assembly Amendments

SB 353, as it passed the Senate, made various changes to the California Beverage Container Recycling and Litter Reduction Act, including, among others, making any sized containers of 100% fruit juice or vegetable juice subject to the act.

The Assembly amendments further amend the act to (1) redefine who the beverage manufacturer is for beverage containers containing beer, wine, or distilled spirits, (2) provide beverage containers that become subject to the act on January 1, 2024, an additional 14 days to comply with shelf labeling requirements, (3) require the Department of Resources Recycling and Recovery to provide processing payments for beverage containers with wine or distilled spirits in a box, bladder, pouch, or similar container, (4) require the department to provide a transportation, operations, and logistics payment to recycling centers in rural areas for glass beverage containers and to continuously appropriate moneys for this purpose, (5) exempt beverage distributors from providing redemption payments for beverage containers used only to pour wine, beer, or distilled spirits at a licensed tasting room, (6) exempt licensed beer tasting rooms from the definition of dealer, (7) alter the department's reporting duties to the Legislature regarding the California Beverage Container Recycling Fund, and (8) provide that the department, instead of a division within the department, succeeds to and is vested with the specified authority, duties, powers, purposes, responsibilities, and jurisdiction that once belonged to the Department of Conservation regarding the act.

Vote: 27. Substantial substantive change: yes.

(Final vote in the Senate: AYES—32. NOES—8.)

2023

Sep. 14—In Senate. Concurrence in Assembly amendments pending.

119

S.B. No. 410—Becker.

An act relating to electricity.

Legislative Counsel's Digest of Assembly Amendments

SB 410, as it passed the Senate, among other things, required the Public Utilities Commission to require an electrical corporation to consider, in its annual distribution planning process, certain standards, plans, regulations, policies, and requirements. SB 410, as it passed the Senate, also required the Public Utilities Commission to establish, or before September 30, 2024, reasonable average and maximum target energization time periods, as defined, and establish requirements for an electrical corporation to report to the commission, at least annually, so that electrical corporation performance could be tracked and improved, as specified.

The Assembly amendments, among other things, require the commission to additionally require an electrical corporation to consider, in its annual distribution planning process, known load, projections of load, and projections of load that exceed forecasts provided by the State Energy Resources Conservation and Development Commission. The Assembly amendments delete the provision requiring the commission to establish requirements for an electrical corporation to report to the commission, at least annually, so that electrical corporation performance can be tracked and improved. The Assembly amendments additionally require the commission to periodically update the energization time periods and the electrical corporation's annual reporting requirements to reflect changed circumstances, new information, and experience, as provided.

SB 410, as it passed the Senate, required the commission to authorize the use of a one-way balancing account mechanism or other mechanism, as specified, if requested by the electrical corporation.

The Assembly amendments instead require the commission, until January 1, 2027, to authorize the use of a ratemaking mechanism, as specified, within 180 days of a request from an electrical corporation, and prescribe the information an electrical corporation is required to include as part of its request for a ratemaking mechanism. The Assembly amendments additionally require, until July 1, 2028, an electrical corporation that requests the use of a ratemaking mechanism to agree to retain an independent third-party auditor, as specified, before the commission authorizes the use of the ratemaking mechanism.

The Assembly amendments also authorize the commission to modify or adjust the

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UNFINISHED BUSINESS—Continued

requirements of SB 410 for any electrical corporation with fewer than 100,000 service connections, and exclude electrical cooperatives from its provisions.

Vote: 21. Substantial substantive change: yes.

(Final vote in the Senate: AYES—32. NOES—8.)

2023

Sep. 14—In Senate. Concurrence in Assembly amendments pending.

120

S.B. No. 428—Blakespear.

An act relating to civil actions.

Legislative Counsel's Digest of Assembly Amendments

SB 428, as it passed the Senate, authorized any employer whose employee has suffered harassment, as defined, to seek a temporary restraining order and an injunction on behalf of the employee and other employees upon a showing of clear and convincing evidence that an employee has suffered harassment, that great or irreparable harm would result to an employee, and that the respondent's course of conduct served no legitimate purpose.

The Assembly amendments would additionally require any employer seeking a temporary restraining order for its employee under the specified circumstances to provide that employee the opportunity to decline to be named in the order, prior to filing the petition.

Vote: 21. Substantial substantive change: yes.

(Final vote in the Senate: AYES—40. NOES—0.)

2023

Jul. 3—In Senate. Concurrence in Assembly amendments pending.

Jul. 13—Ordered to the Assembly.

Jul. 13—In Assembly. Held at Desk.

Aug. 28—Action rescinded whereby the bill was read third time, passed, and ordered to the Senate. Ordered to third reading.

Sep. 1—Read third time. Passed. Ordered to the Senate.

Sep. 5—Action rescinded whereby the bill was read third time, passed, and ordered to the Senate. Ordered to third reading.

Sep. 8—Read third time and amended. Ordered to third reading.

Sep. 14—Read third time. Passed. Ordered to the Senate.

Sep. 14—In Senate. Concurrence in Assembly amendments pending.

121

S.B. No. 605—Padilla et al.

An act relating to energy.

Legislative Counsel’s Digest of Assembly Amendments

SB 605, as it passed the Senate, required the State Energy Resources Conservation and Development Commission (Energy Commission) and the Ocean Protection Council, on or before February 1, 2024, to commence a comprehensive, collaborative study to evaluate the feasibility and benefits of using wave energy and tidal energy, as specified. SB 605, as it passed the Senate, required the Energy Commission, upon appropriation by the Legislature, to solicit applications for, and consider approving, wave energy and tidal energy pilot projects that assess the technological feasibility and provide research and demonstration of the technology. SB 605, as it passed the Senate, required the Energy Commission and the Ocean Protection Council to submit a written report to the Governor and the Legislature on or before January 1, 2025, that includes, among other things, findings from the study and data and findings from those pilot projects, as specified.

The Assembly amendments instead require the Energy Commission to evaluate the feasibility, costs, and benefits of using wave energy and tidal energy as part of a specified 2024 energy policy review. The Assembly amendments delete the provisions related to the pilot projects and instead require the Energy Commission to submit a written report to the Governor and the Legislature that includes a summary of findings from the evaluation and considerations that may inform legislative and executive actions, as specified.

Vote: 21. Substantial substantive change: yes.

(Final vote in the Senate: AYES—40. NOES—0.)

2023

Sep. 14—In Senate. Concurrence in Assembly amendments pending.

122

S.B. No. 725—Smallwood-Cuevas.

An act relating to private employment.

Legislative Counsel’s Digest of Assembly Amendments

SB 725, as it passed the Senate, required a successor grocery employer to provide an eligible grocery employee severance pay equal to one week of pay for each full year of employment with the incumbent grocery employer if specified conditions are met. SB 725, as it passed the Senate, defined “grocery establishment,” in part, to exclude a retail store that has ceased operations for 6 months or more.

The Assembly amendments refer to the above-described severance pay requirement, instead, as a “dislocated grocery worker allowance.” The Assembly amendments also limit the allowance requirement to apply only to a successor grocery employer that, after a change in control, will own, control, or operate 20 or more grocery establishments. The Assembly amendments also modify the retail store exclusion in the definition of “grocery establishment” to exclude a retail store that has ceased operations for 12 months or more.

Vote: 21. Substantial substantive change: yes.

(Final vote in the Senate: AYES—33. NOES—6.)

2023

Sep. 14—In Senate. Concurrence in Assembly amendments pending.

123

S.B. No. 741—Min et al.

An act relating to domestic violence.

Legislative Counsel’s Digest of Assembly Amendments

SB 741, as it passed the Senate, among other requirements relating to discovery, authorized prehearing discovery from a party to an action pursuant to the Domestic Violence Prevention Act only as specifically provided, and required the party seeking prehearing discovery to file a written motion setting forth the specific types of discovery sought and why the discovery is necessary.

The Assembly amendments, among other requirements, instead prohibit discovery pursuant to the Civil Discovery Act for purposes of the Domestic Violence Prevention Act except when a court grants a request for discovery upon a showing of good cause by the party making the request, as specified.

Vote: 21. Substantial substantive change: yes.

(Final vote in the Senate: AYES—34. NOES—2.)

2023

Sep. 14—In Senate. Concurrence in Assembly amendments pending.

124

S.B. No. 777—Allen.

An act relating to solid waste.

Legislative Counsel's Digest of Assembly Amendments

SB 777, as it passed the Senate, established the Transparency in Grocery Bag Recycling Act, which authorized certain stores to retain collected moneys from the sale of reusable grocery bags and recycled paper bags to also be used for costs relating to providing consumers the ability to return reusable grocery bags to those stores for recycling and ensuring that the collected bags are recycled. SB 777, as it passed the Senate, required the stores to submit a quarterly report to the Department of Resources Recycling and Recovery with specified information related to the act and authorized the department to conduct audits of stores relating to compliance with the act.

The Assembly amendments remove the above-described audit authority and make the above-described report an annual, rather than a quarterly, requirement. The Assembly amendments also add a required element for the report and authorize a chain that owns more than one store to report aggregated data for all of the stores operated under that chain.

Vote: 21. Substantial substantive change: yes.

(Final vote in the Senate: AYES—36. NOES—2.)

2023

Sep. 14—In Senate. Concurrence in Assembly amendments pending.

125

S.B. No. 822—Durazo et al.

An act relating to employment.

Legislative Counsel's Digest of Assembly Amendments

SB 822, as it passed the Senate, required the Department of Industrial Relations and the California Workforce Development Board (board) to be collectively responsible for, among other duties, tracking and reporting interagency agreements that advance the objectives of high road procurement, contracting, and incentive programs. SB 822, as it passed the Senate, required the board, upon request by a state agency, to establish interagency agreements that advance these objectives. SB 822, as it passed the Senate, required each state agency, by January 1, 2025, to report to the Legislature the state agency's plan to incorporate high road employment requirements in the state agency's procurement processes, contracts, and incentive programs. SB 822, as it passed the Senate, required specified state entities, including, among others, the Department of General Services and the State Water Resources Control Board, by January 1, 2025, to enter into a memorandum of understanding with the California Workforce Development Board to coordinate economic and workforce development planning, analysis, and implementation activities. SB 822, as it passed the Senate, required the state agency to draw upon the expertise of the board in developing these agreements to ensure the state has the workforce and industry-based training partnerships necessary to meet its clean energy and clean transportation goals. SB 822, as it passed the Senate, required the agreements to include, among other things, advice and recommendations to ensure state agency policies and regulated programs create or support high-quality jobs in the energy, resources, and transportation sectors.

The Assembly amendments revise and recast certain duties by, among other things, instead requiring the department and board to collectively be responsible for tracking and reporting memorandums of understanding established or entered into pursuant to specified law. The Assembly amendments require the board, upon request by a state agency, to establish memorandums of understanding to incorporate high road evaluation metrics in the state agency's procurement processes, contracts, and incentive programs, as specified. The Assembly amendments remove the above-described reporting requirement. The Assembly amendments delete several state entities from, and add the Department of Technology to, the specified state entities. The Assembly amendments revise the requirement of the memorandums of

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UNFINISHED BUSINESS—Continued

understanding to instead incorporate high road evaluation metrics in the state agency's procurement processes, contracts, and incentive programs. The Assembly amendments add broadband to the above-described goals and sectors, and make nonsubstantive changes.

Vote: 21. Substantial substantive change: yes.

(Final vote in the Senate: AYES—31. NOES—8.)

2023

Sep. 14—In Senate. Concurrence in Assembly amendments pending.

126

S.B. No. 831—Caballero.

An act relating to agricultural workers.

Legislative Counsel's Digest of Assembly Amendments

SB 831, as it passed the Senate, authorized the Governor to enter into an agreement with the federal government to establish a workgroup to develop a pilot program for an agricultural employee, as defined, who meets specified eligibility criteria, including that they have lived continuously in the United States for 5 years, to be granted lawful permanent resident status. SB 831, as it passed the Senate, authorized the Department of Community Services and Development to administer the pilot program and establish an application process and eligibility criteria for the pilot program, as specified.

The Assembly amendments instead authorize the Governor to enter into an agreement with the United States Attorney General, or the United States Attorney General's designee, to establish a program for the United States Attorney General, or the United States Attorney General's designee, to grant an agricultural employee living in the state parole, as specified. The Assembly amendments require the Governor to prepare a report on the impact of the program on the 3rd year of the renewal of the program, subject to implementation of the program, as provided.

Vote: 21. Substantial substantive change: yes.

(Final vote in the Senate: AYES—34. NOES—2.)

2023

Sep. 14—In Senate. Concurrence in Assembly amendments pending.

127

S.B. No. 889—Committee on Governance and Finance (Senators Caballero (Chair)) et al.

An act relating to taxation.

Legislative Counsel’s Digest of Assembly Amendments

SB 889, as it passed the Senate, among other things, authorized the California Department of Tax and Fee Administration (CDTFA), or the State Board of Equalization, as specified, to serve earnings withholding orders for taxes, fees, or surcharges, as applicable, and any other notice or document required to be served or provided in connection with an earnings withholding order to government and private employers by electronic transmission or other electronic technology, as provided.

The Assembly amendments, in addition to provisions detailed above, also amend the authority of the CDTFA to make various decisions pertaining to settlements, including that the authority is vested in the director and only requires approval of the director. The Assembly amendments remove the joint approval requirement for settlements involving a reduction of tax and penalties in settlement not exceeding \$5,000, leaving approval solely to the discretion of the director, and increase that \$5,000 limitation to \$11,500. The Assembly amendments also adjust that limitation for inflation. The Assembly amendments exempt settlements requiring the approval of only the director from the requirement to include the Attorney General’s conclusion as to whether the recommendation of settlement was reasonable from an overall perspective. The Assembly amendments also remove the requirement that the proceedings be conducted in a closed session. The Assembly amendments apply these provisions to those settlements entered into on or after January 1, 2024.

The Assembly amendments expand an existing exception to the general antidisclosure provisions of the Fee Collection Procedures Law to include directly interested predecessors as a class of persons to whom a state agency may disclose specified information pertaining to a feepayer.

The Assembly amendments delay the operative date of the adjustment of the initial bulk threshold amount relating to an existing exemption under the Sales and Use Tax Law for the sales in bulk of monetized bullion, nonmonetized gold and silver bullion, and numismatic coins to July 1, 2023. The Assembly amendments also change the operation of the adjustment date, beginning with the January 1, 2024, adjustment to the first day of the 2nd calendar quarter beginning after the

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effective date of the amendments incorporating the increase in the operative threshold into the CDTFA's regulations.

The Assembly amendments additionally require the CDTFA to conduct an annual hearing to allow industry representatives and individual taxpayers to present proposals on changes to the Emergency Telephone Users Surcharge Act to further improve voluntary compliance and the relationship between taxpayers and the government.

The Assembly amendments, for purposes of the Hazardous Substances Tax Law, require only specified feepayers subject to a fee relating to occupational lead poisoning to file a closing return, as provided, instead of the existing requirement for every feepayer to file a closing return upon the transfer or discontinuance of hazardous waste operations, as provided.

Vote: 21. Substantial substantive change: yes.

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

2023

Sep. 14—In Senate. Concurrence in Assembly amendments pending.

128

S.B. No. 525—Durazo et al.

An act relating to employment.

Digest of Assembly Amendments Pending

(Final vote in the Senate: AYES—21. NOES—11.)

2023

Sep. 14—In Senate. Concurrence in Assembly amendments pending.