



Summary of Court-Related Legislation

JUDICIAL COUNCIL OF CALIFORNIA • GOVERNMENTAL AFFAIRS

DECEMBER 2022

During the second year of the 2021–2022 Legislative Session, the Legislature and Governor enacted numerous bills that affect the courts or are of general interest to the judicial branch. Brief descriptions of the measures of greatest interest follow, arranged according to subject matter. Also included is a table summarizing new laws that create new crimes or expand existing crimes, as well as an index listing all the bills and the page numbers on which their descriptions can be found.

The effective date of legislation is stated with each measure. Urgency and budget measures normally take effect immediately upon enactment, and some other measures have delayed operative dates.

This *Summary* is intended to serve only as a guide to identify bills of interest; the bill descriptions are not a complete statement of statutory changes. Code section references are to the sections most directly affected by the bill; not all sections are necessarily cited.

Until the annual pocket parts are issued, bill texts can be examined in their chaptered form in *West's California Legislative Service* or *California Deering's Advance Legislative Service*, where they are published by chapter number. In addition, chaptered bills and legislative committee analyses can be accessed on the internet at <http://leginfo.legislature.ca.gov>. Individual chapters may be ordered directly from the Legislative Bill Room, State Capitol, 10th Street, Room B32, Sacramento, California 95814, 916-445-2323.

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ADMINISTRATIVE

AB 199 (COMMITTEE ON BUDGET), CH. 57 **EFFECTIVE: IMMEDIATELY** **COURTS**

Among other things, makes the statutory changes necessary to implement the court-related provisions of the Budget Act of 2022.

Sections 1, 10, 12–16. Allows a defendant to consent to a remote appearance in misdemeanor and felony proceedings, with the exception of trial and felony sentencing. The parties and the court may consent to a remote appearance by a witness in criminal proceedings except for felony trials, and attorneys may appear remotely when appropriate. Authorizes remote criminal appearances until January 1, 2024, with specified limitations.

Section 2. Requires the Director of Finance to finalize the methodology for determining per county allocations related to the elimination of certain criminal administrative fees contained in AB 177 (Stats. 2021, ch. 257), last year’s public safety trailer bill.

Sections 3–5, 18, 20, 21, and 24. Reduces the civil assessment fee for failure to appear or failure to pay from a maximum of up to \$300 to up to \$100 effective July 1, 2022, and makes any amounts owed before this date unenforceable and uncollectable, and directs that civil assessment revenue collected be transmitted to the State Treasurer for deposit into the state General Fund, rather than the Trial Court Trust Fund.

Section 6. Expands eligibility for civil filing fee waivers by increasing the eligibility threshold from 125 to 200 percent of current federal poverty guidelines, also adds recipients of the California Special Supplemental Nutrition Program for Women, Infants, and Children (WIC Program) or people who receive unemployment compensation.

Sections 7–9. Provides technical changes and clarifications related to the Judicial Council’s online ability-to-pay tool, including specifying that trials conducted under the specified provisions are to be conducted by declaration through the online tool.

Section 11. Repeals a code section relating to civil assessment revenue for purposes of court construction in Merced County.

Section 17. Prohibits privately operated programs from imposing application or administrative fees related to work furlough and electronic home detention programs, consistent with the prohibition for publicly operated programs.

(GOV amend 68085, 68085.1, 68085.7, 68632, 68645.2, 68645.4, 68645.5, add 29554, add and repeal 71651.1, repeal 76223; PEN amend 1208.2, 1214.1, 1463, 1463.001, 1465.9, amend, repeal, and add 977, 1043.5, add and repeal 977.3; VEH amend 40509)

AB 1041 (WICKS), CH. 748 **EFFECTIVE JANUARY 1, 2023** **EMPLOYMENT: LEAVE**

Expands the scope of persons for whom an employee must be granted time off for family care and medical leave to include a “designated person,” which means any individual related by blood or whose association with the employee is the equivalent of a family relationship. States that the designated person may be identified by the employee at the time the employee requests the leave. Allows an employer to limit an employee to one designated person per 12-month period for family care and medical leave. (GOV amend 12945.2; LAB amend 245.5)

AB 1655 (JONES-SAWYER), CH. 753 **EFFECTIVE JANUARY 1, 2023** **STATE HOLIDAYS: JUNETEENTH**

Adds June 19, known as “Juneteenth” as a California state holiday and judicial holiday and authorizes executive branch employees, as defined, to elect to receive eight hours of holiday credit for Juneteenth in lieu of receiving eight hours of existing personal holiday credit. By virtue of amending Government Code section 6700, this bill also creates a judicial holiday and beginning in 2023, state courts will be closed to the public on June 19 (see Code Civ. Proc, § 135). NOTE: The Governor also signed AB 1801 (Stats. 2022, ch. 761) and AB 2596 (Stats. 2022, ch. 792), which add Genocide Remembrance Day and Lunar New Year, respectively, to the list of state holidays found in Government Code section 6700. However, both of these bills also amend Code of Civil Procedure section 135 to expressly exclude these two new state holidays as judicial holidays. Thus, neither Genocide Remembrance Day nor Lunar New Year will become judicial holidays. Also, since all three (3) bills amend some of the same code sections, each bill contains technical and conforming



language from the other bills to address chaptering-out conflicts. (EDC amend 37220, 45203, 79020; GOV amend 6700, 19853, 19853.1)

AB 1801 (NAZARIAN), CH. 761
EFFECTIVE JANUARY 1, 2023

STATE HOLIDAYS: GENOCIDE REMEMBRANCE DAY

Adds April 24, known as “Genocide Remembrance Day,” as a California state holiday and authorizes state employees, as defined, to elect to receive eight hours of holiday credit for Genocide Remembrance Day as an optional holiday in lieu of receiving eight hours of personal holiday credit. State offices and courts will remain open on Genocide Remembrance Day. NOTE: See AB 1655 for explanation of Juneteenth, which will be a judicial holiday and beginning in 2023, courts will be closed on June 19. (CCP amend 135; EDC amend 37220.7, 45203, 79020, 88203; GOV amend 6700, 19853, 19853.1)

AB 2391 (CUNNINGHAM), CH. 84
EFFECTIVE JANUARY 1, 2023

CIVIL ACTIONS: VEXATIOUS LITIGANTS

Allows a person protected by a domestic violence protective order to seek an order declaring the restrained person a vexatious litigant when the restrained person has filed one or more meritless actions that caused the protected person to be harassed or intimidated. (CCP amend 391, 391.1)

AB 2443 (COOLEY), CH. 531
EFFECTIVE JANUARY 1, 2024

JUDGES’ RETIREMENT SYSTEM II: BENEFITS

Among other things, provides for judges to leave five years earlier than currently available if they are either (1) at least 60 years old with at least 15 years of service, or (2) at least 65 years old with at least 10 years of service, and to choose between two different deferral options, a standard deferral option and an extended deferral option. Under these options, the member could choose to either receive their actuarially adjusted allowance immediately or leave their funds with JRS II and receive an adjusted retirement allowance upon reaching full retirement age under the existing plan. The election would be irrevocable. The bill contains a five-year sunset, and implementation is delayed for one year (until Jan. 1, 2024). (GOV amend, repeal, and add 22814, 75590, add and repeal 75522.5)

AB 2596 (LOW), CH. 792
EFFECTIVE JANUARY 1, 2023
LUNAR NEW YEAR HOLIDAY

Adds “Lunar New Year” as a California state holiday, which occurs on the date corresponding with the second new moon following the winter solstice, or the third new moon following the winter solstice should an intercalary month intervene (sometime between Jan. 21 and Feb. 20). Authorizes state employees, as defined, to elect to receive eight hours of holiday credit for Lunar New Year as an optional holiday in lieu of receiving eight hours of personal holiday credit. State offices and courts will remain open on Lunar New Year. NOTE: See AB 1655 for explanation of Juneteenth, which will be a judicial holiday and beginning in 2023, courts will be closed on June 19. (CCP amend 135; GOV amend 6700, 19853, 19853.1, repeal 6730)

AB 2841 (LOW), CH. 807
EFFECTIVE JANUARY 1, 2024

DISQUALIFICATION FROM VOTING

Requires the clerk of the superior court of each county to notify the Secretary of State each month of findings made by the court regarding a person’s competency to vote and the number of court proceedings related to the determination of a person’s competency to vote, as specified. Requires the Secretary of State to send this information to the appropriate county elections official, who must proceed to cancel the person’s registration or notify the person that their right to vote has been restored, as applicable. Requires the Secretary of State to post a report on their internet website each month showing the number of disqualifications and restorations of voting rights that occurred in each county, and to deliver a training to court officers and elections officials regarding the aforementioned requirements. (ELEC amend, repeal, and add 2201, 2208, 2209, 2210, 2211, add 2211.5, 2214; WIC amend, repeal, and add 5358.3, 5364)

SB 233 (UMBERG), CH. 979
EFFECTIVE JANUARY 1, 2023

CIVIL ACTIONS: APPEARANCE BY TELEPHONE

Repeals obsolete statutes relating to telephonic appearances. (CCP repeal 367.5, 367.6; GOV repeal 72010, 72011)



APPELLATE PROCEDURE

AB 205 (COMMITTEE ON BUDGET), CH. 61 **EFFECTIVE: IMMEDIATELY** **ENERGY**

Among other things, makes the statutory changes necessary to implement the energy-related provisions of the Budget Act of 2022.

Section 4. Makes non-fossil-fueled powerplants, energy storage facilities, and related facilities, as defined, environmental leadership development projects and requires the Judicial Council, on or before December 31, 2023, to establish a rule of court to establish procedures that require CEQA actions or proceedings brought to attack, review, set aside, void, or annul the certification of an environmental impact report or the issuance of the certification for any such site and related facility, including any potential appeals to the Court of Appeal or the Supreme Court, to be resolved, to the extent feasible, within 270 days of the filing of the certified administrative record with the court. (GOV add 16429.8 et seq.; PRC amend 25403.2, 25806, add 25545 et seq., 25640 et seq., 25790 et seq., add and repeal 25216.8; PUC amend 381, 739.1, 739.9, 2827.1; RTC add and repeal 17131.20; WAT add 80700 et seq.)

SB 118 (COMMITTEE ON BUDGET AND FISCAL REVIEW), CH. 10 **EFFECTIVE: IMMEDIATELY** **CALIFORNIA ENVIRONMENTAL QUALITY** **ACT: PUBLIC HIGHER EDUCATION: CAMPUS POPULATION (BUDGET TRAILER BILL)**

Amends CEQA provisions governing campus long-range development plans to specify that enrollment or changes in enrollment, by themselves, do not constitute a project. Specifies that any injunction or judgment in effect suspending or affecting enrollment shall be unenforceable. Makes its provisions retroactive to affect any decision related to enrollment or changes in enrollment before the bill's effective date. If a court determines that increases in campus population exceed projections adopted in the most recent long-range development plan analyzed by an EIR, allows a court to order a new EIR. Limits a court's ability to enjoin increases in campus population that exceed projections in the most recent long-range development plan if the EIR is more than 18 months old. (PRC amend 21080.09)

BAIL SCHEDULE

AB 1682 (BOERNER HORVATH), CH. 203 **EFFECTIVE: JANUARY 1, 2023** **VESSELS: PUBLIC SAFETY ACTIVITIES**

Exempts clearly identifiable lifeguard rescue water vessels and public safety vessels, including vessels with blue lights engaged in law enforcement activities from the five miles per hour speed limits near swimmers, floatation devices, beaches, and passenger loading areas. (HNC amend 650.1, 655.2)

AB 1909 (FRIEDMAN), CH. 343 **EFFECTIVE: JANUARY 1, 2023** **VEHICLES: BICYCLE OMNIBUS BILL**

Among other things, amends current law that restricts the use of class 3 electric bicycles on Class I Bikeways. Additionally, it removes local control from regulating class 1 and 2 electric bicycle operation on Class I Bikeways. Prohibits a peace officer from stopping a pedestrian who crosses the street when the pedestrian control signal does not indicate "walk" unless they can cite that a reasonably careful person would realize it is unsafe to cross the street due to immediate danger of a collision with a moving vehicle as specified. Requires, beginning January 1, 2024, bicycles to obey specific bicycle traffic control signals regardless of differing vehicle or pedestrian signals. Requires the driver of a motor vehicle to move to another lane, if possible, to provide extra space for a bicycle that is traveling in the same direction. Prohibits a city or county from requiring bicycle registration. (VEH amend 21207.5, 21760, 39002, amend, repeal, and add 21456, 21456.2)

AB 2000 (GABRIEL), CH. 436 **EFFECTIVE: JANUARY 1, 2023** **MOTOR VEHICLE SPEED CONTESTS AND EXHIBITIONS OF SPEED: OFF-STREET PARKING FACILITIES**

Expands the crime of motor vehicle exhibition of speed and speed contests (commonly referred to as "side shows") to include off-street parking facilities or parking lots. (VEH amend 23109)



AB 2147 (TING), CH. 957
EFFECTIVE: JANUARY 1, 2023

PEDESTRIANS

Prohibits a peace officer from stopping a pedestrian who crosses the street outside of a crosswalk or when a signal did not indicate it was safe to do so, unless the officer can cite that a reasonably careful person who realizes it is unsafe to cross due to immediate danger of a collision with a vehicle as specified. Requires the California Highway Patrol to submit a legislative report by January 1, 2028, regarding statewide pedestrian-related traffic crash data and associated impacts to traffic safety. (VEH amend 21451, 21452, 21453, 21456, 21461.5, 21462, 21950, 21953, 21954, 21955, 21956, 21961, 21966, add and repeal 21949.5)

AB 2174 (CHEN), CH. 206
EFFECTIVE: JANUARY 1, 2023

VEHICLES: REMOVAL FROM PRIVATE PROPERTY

Creates a definition of “shared mobility device” to mean a motorized scooter, bicycle, or similar personal transportation device that is provided to the public by a service provider in exchange for financial compensation. Requires the notice of removal of a shared mobility device from a private property to include any identifiable make, model, vehicle identification number, license plate, and identification numbers such as a quick response code or a serial number. (VEH add 554, amend 22658)

AB 2198 (FONG), CH. 81
EFFECTIVE: JANUARY 1, 2023

VEHICLES: DRIVING UNDER THE INFLUENCE

Replaces references to “accident” with “crash” to indicate inherent fault due to driving while impaired or distracted. Removes the authority of the court to mandate supervised visitation of a defendant or ward at a facility that “cares for advanced alcoholics...to observe persons in the terminal stages of alcoholism or drug abuse.” Further, requires the court to consider the speed of the vehicle, the severity of any injuries sustained as a result of the violation, and whether the defendant or ward was engaged in a speed competition before requiring supervised visitation to a trauma facility, county coroner’s office, or the county morgue to observe appropriate victims of DUI crashes. (VEH amend 1821, 13800, 13954, 23517, 23575.5, 40300.5, 40300.6)

AB 2746 (FRIEDMAN), CH. 800
EFFECTIVE: JANUARY 1, 2023

DRIVING PRIVILEGE: SUSPENSION

Among other things, repeals the authorization and requirement that the court notify the Department of Motor Vehicles (DMV) when a person willfully violates their written promise to appear starting January 1, 2023. Requires DMV to stop suspending licenses for failure to appear and removes the prohibition from issuing or renewing a driver’s license starting January 1, 2027. As of January 1, 2023, reduces the penalties for driving without a license from a misdemeanor to an infraction for a first or second offense, except as specified, and a misdemeanor or an infraction for subsequent violations. (GOV amend 12419.10, 68645.1; VEH amend 1803.3, 4760.1, 11104.3, 11206, 12814.5, 12814.6, 14910, 14911, 40000.11, 40508.6, 41500, 41610, amend and repeal 13365, 13365.2, 40509, 40509.5, amend, repeal, and add 12807, 12808, 13364, add 40000.10)

SB 856 (DODD), CH. 469
EFFECTIVE: JANUARY 1, 2024

WILD PIGS: VALIDATIONS

Among other provisions related to the hunting of wild pigs, creates a new law prohibiting the intentional release of any hog, boar, pig, or swine to live in a wild or feral state upon public or private land. Further outlaws engaging in, sponsoring, or assisting in the operation of a contained hunting preserve of wild pig, unless already in existence and no further land is added to the preserve. (FGC amend 3031, 4181, amend and repeal 4651, amend, repeal, and add 3003.1, 3004.5, 3005.5, 3031.2, 3040, 3950, 3953, 4150, 4304, 4650, 4652, 4653, 4654, 4655, 4657, add 4651.5, 4652.5, add 3965 et seq.; FAC add 10791 et seq.)

SB 1096 (LIMÓN), CH. 191
EFFECTIVE: JANUARY 1, 2023

ONLINE TOOL: TRAFFIC VIOLATOR SCHOOL

Ensures that a defendant’s request for an ability-to-pay determination through the online tool does not preclude them from attending traffic violator school. (GOV add 68645.15)



BUDGET

AB 199 (COMMITTEE ON BUDGET), CH. 57 **EFFECTIVE: IMMEDIATELY** **COURTS**

For discussion of bill, see page 2.

SB 154 (SKINNER), CH. 43 **EFFECTIVE: IMMEDIATELY** **COURT-BASED WEAPONS** **RELINQUISHMENT PROGRAMS**

Funds and establishes the creation of a court-based firearm relinquishment program to ensure the consistent and safe removal of firearms from individuals who become prohibited from owning or possessing firearms and ammunition under court order. Prioritizes courts with higher numbers of domestic violence restraining orders or gun violence restraining orders. Permits prioritization of counties with higher rates of gun ownership or higher increases in gun ownership since March 2020. Requires that each court that receives funding must contract with at least one law enforcement agency within the county for relinquishment activities that cannot reasonably and safely be conducted by the court. Requires courts to develop an implementation plan, and requires the Judicial Council to collect and report data from court-based programs. (Budget Act of 2022, Item 0250-001-0001, Provisions 11-18)

SB 184 (COMMITTEE ON BUDGET), CH. 47 **EFFECTIVE: JANUARY 1, 2023** **HEALTH**

Among other things, makes the statutory changes necessary to implement the health-related provisions of the Budget Act of 2022.

Section 38. Allows courts to grant mental health diversion in felony incompetent to stand trial cases even if the defendant cannot agree to comply with treatment due to mental incompetence.

Sections 41, 43, 49, and 53. Revises the requirement that a court determine whether a defendant lacks the capacity to make decisions regarding the administration of antipsychotic medication, and increases documentation requirements before ordering a defendant be committed to a treatment facility. Authorizes a court to order the

involuntary administration of antipsychotic to allow courts to grant mental health diversion in felony IST cases even if the defendant cannot agree to comply with treatment due to mental incompetence. medication based upon a reevaluation.

Section 65. Repeals section 14138.11 of the Welfare and Institutions Code.

(GOV amend 15432, 15451.5, 100800, 100820, 100825, add 12534; HSC amend 120475, 120511, 122440, 127691, 127692, 127694, 127695, 127696, 128205, 128210, 128230, 128235, amend and repeal 104395, add 1385.035, 11831.1, 11834.28, 11839.6.1, 124024, 124110.5, add 101320 et seq., 123451 et seq., 127500 et seq., 128250 et seq., repeal 128215, 128220, 128225; INS amend, repeal, and add 12693.74, add 10181.35; LAB add 1490 et seq.; PEN amend 1001.36, 1026, 1026.2, 1369, 1370, 1370.6, 1372, 1602, 1603, 1604, 2603, 4019, repeal 1369.1; RTC amend 18914, 18916; WIC amend 4335.2, 4361, 5328, 5848.5, 5961.5, 7276, 7279, 7281, 7290, 14005.22, 14005.26, 14005.37, 14005.64, 14007.8, 14007.9, 14011.10, 14011.66, 14011.7, 14087.46, 14105.075, 14105.192, 14105.48, 14124.12, 14132.100, 14132.88, 14132.98, 14138.1, 14138.12, 14138.13, 14138.14, 14138.15, 14138.16, 14138.17, 14138.23, 14148, 14148.8, 14170.8, 14184.201, 14184.206, 14184.400, 14184.405, 14184.800, 14186.3, 14197, 14197.04, 14197.2, 15826, 15854, 16501.3, amend 14138.1 et seq., amend, repeal, and add 14005.12, 14005.13, 14105.2, 15832, 15840, add 4336, 4361.7, 5325.3, 14005.255, 14105.197, 14132.57, 15849, 15854.5, add 18998 et seq., add and repeal 4360.5, repeal 7284, 7285, 7286, 7287, 7291, 7292, 14005.225, 14138.11, 14138.19, repeal and add 14132.725, 14132.731, 14138.10, 14138.18, 14138.21, 14138.22)

CEQA

AB 205 (COMMITTEE ON BUDGET), CH. 61 **EFFECTIVE: IMMEDIATELY** **ENERGY**

For discussion of the bill, see page 4.

AB 1344 (ARAMBULA), CH. 480

EFFECTIVE: JANUARY 1, 2023

**STATE DEPARTMENT OF PUBLIC HEALTH:
NEEDLE AND SYRINGE EXCHANGE SERVICES**

Exempts needle and syringe exchange services application submissions, authorizations, and operations from review under the California Environmental Quality Act. (HSC amend 121349)

**SB 118 (COMMITTEE ON BUDGET AND FISCAL
REVIEW), CH. 10**

EFFECTIVE: IMMEDIATELY

**CALIFORNIA ENVIRONMENTAL QUALITY
ACT: PUBLIC HIGHER EDUCATION: CAMPUS
POPULATION (BUDGET TRAILER BILL)**

For discussion of bill, see page 4.

CHILD WELFARE

AB 207 (COMMITTEE ON BUDGET), CH. 573

EFFECTIVE: SEPTEMBER 28, 2022

HUMAN SERVICES OMNIBUS

Among other things, makes the statutory changes necessary to implement the human services–related provisions of the Budget Act of 2022.

Sections 2–8 and 17–21. Makes changes and additions to the 1058 Child Support program to, among other things, comply with federal regulations. Makes conforming changes to the Welfare and Institutions Code related to public benefits, exemptions from offsets to public benefits, and pass-through funds.

Sections 11–12. Cleans up Juvenile Justice Realignment legislation (Sen. Bill 92 (Committee on Budget and Fiscal Review); Stats. 2021, ch. 18); permits grant-making and single-source contracting for services under the Office of Youth and Community Restoration.

Sections 14–16. Eliminates costs to tribes, tribal organizations, or tribal consortia as defined, associated with tribal agreements with CDSS related to care and custody of Indian children. Establishes, under funding in the Budget Act, the Tribally Approved Homes Compensation Program. Establishes the Tribal Dependency Representation Program for child welfare/custody proceedings as defined.

Sections 23–24. Amends provisions related to the California Child Welfare Case Management System, and Family Finding.

(FAM amend 4007.5, 4054, 4058, amend and renumber 17504.1, add 4077, 17504.2, 17504.6; GOV amend 19242; WIC amend 10544, 10553.1, 15204.35, 16501.5, 18900.8, amend, repeal, and add 2200, 11477, add 10553.13, 10553.14, 11157.1, 11477.06, add 16546 et seq., add and repeal 11477.07)

AB 408 (QUIRK-SILVA), CH. 904

EFFECTIVE: JANUARY 1, 2023

**HOMELESS CHILDREN AND YOUTH:
REPORTING**

Requires a Local Educational Agency (LEA) to use resources developed by the California Department of Education (CDE) and posted on the CDE’s website under state laws regarding education of pupils in foster care and pupils who are homeless. Limits the training requirements to certificated and classified employees providing services to pupils experiencing homelessness, as specified. Encourages liaisons to offer the training to all LEA certificated and classified employees. (EDC add 48851.3, 48852.3)

AB 421 (WARD), CH. 40

EFFECTIVE: IMMEDIATELY

CHANGE OF GENDER AND SEX IDENTIFIER

Requires the court to make an order if the petition is not signed by all living parents, and requires the order to direct the parent or parents who did not sign the petition to show cause why the petition should not be granted by filing a written objection, as specified. Under certain circumstances, requires the court to make an order directing the living grandparents to show cause why the petition for a court order to recognize a change in the minor’s gender and sex identifier should not be granted within six weeks, as specified. (HSC amend 103430)

AB 1686 (BRYAN), CH. 755

EFFECTIVE: JANUARY 1, 2023

CHILD WELFARE AGENCIES: ENFORCEMENT

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. (FAM amend 17552)



AB 1914 (DAVIES), CH. 765
EFFECTIVE: JANUARY 1, 2023

RESOURCE FAMILY APPROVAL: TRAINING

Exempts resource family parents who meet certain requirements, such as having active and unrestricted licensure as a health care professional, from resource family approval (RFA) first aid training requirements. Exempts resource family parents who have a certificate of completion for Basic Life Support (BLS) for health care professionals, or Pediatric Advanced Life Support (PALS), or a higher standard of training that certifies cardiopulmonary resuscitation (CPR), from RFA CPR training requirements, as specified. (WIC amend 16519.5)

AB 2159 (BRYAN), CH. 691
EFFECTIVE: JANUARY 1, 2023

REUNIFICATION SERVICES

Prohibits a dependency court from denying family reunification services to a parent or guardian who is in custody before conviction. Requires the court, in determining the appropriate reunification services for the parent or guardian in custody, to consider the particular barriers to an incarcerated, institutionalized, detained, or deported parent's or guardian's access to those court-mandated services and ability to maintain contact with the child. Requires the court to document the information in the child's care plan about the barriers, as defined. (WIC amend 361.5)

AB 2309 (FRIEDMAN), CH. 780
EFFECTIVE: JANUARY 1, 2023

GUARDIANSHIPS

Authorizes the court to order a legal guardianship and appoint a legal guardian if the parent advises the court that the parent is not interested in family maintenance or family unification services. Requires the parent to execute a written waiver of family maintenance or family reunification services before the court orders a legal guardianship and appoints a legal guardian, as specified. Under the bill, if the parent designates a specific person to be the child's guardian, and the child, or the child's legal counsel, as specified, does not object to that person's appointment, and the court finds that the proposed guardian agrees to the appointment as the child's guardian, as well as all the rights and responsibilities of being a legal guardian, the court would be required to appoint the proposed guardian, unless it finds by a preponderance

of the evidence that the person's appointment would be contrary to the best interests of the child. Prohibits the court from ordering a continuance, except for the limited purpose of preparing a specified assessment, if the parent has advised the court that they wish to proceed with an appointment of a guardian through the process described above, the parent has completed a written waiver of any family maintenance or family reunification services, and the parent wishes to designate a guardian, and if the minor has been placed with the prospective guardian pending disposition. The bill would limit the continuance to 10 days. (WIC amend 328, 360)

AB 2317 (RAMOS), CH. 589
EFFECTIVE: JANUARY 1, 2023

**CHILDREN'S RESIDENTIAL PSYCHIATRIC
TREATMENT FACILITIES**

Requires the Department of Health Care Services (DHCS) to license and establish regulations for psychiatric residential treatment facilities (PRTFs), as defined. Requires DHCS's regulations and certifications to be consistent with federal Medicaid regulations governing PRTFs in order to maximize federal financial participation. Adds inpatient psychiatric services to individuals under 21 years of age provided in a licensed children's crisis PRTF as mental health services provided under the Medi-Cal Program. Establishes requirements for court approval of voluntary admittance, as defined, of a child or nonminor dependent who is the subject of a dependency court petition or a dependent or nonminor dependent who is the subject of a juvenile court petition before that youth may be voluntarily admitted to a PRTF, which includes a report from the social worker and a court hearing. Sets forth the findings that a court must make, by clear and convincing evidence, before a court approves the placement and specifies when such an order is no longer effective. Establishes requirements for specified review hearings to review the placement if the youth is a minor or nonminor dependent. Requires the Judicial Council to develop rules and forms as appropriate. (HSC amend 1180.3, 1254, 1262, add 1250.10; WIC amend 5328, 5405, 5600.4, 6552, amend 4080 et seq., add 361.23, 727.13, 4081, 4082, 4083, 16010.10)



AB 2466 (CERVANTES), CH. 967

EFFECTIVE: JANUARY 1, 2023

FOSTER CHILDREN

Prohibits, when placing foster children, the placing agency from declining to place a child with a resource family because of a resource family parent's actual or perceived sexual orientation, gender identity, or gender expression. Removes the term "hard to place" children from statute, as specified. (HSC amend 1521.6; WIC amend 15200, 16518, add 16518.5)

AB 2595 (JONES-SAWYER), CH. 260

EFFECTIVE: JANUARY 1, 2023

JUVENILES: DEPENDENCY: JURISDICTION OF THE JUVENILE COURT

Requires the State Department of Social Services to update all regulations, all-county letters, and other instructions relating to the investigation of a minor who may be within the jurisdiction of the juvenile court to ensure that, when a social worker is investigating an alleged case of child abuse or neglect, a parent's or guardian's use or possession of cannabis is treated in the same manner as a parent's or guardian's use or possession of alcohol and legally prescribed medication. (WIC add 328.2)

AB 2711 (CALDERON), CH. 870

EFFECTIVE: JANUARY 1, 2023

JUVENILE RECORD ACCESS

Clarifies that an adoption case file, including a juvenile case file, may be inspected and copied by the California Department of Social Services (CDSS) for the purpose of completing the required duties under the order setting aside an adoption. Clarifies that CDSS can also view a juvenile case file in customary tribal adoption vacation proceedings without a court order. Strikes references to a child being considered unadoptable, and instead requires reference to a plan of adoption not being suitable. (FAM amend 9100; WIC amend 366.26, 827)

AB 2806 (RUBIO), CH. 915

EFFECTIVE: JANUARY 1, 2023

CHILDCARE AND DEVELOPMENTAL SERVICES: PRESCHOOL: EXPULSION AND SUSPENSION

Revises and recasts provisions related to expulsion and suspension of a child from the state preschool program and broadens the provisions to include general childcare

and development programs and family childcare home education network programs. Specifies that, by July 1, 2023, upon enrollment of a child, a program shall inform parents on how they may file an appeal to the California Department of Social Services (CDSS) in the event of an expulsions or suspension of a child. Requires the program, in the event the program suspends or expels a child, to issue a "Notice of Action, Recipient of Services" to a child's parent or guardian and at the same time inform the parent or guardian of their right to file an appeal of the action, as specified. Specifies that the action to suspend or expel a child shall not be stayed during the pendency of any appeal. (EDC amend 8243, add 8489 et seq., repeal 8222; HSC amend 1596.893c; WIC amend 10281, add 10281.2, add 10491 et seq.)

AB 2866 (CUNNINGHAM), CH. 165

EFFECTIVE: JANUARY 1, 2023

DEPENDENT CHILDREN

Modifies the standard of proof to clear and convincing evidence for establishing at a review hearing that a parent or guardian whose child has been removed from their physical custody was offered reasonable reunification services, in order to make this standard of proof consistent with the clear and convincing evidence standard already in place for permanent placement hearings. (WIC amend 366.21, 366.22)

AB 2872 (WEBER), CH. 975

EFFECTIVE: JANUARY 1, 2023

DOMESTIC VIOLENCE: VICTIMS: ADDRESS CONFIDENTIALITY

Reduces the number of hard copies from two to one of any summons, writ, notice, demand, or process that must be provided to the Secretary of State's (SOS's) Safe at Home (SAH) address confidentiality program. Clarifies the SOS is not required to notify the other parent or parents of a minor enrolled in the SAH program about the designation of the Secretary of State as agent for purposes of service of process and the address designated by the Secretary of State for the program participant when there is a court order prohibiting contact between the other parent or parents and the minor child or children of the participant. Allows the SOS to terminate a program participant's certification and invalidate the program participant's authorization card for new reasons including that the SOS has been informed that another



state agency determined that false information was used in the application process to qualify as a program participant or that participation in the program is being used as a subterfuge to avoid detection of illegal or criminal activity or apprehension by law enforcement, or the program participant moves from their California place of residence to relocate out of state. Requires the SOS to cooperate with authorized personnel of the appropriate county clerk's office, county recording office, and state and local agencies to verify, upon request of any such entity, the program participant's certification withdrawal, invalidation, expiration, or termination. (GOV amend 6206, 6206.7)

AB 2960 (COMMITTEE ON JUDICIARY), CH. 420
EFFECTIVE/OPERATIVE DATE: JANUARY 1, 2023
JUDICIARY OMNIBUS

Section 14. Clarifies that if one of the parties to a tribal court order that establishes rights to child support, spousal support payments, or marital property rights does not agree to join in the application for California trial court recognition, the other party may proceed by having the tribal court execute a certificate in lieu of the signature of the non-signing party. Clarifies that the application for recognition, filed jointly or individually, is \$100.

Sections 15 and 21. Requires a Local Child Support Agency to issue notices in specified circumstances. Requires notices when child support payments are assigned, as specified, and when a payee is changed. (Child Support, Family.)

Sections 16–18 and 29–31. Implements amendments pertaining to electronic filing and remote access to proceedings involving domestic and gun violence restraining orders as enacted by SB 538 (Rubio; Stats. 2021, ch. 686). (DVROs, GVROS, Protective Orders, Court Ops.)

Sections 19 and 20. Changes implementation dates for removing presumptions related to confidential parentage actions generally, and for parentage actions by assisted reproduction specifically. NOTE: The amendment to Family Code section 7643.5 incorrectly states that only parentage actions utilizing assisted reproduction filed before January 1, 2023, are presumptively closed. The amendments should have read that such actions filed on or after January 1, 2023, are presumptively closed. (Family, Court Operations.)

Sections 32–42. Makes technical changes to provisions

enacted by AB 1194 (Low; Stats. 2021, ch. 417) that were not contingent upon funding. Clarifies language related to a proposed conservatee's representation by counsel. (Probate.)

Section 43. Clarifies that an Indian child's tribe may participate in court proceedings by telephone or other remote technology consistent with court capacity. States that tribes may not be charged for utilizing remote technology to participate in court proceedings. (Child Welfare, Indian Child Welfare (ICWA).)

(BPC amend and repeal 21701, 21703, 21705, 21712; CIV amend 1102.5, 1798.99.80; CCP amend 1282.6, 1516, 1563, 1733.1; FAM amend 4204, 6308, 7643, 7643.5, 17404.4, repeal and add 6307; GOV amend 12931, 12935, 12956.2, 12965, 14985.7, 14985.8, 27388.2; PEN amend 18123, repeal and add 18122; PROB amend 1471, 1821, 1823, 1826, 1828, 1894, 1895, 2250.6, 2253, 2356.5, 15800; WIC amend 224.2)

SB 107 (WIENER), CH. 810
EFFECTIVE: JANUARY 1, 2023
GENDER-AFFIRMING HEALTH CARE

Prohibits the enforcement of an order based on another state's law authorizing a child to be removed from their parent or guardian based on that parent or guardian allowing their child to receive gender-affirming health care or gender-affirming mental health care. Prohibits a court from finding that it is an inconvenient forum where the law or policy of another state that may take jurisdiction limits the ability of a parent to obtain gender-affirming health care or gender-affirming mental health care, as defined, and the provision of such care is at issue in the case before the court. Authorizes a court to take temporary jurisdiction because a child has been unable to obtain gender-affirming health care. Prohibits a court from considering the taking or retention of a child from a person who has legal custody of the child, if the taking or retention was for obtaining gender-affirming health care or mental health care, but makes this provision severable by its terms. Prohibits a provider of health care, a health care service plan, or a contractor from releasing medical information related to a person or entity allowing a child to receive gender-affirming health care or gender-affirming mental health care in response to a criminal or civil action, including a foreign subpoena, based on another state's law that authorizes a person to bring a civil or criminal action against a person or entity that allows



a child to receive gender-affirming health care or gender-affirming mental health care. Prohibits law enforcement agencies from knowingly making or participating in the arrest or extradition of an individual under an out-of-state arrest warrant based on another state's law against providing, receiving, or allowing a child to receive gender-affirming health care or gender-affirming mental health care in this state, as specified. (CIV add 56.109; CCP amend 2029.300, 2029.350; FAM amend 3421, 3424, 3427, 3428, add 3453.5; PEN amend 1326, add 819)

SB 116 (COMMITTEE ON BUDGET AND FISCAL REVIEW), CH. 5

EFFECTIVE: IMMEDIATELY

HUMAN SERVICES (FEBRUARY 2022)

Among other things, makes the statutory changes necessary to implement the human services-related provisions of the Budget Act of 2022.

Authorizes a social worker to place a child in the home of a relative when the juvenile court has authorized placement, regardless of the status of any criminal record exemption or resource family approval, if the court has found that the placement does not pose a risk to the child. (WIC amend 361.2, add and repeal 13282.1)

SB 187 (COMMITTEE ON BUDGET AND FISCAL REVIEW), CH. 50

EFFECTIVE: JUNE 30, 2022

HUMAN SERVICES (JUNE 2022)

Among other things, makes the statutory changes necessary to implement the human services-related provisions of the Budget Act of 2022.

Cleans up provisions of the Families First Prevention Services Act regarding community treatment facilities and short-term residential treatment facilities. Expands social security benefits and addresses procedures for youth who elect to remain in foster care after turning 18 years old. Renames the housing navigator program as the Housing Navigation and Maintenance Program and extends eligibility and priority for the program to current and former foster care nonminor dependents. Authorizes a payment or voucher for resource families if work or school responsibilities preclude the family from providing care from the Emergency Child Care Bridge Program for Foster Children. Provides a two-year extension for the payments of interim rates in the Aid to Families with

Dependent Children-Foster Care. Provides for payments to placed children in family-based setting with emergency caregivers before the completion of the resource family approval process. Revises provisions related to the Office of Youth and Community Restoration's Ombudsperson's duties. Revises references to the Child Welfare Service/Case Management System and the Child Welfare Services–New System to instead refer to a statewide child welfare information system. Upon appropriation, expresses the intention of the Legislature to increase CalWORKS Grants to fund No Child In Deep Poverty, defined as a child living at or below 50 percent of the federal poverty level. (GOV add 12087.3; HSC amend 50807, 50811, amend 50811 et seq., add 1530.90, add 1890 et seq., repeal and add 130208; PEN amend 11166, 11174.34; RTC add and repeal 17131.12, 17131.19; WIC amend 319, 319.3, 358.1, 361.2, 361.22, 366, 366.1, 366.3, 366.31, 636, 706.5, 706.6, 727.12, 727.2, 2200, 4094, 4094.2, 4094.5, 4096, 4096.6, 10609.4, 11004.1, 11266, 11330.7, 11403, 11403.2, 11450, 11450.025, 11461, 11461.36, 11461.6, 11462, 11462.01, 11463, 11466.36, 12201.06, 12301.61, 16001, 16501.1, 16501.35, 16501.45, 16501.5, 16501.6, 16501.95, 16523.58, 16524.9, 16587, 16589, 18358.30, 18900.8, 18930, 18995, amend, renumber, and add 18997.2, amend and repeal 12301.24, amend, repeal, and add 13753, 13754, 13757, 18930.5, add 2200.2, 2200.5, 2200.7, 8151.5, 11450.027, 12300.6, 15768, 18926.8, 18928.5, 18997.3, add section 9156 et seq., 18936 et seq., repeal 4362 et seq., 8151 et seq.; amend and repeal section 135)

SB 384 (CORTESE), CH. 811

EFFECTIVE: JANUARY 1, 2023

**JUVENILES: RELATIVE PLACEMENT:
FAMILY FINDING**

Requires each county welfare and probation department to notify the California Department of Social Services (CDSS) whether it has adopted one of the suggested practices for family finding, as described, and how the practice has been implemented. Requires a county that has not adopted one of the suggested practices to provide a copy of its existing family finding policies and practices to CDSS. Includes "family finding" activities within the due diligence required of a social worker and probation officer when investigating the names and locations of relatives. (WIC amend 309, 628)



SB 528 (JONES), CH. 812
EFFECTIVE: JANUARY 1, 2023

JUVENILES: MEDICATION DOCUMENTATION

Clarifies that upon approval by the juvenile court judicial officer of a request for authorization for the administration of psychotropic medication, the copy of the order provided to the foster youth's care giver is required to include the last two pages of form JV-220(A) or the last two pages of form JV-220(B) and all medication information sheets that were attached to either of those forms, as referenced in rule 5.640 of the California Rules of Court. Further clarifies that if the child changes placement, their social worker or probation officer is required to provide the new caregiver with these same documents. (WIC amend 369.5, 739.5)

SB 532 (CABALLERO), CH. 918
EFFECTIVE: JANUARY 1, 2023

**PUPIL INSTRUCTION: HIGH SCHOOL
COURSEWORK AND GRADUATION
REQUIREMENTS: EXEMPTIONS
AND ALTERNATIVES**

Expands the rights for foster youth, homeless youth, former juvenile court school students, children of military families, and migratory children to be exempted from local graduation requirements if certain conditions are met. Requires local educational agencies (LEAs) to provide those students the option to remain in school for a fifth year to complete the statewide coursework requirements if certain conditions are met. Requires LEAs to annually report to the California Department of Education the number of students who graduate with an exemption from the LEA's local graduation requirements. (EDC amend 49069.5, 51225.1, 51225.2)

SB 975 (MIN), CH. 989
EFFECTIVE: JANUARY 1, 2023

DEBT: COERCED DEBTS

Authorizes an alleged debtor to bring an action against an alleged creditor to establish that the alleged creditor's claim arises from a coerced debt. Requires an alleged debtor to plead the allegations of coerced debt with particularity, as provided. Provides that a debtor who files knowingly false motions, pleadings, or other papers or engages in other tactics that are frivolous or intended to cause unnecessary delay against a claimant is liable for the claimant's attorney's fees and costs in defending

the lawsuit. Provides that if the debtor establishes by a preponderance of the evidence that the particular debt, or portion thereof, is coerced debt, the court shall issue a judgment in favor of the claimant against the person or persons who coerced the debtor into incurring the debt in the amount of the debt, or portion thereof, that is coerced debt, provided that the person or persons who coerced the debtor into incurring the debt or debts has been brought within the jurisdiction of the court and joined as a party to the action and the evidence supports such a judgment. (CIV add 1798.97.1 et seq.)

SB 1071 (UMBERG), 613
EFFECTIVE: JANUARY 1, 2023

**PUBLIC SOCIAL SERVICES: ADMINISTRATIVE
HEARINGS: JUVENILE RECORDS ACCESS**

Permits attorneys participating in administrative hearings to review and receive copies of juvenile case files, while also requiring the confidential information accessed to remain confidential and to be sealed at the conclusion of the hearing. Requires copies of the portions of the juvenile case file that the agency uses in making its decision to take certain actions, as specified, that are being appealed, to be attached to any position statement prepared for an administrative hearing, as specified. Provides for certain records and information to be available for inspection by the applicant or recipient of public social services no later than five working days before the hearing. (WIC amend 827, 10952, 10952.5)

SB 1085 (KAMLAGER), 832
EFFECTIVE: JANUARY 1, 2023

**JUVENILES: DEPENDENCY: JURISDICTION OF
THE JUVENILE COURT**

Prohibits a child from being found to be within the jurisdiction of the juvenile court solely due to indigence or other conditions of financial difficulty. States the intent of the Legislature that families should not be subject to the jurisdiction of the juvenile court nor should children be separated from their parents based on conditions of financial difficulty. (WIC amend 300, 300.2)

SB 1090 (HURTADO), 833
EFFECTIVE: JANUARY 1, 2023

FAMILY URGENT RESPONSE SYSTEM

Expands 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 under reports of abuse and neglect, and a child or youth placed in California under the Interstate Compact on the Placement of Children. (WIC amend 16526)

CIVIL AND SMALL CLAIMS

AB 35 (REYES), CH. 17

EFFECTIVE: JANUARY 1, 2023

CIVIL DAMAGES: MEDICAL MALPRACTICE

Amends the Medical Injury Compensation Reform Act of 1975 (MICRA) to, among other things, increase the contingency fees an attorney can contract for or collect for representing any person seeking damages in connection with an action for injury or damage against a health care provider based upon professional negligence. Provides that if an action is tried in civil court or arbitrated, the attorney representing the plaintiff or claimant may file a motion with the court or arbitrator for a contingency fee in excess of the stated percentages, which the court or arbitrator will decide based on evidence establishing good cause for the higher contingency fee. Provides that in any action for injury against a health care provider or health care institution based on professional negligence that does not involve wrongful death, the injured plaintiff shall be entitled to recover up to \$350,000 in noneconomic losses, as specified. Increases this \$350,000 limit by \$40,000 each January 1 for 10 years up to \$750,000 payment if the award equals or exceeds \$250,000 in future damages. Requires that statements, writings, or benevolent gestures expressing sympathy, regret, a general sense of benevolence, or suggesting, reflecting, or accepting fault relating to the pain, suffering, or death of a person, or to an adverse patient safety event or unexpected health care outcome, in relation to an act or omission to act in the provision of or failure to provide health care, and made to that person or the family or representative of that person before the filing of a lawsuit or demand for arbitration, be confidential, privileged, protected, not subject to subpoena, discovery, or disclosure, and cannot be used or admitted into evidence in any civil, administrative, regulatory, licensing, or disciplinary board, agency, or

body action or proceeding. (BPC amend 6146; CIV amend 3333.2; CCP amend 667.7; HSC add 104340 et seq.)

AB 152 (COMMITTEE ON BUDGET), CH. 736

EFFECTIVE: IMMEDIATELY

COVID-19 RELIEF: SUPPLEMENTAL PAID SICK LEAVE (BUDGET TRAILER BILL)

Among other things, extends the expiration date for the provisions of the COVID-19 Supplemental Paid Sick Leave program contained in SB 114 (Stats. 2022, ch. 4) from September 30, 2022, to December 31, 2022.

COVID-19 exposure notifications (AB 2693):

- Extends and changes some requirements to January 1, 2024, for notices of a potential exposure to COVID-19.
- Employers may notify employees of potential exposure by displaying a notice in all places where workplace rules and regulations are customarily posted and, if applicable, must be posted on an employee portal.
- Employers must post the notice within one business day of learning of the potential exposure and keep the notice posted for 15 calendar days.
- The notice must include, among other information:
 - ◆ (1) the dates the covered person was on the worksite premises within the infectious period;
 - ◆ (2) the location of the exposures;
 - ◆ (3) contact information for employees to learn about COVID-19-related benefits, options for exposed employees, and antiretaliation and antidiscrimination protections for employees; and
 - ◆ (4) contact information for employees to receive the employer's cleaning and disinfection plan.
- As an alternative to posting the notice, employers may continue to provide individual written notices of potential exposure.
- Employers must keep a log of all dates the required notice was posted at each worksite of the employer.
- Employers are no longer required to notify local public agencies of a COVID-19 outbreak.

(GOV add and repeal 12100.96 et seq.; LAB amend 248.6, 248.7; RTC amend 17158, 24312, add and repeal 19295.1 et seq.)



AB 205 (COMMITTEE ON BUDGET), CH. 61

EFFECTIVE: IMMEDIATELY

ENERGY

For discussion of the bill, see page 4.

AB 272 (KILEY), CH. 146

EFFECTIVE: JANUARY 1, 2023

ENROLLMENT AGREEMENTS

Allows a minor to disaffirm a provision in an educational institution's enrollment agreement that purports to waive a legal right to a remedy, forum, proceeding, or procedure arising out of a criminal sexual assault or criminal sexual battery. (CCP add 1002.7 et seq.)

AB 587 (GABRIEL), CH. 269

EFFECTIVE: JANUARY 1, 2023

SOCIAL MEDIA COMPANIES: TERMS OF SERVICE

Requires a social media company to post terms of service for each social media platform owned or operated by the company in a manner reasonably designed to inform all users of the social media platform of the existence and contents of the terms of service. Requires social media companies to submit a terms of service report, on a semiannual basis to the Attorney General, who must make it available to the public in a searchable repository on its website. Subject companies in violation to penalties of up to \$15,000 per violation per day to be sought by specified public prosecutors. (BPC add 22675 et seq.)

AB 775 (BERMAN), CH. 942

EFFECTIVE: JANUARY 1, 2023

CONTRIBUTION REQUIREMENTS: RECURRING CONTRIBUTIONS

Prohibits a candidate or committee from accepting a recurring campaign contribution without receiving the contributor's affirmative consent, as specified. Creates a new crime, punishable as a misdemeanor for knowing or willful violation of the Political Reform Act of 1974. (GOV add 85701.5)

AB 847 (QUIRK), CH. 401

EFFECTIVE: JANUARY 1, 2023

ELECTRICALLY CONDUCTIVE BALLOONS

Requires a person who sells or manufactures foil balloons to ensure that the balloons pass a standard test developed

by the Institute of Electrical and Electronics Engineers as specified. Prohibits the sale or manufacturing of noncompliant foil balloons after completion of a phase-in period. Allows for violations to be brought by the Attorney General, a district attorney, a city attorney, or by a city prosecutor and subjects violators to liability for injunction and civil penalties of \$50 per noncompliant balloon, not to exceed \$2,500 per day. (BPC amend 22942, add 22942.5)

AB 1287 (BAUER-KAHAN), CH. 555

EFFECTIVE: JANUARY 1, 2023

PRICE DISCRIMINATION: GENDER

Prohibits charging a different price for any two goods that are substantially similar, as defined, if those goods are priced differently based on the gender of the individuals for whom the goods are marketed and intended. Authorizes the Attorney General to seek an injunction to enjoin and restrain the continuance of those violations, and authorizes the court, in addition to granting the injunction, to impose civil penalties not to exceed \$10,000 for the first violation, and not to exceed \$1,000 for each subsequent violation, with the total civil penalties not to exceed \$100,000. (CIV add 51.14)

AB 1594 (TING), CH. 98

EFFECTIVE: JANUARY 1, 2023

FIREARMS: CIVIL SUITS

Establishes a firearm industry standard of conduct, beginning July 1, 2023, which requires a firearm industry member to establish, implement, and enforce reasonable controls, and take reasonable precautions to ensure that they do not sell, distribute, or provide a firearm-related product to a downstream distributor or retailer of firearm-related products who fails to establish, implement, and enforce reasonable controls, and adhere to specified laws pertaining to unfair methods of competition, unfair or deceptive acts or practices, or false advertising, as specified. Prohibits a firearm industry member from manufacturing, marketing, importing, offering for wholesale sale, or offering for retail sale a firearm-related product that is likely to create a substantial and unreasonable risk of harm to public health and safety, as specified. Authorizes a person who has suffered harm, the Attorney General, or specified city or county attorneys to bring a civil action against a firearm industry member for an act or omission in violation of the firearm industry standard of conduct,



as specified. Authorizes a court that determines that a firearm industry has engaged in the prohibited conduct to award various relief, including injunctive relief, damages, and attorney's fees and costs. (CIV add 3273.50 et seq.)

AB 1621 (GIPSON), CH. 76

EFFECTIVE: IMMEDIATELY

FIREARMS: UNSERIALIZED FIREARMS

Among other things, redefines one of the definitions of "firearm" as including a precursor part, redefines "firearm precursor part," and prohibits a person from possessing or manufacturing a firearm precursor part without authorization. (FAM amend 6216; PEN amend 16520, 16531, 18010, 23910, 23920, 23925, 27510, 27530, 29180, 29182, 29805, 30420, amend, repeal, and add 26835, 27535, 27540, add 16515, 16517, 16519, 17312, 29185, 30401, repeal 16532, 29181, 30405, 30406, 30412, 30414, repeal 30442 et seq., 30470 et seq., 30485 et seq., repeal and add 30400)

AB 1632 (WEBER, AKILAH), CH. 893

EFFECTIVE: JANUARY 1, 2023

RESTROOM ACCESS: MEDICAL CONDITIONS

Requires a place of business that is open to the general public for the sale of goods, and that has a toilet facility for its employees, to allow any individual who has an eligible medical condition or who uses an ostomy device to use that toilet facility under certain conditions, as specified. Subjects any business in violation to a civil penalty not exceeding \$100 per violation. (HSC add 118700 et seq.)

AB 1661 (DAVIES), CH. 106

EFFECTIVE: JANUARY 1, 2023

HUMAN TRAFFICKING: NOTICE

Adds barbering and cosmetology businesses to the businesses that are subject to a civil penalty for failure to post a notice, as developed by the Department of Justice, that contains information relating to slavery and human trafficking, including information regarding specified nonprofit organizations that a person can call for services or support in the elimination of slavery and human trafficking. (CIV amend 52.6)

AB 1666 (BAUER-KAHAN), CH. 42

EFFECTIVE: IMMEDIATELY

ABORTION: CIVIL ACTIONS

Declares as contrary to the public policy in California any other state's law authorizing civil action against a person or entity that receives or seeks, performs or induces, or aids or abets the performance of an abortion, or who attempts or intends to engage in those actions. Prohibits the application of that law to a case or controversy heard in state court, and prohibits the enforcement or satisfaction of a civil judgment received under that law. (HSC add 123467.5)

AB 1730 (DAVIES), CH. 78

EFFECTIVE: JANUARY 1, 2023

PENAL DAMAGES: VETERANS

Adds veterans to existing law that authorizes a trier of fact to treble the amount of a fine, civil penalty, or other remedy in an action brought to redress unfair or deceptive acts or practices or unfair competition brought by, on behalf of, or for the benefit of a senior citizen or disabled person, as specified. (CIV amend 3345)

AB 1788 (CUNNINGHAM), CH. 760

EFFECTIVE: JANUARY 1, 2023

SEX TRAFFICKING: HOTELS: ACTUAL KNOWLEDGE OR RECKLESS DISREGARD: CIVIL PENALTY

Establish a cause of action against hotels for failing to report known sexual trafficking within the hotel, or where an employee benefits from sexual trafficking activity within the hotel, as specified. Authorize a city or county attorney to seek civil penalties of \$1,000 for the first violation, \$3,000 for a second violation within the same calendar year, and \$5,000 for a third and any subsequent violation of sex trafficking within the same calendar year. Authorizes the court to consider specified factors and exercise discretion to increase the amount of the civil penalty, not to exceed \$10,000, for any fourth or subsequent violation. (CIV add 52.65)

AB 1802 (MAIENSCHIN), CH. 31

EFFECTIVE: JANUARY 1, 2023

LIMITED LIABILITY COMPANIES

Requires that omitted assets from a limited liability company's (LLC) winding up must be used to discharge the LLC's unsatisfied liabilities before being distributed



to members. Corrects cross-references relating to the dissolution, distribution, and winding up procedures. (CORP amend 17707.06, 17707.08)

AB 1991 (GABRIEL), CH. 645
EFFECTIVE: JANUARY 1, 2023

**MOTELS AND HOTELS: PUBLICLY FUNDED
SHELTER PROGRAMS**

Among other things, provides that hotels and motels can evict an occupant who is a participant in a shelter program without the need to go through the unlawful detainer process in the courts, as specified. (CIV add and repeal 1954.08 et seq.)

AB 2068 (HANEY), CH. 485
EFFECTIVE: JANUARY 1, 2023

**OCCUPATIONAL SAFETY AND HEALTH:
POSTINGS: SPOKEN LANGUAGES**

Requires employers to post notices of any citations received for specified Labor Code violations and any special orders or actions issued by the Division of Occupational Safety and Health within the Department of Industrial Relations (CalOSHA) in specified languages. Subjects violators to civil penalties of up to \$12,471 for each violation. Expands the scope of a crime. (LAB amend 6318, 6431)

AB 2091 (BONTA, MIA), CH. 628
EFFECTIVE: IMMEDIATELY

**DISCLOSURE OF INFORMATION:
REPRODUCTIVE HEALTH AND FOREIGN PENAL
CIVIL ACTIONS**

Among other things, prohibits the validation of foreign subpoenas pertaining to a foreign penal civil action and prohibits the sharing of specified information in response to subpoenas related to out-of-state anti-abortion statutes or foreign penal civil actions. Prohibits the court or an attorney licensed in California from issuing a subpoena based on a foreign subpoena, as specified. Authorizes the Insurance Commissioner to assess civil penalties not to exceed \$5,000 for each violation. (CIV add 56.108; CCP amend 2029.200, 2029.300, 2029.350; HSC amend 123466; INS amend 791.29; PEN amend 3408)

AB 2245 (RAMOS), CH. 82
EFFECTIVE: JANUARY 1, 2023
PARTITION OF REAL PROPERTY

Modifies the default legal procedures for the partition of real property co-owned by multiple people as tenants by expanding the scope of the Uniform Partition of Heirs Property Act to apply to any real property held in tenancy in common where there is no agreement in a record binding all cotenants that governs the partition of the property. (CCP amend 872.020, 874.311, 874.312, 874.313, 874.314, 874.316, 874.319, 874.320, 874.321, 874.321.5, amend 874.311 et seq., repeal 874.322)

AB 2391 (CUNNINGHAM), CH. 84
EFFECTIVE: JANUARY 1, 2023

CIVIL ACTIONS: VEXATIOUS LITIGANTS

Allows a person protected by a domestic violence protective order to seek an order declaring the restrained person a vexatious litigant when the restrained person has filed one or more meritless actions that caused the protected person to be harassed or intimidated. (CCP amend 391, 391.1)

AB 2662 (KALRA), CH. 35
EFFECTIVE: JANUARY 1, 2023

**DEPARTMENT OF FAIR EMPLOYMENT
AND HOUSING**

Codifies the holding in *Dept. of Fair Employment and Housing v. Cathy's Creations, Inc.* (2020) 54 Cal.App.5th 404). Provides that by performing the functions and duties and exercising the powers set forth in this part, the department represents the interests of the state and effectuates the declared public policy of the state to protect and safeguard the rights and opportunities of all persons from unlawful discrimination and other violations of this part. (GOV amend 12930, 12965, 12981)

AB 2723 (HOLDEN), CH. 549
EFFECTIVE: JANUARY 1, 2023

ANIMALS: MICROCHIPS

Establishes additional requirements on animal shelters regarding the release of a dog or cat required to be microchipped to an owner. Violations are subject to a civil penalty of \$100, except as specified. (FAC amend 31108.3, 31752.1)



AB 2766 (MAIENSCHIN), CH. 698

EFFECTIVE: JANUARY 1, 2023

UNFAIR COMPETITION LAW: ENFORCEMENT POWERS: INVESTIGATORY SUBPOENA

Authorizes specified city attorneys and county counsel to conduct investigations, including the ability to issue pre-litigation subpoenas, when they reasonably believe there has been a violation of California's Unfair Competition Law. Allows the recipient of the subpoena to petition the superior court for an order quashing or modifying the subpoena, as specified. (BPC amend 16759)

AB 2777 (WICKS), CH. 442

EFFECTIVE: JANUARY 1, 2023

SEXUAL ASSAULT: STATUTE OF LIMITATIONS

Establishes the Sexual Abuse and Cover Up Accountability Act and revives otherwise time-barred claims for damages arising from sexual assault, as specified. (CCP amend 340.16)

AB 2961 (COMMITTEE ON JUDICIARY), CH. 215

EFFECTIVE: JANUARY 1, 2023

CIVIL PROCEDURE: ELECTRONIC FILING AND SERVICE

Revises and reorganizes Code of Civil Procedure section 1010.6 to clarify when electronic service is mandatory and when it is permissive. Clarifies existing law as to when electronic filing and service fees must be waived. Allows the court to mandate the use of electronic service for a person represented by counsel who has appeared in an action or proceeding. Any unrepresented party in a civil action may elect to utilize electronic service. Before service, the person effecting service must confirm the appropriate electronic service addresses. On or after July 1, 2024, any electronic service of documents by the court has the same legal effect as service by mail. (CCP amend 1010.6, 1013b; FAM amend 17400; GOV amend 915.2; PEN amend 690.5)

SB 53 (LEYVA), CH. 504

EFFECTIVE: JANUARY 1, 2023

UNSOLICITED IMAGES

Creates a private cause of action against a person 18 years of age or older who knowingly sends an image, that the person knows or reasonably should know is unsolicited, by electronic means, depicting obscene material. Entitles the plaintiff to recover economic and noneconomic

damages or statutory damages of not less than \$1,500 but not more than \$30,000, as well as punitive damages, reasonable attorney's fees and costs, and other available relief, including injunctive relief, as specified. (CIV add 1708.88)

SB 107 (WIENER), CH. 810

EFFECTIVE: JANUARY 1, 2023

GENDER-AFFIRMING HEALTH CARE

For discussion of bill, see pages 10–11.

SB 118 (COMMITTEE ON BUDGET AND FISCAL REVIEW), CH. 10

EFFECTIVE: IMMEDIATELY

CALIFORNIA ENVIRONMENTAL QUALITY ACT: PUBLIC HIGHER EDUCATION: CAMPUS POPULATION (BUDGET TRAILER BILL)

For discussion of bill, see page 4.

SB 301 (SKINNER), CH. 857

EFFECTIVE: JULY 1, 2023

MARKETPLACES: ONLINE MARKETPLACES

Requires online marketplaces to require specified high-volume third-party sellers on a platform to provide certain tax and payment information to the platform and contact information to consumers, as specified. Authorizes the Department of Justice to seek civil penalties not to exceed \$10,000 for each violation. (CIV add 1749.8 et seq.)

SB 349 (UMBERG), CH. 15

EFFECTIVE: JANUARY 1, 2023

CALIFORNIA ETHICAL TREATMENT FOR PERSONS WITH SUBSTANCE USE DISORDER ACT

Establishes the California Ethical Treatment for Persons with Substance Use Disorder (SUD) Act. Requires a SUD treatment provider to adopt a client bill of rights for persons receiving treatment for a SUD and make it available to all clients and prospective clients. Authorizes the Attorney General, a district attorney, a county counsel, a city attorney, or any injured person or entity to bring a claim for declaratory relief or to recover civil penalties of up to \$20,000 per violation, as specified. (HSC add 11857 et seq.)



SB 459 (ALLEN), CH. 873

EFFECTIVE: JANUARY 1, 2023

POLITICAL REFORM ACT OF 1974: LOBBYING

Requires lobbying entities to disclose additional information on lobbying reports, increase the frequency of reporting, and provide additional disclosures on issue lobbying advertisements, as specified. Violations are punishable as a misdemeanor, and reports and statements are required to be signed under the penalty of perjury. Expands the scope of existing crimes. (GOV amend 86114, 86116, 86117, 86118, add 86119)

SB 502 (ALLEN), CH. 701

EFFECTIVE: JANUARY 1, 2023

HAZARDOUS MATERIALS: GREEN CHEMISTRY: CONSUMER PRODUCTS

Makes various changes to the Safer Consumer Products (SCP) program (also known as the Green Chemistry Program), including creating a streamlined alternatives analysis process; requiring manufacturers to provide information to the Department of Toxic Substances Control (DTSC) on a consumer product's ingredients, use, and sales, upon request; and authorizing DTSC to enforce product-chemical information request violations, as specified. Imposes civil penalties of no more than \$50,000 on a person who violates any of these provisions for each separate violation or, for continuing violations, for each day that violation continues, and requires any penalties collected be deposited into the Toxic Substances Control Account. Expands the scope of existing crimes. (HSC amend 25251, 25252, 25253, add 25253.6, 25253.7, 25253.9)

SB 633 (LIMÓN), CH. 149

EFFECTIVE: JANUARY 1, 2023

CONSUMER CREDIT CONTRACTS: TRANSLATIONS

Requires that a notice informing all signatories to a contract, including cosigners, of their obligation to guarantee certain consumer debt—currently required to be presented to prospective cosigners in English and Spanish—also be presented in Chinese, Tagalog, Vietnamese, and Korean. States that in a collection action against a cosigner, the lender's failure to provide the translated notice may be raised as an affirmative defense (CIV amend 1799.91, 1799.92, 1799.96)

SB 688 (WIECKOWSKI), CH. 851

EFFECTIVE: JANUARY 1, 2023

CIVIL ACTIONS: JUDGMENTS BY CONFESSION

Provides that a confession of judgment (also known as a cognovit) is unenforceable and may not be entered in any superior court unless obtained or entered before January 1, 2023. (CCP amend 1132, repeal 1133, 1134; GOV amend 6103, 68085.1, 70626; PROB amend 4459)

SB 746 (SKINNER), CH. 876

EFFECTIVE: JANUARY 1, 2024

POLITICAL REFORM ACT OF 1974: BUSINESS ENTITIES: ONLINE ADVOCACY AND ADVERTISEMENTS

Requires a business entity to submit a report to the Secretary of State following any calendar year in which the business entity either uses its products or services to alter the online search results its products or services generate in order to emphasize or deemphasize materials containing express advocacy, or, uses its products or services to target online advertisements to individuals or groups, or generally to users or members of the public, without full and adequate consideration and for political purposes, as specified. Provides that a use is for political purposes if it is for influencing or attempting to influence the action of the voters for or against the nomination or election of a candidate or candidates, or the qualification or passage of any measure beginning on January 1, 2024. Specifies the contents of the required report and that reports are to be filed under penalty of perjury. (GOV add 84512)

SB 836 (WIENER), CH. 168

EFFECTIVE: IMMEDIATELY

EVIDENCE: IMMIGRATION STATUS

Reenacts SB 785 (Weiner, Stats. 2018, ch. 12) that was repealed on January 1, 2022, to prohibit, in most civil and criminal actions, the disclosure of a person's immigration status in open court by a party unless that party requested an in camera hearing and the presiding judge determined that the evidence was admissible. (EVID add 351.3, 351.4)



SB 858 (WIENER), CH. 985
EFFECTIVE: JANUARY 1, 2023

**HEALTH CARE SERVICE PLANS: DISCIPLINE:
CIVIL PENALTIES**

Increases fines on deficient health plans, including civil penalties of not more than \$25,000 for each day a violation continues, per enrollee harmed. Requires a one-time adjustment, and annual adjustments to specified fine amounts based on individual and small group average rates of change of premiums and cost-sharing, weighted based on enrollment. Establishes factors for the Department of Managed Health Care director to use to determine the appropriate amount of a penalty. (HSC amend 1374.9, 1374.34, 1386, 1387, 1389.8, 1390, 1393.5, 1393.6)

SB 879 (WIENER), CH. 551
EFFECTIVE: JANUARY 1, 2023

TOXICOLOGICAL TESTING ON DOGS AND CATS

Prohibits testing of specified substances on dogs and cats when an alternative test method has been scientifically validated and recommended by the Inter-Agency Coordinating Committee for the Validation of Alternative Methods. Permits the Attorney General, the district attorney of the county in which the violation is alleged to have occurred, or a city attorney of a city or city and county having a population in excess of 750,000 and in which the violation is alleged to have occurred, to bring a civil action for injunctive relief. Permits a court to award the prevailing prosecutorial official costs, attorney's fees, and civil penalties not to exceed \$5,000 for each day that each dog or each cat is used in canine or feline toxicological experiments in violation of these provisions. (CIV add 1834.9.3)

SB 931 (LEYVA), CH. 823
EFFECTIVE: JANUARY 1, 2023

DETERRING UNION MEMBERSHIP: VIOLATIONS

Requires the Public Employment Relations Board (PERB) to impose civil penalties of up to \$1,000 per each affected employee, not to exceed \$100,000, on a public sector employer if PERB finds that the public sector employer deterred or discouraged workers from exercising collective bargaining rights. Requires public sector employers to pay the union attorney's fees and costs if the union prevails in a legal action to enforce those rights. (GOV add 3551.5)

SB 940 (LAIRD), CH. 666
EFFECTIVE: JANUARY 1, 2023

MOBILEHOME PARKS: LOCAL ORDINANCES

Updates the definition of "new construction" and narrows the preemption on the imposition of local mobilehome rent control ordinances on mobilehome space rent for the first 15 years after a mobilehome space or park is initially held out for rent. (CIV amend 798.7, 798.45)

SB 956 (WIECKOWSKI), CH. 25
EFFECTIVE: JANUARY 1, 2023

**ENFORCEMENT OF MONEY JUDGMENTS:
EXEMPTIONS**

Clarifies that the amount of a debtor's contributions to a Scholarshare college savings plan account, which is automatically exempt from seizure by a judgment creditor or by a bankruptcy creditor is to be calculated based on the amount of the federal gift tax exclusion in effect at the time of the entry of the underlying money judgment or the filing of the debtor's petition for bankruptcy, and one year before that date, rather than on the amount of the federal gift tax exclusion in effect at the time each contribution was made. Clarifies that the Judicial Council is not required to make an inflation adjustment to the exemption amount for a debtor's contributions to a Scholarshare college savings plan account. (CCP amend 703.140, 704.105)

SB 1017 (EGGMAN), 558
EFFECTIVE: JANUARY 1, 2023

**LEASES: TERMINATION OF TENANCY: ABUSE
OR VIOLENCE**

Among other things, strengthens rental housing-related protections for survivors of domestic violence, abuse, and other serious crimes. Clarifies that violation of the bill's prohibitions against termination of a tenancy or failure to renew a tenancy based on an act of abuse or violence against a tenant, as specified, is an affirmative defense to an unlawful detainer. Eliminates a provision allowing for in camera review of specified evidence regarding abuse or violence. Converts civil penalties to statutory damages of not less than \$100 and not more than \$5,000. Specifies that findings in an unlawful detainer judgment that a tenant perpetrated abuse or violence shall have no relevance for any other purpose or legal proceeding. (CIV amend 1946.7; CCP amend 1161.3, add 1174.27)



SB 1037 (UMBERG), CH. 92

EFFECTIVE: JANUARY 1, 2023

**CIVIL DISCOVERY: ORAL DEPOSITIONS:
CONDUCT OF DEPOSITION**

Requires all physically present participants in a deposition to comply with local health and safety ordinances, rules, and orders. (CCP amend 2025.310)

SB 1040 (RUBIO), CH. 540

EFFECTIVE: JANUARY 1, 2023

INSURANCE: RESTITUTION

Authorizes the Insurance Commissioner to seek restitution, in addition to civil penalties as authorized by existing law, for a victim harmed by a person selling insurance products without a proper license to do so. (INS amend 12928.6, 12976, add 12928.7)

SB 1056 (UMBERG), CH. 881

EFFECTIVE: JANUARY 1, 2023

VIOLENT POSTS

Requires a social media platform with one million or more monthly users to clearly and conspicuously state whether it has a mechanism for reporting violent posts. Allows a person who is the target of a violent post to seek an order from a court requiring the violent post be removed and ordering that any related violent post the court determines should be removed in the interests of justice. (CIV add 1798.99.20 et seq.)

SB 1155 (CABALLERO), CH. 719

EFFECTIVE: JANUARY 1, 2023

LIABILITY CLAIMS: TIME-LIMITED DEMANDS

Among other things, provides the framework governing content and timelines applicable to time-limited demand letters and claims arising out of occurrences covered by insurance policies. Defines terms and states that, in the event a court determines that the bill's provisions conflict with the Civil Discovery Act, that act will prevail. (CCP add 999 et seq.)

SB 1162 (LIMÓN), CH. 559

EFFECTIVE: JANUARY 1, 2023

EMPLOYMENT: SALARIES AND WAGES

Expands reporting requirements to cover contracted employees and requires employers to make pay scale information for positions available to employees and

included in job postings. Permits courts to impose civil penalties on employers not to exceed \$100 per employee for the first violation and not to exceed \$200 per employee for subsequent violations. Requires penalties collected to be deposited in the Civil Rights Enforcement and Litigation Fund. Authorizes an aggrieved person to bring a civil action for injunctive and any other appropriate relief. Requires deposit of the civil penalties collected under these provisions into the Labor Enforcement and Compliance Fund (GOV amend 12999; LAB amend 432.3)

SB 1200 (SKINNER), CH. 883

EFFECTIVE: JANUARY 1, 2023

**ENFORCEMENT OF JUDGMENTS: RENEWAL
AND INTEREST**

Establishes restrictions on the renewal of money judgments, reduces the interest rate applied to outstanding judgments, and extends the period of time within which a judgment debtor can move to vacate or modify a renewal, as specified. (CCP amend 683.050, 683.110, 683.120, 683.160, 683.170, 685.010)

SB 1210 (CORTESE), CH. 26

EFFECTIVE: JANUARY 1, 2023

**PERSONAL RIGHTS: OBSCENE MATERIALS:
ATTORNEY'S FEES**

Requires the court to award attorney's fees and costs to the prevailing plaintiff in a civil action seeking damages or equitable relief against any person or entity that distributes, benefits from, promotes, or induces another person to distribute unauthorized obscene materials, as specified. (CIV add 52.8)

SB 1279 (OCHOA-BOGH), 843

EFFECTIVE: JANUARY 1, 2023

GUARDIAN AD LITEM APPOINTMENT

Modifies the definition of a person who lacks legal capacity to make decisions, for purposes of when the court should appoint a guardian ad litem in a civil case. Requires, when a party in a civil case already has a guardian or conservator of the estate, that an application to have a guardian ad litem appointed for that party satisfy specified requirements. Requires a proposed guardian ad litem to disclose any known or actual conflicts of interests in advance of the appointment. (CCP amend 372; PROB amend 1003)



SB 1327 (HERTZBERG), CH. 146

EFFECTIVE: JANUARY 1, 2023

FIREARMS: PRIVATE RIGHTS OF ACTION

Among other things, creates a private right of action for any person against any person who, within this state, manufactures, distributes, transports, imports, keeps for sale, or offers or exposes for sale, or gives or lends any firearm lacking a serial number, assault weapon, .50 BMG rifle, or firearm precursor part, as specified. Makes the bill's provisions inoperative upon invalidation of a specified abortion law in Texas (Texas Health & Saf. Code, § 171.201 et seq.). (BPC add and repeal 22949.60 et seq.; CCP add 1021.11)

SB 1338 (UMBERG), CH. 319

EFFECTIVE: JANUARY 1, 2023

COMMUNITY ASSISTANCE, RECOVERY, AND EMPOWERMENT (CARE) COURT PROGRAM

Creates the Community Assistance, Recovery, and Empowerment (CARE) Act program whereby a petition can be filed with the court to qualify a respondent for mental health services that, if so qualified, would require the court to oversee and ensure the respondent receives the services, supports, programs, and other elements—including housing and medication as specified.

Permits a criminal court to refer a defendant charged with a misdemeanor and found mentally incompetent to the CARE program, as specified. Includes chaptering out language from SB 1223 (Stats. 2022, ch. 735) in case SB 1338 is signed after SB 1223.

Provides for staggered implementation of the CARE Act in counties across the state. Specifies the first cohort as Glenn, Orange, Riverside, San Diego, San Francisco, Stanislaus, and Tuolumne, which shall begin CARE Act programming no later than October 1, 2023. Specifies the second cohort as the remainder of the counties to begin CARE Act programming no later than December 1, 2024. Permits the Department of Health Care Services to grant extensions no later than December 1, 2025, under specified circumstances.

Defines terms specific to CARE Act, including definitions for parties and petitioner. Establishes qualifications for individuals who may be respondents to CARE Act petitions as specified. Provides for specific CARE Act jurisdiction. Permits specified individuals and entities to file petitions to initiate CARE proceedings. Requires the

Judicial Council to develop mandatory forms for use in filing CARE petitions, as specified.

Specifies respondent's rights, including the right to be represented by counsel at all stages of a proceeding commenced under this chapter, regardless of the ability to pay. Ensures the privacy of respondent and confidentiality of the proceedings by making CARE proceedings presumptively closed.

Establishes detailed court procedures for reviewing petitions, relieving noncounty behavioral health petitioners, hearing evidence, and making decisions about a respondent's participation in CARE Act services. Requires the judge to control the proceedings and, except when there is a contested issue of fact or law, requires the proceedings to be conducted in an informal nonadversarial atmosphere with a view to obtaining the maximum cooperation of the parties.

Seeks to hold petitioner and respondent (as well as added parties) accountable for CARE services and success. Permits either the respondent or the county behavioral health agency to appeal an adverse court determination.

Requires the Department of Health Care Services, in consultation with the Judicial Council, to develop an annual reporting schedule for the submission of CARE Act data and specifies what data trial courts must submit to the Judicial Council.

(HSC add 1374.723; INS add 10144.54; PEN amend 1370.01; WIC amend 5801, 5813.5, add 5970 et seq.)

SB 1477 (WIECKOWSKI), CH. 849

EFFECTIVE: JANUARY 1, 2023

ENFORCEMENT OF JUDGMENTS: WAGE GARNISHMENT

Modifies the formulas for levying a judgment debtor's wages so as to protect a greater percentage of debtors' earnings from wage garnishment. (CCP amend, repeal, and add 706.050)



COURT FACILITIES

AB 1576 (COMMITTEE ON JUDICIARY), CH. 200
EFFECTIVE: JANUARY 1, 2023

SUPERIOR COURT: LACTATION ROOMS

Requires superior courts by July 1, 2024, to provide any court user with access to a lactation room in any courthouse in which a lactation room is also provided to court employees. The lactation room for court users must be located within the court facility in an area that is accessible to the public or in any location that is reasonably accessible to the public using the court facility, but not in a bathroom. Except as provided, the lactation room for court users must meet all requirements imposed upon an employer with respect to providing a lactation room for employees, unless there are operational, financial, or space limitations preventing full compliance with the existing employer requirements. (GOV add 69894)

AB 2268 (GRAY), CH. 410
EFFECTIVE: IMMEDIATELY

CHARLES JAMES OGLETREE, JR., COURTHOUSE

Renames the main courthouse of the Superior Court of California, County of Merced, currently located at 2260 N Street in the City of Merced, as the Charles James Ogletree, Jr., Courthouse. (uncodified, GOV notwithstanding 70391)

COURT OPERATIONS

AB 156 (COMMITTEE ON BUDGET), CH. 569
EFFECTIVE: SEPTEMBER 28, 2022

STATE GOVERNMENT TRAILER BILL: COURT REPORTERS: VOICE WRITING

Among other things, makes the statutory changes necessary to implement the state government-related provisions of the Budget Act of 2022.

Repeals the existing law that prohibits the Court Reporters Board of California from issuing certificates for the practice of shorthand reporting by means of voice writing or voice recognition technology, defines voice writing, and expands the definition of the practice of shorthand reporting to include the making, by means of written symbols or abbreviations by voice writing of a verbatim record and the accurate transcription thereof, as specified, and makes conforming changes to related provisions.

Requires the board to treat certificate holders equally regardless of the method of qualification and prohibits public employers from differentiating among certificate holders based upon the method of qualification. Further requires the board to indicate on each certificate whether the certificate holder met the examination requirements through the use of stenography, voice writing, or both, as specified. (BPC amend 6013.5.5, 8017, 8018, 8020, 8024, add 8017.5, 8024.8, repeal 8016.5; FIN amend 100000.5, 100002, 100013; FGC add and repeal 1357; GOV amend 7903, 11852, 11854, 11860, 11862, 11880, 11890, 11892, 11894, 12803.2, 12815, 15849.1, 16344, 65057, 65059, amend 11860 et seq., add 11856, 11865, 11868, add and repeal 11019.1, repeal 13300.5, repeal, add, and repeal 11864; HSC add and repeal 50834.5, 50899.8; LAB amend 2673.1, 2675.5, 2695.1, 2695.2, 3111, 3111.1, 3112, 3122.3, add and repeal 2695.3, 2695.4; PRC amend 4124.5, 4208.1, 4799.05, add and repeal 75245; RTC amend 95.60, add 17141.5; UIC amend 1095, 14531; WIC add 18997.5 et seq.)

AB 179 (TING), CH. 249
EFFECTIVE: SEPTEMBER 6, 2022

COURT-BASED WEAPONS RELINQUISHMENT PROGRAMS

Funds and establishes the creation of a court-based firearm relinquishment program to ensure the consistent and safe removal of firearms from individuals who become prohibited from owning or possessing firearms and ammunition under court order. Prioritizes courts with higher numbers of domestic violence restraining orders or gun violence restraining orders. Permits prioritization of counties with higher rates of gun ownership or higher increases in gun ownership since March 2020. Requires that each court that receives funding must contract with at least one law enforcement agency within the county for relinquishment activities that cannot reasonably and safely be conducted by the court. Requires courts to develop an implementation plan, and requires the Judicial Council to collect and report data from court-based programs. (Budget Act of 2022, Item 0250-001-0001, Provisions 11-18)

AB 199 (COMMITTEE ON BUDGET), CH. 57
EFFECTIVE: IMMEDIATELY
COURTS

For discussion of bill, see page 2.



AB 1041 (WICKS), CH. 748
EFFECTIVE: JANUARY 1, 2023
EMPLOYMENT: LEAVE

Expands the scope of persons for whom an employee must be granted time off for family care and medical leave to include a “designated person,” which means any individual related by blood or whose association with the employee is the equivalent of a family relationship. States that the designated person may be identified by the employee at the time the employee requests the leave. Allows an employer to limit an employee to one designated person per 12-month period for family care and medical leave. (GOV amend 12945.2; LAB amend 245.5)

AB 1576 (COMMITTEE ON JUDICIARY), CH. 200
EFFECTIVE: JANUARY 1, 2023
SUPERIOR COURT: LACTATION ROOMS

Requires superior courts by July 1, 2024, to provide any court user with access to a lactation room in any courthouse in which a lactation room is also provided to court employees. The lactation room for court users must be located within the court facility in an area that is accessible to the public or in any location that is reasonably accessible to the public using the court facility, but not in a bathroom. Except as provided, the lactation room for court users must meet all requirements imposed upon an employer with respect to providing a lactation room for employees, unless there are operational, financial, or space limitations preventing full compliance with the existing employer requirements. (GOV add 69894)

AB 1655 (JONES-SAWYER), CH. 753
EFFECTIVE: JANUARY 1, 2023
STATE HOLIDAYS: JUNETEENTH

Adds June 19, known as “Juneteenth” as a California state holiday and judicial holiday, and authorizes executive branch employees, as defined, to elect to receive eight hours of holiday credit for Juneteenth in lieu of receiving eight hours of existing personal holiday credit. By virtue of amending Government Code section 6700, this bill also creates a judicial holiday and beginning in 2023, state courts will be closed to the public on June 19 (see CCP 135). NOTE: The Governor also signed AB 1801 (Stats. 2022, ch. 761) and AB 2596 (Stats. 2022, ch. 792), which add Genocide Remembrance Day and Lunar New Year, respectively, to the list of state holidays found in Government Code section 6700. However, both of these

bills also amend Code of Civil Procedure section 135 to expressly exclude these two new state holidays as judicial holidays. Thus, neither Genocide Remembrance Day nor Lunar New Year will become judicial holidays. Also, since all three (3) bills amend some of the same code sections, each bill contains technical and conforming language from the other bills to address chaptering-out conflicts. (EDC amend 37220, 45203, 79020; GOV amend 6700, 19853, 19853.1)

AB 1706 (BONTA, MIA), CH. 387
EFFECTIVE: JANUARY 1, 2023
CANNABIS CRIMES: RESENTENCING

Requires the court, on its own accord, to recall or redesignate specified cannabis convictions, as authorized by Proposition 64, the Control, Regulate and Tax Adult Use of Marijuana Act, on or before March 1, 2023. Deems all convictions eligible for relief under Proposition 64 that have not been challenged by the prosecution as unchallenged, recalled, dismissed, and redesignated, as applicable. Requires courts to update their records and report all cannabis convictions that have been recalled, dismissed, redesignated, or sealed under Proposition 64 to the Department of Justice (DOJ) no later than March 1, 2023. Requires the DOJ to ensure that all of the records in the state summary criminal history information database that have been recalled, dismissed, sealed, or redesignated under Proposition 64 have been updated no later than July 1, 2023. Requires the DOJ to conduct an awareness campaign regarding record changes for specified cannabis convictions. Requires the DOJ, in consultation with the Judicial Council, to submit a quarterly progress report to the Legislature on the status of cases recalled, dismissed, sealed, and redesignated in each county, and the status of the DOJ’s update to the state summary criminal history database, starting March 1, 2023, and until June 1, 2024. (HSC amend 11361.9)

AB 2193 (GABRIEL), CH. 486
EFFECTIVE: JANUARY 1, 2023
CIVIL REPRESENTATION: IMMIGRATION STATUS

Requires programs under the Sargent Shriver Civil Counsel Act to provide services without regard to the citizenship or immigration status of the person represented. Requires the Judicial Council to consider, among other related factors, the program’s plan for providing service to all potential clients regardless of



immigration status. Requires program applications to include in that description whether and how the program will ensure that services are available to all eligible individuals seeking services regardless of immigration status. (GOV amend 68651)

AB 2841 (LOW), CH. 807

EFFECTIVE: JANUARY 1, 2024

DISQUALIFICATION FROM VOTING

Requires the clerk of the superior court of each county to notify the Secretary of State each month of findings made by the court regarding a person's competency to vote and the number of court proceedings related to the determination of a person's competency to vote, as specified. Requires the Secretary of State to send this information to the appropriate county elections official, who must proceed to cancel the person's registration or notify the person that their right to vote has been restored, as applicable. Requires the Secretary of State to post a report on their internet website each month showing the number of disqualifications and restorations of voting rights that occurred in each county, and to deliver a training to court officers and elections officials regarding the aforementioned requirements. (ELEC amend, repeal, and add 2201, 2208, 2209, 2210, 2211, add 2211.5, 2214; WIC amend, repeal, and add 5358.3, 5364)

AB 2960 (COMMITTEE ON JUDICIARY), CH. 420

EFFECTIVE/OPERATIVE DATE: JANUARY 1, 2023

JUDICIARY OMNIBUS

For discussion of bill, see page 10.

AB 2961 (COMMITTEE ON JUDICIARY), CH. 215

EFFECTIVE: JANUARY 1, 2023

CIVIL PROCEDURE: ELECTRONIC FILING AND SERVICE

Revises and reorganizes Code of Civil Procedure section 1010.6 to clarify when electronic service is mandatory and when it is permissive. Clarifies existing law as to when electronic filing and service fees must be waived. Allows the court to mandate the use of electronic service for a person represented by counsel who has appeared in an action or proceeding. Any unrepresented party in a civil action may elect to utilize electronic service. Before service, the person effecting service must confirm the appropriate electronic service addresses. On or after July 1, 2024, any electronic service of documents by the court

has the same legal effect as service by mail. (CCP amend 1010.6, 1013b; FAM amend 17400; GOV amend 915.2; PEN amend 690.5)

SB 233 (UMBERG), CH. 979

EFFECTIVE: JANUARY 1, 2023

CIVIL ACTIONS: APPEARANCE BY TELEPHONE

Repeals obsolete statutes relating to telephonic appearances. (CCP repeal 367.5, 367.6; GOV repeal 72010 and 72011)

SB 1037 (UMBERG), CH. 92

EFFECTIVE: JANUARY 1, 2023

CIVIL DISCOVERY: ORAL DEPOSITIONS: CONDUCT OF DEPOSITION

Requires all physically present participants in a deposition to comply with local health and safety ordinances, rules, and orders. (CCP amend 2025.310)

SB 1071 (UMBERG), 613

EFFECTIVE: JANUARY 1, 2023

PUBLIC SOCIAL SERVICES: ADMINISTRATIVE HEARINGS: JUVENILE RECORDS ACCESS

Permits attorneys participating in administrative hearings to review and receive copies of juvenile case files, while also requiring the confidential information accessed to remain confidential and to be sealed at the conclusion of the hearing. Requires copies of the portions of the juvenile case file that the agency uses in making its decision to take certain actions, as specified, that are being appealed, to be attached to any position statement prepared for an administrative hearing, as specified. Provides for certain records and information to be available for inspection by the applicant or recipient of public social services no later than five working days before the hearing. (WIC amend 827, 10952, 10952.5)

COURT RECORDS

AB 1706 (BONTA, MIA), CH. 387

EFFECTIVE: JANUARY 1, 2023

CANNABIS CRIMES: RESENTENCING

Requires the court, on its own accord, to recall or redesignate specified cannabis convictions, as authorized by Proposition 64, the Control, Regulate and Tax Adult Use of Marijuana Act, on or before March 1, 2023.



COURT REPORTERS

AB 156 (COMMITTEE ON BUDGET), CH. 569
EFFECTIVE: SEPTEMBER 28, 2022

STATE GOVERNMENT TRAILER BILL: COURT REPORTERS: VOICE WRITING

For discussion of bill, see page 22.

SB 189 (COMMITTEE ON BUDGET AND FISCAL REVIEW), CH. 48

EFFECTIVE: JANUARY 1, 2023

STATE GOVERNMENT

Among other things, makes the statutory changes necessary to implement the state government–related provisions of the Budget Act of 2022.

Section 23. Authorizes electronic reporting in administrative law proceedings if a stenographic reporter is unavailable and upon finding of good cause by the administrative law judge.

(BPC amend 8051, 19951, add 19440.1; CIV amend 51.7, 52, 54.3, 4225, 6606; EDC amend 67380; GOV amend 3527, 7903, 8310.7, 8310.8, 9112, 9112.5, 11136, 11343, 11512, 11540, 12804, 12901, 12903, 12907, 12925, 12935, 12940, 12940.3, 12944, 12945, 12965, 13957, 14692, 15670, 15676.2, 18720, 18720.2, 18720.3, 18720.4, 19704, 50085.5, 65040, amend 12900 et seq., 12935 et seq., add 8286.5, 8310.6, 11540.5, 12482, 12816.5, add 16343 et seq., 65052 et seq., add and repeal 11133, add and repeal 8590.15 et seq., repeal 15676.5; HSC amend 1262.6, 17008.5, add 131052.5; LAB amend 107.5, 1156.3, 1424, 1429, 1429.5, 1430, 1684, 1697.5, 1700.50, 1700.52, 3073, 3073.9; PEN amend 243.4, 422.92, 679.10; RTC add 95.60; UIC amend 1095, 14034; VEH amend 11216.2)

Deems all convictions eligible for relief under Proposition 64 that have not been challenged by the prosecution as unchallenged, recalled, dismissed, and redesignated, as applicable. Requires courts to update their records and report all cannabis convictions that have been recalled, dismissed, redesignated, or sealed under Proposition 64 to the Department of Justice (DOJ) no later than March 1, 2023. Requires the DOJ to ensure that all of the records in the state summary criminal history information database that have been recalled, dismissed, sealed, or redesignated under Proposition 64 have been updated no later than July 1, 2023. Requires the DOJ to conduct an awareness campaign regarding record changes for specified cannabis convictions. Requires the DOJ, in consultation with the Judicial Council, to submit a quarterly progress report to the Legislature on the status of cases recalled, dismissed, sealed, and redesignated in each county, and the status of the DOJ's update to the state summary criminal history database, starting March 1, 2023, and until June 1, 2024. (HSC amend 11361.9)

SB 731 (DURAZO), CH. 814

EFFECTIVE: JANUARY 1, 2023

CRIMINAL RECORDS: RELIEF

Expands automatic arrest record and conviction relief to additional felony offenses, including felonies where the defendant was sentenced to state prison, rather than just realigned felonies, excludes serious and violent felonies, and felonies requiring sex registration. Expands criminal record relief by extending the ability to petition for dismissal relief under Penal Code section 1203.41 to a defendant who has been convicted of a felony, as long as the conviction does not require registration as a sex offender. Prohibits the record of a conviction for possession of specified controlled substances that is more than five years old and for which relief was granted from being presented to the California Commission on Teacher Credentialing or from being used to deny a teaching credential. (EDC amend 44242.5, 44346; PEN amend 1203.41, 11105, amend, repeal, and add 851.93, 1203.425)

COVID-19

AB 152 (COMMITTEE ON BUDGET), CH. 736
EFFECTIVE: IMMEDIATELY

COVID-19 RELIEF: SUPPLEMENTAL PAID SICK LEAVE (BUDGET TRAILER BILL)

For discussion of bill, see pages 13–14.



CRIMINAL LAW AND PROCEDURE

AB 1637 (COOPER), CH. 950 **EFFECTIVE: IMMEDIATELY** **CRIMINAL PROFITEERING: ASSET** **FORFEITURE: UNEMPLOYMENT AND** **DISABILITY INSURANCE FRAUD**

Includes fraud offenses relating to COVID-19 pandemic-related insurance programs administered by the Employment Development Department within the definition of criminal profiteering activity for the purposes of the California Control of Profits of Organized Crime Act. (PEN amend 186.2, 186.8)

AB 1751 (DALY), CH. 758 **EFFECTIVE: JANUARY 1, 2023** **WORKERS' COMPENSATION: COVID-19:** **CRITICAL WORKERS**

Extends the sunset date of the workers' compensation COVID-19 presumptions, as specified, to January 1, 2024. (LAB amend 3212.86, 3212.87, 3212.88)

SB 114 (COMMITTEE ON BUDGET AND FISCAL **REVIEW), CH. 4** **EFFECTIVE: IMMEDIATELY** **EMPLOYMENT: COVID-19: SUPPLEMENTAL** **PAID SICK LEAVE (BUDGET TRAILER BILL)**

Provides up to one week or 40 hours of COVID-19 supplemental leave to eligible employees. Specifies that the COVID-19 supplemental paid sick leave shall be retroactive to January 1, 2022 and remain in effect through September 30, 2022. Entitles a covered employee, in addition to the COVID-19 supplemental paid sick leave, to take up to 40 more hours of COVID-19 supplemental paid sick leave if the covered employee, or a family member for whom the covered employee is providing care, tests positive for COVID-19. Adds a number of new specifications for which a covered employee is also entitled to COVID-19 supplemental paid sick leave if the employee is unable to work or telework. Requires the employer to provide retroactive payment to an employee that took unpaid leave for COVID-19-related reasons. (LAB add 248.6, 248.7)

AB 160 (COMMITTEE ON BUDGET), CH. 771 **EFFECTIVE: IMMEDIATELY** **PUBLIC SAFETY TRAILER BILL**

Among other things, makes the statutory changes necessary to implement the public safety-related provisions of the Budget Act of 2022.

Section 1. Exempts advertising for classes or events related to firearm safety, hunting, sport shooting, or promoting membership in an organization from the prohibition related to firearm advertising and marketing targeting minors.

Sections 13 and 14. Requires arson and sex offender registration for youth remaining in the Division of Juvenile Justice who are required to register, after its closure on June 30, 2023.

Section 16. Adds successful participation by incarcerated individuals in an institutional firehouse program to the current policy that makes eligible incarcerated individuals who successfully participate in California Conservation camp programs as hand crew members to petition the court to have their pleadings dismissed.

Section 17. Corrects erroneous cross-references related to civil assessments in Penal Code section 1463.001.

(BPC amend 22949.80; GOV amend 68085.1, amend, repeal, and add 13956, 13957, 13957.5, 13959, 13962; PEN amend 290.008, 457.1, 1203.4b, 1463.001, amend, repeal, and add 4900, 4904, add 679.027; WIC amend 1732.10)

AB 199 (COMMITTEE ON BUDGET), CH. 57 **EFFECTIVE: IMMEDIATELY** **COURTS**

For discussion of bill, see page 2.

AB 200 (COMMITTEE ON BUDGET), CH. 58 **EFFECTIVE: IMMEDIATELY** **PUBLIC SAFETY OMNIBUS**

Among other things, makes the statutory changes necessary to implement the public safety-related provisions of the Budget Act of 2022.



Sections 6 and 8. Includes technical fixes including, among others, to exclude all domestic violence offenses from judicial discretion for misdemeanor diversion; and technical changes that result in renumbering of provisions and creating a new article related to Penal Code section 1170.

Section 14. Adjusts the Community Corrections Performance Incentives Fund formula to two years to adjust for COVID-19 related impacts to probation departments.

Section 26. Includes technical changes to the innovative grant program administered by the California Department of Corrections and Rehabilitation making nonprofit organizations with experience providing training in correctional settings eligible for funding and removing the requirement that a program must demonstrate it will become self-sufficient.

Sections 32 and 33. Authorizes the Secretary of Environmental Protection to provide grants to qualifying community-based organizations to address environmental violations that occur in or disproportionately impact disadvantaged communities and develop trainings for community-based nonprofit organizations, public prosecutors, and others. Clarifies the types of training available to community-based organizations and other entities involved in the enforcement of environmental-related violations.

Sections 38–41. Includes technical clarifying amendments regarding youth commitments to secure youth treatment facilities and clarifies baseline terms for youth who spend time in a secure youth treatment facility and a less restrictive placement.

Sections 40 and 44. Transfers the operation of the Pine Grove Youth Conservation Camp to the California Department of Corrections and Rehabilitation in preparation of the pending closure of the Division of Juvenile Justice in 2023.

(GOV add 12838.65, 12838.95, add and repeal 8699 et seq.; PEN amend 830.7, 832.7, 1001.95, 1203.425, 1385, 2067, 4900, 4902, 4904, 5027, 5076.1, 13777, 14306, 14307, 14308, 18005, 18275, 34010, amend and renumber 1170.01, 1170.03, 1170.95, 1171, 1171.1, amend, repeal, and add 11105, add 4904.5, 5007.4, 5032, add 1172 et seq., add and repeal 1233.12, repeal and add 4905, 5003.7; WIC amend 607, 726, 730, 875, 1760.45, add and repeal 1732.9, 1732.10)

AB 204 (COMMITTEE ON BUDGET), CH. 738

EFFECTIVE: IMMEDIATELY

BUDGET ACT OF 2022: HEALTH OMNIBUS

Among other things, makes the statutory changes necessary to implement the health-related provisions of the Budget Act of 2022.

Makes technical and clarifying changes to clarify that when a court authorizes the involuntary administration of antipsychotic medication based on the Department of State Hospital's reevaluation of a mentally incompetent defendant, the court must base its determinations on the recommendation of a department clinician. (WIC amend 4335.2)

AB 256 (KALRA), CH. 739

EFFECTIVE: JANUARY 1, 2023

CRIMINAL PROCEDURE: DISCRIMINATION

Makes the Racial Justice Act (RJA) (AB 2542, Stats. 2020, ch. 317) retroactive by authorizing a petition to be filed for a case in which a judgment was entered before January 1, 2021. The RJA prohibits the state from seeking a criminal conviction or sentence on the basis of race, ethnicity, or national origin, as specified, and, in a case in which judgment has not been entered before January 1, 2021, allows a petition to be filed alleging a violation of that prohibition. Authorizes a court that finds a violation of that prohibition to impose specified remedies. Makes numerous clarifying changes to the RJA. (PEN amend 745, 1473)

See Appendix A for additional detail.

AB 557 (MURATSUCHI), CH. 853

EFFECTIVE: JANUARY 1, 2023

HATE CRIMES: VERTICAL PROSECUTION

Requires the Department of Justice to establish a grant program for the purpose of creating, supporting, or expanding vertical prosecution units for the prosecutions of hate crimes. Authorizes the department to provide one-time grants, upon appropriation by the Legislature, to selected prosecutorial agencies in a manner and in an amount determined by the department. Requires the department to administer the grant program, as specified. The bill would require grant recipients to report specified information to the department by no later than July 1, 2028, and to compile that information and report to the Legislature by no later than July 1, 2029. (PEN add and repeal 422.94)



AB 676 (HOLDEN), CH. 728
EFFECTIVE: JANUARY 1, 2023

FRANCHISES

Among other things, expands the scope of a crime by expanding violations of the Franchise Investment Law to any franchisor, directly or indirectly, through any officer, agent, or employee who does not notify a prospective franchisee in writing of any additional information or documentation necessary to complete the franchisee application, as specified, and require the franchisor to notify and provide certain information to the prospective franchisee of the decision to approve or disapprove the application, as specified. (BPC amend 20015, 20022, 20041, add 20044; CORP amend 31004, 31013, 31115, 31306, add 31126, 31212, 31221, 31512.1)

AB 960 (TING), CH. 744
EFFECTIVE: JANUARY 1, 2023

COMPASSIONATE RELEASE

Requires the California Department of Corrections and Rehabilitation (CDCR) to make a recommendation to the court for recall and resentencing of an incarcerated person who has a serious and advanced illness with an end-of-life trajectory or who is found to be permanently medically incapacitated, as specified. Creates a presumption favoring recall if the medical criteria exists which may only be overcome if the court finds that the person is an unreasonable risk of danger to public safety. Requires the Judicial Council to release an annual report beginning January 1, 2024, reporting on this compassionate release program, as specified. (PEN amend 1170, 1170.02, add 1172.2)

AB 1242 (BAUER-KAHAN), CH. 627
EFFECTIVE: IMMEDIATELY

REPRODUCTIVE RIGHTS

Among other things:

- Prohibits law enforcement from cooperating with, or providing information to, out-of-state entities regarding a lawful abortion under California law, and from knowingly arresting a person for performing or aiding in the performance of a lawful abortion or for obtaining an abortion.
- Prohibits specified corporations from providing information to out-of-state entities regarding an abortion that is lawful under California law, except as provided.

- Declares that a law of another state that authorizes the imposition of civil or criminal penalties related to an individual performing, supporting, or aiding in the performance of an abortion in this state, or an individual obtaining an abortion in this state, if the abortion is lawful under the laws of this state is against the public policy of this state.
- Requires the countywide bail schedule to set bail at zero dollars for an individual who has been arrested in connection with a proceeding in another state regarding an individual performing, supporting, or aiding in the performance of an abortion in this state, or an individual obtaining an abortion in this state, if the abortion is lawful under California law.
- Defines “prohibited violation” as a violation of a law that creates liability for, or arising out of, either providing, facilitating, or obtaining an abortion or intending or attempting to provide, facilitate, or obtain an abortion that is lawful under California law.
- Prohibits a magistrate from entering an ex parte order authorizing a wiretap, interception of electronic communication, use of a pen register, or trap and trace device for purposes of investigating or recovering evidence of a “prohibited violation,” as specified.
- Prohibits the issuance of a search warrant for items relating to an investigation of a “prohibited violation.”
- Provides its provisions are severable.

(PEN amend 629.51, 629.52, 638.50, 638.52, 1269b, 1524, 1524.2, 1551, add 1546.5, 13778.2)

AB 1613 (IRWIN), CH. 949
EFFECTIVE: JANUARY 1, 2023

THEFT: JURISDICTION

States that the jurisdiction of a criminal action brought by the Attorney General for theft, organized retail theft, and receipt of stolen property includes the county where the theft or receipt of the stolen merchandise occurred, the county in which the merchandise was received, or the county where any act was done by the defendant in instigating, procuring, promoting, or aiding in the commission of the offense. Provides that when multiple offenses of theft, organized retail theft, or receipt of stolen property that all involve the same defendant or defendants and the same merchandise, or all involving the same defendant or defendants and the same scheme or substantially similar activity, occur in



multiple jurisdictions, then any of those jurisdictions are a proper venue for all of the offenses. Extends jurisdiction to all associated offenses connected together in their commission to the underlying theft offenses when prosecuted by the Attorney General. (PEN add 786.5)

AB 1621 (GIPSON), CH. 76

EFFECTIVE: IMMEDIATELY

FIREARMS: UNSERIALIZED FIREARMS

Among other things, redefines one of the definitions of “firearm” as including a precursor part, redefines “firearm precursor part,” and prohibits a person from possessing or manufacturing a firearm precursor part without authorization. (FAM amend 6216; PEN amend 16520, 16531, 18010, 23910, 23920, 23925, 27510, 27530, 29180, 29182, 29805, 30420, amend, repeal, and add 26835, 27535, 27540, add 16515, 16517, 16519, 17312, 29185, 30401, repeal 16532, 29181, 30405, 30406, 30412, 30414, repeal 30442 et seq., 30470 et seq., 30485 et seq., repeal and add 30400)

AB 1637 (COOPER), CH. 950

EFFECTIVE: IMMEDIATELY

CRIMINAL PROFITEERING: ASSET FORFEITURE: UNEMPLOYMENT AND DISABILITY INSURANCE FRAUD

Includes fraud offenses relating to COVID-19 pandemic-related insurance programs administered by the Employment Development Department within the definition of criminal profiteering activity for the purposes of the California Control of Profits of Organized Crime Act. (PEN amend 186.2, 186.8)

AB 1641 (MAIENSCHIN), CH. 104

EFFECTIVE: JANUARY 1, 2023

SEXUALLY VIOLENT PREDATORS

Requires a person who was committed as a sexually violent predator who is on conditional release or outpatient status to be monitored by a global positioning system until the person is unconditionally discharged. (WIC add 6608.1)

AB 1653 (PATTERSON), CH. 105

EFFECTIVE: JANUARY 1, 2023

PROPERTY CRIMES: REGIONAL PROPERTY CRIMES TASK FORCE

Amends the law that requires, until January 1, 2026, the California Highway Patrol to coordinate with the Department of Justice to convene a regional property crimes task force to identify geographic areas experiencing increased levels of property crimes and assist local law enforcement with resources, such as personnel and equipment, to provide that property crime includes theft of vehicle parts and accessories. (PEN amend 13899)

AB 1680 (LEE), CH. 252

EFFECTIVE: JANUARY 1, 2023

TRANSPORTATION: SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT: POLICING RESPONSIBILITIES

Prevents chaptering out of provisions of AB 1337 (Lee; Stats. 2021, ch. 534) regarding the authority of transit district entities to issue prohibition orders to include property, facilities, and vehicles upon which it owes policing responsibilities to, by provisions of SB 357 (Wiener; Stats. 2022, ch. 86, § 11).

AB 1700 (MAIENSCHIN), CH. 855

EFFECTIVE: JANUARY 1, 2023

THEFT: ONLINE MARKETPLACES: REPORTING

Requires the Attorney General to establish a reporting location on its internet website for individuals to report items found on online marketplaces, as defined, that they suspect are stolen goods, and to provide that information to the applicable local law enforcement agency and regional property crimes task force. Requires online marketplaces to display on their electronically based or accessed platform a link to the Attorney General’s online marketplace suspected stolen goods reporting location. (GOV add 7599.110 et seq.)

AB 1706 (BONTA, MIA), CH. 387

EFFECTIVE: JANUARY 1, 2023

CANNABIS CRIMES: RESENTENCING

Requires the court, on its own accord, to recall or redesignate specified cannabis convictions, as authorized by Proposition 64, the Control, Regulate and Tax Adult Use of Marijuana Act, on or before March 1, 2023.



Deems all convictions eligible for relief under Proposition 64 that have not been challenged by the prosecution as unchallenged, recalled, dismissed, and redesignated, as applicable. Requires courts to update their records and report all cannabis convictions that have been recalled, dismissed, redesignated, or sealed under Proposition 64 to the Department of Justice (DOJ) no later than March 1, 2023. Requires the DOJ to ensure that all of the records in the state summary criminal history information database that have been recalled, dismissed, sealed, or redesignated under Proposition 64 have been updated no later than July 1, 2023. Requires the DOJ to conduct an awareness campaign regarding record changes for specified cannabis convictions. Requires the DOJ, in consultation with the Judicial Council, to submit a quarterly progress report to the Legislature on the status of cases recalled, dismissed, sealed, and redesignated in each county, and the status of the DOJ's update to the state summary criminal history database, starting March 1, 2023, and until June 1, 2024. (HSC amend 11361.9)

AB 1744 (LEVINE), CH. 756
EFFECTIVE: JANUARY 1, 2023

**PROBATION AND MANDATORY SUPERVISION:
FLASH INCARCERATION**

Extends, until January 1, 2028, the authority of a court to authorize the use of flash incarceration, as defined, to detain a person in county jail for not more than 10 days for a violation of the conditions of that person's probation or mandatory supervision. (PEN amend 1203, amend and repeal 1203.35 and 4019)

AB 1803 (JONES-SAWYER), CH. 494
EFFECTIVE: JANUARY 1, 2023

COURT FEES: ABILITY TO PAY

Exempts a person who meets the criteria for a waiver of court fees and costs from being obligated to pay the filing fee for specified expungement petitions, and prohibits a court from denying expungement relief to an otherwise qualified person who meets the criteria, as specified, for a waiver of court fees and costs, solely on the basis that the person has not yet satisfied their restitution obligations (PEN add 1203.426, 1203.427)

AB 1924 (GIPSON), CH. 766
EFFECTIVE: JANUARY 1, 2023
**CRIMINAL LAW: CERTIFICATE OF
REHABILITATION**

Allows persons convicted of a felony to file a petition for a certificate of rehabilitation and pardon without certain requirements, such as the dismissal of the accusatory pleading and that they have not been incarcerated since the dismissal. Retains the existing requirements for filing a petition for any person convicted of a registrable sex offense. (PEN amend 4852.01)

AB 2167 (KALRA), CH. 775
EFFECTIVE: JANUARY 1, 2023

CRIMES: ALTERNATIVES TO INCARCERATION

Requires a court to consider alternatives to incarceration, including, without limitation, collaborative justice court programs, diversion, restorative justice, and probation. States the intent of the Legislature that the disposition of any criminal case use the least restrictive means available. (PEN add 17.2)

AB 2169 (GIPSON), CH. 776
EFFECTIVE: JANUARY 1, 2023

CRIMINAL PROCEDURE

Clarifies that vacatur relief for offenses committed while the petitioner was a victim of human trafficking, intimate partner violence, or sexual violence demonstrates that the petitioner lacked the requisite intent to commit the offense, and that the conviction is invalid due to legal defect. Removes the requirements that the victim be engaged in good faith efforts to distance themselves from the perpetrator of the harm and that relief is in the best interest of the petitioner (PEN amend 236.14, 236.15)

AB 2195 (JONES-SAWYER) CH. 487
EFFECTIVE: JANUARY 1, 2023

CRIMES: NUISANCE

Changes the punishment for public nuisance when a defendant accepts a plea bargain and one or more charges dismissed under the plea bargain allege unlawfully cultivating, manufacturing, transporting, giving away, selling, or possession or use of a drug, or possession or use of drug paraphernalia as follows: (1) if one or more of the dismissed drug related charges is an infraction, it is punishable as an infraction, (2) if one or more of the dismissed drug related charges is a misdemeanor, it



is punishable either as a misdemeanor or an infraction; (3) if one or more of the dismissed drug related charges is a felony, it is punishable as a felony or misdemeanor. (PEN add 373.5)

AB 2274 (RUBIO, BLANCA), CH. 587
EFFECTIVE: JANUARY 1, 2023

MANDATED REPORTERS: STATUTE OF LIMITATIONS

Allows a case involving the failure to report an incident known or reasonably suspected by the mandated reporter to be child abuse or severe neglect, as defined, to be filed within one year of the discovery of the offense, but in no case later than four years after the commission of the offense. (PEN amend 801.6, add 801.8)

AB 2294 (JONES-SAWYER), CH. 856
EFFECTIVE: IMMEDIATELY

DIVERSION FOR REPEAT RETAIL THEFT CRIMES

Until January 1, 2026, (1) includes in the reasons for nonrelease of a person arrested for a misdemeanor that the person has been cited, arrested, or convicted for misdemeanor or felony theft from a store in the previous six months and that there is probable cause to believe that the person arrested is guilty of committing organized retail theft; (2) authorizes the court to issue a bench warrant when the defendant has failed to appear and the defendant has been cited or arrested for misdemeanor or felony theft from a store and has failed to appear in court in connection with that charge or those charges in the previous six months; and (3) authorizes a city or county prosecuting authority or county probation department to create a diversion or deferred entry of judgment program for persons who commit a theft offense or repeat theft offenses, as specified. Upon appropriation and until January 1, 2026, requires the Board of State and Community Corrections to award grant funding to four or more county superior courts or county probation departments to create demonstration projects to reduce the recidivism of high-risk misdemeanor probationers, as specified. Requires the board to develop reporting requirements for the participating entities and would require those entities to report the results of the demonstration project to the board. Requires the board to report to the Legislature and county criminal justice officials two years after the appropriation by the Legislature. Provides that its provisions are severable. (PEN amend, repeal, and add 853.6, 978.5, add and repeal 1210.2, add and repeal 1001.81 et seq.)

AB 2311 (MAIENSCHIN), CH. 283
EFFECTIVE: JANUARY 1, 2023
MOTOR VEHICLE CONDITIONAL SALE CONTRACTS: GUARANTEED ASSET PROTECTION WAIVERS

Among other things, establishes provisions to govern the offer, sale, provision, or administration, in connection with a conditional sale contract, of a guaranteed asset protection waiver (GAP waiver), defined to mean an optional contractual obligation under which a seller agrees, for additional consideration, to cancel or waive all or part of amounts due on the buyer's conditional sale contract subject to existing law in the event of a total loss or unrecovered theft of the motor vehicle specified in the conditional sale contract. Expands the scope of an existing crime. (CIV amend 2981, 2982, 2982.2, 2983.1, add 2982.12)

AB 2418 (KALRA), CH. 787
EFFECTIVE: JANUARY 1, 2023
CRIMES: JUSTICE DATA ACCOUNTABILITY AND TRANSPARENCY ACT

Requires, according to specified time frames, state and local prosecution offices to collect and transmit various data regarding criminal cases to the Department of Justice (DOJ), which is required to verify and publish the data. Additionally, requires the DOJ to establish the Prosecutorial Transparency Advisory Board. (PEN add 13370 et seq.)

AB 2644 (HOLDEN), CH. 289
EFFECTIVE: JANUARY 1, 2023
CUSTODIAL INTERROGATION

Prohibits an officer from using threats, physical harm, deception, or psychologically manipulative interrogation tactics when questioning a person 17 years of age or younger about the commission of a felony or misdemeanor. (WIC amend 627, add 625.7)

AB 2657 (STONE), CH. 795
EFFECTIVE: JANUARY 1, 2023
INCARCERATED PERSON'S COMPETENCE

Requires the warden to notify the district attorney, the Attorney General, and the incarcerated person's counsel, if there is good reason to believe that an incarcerated person has become incompetent to be executed. If the warden issues that notice, requires the Attorney General to file a petition with the court if the incarcerated person's



counsel fails to file the petition or the incarcerated person does not have counsel. Removes the right to a jury trial on the subject of incompetence for execution. Requires the court to hold a hearing if there is reason to believe the incarcerated person is presently incompetent to be executed or if there is reason to believe the incarcerated person is permanently incompetent to be executed. Requires the court to vacate the sentence or sentences of death if the court finds by a preponderance of the evidence that the incarcerated person is permanently incompetent to be executed, and requires the court to resentence the incarcerated person to life without the possibility of parole. (PEN amend and renumber 3700.5, repeal 3700, 3704, 3704.5, repeal and add 3701, 3702, and 3703)

AB 2799 (JONES-SAWYER), CH. 973

EFFECTIVE: JANUARY 1, 2023

EVIDENCE: ADMISSIBILITY OF CREATIVE EXPRESSIONS

Requires trial judges to take into consideration certain concerns when engaging in a section 352 balancing of probative value against prejudicial effect when it comes to rap lyrics and other forms of creative expression. When balancing the probative value against the prejudicial effect, requires the court to consider if the expression bears a sufficient level of similarity to the charged crime or includes factual details that are otherwise not available. Requires the court to consider that undue prejudice includes the possibility that the trier of fact will use the creative expression as evidence of the defendant's propensity for violence or if the evidence will inject racial bias. Allows the court to consider relevant testimony or research on the genre of creative expression and its cultural context. (EVID add 352.2)

SB 184 (COMMITTEE ON BUDGET AND FISCAL REVIEW), CH. 47

EFFECTIVE: JANUARY 1, 2023

HEALTH

For discussion of bill, see page 6.

SB 357 (WIENER), CH. 86

EFFECTIVE: JANUARY 1, 2023

CRIMES: LOITERING FOR THE PURPOSE OF ENGAGING IN A PROSTITUTION OFFENSE

Decriminalizes the act of loitering with the intent to commit prostitution and creates a process for which a person arrested or convicted of loitering with intent

to commitment prostitution may petition the court to recall, dismiss, and seal the conviction. (EVID amend 782.1; PEN amend 647.3, 653.23, 1203.47, add 653.29, repeal 653.20, 653.22; PUC amend 99171; WIC amend 18259, 18259.3)

SB 382 (CABALLERO), CH. 87

EFFECTIVE: JANUARY 1, 2023

HUMAN TRAFFICKING: RESTRAINING ORDERS

Requires the prosecutor, in cases involving human trafficking, to consider whether to seek protective orders. (PEN amend 136.2, 236.1)

SB 446 (GLAZER), CH. 490

EFFECTIVE: JANUARY 1, 2023

FACTUAL INNOCENCE

Changes existing procedures related to wrongful conviction compensation claims and shifts the burden on the state to prove that the claimant is not entitled to compensation in specified cases. (PEN amend 1485.5, 1485.55, 4900, 4902, 4903, 4904)

SB 467 (WIENER), CH. 982

EFFECTIVE: JANUARY 1, 2023

EXPERT WITNESSES: WRIT OF HABEAS CORPUS

Allows a person to prosecute a writ of habeas corpus if a significant dispute has emerged or further developed in the petitioner's favor regarding expert medical, scientific, or forensic testimony that was introduced at trial and contributed to the conviction, such that it would have more likely than not changed the outcome at trial, as specified. Expands the definition of false evidence to include the opinions of experts that are undermined by the state of scientific knowledge that existed at the time of the expert's testimony and opinions. (PEN amend 1473)

SB 731 (DURAZO), CH. 814

EFFECTIVE: JANUARY 1, 2023

CRIMINAL RECORDS: RELIEF

Expands automatic arrest record and conviction relief to additional felony offenses, including felonies where the defendant was sentenced to state prison, rather than just realigned felonies. Excludes serious and violent felonies, and felonies requiring sex registration. Prohibits the record of a conviction for possession of specified controlled substances that is more than five years old and for which relief was granted from being presented

to the California Commission on Teacher Credentialing or from being used to deny a teaching credential. (EDC amend 44242.5, 44346; PEN amend 1203.41, 11105, amend, repeal, and add 851.93, 1203.425)

SB 836 (WIENER), CH. 168

EFFECTIVE: IMMEDIATELY

EVIDENCE: IMMIGRATION STATUS

Reenacts SB 785 (Weiner; Stats. 2018, ch. 12) that was repealed on January 1, 2022, to prohibit, in most civil and criminal actions, the disclosure of a person's immigration status in open court by a party unless that party requested an in camera hearing and the presiding judge determined that the evidence was admissible. (EVID add 351.3, 351.4)

SB 903 (HERTZBERG), CH. 821

EFFECTIVE: JANUARY 1, 2023

PRISONS: CALIFORNIA REHABILITATION OVERSIGHT BOARD

Requires the California Rehabilitation Oversight Board to examine the California Department of Corrections and Rehabilitation's efforts to address the housing needs of incarcerated persons, including those who are identified as having serious mental health needs, who are released to the community as parolees or subject to postrelease community supervision. Requires the board to examine the department's efforts to address the housing needs of incarcerated persons, including those who are identified as having serious mental health needs, who are released to the community as parolees. Requires the board to include specified data on homelessness in its reports. (PEN amend 6141)

SB 1034 (ATKINS), CH. 880

EFFECTIVE: JANUARY 1, 2023

SEXUALLY VIOLENT PREDATORS

Requires counsel for the committed individual, the sheriff, or the chief of police of the locality for placement, and the county counsel and the district attorney of the county of domicile, or their designees, to provide assistance and consultation in the department's process of locating and securing housing within the county. Requires the department to convene a committee with the above participants and authorizes the court to order a status conference to evaluate the progress of the department in locating and securing housing and in obtaining relevant assistance and consultation information from the committee participants.

Authorizes the court grant a petition and to make a finding of extraordinary circumstances only after the county of domicile has petitioned the court to make that finding and after certain events have occurred, including that the county of domicile has demonstrated to the court that the county of domicile has engaged in an exhaustive housing search with meaningful and robust participation from the participants listed above, the county of domicile has provided at least one alternative placement county for consideration, and the department and the district attorney of a proposed alternative placement county have had an opportunity to be heard at a noticed hearing. Requires the court, if it finds that extraordinary circumstances require the placement to occur outside the county of domicile, to state its findings on the record and the grounds supporting its findings. Requires the Judicial Council to report to the Legislature on an annual basis the instances in which a court issues a finding of extraordinary circumstances, as specified.

Requires the court to make a determination that the person would not be a danger to the health and safety of others in that the person will engage in sexually criminal behavior due to the person's diagnosed mental disorder before releasing on conditional release and requires 30-day's notice to the district attorney if the person is being placed in a different county. (WIC amend 6608, 6608.5, add 6608.6)

SB 1035 (EGGMAN), CH. 828

EFFECTIVE: JANUARY 1, 2023

MENTAL HEALTH SERVICES: ASSISTED OUTPATIENT TREATMENT

For assisted outpatient programs, authorizes the court to conduct status hearings with the person and the treatment team to receive information regarding progress related to the categories of treatment listed in the treatment plan and authorize the court to inquire about medication adherence. Requires the director of the outpatient treatment program to also report to the court on adherence to prescribed medication. (WIC amend 5346)

SB 1106 (WIENER), CH. 734

EFFECTIVE: JANUARY 1, 2023

CRIMINAL RESENTENCING: RESTITUTION

Removes the requirement that a public agency that is owed restitution report a defendant's failure to make restitution payment when due. Prohibits a petition for relief under Penal Code section 1203.4 (expungement of a conviction),



whether statutorily authorized or in the court's discretion, from being denied due to an unfulfilled order of restitution or restitution fine. Provides that an unfulfilled order of restitution or a restitution fine shall not be grounds for finding that a defendant did not fulfil the condition of probation for the entire period of probation. Provides that when the court considers a petition for relief under this section, in its discretion and in the interest of justice, an unpaid order of restitution or restitution fine shall not be grounds for denial of the petition for relief. Removes the prohibition on a parolee or inmate from being released on parole to reside in another receiving state if the parolee or inmate is subject to an unsatisfied order for restitution to a victim or a restitution fine with the sending state. (PEN amend 17, 1203.4, 1203.4a, 1203.4b, 1203.41, 1203.42, 1203.45, add 1210.6, repeal 11177.2)

SB 1117 (BECKER), CH. 615
EFFECTIVE: JANUARY 1, 2023

STATE PUBLIC DEFENDER: GRANTS

Authorizes the State Public Defender to administer and award grants to improve indigent defense services. (GOV add 15421.1)

SB 1209 (EGGMAN), CH. 721
EFFECTIVE: JANUARY 1, 2023

SENTENCING: MEMBERS OF MILITARY: TRAUMA

Allows a defendant suffering from military-related trauma (sexual trauma, traumatic brain injury, posttraumatic stress disorder, substance abuse, or mental health problems) to petition for recall of sentence and resentencing, as specified, without regard to whether the defendant was sentenced before January 1, 2015. Excludes from resentencing any person convicted of certain violent and sexual offenses. (PEN amend 1170.91)

SB 1223 (BECKER), CH. 735
EFFECTIVE: JANUARY 1, 2023

CRIMINAL PROCEDURE: MENTAL HEALTH DIVERSION

Changes the eligibility criteria for pretrial diversion to include a diagnosis of a mental disorder instead of the court finding the defendant suffers from a mental disorder, and requires that the diagnosis or treatment for a diagnosed mental disorder be within the last five years and that the defendant's mental health disorder

was a significant factor in the commission of the charged offense. Requires the court, if the defendant satisfies the specified eligibility requirements to consider whether the defendant is suitable for pretrial diversion. Provides that a defendant is suitable for pretrial diversion if the specified criteria are met and includes a description of a "qualified mental health expert." Limits the period of diversion to one year for misdemeanors and two years for felonies, and requires a court to accept, a declaration in lieu of testimony that the county mental health agency is unable to provide services to a defendant. (PEN amend 1001.36, 1370, 1370.01)

SB 1226 (DURAZO), CH. 423
EFFECTIVE: JANUARY 1, 2023

JOINT POWERS AGREEMENTS: ZERO-EMISSION TRANSPORTATION SYSTEMS OR FACILITIES

Allows, until January 1, 2032, one or more private, nonprofit 501(c)(3) mutual benefit corporations formed to provide services to zero-emission transportation systems or facilities, or authorized by their board of directors to provide such services, to join a joint powers authority, or enter into a joint powers agreement, with one or more public agencies for the purpose of facilitating the development, construction, and operation of zero-emission transportation systems or facilities that lower greenhouse gases, reduce vehicle congestion and vehicles miles traveled, and improve public transit connections. All authorized projects are required to certify, in writing and under penalty of perjury, that prevailing wages will be paid to workers on the project, as provided, and that a skilled and trained workforce will be used to perform all construction work on the project. Expands the scope of the crime of perjury. (GOV add and repeal 6538.5)

SB 1228 (WIENER), CH. 994
EFFECTIVE: JANUARY 1, 2023

CRIMINAL PROCEDURE: DNA SAMPLES

Adds to the Sexual Assault Victims' DNA Bill of Rights that DNA samples collected directly from a victim of sexual assault and samples of DNA collected from intimate partners for the purposes of exclusion are to be protected and are only to be used for purposes directly related to the investigation for which they were provided or collected. The samples may not be entered into any database. DNA samples may only be provided to another person or entity if they have proper access and agree to the

same restriction on use, may not further distribute them to any other entity, and must promptly return them to the law enforcement agency after concluding testing. Any person whose DNA has been voluntarily provided and does not have past or present offense or pending charges that qualifies them for inclusion in the state's DNA and Forensic Identification Database and Databank Program must have their searchable database profile expunged. (PEN amend 680, add 649.12)

SB 1260 (DURAZO), CH. 842
EFFECTIVE: JANUARY 1, 2023

STATE SUMMARY CRIMINAL HISTORY INFORMATION

Specifies that discretionary and automatic conviction record relief does not make a person eligible to provide or receive payment for providing in-home supportive services or "waiver personal care services" if they are otherwise ineligible under state or federal law or regulation. Further requires a record relief order to state, and the defendant to be advised, that relief does not relieve the defendant of the obligation to disclose the conviction in response to any direct question in an application for enrollment as a provider of in-home supportive services and "waiver of personal care services," as specified. (PEN amend 1203.41, 11105, amend and repeal 1203.425)

SB 1268 (CABALLERO), CH. 227
EFFECTIVE: JANUARY 1, 2023

VICTIMS OF CRIME: FAMILY ACCESS TO INFORMATION

Requires law enforcement to provide specified information to a parent, guardian, or immediate family in the event of a death of a minor. Required information includes case number, law enforcement agency contact information, status of the investigation, when appropriate, and a list of personal effects and whether they are being held as part of the investigation or are able to be returned to the family. Status information does not include investigative records for inspection by the victim's family. Law enforcement may require any family member receiving information to confirm their identity through a certified declaration and if found to have knowingly or willingly provided a false declaration be punishable by an infraction. Creates a new crime. (PEN add 679.09)

SB 1311 (EGGMAN), CH. 620
EFFECTIVE: JANUARY 1, 2023

VETERANS: PROTECTIONS

Provides, for a small claims action, that a plaintiff who is a service member is not required to personally appear, and may appear via video appearance, if the service member is assigned to a location more than 100 miles from the court where the action is proceeding, or is otherwise unable to personally appear due to the performance of military duty. Clarifies that a representative appearing on a service member's behalf is serving without compensation other than compensation from the United States or the State of California, and except as to representatives who are employed by the United States or the State of California, the representative has appeared in small claims actions on behalf of others no more than four times during the calendar year.

Prohibits a person from conditioning the receipt of a military or veteran discount, in any form, on the waiver by a recipient of the discount of any right the person has under state or federal law. Any such waiver and any other waiver of a right provided to service members, former service members, or their dependents is void.

Provides a security interest in personal property other than a motor vehicle, off-highway vehicle, trailer, or aircraft is void, and cannot be perfected, if it would cause a loan procured by a covered member in the course of purchasing the personal property to be exempt from the requirements of the federal Military Lending Act. A security interest in a motor vehicle is void, and cannot be perfected, if it would cause a loan procured by a covered member in the course of purchasing the motor vehicle to be exempt from section 987 of title 10 of the United States Code, and the loan also funds the purchase of a credit insurance product or credit-related ancillary product.

Provides that a lessee can terminate the lease of a motor vehicle if while in a period of military service, the lessee executes the lease and then receives military orders for a change of permanent station location that is more than 100 miles from the prior duty station or to deploy with a military unit, or as an individual in support of a military operation, for a period of not less than 90 days.

Amends current law related to when delayed mortgage payments are due and payable in the case of an obligation payable in installments under a contract for the purchase of real estate, or secured by a mortgage or other instrument in the nature of a mortgage upon real estate, the obligation becomes due upon either the sale of the property or other



event specified in the obligation documents that permits the lender to accelerate the loan other than a deferment of payments, or if further encumbrance of the property other than for preservation or protection of the property would cause the obligation to become due and payable under the contract terms.

Prohibits foreclosure or repossession of property during a deferment period unless ordered by a court or agreed to by the parties to the obligation.

Makes a person who violates a statutory cause of action for unfair competition if the violation is perpetrated against one or more service members or veterans, liable for an additional civil penalty not to exceed \$2,500 for each violation, as provided. (BPC add 17206.2; CCP amend 116.540; MVC amend 401, 409, 409.3, 800, 802, 804, add 408.1)

SB 1493 (COMMITTEE ON PUBLIC SAFETY), CH. 197

EFFECTIVE: JANUARY 1, 2023

PUBLIC SAFETY OMNIBUS

Among other things, expands the ability of the court to proceed in a misdemeanor trial without the defendant present, as specified. (EVID amend 1103, 1107; FAM amend 1816; GOV amend 1031, 7286, 12525.5, 15401, 15425; HSC amend 1233.5, 1259.5; MVC amend 475; PEN amend 243, 273.5, 273.6, 273.65, 602, 1043, 1127e, 1192.5, 1203.055, 1203.097, 1203.4b, 1203.9, 1270.1, 1346.1, 1370, 1387, 11105, 11163.3, 13151, 13511.1, 13519, 13777, 13823.16, 14143; PRC amend 5164; WIC amend 782, 15610.63, add 700.3)

DOMESTIC VIOLENCE

AB 200 (COMMITTEE ON BUDGET), CH. 58

EFFECTIVE: IMMEDIATELY

PUBLIC SAFETY OMNIBUS

For discussion of bill, see pages 26–27.

AB 547 (MCCARTY), CH. 941

EFFECTIVE: JANUARY 1, 2023

DOMESTIC VIOLENCE: VICTIM'S RIGHTS

Provides that a county probation department shall, upon request, notify a victim of domestic violence or stalking, of the perpetrator's community of residence when the perpetrator is placed on, or being released on, probation. (PEN add 679.06)

AB 1726 (AGUIAR-CURRY), CH. 686

EFFECTIVE: JANUARY 1, 2023

ADDRESS CONFIDENTIALITY PROGRAM

Makes a number of changes to existing laws related to the Secretary of State's Safe at Home (SAH) address confidentiality program to, among other things, recognize the challenge of providing legal notices to SAH program participants in compliance with timelines set forth in existing law. Limits the circumstances under which a participant can be terminated from the program. Limits discovery of a participant's location. (CCP amend 1005, 1013, 1167; GOV amend 6206, 6206.7, 6208.1, 6208.2, 6209.7, add 6206.1)

AB 2137 (MAIENSCHIN), CH. 20

EFFECTIVE: JANUARY 1, 2023

FAMILY JUSTICE CENTERS

Requires family justice centers to provide clients with educational materials relating to gun violence restraining orders, domestic violence restraining orders, and other legal avenues of protection for victims and their families, if appropriate. (PEN amend 13750)

AB 2193 (GABRIEL), CH. 486

EFFECTIVE: JANUARY 1, 2023

CIVIL REPRESENTATION: IMMIGRATION STATUS

Requires programs under the Sargent Shriver Civil Counsel Act to provide services without regard to the citizenship or immigration status of the person represented. Requires the Judicial Council to consider, among other related factors, the program's plan for providing service to all potential clients regardless of immigration status. Requires program applications to include in that description whether and how the program will ensure that services are available to all eligible individuals seeking services regardless of immigration status. (GOV amend 68651)

AB 2369 (SALAS), CH. 591

EFFECTIVE: JANUARY 1, 2023

DOMESTIC VIOLENCE PREVENTION ACT: ATTORNEY'S FEES AND COSTS

Requires a court, after notice and a hearing and upon request, to issue an order for the payment of attorney's fees and costs for a prevailing petitioner in a domestic violence action. Allows a court, after notice and a hearing and upon request, to issue an order for the payment of attorney's fees and costs for a prevailing respondent only

if the respondent establishes by a preponderance of the evidence that the petition or request is frivolous or solely intended to abuse, intimidate, or cause unnecessary delay. Requires the court, before it orders attorney's fees, to first determine that the party ordered to pay has, or is reasonably likely to have, the ability to pay. (FAM repeal and add 6344)

AB 2391 (CUNNINGHAM), CH. 84

EFFECTIVE: JANUARY 1, 2023

CIVIL ACTIONS: VEXATIOUS LITIGANTS

Allows a person protected by a domestic violence protective order to seek an order declaring the restrained person a vexatious litigant when the restrained person has filed one or more meritless actions that caused the protected person to be harassed or intimidated. (CCP amend 391, 391.1)

AB 2791 (BLOOM), CH. 417

EFFECTIVE: JANUARY 1, 2023

SHERIFFS: SERVICE OF PROCESS AND NOTICES

On or before January 1, 2024, the Judicial Council is required to create a statewide form or forms to be used by litigants in civil actions or proceedings to request service of process or notice by a marshal or sheriff. The marshal or sheriff is required to accept an electronic signature and cannot require an original or wet signature on the form(s). No marshal or sheriff can require completion of separate form(s) from the Judicial Council's official form. The forms are to be accepted by email, fax, or in-person delivery and does not need to be transmitted by the litigant. No fee is allowed to be imposed on a litigant who has been granted a fee waiver by a court or is otherwise exempt from paying fees related to summons. A marshal or sheriff can only review the applicable form(s) for complete information and for the judge's signature/clerk certification/court endorsement on any order to be served, including a restraining order, and that the information on the form matches the information on the order. The Judicial Council's form is confidential and prohibited from disclosure. (GOV add 7927.430, 26666, 26666.2, 26666.10, repeal and add 26666.5.)

AB 2870 (SANTIAGO), CH. 974

EFFECTIVE: JANUARY 1, 2023

FIREARMS: GUN VIOLENCE RESTRAINING ORDERS

Expands the category of persons that may file a petition requesting a court to issue a gun violence restraining order (GVRO). As defined, allows a roommate, an individual who has a dating relationship with the subject of the petition, and an individual who has a child in common with the subject of the petition if they have had substantial and regular interaction with the subject for at least one year, to file a GVRO. Expands the definition of "immediate family member" for purposes of filing a GVRO to include any person related by consanguinity or affinity within the fourth degree who has had substantial and regular interactions with the subject for at least one year. (PEN amend 18150, 18170, 18190)

AB 2872 (WEBER), CH. 975

EFFECTIVE: JANUARY 1, 2023

DOMESTIC VIOLENCE: VICTIMS: ADDRESS CONFIDENTIALITY

Reduces the number of hard copies from two to one of any summons, writ, notice, demand, or process that must be provided to the Secretary of State's (SOS's) Safe at Home (SAH) address confidentiality program. Clarifies the SOS is not required to notify the other parent or parents of a minor enrolled in the SAH program about the designation of the Secretary of State as agent for purposes of service of process and the address designated by the Secretary of State for the program participant when there is a court order prohibiting contact between the other parent or parents and the minor child or children of the participant. Allows the SOS to terminate a program participant's certification and invalidate the program participant's authorization card for new reasons including that the SOS has been informed that another state agency determined that false information was used in the application process to qualify as a program participant or that participation in the program is being used as a subterfuge to avoid detection of illegal or criminal activity or apprehension by law enforcement, or the program participant moves from their California place of residence to relocate out of state. Requires the SOS to cooperate with authorized personnel of the appropriate county clerk's office, county recording office, and state and local agencies to verify, upon request of any such entity, the program participant's certification withdrawal, invalidation, expiration, or termination. (GOV amend 6206, 6206.7)



AB 2960 (COMMITTEE ON JUDICIARY), CH. 420
EFFECTIVE/OPERATIVE DATE: JANUARY 1, 2023
JUDICIARY OMNIBUS

For discussion of bill, see page 10.

SB 24 (CABALLERO), CH. 129
EFFECTIVE: JANUARY 1, 2023

DOMESTIC VIOLENCE: PROTECTIVE ORDERS:
INFORMATION PERTAINING TO A CHILD

Authorizes a court to include in an ex parte order a provision restraining a party from accessing records and information pertaining to the health care, education, daycare, recreational activities, or employment of a minor child of the parties. Requires an essential care provider, as defined, to develop protocols relating to compliance with that order on or before February 1, 2023, and requires a discretionary services organization, as defined, to develop those protocols within 30 days of receipt of the first order. (FAM add 6323.5)

SB 154 (SKINNER), CH. 43
EFFECTIVE: IMMEDIATELY
COURT-BASED WEAPONS
RELINQUISHMENT PROGRAMS

For discussion of bill, see page 6.

SB 863 (MIN), CH. 986
EFFECTIVE: JANUARY 1, 2023

DOMESTIC VIOLENCE: DEATH REVIEW TEAMS

Authorizes a county domestic violence death review team to assist local agencies in identifying and reviewing domestic violence near-death cases, as defined. Among other things, specifies that near-death case reviews are only to occur after any prosecution has concluded. Also, prohibits near-death survivors from being compelled to participate in death review team investigations and clarifies that their participation is voluntary. Provides that in cases of death, the victim's family members may be invited to participate, but not be compelled to do so. Requires that members of the death review teams be prepared to provide referrals for services to address the unmet needs of survivors and their families when appropriate. (PEN amend 11163.3, 11163.4, 11163.5, 11163.6)

SB 935 (MIN), CH. 88
EFFECTIVE: JANUARY 1, 2023

DOMESTIC VIOLENCE: PROTECTIVE ORDERS

Clarifies that at the court's discretion, a protective order issued under the Domestic Violence Prevention Act may be renewed for an additional term of five years, for more than five years, or permanently, and that renewed and subsequently renewed orders are subject to the same procedures for the termination, medication, or subsequent renewal as original orders. (FAM amend 6345)

SB 975 (MIN), CH. 989
EFFECTIVE: JANUARY 1, 2023

DEBT: COERCED DEBTS

Authorizes an alleged debtor to bring an action against an alleged creditor to establish that the alleged creditor's claim arises from a coerced debt. Requires an alleged debtor to plead the allegations of coerced debt with particularity, as provided. Provides that a debtor who files knowingly false motions, pleadings, or other papers or engages in other tactics that are frivolous or intended to cause unnecessary delay against a claimant is liable for the claimant's attorney's fees and costs in defending the lawsuit. Provides that if the debtor establishes by a preponderance of the evidence that the particular debt, or portion thereof, is coerced debt, the court shall issue a judgment in favor of the claimant against the person or persons who coerced the debtor into incurring the debt in the amount of the debt, or portion thereof, that is coerced debt, provided that the person or persons who coerced the debtor into incurring the debt or debts has been brought within the jurisdiction of the court and joined as a party to the action and the evidence supports such a judgment. (CIV add 1798.97.1 et seq.)

SB 1017 (EGGMAN), 558
EFFECTIVE: JANUARY 1, 2023

LEASES: TERMINATION OF TENANCY: ABUSE
OR VIOLENCE

Among other things, strengthens rental housing-related protections for survivors of domestic violence, abuse, and other serious crimes. Clarifies that violation of the bill's prohibitions against termination of a tenancy or failure to renew a tenancy based on an act of abuse or violence against a tenant, as specified, is an affirmative defense to an unlawful detainer. Eliminates a provision allowing for in camera review of specified evidence regarding



abuse or violence. Converts civil penalties to statutory damages of not less than \$100 and not more than \$5,000. Specifies that findings in an unlawful detainer judgment that a tenant perpetrated abuse or violence shall have no relevance for any other purpose or legal proceeding. (CIV amend 1946.7; CCP amend 1161.3, add 1174.27)

E-FILING

AB 2961 (COMMITTEE ON JUDICIARY), CH. 215
EFFECTIVE: JANUARY 1, 2023

CIVIL PROCEDURE: ELECTRONIC FILING AND SERVICE

Revises and reorganizes Code of Civil Procedure section 1010.6 to clarify when electronic service is mandatory and when it is permissive. Clarifies existing law as to when electronic filing and service fees must be waived. Allows the court to mandate the use of electronic service for a person represented by counsel who has appeared in an action or proceeding. Any unrepresented party in a civil action may elect to utilize electronic service. Before service, the person effecting service must confirm the appropriate electronic service addresses. On or after July 1, 2024, any electronic service of documents by the court has the same legal effect as service by mail. (CCP amend 1010.6, 1013b; FAM amend 17400; GOV amend 915.2; PEN amend 690.5)

FAMILY LAW

AB 207 (COMMITTEE ON BUDGET), CH. 573
EFFECTIVE: SEPTEMBER 28, 2022

HUMAN SERVICES OMNIBUS

For discussion of bill, see page 7.

AB 421 (WARD), CH. 40
EFFECTIVE: IMMEDIATELY

CHANGE OF GENDER AND SEX IDENTIFIER

Requires the court to make an order if the petition is not signed by all living parents, and requires the order to direct the parent or parents who did not sign the petition to show cause why the petition should not be granted by filing a written objection, as specified. Under certain circumstances, requires the court to make an order directing the living grandparents to show cause why the

petition for a court order to recognize a change in the minor's gender and sex identifier should not be granted within six weeks, as specified. (HSC amend 103430)

AB 1686 (BRYAN), CH. 755
EFFECTIVE: JANUARY 1, 2023

CHILD WELFARE AGENCIES: ENFORCEMENT

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. (FAM amend 17552)

AB 1726 (AGUIAR-CURRY), CH. 686
EFFECTIVE: JANUARY 1, 2023

ADDRESS CONFIDENTIALITY PROGRAM

Makes a number of changes to existing laws related to the Secretary of State's Safe at Home (SAH) address confidentiality program to, among other things, recognize the challenge of providing legal notices to SAH program participants in compliance with timelines set forth in existing law. Limits the circumstances under which a participant can be terminated from the program. Limits discovery of a participant's location. (CCP amend 1005, 1013, 1167; GOV amend 6206, 6206.7, 6208.1, 6208.2, 6209.7, add 6206.1)

AB 2085 (HOLDEN), CH. 770
EFFECTIVE: JANUARY 1, 2023

CRIMES: MANDATED REPORTERS

For the purposes of who reports suspected child abuse, limits the definition of "general neglect" to only include circumstances where the child is at substantial risk of suffering serious physical harm or illness. Provides that "general neglect" does not include a parent's economic disadvantage. (PEN amend 11165.2, 11166, 11167)

AB 2137 (MAIENSCHIN), CH. 20
EFFECTIVE: JANUARY 1, 2023

FAMILY JUSTICE CENTERS

Requires family justice centers to provide clients with educational materials relating to gun violence restraining orders, domestic violence restraining orders, and other legal avenues of protection for victims and their families, if appropriate. (PEN amend 13750)



AB 2369 (SALAS), CH. 591
EFFECTIVE: JANUARY 1, 2023

**DOMESTIC VIOLENCE PREVENTION ACT:
ATTORNEY'S FEES AND COSTS**

Requires a court, after notice and a hearing and upon request, to issue an order for the payment of attorney's fees and costs for a prevailing petitioner in a domestic violence action. Allows a court, after notice and a hearing and upon request, to issue an order for the payment of attorney's fees and costs for a prevailing respondent only if the respondent establishes by a preponderance of the evidence that the petition or request is frivolous or solely intended to abuse, intimidate, or cause unnecessary delay. Requires the court, before it orders attorney's fees, to first determine that the party ordered to pay has, or is reasonably likely to have, the ability to pay. (FAM repeal and add 6344)

AB 2495 (PATTERSON), CH. 159
EFFECTIVE: JANUARY 1, 2023

THE PARENT AND CHILD RELATIONSHIP

Makes multiple changes to adoption and family law in California, including changing rules for determining whether an embryo donor is an intended parent, clarifying rules regarding not concealing a prospective adoptive child from the adoption agency, clarifying who can file for an adoption and when, and expanding venue options for step-parent adoptions and readoptions of children adopted in other countries. (FAM amend 7613, 8609.5, 8713, 8714, 8802, 8803, 8910, 8912, 9000, 9324)

AB 2711 (CALDERON), CH. 870
EFFECTIVE: JANUARY 1, 2023

JUVENILE RECORD ACCESS

Clarifies that an adoption case file, including a juvenile case file, may be inspected and copied by the California Department of Social Services (CDSS) for the purpose of completing the required duties under the order setting aside an adoption. Clarifies that CDSS can also view a juvenile case file in customary tribal adoption vacation proceedings without a court order. Strikes references to a child being considered unadoptable, and instead requires reference to a plan of adoption not being suitable. (FAM amend 9100; WIC amend 366.26, 827)

AB 2791 (BLOOM), CH. 417
EFFECTIVE: JANUARY 1, 2023

SHERIFFS: SERVICE OF PROCESS AND NOTICES

On or before January 1, 2024, the Judicial Council is required to create a statewide form or forms to be used by litigants in civil actions or proceedings to request service of process or notice by a marshal or sheriff. The marshal or sheriff is required to accept an electronic signature and cannot require an original or wet signature on the form(s). No marshal or sheriff can require completion of separate form(s) from the Judicial Council's official form. The forms are to be accepted by email, fax, or in-person delivery and does not need to be transmitted by the litigant. No fee is allowed to be imposed on a litigant who has been granted a fee waiver by a court or is otherwise exempt from paying fees related to summons. A marshal or sheriff can only review the applicable form(s) for complete information and for the judge's signature/clerk certification/court endorsement on any order to be served, including a restraining order, and that the information on the form matches the information on the order. The Judicial Council's form is confidential and prohibited from disclosure. (GOV add 7927.430, 26666, 26666.2, 26666.10, add, repeal, and add 26666.5)

AB 2960 (COMMITTEE ON JUDICIARY), CH. 420
EFFECTIVE/OPERATIVE DATE: JANUARY 1, 2023
JUDICIARY OMNIBUS

For discussion of bill, see page 10.

SB 107 (WIENER), CH. 810
EFFECTIVE: JANUARY 1, 2023
GENDER-AFFIRMING HEALTH CARE

For discussion of bill, see pages 10–11.

SB 935 (MIN), CH. 88
EFFECTIVE: JANUARY 1, 2023
DOMESTIC VIOLENCE: PROTECTIVE ORDERS

Clarifies that at the court's discretion, a protective order issued under the Domestic Violence Prevention Act may be renewed for an additional term of five years, for more than five years, or permanently, and that renewed and subsequently renewed orders are subject to the same procedures for the termination, medication, or subsequent renewal as original orders. (FAM amend 6345)



SB 975 (MIN), CH. 989
EFFECTIVE: JANUARY 1, 2023

DEBT: COERCED DEBTS

Authorizes an alleged debtor to bring an action against an alleged creditor to establish that the alleged creditor's claim arises from a coerced debt. Requires an alleged debtor to plead the allegations of coerced debt with particularity, as provided. Provides that a debtor who files knowingly false motions, pleadings, or other papers or engages in other tactics that are frivolous or intended to cause unnecessary delay against a claimant is liable for the claimant's attorney's fees and costs in defending the lawsuit. Provides that if the debtor establishes by a preponderance of the evidence that the particular debt, or portion thereof, is coerced debt, the court shall issue a judgment in favor of the claimant against the person or persons who coerced the debtor into incurring the debt in the amount of the debt, or portion thereof, that is coerced debt, provided that the person or persons who coerced the debtor into incurring the debt or debts has been brought within the jurisdiction of the court and joined as a party to the action and the evidence supports such a judgment. (CIV add 1798.97.1 et seq.)

SB 1017 (EGGMAN), 558
EFFECTIVE: JANUARY 1, 2023

LEASES: TERMINATION OF TENANCY: ABUSE OR VIOLENCE

Among other things, strengthens rental housing-related protections for survivors of domestic violence, abuse, and other serious crimes. Clarifies that violation of the bill's prohibitions against termination of a tenancy or failure to renew a tenancy based on an act of abuse or violence against a tenant, as specified, is an affirmative defense to an unlawful detainer. Eliminates a provision allowing for in camera review of specified evidence regarding abuse or violence. Converts civil penalties to statutory damages of not less than \$100 and not more than \$5,000. Specifies that findings in an unlawful detainer judgment that a tenant perpetrated abuse or violence shall have no relevance for any other purpose or legal proceeding. (CIV amend 1946.7; CCP amend 1161.3, add 1174.27)

SB 1055 (KAMLAGER), 830
EFFECTIVE: JANUARY 1, 2025

**CHILD SUPPORT ENFORCEMENT:
LICENSE SUSPENSIONS**

Prohibits the Department of Child Support Services from seeking the denial, withholding, or suspension of a driver's license from low-income child support obligors. Beginning January 1, 2027, applies the restriction only to noncommercial driver's licenses. (FAM add 17520.5)

SB 1182 (EGGMAN), CH. 385
EFFECTIVE: JANUARY 1, 2024

FAMILY LAW

Requires a family court to provide referrals to resources for self-identified veterans appearing before the court, including how to contact the local Department of Veterans Affairs (CalVet); requires, when a self-identified veteran files their status on the Judicial Council's military service form, that the Judicial Council transmit a copy of the form to the CalVet, and for CalVet to contact the veteran within a reasonable time; and requires, when a family court that finds the effects of a parent's, legal guardian's, or relative's mental illness are a factor in determining the best interest of the child for purposes of custody or visitation, to put its reasons for the finding on the record and provide the affected parent, legal guardian, or relative with a list of local resources for mental health treatment. (FAM amend 3040, add 211.5)

**FINES, FEES,
COLLECTIONS,
DISTRIBUTIONS**

AB 199 (COMMITTEE ON BUDGET), CH. 57
EFFECTIVE: IMMEDIATELY

COURTS

For discussion of bill, see page 2.

AB 1803 (JONES-SAWYER), CH. 494
EFFECTIVE: JANUARY 1, 2023

COURT FEES: ABILITY TO PAY

Exempts a person who meets the criteria for a waiver of court fees and costs from being obligated to pay the filing fee for specified expungement petitions, and prohibits a court from denying expungement relief to an otherwise



qualified person, and who meets the criteria, as specified, for a waiver of court fees and costs, solely on the basis that the person has not yet satisfied their restitution obligations (PEN add 1203.426, 1203.427)

AB 2648 (WILSON), CH. 440
EFFECTIVE: JANUARY 1, 2023
AIR AMBULANCE SERVICES

Extends the sunset date of the Emergency Medical Air Transportation Act from July 1, 2024, to July 1, 2025, without extending the assessment of penalties to fund the program beyond the current date of December 31, 2022. Requires any moneys remaining unexpended and unencumbered in the Emergency Medical Air Transportation and Children's Coverage Fund to be transferred to the General Fund on June 30, 2024, rather than December 31, 2023. (GOV amend 76000.10)

SB 1055 (KAMLAGER), 830
EFFECTIVE: JANUARY 1, 2025
**CHILD SUPPORT ENFORCEMENT:
LICENSE SUSPENSIONS**

Prohibits the Department of Child Support Services from seeking the denial, withholding, or suspension of a driver's license from low-income child support obligors. Beginning January 1, 2027, applies the restriction only to noncommercial driver's licenses. (FAM add 17520.5)

JUDICIAL OFFICERS/ JUDICIAL ELECTIONS

AB 2443 (COOLEY), CH. 531
EFFECTIVE: JANUARY 1, 2024
JUDGES' RETIREMENT SYSTEM II: BENEFITS

Among other things, provides for judges to leave five years earlier than currently available if they are either (1) at least 60 years old with at least 15 years of service, or (2) at least 65 years old with at least 10 years of service, and to choose between two different deferral options, a standard deferral option and an extended deferral option. Under these options, the member could choose to either receive their actuarially adjusted allowance immediately or leave their funds with JRS II and receive an adjusted retirement allowance upon reaching full retirement age under the existing plan. The election would be irrevocable.

The bill contains a five-year sunset, and implementation is delayed for one year (until Jan. 1, 2024). (GOV amend, repeal, and add 22814, 75590, add and repeal 75522.5)

AB 2582 (BENNETT), CH. 790
EFFECTIVE JANUARY 1, 2023
RECALL ELECTIONS: LOCAL OFFICES

Requires a local recall election to include only the question of whether the elected officer sought to be recalled should be removed from office. Requires the office, if a local officer is successfully recalled, to become vacant and to be filled in accordance with existing law. (ELEC amend 11041, 11322, 11381, 11384, 11385, 11386, add 11382)

AB 2584 (BERMAN), CH. 791
EFFECTIVE: JANUARY 1, 2023
RECALL ELECTIONS

Increases the total number of proponent signatures required to be included on a notice of intention to recall a state or local elected officer. Establishes a public display period for local recall petitions and authorizes a voter to seek an order requiring the proponents' statement of reasons for the recall or the officer's answer to that statement to be amended or deleted on the recall petition. Requires a petition for the recall of a school board member to contain a fiscal estimate of the cost for conducting the recall election. Lengthens the time frame for holding a local recall election that has qualified for the ballot in order to allow that election to be consolidated with a regularly scheduled election. (ELEC amend 11020, 11022, 11024, 11041, 11242, add 11042.5)

AB 2967 (COMMITTEE ON ELECTIONS), CH. 166
EFFECTIVE: JANUARY 1, 2023
**ELECTIONS: PETITION RECORDS AND
REQUESTS: VOTE-BY-MAIL BALLOT**

Requires a voter's written request to remove their name from a petition to include the name or title of the petition. Conforms state law to existing practice by deleting requirements that the Secretary of State preserve state recall petitions, and instead requires local elections officials to preserve those petitions. (ELEC amend 103, 3019, 9602, 11303, 17400)



JURIES

AB 1981 (LEE), CH. 326

EFFECTIVE: JANUARY 1, 2023

JURY DUTY

Requires courts to reimburse jurors for the mileage they incur both to and from jury service. Provides jurors and prospective jurors with free access to public transportation, or alternatively, a public transit reimbursement of up to a daily maximum of \$12. Requires the Judicial Council to sponsor a pilot program for two fiscal years and select at least six trial courts, in counties with regional and geographic diversity, including the County of Alameda, to study whether increases in juror compensation and mileage reimbursement rates increase juror diversity and participation. Requires the council to provide a report to the Legislature describing the findings of the pilot program and providing information for promoting juror diversity. (CCP amend 215, add and repeal 241)

JUVENILE JUSTICE

AB 160 (COMMITTEE ON BUDGET), CH. 771

EFFECTIVE: IMMEDIATELY

PUBLIC SAFETY TRAILER BILL

For discussion of bill, see page 26.

AB 200 (COMMITTEE ON BUDGET), CH. 58

EFFECTIVE: IMMEDIATELY

PUBLIC SAFETY OMNIBUS

For discussion of bill, see pages 26–27.

AB 207 (COMMITTEE ON BUDGET), CH. 573

EFFECTIVE: SEPTEMBER 28, 2022

HUMAN SERVICES OMNIBUS

For discussion of bill, see page 7.

AB 421 (WARD), CH. 40

EFFECTIVE: IMMEDIATELY

CHANGE OF GENDER AND SEX IDENTIFIER

Requires the court to make an order if the petition is not signed by all living parents, and requires the order to direct the parent or parents who did not sign the petition to show cause why the petition should not be granted by filing a written objection, as specified. Under certain

circumstances, requires the court to make an order directing the living grandparents to show cause why the petition for a court order to recognize a change in the minor's gender and sex identifier should not be granted within six weeks, as specified. (HSC amend 103430)

AB 2321 (JONES-SAWYER), CH. 781

EFFECTIVE: JANUARY 1, 2023

JUVENILES: ROOM CONFINEMENT

Redefines the exception to room confinement in juvenile facilities for brief periods to a brief period lasting no more than two hours when necessary for institutional operations, and ensures that minors and wards subject to room confinement are provided reasonable access to toilets at all hours, including during normal sleeping hours. (WIC amend 208.3)

AB 2361 (BONTA), CH. 330

EFFECTIVE: JANUARY 1, 2023

JUVENILES: TRANSFER TO COURT OF CRIMINAL JURISDICTION

Requires the juvenile court to make a finding by clear and convincing evidence that the minor is not amenable to rehabilitation while under the jurisdiction of the juvenile court in order to find that the minor should be transferred to a court of criminal jurisdiction, and requires the order reciting the court's basis for its decision to transfer jurisdiction to include the reasons supporting the court's finding that the minor is not amenable to rehabilitation while under the jurisdiction of the juvenile court. (WIC amend 707)

AB 2417 (TING), CH. 786

EFFECTIVE: JANUARY 1, 2023

JUVENILES: YOUTH BILL OF RIGHTS

Makes the Youth Bill of Rights applicable to youth confined in any juvenile facility. Requires that youth have access to postsecondary academic and career technical education, and programs and access to information regarding parental rights, among other things. Requires the Office of Youth and Community Restoration, in consultation with other specified parties, to develop standardized information explaining these rights no later than July 1, 2023. Requires the ombudsperson of the Office of Youth and Community Restoration to notify the complainant in writing of the intention to investigate or refer the complaint about harmful conditions or practices,



violations of laws and regulations governing facilities, and circumstances presenting an emergency situation for investigation. Requires specified data to be published and provided to the Legislature by the ombudsperson to be disaggregated by gender, sexual orientation, race, and ethnicity of the complainants to the extent this information is available. Prohibits discrimination against youth on the basis of gender expression or immigration status. (WIC amend 224.70, 224.71, 224.72, 224.73, 224.74, 2200, 2200.2, 2200.5)

AB 2629 (SANTIAGO), CH. 970

EFFECTIVE: JANUARY 1, 2023

JUVENILES: DISMISSALS

Authorizes a judge of a juvenile court to dismiss a petition at any time after the filing of a petition, and regardless of whether the petition was sustained at trial, by admission or plea agreement. Requires a court, at the time the court terminates jurisdiction or any time thereafter, to consider and afford great weight to evidence offered by the person to prove that specified mitigating circumstances are present unless the person seeking relief under these provisions has been convicted of a serious or violent felony, as defined. Provides that proof of the presence of one or more specified mitigating circumstances weighs greatly in favor of dismissing a petition under these provisions. Specifies that dismissal of a petition under these provisions would not prohibit a court from enforcing a civil judgment for an unfulfilled order of restitution. Authorizes a juvenile case to be dismissed by a court that takes jurisdiction of the juvenile case through a transfer motion. (WIC amend 782)

AB 2644 (HOLDEN), CH. 289

EFFECTIVE: JANUARY 1, 2023

CUSTODIAL INTERROGATION

Prohibits an officer from using threats, physical harm, deception, or psychologically manipulative interrogation tactics when questioning a person 17 years of age or younger about the commission of a felony or misdemeanor. (WIC amend 627, add 625.7)

AB 2658 (BAUER-KAHAN), CH. 796

EFFECTIVE: JANUARY 1, 2023

JUVENILES: ELECTRONIC MONITORING

Provides that if electronic monitoring is imposed for more than 30 days, the court shall hold a hearing every 30 days

to ensure that the minor does not remain on electronic monitoring for an unreasonable length of time. Requires the court, in making this determination, to consider whether there are less restrictive conditions of release that would achieve the rehabilitative purpose of the juvenile court. Requires the court to order to terminate electronic monitoring or modify its terms of the order to achieve if less restrictive conditions are warranted. Prohibits conversing with, eavesdropping on, or recording a minor through an electronic monitoring device. Awards custody credits off a ward's maximum time of confinement for time spent on electronic monitoring, as specified. (PEN add 13012.4; WIC add 628.2)

AB 2711 (CALDERON), CH. 870

EFFECTIVE: JANUARY 1, 2023

JUVENILE RECORD ACCESS

Clarifies that an adoption case file, including a juvenile case file, may be inspected and copied by the California Department of Social Services (CDSS) for the purpose of completing the required duties under the order setting aside an adoption. Clarifies that CDSS can also view a juvenile case file in customary tribal adoption vacation proceedings without a court order. Strikes references to a child being considered unadoptable, and instead requires reference to a plan of adoption not being suitable. (FAM amend 9100; WIC amend 366.26, 827)

SB 1493 (COMMITTEE ON PUBLIC SAFETY),

CH. 197

EFFECTIVE: JANUARY 1, 2023

PUBLIC SAFETY OMNIBUS

Among other things, specifies that at any stage of a proceeding under Welfare and Institutions Code section 602, a court may determine that the offense is a misdemeanor if a petition filed in the juvenile court alleging that a minor committed an offense that would, in the case of an adult, be punishable alternatively as a felony or a misdemeanor, and shall proceed as if the minor had been brought before the court on a misdemeanor petition. Permits a juvenile court that has taken jurisdiction of a case under Welfare and Institutions 750 to dismiss the petition or set aside the findings and dismiss the petition consistent with existing law that permits the same by a court in which the petition was filed. Expands the ability of the court to proceed in a misdemeanor trial without the defendant present, as specified. (EVID amend 1103, 1107; FAM amend 1816; GOV amend 1031, 7286,



12525.5, 15401, 15425; HSC amend 1233.5, 1259.5; MVC amend 475; PEN amend 243, 273.5, 273.6, 273.65, 602, 1043, 1127e, 1192.5, 1203.055, 1203.097, 1203.4b, 1203.9, 1270.1, 1346.1, 1370, 1387, 11105, 11163.3, 13151, 13511.1, 13519, 13777, 13823.16, 14143; PRC amend 5164; WIC amend 782, 15610.63, add 700.3)

LABOR AND EMPLOYMENT

AB 152 (COMMITTEE ON BUDGET), CH. 736

EFFECTIVE: IMMEDIATELY

COVID-19 RELIEF: SUPPLEMENTAL PAID SICK LEAVE (BUDGET TRAILER BILL)

For discussion of bill, see pages 13–14.

AB 1041 (WICKS), CH. 748

EFFECTIVE: JANUARY 1, 2023

EMPLOYMENT: LEAVE

Expands the scope of persons for whom an employee must be granted time off for family care and medical leave to include a “designated person,” which means any individual related by blood or whose association with the employee is the equivalent of a family relationship. States that the designated person may be identified by the employee at the time the employee requests the leave. Allows an employer to limit an employee to one designated person per 12-month period for family care and medical leave. (GOV amend 12945.2; LAB amend 245.5)

AB 1722 (COOPER), CH. 404

EFFECTIVE: JANUARY 1, 2023

PUBLIC EMPLOYEES’ RETIREMENT: SAFETY MEMBERS: INDUSTRIAL DISABILITY RETIREMENT

Deletes the January 1, 2023, sunset date from existing law related to retirement calculations for safety members of the California Public Employees’ Retirement System (CalPERS) who retire on or after January 1, 2013, for an industrial retirement disability benefit, thereby making the provision operative in perpetuity. (GOV amend 21400)

AB 1751 (DALY), CH. 758

EFFECTIVE: JANUARY 1, 2023

WORKERS’ COMPENSATION: COVID-19: CRITICAL WORKERS

Extends the sunset date of the workers’ compensation COVID-19 presumptions, as specified, to January 1, 2024. (LAB amend 3212.86, 3212.87, 3212.88)

AB 1949 (LOW), CH. 767

EFFECTIVE: JANUARY 1, 2023

EMPLOYEES: BEREAVEMENT LEAVE

Makes it an unlawful employment practice for an employer to refuse to grant a request by an eligible employee to take up to five days of bereavement leave upon the death of a family member, as defined. Requires that leave be completed within three months of the date of death and that leave be taken under any existing bereavement leave policy of the employer. In the absence of an existing policy, the bereavement leave may be unpaid. However, the bill authorizes an employee to use certain other leave balances otherwise available, including accrued and available paid sick leave. (GOV amend 12945.21, 19859.3, add 12945.7)

AB 2068 (HANEY), CH. 485

EFFECTIVE: JANUARY 1, 2023

OCCUPATIONAL SAFETY AND HEALTH: POSTINGS: SPOKEN LANGUAGES

Requires employers to post notices of any citations received for specified Labor Code violations and any special orders or actions issued by the Division of Occupational Safety and Health within the Department of Industrial Relations (CalOSHA) in specified languages. Subjects violators to civil penalties of up to \$12,471 for each violation. Expands the scope of a crime. (LAB amend 6318, 6431)

AB 2148 (CALDERON), CH. 120

EFFECTIVE: JANUARY 1, 2023

WORKERS’ COMPENSATION: DISABILITY PAYMENTS

Extends the authorization for employers to deposit indemnity payments in a prepaid card account for employees until January 1, 2024. (LAB amend 4651)



AB 2188 (QUIRK), CH. 392
EFFECTIVE: JANUARY 1, 2023

DISCRIMINATION IN EMPLOYMENT: USE OF CANNABIS

Makes it unlawful for an employer to discriminate against a person in hiring, termination, or any term or condition of employment, or otherwise penalize a person, if the discrimination is based upon the person's use of cannabis off the job and away from the workplace, except as specified. (GOV add 12954)

AB 2443 (COOLEY), CH. 531
EFFECTIVE: JANUARY 1, 2024

JUDGES' RETIREMENT SYSTEM II: BENEFITS

Among other things, provides for judges to leave five years earlier than currently available if they are either (1) at least 60 years old with at least 15 years of service, or (2) at least 65 years old with at least 10 years of service, and to choose between two different deferral options, a standard deferral option and an extended deferral option. Under these options, the member could choose to either receive their actuarially adjusted allowance immediately or leave their funds with JRS II and receive an adjusted retirement allowance upon reaching full retirement age under the existing plan. The election would be irrevocable. The bill contains a five-year sunset, and implementation is delayed for one year (until Jan. 1, 2024). (GOV amend, repeal, and add 22814, 75590, add and repeal 75522.5)

AB 2693 (REYES), CH. 799
EFFECTIVE: JANUARY 1, 2023

COVID-19: EXPOSURE

Current law authorizes the Division of Occupational Safety and Health to prohibit the performance of an operation or process, or entry into that place of employment when, in its opinion, workers are exposed to the risk of infection with COVID-19, so as to constitute an imminent hazard to employees. Among other things, this bill extends those provisions until January 1, 2024. By expanding the scope of a crime, this bill imposes a state-mandated local program. (LAB amend 6325, 6409.6)

SB 114 (COMMITTEE ON BUDGET AND FISCAL REVIEW), CH. 4

EFFECTIVE: IMMEDIATELY

EMPLOYMENT: COVID-19: SUPPLEMENTAL PAID SICK LEAVE (BUDGET TRAILER BILL)

For discussion of bill, see page 26.

SB 191 (COMMITTEE ON BUDGET AND FISCAL REVIEW), CH. 67

EFFECTIVE: IMMEDIATELY

EMPLOYMENT

Enacts statutory changes to implement the labor, workforce, and employment-related provisions to implement the Budget Act of 2022. (GOV amend 19819.6, 20825.12, 20825.13, amend, repeal, and add 3556, add 20825.14; LAB amend 151, 2671, 2673.1, 2675.5, 3073.1, 3073.5, 3084.5, 3093, add 3073.2, add 3110 et seq., 3120 et seq., 107.7 et seq.; UIC amend 322, 1030, 1032.5, 1260, 1328, 1330, 1332, 1376, 1379, 1383, 2707.2, 2707.4, 2736, 2739, 3262, 3654.4, 3655, 3656, 3701, 3751, 4655, 4656, 4701, 4751, add and repeal 9920 et seq.)

SB 931 (LEYVA), CH. 823

EFFECTIVE: JANUARY 1, 2023

DETERRING UNION MEMBERSHIP: VIOLATIONS

Requires the Public Employment Relations Board (PERB) to impose civil penalties of up to \$1,000 per each affected employee, not to exceed \$100,000, on a public sector employer if PERB finds that the public sector employer deterred or discouraged workers from exercising collective bargaining rights. Requires public sector employers to pay the union attorney's fees and costs if the union prevails in a legal action to enforce those rights. (GOV add 3551.5)

SB 1162 (LIMÓN), CH. 559

EFFECTIVE: JANUARY 1, 2023

EMPLOYMENT: SALARIES AND WAGES

For discussion of bill, see page 20.

SB 1402 (UMBERG), CH. 196

EFFECTIVE: JANUARY 1, 2023

PUBLIC EMPLOYEES' RETIREMENT: ARMED FORCES: SERVICE CREDIT

Expands the ability of a veteran of the U.S. Armed Forces or the Merchant Marines to purchase up to four years



of service credit in the California Public Employees' Retirement System (CalPERS) or the California State Teachers' Retirement System (CalSTRS) for their service before becoming a member of these retirement systems. (EDC amend 22806; GOV amend 21024, 21027, 21029)

MENTAL HEALTH

AB 2198 (FONG), CH. 81

EFFECTIVE: JANUARY 1, 2023

VEHICLES: DRIVING UNDER THE INFLUENCE

Replaces references to “accident” with “crash” to indicate inherent fault due to driving while impaired or distracted. Removes the authority of the court to mandate supervised visitation of a defendant or ward at a facility that “cares for advanced alcoholics ... to observe persons in the terminal stages of alcoholism or drug abuse.” Further, requires the court to consider the speed of the vehicle, the severity of any injuries sustained as a result of the violation, and whether the defendant or ward was engaged in a speed competition before requiring supervised visitation to a trauma facility, county coroner’s office, or the county morgue to observe appropriate victims of DUI crashes. (VEH amend 1821, 13800, 13954, 23517, 23575.5, 40300.5, 40300.6)

AB 2275 (WOOD), CH. 960

EFFECTIVE: JANUARY 1, 2023

MENTAL HEALTH: INVOLUNTARY COMMITMENT

For the purposes of the Lanterman Petris Short Act, specifies that the 72-hour period of detention begins at the time when the person is first detained. Removes the provisions for postponement of the certification review hearing. Provides that when a person has not been certified for 14-day intensive treatment and remains detained on a 72-hour hold, a certification review hearing must be held within 7 days of the date the person was initially detained. (WIC amend 5150, 5151, 5256, 5275, 5350, 5354, 5585.20)

AB 2317 (RAMOS), CH. 589

EFFECTIVE: JANUARY 1, 2023

CHILDREN’S RESIDENTIAL PSYCHIATRIC TREATMENT FACILITIES

Requires the Department of Health Care Services (DHCS) to license and establish regulations for psychiatric residential treatment facilities (PRTFs), as

defined. Requires DHCS’s regulations and certifications to be consistent with federal Medicaid regulations governing PRTFs in order to maximize federal financial participation. Adds inpatient psychiatric services to individuals under 21 years of age provided in a licensed children’s crisis PRTF as mental health services provided under the Medi-Cal Program. Establishes requirements for court approval of voluntary admittance, as defined, of a child or nonminor dependent who is the subject of a dependency court petition or a dependent or nonminor dependent who is the subject of a juvenile court petition before that youth may be voluntarily admitted to a PRTF, which includes a report from the social worker and a court hearing. Sets forth the findings that a court must make, by clear and convincing evidence, before a court approves the placement and specifies when such an order is no longer effective. Establishes requirements for specified review hearings to review the placement if the youth is a minor or nonminor dependent. Requires the Judicial Council to develop rules and forms as appropriate. (HSC amend 1180.3, 1254, 1262, add 1250.10; WIC amend 5328, 5405, 5600.4, 6552, amend 4080 et seq., add 361.23, 727.13, 4081, 4082, 4083, 16010.10)

AB 2361 (BONTA), CH. 330

EFFECTIVE: JANUARY 1, 2023

JUVENILES: TRANSFER TO COURT OF CRIMINAL JURISDICTION

Requires the juvenile court to make a finding by clear and convincing evidence that the minor is not amenable to rehabilitation while under the jurisdiction of the juvenile court in order to find that the minor should be transferred to a court of criminal jurisdiction, and requires the order reciting the court’s basis for its decision to transfer jurisdiction to include the reasons supporting the court’s finding that the minor is not amenable to rehabilitation while under the jurisdiction of the juvenile court. (WIC amend 707)

AB 2841 (LOW), CH. 807

EFFECTIVE: JANUARY 1, 2024

DISQUALIFICATION FROM VOTING

Requires the clerk of the superior court of each county to notify the Secretary of State each month of findings made by the court regarding a person’s competency to vote and the number of court proceedings related to the determination of a person’s competency to vote, as specified. Requires the Secretary of State to send this



information to the appropriate county elections official, who must proceed to cancel the person's registration or notify the person that their right to vote has been restored, as applicable. Requires the Secretary of State to post a report on their internet website each month showing the number of disqualifications and restorations of voting rights that occurred in each county, and to deliver a training to court officers and elections officials regarding the aforementioned requirements. (ELEC amend, repeal, and add 2201, 2208, 2209, 2210, 2211, add 2211.5, 2214; WIC amend, repeal, and add 5358.3 and 5364)

SB 184 (COMMITTEE ON BUDGET AND FISCAL REVIEW), CH. 47
EFFECTIVE: JANUARY 1, 2023
HEALTH

For discussion of bill, see page 6.

SB 903 (HERTZBERG), CH. 821
EFFECTIVE: JANUARY 1, 2023
PRISONS: CALIFORNIA REHABILITATION OVERSIGHT BOARD

Requires the California Rehabilitation Oversight Board to examine the California Department of Corrections and Rehabilitation's efforts to address the housing needs of incarcerated persons, including those who are identified as having serious mental health needs, who are released to the community as parolees or subject to postrelease community supervision. Requires the board to examine the department's efforts to address the housing needs of incarcerated persons, including those who are identified as having serious mental health needs, who are released to the community as parolees. Requires the board to include specified data on homelessness in its reports. (PEN amend 6141)

SB 929 (EGGMAN), CH. 539
EFFECTIVE: JANUARY 1, 2023
COMMUNITY MENTAL HEALTH SERVICES: DATA COLLECTION

Expands the Department of Health Care Services' (DHCS) responsibility in current law to collect and publish information about involuntary detentions under the Lanterman-Petris-Short (LPS) Act to include additional information. Requires the Judicial Council to provide DHCS, by October 1 of each year, data from each superior court, including, among other things,

the number and outcomes of LPS certification review hearings, petitions for writs of habeas corpus, and judicial review hearings. Requires county behavioral health entities to also report information as specified. (WIC amend 5402)

SB 1035 (EGGMAN), CH. 828
EFFECTIVE: JANUARY 1, 2023
MENTAL HEALTH SERVICES: ASSISTED OUTPATIENT TREATMENT

For assisted outpatient programs, authorizes the court to conduct status hearings with the person and the treatment team to receive information regarding progress related to the categories of treatment listed in the treatment plan and authorize the court to inquire about medication adherence. Requires the director of the outpatient treatment program to also report to the court on adherence to prescribed medication. (WIC amend 5346)

SB 1182 (EGGMAN), CH. 385
EFFECTIVE: JANUARY 1, 2024
FAMILY LAW

For discussion of bill, see page 41.

SB 1223 (BECKER), CH. 735
EFFECTIVE: JANUARY 1, 2023
CRIMINAL PROCEDURE: MENTAL HEALTH DIVERSION

Changes the eligibility criteria for pretrial diversion to include a diagnosis of a mental disorder instead of the court finding the defendant suffers from a mental disorder and requires that the diagnosis or treatment for a diagnosed mental disorder be within the last five years and that the defendant's mental health disorder was a significant factor in the commission of the charged offense. Requires the court, if the defendant satisfies the specified eligibility requirements to consider whether the defendant is suitable for pretrial diversion. Provides that a defendant is suitable for pretrial diversion if the specified criteria are met and includes a description of a "qualified mental health expert." Limits the period of diversion to one year for misdemeanors and two years for felonies, and requires a court to accept a declaration in lieu of testimony that the county mental health agency is unable to provide services to a defendant. (PEN amend 1001.36, 1370, 1370.01)



SB 1227 (EGGMAN), 619

EFFECTIVE: JANUARY 1, 2023

**INVOLUNTARY COMMITMENT:
INTENSIVE TREATMENT**

Authorizes the professional person in charge of the facility providing intensive treatment to the person to file a petition in the superior court for the county in which the facility is located, seeking approval for up to an additional 30 days of intensive treatment. Requires the petition to be filed after 15 days of the first 30-day period, but before expiration of the 30 days. Requires reasonable attempts to be made by the facility to notify family members or any other person designated by the patient of the time and place of the judicial review unless the patient requests that the information not be provided. Requires facilities treating the patient to advise the patient of the patient's right to request that the information not be provided. Requires courts to either deny the petition or order an evidentiary hearing to be held within two court days after the petition is filed. Authorizes courts to order the person to be held for up to an additional 30 days of intensive treatment if, at the evidentiary hearing, the court makes specified findings, based on the evidence presented, including a finding that the person, as a result of mental disorder or impairment by chronic alcoholism, is a danger to others or to the person, or is gravely disabled. Requires the person to be released no later than the expiration of the original 30-day period if the court does not make all of the required findings. Makes conforming changes to the evaluation requirements for determining whether the patient is likely to qualify for appointment of a conservator. (WIC amend 5270.55, add 5270.70)

SB 1338 (UMBERG), CH. 319

EFFECTIVE: JANUARY 1, 2023

**COMMUNITY ASSISTANCE, RECOVERY, AND
EMPOWERMENT (CARE) COURT PROGRAM**

For discussion of bill, see page 21.

SB 1394 (EGGMAN), CH. 996

EFFECTIVE: JANUARY 1, 2023

**CONSERVATORSHIPS: GRAVELY
DISABLED PERSONS**

Modifies the maximum amount of time by which a temporary 30-day conservatorship may be extended, pending the resolution of a petition for a conservatorship under the Lanterman-Petris-Short (LPS) Act when the

potential conservatee has requested a court or jury trial on the question of whether they are "gravely disabled" for purposes of establishing a full LPS conservatorship, from six months to 180 days. (WIC amend 5352.1)

PROBATE

AB 1243 (RUBIO, BLANCA), CH. 273

EFFECTIVE: JANUARY 1, 2023

**PROTECTIVE ORDERS: ELDER AND
DEPENDENT ADULTS**

Includes within the definition of protective order an order enjoining a party from isolating an elder or dependent adult. Requires certain requirements to be met for that order to be issued, including a showing by a preponderance of the evidence that the respondent's past act or acts of isolation of the elder or dependent adult prevented contact with the interested party and that the elder or dependent adult desires contact with the interested party, as specified. Authorizes the order to specify the actions to be enjoined, including enjoining the respondent from preventing an interested party from in-person or remote online visits, including telephone and online contact, with the elder or dependent adult. Includes within the definition of protective order after notice and a hearing, a finding that specific debts were incurred as the result of financial abuse of the elder or dependent adult, as specified, but excepts from firearms relinquishment and CLETS provisions an order after a hearing if the respondent is enjoined based solely on isolation. Makes these provisions operative January 1, 2023. (WIC amend, repeal, and add 15657.03)

AB 1663 (MAIENSCHIN), CH. 894

EFFECTIVE: JANUARY 1, 2023

PROTECTIVE PROCEEDINGS

Among other provisions, provides that, when equally qualified as other potential conservators, the conservatee's preference and the prior conservator's preference, to a prescribed extent, should prevail and that the Director of Developmental Services could be appointed subject to the order of preference.

Requires the court to provide conservators with written information concerning the conservator's obligation to support the conservatee to maximize their autonomy, support and respect their preferences, accommodate their preferences to the greatest extent possible, keep them informed of decisions made on their behalf, and



to use supported decisionmaking as far as possible. Requires the court, within 30 days of the establishment of a conservatorship and annually thereafter, to provide conservatees under the court's jurisdiction with written information regarding their rights and options, including a personalized list of the rights the conservatee retains.

Requires the Judicial Council to establish a conservatorship alternatives program within each self-help center in each superior court. Establishes a supported decisionmaking process and a process for entering into a supported decisionmaking agreement for adults with disabilities, as defined. Defines "supported decisionmaking" as an individualized process in which an adult with a disability chooses one or more trusted supporters to help them understand, make, communicate, implement, or act on, their own choices.

Requires the council to report to the Legislature on the use of supported decisionmaking, as prescribed, and makes the information about specific individuals engaging in supported decisionmaking exempt from disclosure as public records. (HSC amend 416.17, 416.19; PROB amend 1456, 1800, 1800.3, 1812, 1821, 1835, 1850, 1860.5, 1863, 2113, add 1835.5, 1836, 1861.5; WIC add 21000 et seq.)

AB 1716 (MAIENSCHIN), CH. 29

EFFECTIVE: JANUARY 1, 2023

ESTATE DISPOSITION

Implements the recommendations of the California Law Revision Commission regarding the liability of surviving spouses, and other heirs or beneficiaries for property they receive on the death of a decedent outside of full probate administration. In particular, this bill revises rules for liability of transferees who receive property from a decedent through the disposition of a small estate, including both real and personal property, without full probate administration. Clarifies when a surviving spouse may be liable for the debts of the decedent spouse, effectively abrogating a court of appeals holding from 2010. (CIV amend 682.1; PROB amend 13109, 13110, 13113, 13117, 13204, 13205, 13208, 13211, 13551, add 13100.5, 13109.5, 13110.5, 13113.5, 13114.5, 13202.5, 13204.5, 13205.5, 13208.5, 13209, repeal 13112, 13207, repeal and add 13111, 13206)

AB 1745 (NGUYEN), CH. 30

EFFECTIVE: JANUARY 1, 2023

TRUSTS: NOTIFICATIONS

Limits when a beneficiary can bring an action to contest a trust to 120 days from the date the notification from the trustee is served upon the beneficiary that a revocable trust, or any portion thereof, has become irrevocable because of the death of one or more settlors or by the express terms of the trust, as specified, or 60 days from the date on which a copy of the terms of the trust is delivered to that person, as provided, during that 120-day period, whichever is later. (PROB amend 16061.8)

AB 1866 (CHEN), CH. 32

EFFECTIVE: JANUARY 1, 2023

IRREVOCABLE TRUSTS: LIMITATIONS

Provides that a settlor is not considered to be a beneficiary of an irrevocable trust created by the settlor solely by reason of a discretionary authority vested in the trustee to pay directly or reimburse the settlor for any federal or state income tax on trust income or principal that is payable by the settlor, and that a transferee or creditor of the settlor is not entitled to reach any amount solely by a reason of that discretionary authority vested in the trustee. (PROB amend 15304)

AB 2288 (CHOI), CH. 21

EFFECTIVE: JANUARY 1, 2023

ADVANCE HEALTH CARE DIRECTIVES: MENTAL HEALTH TREATMENT

Clarifies that advance health care directives include mental health and treatment, modifies the statutory advanced health care directive form accordingly, and makes more prominent the requirement that the advanced health care directive be either notarized or witnessed by two qualified individuals. (PROB amend 4615, 4617, 4701)

AB 2960 (COMMITTEE ON JUDICIARY), CH. 420

EFFECTIVE/OPERATIVE DATE: JANUARY 1, 2023

JUDICIARY OMNIBUS

For discussion of bill, see page 10.



SB 928 (WIECKOWSKI), CH. 151
EFFECTIVE: JANUARY 1, 2023

PUBLIC ADMINISTRATORS: COMPENSATION

Increases the minimum compensation from \$1,000 to \$3,000 for a public administrator for the filing of an application to summarily dispose of a decedent's estate and for the performance of duties/services connected with that filing. (PROB amend 7666)

SB 975 (MIN), CH. 989
EFFECTIVE: JANUARY 1, 2023

DEBT: COERCED DEBTS

Authorizes an alleged debtor to bring an action against an alleged creditor to establish that the alleged creditor's claim arises from a coerced debt. Requires an alleged debtor to plead the allegations of coerced debt with particularity, as provided. Provides that a debtor who files knowingly false motions, pleadings, or other papers or engages in other tactics that are frivolous or intended to cause unnecessary delay against a claimant is liable for the claimant's attorney's fees and costs in defending the lawsuit. Provides that if the debtor establishes by a preponderance of the evidence that the particular debt, or portion thereof, is coerced debt, the court shall issue a judgment in favor of the claimant against the person or persons who coerced the debtor into incurring the debt in the amount of the debt, or portion thereof, that is coerced debt, provided that the person or persons who coerced the debtor into incurring the debt or debts has been brought within the jurisdiction of the court and joined as a party to the action and the evidence supports such a judgment. (CIV add 1798.97.1 et seq.)

SB 1005 (WIECKOWSKI), CH. 91
EFFECTIVE: JANUARY 1, 2023

CONSERVATORSHIP: SALE OF PERSONAL RESIDENCE

Revises the provisions authorizing the sale of a conservatee's real property to specifically include the power to consent and agree to partition the personal residence or other real or personal property of the estate, and the power to bring an action for partition of the personal residence or other real or personal property of the estate; and subjects the partition of the conservatee's present or former personal residence to the same conditions as would be applicable to the sale of the residence under existing law. (PROB amend 2463, 2540, 2541, 2541.5, 2591)

SB 1024 (JONES), 612
EFFECTIVE: JANUARY 1, 2024

REPLACEMENT OF AN INCAPACITATED OR DECEASED PROFESSIONAL FIDUCIARY

Authorizes a conservator, agent under a power of attorney, representative of the estate, trustee of a trust, or interested person to petition for the appointment of a professional fiduciary practice administrator to act as a temporary professional fiduciary when a professional fiduciary either becomes incapacitated or dies, and a vacancy exists. (BPC amend 6501, 6534, 6561; PROB add 2469, 9765)

SB 1279 (OCHOA-BOGH), 843
EFFECTIVE: JANUARY 1, 2023

GUARDIAN AD LITEM APPOINTMENT

Modifies the definition of a person who lacks legal capacity to make decisions, for purposes of when the court should appoint a guardian ad litem in a civil case. Requires, when a party in a civil case already has a guardian or conservator of the estate, that an application to have a guardian ad litem appointed for that party satisfy specified requirements. Requires a proposed guardian ad litem to disclose any known or actual conflicts of interests in advance of the appointment. (CCP amend 372; PROB amend 1003)

PROTECTIVE ORDERS

AB 1143 (BERMAN), CH. 156
EFFECTIVE: JANUARY 1, 2023

CIVIL PROCEDURE: RESTRAINING ORDERS

Provides that if the court determines at the hearing on a civil harassment order that, after a diligent effort, the petitioner has been unable to accomplish personal service and there is reason to believe that the respondent is evading service or cannot be located, the court may specify another method of service that is reasonably calculated to give actual notice to the respondent and may prescribe the manner in which proof of service shall be made. (CCP amend 527.6)

AB 1243 (RUBIO, BLANCA), CH. 273
EFFECTIVE: JANUARY 1, 2023

PROTECTIVE ORDERS: ELDER AND DEPENDENT ADULTS

For discussion of bill, see page 49.



AB 1621 (GIPSON), CH. 76

EFFECTIVE: IMMEDIATELY

FIREARMS: UNSERIALIZED FIREARMS

Among other things, redefines one of the definitions of “firearm” as including a precursor part, redefines “firearm precursor part,” and prohibits a person from possessing or manufacturing a firearm precursor part without authorization. (FAM amend 6216; PEN amend 16520, 16531, 18010, 23910, 23920, 23925, 27510, 27530, 29180, 29182, 29805, 30420, amend, repeal, and add 26835, 27535, 27540, add 16515, 16517, 16519, 17312, 29185, 30401, repeal 16532, 29181, 30405, 30406, 30412, 30414, repeal 30442 et seq., 30470 et seq., 30485 et seq., repeal and add 30400)

AB 2137 (MAIENSCHIN), CH. 20

EFFECTIVE: JANUARY 1, 2023

FAMILY JUSTICE CENTERS

Requires family justice centers to provide clients with educational materials relating to gun violence restraining orders, domestic violence restraining orders, and other legal avenues of protection for victims and their families, if appropriate. (PEN amend 13750)

AB 2391 (CUNNINGHAM), CH. 84

EFFECTIVE: JANUARY 1, 2023

CIVIL ACTIONS: VEXATIOUS LITIGANTS

Allows a person protected by a domestic violence protective order to seek an order declaring the restrained person a vexatious litigant when the restrained person has filed one or more meritless actions that caused the protected person to be harassed or intimidated. (CCP amend 391, 391.1)

AB 2870 (SANTIAGO), CH. 974

EFFECTIVE: JANUARY 1, 2023

FIREARMS: GUN VIOLENCE RESTRAINING ORDERS

Expands the category of persons that may file a petition requesting a court to issue a gun violence restraining order (GVRO). As defined, allows a roommate, an individual who has a dating relationship with the subject of the petition, and an individual who has a child in common with the subject of the petition if they have had substantial and regular interaction with the subject for at least one year, to file a GVRO. Expands the definition of “immediate family member” for purposes of filing a

GVRO to include any person related by consanguinity or affinity within the fourth degree who has had substantial and regular interactions with the subject for at least one year. (PEN amend 18150, 18170, 18190)

AB 2872 (WEBER), CH. 975

EFFECTIVE: JANUARY 1, 2023

DOMESTIC VIOLENCE: VICTIMS: ADDRESS CONFIDENTIALITY

Reduces the number of hard copies from two to one of any summons, writ, notice, demand, or process that must be provided to the Secretary of State’s (SOS’s) Safe at Home (SAH) address confidentiality program. Clarifies the SOS is not required to notify the other parent or parents of a minor enrolled in the SAH program about the designation of the Secretary of State as agent for purposes of service of process and the address designated by the Secretary of State for the program participant when there is a court order prohibiting contact between the other parent or parents and the minor child or children of the participant. Allows the SOS to terminate a program participant’s certification and invalidate the program participant’s authorization card for new reasons including that the SOS has been informed that another state agency determined that false information was used in the application process to qualify as a program participant or that participation in the program is being used as a subterfuge to avoid detection of illegal or criminal activity or apprehension by law enforcement, or the program participant moves from their California place of residence to relocate out of state. Requires the SOS to cooperate with authorized personnel of the appropriate county clerk’s office, county recording office, and state and local agencies to verify, upon request of any such entity, the program participant’s certification withdrawal, invalidation, expiration, or termination. (GOV amend 6206, 6206.7)

AB 2960 (COMMITTEE ON JUDICIARY), CH. 420

EFFECTIVE/OPERATIVE DATE: JANUARY 1, 2023

JUDICIARY OMNIBUS

For discussion of bill, see page 10.



SB 24 (CABALLERO), CH. 129
EFFECTIVE: JANUARY 1, 2023

**DOMESTIC VIOLENCE: PROTECTIVE ORDERS:
INFORMATION PERTAINING TO A CHILD**

Authorizes a court to include in an ex parte order a provision restraining a party from accessing records and information pertaining to the health care, education, daycare, recreational activities, or employment of a minor child of the parties. Requires an essential care provider, as defined, to develop protocols relating to compliance with that order on or before February 1, 2023, and requires a discretionary services organization, as defined, to develop those protocols within 30 days of receipt of the first order. (FAM add 6323.5)

SB 382 (CABALLERO), CH. 87
EFFECTIVE: JANUARY 1, 2023

HUMAN TRAFFICKING: RESTRAINING ORDERS

Requires the prosecutor, in cases involving human trafficking, to consider whether to seek protective orders. (PEN amend 136.2, 236.1)

SB 935 (MIN), CH. 88
EFFECTIVE: JANUARY 1, 2023

DOMESTIC VIOLENCE: PROTECTIVE ORDERS

Clarifies that at the court's discretion, a protective order issued under the Domestic Violence Prevention Act may be renewed for an additional term of five years, for more than five years, or permanently, and that renewed and subsequently renewed orders are subject to the same procedures for the termination, medication, or subsequent renewal as original orders. (FAM amend 6345)

TRAFFIC

AB 1909 (FRIEDMAN), CH. 343
EFFECTIVE: JANUARY 1, 2023

VEHICLES: BICYCLE OMNIBUS BILL

Among other things, amends current law that restricts the use of Class 3 electric bicycles on Class I Bikeways. Additionally, it removes local control from regulating Class 1 and 2 electric bicycle operation on Class I Bikeways. Prohibits a peace officer from stopping a pedestrian who crosses the street when the pedestrian control signal does not indicate "walk" unless they can cite that a reasonably careful person would realize it is unsafe to cross the street due to immediate danger of a collision

with a moving vehicle as specified. Requires, beginning January 1, 2024, bicycles to obey specific bicycle traffic control signals regardless of differing vehicle or pedestrian signals. Requires the driver of a motor vehicle to move to another lane, if possible, to provide extra space for a bicycle that is traveling in the same direction. Prohibits a city or county from requiring bicycle registration. (VEH amend 21207.5, 21760, 39002, amend, repeal, and add 21456, 21456.2)

AB 1938 (FRIEDMAN), CH. 406
EFFECTIVE: JANUARY 1, 2023

TRAFFIC SAFETY: SPEED LIMITS

Among other provisions, amends the existing definition of a prohibited "speed trap" to exclude any speed limit adopted by a local authority. Makes technical, clarifying changes to existing law on how speed limits are set. (VEH amend 22358.6, 22358.8, 22358.9, 40802)

AB 2147 (TING), CH. 957
EFFECTIVE: JANUARY 1, 2023

PEDESTRIANS

Prohibits a peace officer from stopping a pedestrian who crosses the street outside of a crosswalk or when a signal did not indicate it was safe to do so, unless the officer can cite that a reasonably careful person would realize it is unsafe to cross due to immediate danger of a collision with a vehicle as specified. Requires the California Highway Patrol to submit a legislative report by January 1, 2028, regarding statewide pedestrian-related traffic crash data and associated impacts to traffic safety. (VEH amend 21451, 21452, 21453, 21456, 21461.5, 21462, 21950, 21953, 21954, 21955, 21956, 21961, 21966, add and repeal 21949.5)

AB 2174 (CHEN), CH. 206
EFFECTIVE: JANUARY 1, 2023

VEHICLES: REMOVAL FROM PRIVATE PROPERTY

Creates a definition of "shared mobility device" to mean a motorized scooter, bicycle, or similar personal transportation device that is provided to the public by a service provider in exchange for financial compensation. Requires the notice of removal of a shared mobility device from a private property to include any identifiable make, model, vehicle identification number, license plate, and identification numbers such as a quick response code or a serial number. (VEH amend 22658, add 554)



AB 2198 (FONG), CH. 81
EFFECTIVE: JANUARY 1, 2023

VEHICLES: DRIVING UNDER THE INFLUENCE

Replaces references to “accident” with “crash” to indicate inherent fault due to driving while impaired or distracted. Removes the authority of the court to mandate supervised visitation of a defendant or ward at a facility that “cares for advanced alcoholics...to observe persons in the terminal stages of alcoholism or drug abuse.” Further, requires the court to consider the speed of the vehicle, the severity of any injuries sustained as a result of the violation, and whether the defendant or ward was engaged in a speed competition before requiring supervised visitation to a trauma facility, county coroner’s office, or the county morgue to observe appropriate victims of DUI crashes. (VEH amend 1821, 13800, 13954, 23517, 23575.5, 40300.5, 40300.6)

AB 2648 (WILSON), CH. 440
EFFECTIVE: JANUARY 1, 2023

AIR AMBULANCE SERVICES

Extends the sunset date of the Emergency Medical Air Transportation Act from July 1, 2024, to July 1, 2025, without extending the assessment of penalties to fund the program beyond the current date of December 31, 2022. Requires any moneys remaining unexpended and unencumbered in the Emergency Medical Air Transportation and Children’s Coverage Fund to be transferred to the General Fund on June 30, 2024, rather than December 31, 2023. (GOV amend 76000.10)

AB 2746 (FRIEDMAN), CH. 800
EFFECTIVE: JANUARY 1, 2023

DRIVING PRIVILEGE: SUSPENSION

Among other things, repeals the authorization and requirement that the court notify the Department of Motor Vehicles (DMV) when a person willfully violates their written promise to appear starting January 1, 2023. Requires DMV to stop suspending licenses for failure to appear and removes the prohibition from issuing or renewing a driver’s license starting January 1, 2027. As of January 1, 2023, reduces the penalties for driving without a license from a misdemeanor to an infraction for a first or second offense, except as specified, and a misdemeanor or an infraction for subsequent violations. (GOV amend 12419.10, 68645.1; VEH amend 1803.3, 4760.1, 11104, 11104.3, 11206, 12814.5, 12814.6, 14910, 14911, 40000.11, 40508.6, 41500, 41610, repeal 13365,

13365.2, amend, repeal, and add 12807, 12808, 13364, add 40000.10, repeal 40509, 40509.5)

AB 2773 (HOLDEN) CH. 805
EFFECTIVE: JANUARY 1, 2023

STOPS: NOTIFICATION BY PEACE OFFICERS

Requires among other things, that beginning January 1, 2024, peace officers document the reason for the stop on the citation. Requires all peace officer agencies to annually report data on all stops to the Attorney General. (GOV add 12525.5; VEH amend, repeal, and add 1656.3, add 2806.5)

SB 1079 (PORTANTINO), CH. 449
EFFECTIVE: JANUARY 1, 2023

VEHICLES: SOUND-ACTIVATED ENFORCEMENT DEVICES

Among other provisions, mandates the California Highway Patrol to conduct a study on sound-activated enforcement devices for determining legal level of decibels emitted from a vehicle’s muffler. All findings are confidential unless required under court order or subpoena in an individual case or proceeding. (VEH add 27150.4)

SB 1096 (LIMÓN), CH. 191
EFFECTIVE: JANUARY 1, 2023

ONLINE TOOL: TRAFFIC VIOLATOR SCHOOL

Ensures that a defendant’s request for an ability-to-pay determination through the online tool does not preclude them from attending traffic violator school. (GOV add 68645.15)



CRIMINAL LAW AND PROCEDURE

AB 256 (KALRA), CH. 739**EFFECTIVE: JANUARY 1, 2023****CRIMINAL PROCEDURE: DISCRIMINATION**

Among other things, AB 256 does the following, most of which are clarifying amendments to the RJA and will apply both prospectively and retroactively:

- Clarifies the meaning of “statistical evidence” by (1) stating that for a motion and hearing under the bill, out-of-court statements relating to statistical evidence must be those that the court finds trustworthy and that reliable, statistical evidence and aggregated data are admissible for the limited purpose of determining whether a violation has occurred, and (2) providing that (a) the evidence may include statistical evidence, aggregate data, or nonstatistical evidence, and (b) statistical significance is a factor the court may consider but is not necessary to establish a significant difference. Requires the court, in evaluating the totality of the evidence, to consider whether systemic and institutional racial bias, racial profiling, and historical patterns of racially biased policing and prosecution may have contributed to, or caused differences observed in, the data or impacted the availability of data overall. Requires relevant charging, conviction, and sentencing factors to be race-neutral and not influenced by implicit, systemic, or institutional bias based on race, ethnicity, or national origin.
- Clarifies that “similarly situated” means that factors that are relevant in charging and sentencing are similar and do not require that all individuals in that comparison group are identical and that if a defendant’s conviction history may have been impacted by racial profiling or historical patterns or racially biased policing, the court shall consider the evidence.
- Clarifies when a judge may be disqualified by requiring if the motion is based in whole or in part on conduct or statements by the judge, the judge to disqualify themselves from any further proceedings under this section.
- Clarifies the language requiring a court to vacate a judgment.
- Defines “juror” to mean a prospective or sworn juror, except that if a motion for relief is made after judgment is entered, then “juror” means a sworn juror who participated in deliberations. Provides that if the action is made after the jury is sworn and the alleged violation is based on conduct or words of a prospective juror only, a violation shall require that the conduct or words were heard or witnessed by a sworn juror.
- Defines “relevant factors,” as that phrase applies to sentencing, as the factors in the California Rules of Court that pertain to sentencing decisions and any additional factors required to or permitted to be considered in sentencing under state law and the state and federal constitutions.
- Provides for a phase-in of the retroactive application of the RJA to help relieve pressure on courts, as follows:
 - ◆ Commencing January 1, 2023, to all cases in which, at the time of the filing of a petition under subdivision (f) of section 1473 of the Penal Code raising a claim under this section, the petitioner is sentenced to death or to cases in which the motion is filed under section 1473.7 because of actual or potential immigration consequences related to the conviction or sentence, regardless of when the judgment or disposition became final.
 - ◆ Commencing January 1, 2024, to all cases in which, at the time of filing of a petition under subdivision (f) of section 1473 raising a claim under this section, the petitioner is currently serving a sentence in state prison or a county jail under subdivision (h) of section 1170, or committed to the Division of Juvenile Justice for a juvenile disposition, regardless of when the judgment or disposition became final.
 - ◆ Commencing January 1, 2025, to all cases filed under section 1473.7 or subdivision (f) of section 1473 in which judgment became final for a felony conviction or juvenile disposition that resulted in a commitment to the Division of Juvenile Justice on or after January 1, 2015.



- ◆ Commencing January 1, 2026, to all cases filed under section 1473.7 or subdivision (f) of section 1473 in which judgment was for a felony conviction or juvenile disposition that resulted in a commitment to the Division of Juvenile Justice, regardless of when the judgment or disposition became final.
- Provides that for petitions that are filed in cases for which judgment was entered before January 1, 2021, and that are based on the actions or statements of a judge, attorney, law enforcement officer involved in the case, expert witness, or juror, the petitioner shall be entitled to relief unless the state proves beyond a reasonable doubt that the violation did not contribute to the judgment.
- Makes other technical clarifying changes.

APPENDIX B

2021-2022 LEGISLATION *AFFECTING* CALIFORNIA APPELLATE PROCEDURE

BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
AB 205 (Committee on Budget), CH. 61 <i>Effective: Immediately</i> Energy	Among other things, makes the statutory changes necessary to implement the energy-related provisions of the Budget Act of 2022. Section 4. Makes non-fossil-fueled powerplants, energy storage facilities, and related facilities, as defined, environmental leadership development projects and requires the Judicial Council, on or before December 31, 2023, to establish a rule of court to establish procedures that require CEQA actions or proceedings brought to attack, review, set aside, void, or annul the certification of an environmental impact report or the issuance of the certification for any such site and related facility, including any potential appeals to the Court of Appeal or the Supreme Court, to be resolved, to the extent feasible, within 270 days of the filing of the certified administrative record with the court. (GOV add 16429.8 et seq.; PRC amend 25403.2, 25806, add 25545 et seq., 25640 et seq., 25790 et seq., add and repeal 25216.8; PUC amend 381, 739.1, 739.9, 2827.1; RTC add and repeal 17131.20; WAT add 80700 et seq.)
SB 7 (Atkins), CH. 19 <i>Effective: January 1, 2023</i> Environmental quality: Jobs and Economic Improvement Through Environmental Leadership Act of 2021	Revives the authority of the Governor, through January 1, 2026, to certify a project under the Jobs and Economic Improvement Through Environmental Leadership Act of 2021 (Leadership Act) and seeks to broaden the reach of the Leadership Act to include housing projects meeting certain conditions as projects eligible for certification. Also requires the Judicial Council to adopt a rule of court to establish procedures that require actions or proceedings brought to attack, review, set aside, void, or annul the certification of an environmental impact report for an environmental leadership development project certified by the Governor under the Leadership Act or the granting of any project approvals that require the actions or proceedings, including any potential appeals to the Court of Appeal or the Supreme Court, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court. Further requires the project applicant, as a condition of certification, to agree to pay the costs of the trial court and the Court of Appeal in hearing and deciding a case challenging a lead agency's action on a certified project. (PRC add and repeal 21178 et seq.)
SB 44 (Allen), CH. 633 <i>Effective: January 1, 2023</i> California Environmental Quality Act: streamlined judicial review: environmental leadership transit projects	Establishes specified procedures for the administrative and judicial review of the environmental review and approvals granted for environmental leadership transit projects, as defined, undertaken by a public agency. Requires the Judicial Council, on or before January 1, 2023, to adopt rules of court establishing procedures requiring actions or proceedings seeking judicial review under the California Environmental Quality Act or the granting of project approvals, including any appeals to the Court of Appeal or the Supreme Court to be resolved, to the extent feasible, within 365 calendar days of the filing of the certified record of proceedings with the court to an action or proceeding seeking judicial review of the lead agency's action related to an environmental leadership transit project. Requires the project applicant, as a condition of certification, to agree to pay the costs of the trial court and the Court of Appeal in hearing and deciding a case challenging a lead agency's action on a certified project. (PRC add and repeal 21168.6.9)

NOTE: This cumulative table is current through the end of the 2021–22 legislative session. For additional information such as bill analyses, legislative deadlines, hearing dates, or Judicial Council positions on legislation, please contact the Judicial Council's Governmental Affairs office at 916-323-3121. Bill information is available online at <http://leginfo.legislature.ca.gov/faces/billSearchClient.xhtml>.

APPENDIX C

2021-2022 LEGISLATION *RESPONDING TO CALIFORNIA APPELLATE AND SUPREME COURT DECISIONS*

BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
AB 1716 (Maienschein), CH. 29 <i>Effective: January 1, 2023</i> Estate disposition	Abrogates the holding in <i>Kircher v. Kircher</i> (2010) 189 Cal.App.4th 1105. (CIV amend 682.1; PROB amend 13109, 13110, 13113, 13117, 13204, 13205, 13208, 13211, and 13551, add 13100.5, 13109.5, 13110.5, 13113.5, 13114.5, 13202.5, 13204.5, 13205.5, 13208.5, 13209, repeal 13112, 13207, repeal and add 13111, 13206)
AB 2356 (Rodriguez), CH. 22 <i>Effective: January 1, 2023</i> Theft: aggregation	Codifies <i>People v. Bailey</i> (1961) 55 Cal.2d 514 to allow courts to aggregate charges of grand theft when acts of theft are separate but related and motivated by one intention, impulse, and/or plan and the total theft from all acts totals \$950 or more. (PEN amend 487)
AB 2662 (Kalra), CH. 35 <i>Effective: January 1, 2023</i> Department of Fair Employment and Housing	Codifies the holding in <i>Department of Fair Employment and Housing v. Cathy's Creations, Inc.</i> (2020) 54 Cal.App.5th 404. (GOV amend 12930, 12965, 12981)
AB 2799 (Jones-Sawyer), CH. 973 <i>Effective: January 1, 2023</i> Evidence: admissibility of creative expressions	Provides that in determining whether creative expression evidence is more prejudicial than probative, and therefore inadmissible, the court must consider specified factors, essentially codifying the holding in <i>People v. Coneal</i> (2019) 41 Cal.App.5th 951, which found that the trial court had abused its discretion in allowing rap lyrics to be admitted into evidence because the lyrics were highly prejudicial and added no probative value. (EVID add 352.2)
AB 2866 (Cunningham), CH. 165 <i>Effective: January 1, 2023</i> Dependent children	Modifies the standard of proof for establishing at a review hearing that a parent or guardian whose child has been removed from their physical custody was offered reasonable reunification services, by raising the standard to the clear and convincing evidence standard, in order to make the standard of proof consistent with the clear and convincing evidence standard already in place for permanent placement hearings. In <i>Katie V. v. Superior Court</i> (130 Cal.App.4th 586) the reasoning the court used for not having clear and convincing evidence as the legal standard for reasonable services at the 18-month review was based on an analysis that the higher standard of review goes against the intent of the child welfare proceedings. (WIC amend 366.21, 366.22)

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BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
<p>SB 118 (Committee on Budget and Fiscal Review), CH. 10</p> <p><i>Effective: Immediately</i></p> <p>California Environmental Quality Act: public higher education: campus population</p>	<p>Responds to the holding in <i>Save Berkeley's Neighborhoods v. The Regents of the University of California</i>, et al., 70 Cal.App.5th 705.</p> <p>Amends California Environmental Quality Act provisions governing campus long-range development plans to specify that enrollment or changes in enrollment, by themselves, do not constitute a project. Specifies that any injunction or judgment in effect suspending or affecting enrollment shall be unenforceable. Makes its provisions retroactive to affect any decision related to enrollment or changes in enrollment before the bill's effective date. If a court determines that increases in campus population exceed projections adopted in the most recent long-range development plan analyzed by an environmental impact report (EIR), allows a court to order a new EIR. Limits a court's ability to enjoin increases in campus population that exceed projections in the most recent long-range development plan if the EIR is more than 18 months old. (PRC amend 21080.09)</p>
<p>SB 774 (Hertzberg), CH. 550</p> <p><i>Effective: January 1, 2023</i></p> <p>Pets and veterinary services: emotional support dogs</p>	<p>Clarifies that confidential communications between attorneys for the Department of Fair Employment and Housing (DFEH) and individuals who file administrative complaints through the agency are protected by the attorney-client privilege due to the attorney-client relationship between DFEH and its own lawyers. Abrogates the holding in <i>Wood v. Superior Court</i> (2020) 46 Cal.App.5th 562, which held, among other things, that communications between Wood, who had filed a complaint with DFEH, and DFEH attorneys during DFEH's investigation of the complaint were not covered by an attorney-client privilege. (HSC amend 122318)</p> <p>Assembly amendments create a new bill relative to pets and veterinary services: emotional support dogs.</p>
<p>SB 1209 (Eggman), CH. 721</p> <p><i>Effective: January 1, 2023</i></p> <p>Sentencing: members of military: trauma</p>	<p>Expands the ability of defendants who suffered from military-related trauma to petition for recall and resentencing regardless of whether the sentence was imposed before January 1, 2015, or whether the defendant was sentenced to an indeterminate (life) sentence, but exempts persons who have been convicted of specified violent offenses (super strikes) and registerable sex offenses in response to the holding in <i>People v. Valliant</i> (2020) 55 Cal.App.5th 903, which found that Penal Code section 1170.91 required that persons must have been sentenced before January 1, 2015, to be eligible for resentencing and questioned whether the Legislature intended that result. (PEN amend 1170.91)</p>

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APPENDIX D

2022 NEW AND EXPANDED CRIMES

CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
BPC amend 205, 1753.55, 1910.5, 1922, 1926, 1926.01, 1926.05, 1936.1, 2023.5, 2240, 2401, 2435.1, 2516, 2746.55, 3502.4, 3520, 3537.10, 3537.15, 3537.25, 3537.30, 3537.35, 3537.40, 3537.50, 4175, 4846.5, 4883, 4980.03, 4980.396, 4989.23, 4996.20, 4996.27, 4999.12, 4999.66, 6534, 6538, 6560, 6561, 7086.10, 7506.10, 7520.3, 7523, 7583.30, 7585.8, 7841.2, 9888.5, 10083.2, 10140.6, 10153.2, 10153.3, 10153.4, 10159.5, 10165, 10166.01, 10166.02, 10166.03, 10166.04, 10166.06, 10166.07, 10166.08, 10166.10, 10166.15, 10166.16, 10166.17, 10235.5, 10236.4, 11360, 12303, 17917, amend and repeal 10151, repeal 7583.15	SB 1495 (Committee on Business, Professions and Economic Development), CH. 511 <i>Effective: January 1, 2023</i> Professions and vocations	Makes numerous technical and clarifying provisions related to programs within the Department of Consumer Affairs, a violation of some of which is a crime.
BPC 1203, 1204, 1205, 1206, 1207, 1210, 1261, 1261.5, 1264, 1300	SB 1267 (Pan), CH. 473 <i>Effective: January 1, 2023</i> Clinical laboratories	Creates a new crime by adding geneticists and reproductive biologists to the types of clinical laboratory personnel that are licensed and regulated by the Department of Public Health and defining their subspecialties and duties.
BPC amend 1206.5, 2242.2, 2571, 2701, 2706, 2708, 2717, 2746.51, 2746.53, 2786, 2786.2, 2786.3, 2786.5, 2815, 2815.5, 2836.3, 2837.104, 3703, 4024, 4040, 4060, 4061, 4170, 4174, add 2785.6, 2786.4, 2837	AB 2684 (Berman), CH. 413 <i>Effective: January 1, 2023</i> Nursing	Amends the Nursing Practice Act, a violation of which is a crime, to, among other things, make various changes relating to nurse practitioners that practice independent of standardized procedures and physician supervision.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
BPC amend 1209, 2544, 3041	AB 2574 (Salas), CH. 596 <i>Effective: January 1, 2023</i> Optometry: ophthalmic and optometric assistants	Amends the Optometry Practice Act, a violation of which is a crime, to require an optometrist to stabilize, if possible, and immediately refer any patient who has an acute attack of angle closure to an ophthalmologist.
BPC amend 1601.1, 1616.5, 2092, 2456.1, 5000, 5015.6, 5510, 5517, 5620, 5621, 5622, 6710, 6714, 6981, 7000.5, 7011, 7511.5, 7512.3, 7512.14, 7512.15, 7520.3, 7525.1, 7529, 7533.5, 7538, 7538.5, 7539, 7573.5, 7576, 7588.8, 7593.1, 7593.5, 7599.80, 7599.345, 7602, 7653, 7712.5, 7712.9, 7729, 7729.3, 7729.4, 7729.5, 7729.6, 7729.7, 7729.8, 7729.10, 7730, 7730.1, 7730.2, 7730.3, 7730.4, 7730.5, 7730.6, 7730.7, 7730.8, 7730.10, 7730.11, 8000, 8005, 8030.2, 8030.4, 8030.6, 8030.8, 8050, 8051, 8710, 9812.5, 9830.5, 9832.5, 9847.5, 9849, 9851, 9853, 9855.9, 9860, 9862.5, 9863, 9873, 18602, add 7729.11	SB 1443 (Roth), CH. 625 <i>Effective: January 1, 2023</i> Professions and vocations	Extends the sunset dates from January 1, 2024, to January 1, 2025, for the Private Investigators Act and the Alarm Company Act, a violation of which acts is a crime.
BPC amend 2190.1; HSC add 1367.043, 1367.28, add 150950 et seq.; INS add 10133.13, 10133.14; WIC add 14197.09	SB 923 (Wiener), CH. 822 <i>Effective: January 1, 2023</i> Gender-affirming care	Amends the Knox-Keene Health Care Service Plan Act of 1975, a violation of which is a crime, to require health plans and insurers to require all of its support staff who are in direct contact with enrollees or insureds to complete evidence-based cultural competency training for the purpose of providing trans-inclusive health care for individuals who identify as transgender, gender diverse, or intersex.
BPC add 2228.5	AB 1954 (Quirk), CH. 232 <i>Effective: January 1, 2023</i> Physicians and surgeons: treatment and medication of patients using cannabis	Amends the Medical Practice Act, a violation of which is a crime, to prohibit a physician and surgeon from automatically denying treatment or medication to a qualified patient based solely on a positive drug screen for tetrahydrocannabinol or report of medical cannabis use without first completing a case-by-case evaluation of the patient that includes, but is not limited to, a determination that the qualified patient's use of medical cannabis is "medically significant" to the treatment or medication.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
BPC amend 2290.5, 4980.399, 4980.54, 4984.01, 4992.09, 4996.22, 4996.23.2, 4996.28, 4999.46.3, 4999.55, 4999.76, 4999.100, add 4980.395, 4989.23.1, 4996.27.1, 4999.67	<p>AB 1759 (Aguiar-Curry), CH. 520</p> <p><i>Effective: January 1, 2023</i></p> <p>Board of Behavioral Sciences: licensees and registrants: marriage and family therapy, educational psychology, clinical social work, and professional clinical counseling</p>	Expands the scope of a crime relating to licensing by requiring, on or after January 1, 2023, applicants for licensure, as a Licensed Marriage and Family Therapist, Licensed Clinical Social Worker, Licensed Educational Psychologist, and Licensed Professional Clinical Counselor, and current licensees before their first renewal after January 1, 2023, to complete three hours of training or coursework in the provision of mental health services via telehealth, and revises the requirements for registrants to take and pass the California Law and Ethics Examination every renewal period.
BPC amend 2530.2, 2530.5, 2530.6, 2531, 2531.1, 2531.75, 2532.25, 2532.8, 2533, 2533.1, 2533.4, 2534.2, 2538.3, 2539.1, amend 2530 et seq., 2533 et seq., add 2530.7, 2533.6, repeal 2531.05	<p>AB 2686 (Berman), CH. 415</p> <p><i>Effective: January 1, 2023</i></p> <p>Speech-language pathologists, audiologists, and hearing aid dispensers</p>	Amends the Speech-Language Pathologists and Audiologists and Hearing Aid Dispensers Licensure Act, a violation of which is a crime, to, among other things, specify that a speech-language pathology and audiology aide registration shall expire every two years and is subject to renewal requirements and that to renew registration, the supervising speech-language pathologist or audiologist must update the Speech-Language Pathologists and Audiologists and Hearing Aid Dispensers Licensure Board on the duties of the aide and the training and assessment methods used to ensure the aide's competency.
BPC amend 2530.2	<p>SB 1453 (Ochoa Bogh), CH. 450</p> <p><i>Effective: January 1, 2023</i></p> <p>Speech language pathologists</p>	Amends the Speech-Language Pathologists and Audiologists and Hearing Aid Dispensers Licensure Act, a violation of which is a crime, to clarify requirements for a speech language pathologist (SLP) to be eligible to perform a flexible fiberoptic transnasal endoscopic (also referred to as a flexible fiberoptic endoscopic evaluation of swallowing, or FEES) procedure, and specifies that this procedure may be performed at a specified location based on the patient's medical needs and to prohibit an SLP from performing a FEES procedure on a patient who has contraindications to the procedure.
BPC amend 2725.4	<p>SB 1375 (Atkins), CH. 631</p> <p><i>Effective: January 1, 2023</i></p> <p>Nursing: nurse practitioners and nurse-midwives: abortion and practice standards</p>	Amends the Nursing Practice Act, a violation of which is a crime, to expand training options for nurse practitioners and certified nurse-midwives for purposes of performing abortion by aspiration techniques.
BPC amend 2860, 3710, 3716, 3758, 3758.6, 3765, add 2878.2, 3760.5	<p>SB 1436 (Roth), CH. 62</p> <p><i>Effective: January 1, 2023</i></p> <p>Respiratory therapy</p>	Amends the Respiratory Care Practice Act, a violation of which is a crime, to extend the sunset of the act to January 1, 2027.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
BPC amend 2987, add 2999.100 et seq.	SB 1428 (Archuleta), CH. 622 <i>Effective: January 1, 2023</i> Psychological testing technicians	Amends the Psychology Licensing Law, a violation of which is a crime, to require, by January 1, 2024, an individual performing psychological or neuropsychological tests to register as a psychological testing technician with the Board of Psychology.
BPC amend, repeal, and add 4980.43.2, 4996.23.1, 4999.46.2	AB 1758 (Aguiar-Curry), CH. 204 <i>Effective: August 29, 2022</i> Board of Behavioral Sciences: marriage and family therapists: clinical social workers: professional clinical counselors: supervision of applicants for licensure via videoconferencing	Amends the Licensed Marriage and Family Therapist Act, the Clinical Social Worker Practice Act, and the Licensed Professional Clinical Counselor Act, a violation of which acts is a crime, to permit, until January 1, 2026, required weekly supervision to occur via two-way, real-time videoconferencing in all settings, if the supervisor makes an assessment that it is appropriate for purposes of meeting requirements for licensure as a Licensed Marriage and Family Therapist, Licensed Clinical Social Worker, or a Licensed Professional Clinical Counselor.
BPC amend 6013.5.5, 8017, 8018, 8020, 8024, add 8017.5, 8024.8, repeal 8016.5	AB 156 (Committee on Budget), CH. 569 <i>Effective: Immediately</i> State government trailer bill: court reporters: voice writing	Expands the scope of a crime by prohibiting a certified shorthand reporter from providing shorthand reporting services other than by using the methodology indicated on their certificate and making other changes relating to court reporters.
BPC amend 6501, 6534, 6561; PROB add 2469, 9765	SB 1024 (Jones), CH. 612 <i>Effective: January 1, 2023</i> Replacement of an incapacitated or deceased professional fiduciary	Expands the crime of perjury relating to documents by authorizing a conservator, agent under a power of attorney, representative of the estate, trustee of a trust, or interested person to petition for the appointment of a professional fiduciary practice administrator to act as a temporary professional fiduciary when a professional fiduciary either becomes incapacitated or dies, and a vacancy exists.
BPC amend 6738, 6787, 8729, 8792, add 6767, 7856, 8753, repeal 6795.1; PRC amend 8813.1	SB 1120 (Jones), CH. 302 <i>Effective: January 1, 2023</i> Engineering, land surveying, and geology	Amends the Professional Engineers Act, the Professional Land Surveyors' Act, and the Geologist and Geophysicist Act, a violation of which acts is a crime, to require an applicant for licensure as an engineer, land surveyor, geologist, or geophysicist, or an applicant for certification as an engineer-, land surveyor-, or geologist-in-training, with a valid email address to report their email address to the board at the time of application, require a license or certificate holder to report their email address at the time of renewal, and require applicants and certificate or license holders to notify the board of any change to an email address, as specified.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
BPC amend, repeal, and add 7125	SB 216 (Dodd), CH. 978 <i>Effective: January 1, 2023</i> Contractors: workers' compensation insurance: mandatory coverage	Expands the scope of a crime by expanding the license classifications which are required to have a Certificate of Workers' Compensation Insurance on file with the Contractors State License Board to include a Concrete contractor (C-8); a Warm-Air Heating, Ventilating, and Air-Conditioning contractor (C-20); an Asbestos Abatement contractor (C-22); and a Tree Service contractor (D-49) until January 1, 2026.
BPC amend 7316, 7317, 7334, 7353.4, 7366, 7395.2	AB 2196 (Maienschein), CH. 527 <i>Effective: January 1, 2023</i> Barbering and cosmetology	Expands the scope of a crime by amending the Knox-Keene Health Care Service Plan Act of 1975, a violation of which is a crime, to provide coverage for a colorectal cancer screening test, and requires the colonoscopy for a positive result on a test or procedure to be provided without cost sharing, unless the underlying test or procedure was a colonoscopy.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
<p>BPC amend 7500.3, 7502.1, 7502.2, 7522, 7574.14, 7582.2, 7742, 10131.3, 10232.4, 10239, 11000.1, 11010.8, 11010.85, 11243, 17511.1, 17537.2, 20009; CIV amend 1632.5, 1748.13, 1788.100, 1788.103, 1788.104, 1789.12, 1798.3, 1812.201, 1916.5, 2923.3, 2924, 2924.8, 2924.12, 2924.17, 2924.19, 2924.20, 2924c, 2953; CCP amend 336a, 580d, 580e, 684.115, 995.710, 1571; CORP amend 163, 201, 500, 1001, 1101.1, 1300, 2207, 2510, 2601, 3100, 5122, 7122, 7813.5, 8011.5, 9122, 12302, 12504, 12532, 13205, 13406, 13408.5, 14004, 15911.21, 17711.02, 17713.12, 23000, 25004, 25005, 25014.6, 25102, 25206.1, 25243.5, 25247, 25254, 25302, 25604, 25606, 25607, 25612.5, 25614, 25620, 25702, 28033, 28505, 28715, 29200, 29503, 31004, 31158, 31408, 31503, 31513; EDC amend 94158; FIN amend 125, 355, 1481, 2003, 2105, 2123, 4057, 4805.055, 4970, 5104, 5106, 12003, 12104, 12201, 14003, 14200.1, 14200.2, 14381, 17002, 17201, 17210.2, 17214, 17303, 17311, 17320, 17331, 17423.1, 18002, 18002.5, 18339, 18427.9, 18596, 22005, 22101, 22105.1, 22159.5, 22160, 22365, 22373, 22380.5, 22603, 22756, 22800, 23001, 23005, 23070, 23071, 23072, 23073, 23074, 23102, 28104, 28110, 30002, 30005, 30217, 31055, 50003, 50140, 50303, 50307.1, 50316.5, 100002, 100006, 100025, amend 300 et seq., 320 et seq., 28106 et seq., 100003 et seq.; GOV amend 1322, 5970, 6253.4, 6254.5, 6254.12, 6276.18, 7465, 7474, 7480, 7603, 7921.505, 7922.635, 7929.005, 7930.145, 12657, 12659, 12804, 12896, 13984, 53344.1, 53638, 53661, 57603, 57606, 57607, 75030.5; INS amend 771, 828, 845, 845.5, 1280.7, 12414.31, 14053, 15036; LAB amend 4600.5; PEN amend 186.9, 830.3, 830.11, 32000; PROB amend 10200, 11604.5; PRC amend 4734; WIC amend 15630.2</p>	<p>SB 1498 (Committee on Banking and Financial Institutions), CH. 452</p> <p><i>Effective: January 1, 2023</i></p> <p>Financial institutions: Department of Financial Protection and Innovation: money transmissions</p>	<p>Expands the scope of a crime by extending until January 1, 2028, the Offer in Compromise program under the Sales and Use Tax, Use Fuel Tax, Cigarette and Tobacco Products Tax, Alcoholic Beverage Tax, Emergency Telephone Users Surcharge, Oil Spill Fees, Under Storage Tank Maintenance Fee, Fee Collections Procedures Law, and Diesel Fuel Tax, which laws make it a felony for the taxpayer or feepayer to conceal specified property or receive, withhold, destroy, mutilate, or falsify specified items or to make a false statement related to the offer in compromise.</p>



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
<p>BPC amend 7574.13, 7574.18, 7574.21, 7574.22, 7574.30, 7583.2, 7583.5, 7583.6, 7583.7, 7583.10, 7585, 7585.6, 7587.1, 7596, 7596.3, 7598.1, 7598.2, 7598.3, 7599.37, 7599.38, amend and repeal 7583.33, 7583.34, 7585.14, amend repeal, and add 7581.2, 7581.3, 7583.9, 7583.37, 7588, 7588.6, add 7574.37, 7574.38, 7574.39, 7574.40, 7584 et seq., repeal and add 7574.31; PEN amend, repeal, and add 22295</p>	<p>AB 2515 (Holden), CH. 287 <i>Effective: January 1, 2023</i> Proprietary and private security services</p>	<p>Amends the Private Security Services Act, a violation of which is a crime, to, among other things, revise requirements for obtaining a baton permit and carrying a baton.</p>
<p>BPC amend 7672.1, 7672.10, 7673, amend, repeal, and add 7607, 7611.9, 7653.35, 7653.36, 7672, 7672.2, 7672.4, 7672.6, 7672.7, 7673.1, 7685.2, add 7730.12, 7714 et seq.; HSC amend 7001, 7010.3, 7011, 7025, 7051, 7051.5, 7052, 7052.5, 7054, 7054.1, 7116, amend, repeal, and add 7055, 103055, 103060, add 7002.7, 7010.8, 7054.5, 7054.9, 8390 et seq.</p>	<p>AB 351 (Garcia, Cristina), CH. 399 <i>Effective: January 1, 2023</i> Reduction of human remains and the disposition of reduced human remains</p>	<p>Among other things, expands the definition of crimes relating to the disposition of human remains, creates new crimes by requiring the Cemetery and Funeral Bureau within the Department of Consumer Affairs to license and regulate reduction facilities, as defined, and enacts requirements applicable to reduction facilities substantially similar to those applicable to crematoria and hydrolysis facilities and would enact provisions the disposition of reduced human remains by integration into the soil.</p>
<p>BPC amend 16000.3, 16100.3; WAT amend 13260, 13383.10</p>	<p>SB 891 (Hertzberg), CH. 678 <i>Effective: January 1, 2023</i> Business licenses: stormwater discharge compliance</p>	<p>Expands the crime of perjury and by expanding the duties of cities and counties relative to requirements for local agencies to confirm that businesses can demonstrate enrollment with stormwater discharge permits as part of not just their business license processes, but also for equivalent instruments.</p>
<p>BPC add 17206.2; CCP amend 116.540; MVC amend 401, 409, 409.3, 800, 802, 804, add 408.1</p>	<p>SB 1311 (Eggman), CH. 620 <i>Effective: January 1, 2023</i> Veterans: protections</p>	<p>Expands the scope of a crime by prohibiting a person from conditioning the receipt of a military or veteran discount on the waiver by the person of any right under state or federal law.</p>



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
BPC amend 20015, 20022, 20041, add 20044; CORP amend 31004, 31013, 31115, 31306, add 31126, 31212, 31221, 31512.1	AB 676 (Holden), CH. 728 <i>Effective: January 1, 2023</i> Franchises	Among other things, expands the scope of a crime by expanding violations of the Franchise Investment Law to any franchisor, directly or indirectly, through any officer, agent or employee who does not notify a prospective franchisee in writing of any additional information or documentation necessary to complete the franchisee application, as specified, and require the franchisor to notify and provide certain information to the prospective franchisee of the decision to approve or disapprove the application, as specified.
BPC amend 21609.7	AB 1760 (Rodriguez), CH. 521 <i>Effective: January 1, 2023</i> Bulk merchandise pallets	Expands the scope of a crime regarding the recordkeeping requirements of junk dealers and recyclers.
BPC amend 21610	AB 1740 (Muratsuchi), CH. 513 <i>Effective: January 1, 2023</i> Catalytic converters	Expands the scope of a crime by prohibiting a core recycler from entering into a transaction to purchase or receive a catalytic converter from any person that is not a commercial enterprise, as defined, or verifiable owner of the vehicle from which the catalytic converter was removed.
BPC amend 21610; VEH add 10852.5	SB 1087 (Gonzalez), CH. 514 <i>Effective: January 1, 2023</i> Vehicles: catalytic converters	Makes it an infraction for any person to purchase a used catalytic converter from anybody other than certain specified sellers, including an automobile dismantler, an automotive repair dealer, or an individual possessing documentation, as specified, that they are the lawful owner of the catalytic converter.
BPC amend 21628	SB 1317 (Bradford), CH. 723 <i>Effective: January 1, 2023</i> Secondhand goods: tangible personal property: reporting requirements	Expands the scope of a crime relating to the sale of secondhand goods by eliminating the requirement that secondhand dealers and coin dealers report personally identifying information regarding the seller or pledger of secondhand goods to the California Pawn and Secondhand Dealer System database, and instead requires that this information to be kept on file and available upon request by law enforcement.
BPC amend 23039, 23320, 24045.7	AB 631 (Bloom), CH. 727 <i>Effective: January 1, 2023</i> Alcoholic beverage control: licenses: nonprofit cultural film exhibition companies	Expands the application of an existing crime by amending the Alcoholic Beverage Control Act to authorize the Department of Alcoholic Beverage Control to issue a special on-sale general license to a nonprofit cultural film exhibition company with specified characteristics, to sell and serve alcoholic beverages, as specified.
BPC amend 23039, 24045.7	SB 1370 (Pan), CH. 732 <i>Effective: January 1, 2023</i> Alcoholic beverages: licensees	Amends the Alcoholic Beverage Control Act, a violation of which is a crime, to authorize the Department of Alcoholic Beverage Control to issue a special on-sale license to a nonprofit radio broadcasting company that would allow the licensee to sell and serve alcoholic beverages to ticketholders.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
BPC amend 23450; CIV amend 1791; EDC amend 45294, 66010.99, 66025.8, 68075, 76396.3, 88113; GOV amend 18540, 27381, 37460; MVC amend 260, 400, 422, 502.1, 920, 1120; PEN amend 2695.5; PUC amend 2827; RTC amend 205.5	AB 1715 (Muratsuchi), CH. 379 <i>Effective: January 1, 2023</i> Space Force	Expands the scope of a crime relating to protections for veterans by amending those provisions to include the United States Space Force among the lists of armed forces entities.
BPC amend 23661.3; PRC amend 14509.4, 14510, 14547, 14549.1, 14549.2, 14550, 14560, 14560.5, 14561, 14571.5, 14571.8, 14575, 14581, 14591.1, amend and repeal 14571.6, amend, repeal, and add 14504, 14528.5, 14570, 14571.9, 14572.1, add 14510.2, 14537.1, 14543, 14544, 14545, add 14578 et seq., add and repeal 14549.7	SB 1013 (Atkins), CH. 610 <i>Effective: January 1, 2023</i> Beverage container recycling	Amends the California Beverage Container Recycling and Litter Reduction Act, a violation of which is a crime, to add wine and distilled spirits to the act commencing January 1, 2024; and, commencing January 1, 2025, authorize dealers in unserved convenience zones to join a dealer cooperative to meet their redemption responsibilities.
BPC add 25179	AB 2303 (Aguilar-Curry), CH. 694 <i>Effective: January 1, 2023</i> Agave spirits: labeling	Amends the Alcoholic Beverage Control Act, a violation of which is a crime, to prescribe labeling requirements for agave spirits produced entirely in California.
BPC amend 25503.6	AB 98 (Kalra), CH. 267 <i>Effective: Immediately</i> Tied-house restrictions: advertising exceptions: City of San Jose	Amends the Alcoholic Beverage Control Act, a violation of which is a crime, to allow specified licensees to purchase advertising space and time from, or on behalf of, an on-sale licensee that is the owner, manager, or major tenant of a fully enclosed arena with a fixed capacity in excess of 4,000 seats located in the City of San Jose (Tech CU Arena).
BPC amend 25503.6	AB 1330 (Mayes), CH. 272 <i>Effective: January 1, 2023</i> Alcoholic beverage tied-house restrictions: exceptions: County of Riverside	Amends the Alcoholic Beverage Control Act, a violation of which is a crime, to authorize specified licensees to purchase advertising space and time from, or on behalf of, an on-sale licensee that is the owner, manager, or major tenant of a fully enclosed arena with a fixed capacity in excess of 10,000 seats located in the County of Riverside (Acrisure Arena).



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
BPC amend 25503.6	SB 1280 (Hueso), CH. 304 <i>Effective: Immediately</i> Tied-house restrictions: advertising: San Diego State University	Amends the Alcoholic Beverage Control Act, a violation of which is a crime, to authorize specified licensees to purchase advertising space and time from, or on behalf of, an on-sale licensee that is the owner, manager, or major tenant at specified facilities on the campus of San Diego State University.
BPC amend 26051.5	AB 199 (Committee on Budget), CH. 57 <i>Effective: Immediately</i> Courts	Expands the crime of perjury by requiring an applicant who is requesting a fee waiver based on receiving California Special Supplemental Nutrition Program for Women, Infants, and Children benefits or unemployment to complete and to sign, under penalty of perjury, a Judicial Council application form and a financial statement.
CIV amend 56.05, 56.06, add 56.251 et seq.	AB 2089 (Bauer-Kahan), CH. 690 <i>Effective: January 1, 2023</i> Privacy: mental health digital services: mental health application information	Expands the definition of a crime by requiring a business that offers a mental health digital service, when partnering with a provider of health care, to provide to the provider information regarding how to find reported data breaches on the internet website of the Attorney General.
CIV add 1714.29; HSC add 19305 et seq.	AB 2260 (Rodriguez), CH. 586 <i>Effective: January 1, 2023</i> Emergency response: trauma kits	Requires buildings with an occupancy of 200 persons or greater, constructed on or after January 1, 2023, to have trauma kits on the premises of the building, as specified. Provides civil immunity for the acquisition, training, and use of trauma kit.
CIV amend 1789.11, 1789.12, 1789.13, 1789.14, 1789.15, 1789.16, 1789.19, 1789.21, 1789.25, add 1789.134, 1789.135	AB 2424 (Rubio, Blanca), CH. 965 <i>Effective: January 1, 2023</i> Credit services organizations	Amends the Credit Services Act of 1984, a violation of which is a crime, to impose new requirements and restrictions on credit services organizations.
CIV add 1798.97.1 et seq.	SB 975 (Min), CH. 989 <i>Effective: January 1, 2023</i> Debt: coerced debts	Expands the crime of perjury by requiring a claimant, upon receipt from the debtor of adequate documentation and a sworn written statement that some or all of the debt being collected is coerced debt, to cease collection activities until the claimant completes a review.
CIV amend 2924f, 2924g, 2924h, 2924m, amend, repeal, and add 2924d, add and repeal 2924	AB 1837 (Bonta, Mia), CH. 642 <i>Effective: January 1, 2023</i> Residential real property: foreclosure	Expands the crime of perjury by requiring certain sworn information to address fraud, operational improvements, and affordable housing preservation with regard to acquisition of homes in foreclosure by prospective owner occupants, tenants, nonprofits, and public entities.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
CIV add 2924p	AB 2170 (Grayson), CH. 865 <i>Effective: January 1, 2023</i> Residential real property: foreclosure sales	Expands the scope of the crime of perjury by requiring an eligible bidder in a foreclosure sale to submit an affidavit or declaration, as specified, with their offer to an institution.
CIV amend 2981, 2982, 2982.2, 2983.1, add 2982.12	AB 2311 (Maienschein), CH. 283 <i>Effective: January 1, 2023</i> Motor vehicle conditional sale contracts: guaranteed asset protection waivers	Amends the law governing motor vehicle conditional sale contracts and requiring sellers of motor vehicles to make certain disclosures to buyers, a willful violation of which is a crime, to establish rights and remedies for consumers who purchase guaranteed asset protection waivers when buying a new or used car.
CCP amend 1179.03, 1179.05, 1179.10, 1179.11	AB 2179 (Grayson), CH. 13 <i>Effective: Immediately</i> COVID-19 relief: tenancy	Expands the scope of perjury by extending through June 30, 2022, procedural legal protections against eviction based on nonpayment of rent or other financial obligations under the lease that accumulated between March 1, 2020, and March 31, 2022, provided that, as of March 31, 2022, there is an application pending for emergency rental assistance corresponding to all or part of the amount demanded.
EDC add 17250.62	AB 185 (Committee on Budget), CH. 571 <i>Effective: Immediately</i> Education finance: education omnibus trailer bill	Expands the crime of perjury by authorizing, until January 1, 2029, a school district, with the approval of its governing board, to procure alternative design-build contracts for public works projects in excess of \$5,000,000, awarding the contract to either the low bid or the best value, and requiring certain information provided by the design-build entity to be certified under penalty of perjury.
EDC add 49455.5	AB 2329 (Carrillo), CH. 911 <i>Effective: January 1, 2023</i> Pupil health: eye examinations: school sites	Among other things, authorizes a local education agency (LEA) to enter into a memorandum of understanding with a nonprofit eye examination provider to provide eye examinations and eyeglasses to pupils at a school site, as specified. Provides participating licensed health care professionals and LEAs with qualified civil and criminal liability, except as provided.
EDC amend 66010.4, 66746, 68075.7, 76004, 76300, 78220, 78222, 78261, 84757, 84916, 88920, 89005.5, 89030.5	AB 2973 (Committee on Higher Education), CH. 465 <i>Effective: January 1, 2023</i> Postsecondary education: omnibus bill	Expands the scope of a crime by amending the law that provides that the name "California State University" and the names of various campuses of the California State University, and abbreviations of those names, are the property of the state, and prohibits the use of any of these names without the permission of the trustees, to additionally include "California State Polytechnic University, Humboldt" in the list of names of various campuses of the California State University that are the property of the state.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
EDC amend 94801.5, 94869, 94885, 94887, 94894, 94897, 94899, 94909, 94917, 94933, 94934.5, 94935, 94936, 94944, 94950, add 94801.7, 94885.7, 94918.5, 94926.5, 94949.8	SB 1433 (Roth), CH. 544 <i>Effective: January 1, 2023</i> Private postsecondary education: California Private Postsecondary Education Act of 2009	Amends the California Private Postsecondary Education Act of 2009, which makes certain acts by regulated institutions a crime, to extend the sunset on the act until January 1, 2027.
ELEC amend 101, 107, 9008, 9020, 9105, 9203, 11043; GOV amend 84502, 84503, 84504.1, 84504.2, 84504.3, 84505, add 84504.8	SB 1360 (Umberg), CH. 887 <i>Effective: January 1, 2023</i> Elections: disclosure of contributors	Amends the Political Reform Act of 1974, a violation of which is a crime, to make changes to the disclosure requirements for certain political advertisements to identify the top contributors to the campaign committee paying for the advertisement, including changes to the required form, content, and presentation of the disclosures depending on the medium in which the advertisement appears.
ELEC amend 303, 9050, 9051, 9053, 13282, add 9170	AB 1416 (Santiago), CH. 751 <i>Effective: January 1, 2023</i> Elections: ballot label	Expands the scope of the crime of perjury by requiring the ballot label for a statewide ballot measure and permits the ballot label for a local ballot measure to include the names of specified supporters and opponents of the measure, and requires that information be submitted under penalty of perjury.
ELEC amend 2166.5, 12105.5, 12108, add 2166.8; GOV amend 6215, 6215.2, amend 6215 et seq.	SB 1131 (Newman), CH. 554 <i>Effective: Immediately</i> Address confidentiality: public entity employees and contractors	Among other things, expands the scope of the crime of perjury by requiring county elections officials to make certain information appearing on the affidavit of registration confidential upon application of a qualified worker that is signed under oath.
FAM amend 6216; PEN amend 16520, 16531, 18010, 23910, 23920, 23925, 27510, 27530, 29180, 29182, 29805, 30420, amend, repeal, and add 26835, 27535, 27540, add 16515, 16517, 16519, 17312, 29185, 30401, repeal 16532, 29181, 30405, 30406, 30412, 30414, repeal 30442 et seq., 30470 et seq., 30485 et seq., repeal and add 30400	AB 1621 (Gipson), CH. 76 <i>Effective: Immediately</i> Firearms: unserialized firearms	Expands the scope of a crime by refining one of the definitions of "firearm" as including a precursor part, redefining "firearm precursor part," and prohibiting a person from possessing or manufacturing a firearm precursor part without authorization.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
FAM amend 7613, 8609.5, 8713, 8714, 8802, 8803, 8910, 8912, 9000, 9324	AB 2495 (Patterson), CH. 159 <i>Effective: January 1, 2023</i> The parent and child relationship	Expands the scope of a crime by prohibiting a child proposed to be adopted from being concealed from the agency that is investigating the adoption or from the court with jurisdiction over the adoption proceeding.
FGC amend 3031, 4181, amend and repeal 4651, amend, repeal, and add 3003.1, 3004.5, 3031.2, 3040, 3950, 3953, 4150, 4304, 4650, 4652, 4653, 4654, 4655, 4657, add 4651.5, 4652.5, add 3965 et seq.; FAC add 10791 et seq.	SB 856 (Dodd), CH. 469 <i>Effective: January 1, 2024</i> Wild pigs: validations	Among other provisions related to the hunting of wild pig, prohibits the intentional release of any hog, boar, pig, or swine to live in a wild or feral state upon public or private land and outlaws engaging in, sponsoring, or assisting in the operation of a contained hunting preserve of wild pig, unless already in existence and no further land is added to the preserve.
FGC amend 5517	AB 2109 (Bennett), CH. 437 <i>Effective: January 1, 2023</i> White sharks: prohibition on use of attractants	Makes it a crime, except as provided, to use any shark bait, shark lure, or shark chum to attract any white shark; to place any shark bait, shark lure, or shark chum into the water within one nautical mile of any shoreline, pier, or jetty when a white shark is either visible or known to be present; or to place any shark bait, shark lure, or shark chum into the water for the purpose of viewing any shark when a white shark is visible or known to be present.
FGC amend 7381; FAC amend 29044	AB 203 (Committee on Budget), CH. 60 <i>Effective: Immediately</i> Public resources	Among other things, extends the operation of the fishing report-restoration card requirements, a violation of which is a crime, expands the scope of a crime by extending the annual apiary registration fee to brokers, as defined, changes the scope of a crime with respect to postclosure permit hazardous waste facility fees, and extends the Mercury Thermostat Collection Act of 2021, a violation of which is a crime.
FAC amend 4158	AB 311 (Ward), CH. 139 <i>Effective: January 1, 2023</i> Firearms: Del Mar Fairgrounds	Expands the scope of a crime by prohibiting the sale of firearm precursor parts at the Del Mar Fairgrounds property.
FAC amend 12581, 12996	AB 211 (Committee on Budget), CH. 574 <i>Effective: Immediately</i> Public resources trailer bill	Expands the scope of a crime by authorizing the Director of Pesticide Regulation to request sales records, purchase records, distribution records, or any other record related to produce grown, processed, packed, stored, shipped, transported, delivered for shipment, or sold if the director finds or suspects that a sample taken or inspected from that produce carries pesticide residue in excess of the permissible tolerance.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
FAC amend 29009, 29010, 29012, 29020, 29040, 29044, 29071, 29072, 29073, 29101, 29110, 29122, 29180, 29191, 29200, 29201, 29203, 29204, 29205, 29208, 29209, 29313, 29320, add 29005.5	AB 719 (Committee on Agriculture), CH. 683 <i>Effective: January 1, 2023</i> Bees	Among other things, creates a new crime by applying certain requirements under the Apiary Protection Act to brokers.
FAC add 75603	SB 982 (Laird), CH. 224 <i>Effective: January 1, 2023</i> California Apple Commission: organic apple certification program	Amends the Food and Agriculture Code, a violation of which is a crime, to authorize the California Apple Commission to establish an organic apple certification program.
GOV amend 1363	AB 2324 (Irwin), CH. 124 <i>Effective: January 1, 2023</i> Oath of office: health officers	Expands the scope of the crime relating to violations of oaths of office to require a health officer, in addition to their existing filing duties, to file their oath in the office of the Secretary of State.
GOV repeal 6538.5	SB 1226 (Durazo), CH. 423 <i>Effective: January 1, 2023</i> Joint powers agreements: zero-emission transportation systems or facilities	Expands the scope of the crime of perjury by allowing a private, nonprofit corporation that provides services for zero-emission transportation to enter into a joint powers agreement with a public agency to facilitate the development, construction, and operation of zero-emission transportation systems or facilities and requiring private entities performing work on a project to certify certain information.
GOV amend 7921.505; HSC amend 38561; PUC amend 454.53, 583, add 454.59, 739.13; WAT add 80400 et seq.	SB 1020 (Laird), CH. 361 <i>Effective: January 1, 2023</i> Clean Energy, Jobs, and Affordability Act of 2022	Among other things, amends the Public Utilities Act, a violation of which is a crime, to require the Public Utilities Commission to develop a definition of "energy affordability" that shall establish metrics based on household income, and use the established metrics to guide development of protections, incentives, discounts, or new programs and to assess the impact of rate increases.
GOV amend 8610.5; PRC add 25233, 25233.2, 25302, add 25548 et seq.; PUC amend 454.52, 454.53, add 712.1, 712.8; WAT add 13193.5	SB 846 (Dodd), CH. 239 <i>Effective: Immediately</i> Diablo Canyon powerplant: extension of operations	Amends the Public Utilities Act, a violation of which is a crime, to, among other things, authorize the extension of operating the Diablo Canyon Nuclear power plant beyond the current expiration dates (of 2024 for Unit 1 and 2025 for Unit 2), to up to five additional years (no later than 2029 and 2030, respectively).



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
GOV amend 11148.5, 12098.4, 14836, 14838, 14838.2, 14839, 14840, 14843, add 14844	AB 2019 (Petrie-Norris), CH. 730 <i>Effective: January 1, 2023</i> Small business enterprises	Changes the scope of the crime of perjury by modifying the small business and disabled veterans business enterprise certification process, which includes providing certain information under oath, to allow a business to voluntarily identify itself as a diverse business owner.
GOV amend 12100.62, 12100.82, 12100.83	SB 193 (Committee on Budget and Fiscal Review), CH. 68 <i>Effective: Immediately</i> Economic development: grant programs and other financial assistance	Expands the scope of the crime of perjury by expanding the definition of a qualified small business for the purposes of California Small Business COVID-19 Relief Grant Program to assist qualified small businesses affected by COVID-19, for which small businesses must sign an affidavit under penalty of perjury to obtain funding.
GOV amend 12920, 12921, 12926, 12931, 12940, 12944, 12993, add 22853.3, 22853.4; HSC amend 1343, 1367.25, add 1367.255, 1367.33; INS amend 10123.196, add 10123.1945, 10127.09; PCC add 10509.5, 10828	SB 523 (Leyva), CH. 630 <i>Effective: January 1, 2023</i> Contraceptive Equity Act of 2022	Amends the Knox-Keene Health Care Service Plan Act of 1975, a violation of which is a crime, to place new requirements on health care service plans relating to reproductive rights.
GOV add 16429.8 et seq.; PRC amend 25403.2, 25806, add 25545 et seq., 25640 et seq., 25790 et seq., add and repeal 25216.8; PUC amend 381, 739.1, 739.9, 2827.1; RTC add and repeal 17131.20; WAT add 80700 et seq.	AB 205 (Committee on Budget), CH. 61 <i>Effective: Immediately</i> Energy	Makes necessary statutory changes to implement the energy-related items of the 2022 Budget Act, including changes to the Public Utilities Act, a violation of which is a crime. Makes non-fossil-fueled powerplants, energy storage facilities, and related facilities, as defined.
GOV amend 51010, 51010.5, 51010.6, 51011, 51014, 51015, 51015.05, 51017, 51018, 51018.6, repeal 51012.3	AB 2931 (Bloom), CH. 536 <i>Effective: January 1, 2023</i> Pipeline safety: records	Amends the Elder California Pipeline Safety Act of 1981, a violation of which is a crime, to expand the definition of "pipeline."



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
GOV add 53123.1 et seq.; HSC add 1374.724; INS add 10144.57; RTC amend 41007.2, 41007.3, 41013, 41020, 41021, 41022, 41023, 41024, 41028, 41030, 41031, 41032, 41046, 41050, 41052, 41053, 41056, 41070, 41080, 41095.5, 41098, 41100, 41101.3, 41105, 41118, 41128, 41135, 41136, 41143.4, 41150, amend 41020 et seq., 41030 et seq.	AB 988 (Bauer-Kahan), CH. 747 <i>Effective: Immediately</i> Mental health: 988 Suicide and Crisis Lifeline	Amends the Knox-Keene Health Care Service Plan Act of 1975 and the Emergency Telephone Users Surcharge Act, a violation of which acts is a crime, to make changes relating to the bill's creation of the Miles Hall Lifeline and Suicide Prevention Act.
GOV add 64700 et seq.	SB 679 (Kamlager), CH. 661 <i>Effective: January 1, 2023</i> Los Angeles County: affordable housing	Establishes the Los Angeles County Affordable Housing Solutions Agency and authorizes local financing tools to fund renter protections and the preservation and production of housing units affordable to households earning up to 80 percent of the area median income and includes requirements relating to prevailing wages, a willful violation of which is a misdemeanor.
GOV amend 65400, 65585, add and repeal 65912.100 et seq.	AB 2011 (Wicks), CH. 647 <i>Effective: January 1, 2023</i> Affordable Housing and High Road Jobs Act of 2022	Expands scope of the crime of perjury by requiring a development proponent to certify to the local government that certain standards will be met in project construction under a new ministerial, streamlined approval process for 100 percent affordable housing projects in commercial zones and for mixed-income housing projects along commercial corridors.
GOV amend 65913.4, add and repeal 65852.24	SB 6 (Caballero), CH. 659 <i>Effective: January 1, 2023</i> Local planning: housing: commercial zones	Expands the crime of perjury by imposing new duties on local agencies with regard to local planning and zoning.
GOV amend 82002	AB 1783 (Levine), CH. 456 <i>Effective: January 1, 2023</i> Lobbying: administrative actions	Amends the Political Reform Act of 1974, a violation of which is a crime, to provide that efforts to influence mergers and acquisitions of domestic insurance companies and health care service plans are considered lobbying.
GOV amend 84308	SB 1439 (Glazer), CH. 848 <i>Effective: January 1, 2023</i> Campaign contributions: agency officers	Amends the Political Reform Act of 1974, a violation of which is a crime, to apply the existing campaign contribution prohibition for state and local agencies to local elected agencies, such as city councils and boards of supervisors, and expands the timeframe prohibiting specific contributions following an official's action from three months to 12 months.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
GOV add 84512	SB 746 (Skinner), CH. 876 <i>Effective: January 1, 2023</i> Political Reform Act of 1974: business entities: online advocacy and advertisements	Amends the Political Reform Act of 1974, a violation of which is a crime, to require a business entity that uses its online products or services to target information to its users, for political purposes, to disclose that targeting on a public report that is filed with the Secretary of State beginning on January 1, 2024.
GOV amend 84605	AB 2528 (Bigelow), CH. 500 <i>Effective: January 1, 2023</i> Political Reform Act of 1974: campaign statements	Amends the Political Reform Act of 1974, a violation of which is a crime, to require elected local government officers and candidates for elective local government office whose campaign contributions for an upcoming election equal or exceed \$15,000 and who are not currently required to file a campaign statement or related document with the Secretary of State to file specified campaign statements and related documents with the Secretary of State, along with any other persons, such as their local filing officer, with whom they are otherwise required to file.
GOV amend 85320	AB 319 (Valladares), CH. 319 <i>Effective: January 1, 2023</i> Political Reform Act of 1974: contributions: foreign governments or principals	Expands the scope of the crime by amending the prohibition in the Political Reform Act of 1974 against a foreign government or principal, as defined, from making a contribution or expenditure in connection with a ballot measure to include contributions and expenditures in connection with an election of a candidate to state or local office.
GOV add 85701.5	AB 775 (Berman), CH. 942 <i>Effective: January 1, 2023</i> Contribution requirements: recurring contributions	Amends the Political Reform Act of 1974, a violation of which is a crime, to prohibit a candidate or committee from accepting a recurring campaign contribution without receiving the contributor's affirmative consent.
GOV add 100503.9; UIC amend 1095	SB 644 (Leyva), CH. 983 <i>Effective: January 1, 2023</i> Health care coverage outreach	Requires the Health Care Exchange to market and publicize the availability of health care coverage through the Exchange, and engage in outreach activities, to the individuals whose information the Exchange receives from the Employment Development Department, which expands the scope of distribution of confidential information, thereby expanding the number of persons subject to the access, use, and confidentiality restrictions, a violation of which is a crime.
HSC add and repeal 1259.3	SB 864 (Melendez), CH. 169 <i>Effective: January 1, 2023</i> General acute care hospitals: drug screening	Expands the scope of a crime by requiring a general acute care hospital to include testing for fentanyl in a urine drug screening, if the hospital conducts a urine drug screening to assist in diagnosing the patient's condition.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
HSC amend 1261.6	AB 1852 (Patterson), CH. 111 <i>Effective: January 1, 2023</i> Health facilities: automated drug delivery systems	Expands the scope of a crime relating to skilled nursing and intermediate care facilities, by adding licensed hospice facilities to the types of facilities authorized to have an automated drug delivery system placed by a pharmacy.
HSC amend 1265, 1267.5, add 1253.2, 1253.3	AB 1502 (Muratsuchi), CH. 578 <i>Effective: January 1, 2023</i> Freestanding skilled nursing facilities	Enacts the Skilled Nursing Facility Ownership and Management Reform Act of 2022, which establishes suitability standards for persons and entities seeking to acquire, operate, or manage skilled nursing facilities in California and expands the scope of a crime by imposing new duties on licensees.
HSC amend 1342.2, 1342.3, 1399.848; INS amend 10110.7, 10110.75, 10965.4	SB 1473 (Pan), CH. 545 <i>Effective: Immediately</i> Health care coverage	Amends the Knox-Keene Health Care Service Plan Act of 1975, a violation of which is a crime, to require health plans and insurers to cover therapeutics for COVID-19, as well as makes other revisions to coverage requirements for COVID-19 testing and vaccination, and makes the annual open enrollment periods for individual health benefit plans offered through and outside of Covered California consistent.
HSC add 1347.8; INS add 10127.20	AB 2205 (Carrillo), CH. 563 <i>Effective: January 1, 2023</i> California Health Benefit Exchange: abortion services coverage reporting	Amends the Knox-Keene Health Care Service Plan Act of 1975, a violation of which is a crime, to, beginning July 1, 2023, require a health care service plan or health insurer offering qualified health plans through the Health Benefit Exchange to annually report the total amount of funds in a specified segregated account.
HSC amend 1367.03, 1367.031; INS amend 10133.54	SB 225 (Wiener), CH. 601 <i>Effective: January 1, 2023</i> Health care coverage: timely access to care	Amends the Knox-Keene Health Care Service Plan Act of 1975, a violation of which is a crime, to revise the enforcement authority of the Department of Managed Health Care and Department of Insurance over health plans and insurers related to timely access to mental health and substance use treatment.
HSC add 1367.32, add 127630 et seq.; INS add 10123.210; LAB add 2808.1	AB 2134 (Weber, Akilah), CH. 562 <i>Effective/Operative Date: January 1, 2023</i> Reproductive health care	Amends the Knox-Keene Health Care Service Plan Act of 1975, a violation of which is a crime, to require a health care service plan or health insurer that provides health coverage to employees of a religious employer that does not include coverage and benefits for both abortion and contraception to provide an enrollee or insured with written information at specified times on the abortion and contraception benefits or services that may be available at no cost through the California Reproductive Health Equity Program.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
HSC add 1367.207; INS add 10123.204	AB 2352 (Nazarian), CH. 590 <i>Effective: January 1, 2023</i> Prescription drug coverage	Amends the Knox-Keene Health Care Service Plan Act of 1975, a violation of which is crime, to require a health care service plan (health plan) or health insurer to furnish specified information about a prescription drug upon request by an enrollee or insured, or their prescribing provider and prohibits a health plan or health insurer from restricting a prescribing provider from sharing the information furnished about the prescription drug, including information about the cash price of the drug, or penalizing a provider for prescribing, administering, or ordering a lower cost or clinically appropriate alternative drug.
HSC add 1367.251; INS add 10123.1961	SB 245 (Gonzalez), CH. 11 <i>Effective: January 1, 2023</i> Health care coverage: abortion services: cost sharing	Amends the Knox-Keene Health Care Service Plan Act of 1975, a violation of which is a crime, to make various changes relating to abortion-related services, including, among other things, prohibiting a health care service plan or an individual or group policy or certificate of health insurance or student blanket disability insurance that is issued, amended, renewed, or delivered on or after January 1, 2023, from imposing a deductible, coinsurance, copayment, or any other cost-sharing requirement on coverage for all abortion and abortion-related services.
HSC amend 1367.625; INS amend 10123.867	SB 1207 (Portantino), CH. 618 <i>Effective: January 1, 2023</i> Health care coverage: maternal and pandemic-related mental health conditions	Amends the Knox-Keene Health Care Service Plan Act of 1975, a violation of which is a crime, to require health plan and insurer maternal mental health programs to include quality measures to encourage screening, diagnosis, treatment and referral, requires program guidelines and criteria to be provided to providers; and requires education of enrollees and insureds about the plan's or insurer's program.
HSC amend 1374.1; INS amend 10278.1	AB 2127 (Santiago), CH. 118 <i>Effective: January 1, 2023</i> Health care coverage: dependent adults	Amends the Knox-Keene Health Care Service Plan Act of 1975, a violation of which is a crime, to clarify that a health plan, health insurer, solicitor, or agent is required to provide at the time of solicitation and on the application for dependent coverage for a parent or stepparent who is a qualifying relative information about the Health Insurance Counseling and Advocacy Program (HICAP), and requires the information to include the name, address, telephone number of the local HICAP program, and the statewide HICAP telephone number.
HSC add 1374.142; INS add 10123.857	AB 1982 (Santiago), CH. 525 <i>Effective: January 1, 2023</i> Telehealth: dental care	Amends the Knox-Keene Health Care Service Plan Act of 1975, a violation of which is a crime, to require a health care service plan or health insurer covering dental services that offers a service via telehealth through a third-party corporate telehealth provider, to disclose to the enrollee or insured the impact of third-party telehealth visits on the patient's benefit limitations, including frequency limitations and the patient's annual maximum and to require those plans and insurers to submit specified information for each product type.

CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
HSC add 1374.197; INS add 10144.56	AB 2581 (Salas), CH. 533 <i>Effective: January 1, 2023</i> Health care coverage: mental health and substance use disorders: provider credentials	Amends the Knox-Keene Health Care Service Plan Act of 1975, a violation of which is a crime, to, among other things, require a health care service plan (health plan) and disability insurer, for provider contracts issued, amended, or renewed on and after January 1, 2023, that provides coverage for mental health and substance use disorders and credentials health care providers of those services for the health plan or insurer's networks, to assess and verify the qualifications of a health care provider within 60 days after receiving a completed provider credentialing application.
HSC add 1374.723; INS add 10144.54; PEN amend 1370.01; WIC amend 5801, 5813.5	SB 1338 (Umberg), CH. 319 <i>Effective: January 1, 2023</i> Community Assistance, Recovery, and Empowerment (CARE) Court Program	Requires the Judicial Council to develop a mandatory form for use in filing a Community Assistance, Recovery, and Empowerment Act (CARE) process petition and specifies the process by which the petition is filed and reviewed, including requiring the petition to be signed under penalty of perjury, and to contain specified information, including the facts that support the petitioner's assertion that the respondent meets the CARE criteria.
HSC add 1418.22	AB 2511 (Irwin), CH. 788 <i>Effective: January 1, 2023</i> Skilled nursing facilities: backup power source	Amends the Long-Term Care, Health, Safety, and Security Act of 1973, a violation of which is a crime, to require skilled nursing facilities to have an alternative source of power to protect resident health and safety for no less than 96 hours during any type of power outage.
HSC amend 1569.885, 1599.75, add 1422.65	AB 895 (Holden), CH. 577 <i>Effective: January 1, 2023</i> Skilled nursing facilities, intermediate care facilities, and residential care facilities for the elderly: notice to prospective residents	Expands the scope of a crime by requiring a skilled nursing facility or an intermediate care facility to provide a prospective resident of the skilled nursing facility or intermediate care facility, or their representative, before or at the time of admission, a written notice that includes specified contact information for the local long-term care ombudsman and links to specified internet websites relating to these facilities and requiring a facility's grievance form to include contact information for the local long-term care ombudsman and the State Department of Public Health, and instructions on how to file a grievance with both entities.
HSC amend 1748, 1749, 1751.5, 1751.70, 1753, 1755, add 1752.1, 1753.1	AB 2673 (Irwin), CH. 797 <i>Effective: January 1, 2023</i> Hospice agency licensure: moratorium on new licenses	Amends the California Hospice Licensure Act of 1990, a violation of which is a crime, to, among other things, require a hospice agency to have specified employees and provide the Department of Public Health (DPH) certain information for each employee on an initial license application and require applicants for a hospice agency license to demonstrate and provide evident to DPH of an unmet need of hospice services in the geographic area the agency would serve.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
HSC amend 14951, 14952, 14953, 14954, 14959; RTC amend 30165.1, 30165.2; amend section 3 of chapter 633 of statutes of 2005	AB 1742 (Rivas, Robert), CH. 454 <i>Effective: January 1, 2023</i> California Cigarette Fire Safety and Firefighter Protection Act: Tobacco Master Settlement Agreement	Expands the scope of a crime by revising in the Cigarette and Tobacco Products Tax Law to, among other things, expand the information a nonparticipating must certify relating to surety bonds, a false certification of which is a crime.
HSC amend 25163, 25217.2, 25217.2.1, 25218.3, 25218.5, 25218.8	AB 2481 (Smith), CH. 499 <i>Effective: January 1, 2023</i> Household hazardous waste: facilities: transportation and acceptance	Amends certain hazardous control waste laws, a violation of is a crime, to make various changes to the statutory requirements for the transportation of hazardous waste and the operation of household hazardous waste collection facilities.
HSC amend 25214.8.11.6, 25214.8.12, 25214.8.13, 25214.8.13.5, 25214.8.17	AB 732 (Quirk), CH. 742 <i>Effective: January 1, 2023</i> Mercury Thermostat Collection Act of 2021	Amends the Mercury Thermostat Collection Act of 2021, a violation of which is a crime, to make technical cleanup changes.
HSC amend 25251, 25252, 25253, add 25253.6, 25253.7, 25253.9	SB 502 (Allen), CH. 701 <i>Effective: January 1, 2023</i> Hazardous materials: green chemistry: consumer products	Expands the scope of crimes relating to hazardous waste laws by updating and reforming California’s Safer Consumer Products (Green Chemistry) program, to, among other things, create a streamlined alternatives analysis process and require manufacturers, upon request, to provide information to the Department of Toxic Substances Control on a consumer product’s ingredients, use, and sales.
HSC amend 25500, 25501, 25507, add 25507.5, 25508.3	AB 2059 (Carrillo), CH. 278 <i>Effective: January 1, 2023</i> Hazardous materials business and area plans: consumer products: recordkeeping	Expands the scope of a crime by expanding the scope of hazardous materials subject to regulation under the hazardous waste control laws, and imposing additional requirements related to handlers of hazardous materials.
HSC add 26275 et seq.	SB 1111 (Archuleta), CH. 244 <i>Effective: January 1, 2023</i> Trash receptacles and storage containers: reflective markings	Establishes the Rick Best Safety Act to require larger curbside trash receptacles and storage containers to have reflective markings and certain visible information, and makes it an infraction to violate the act.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
HSC 39735, 39736	SB 1206 (Skinner), CH. 884 <i>Effective: January 1, 2023</i> Hydrofluorocarbon gases: sale or distribution	Creates a crime by prohibiting the sale or distribution of bulk hydrofluorocarbons that exceed global warming potential limits of 2,200 by 2025, 1,500 by 2030, and 750 by 2033.
HSC add 39740 et seq., 39741 et seq.; PRC add 2213, 3132, add 71460 et seq.	SB 905 (Caballero), CH. 359 <i>Effective: January 1, 2023</i> Carbon sequestration: Carbon Capture, Removal, Utilization, and Storage Program	Expands the scope of a crime by prohibiting an operator from injecting a concentrated carbon dioxide fluid produced by a carbon dioxide capture, removal, or sequestration project into a Class II injection well for purposes of enhanced oil recovery, including the facilitation of enhanced oil recovery from another well.
HSC amend 41516, 42461, 42463, 42464, 42464.2, 42464.4, 42464.6, 42464.8, 42465, 42465.1, 42465.2, 42465.3, 42474, 42474.5, 42475, 42475.2, 42475.3, 42475.4, 42476, 42476.5, 42477, 42478, 42479, 42485; PRC amend 42464 et seq., add 42464.3, 42466.1, 42466.2, 42467	SB 1215 (Newman), CH. 370 <i>Effective: January 1, 2023</i> Electronic Waste Recycling Act of 2003: covered battery-embedded products	Amends hazardous waste laws, a violation of which is a crime, to expand the Electronic Waste Recycling Act to include battery-embedded products.
HSC amend 50199.15, add 50199.23	AB 2873 (Jones-Sawyer), CH. 316 <i>Effective: January 1, 2023</i> California Tax Credit Allocation Committee: low-income housing credit: women, minority, disabled veteran, and LGBT business enterprises	Expands the crime of perjury by requiring housing sponsors that receive an allocation of Low-Income Tax Credits to report on the use of women, minority, disabled veteran, and LGBT business enterprises.
HSC amend 50807, 50811, amend 50811 et seq., add 1530.90, add 1890 et seq., repeal and add 130208	SB 187 (Committee on Budget and Fiscal Review), CH. 50 <i>Effective: Immediately</i> Human services	Amends the California Community Care Facilities Act, a violation of which is a crime, to place new requirements on community treatment facilities.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
HSC amend 105254, add 105250.5	SB 1076 (Archuleta), CH. 507 <i>Effective: January 1, 2023</i> Lead-based paint	Expands the scope of a crime by requiring, on and after January 1, 2024, a firm and at least one person onsite and employed by a firm, doing renovation, repair, or painting work that will disturb lead-based paint or presumed lead-based paint to have a specified certificate.
HSC amend 113818, 113831, 113868, add 114368 et seq.	SB 972 (Gonzalez), CH. 489 <i>Effective: January 1, 2023</i> California Retail Food Code	Amends the California Retail Food Code, a violation of which is a crime, to establish a new type of retail food facility called a "compact mobile food operation" (CMFO) as a subcategory of mobile food facility that is nonmotorized and operates from a pushcart or stand; exempts CMFOs from various provisions of the retail food code law, including certain sink requirements; prohibits criminal penalties from applying to CMFOs and instead limits enforcement to administrative penalties; and exempts sales from CMFOs from counting toward the limits for cottage food operators or microenterprise home kitchens.
HSC amend 120475, 120511, 122440, 127691, 127692, 127694, 127695, 127696, 128205, 128210, 128230, 128235, amend and repeal 104395, add 1385.035, 11831.1, 11834.28, 11839.6.1, 124024, 124110.5, add 101320 et seq., 123451 et seq., 127500 et seq., 128250 et seq., repeal 128215, 128220, 128225; INS amend, repeal, and add 12693.74, add 10181.35	SB 184 (Committee on Budget and Fiscal Review), CH. 47 <i>Effective: Immediately</i> Health	Amends the Knox-Keene Health Care Service Plan Act of 1975, a violation of which is a crime, to among other things, require health care service plans and health insurers, in submitting rates for review, to demonstrate the impact of any changes in the rate of growth of health care costs resulting from the health care cost targets and expands the crime of perjury by placing attestation requirements on employers getting certain funding.
HSC amend 123115, 123148, add 1374.196; INS add 10133.12	SB 1419 (Becker), CH. 888 <i>Effective: January 1, 2023</i> Health information	Amends the Knox-Keene Health Care Service Plan Act of 1975, a violation of which is a crime, to require, commencing January 1, 2024, health care service plans and health insurers to establish and maintain application programming interfaces, as described by the federal regulations, for the benefit of enrollees, insureds, and contracted providers.
HSC amend 130055, add 130002, 130006, 130066.5	AB 1882 (Rivas, Robert), CH. 584 <i>Effective: January 1, 2023</i> Hospitals: seismic safety	Amends the Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983, a violation of which is a crime, to require owners of general acute care hospital buildings that are not compliant with the January 1, 2030, seismic safety requirement to remain operational following a major earthquake, to submit annual status updates to various entities, and to require hospitals to post in any lobby or waiting area of a hospital building that is not compliant with the January 1, 2030, seismic requirement a notice that the hospital is not in compliance.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
HSC add 130069	<p>AB 2404 (Rivas, Luz), CH. 592</p> <p><i>Effective: Immediately</i></p> <p>Hospitals: seismic compliance: Pacifica Hospital of the Valley</p>	<p>Amends the Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983, a violation of which is a crime, to authorize Department of Health Care Access and Information (HCAI) to waive the requirements of the Seismic Safety Act for Pacifica Hospital of the Valley in Los Angeles County if the hospital submits a plan that proposes compliance by January 1, 2025, HCAI accepts the plan as being feasible, and the hospital reports to HCAI on its progress to timely complete the plan.</p>
<p>INS amend 106, 396, 510, 676.2, 676.8, 677.2, 677.4, 678, 678.1, 785, 799.02, 1652, 1725.5, 1749, 1749.3, 1749.31, 1749.32, 1749.33, 1758.9, 1871.2, 1872.4, 10111.2, 10144.55, 10235.45, 11664, 13902, add 1872.41, 1872.51, repeal 1879.2; LAB amend 5401.7</p>	<p>SB 1242 (Committee on Insurance), CH. 424</p> <p><i>Effective: January 1, 2023</i></p> <p>Insurance</p>	<p>This Senate Insurance Committee’s biannual omnibus bill, which includes several changes that are noncontroversial, technical, or otherwise classified as code cleanup, changes the definition of various insurance-related crimes with this cleanup.</p>
<p>INS amend, repeal, and add 1800, 1801, 1802, 1802.1, 1810.7, 1810.8, 1811, 1815, add 1802.3; PEN amend, repeal, and add 1299.01, 1299.02, and 1299.04</p>	<p>AB 2043 (Jones-Sawyer), CH. 768</p> <p><i>Effective: January 1, 2023</i></p> <p>Bail bonds</p>	<p>Amends the Bail Fugitive Recovery Persons Act, a violation of which is a crime, to prohibit a bail licensee and a private investigator who are licensed in another state from apprehending, arresting, or detaining a bail fugitive in this state, unless they obtain a bail fugitive recovery agent license in this state and comply with the laws of this state.</p>
INS add 10965.03	<p>AB 1823 (Bryan), CH. 688</p> <p><i>Effective: January 1, 2023</i></p> <p>Student health insurance</p>	<p>Expands the scope of a crime by revising certain requirements relating to student health insurance coverage, a violation of which is a crime.</p>
<p>INS add 12960; VEH amend, repeal, and add 16056, 16430, 16435, 16451, 16500</p>	<p>SB 1107 (Dodd), CH. 717</p> <p><i>Effective: January 1, 2023</i></p> <p>Vehicles: insurance</p>	<p>Amends the Vehicle Code, a violation of which is an infraction, to increase, effective January 1, 2025, the requirements of the Financial Responsibility Law, which requires that most drivers purchase auto insurance with certain minimum limits of coverage, as specified.</p>
<p>LAB amend 94, add 1470 et seq.</p>	<p>AB 257 (Holden), CH. 246</p> <p><i>Effective: January 1, 2023</i></p> <p>Food facilities and employment</p>	<p>Among other things, expands the application of crimes associated with employment, worker, and public health and safety laws by requiring that a fast-food restaurant franchisor be jointly and severally liable for violations of its franchisee and provides that specified laws may be enforced against a fast-food restaurant franchisor to the same extent that they may be enforced against a franchisee.</p>



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
LAB add 512.1	SB 1334 (Bradford), CH. 845 <i>Effective: January 1, 2023</i> Meal and rest periods: hospital employees	Expands the scope of a crime by extending existing meal and rest period rights and remedies available to private sector employees to those who provide direct patient care or support direct patient care in general acute care hospitals, clinics, or public health settings who are directly employed by specified public sector employers.
LAB add 1160.10, 1162, add and repeal 1156.35, 1156.36, 1156.37	AB 2183 (Stone), CH. 673 <i>Effective: January 1, 2023</i> Agricultural labor relations: elections	Amends the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975, which makes it a misdemeanor for any person to willfully resist, prevent, or interfere with a member of the board or its agents or agencies in the performance of their duties, to provide that, as an alternative to a polling place election, a labor organization may be certified as the exclusive bargaining representative of a bargaining unit of agricultural employees through either a labor peace election or a nonlabor peace election until January 1, 2028.
LAB amend 1720.3	AB 1851 (Rivas, Robert), CH. 764 <i>Effective: January 1, 2023</i> Public works: prevailing wage: hauling	Expands the scope of a crime relating to prevailing wages in public works by expanding the definition of "public works," for the purpose of the payment of prevailing wages, to also include the on-hauling of materials used for paving, grading, and fill onto a public works site.
LAB amend 6318, 6431	AB 2068 (Haney), CH. 485 <i>Effective: January 1, 2023</i> Occupational safety and health: postings: spoken languages	Amends the California Occupational Safety and Health Act of 1973, a violation of which certain provisions is a crime, to require citations, orders, and special orders issued in enforcing occupational safety and health standards, to be prominently posted at or near each place a violation referred to in the citation or order occurred to be posted in specified languages in addition to English.
LAB amend 6325, 6409.6	AB 2693 (Reyes), CH. 799 <i>Effective: January 1, 2023</i> COVID-19: exposure	Amends the California Occupational Safety and Health Act of 1973, a violation of certain provision of which is a crime, to require until January 1, 2024, employers to notify employees of potential COVID-19 exposure by prominently displaying in the workplace a notice of COVID-19 case-related information for a minimum of 15 calendar days.
PEN amend 146e	AB 2588 (Maienschein), CH. 697 <i>Effective: January 1, 2023</i> Crimes: obstruction of justice	Expands the law that makes it a crime to maliciously, and with the intent to obstruct justice or the due administration of laws, or with the intent or threat to inflict imminent bodily harm in retaliation for the due administration of the laws, to publish, disseminate, or otherwise disclose the residence address or telephone number of any peace officer, nonsworn police dispatcher, employee of a city police department or county sheriff's office, or public safety official, or that of the spouse or children of those persons, to also apply to those actions taken against the immediate family of those officials.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
PEN amend 186.2, 186.8	AB 1637 (Cooper), CH. 950 <i>Effective: Immediately</i> Criminal profiteering: asset forfeiture: unemployment and disability insurance fraud	Expands the scope of a crime by including fraud offenses relating to COVID-19 pandemic-related insurance programs administered by the Employment Development Department within the definition of criminal profiteering activity.
PEN amend 192	SB 1472 (Stern), CH. 626 <i>Effective: January 1, 2023</i> Vehicular manslaughter: speeding and reckless driving	Expands the scope of a crime by specifying a list of circumstances that may, based on the totality of the circumstances, constitute gross negligence for manslaughter, including, among other circumstances, when a person has participated in a side-show or has sped over 100 miles per hour.
PEN add 373.5	AB 2195 (Jones-Sawyer) CH. 487 <i>Effective: January 1, 2023</i> Crimes: nuisance	Changes the punishment for public nuisance when a defendant accepts a plea bargain and one or more charges dismissed under the plea bargain allege unlawfully cultivating, manufacturing, transporting, giving away, selling, or possession or use of a drug, or possession or use of drug paraphernalia as follows: (1) if one or more of the dismissed drug related charges is an infraction, it is punishable as an infraction, (2) if one or more of the dismissed drug related charges is a misdemeanor, it is punishable either as a misdemeanor or an infraction; (3) if one or more of the dismissed drug related charges is a felony, it is punishable as a felony or misdemeanor.
PEN amend 487e, 487f, 491	AB 1290 (Lee), CH. 546 <i>Effective: January 1, 2023</i> Crimes: theft: animals	Clarifies that any person who steals, takes, or carries away a companion animal of another is guilty of theft.
PEN amend 538d, 538e, 538f, 538g, 538h	AB 1899 (Mathis), CH. 954 <i>Effective: January 1, 2023</i> Crimes: false personation	Expands the scope of the crime that prohibits credibly impersonating a peace officer, firefighter, or employee of a public utility, state or local government agency, or search and rescue team to include impersonation through or on an internet website, or by other electronic means, for purposes of defrauding another.
PEN 626, 626.2, 626.4, 626.6	SB 748 (Portantino), CH. 134 <i>Effective: Immediately</i> Trespass: private universities	Adds "independent institutions of higher education" to the types of schools that, under existing criminal trespass laws, may prohibit students or employees who have been suspended or dismissed, as well as certain persons who have been directed to leave, from reentering the campus or facility.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
PEN amend 631, 632.7	SB 1272 (Becker), CH. 27 <i>Effective: January 1, 2023</i> Crimes: intercepting telephone communications	Changes the scope of a crime by exempting a telephone company engaged in the business of providing communications services and facilities from the prohibition against tapping any communication wire or intercepting or recording any telephone communication, as specified, without the consent of all parties.
PEN amend 647	SB 1081 (Rubio), CH. 882 <i>Effective: January 1, 2023</i> Disorderly conduct: peeping, recording, and distribution of intimate images	Defines the terms “distribute” and “identifiable” for purposes of the existing crime of unlawful distribution of a private image, also known as “revenge porn.”
PEN 679.09	SB 1268 (Caballero), CH. 227 <i>Effective: January 1, 2023</i> Victims of crime: family access to information	Requires the parent or guardian of a minor whose death is being investigated to be provided specified information relating to the investigation, including the name of the investigating officers, and makes it an infraction for a person to falsely certify that they are a family member when requesting information relating to the death of a minor from law enforcement.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
PEN amend 830.11; RTC amend 6295, 6592, 6593, 6593.5, 6703, 6901, 6981, 7093.6, 7097, 7657, 7658, 8126, 8191, 8877, 8878, 8957, 9151, 9196, 9275, 9278, 12221, 30282, 30283, 30315, 30361, 30421, 30459.15, 30459.5, 32471.5, 34013, 34016, 34018, 38452, 38453, 38503, 38601, 38631, 40102, 40103, 40111, 40121, 40155, 40215, 41095, 41096, 41097, 41100, 41107, 41123.5, 41171.5, 41175, 43157, 43158, 43444.2, 43451, 43491, 43526, 45155, 45156, 45605, 45651, 45801, 45871, 46156, 46157, 46406, 46501, 46551, 46626, 46628, 50112.2, 50112.3, 50136, 50139, 50151, 50156.15, 50156.18, 55044, 55046.5, 55161, 55162, 55205, 55221, 55281, 55332.5, 55336, 60209, 60211, 60407, 60521, 60581, 60633.2, 60637, add 6459.5, 7656.5, 8754.5, 30185.5, 34013.1, 38405.5, 40065.5, 41054.5, 43154.5, 45152.5, 46153.5, 50111.5, 55041.5, 60208.5, repeal 19559	SB 1496 (Committee on Governance and Finance), CH. 474 <i>Effective: January 1, 2023</i> Taxation: tax, fee, and surcharge administration: insurance tax rates	Expands the scope of a crime by extending the repeal date for provisions regarding an offer in compromise for a final tax, surcharge, or fee liability regardless of whether the business has been discontinued or transferred or whether the taxpayer or feepayer has a controlling interest or association to January 1, 2028, including the provision making it a felony if the taxpayer or feepayer conceals specified property or receives, withholds, destroys, mutilates, or falsifies specified items or makes a false statement related to the offer in compromise.
PEN amend 1054.2	AB 419 (Davies), CH. 91 <i>Effective/Operative Date: January 1, 2023</i> Criminal procedure: victim and witness privacy	Expands the existing prohibition on attorneys disclosing the address or telephone number of a victim or witness whose name is disclosed through discovery to also include the disclosure of any personal identifying information, as defined, of the victim or witness. Also removes the provision making a willful violation of these provisions a misdemeanor.
PEN add 2084.5; PUC add 2899; WIC add 208.1	SB 1008 (Becker), CH. 827 <i>Effective: January 1, 2023</i> Corrections: communications	Amends the Public Utilities Act, a violation of which is a crime, to require the Public Utilities Commission to establish service quality standards for incarcerated persons calling services to be adhered to by communication service providers rendering services to state or local correctional or detention facilities.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
PEN amend, repeal, and add 11105	AB 200 (Committee on Budget), CH. 58 <i>Effective: Immediately</i> Public safety omnibus	Expands the definition of the crime of furnishing unauthorized state summary criminal information, by requiring, until January 1, 2023, the Department of Justice to disseminate every conviction rendered against any applicant under these provisions without regard to whether relief was granted for the conviction and beginning January 1, 2023, requiring the dissemination of convictions for which relief was granted only to the Commission on Teacher Credentialing.
PEN amend 11105	SB 1493 (Committee on Public Safety), CH. 197 <i>Effective: January 1, 2023</i> Public safety omnibus	Expands the scope of a crime relating to criminal history information by additionally permitting the Attorney General to furnish that information to the Governor when the Governor recommends to the Director of the Selective Service System applicants for appointment to the state's Selective Service System local boards.
PEN amend 11165.2, 11166, 11167	AB 2085 (Holden), CH. 770 <i>Effective: January 1, 2023</i> Crimes: mandated reporters	Changes the scope of a crime by, for the purposes of mandated reports, to limit the definition of general neglect to only include circumstances where the child is at substantial risk of suffering serious physical harm or illness and provide that general neglect does not include a parent's economic disadvantage.
PEN amend 11411	AB 2282 (Bauer-Kahan), CH. 397 <i>Effective: January 1, 2023</i> Hate crimes: nooses, crosses, and swastikas	Expands the scope of a crime by equalizing the penalty for the crimes of hanging a noose, displaying a symbol of hate, including a Nazi swastika, and burning or desecrating religious symbols, on specified property, for the purpose of terrorizing, and expands and aligns the places where this conduct is prohibited for each offense.
PEN amend 27240, 27245, 27305, 27310, 27350	AB 2552 (McCarty), CH. 696 <i>Effective: January 1, 2023</i> Firearms: gun shows and events	Expands the scope of crimes relating to gun shows and events to require the inclusion of additional notices on the signs posted at the public entrance of gun shows.
PEN add 27573	SB 915 (Min), CH. 145 <i>Effective: January 1, 2023</i> Firearms: state property	Creates a new crime by prohibiting a state officer or employee, or operator, lessee, or licensee of any state-owned property, from contracting for, authorizing, or allowing the sale of any firearm, firearm precursor part, or ammunition on state property.
PEN add 27575.1	AB 1769 (Bennett), CH. 140 <i>Effective: January 1, 2023</i> Firearms: prohibited places	Expands the scope of a crime by prohibiting the sale of any firearm, firearm precursor part, or ammunition on the property of the 31st District Agricultural Association, comprising the Ventura County Fair and Event Center in Ventura County.
PEN amend 29010	AB 2156 (Wicks), CH. 142 <i>Effective: January 1, 2023</i> Firearms: manufacturers	Changes the definition of a crime by expanding the prohibitions on the manufacture of firearms without a state license including reducing the number of guns a person may manufacture without a license, and prohibiting the use of a three-dimensional printer to manufacture any firearm without a license.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
PEN 29805	<p>AB 2239 (Maienschein), CH. 143</p> <p><i>Effective: January 1, 2023</i></p> <p>Firearms: prohibited persons</p>	<p>Expands the scope of a crime by creating a 10-year firearm prohibition for individuals convicted, on or after January 1, 2023, of child abuse and elder and dependent adult abuse involving violence.</p>
PCC amend 6821	<p>SB 198 (Committee on Budget and Fiscal Review), CH. 71</p> <p><i>Effective: Immediately</i></p> <p>Transportation</p>	<p>Expands the scope of the crime of perjury by authorizing the Department of Transportation to utilize the design-build method of procurement for up to 10 projects on the state highway system, which expands the number of projects in which the statement of qualifications requirement, subject to penalty of perjury, is applicable and creates a new crime by establishing the High-Speed Rail Authority Office of the Inspector General and making it a misdemeanor for the inspector general, an employee of the inspector general, and certain other persons to divulge or make known certain information.</p>
PCC amend 10295.8	<p>SB 1271 (Wilk), CH. 543</p> <p><i>Effective: January 1, 2023</i></p> <p>Contracts for the acquisition of goods or services: extension or renewal: legislative oversight</p>	<p>Expands the scope of a crime by requiring a state agency, for a contract awarded without competitive bidding for the acquisition of goods or services in the amount of \$75,000,000 or more, entered into on or after January 1, 2023, on or before the contract end date, to submit information regarding the terms and conditions of a proposed extension or renewal of the contract to the Joint Legislative Budget Committee.</p>
PCC amend 21565, add 21568 et seq.	<p>AB 1845 (Calderon), CH. 275</p> <p><i>Effective: January 1, 2023</i></p> <p>Metropolitan Water District of Southern California: alternative project delivery methods</p>	<p>Expands the application of the crime of perjury for a violation of certain certification and skilled and trained workforce requirements.</p>
PCC add and repeal 22170 et seq.	<p>SB 991 (Newman), CH. 243</p> <p><i>Effective: January 1, 2023</i></p> <p>Public contracts: progressive design-build: local agencies</p>	<p>Expands the crime of perjury by requiring certain design-build entities and their general partners or joint venture members to verify specified information under penalty of perjury in public works projects.</p>
PRC amend 3108, 3206.3, 3258, add 3125 et seq.	<p>SB 1295 (Limón), CH. 844</p> <p><i>Effective: January 1, 2023</i></p> <p>Oil and gas: hazardous or deserted wells and facilities: labor standards: expenditure limits: reports</p>	<p>Expands the scope of a crime by providing that all work undertaken or paid for by the Geologic Energy Management Division using outside contractors is a public work and requires prevailing wages to be paid, a violation of which results in misdemeanor penalties for a violation of this requirement.</p>



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
PRC add 3132	SB 1314 (Limón), CH. 336 <i>Effective: January 1, 2023</i> Oil and gas: Class II injection wells: enhanced oil recovery	Expands the scope of a crime by prohibiting an operator from injecting a concentrated carbon dioxide fluid produced by a carbon dioxide capture project or a carbon dioxide capture and sequestration project into a Class II injection well for purposes of enhanced oil recovery, including the facilitation of enhanced oil recovery from another well.
PRC add 3280 et seq.	SB 1137 (Gonzalez), CH. 365 <i>Effective: January 1, 2023</i> Oil and gas: operations: location restrictions: notice of intention: health protection zone: sensitive receptors	Expands the scope of a crime by requiring, commencing January 1, 2025, all oil or gas production facilities with a wellhead in a health protection zone to meet the following: compliance with local, state, and federal permit requirements; requirements to post contact information to receive complaints; limits on sound levels; limits on light generation; dust prevention measures; vehicle speed limits; ceased use of all facilities and equipment if in noncompliance with air district requirements; and submission to the California Geologic Energy Management Division of chemical analysis for produced water.
PRC amend 5580, 35160, add 5581	AB 2789 (Mullin), CH. 214 <i>Effective: January 1, 2023</i> Design-build projects: local agencies	Expands the crime of perjury by increasing the authority to use the design-build procurement process to an additional entity and extending that authority indefinitely for other entities, which entities must provide certain information under oath.
PRC amend 14573.5, add 14549.4	SB 38 (Wieckowski), CH. 977 <i>Effective: January 1, 2023</i> Beverage containers	Amends the California Beverage Container Recycling and Litter Reduction Act, a violation of which is a crime, to require a processor to pay certified recycling centers, curbside programs, and drop-off or collection programs electronically or by check.
PRC add and repeal 25235; PUC add 8375 et seq.	SB 1112 (Becker), CH. 834 <i>Effective: January 1, 2023</i> Energy: building decarbonization: notice and recordation of a decarbonization charge	Amends the Public Utilities Act, a violation of which is a crime, to establish requirements for notifications that utilities must provide when adding a decarbonization charge as part of a program financing energy efficiency upgrades to an existing property.
PRC add 25328; PUC add 740.21, 9625	AB 2700 (McCarty), CH. 354 <i>Effective: January 1, 2023</i> Transportation electrification: electrical distribution grid upgrades	Amends the Public Utilities Act, a violation of which is a crime, to require utilities to report how distribution investments authorized by the bill support climate goals as part of specified filings with the California Energy Commission and the California Public Utilities Commission.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
PRC add 40520 et seq.	SB 978 (McGuire), CH. 472 <i>Effective: January 1, 2023</i> Department of Resources Recycling and Recovery: wildfire debris cleanup and removal: contracts	Expands the scope of the crime of perjury by requiring contractors to submit certain information under oath to the Department of Resources Recycling and Recovery to prequalify to enter into contracts to perform prescribed wildfire debris cleanup and removal work in communities impacted by wildfires.
PRC add 42457 et seq., 42499.5 et seq., 42420 et seq., repeal 42451 et seq., 42490 et seq.	AB 2440 (Irwin), CH. 351 <i>Effective: January 1, 2023</i> Responsible Battery Recycling Act of 2022	Expands the scope of the crime of perjury by creating the Responsible Battery Recycling Act of 2022, which requires producers of covered batteries to establish a stewardship program for the collection and recycling of covered batteries and to provide certain information to state entities under oath.
PUC amend 274, 314.5, 362, 379.6, 583, 792.5, add 379.10	AB 209 (Committee on Budget), CH. 251 <i>Effective: Immediately</i> Energy and climate change	Authorizes the Energy Commission to require a form to be submitted and signed under penalty of perjury to carry out the Voluntary Offshore Wind and Coastal Resources Protection Program and amends the Public Utilities Act, a violation of which is a crime, to expressly require specified electrical corporations to participate in the Independent System Operator and prohibit all electrical corporations from withdrawing their facilities from the operational control of the Independent System Operator without commission approval.
PUC amend 275.6, 276.5	SB 857 (Hueso), CH. 706 <i>Effective: Immediately</i> Telecommunications: universal service programs	Amends the Public Utilities Act, a violation of which is a crime, to extend the authorization for the California High-Cost Fund A and B programs through January 1, 2028.
PUC amend 380, add 398.6	SB 1158 (Becker), CH. 367 <i>Effective: January 1, 2023</i> Retail electricity suppliers: emissions of greenhouse gases	Amends the Public Utilities Act, a violation of which is a crime, to require every retail supplier to annually report information concerning electricity supply used to serve load to the State Energy Resources Conservation and Development Commission Energy Commission, including the retail supplier's sources of electricity and the emissions of greenhouse gases associated with those sources of electricity.
PUC amend 399.13, 454.52, 913.4	SB 1174 (Hertzberg), CH. 229 <i>Effective: January 1, 2023</i> Electricity: eligible renewable energy or energy storage resources: transmission and interconnection	Amends the Public Utilities Act, a violation of which is a crime, to, among other things, require each electrical corporation that owns electrical transmission facilities to annually prepare, and submit to the Public Utilities Commission, concurrently with each electrical corporation's annual renewable energy procurement plan, a report on any changes to previously reported in-service dates of transmission and interconnection facilities necessary to provide transmission deliverability to eligible renewable energy resources or energy storage resources that have executed interconnection agreements, and to identify the reason for any changes to the status of in-service dates.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
PUC amend 399.20.3, 8388	SB 1109 (Caballero), CH. 364 <i>Effective: January 1, 2023</i> California Renewables Portfolio Standard Program: bioenergy projects	Amends the Public Utilities Act, a violation of which is a crime, to extend requirements on electric investor-owned utilities (IOUs) and community choice aggregators to procure energy from biomass generating electric facilities by five years and requires extension of existing contracts by five years.
PUC add 454.57	SB 887 (Becker), CH. 358 <i>Effective: January 1, 2023</i> Electricity: transmission facility planning	Amends the Public Utilities Act, a violation of which is a crime, to require 15-year projections of energy resource portfolios and energy demand to inform transmission planning to achieve the state’s clean energy goals.
PUC amend 727.5	SB 1469 (Bradford), CH. 890 <i>Effective: January 1, 2023</i> Water corporations: rates	Amends the Public Utilities Act, a violation of which is a crime, to upon application by a water corporation with more than 10,000 service connections, require the Public Utilities Commission to consider, and authorize the commission to authorize, the implementation of a mechanism that separates the water corporation’s revenues and its water sales, as provided.
PUC add 731, add and repeal 910.8	SB 1208 (Hueso), CH. 840 <i>Effective: January 1, 2023</i> Low-income utility customer assistance programs: concurrent application process	Amends the Public Utilities Act, a violation of which is a crime, to require the California Public Utilities Commission, on or before June 30, 2024, in coordination with other relevant state agencies that provide low-income electric or gas utility customer assistance programs, to develop a process that enables customers to concurrently apply, or begin to apply, to multiple low-income customer assistance programs.
PUC add 748.2	AB 2083 (Bauer-Kahan), CH. 689 <i>Effective: January 1, 2023</i> Public utilities: rates	Amends the Public Utilities Act, a violation of which is a crime, to prohibit an electrical or gas corporation (IOU) from receiving rate recovery for costs arising directly from new or additional activities expressly agreed to by the IOU, or any direct payment, fine, or penalty paid by the IOU, in a settlement agreement resolving a criminal or civil inquiry, investigation, or prosecution by the Attorney General or a district attorney, county counsel, city attorney, or city prosecutor, and in exchange for the inquiry, investigation, or prosecution to be terminated or concluded.
PUC amend 761.3	SB 1383 (Hueso), CH. 725 <i>Effective: January 1, 2023</i> Electricity: storage facilities: standards and records	Amends the Public Utilities Act, a violation of which is a crime, to require the California Public Utilities Commission (CPUC) to implement and enforce standards for the maintenance and operation of electric storage facilities owned or contracted for by electrical corporations (IOUs) and requires the California Independent System Operator to maintain records of storage facility outages and provide those records to the CPUC on a daily basis.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
PUC add 769.2, 913.13	AB 2143 (Carrillo), CH. 774 <i>Effective: January 1, 2023</i> Net energy metering: construction of renewable electrical generation facilities: prevailing wage	Amends the Public Utilities Code, a violation of which is a crime, to declare construction, after December 31, 2023, of any renewable electrical generation facility and any associated battery storage with a maximum generating capacity of more than 15 kilowatts and installed on a non-single-family home that receives service under an electric utility’s net energy metering offering to be a public works project for which prevailing wage must be paid.
PUC add 769.3, 913.15	AB 2316 (Ward), CH. 350 <i>Effective: January 1, 2023</i> Public Utilities Commission: customer renewable energy subscription programs and the community renewable energy program	Amends the Public Utilities Act, a violation of which is a crime, to, among other things, require the California Public Utilities Commission to evaluate existing customer community renewable energy programs in order to modify and/or terminate programs.
PUC amend 910.3, 1701.3, 1701.8, 8284, 8285, 8286f, amend and repeal 913.7, add 1701.9	SB 599 (Hueso), CH. 703 <i>Effective: January 1, 2023</i> Public Utilities Commission: proceedings, reports, and public utility procurement	Amends the Public Utilities Act, a violation of which is a crime, to revise and recast provisions relating to “quiet periods” and the authority for closed session meetings during rate setting cases and catastrophic wildfire proceedings at the California Public Utilities Commission.
PUC amend 1001, add 564	SB 529 (Hertzberg), CH. 357 <i>Effective: January 1, 2023</i> Electricity: electrical transmission facilities	Amends the Public Utilities Act, a violation of which is a crime, to exempt an extension, expansion, upgrade, or other modification of an existing transmission line or substations from the requirement of a Certificate of Public Convenience and Necessity and directs the California Public Utilities Commission to revise its general orders, by January 1, 2024, to instead use its permit to construct process for these approvals.
PUC amend 8385, add 8388.5	SB 884 (McGuire), CH. 819 <i>Effective: January 1, 2023</i> Electricity: expedited utility distribution infrastructure undergrounding program	Amends the Public Utilities Act, a violation of which is a crime, to require the California Public Utilities Commission to establish an expedited electric utility distribution infrastructure undergrounding program for large electrical corporations.
RTC amend 214, 259.15	AB 1206 (Bennett), CH. 636 <i>Effective: Immediately</i> Property taxation: affordable housing: welfare exemption	Requires, for the 2022–23 fiscal year (FY) through the 2027–28 FY that a residential unit continue to be treated as occupied by a lower income household, as specified, if the owner is a community land trust whose land is leased to low-income households, subject to a contract that complies with specified requirements and requires that a related affidavit be signed under penalty of perjury.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
RTC add and repeal 214.15.1	<p>AB 1933 (Friedman), CH. 643</p> <p><i>Effective: Immediately</i></p> <p>Property taxation: welfare exemption: nonprofit corporation: low-income families</p>	<p>Expands the scope of the crime of perjury by requiring an officer of a nonprofit corporation claiming the welfare exemption to sign under penalty of perjury an affidavit affirming to the county assessor that the property owned and operated by the nonprofit corporation is for the future construction of single or multifamily residential units on that property.</p>
<p>RTC 17053.71, 17131.8, 23628, 24308.6, add 17053.75, repeal and add 19551.3; WIC amend 8161, repeal section 26 of chapter 264 of statutes of 2020</p>	<p>AB 158 (Committee on Budget), CH. 737</p> <p><i>Effective: Immediately</i></p> <p>Personal Income Tax Law: Corporation Tax Law: exclusions from income: Paycheck Protection Program</p>	<p>Requires the State Department of Social Services and the State Department of Health Care Services that receive data from the Franchise Tax Board to annually provide the Franchise Tax Board the results and findings of outreach conducted to measure whether the outreach achieves its intended purpose of increasing the number of claims for the federal Earned Income Tax Credit, the California Earned Income Tax Credit, and other state and federal antipoverty tax credits, and provides that an unauthorized disclosure or use of taxpayer information disclosed under these provisions is a misdemeanor.</p>
<p>RTC amend 19554.1, add 19554.2</p>	<p>AB 192 (Committee on Budget), CH. 51</p> <p><i>Effective: Immediately</i></p> <p>Better for Families Tax Refund</p>	<p>Extends, until January 1, 2027, the authority of the Franchise Tax Board (FTB) to provide tax returns or return information necessary for the Controller to make specified payments, adds authority for the FTB to provide that information to third-party vendors for those payments until January 1, 2027, and makes the information received by the Controller and third-party vendors subject to limitation on the collection and use of that information, a violation of which is a crime.</p>
<p>RTC add 34015</p>	<p>AB 195 (Committee on Budget), CH. 56</p> <p><i>Effective: Immediately</i></p> <p>Cannabis</p>	<p>Requires a cannabis retailer to obtain a permit from the California Department of Tax and Fee Administration and provides that any person required to obtain a permit and who engages in business as a cannabis retailer without a valid permit is guilty of a misdemeanor.</p>
<p>SHC add and repeal 1966.10 et seq.</p>	<p>AB 2432 (Muratsuchi), CH. 158</p> <p><i>Effective: January 1, 2023</i></p> <p>Neighborhood electric vehicles: County of Los Angeles</p>	<p>Creates a new infraction by authorizing the County of Los Angeles, or city within the county, to establish a neighborhood electric vehicle (NEV) transportation plan, and providing that person operating a NEV in a plan area in violation of certain provisions is guilty of an infraction.</p>



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
SHC amend 2381; VEH amend 2400, 2800, 2810.1, 2813, 3008, 3069.1, 11102.5, 11617, 11721, 12505, 12509, 16020, 16028, 16560, 26710, 27150.2, 27151, 27903, 34501, 34505.6, 34507.5, 34601, 34603, 34622, add 34501.19	AB 2956 (Committee on Transportation), CH. 295 <i>Effective: January 1, 2023</i> Transportation	Expands the scope of crimes by making technical and noncontroversial changes to various provisions of law related to transportation, a violation of some of which is a crime.
UIC amend 1095	SB 188 (Committee on Budget and Fiscal Review), CH. 49 <i>Effective: Immediately</i> Developmental services omnibus	Expands the scope of a crime by authorizing the Director of Employment Development to permit the Department of Developmental Services to obtain confidential information, the disclosure of which is a crime, relating to unemployment insurance claim data of consumers served by that department and expanding the purposes for that information obtained to include monitoring program operation and evaluations of the Employment First Policy.
VEH amend 4463, 4853, add 4854	AB 984 (Wilson), CH. 736 <i>Effective: January 1, 2023</i> Vehicle identification and registration: alternative devices	Creates a new crime by making it a felony to alter, forge, counterfeit, or falsify an alternative license plate or registration card authorized by the bill, in line with existing law on license plates and registration cards.
VEH amend 23109	AB 2000 (Gabriel), CH. 436 <i>Effective: January 1, 2023</i> Motor vehicle speed contests and exhibitions of speed: off-street parking facilities	Expands the scope of a crime by amending the prohibition of engaging in a motor vehicle speed contests or exhibitions (commonly referred to as "side shows") to include off-street parking facilities.
VEH add 24011.5	SB 1398 (Gonzalez), CH. 308 <i>Effective: January 1, 2023</i> Vehicles: consumer notices	Amends the Vehicle Code, a violation of which is an infraction, to require a dealer or manufacturer that sells any new passenger vehicle that is equipped with a partial driving automation feature or that provides any software update or vehicle upgrade that adds a partial driving automation feature, to provide the buyer or owner with a consumer notice that describes the functions and limitations of those features.
WIC add 14199.70 et seq.	AB 204 (Committee on Budget), CH. 738 <i>Effective: Immediately</i> Budget Act of 2022: Health Omnibus	Expands the scope of the crime of perjury by requiring a qualified clinic to provide specified information to the Department of Health Care Services, if the clinic intends to request funding under the MediCal program.



APPENDIX E

2022 NEW AND EXPANDED CAUSES OF ACTION

CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
BPC amend 6146; CIV amend 3333.2; CCP amend 667.7; HSC add 104340 et seq.	AB 35 (Reyes), CH. 17 <i>Effective: January 1, 2023</i> Civil damages: medical malpractice	Amends the Medical Injury Compensation Reform Act of 1975 (MICRA) to, among other things, restructure MICRA's limit on attorney fees and increase the cap on noneconomic damages.
BPC amend 7099.2, 7110	AB 1747 (Quirk), CH. 757 <i>Effective: January 1, 2023</i> Contractors: disciplinary action	Provides that willful or deliberate disregard of any state or local law relating to the issuance of building permits constitutes a cause for disciplinary action against a licensed contractor by the Contractors State License Board, and subjects certain disciplinary actions to a civil penalty of up to \$30,000.
BPC add 22588 et seq.	SB 1172 (Pan), CH. 720 <i>Effective: January 1, 2023</i> Student Test Taker Privacy Protection Act	Prohibits businesses that provide proctoring services from collecting, using, retaining, and disclosing personal information of users, as specified.
BPC add 22675 et seq.	AB 587 (Gabriel), CH. 269 <i>Effective: January 1, 2023</i> Social media companies: terms of service	Requires social media companies to post terms of service for each social media platform and submit semiannual reports to the Attorney General. Subjects companies in violation to penalties of up to \$15,000 per violation per day to be sought by specified public prosecutors.
BPC amend 22942, add 22942.5	AB 847 (Quirk), CH. 401 <i>Effective: January 1, 2023</i> Electrically conductive balloons	Requires a person who sells or manufactures foil balloons to ensure that the balloons pass a standard test developed by the Institute of Electrical and Electronics Engineers as specified. Prohibits the sale or manufacturing of noncompliant foil balloons after completion of a phase-in period. Allows for violations to be brought by the Attorney General, a district attorney, a city attorney, or by a city prosecutor and subjects violators to liability for injunction and civil penalties of \$50 per noncompliant balloon, not to exceed \$2,500 per day.
BPC add and repeal 22949.60 et seq.; CCP add 1021.11	SB 1327 (Hertzberg), CH. 146 <i>Effective: January 1, 2023</i> Firearms: private rights of action	Among other things, creates a private right of action for any person against any person who, within this state, manufactures, distributes, transports, imports, keeps for sale or offers or exposes for sale, or gives or lends any firearm lacking a serial number, assault weapon, .50 BMG rifle, or firearm precursor part, as specified. Makes the bill's provisions inoperative upon invalidation of a specified abortion law in Texas (Texas Health & Saf. Code, § 171.201 et seq.).



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
BPC add 22949.80 et seq.	AB 2571 (Bauer-Kahan), CH. 77 <i>Effective: Immediately</i> Firearms: advertising to minors	<p>Among other things, prohibits a firearm industry member from advertising or marketing any firearm-related product in a manner that is designed, intended, or reasonably appears to be attractive to minors. Imposes a civil penalty of up to \$25,000 for each violation, and authorizes a person harmed by a violation to bring suit to recover any damages suffered, as specified.</p>
BPC amend 26200, add 26320 et seq.	SB 1186 (Wiener), CH. 395 <i>Effective: January 1, 2023</i> Medicinal Cannabis Patients' Right of Access Act	<p>Establishes the Medicinal Cannabis Patients' Right of Access Act, which, on and after January 1, 2024, prohibits a local jurisdiction from adopting or enforcing any regulation that prohibits the retail sale by delivery within the local jurisdiction of medicinal cannabis to medicinal cannabis patients or their primary caregivers by medicinal cannabis businesses, as defined, or that has the effect of prohibiting the retail sale by delivery within the local jurisdiction of medicinal cannabis to medicinal cannabis patients or their primary caregivers in a timely and readily accessible manner and in types and quantities that are sufficient to meet demand from medicinal cannabis patients within the local jurisdiction, as specified. Provides that the act may be enforced by an action for writ of mandate brought by a medicinal cannabis patient or their primary caregiver, a medicinal cannabis business, the Attorney General, or any other party otherwise authorized by law.</p>
CIV add 51.14	AB 1287 (Bauer-Kahan), CH. 555 <i>Effective: January 1, 2023</i> Price discrimination: gender	<p>Prohibits charging a different price for substantially similar goods based on the gender. Authorizes the Attorney General to seek an injunction relief and authorizes the court, in addition to granting the injunction, to impose civil penalties not to exceed \$10,000 for the first violation, and not to exceed \$1,000 for each subsequent violation, with the total civil penalties not to exceed \$100,000.</p>
CIV amend 52.6	AB 1661 (Davies), CH. 106 <i>Effective: January 1, 2023</i> Human trafficking: notice	<p>Adds barbering and cosmetology businesses to the businesses that are subject to a civil penalty for failure to post a notice relating to slavery and human trafficking, as specified.</p>
CIV add 52.65	AB 1788 (Cunningham), CH. 760 <i>Effective: January 1, 2023</i> Sex trafficking: hotels: actual knowledge or reckless disregard: civil penalty	<p>Establishes a cause of action against hotels for failing to report known sexual trafficking within the hotel, or where an employee benefits from sexual trafficking activity within the hotel, as specified. Authorizes a city or county attorney to seek civil penalties of \$1,000 for the first violation, \$3,000 for a second violation within the same calendar year, and \$5,000 for a third and any subsequent violation of sex trafficking within the same calendar year. Authorizes the court to consider specified factors and exercise discretion to increase the amount of the civil penalty, not to exceed \$10,000, for any fourth or subsequent violation.</p>



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
CIV add 52.8	SB 1210 (Cortese), CH. 26 <i>Effective: January 1, 2023</i> Personal rights: obscene materials: attorney's fees	Requires the court to award attorney's fees and costs to the prevailing plaintiff in a civil action seeking damages or equitable relief against any person or entity that distributes, benefits from, promotes, or induces another person to distribute unauthorized obscene materials, as specified.
CIV add 56.109; CCP amend 2029.300, 2029.350; FAM amend 3421, 3424, 3427, 3428, add 3453.5; PEN amend 1326, add 819	SB 107 (Wiener), CH. 810 <i>Effective: January 1, 2023</i> Gender-affirming health care	Requires the court to award attorney's fees and costs to the prevailing plaintiff in a civil action seeking damages or equitable relief against any person or entity that distributes, benefits from, promotes, or induces another person to distribute unauthorized obscene materials, as specified.
CIV add 1708.88	SB 53 (Leyva), CH. 504 <i>Effective: January 1, 2023</i> Unsolicited images	Creates a private cause of action against a person 18 years of age or older who knowingly sends an image that the person knows or reasonably should know is unsolicited, by electronic means, depicting obscene material. Entitles the plaintiff to recover economic and noneconomic damages or statutory damages of not less than \$1,500 but not more than \$30,000, as well as punitive damages, reasonable attorney's fees and costs, and other available relief, including injunctive relief, as specified
CIV add 1714.29; HSC add 19305	AB 2260 (Rodriguez), CH. 586 <i>Effective: January 1, 2023</i> Emergency response: trauma kits	Requires buildings with an occupancy of 200 persons or greater, constructed on or after January 1, 2023, to have trauma kits on the premises of the building, as specified. Provides civil immunity for the acquisition, training, and use of trauma kits.
CIV add 1749.8 et seq.	SB 301 (Skinner), CH. 857 <i>Effective: January 1, 2023</i> Marketplaces: online marketplaces	Requires specified, high-volume third-party sellers on an online marketplace to provide certain tax and payment information to the platform and contact information to consumers, as specified. Authorizes the Department of Justice to seek civil penalties not to exceed \$10,000 for each violation.
CIV amend 1770	AB 1904 (Grayson), CH. 324 <i>Effective: January 1, 2023</i> Consumers Legal Remedies Act: covered person	Requires financial service and product providers to disclose in solicitations that the material is an advertisement and to include their name and contact information. The statute of limitations to sue for a cause of action under the California Consumers Legal Remedies Act is three years from the commission of the unfair practice.
CIV add 1798.97.1 et seq.	SB 975 (Min), CH. 989 <i>Effective: January 1, 2023</i> Debt: coerced debts	Creates an informal process for addressing a debt incurred in the name of a debtor through duress, intimidation, threat, force, or fraud of the debtor's resources or personal information for personal gain. Creates a right of action through which a debtor can enjoin a creditor from holding the debtor personally liable for such "coerced debts."



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
CIV add 1798.99.20 et seq.	SB 1056 (Umberg), CH. 881 <i>Effective: January 1, 2023</i> Violent posts	Requires a social media platform with one million or more monthly users to clearly and conspicuously state whether it has a mechanism for reporting violent posts. Allows a person who is the target of a violent post to seek an order from a court requiring the violent post be removed and ordering that any related violent post the court determines should be removed in the interests of justice.
CIV add 1834.9.3	SB 879 (Wiener), CH. 551 <i>Effective: January 1, 2023</i> Toxicological testing on dogs and cats	Prohibits testing of specified substances on dogs and cats. Permits the Attorney General, the district attorney of the county in which the violation is alleged to have occurred, or a city attorney of a city or county having a population in excess of 750,000 and in which the violation is alleged to have occurred, to bring a civil action for injunctive relief. Permits a court to award the prevailing prosecutorial official costs, attorney's fees, and civil penalties not to exceed \$5,000 for each day that each dog or each cat is used in canine or feline toxicological experiments in violation of these provisions.
CIV amend 1946.7; CCP amend 1161.3, add 1174.27	SB 1017 (Eggman), CH. 558 <i>Effective: January 1, 2023</i> Leases: termination of tenancy: abuse or violence	Among other things, strengthens rental housing–related protections for survivors of domestic violence, abuse, and other serious crimes. Converts civil penalties to statutory damages of not less than \$100 and not more than \$5,000.
CIV add 3273.50 et seq.	AB 1594 (Ting), CH. 98 <i>Effective: January 1, 2023</i> Firearms: civil suits	Among other things, prohibits a firearm industry member from manufacturing, marketing, importing, offering for wholesale sale, or offering for retail sale a firearm-related product that is likely to create a substantial and unreasonable risk of harm to public health and safety, as specified. Authorizes a person who has suffered harm, the Attorney General, or specified city or county attorneys to bring a civil action for an act or omission in violation of the firearm industry standard of conduct, as specified. Authorizes a court to award various relief, including injunctive relief, damages, and attorney's fees and costs.
CIV amend 3345	AB 1730 (Davies), CH. 78 <i>Effective: January 1, 2023</i> Penal damages: veterans	Adds veterans to existing law that authorizes a trier of fact to treble the amount of a fine, civil penalty, or other remedy in an action brought to redress unfair or deceptive acts or practices or unfair competition brought by, on behalf of, or for the benefit of a senior citizen or disabled person, as specified.
CCP amend 340.1	AB 2959 (Committee on Judiciary), CH. 444 <i>Effective: January 1, 2023</i> Childhood sexual assault: claims	Provides that claims for childhood sexual assault are not required to be presented to any governmental entity before the commencement of an action.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
CCP amend 340.16	AB 2777 (Wicks), CH. 442 <i>Effective: January 1, 2023</i> Sexual assault: statute of limitations	Establishes the Sexual Abuse and Cover Up Accountability Act and revives otherwise time-barred claims for damages arising from sexual assault, as specified.
CCP amend 683.050, 683.110, 683.120, 683.160, 683.170, 685.010	SB 1200 (Skinner), CH. 883 <i>Effective: January 1, 2023</i> Enforcement of judgments: renewal and interest	Establishes restrictions on the renewal of money judgments, reduces the interest rate applied to outstanding judgments, and extends the period of time within which a judgment debtor can move to vacate or modify a renewal, as specified.
FAM amend 6216; PEN amend 16520, 16531, 18010, 23910, 23920, 23925, 27510, 27530, 29180, 29182, 29805, 30420, amend, repeal, and add 26835, 27535, 27540, add 16515, 16517, 16519, 17312, 29185, 30401, repeal 16532, 29181, 30405, 30406, 30412, 30414, repeal 30442 et seq., 30470 et seq., 30485 et seq., repeal and add 30400	AB 1621 (Gipson), CH. 76 <i>Effective: Immediately</i> Firearms: unserialized firearms	Among other things, redefines one of the definitions of “firearm” as including a precursor part, redefines “firearm precursor part,” and prohibits a person from possessing or manufacturing a firearm precursor part without authorization.
FAC amend 31108.3, 31752.1	AB 2723 (Holden), CH. 549 <i>Effective: January 1, 2023</i> Animals: microchips	Establishes additional requirements on animal shelters regarding the release of a dog or cat required to be microchipped to an owner. Violations are subject to a civil penalty of \$100, except as specified.
EDC add 49455.5	AB 2329 (Carrillo), CH. 911 <i>Effective: January 1, 2023</i> Pupil health: eye examinations: school sites	Among other things, authorizes a local education agency (LEA) to enter into a memorandum of understanding with a nonprofit eye examination provider to provide eye examinations and eyeglasses to pupils at a school site, as specified. Provides participating licensed health care professionals and LEAs with qualified civil and criminal liability, except as provided.
GOV add 3551.5	SB 931 (Leyva), CH. 823 <i>Effective: January 1, 2023</i> Deterring union membership: violations	Requires the Public Employment Relations Board (PERB) to impose civil penalties of up to \$1,000 per each affected employee, not to exceed \$100,000, on a public sector employer if PERB finds that the public sector employer deterred or discouraged workers from exercising collective bargaining rights, as specified.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
GOV amend 12999; LAB amend 432.3	SB 1162 (Limón), CH. 559 <i>Effective: January 1, 2023</i> Employment: Salaries and Wages	Expands reporting requirements to cover contracted employees and requires employers to make pay scale information for positions available to employees and included in job postings. Permits courts to impose civil penalties on employers not to exceed \$100 per employee for the first violation and not to exceed \$200 per employee for subsequent violations. Authorizes an aggrieved person to bring a civil action for injunctive and any other appropriate relief.
HSC amend 1265, 1267.5, add 1253.2, 1253.3	AB 1502 (Muratsuchi), CH. 578 <i>Effective: January 1, 2023</i> Freestanding skilled nursing facilities	Prohibits a person, firm, entity, partnership, trust, association, corporation, or political subdivision of the state, or other governmental agency within the state from acquiring, operating, establishing, managing, conducting, or maintaining a freestanding skilled nursing facility without first obtaining a license from the department for that purpose.
HSC amend 1324.22, 1325.5, 1437.5, add 1424.3	AB 1042 (Jones-Sawyer), CH. 475 <i>Effective: January 1, 2023</i> Skilled nursing facilities: unpaid penalties: related parties	Permits the California Department of Public Health to take legal action to recover unpaid civil penalty amounts assessed against long-term care facilities from related parties in which the licensee has an ownership or control interest of 5 percent or more. Also permits the California Department of Health Care Services to take legal action to recover unpaid quality assurance fees from a skilled nursing facility's financial interest in a related party.
HSC add 1374.723; INS add 10144.54; PEN amend 1370.01; WIC amend 5801, 5813.5, add 5970 et seq.	SB 1338 (Umberg), CH. 319 <i>Effective: January 1, 2023</i> Community Assistance, Recovery, and Empowerment (CARE) Court Program	Creates the Community Assistance, Recovery, and Empowerment (CARE) Act program whereby a petition can be filed with the court to qualify a respondent for mental health services that, if so qualified, would require the court to oversee and ensure the respondent receives the services, supports, programs, and other elements—including housing and medication as specified.
HSC amend 1374.9, 1374.34, 1386, 1387, 1389.8, 1390, 1393.5, 1393.6	SB 858 (Wiener), CH. 985 <i>Effective: January 1, 2023</i> Health care service plans: discipline: civil penalties	Increases fines on deficient health plans, including civil penalties of not more than \$25,000 for each day a violation continues, as specified.
HSC add 11857 et seq.	SB 349 (Umberg), CH. 15 <i>Effective: January 1, 2023</i> California Ethical Treatment for Persons with Substance Use Disorder Act	Among other things, requires a Substance Use Disorder treatment provider to adopt a client bill of rights for persons receiving treatment and make it available to all clients and prospective clients. Authorizes the Attorney General, a district attorney, a county counsel, a city attorney, or any injured person or entity to bring a claim for declaratory relief or to recover civil penalties of up to \$20,000 per violation, as specified.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
HSC amend 25251, 25252, 25253, add 25253.6, 25253.7, 25253.9	SB 502 (Allen), CH. 701 <i>Effective: January 1, 2023</i> Hazardous materials: green chemistry: consumer products	<p>Makes various changes to the Safer Consumer Products program (also known as the Green Chemistry Program). Imposes civil penalties of no more than \$50,000 on a person who violates any of these provisions for each separate violation or, for continuing violations, for each day that violation continues, and requires any penalties collected to be deposited into the Toxic Substances Control Account.</p>
HSC add 118700	AB 1632 (Weber, Akilah), CH. 893 <i>Effective: January 1, 2023</i> Restroom access: medical conditions	<p>Requires a place of business that is open to the general public for the sale of goods, and that has a toilet facility for its employees, to allow any individual who has an eligible medical condition or who uses an ostomy device to use that toilet facility under certain conditions. Subjects any business in violation to a civil penalty not exceeding \$100 per violation.</p>
INS amend 12928.6, 12976, add 12928.7	SB 1040 (Rubio), CH. 540 <i>Effective: January 1, 2023</i> Insurance: restitution	<p>Authorizes the Insurance Commissioner to seek restitution, in addition to civil penalties as authorized by existing law, for a victim harmed by a person selling insurance products without a proper license to do so.</p>
LAB amend 1406, amend and renumber 1400, add 1400 et seq., 1409 et seq.	AB 1601 (Weber, Akilah), CH. 752 <i>Effective: January 1, 2023</i> Employment protections: mass layoff, relocation, or termination of employees: call centers	<p>Prohibits a call center from relocating, as defined, unless 60 days before the order takes effect, the employer gives written notice of the order to affected employees. Authorizes the Labor Commissioner to issue a citation and civil penalties against an employer who violates this chapter.</p>
LAB amend 6318, 6431	AB 2068 (Haney), CH. 485 <i>Effective: January 1, 2023</i> Occupational safety and health: postings: spoken languages	<p>Requires employers to post notices of any citations received for specified Labor Code violations and any special orders or actions issued by the Division of Occupational Safety and Health (CalOSHA) in specified languages. Subjects violators to civil penalties of up to \$12,471 for each violation. Expands the scope of a crime.</p>
PRC amend 41821.5, add 42040 et seq., repeal 42064	SB 54 (Allen), CH. 75 <i>Effective: January 1, 2023</i> Solid waste: reporting, packaging, and plastic food service ware	<p>Establishes the Plastic Pollution Prevention and Packaging Producer Responsibility Act and requires single-use packaging to be at least 30 percent recycled, reused, or composted by 2028; 40 percent by 2030; and 65 percent by 2032. Authorizes CalRecycle to impose administrative civil penalties of up to \$50,000 per day per violation.</p>
PRC amend 42951, 42953, 42954, 42955, 42956, 42961.5, 42962, 42962.5, 42963, 42964, 42966, 42967, add 42885.7	SB 1181 (Hueso), CH. 542 <i>Effective: January 1, 2023</i> Waste and used tires	<p>Requires CalRecycle to strengthen the tire tracking system to quantify more precisely the number of used tires flowing from California, and through California from other states, into the states of Baja California and Sonora in Mexico. Civil penalties for violations of the waste tire hauling and manifesting requirements are \$25,000 per violation per day, and the maximum administrative penalties are up to \$5,000 per violation per day.</p>



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
WIC amend, repeal, and add 15657.03	<p>AB 1243 (Rubio, Blanca), CH. 273</p> <p><i>Effective: January 1, 2023</i></p> <p>Protective orders: elder and dependent adults</p>	<p>Includes within the definition of protective order an order enjoining a party from isolating an elder or dependent adult. Requires certain requirements to be met for that order to be issued, including a showing by a preponderance of the evidence that the respondent's past act or acts of isolation of the elder or dependent adult prevented contact with the interested party and that the elder or dependent adult desires contact with the interested party, as specified. Authorizes the order to specify the actions to be enjoined, including enjoining the respondent from preventing an interested party from in-person or remote online visits, including telephone and online contact, with the elder or dependent adult. Includes within the definition of protective order after notice and a hearing, a finding that specific debts were incurred as the result of financial abuse of the elder or dependent adult, as specified, but excepts from firearms relinquishment and CLETS provisions an order after a hearing if the respondent is enjoined based solely on isolation. Makes these provisions operative January 1, 2023.</p>



APPENDIX F

2022 CHANGES TO CIVIL AND CRIMINAL PROCEDURES

CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
BPC amend 6146; CIV amend 3333.2; CCP amend 667.7; HSC add 104340 et seq.	AB 35 (Reyes), CH. 17 <i>Effective: January 1, 2023</i> Civil damages: medical malpractice	Requires that statements, writings, or benevolent gestures expressing sympathy, regret, a general sense of benevolence, or suggesting, reflecting, or accepting fault relating to the pain, suffering, or death of a person, or to an adverse patient safety event or unexpected health care outcome, in relation to an act or omission to act in the provision of or failure to provide health care, and made to that person or the family or representative of that person before the filing of a lawsuit or demand for arbitration, be confidential, privileged, protected, not subject to subpoena, discovery, or disclosure, and cannot be used or admitted into evidence in any civil, administrative, regulatory, licensing, or disciplinary board, agency, or body action or proceeding.
BPC amend 6501, 6534, 6561; PROB add 2469, 9765	SB 1024 (Jones), CH. 612 <i>Effective: January 1, 2024</i> Replacement of an incapacitated or deceased professional fiduciary	Authorizes, a conservator, agent under a power of attorney, representative of the estate, trustee of a trust, or interested person to petition for the appointment of a professional fiduciary practice administrator to act as a temporary professional fiduciary when a professional fiduciary either becomes incapacitated or dies, and a vacancy exists.
BPC add 17206.2; CCP amend 116.540; MVC amend 401, 409, 409.3, 800, 802, 804, add 408.1	SB 1311 (Eggman), CH. 620 <i>Effective: January 1, 2023</i> Veterans: protections	Provides for a small claims action that a plaintiff who is a service member is not required to personally appear, and may appear via video appearance, if the service member is assigned to a location more than 100 miles from the court where the action is proceeding, or is otherwise unable to personally appear due to the performance of military duty. Clarifies that a representative appearing on a service member's behalf is serving without compensation other than compensation from the United States or the State of California, and except as to representatives who are employed by the United States or the State of California, the representative has appeared in small claims actions on behalf of others no more than four times during the calendar year.
BPC amend 22949.80; GOV amend 68085.1, amend, repeal, and add 13956, 13957, 13957.5, 13959, 13962; PEN amend 290.008, 457.1, 1203.4b, 1463.001, amend, repeal, and add 4900, 4904, add 679.027; WIC amend 1732.10	AB 160 (Committee on Budget), CH. 771 <i>Effective: Immediately</i> Public safety trailer bill	Sections 13 and 14. Requires arson and sex offender registration for youth remaining in the Division of Juvenile Justice who are required to register, after its closure on June 30, 2023. Section 16. Adds to the court's authority to consider the successful participation by incarcerated individuals in an institutional firehouse program to the current policy that makes certain incarcerated individuals who successfully participate in California Conservation Camp programs as hand crew members eligible to petition the court to have their pleadings dismissed.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
CIV add 52.65	AB 1788 (Cunningham), CH. 760 <i>Effective: January 1, 2023</i> Sex trafficking: hotels: actual knowledge or reckless disregard: civil penalty	Authorizes the court to consider specified factors and exercise discretion to increase the amount of the civil penalty, not to exceed \$10,000, for any fourth or subsequent violation.
CIV add 52.8	SB 1210 (Cortese), CH. 26 <i>Effective: January 1, 2023</i> Personal rights: obscene materials: attorney's fees	Requires the court to award attorney's fees and costs to the prevailing plaintiff in a civil action seeking damages or equitable relief against any person or entity that distributes, benefits from, promotes, or induces another person to distribute unauthorized obscene materials, as specified.
CIV add 56.108; CCP amend 2029.200, 2029.300, 2029.350; HSC amend 123466; INS amend 791.29; PEN amend 3408	AB 2091 (Bonta), CH. 628 <i>Effective: Immediately</i> Disclosure of information: reproductive health and foreign penal civil actions	Prohibits the validation of foreign subpoenas pertaining to a foreign penal civil action and prohibits the sharing of specified information in response to subpoenas related to out-of-state antiabortion statutes or foreign penal civil actions. Prohibits the court or an attorney licensed in California from issuing a subpoena based on a foreign subpoena, as specified. Authorizes the Insurance Commissioner to assess civil penalties not to exceed \$5,000 for each violation.
CIV add 1798.97.1 et seq.	SB 975 (Min), CH. 989 <i>Effective: January 1, 2023</i> Debt: coerced debts	Authorizes an alleged debtor to bring an action against an alleged creditor to establish that the alleged creditor's claim arises from a coerced debt. Requires an alleged debtor to plead the allegations of coerced debt with particularity, as provided. Provides that a debtor who files knowingly false motions, pleadings, or other papers or engages in other tactics that are frivolous or intended to cause unnecessary delay against a claimant is liable for the claimant's attorney's fees and costs in defending the lawsuit. Provides that if the debtor establishes by a preponderance of the evidence that the particular debt, or portion thereof, is coerced debt, the court shall issue a judgment in favor of the claimant against the person or persons who coerced the debtor into incurring the debt in the amount of the debt, or portion thereof, that is coerced debt, provided that the person or persons who coerced the debtor into incurring the debt or debts has been brought within the jurisdiction of the court and joined as a party to the action and the evidence supports such a judgment.
CIV add 1834.9.3	SB 879 (Wiener), CH. 551 <i>Effective: January 1, 2023</i> Toxicological testing on dogs and cats	Permits a court to award the prevailing prosecutorial official costs, attorney's fees, and civil penalties not to exceed \$5,000 for each day that each dog or each cat is used in canine or feline toxicological experiments in violation of these provisions.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
CIV amend 1946.7; CCP amend 1161.3, add 1174.27	SB 1017 (Eggman), CH. 558 <i>Effective: January 1, 2023</i> Leases: termination of tenancy: abuse or violence	Clarifies that violation of the bill’s prohibitions against termination of a tenancy or failure to renew a tenancy based on an act of abuse or violence against a tenant, as specified, is an affirmative defense to an unlawful detainer. Eliminates a provision allowing for in-camera review of specified evidence regarding abuse or violence. Converts civil penalties to statutory damages. Specifies that findings in an unlawful detainer judgment that a tenant perpetrated abuse or violence shall have no relevance for any other purpose or legal proceeding.
CIV add 3273.50 et seq.	AB 1594 (Ting), CH. 98 <i>Effective: January 1, 2023</i> Firearms: civil suits	Authorizes a person who has suffered harm, the Attorney General, or specified city or county attorneys to bring a civil action against a firearm industry member for an act or omission in violation of the firearm industry standard of conduct, as specified. Authorizes a court that determines that a firearm industry has engaged in the prohibited conduct to award various relief, including injunctive relief, damages, and attorney’s fees and costs.
CIV amend 3345	AB 1730 (Davies), CH. 78 <i>Effective: January 1, 2023</i> Penal damages: veterans	Adds veterans to existing law that authorizes a trier of fact to treble the amount of a fine, civil penalty, or other remedy in an action brought to redress unfair or deceptive acts or practices or unfair competition brought by, on behalf of, or for the benefit of a senior citizen or disabled person, as specified.
CCP amend 372; PROB amend 1003	SB 1279 (Ochoa-Bogh), CH. 843 <i>Effective: January 1, 2023</i> Guardian ad litem appointment	Modifies the definition of a person who lacks legal capacity to make decisions, for purposes of when the court should appoint a guardian ad litem in a civil case. Requires, when a party in a civil case already has a guardian or conservator of the estate, that an application to have a guardian ad litem appointed for that party satisfy specified requirements. Requires a proposed guardian ad litem to disclose any known or actual conflicts of interests in advance of the appointment.
CCP amend 391, 391.1	AB 2391 (Cunningham), CH. 84 <i>Effective: January 1, 2023</i> Civil actions: vexatious litigants	Authorizes a person who is protected by a restraining order under the Domestic Violence Prevention Act to file a motion, without fee, to have the person who is the subject of that order declared a vexatious litigant if the person who was the subject of the order has met certain requirements while the restraining order is still in place, and they commence, prosecute, or maintain litigation against the person protected by the restraining order that is determined to be meritless, and causes the person protected by the order to be harassed or intimidated.
CCP amend 527.6	AB 1143 (Berman), CH. 156 <i>Effective: January 1, 2023</i> Civil procedure: restraining orders	Provides that if the court determines at the hearing on a civil harassment order that, after a diligent effort, the petitioner has been unable to accomplish personal service and there is reason to believe that the respondent is evading service or cannot be located, the court may specify another method of service that is reasonably calculated to give actual notice to the respondent and may prescribe the manner in which proof of service shall be made.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
CCP amend 872.020, 874.311, 874.312, 874.313, 874.314, 874.316, 874.319, 874.320, 874.321, 374.321.5, amend 874.311 et seq., repeal 874.322	AB 2245 (Ramos), CH. 82 <i>Effective: January 1, 2023</i> Partition of real property	Modifies the default legal procedures for the partition of real property co-owned by multiple people as tenants by expanding the scope of the Uniform Partition of Heirs Property Act to apply to any real property held in tenancy in common where there is no agreement in a record binding all cotenants which governs the partition of the property.
CCP amend 1010.6, 1013b; FAM amend 17400; GOV amend 915.2; PEN amend 690.5	AB 2961 (Committee on Judiciary), CH. 215 <i>Effective: January 1, 2023</i> Civil procedure: electronic filing and service	Revises and reorganizes Code of Civil Procedure section 1010.6 to clarify when electronic service is mandatory and when it is permissive. Clarifies existing law as to when electronic filing and service fees must be waived. Allows the court to mandate the use of electronic service for a person represented by counsel who has appeared in an action or proceeding. On or after July 1, 2024, states that any electronic service of documents by the court has the same legal effect as service by mail.
CCP amend 1132, repeal 1133, 1134; GOV amend 6103, 68085.1, 70626; PROB amend 4459	SB 688 (Wieckowski), CH. 851 <i>Effective: January 1, 2023</i> Civil actions: judgments by confession	Provides that a confession of judgment (also known as a cognovit) is unenforceable and may not be entered in any superior court unless obtained or entered before January 1, 2023.
EDC amend 44242.5, 44346; PEN amend 1203.41, 11105, amend, repeal, and add 851.93, 1203.425	SB 731 (Durazo), CH. 814 <i>Effective: January 1, 2023</i> Criminal records: relief	Expands automatic arrest record and conviction relief to additional felony offenses, including felonies where the defendant was sentenced to state prison, rather than just realigned felonies. Excludes serious and violent felonies, and felonies requiring sex registration. Expands criminal record relief by extending the ability to petition for dismissal relief under Penal Code section 1203.41 to a defendant who has been convicted of a felony, as long as the conviction does not require registration as a sex offender.
EVID add 351.3, 351.4	SB 836 (Wiener), CH. 168 <i>Effective: Immediately</i> Evidence: immigration status	Reenacts SB 785 (Weiner; Stats. 2018, ch. 12) that was repealed on January 1, 2022, to prohibit, in most civil and criminal actions, the disclosure of a person's immigration status in open court by a party unless that party requested an in-camera hearing and the presiding judge determined that the evidence was admissible.
EVID add 352.2	AB 2799 (Jones-Sawyer), CH. 973 <i>Effective: January 1, 2023</i> Evidence: admissibility of creative expressions	Requires trial judges to take into consideration certain concerns when engaging in a section 352 balancing of probative value against prejudicial effect in considering rap lyrics and other forms of creative expression. When balancing the probative value against the prejudicial effect, requires the court to consider if the expression bears a sufficient level of similarity to the charged crime or includes factual details that are otherwise not available. Requires the court to consider that undue prejudice includes the possibility that the trier of fact will use the creative expression as evidence of the defendant's propensity for violence or if the evidence will inject racial bias. Allows the court to consider relevant testimony or research on the genre of creative expression and its cultural context.



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<p>EVID amend 1103, 1107; FAM amend 1816; GOV amend 1031, 7286, 12525.5, 15401, 15425; HSC amend 1233.5, 1259.5; MVC amend 475; PEN amend 243, 273.5, 273.6, 273.65, 602, 1043, 1127e, 1192.5, 1203.055, 1203.097, 1203.4b, 1203.9, 1270.1, 1346.1, 1370, 1387, 11105, 11163.3, 13151, 13511.1, 13519, 13777, 13823.16, 14143; PRC amend 5164; WIC amend 782, 15610.63, add 700.3</p>	<p>SB 1493 (Committee on Public Safety), CH. 197 <i>Effective: January 1, 2023</i> Public Safety Omnibus</p>	<p>Permits a court to determine that an offense is a misdemeanor if a petition filed in the juvenile court alleging that a minor within the provisions of WIC section 602 committed an offense that would, in the case of an adult, be punishable alternatively as a felony or a misdemeanor, and shall proceed as if the minor had been brought before the court on a misdemeanor petition. Amends WIC section 782 to permit a juvenile court that has taken jurisdiction of a case under WIC section 750 to dismiss the petition or set aside the findings and dismiss the petition consistent with existing law that permits the same by a court in which the petition was filed.</p>
<p>FAM amend 3040, add 211.5</p>	<p>SB 1182 (Eggman), CH. 385 <i>Effective: January 1, 2024</i> Family law</p>	<p>Requires a family court to provide referrals to resources for self-identified veterans appearing before the court, including how to contact the local Department of Veterans Affairs (CalVet); requires, when a self-identified veteran files their status on the Judicial Council’s military service form, that the Judicial Council transmit a copy of the form to the CalVet, and for CalVet to contact the veteran within a reasonable time; and requires, when a family court that finds the effects of a parent’s, legal guardian’s, or relative’s mental illness are a factor in determining the best interest of the child for purposes of custody or visitation, to put its reasons for the finding on the record and provide the affected parent, legal guardian, or relative with a list of local resources for mental health treatment.</p>
<p>FAM amend 3421, 3424, 3427, 3428, add 3453.5; CIV add 56.109; CCP amend 2029.300, 2029.350; PEN amend 1326, add 819</p>	<p>SB 107 (Wiener), CH. 810 <i>Effective: January 1, 2023</i> Gender-affirming health care</p>	<p>Prohibits a court from finding that it is an inconvenient forum where the law or policy of another state that may take jurisdiction limits the ability of a parent to obtain gender-affirming health care or gender-affirming mental health care, as defined, and the provision of such care is at issue in the case before the court. Authorizes a court to take temporary jurisdiction because a child has been unable to obtain gender-affirming health care. Prohibits a court from considering the taking or retention of a child from a person who has legal custody of the child, if the taking or retention was for obtaining gender-affirming health care or mental health care, but makes this provision severable by its terms.</p>



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
FAM amend 4007.5, 4054, 4058, amend and renumber 17504.1, add 4077, 17504.2, 17504.6; GOV amend 19242; WIC amend 10544, 10553.1, 15204.35, 16501.5, 18900.8, amend, repeal, and add 2200, 11477, add 10553.13, 10553.14, 11157.1, 11477.06, add 16546 et seq., add and repeal 11477.07	<p>AB 207 (Committee on Budget), CH. 573</p> <p><i>Effective: September 28, 2022</i></p> <p>Human services omnibus</p>	<p>Sections 2–8 and 17–21. Makes changes and additions to the 1058 Child Support program to, among other things, comply with federal regulations. Makes conforming changes to Welfare and Institutions Code related to public benefits, exemptions from offsets to public benefits, and pass-through funds.</p>
FAM amend 4204, 6308, 7643, 7643.5, 17404.4, repeal and add 6307; PEN amend 18123, repeal and add 18122; PROB amend 1471, 1821, 1823, 1826, 1828, 1894, 1895, 2250.6, 2253, 2356.5, 15800; WIC amend 224.2	<p>AB 2960 (Committee on Judiciary), CH. 420</p> <p><i>Effective: January 1, 2023</i></p> <p>Judiciary Omnibus</p>	<p>Sections 16–18 and 29–31. Implements amendments pertaining to electronic filing and remote access to proceedings involving domestic and gun violence restraining orders as enacted by SB 538 (Rubio; Stats. 2021, ch. 686).</p> <p>Sections 19 and 20. Changes implementation dates for removing presumptions related to confidential parentage actions generally, and for parentage actions by assisted reproduction specifically.</p> <p>Section 43. Clarifies that an Indian child’s tribe may participate in court proceedings by telephone or other remote technology consistent with court capacity. States that tribes may not be charged for utilizing remote technology to participate in court proceedings.</p>
FAM add 6323.5	<p>SB 24 (Caballero), CH. 129</p> <p><i>Effective: January 1, 2023</i></p> <p>Domestic violence: protective orders: information pertaining to a child</p>	<p>Authorizes a court to include in an ex parte order a provision restraining a party from accessing records and information pertaining to the health care, education, daycare, recreational activities, or employment of a minor child of the parties. Becomes operative on January 1, 2023.</p>
FAM repeal and add 6344	<p>AB 2369 (Salas), CH. 591</p> <p><i>Effective: January 1, 2023</i></p> <p>Domestic Violence Prevention Act: attorney’s fees and costs</p>	<p>Requires a court, after notice and a hearing and upon request, to issue an order for the payment of attorney’s fees and costs for a prevailing petitioner in a domestic violence action. Allows a court, after notice and a hearing and upon request, to issue an order for the payment of attorney’s fees and costs for a prevailing respondent only if the respondent establishes by a preponderance of the evidence that the petition or request is frivolous or solely intended to abuse, intimidate, or cause unnecessary delay. Requires the court, before it orders attorney’s fees, to first determine that the party ordered to pay has, or is reasonably likely to have, the ability to pay.</p>
FAM amend 6345	<p>SB 935 (Min), CH. 88</p> <p><i>Effective: January 1, 2023</i></p> <p>Domestic violence: protective orders</p>	<p>Clarifies that the court may renew a protective order issued under the Domestic Violence Prevention Act for an additional term of five years or for more than five years, or permanently, at the discretion of the court, and that renewed and subsequently renewed orders are subject to the same procedures for the termination, medication, or subsequent renewal as original orders.</p>



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
FAM amend 9100; WIC amend 366.26, 827	AB 2711 (Calderon), CH. 870 <i>Effective: January 1, 2023</i> Juvenile record access	Clarifies that an adoption case file, including a juvenile case file, may be inspected and copied by the California Department of Social Services (CDSS) for the purpose of completing the required duties under the order setting aside an adoption. Clarifies that CDSS can also view a juvenile case file in customary tribal adoption vacation proceedings without a court order. Strikes references to a child being considered unadoptable, and instead requires reference to a plan of adoption not being suitable.
FAM amend 17552	AB 1686 (Bryan), CH. 755 <i>Effective: January 1, 2023</i> Child welfare agencies: enforcement	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.
GOV add 7927.430, 26666, 26666.2, 26666.10, add, repeal, and add 26666.5	AB 2791 (Bloom), CH. 417 <i>Effective: January 1, 2023</i> Sheriffs: service of process and notices	Requires a marshal or sheriff to accept an electronically signed notice or other process issued by a superior court in a civil action, including service of process and court documents for the purpose of notice, as specified.
GOV add 12838.65, 12838.95, add and repeal 8699 et seq.; PEN amend 830.7, 832.7, 1001.95, 1203.425, 1385, 2067, 4900, 4902, 4904, 5027, 5076.1, 13777, 14306, 14307, 14308, 18005, 18275, 34010, amend and renumber 1170.01, 1170.03, 1170.95, 1171, 1171.1, amend, repeal, and add 11105, add 4904.5, 5007.4, 5032, add 1172 et seq., add and repeal 1233.12, repeal and add 4905, 5003.7; WIC amend 607, 726, 730, 875, 1760.45, add and repeal 1732.9, 1732.10	AB 200 (Committee on Budget), CH. 58 <i>Effective: Immediately</i> Public safety omnibus	Includes technical fixes including, among others, to exclude all domestic violence offenses from judicial discretion for misdemeanor diversion; and technical changes that result in renumbering of provisions and creating a new article related to Penal Code section 1170.
GOV amend 12999; LAB amend 432.3	SB 1162 (Limón), CH. 559 <i>Effective: January 1, 2023</i> Employment: salaries and wages	Permits courts to impose civil penalties on employers not to exceed \$100 per employee for the first violation and not to exceed \$200 per employee for subsequent violations. Requires penalties collected to be deposited in the Civil Rights Enforcement and Litigation Fund.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
<p>GOV amend 15432, 15451.5, 100800, 100820, 100825; HSC amend 120475, 120511, 122440, 127691, 127692, 127694, 127695, 127696, 128205, 128210, 128230, 128235, amend and repeal 104395, add 1385.035, 11831.1, 11834.28, 11839.6.1, 124024, 124110.5, add 101320 et seq., 123451 et seq., 127500 et seq., 128250 et seq., repeal 128215, 128220, 128225; INS amend, repeal, and add 12693.74, add 10181.35; LAB add 1490 et seq.; PEN amend 1001.36, 1026, 1026.2, 1369, 1370, 1370.6, 1372, 1602, 1603, 1604, 2603, 4019, repeal 1369.1; RTC amend 18914 and 18916; WIC amend 4335.2, 4361, 5328, 5848.5, 5961.5, 7276, 7279, 7281, 7290, 14005.22, 14005.26, 14005.37, 14005.64, 14007.8, 14007.9, 14011.10, 14011.66, 14011.7, 14087.46, 14105.075, 14105.48, 14105.192, 14124.12, 14132.100, 14132.88, 14132.98, 14138.1, 14138.12, 14138.13, 14138.14, 14138.15, 14138.16, 14138.17, 14138.23, 14148, 14148.8, 14170.8, 14184.201, 14184.206, 14184.400, 14184.405, 14184.800, 14186.3, 14197, 14197.04, 14197.2, 15826, 15854, 16501.3, amend 14138.1 et seq., amend, repeal, and add 14005.12, 14005.13, 14105.2, 15832, 15840, add 4336, 4361.7, 5325.3, 14005.255, 14105.197, 14132.57, 15849, 15854.5, add 18998 et seq., add and repeal 4360.5, repeal 7284, 7285, 7286, 7287, 7291, 7292, 14005.225, 14138.11, 14138.19, repeal and add 14132.725, 14132.731, 14138.10, 14138.18, 14138.21, 14138.22</p>	<p>SB 184 (Committee on Budget), CH. 47 <i>Effective: January 1, 2023</i> Health</p>	<p>Sections 41, 43, 49, and 53. Revises the requirement that a court determine whether a defendant lacks the capacity to make decisions regarding the administration of antipsychotic medication, and increases documentation requirements before ordering that a defendant be committed to a treatment facility. Authorizes a court to order the involuntary administration of antipsychotic medication based upon a reevaluation. Allows court to grant mental health diversion in felony IST cases even if the defendant cannot agree to comply with treatment due to mental incompetence.</p>

CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
<p>GOV amend 68085, 68085.1, 68085.7, 68632, 68645.2, 68645.4, 68645.5, add 29554, add and repeal 71651.1, repeal 76223; PEN amend 1208.2, 1214.1, 1463, 1463.001, 1465.9, amend, repeal, and add 977, 1043.5, add and repeal 977.3; VEH amend 40509</p>	<p>AB 199 (Committee on Budget), CH. 57 <i>Effective: Immediately</i> Courts</p>	<p>Sections 1, 10, and 12–16. Allows a defendant to consent to a remote appearance in misdemeanor and felony proceedings with the exception of trial and felony sentencing. Permits court and parties to consent to a remote appearance by a witness in criminal proceedings except for felony trials; and attorneys may appear remotely when appropriate. Authorizes remote criminal appearances until January 1, 2024, with specified limitations.</p> <p>Sections 3–5, 18, 20, and 24. Reduces the civil assessment fee for failure to appear or failure to pay from a maximum of up to \$300 to up to \$100 effective July 1, 2022, and makes any amounts owed before this date unenforceable and uncollectible. Directs that civil assessment revenue collected to be transmitted to the State Treasurer for deposit into the state General Fund rather than the Trial Court Trust Fund.</p> <p>Section 6. Expands eligibility for civil filing fee waivers by increasing the eligibility threshold from 125 percent to 200 percent of current federal poverty guidelines, also adds recipients of the California Special Supplemental Nutrition Program for Women, Infants, and Children (WIC Program) or people who receive unemployment compensation.</p>
<p>GOV add 68645.15</p>	<p>SB 1096 (Limón), CH. 191 <i>Effective: January 1, 2023</i> Online tool: traffic violator school</p>	<p>Ensures that a defendant’s request for an ability-to-pay determination through the online tool does not preclude them from attending traffic violator school.</p>
<p>GOV amend 100520; HSC amend 123451, 123452, 127502, 127503, 128205, 128210, 128230, 128235, add 123453; PEN amend 1370; WIC amend 4335.2, 4361.6, 5328, 14005.13, 14197.2, amend and repeal 14134, 14134.1, amend, repeal, and add 15853, add 14199.70 et seq.</p>	<p>AB 204 (Committee on the Budget) CH. 738 <i>Effective: Immediately</i> Budget Act of 2022: Health Omnibus</p>	<p>Among other things, makes technical and clarifying changes to clarify that when a court authorizes the involuntary administration of antipsychotic medication based on the Department of State Hospital’s reevaluation of a mentally incompetent defendant, the court must base its determinations on the recommendation of a department clinician.</p>
<p>HSC amend 416.17, 416.19; PROB amend 1456, 1800, 1800.3, 1812, 1821, 1835, 1850, 1860.5, 1863, 2113, add 1835.5, 1836, 1861.5; WIC add 21000 et seq.</p>	<p>AB 1663 (Maienschein), CH. 894 <i>Effective: January 1, 2023</i> Protective proceedings</p>	<p>Revises how probate conservatorships are investigated, established, and terminated. Revises who may serve as conservator for individuals with developmental disabilities. Requires the Judicial Council, subject to an appropriation, to establish a conservatorship alternatives program within each self-help center. Establishes “voluntary supported decisionmaking” as a legal approach to help individuals with disabilities.</p>



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
HSC amend 1180.3, 1254, 1262, add 1250.10; WIC amend 5328, 5405, 5600.4, 6552, amend 4080 et seq., add 361.23, 727.13, 4081, 4082, 4083, 16010.10	AB 2317 (Ramos), CH. 589 <i>Effective: January 1, 2023</i> Children’s residential psychiatric treatment facilities	Establishes requirements for court approval of voluntary admittance of a child or nonminor dependent who is the subject of a dependency court petition or a dependent or nonminor dependent who is the subject of a juvenile court petition before that youth may be voluntarily admitted to a psychiatric residential treatment facility, which includes a report from the social worker and a court hearing. Sets forth the findings that a court must make, by clear and convincing evidence, before a court approves the placement and specifies when such an order is no longer effective. Establishes requirements for specified review hearings to review the placement if the youth is a minor or nonminor dependent. Requires the Judicial Council to develop rules and forms as appropriate.
HSC amend 11361.9	AB 1706 (Bonta, Mia), CH. 387 <i>Effective: January 1, 2023</i> Cannabis crimes: resentencing	Requires the court, on its own accord, to recall or redesignate specified cannabis convictions, as authorized by Proposition 64, the Control, Regulate and Tax Adult Use of Marijuana Act, on or before March 1, 2023.
HSC amend 103430	AB 421 (Ward), CH. 40 <i>Effective: Immediately</i> Change of gender and sex identifier	Updates procedures for changing gender and sex identifiers on official documents, addressing internal inconsistencies as a result of chaptering amendments taken to last year’s AB 218 (Stats. 2021, ch. 577).
PEN amend 17, 1203.4, 1203.4a, 1203.4b, 1203.41, 1203.42, 1203.45, add 1210.6, repeal 11177.2	SB 1106 (Wiener), CH. 734 <i>Effective: January 1, 2023</i> Criminal resentencing: restitution	Removes the requirement that a public agency that is owed restitution report a defendant’s failure to make restitution payment when due. Prohibits a petition for relief under Penal Code section 1203.4 (expungement of a conviction), whether statutorily authorized or in the court’s discretion, from being denied due to an unfulfilled order of restitution or restitution fine. Provides that an unfulfilled order of restitution or a restitution fine shall not be grounds for finding that a defendant did not fulfil the condition of probation for the entire period of probation. Provides that when the court considers a petition for relief, in its discretion and in the interest of justice, an unpaid order of restitution or restitution fine shall not be grounds for denial of the petition for relief.
PEN add 17.2	AB 2167 (Kalra), CH. 775 <i>Effective: January 1, 2023</i> Crimes: alternatives to incarceration	Requires a court to consider alternatives to incarceration, including, without limitation, collaborative justice court programs, diversion, restorative justice, and probation. States the intent of the Legislature that the disposition of any criminal case use the least restrictive means available.
PEN amend 236.14, 236.15	AB 2169 (Gipson), CH. 776 <i>Effective: January 1, 2023</i> Criminal procedure	Clarifies that vacatur relief for offenses committed while the petitioner was a victim of human trafficking, intimate partner violence, or sexual violence demonstrates that the petitioner lacked the requisite intent to commit the offense, and that the conviction is invalid due to legal defect.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
PEN amend 629.51, 629.52, 638.50, 638.52, 1269b, 1524, 1524.2, 1551, add 1546.5, 13778.2	AB 1242 (Bauer-Kahan), CH. 1242 <i>Effective: Immediately</i> Reproductive rights	<p>Declares that a law of another state that authorizes the imposition of civil or criminal penalties related to an individual performing, supporting, or aiding in the performance of an abortion in this state, or an individual obtaining an abortion in this state, if the abortion is lawful under the laws of this state is against the public policy of this state. Requires the countywide bail schedule to set bail at zero dollars for an individual who has been arrested in connection with a proceeding in another state regarding an individual performing, supporting, or aiding in the performance of an abortion in this state, or an individual obtaining an abortion in this state, if the abortion is lawful under California law. Defines "prohibited violation" as a violation of a law that creates liability for, or arising out of, either providing, facilitating, or obtaining an abortion or intending or attempting to provide, facilitate, or obtain an abortion that is lawful under California law. Prohibits a magistrate from entering an ex parte order authorizing a wiretap, interception of electronic communication, use of a pen register, or trap and trace device for purposes of investigating or recovering evidence of a "prohibited violation," as specified. Prohibits the issuance of a search warrant for items relating to an investigation of a "prohibited violation."</p>
PEN amend 647.3, 653.23, 1203.47, add 653.29, repeal 653.20, 653.22; EVID amend 782.1; PUC amend 99171; WIC amend 18259, 18259.3	SB 357 (Wiener), CH. 86 <i>Effective: January 1, 2023</i> Crimes: loitering for the purpose of engaging in a prostitution offense	<p>Permits an individual currently serving a sentence for loitering related to prostitution to petition for a recall or dismissal of sentence before the trial court that entered the judgment of conviction in the case to request resentencing or dismissal, and sealing, as applicable. Requires the court to presume the petitioner satisfies the criteria unless the party opposing the petition proves by clear and convincing evidence that the petitioner does not satisfy the criteria. Requires the court to grant the petition to recall the sentence or dismiss the sentence because it is legally invalid and shall seal the conviction as legally invalid if the petitioner satisfies the criteria. Permits a person who has completed their sentence for a conviction to file an application before the trial court that entered the judgment of conviction in their case to have the conviction dismissed and sealed because the prior conviction is now legally invalid. Requires the court to presume the petitioner satisfies the criteria unless the party opposing the application proves by clear and convincing evidence that the petitioner does not satisfy the criteria in paragraph. Requires the court to seal the conviction as legally invalid. Permits the court to proceed without a hearing to grant or deny an application. Requires, if the court that originally sentenced the petitioner is not available, the presiding judge to designate another judge to rule on the petition or application.</p>



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
PEN amend 745, 1473	AB 256 (Kalra), CH. 739 <i>Effective: January 1, 2023</i> Criminal procedure: discrimination	<p>Makes the Racial Justice Act (Assem. Bill 2542; Stats. 2020, ch. 317) retroactive by authorizing a petition to be filed for a case in which a judgment was entered before January 1, 2021. Allows a petition to be filed alleging a violation of the prohibition that prohibits the state from seeking a criminal conviction or sentence on the basis of race, ethnicity, or national origin in a case in which judgment has not been entered before January 1, 2021. Authorizes a court that finds a violation of that prohibition to impose specified remedies.</p>
PEN add 786.5	AB 1613 (Irwin), CH. 949 <i>Effective: January 1, 2023</i> Theft: jurisdiction	<p>Provides that when multiple offenses of theft, organized retail theft, or receipt of stolen property that all involve the same defendant or defendants and the same merchandise, or all involving the same defendant or defendants and the same scheme or substantially similar activity, occur in multiple jurisdictions, then any of those jurisdictions are a proper venue for all of the offenses. Extends jurisdiction to all associated offenses connected together in their commission to the underlying theft offenses when prosecuted by the Attorney General.</p>
PEN amend 801.6, add 801.8	AB 2274 (Rubio, Blanca), CH. 587 <i>Effective: January 1, 2023</i> Mandated reporters: statute of limitations	<p>Specifies the statute of limitations in a case involving the failure to report an incident known or reasonably suspected by the mandated reporter of child abuse or severe neglect to require the case to be filed within one year of the discovery of the offense, but in no case later than four years after the commission of the offense.</p>
PEN amend, repeal, and add 853.6, 978.5, add and repeal 1210.2, add and repeal 1001.81 et seq.	AB 2294 (Jones-Sawyer), CH. 856 <i>Effective: Immediately</i> Diversion for repeat retail theft crimes	<p>Allows a court to order nonrelease after arrest for a misdemeanor offense if the person has been cited, arrested, or convicted of theft in the past six months or if there is probable cause to believe that the person is guilty of committing organized retail theft. Authorizes court to issue bench warrants for defendants charged with misdemeanor or felony retail theft who have failed to appear in court in connection with that charge in the last six months.</p>
PEN amend 1001.36, 1370, 1370.01	SB 1223 (Becker), CH. 735 <i>Effective: January 1, 2023</i> Criminal procedure: mental health diversion	<p>Changes the eligibility criteria for pretrial diversion to include a diagnosis of a mental disorder instead of the court finding the defendant suffers from a mental disorder, and requires that the diagnosis or treatment for a diagnosed mental disorder be within the last five years and that the defendant's mental health disorder was a significant factor in the commission of the charged offense. Requires the court, if the defendant satisfies the specified eligibility requirements, to consider whether the defendant is suitable for pretrial diversion. Provides that a defendant is suitable for pretrial diversion if the specified criteria are met, and includes a description of a "qualified mental health expert." Limits the period of diversion to one year for misdemeanors and two years for felonies, and requires a court to accept a declaration in lieu of testimony that the county mental health agency is unable to provide services to a defendant.</p>



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
PEN amend 1170, 1170.02, add 1172.2	AB 960 (Ting), CH. 744 <i>Effective: January 1, 2023</i> Compassionate release	Requires the California Department of Corrections and Rehabilitation to make a recommendation to the court for recall and resentencing of an incarcerated person who has a serious and advanced illness with an end-of-life trajectory or who is found to be permanently medically incapacitated, as specified. Creates a presumption favoring recall if the medical criteria exists which may only be overcome if the court finds that the person is an unreasonable risk of danger to public safety.
PEN amend 1170.91	SB 1209 (Eggman), CH. 721 <i>Effective: January 1, 2023</i> Sentencing: members of military: trauma	Excludes from resentencing any person convicted of certain violent and sexual offenses related to military related trauma (sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health problems).
PEN amend 1203, amend and repeal 1203.35, 4019	AB 1744 (Levine), CH. 756 <i>Effective: January 1, 2023</i> Probation and mandatory supervision: flash incarceration	Extends, until January 1, 2028, the authority of a court to authorize the use of flash incarceration, as defined, to detain a person in county jail for not more than 10 days for a violation of the conditions of that person's probation or mandatory supervision.
PEN amend 1203.41, 11105, amend and repeal 1203.425	SB 1260 (Durazo), CH. 842 <i>Effective: January 1, 2023</i> State summary criminal history information	Requires a record relief order to state, and the defendant to be advised, that relief does not relieve the defendant of the obligation to disclose the conviction in response to any direct question in an application for enrollment as a provider of in-home supportive services and "waiver of personal care services," as specified.
PEN add 1203.426, 1203.427	AB 1803 (Jones-Sawyer), CH. 494 <i>Effective: January 1, 2023</i> Court fees: ability to pay	Exempts a person who meets the criteria for a waiver of court fees and costs from being obligated to pay the filing fee for specified expungement petitions, and prohibits a court from denying expungement relief to an otherwise qualified person, and who meets the criteria, as specified, for a waiver of court fees and costs, solely on the basis that the person has not yet satisfied their restitution obligations.
PEN amend 1473	SB 467 (Wiener), CH. 982 <i>Effective: January 1, 2023</i> Expert witnesses: writ of habeas corpus	Allows a person to prosecute a writ of habeas corpus if a significant dispute has emerged or further developed in the petitioner's favor regarding expert medical, scientific, or forensic testimony that was introduced at trial and contributed to the conviction, such that it would have more likely than not changed the outcome at trial, as specified. Expands the definition of false evidence to include the opinions of experts that are undermined by the state of scientific knowledge that existed at the time of the expert's testimony and opinions.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
PEN amend and renumber 3700.5, repeal 3700, 3704, 3704.5, repeal and add 3701, 3702, 3703	AB 2657 (Stone), CH. 795 <i>Effective: January 1, 2023</i> Incarcerated person's competence	Requires the court to hold a hearing if there is reason to believe the incarcerated person is presently incompetent to be executed or if there is reason to believe the incarcerated person is permanently incompetent to be executed. Requires the court to vacate the sentence or sentences of death if the court finds by a preponderance of the evidence that the incarcerated person is permanently incompetent to be executed, and requires the court to resentence the incarcerated person to life without the possibility of parole.
PEN amend 4852.01	AB 1924 (Gipson), CH. 766 <i>Effective: January 1, 2023</i> Criminal law: certificate of rehabilitation	Amends the law that allows a person convicted of a felony, other than a registrable sex offense, to file a petition for a certificate of rehabilitation without certain requirements, including the dismissal of the accusatory pleading and that the person has not been incarcerated since the dismissal. Retains the existing requirements for filing a petition for any person convicted of a registrable sex offense.
PEN add 13012.4; WIC add 628.2	AB 2658 (Bauer-Kahan), CH. 796 <i>Effective: January 1, 2023</i> Juveniles: electronic monitoring	Provides that if electronic monitoring is imposed for more than 30 days, the court shall hold a hearing every 30 days to ensure that the minor does not remain on electronic monitoring for an unreasonable length of time. Requires the court, in making this determination, to consider whether there are less restrictive conditions of release that would achieve the rehabilitative purpose of the juvenile court. Requires the court to order to terminate electronic monitoring or modify its terms of the order to achieve if less restrictive conditions are warranted.
PEN amend 18150	AB 2870 (Santiago), CH. 974 <i>Effective: January 1, 2023</i> Firearms: gun violence restraining orders	Expands the category of persons that may file a petition requesting a court to issue a gun violence restraining order (GVRO). As defined, allows a roommate, an individual who has a dating relationship with the subject of the petition, and an individual who has a child in common with the subject of the petition if they have had substantial and regular interaction with the subject for at least one year, to file a GVRO. Expands the definition of "immediate family member" for purposes of filing a GVRO to include any person related by consanguinity or affinity within the fourth degree who has had substantial and regular interactions with the subject for at least one year.
PROB amend 13109, 13110, 13113, 13117, 13204, 13205, 13208, 13211, 13551, add 13100.5, 13109.5, 13110.5, 13113.5, 13114.5, 13202.5, 13204.5, 13205.5, 13208.5, 13209, repeal 13112, 13207, repeal and add 13111, 13206; CIV amend 682.1	AB 1716 (Maienschein), CH. 29 <i>Effective: January 1, 2023</i> Estate disposition	Implements the recommendations of the California Law Revision Commission regarding the liability of surviving spouses, and other heirs or beneficiaries for property they receive on the death of a decedent outside of full probate administration by revising rules for liability of transferees who receive property from a decedent through the disposition of a small estate, including both real and personal property, without full probate administration. Also clarifies when a surviving spouse may be liable for the debts of the decedent spouse, effectively abrogating a Court of Appeals holding from 2010.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
VEH amend 1821, 13800, 13954, 23517, 23575.5, 40300.5, 40300.6	AB 2198 (Fong), CH. 81 <i>Effective: January 1, 2023</i> Vehicles: driving under the influence	Requires the court to consider the speed of the vehicle, the severity of any injuries sustained as a result of the violation, and whether the defendant or ward was engaged in a speed competition before requiring supervised visitation to a trauma facility, county coroner's office, or the county morgue to observe appropriate victims of DUI crashes.
VEH repeal 40509, 40509.5	AB 2746 (Friedman), CH. 800 <i>Effective: January 1, 2023</i> Driving privilege: suspension	Repeals the authorization and requirement that the court notify the Department of Motor Vehicles when a person willfully violates their written promise to appear effective January 1, 2023.
WIC amend 300, 300.2	SB 1085 (Kamlager), CH. 832 <i>Effective: January 1, 2023</i> Juveniles: dependency: jurisdiction of the juvenile court	Prohibits a child from being found to be suffering, or at substantial risk of suffering, serious physical harm or illness for purposes of placing the child under the jurisdiction of the juvenile court on due solely to the family's homelessness, indigence, or other conditions of financial difficulty. Clarifies that it is the intent of the Legislature that families should not be subjected to juvenile court jurisdiction or separated from their families due to conditions of financial difficulty alone.
WIC amend 328, 360	AB 2309 (Friedman), CH. 780 <i>Effective: January 1, 2023</i> Guardianships	Allows the juvenile court to establish a guardianship of the person for any minor who is the subject of a dependency petition, if the parent has advised the court that the parent is not interested in family maintenance or family reunification services. Permits the hearing on the motion to be held simultaneously with any regularly scheduled hearing held in the proceedings to declare the minor a dependent child on the motion of the minor's attorney or the parent's attorney. Requires the moving party to give notice of the hearing.
WIC add 328.2	AB 2595 (Jones-Sawyer), CH. 260 <i>Effective: January 1, 2023</i> Juveniles: dependency: jurisdiction of the juvenile court	Requires the court, when a social worker is investigating an alleged case of child abuse or neglect, to treat a parent's or guardian's use or possession of cannabis in the same manner as a parent's or guardian's use or possession of alcohol and legally prescribed medication.
WIC amend 361.2	SB 116 (Committee on Budget and Fiscal Review), CH. 5 <i>Effective: Immediately</i> Human services (Feb. 2022)	Authorizes a social worker to place a child in the home of a relative when the juvenile court has authorized placement, regardless of the status of any criminal record exemption or resource family approval, if the court has found that the placement does not pose a risk to the child.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
WIC amend 361.5	AB 2159 (Bryan), CH. 691 <i>Effective: January 1, 2023</i> Reunification services	Prohibits a dependency court from denying family reunification services to a parent or guardian who is in custody before conviction. Requires the court, in determining the appropriate reunification services for the parent or guardian in custody, to consider the particular barriers to an incarcerated, institutionalized, detained, or deported parent's or guardian's access to those court-mandated services and ability to maintain contact with the child. Requires the court to document the information in the child's care plan about the barriers, as defined.
WIC amend 366.21, 366.22	AB 2866 (Cunningham), CH. 165 <i>Effective: January 1, 2023</i> Dependent children	Raises the standard of proof for establishing at a review hearing that a parent or guardian whose child has been removed from their physical custody was offered reasonable reunification services to clear and convincing in order to make the standard consistent with the clear and convincing evidence standard already in place for permanent placement hearings.
WIC amend 707	AB 2361 (Bonta), CH. 330 <i>Effective: January 1, 2023</i> Juveniles: transfer to court of criminal jurisdiction	Requires the juvenile court to find by clear and convincing evidence that the minor is not amenable to rehabilitation while under the jurisdiction of the juvenile court in order to transfer the minor to a court of criminal jurisdiction.
WIC amend 782	AB 2629 (Santiago), CH. 970 <i>Effective: January 1, 2023</i> Juveniles: dismissals	Authorizes a judge of a juvenile court to dismiss a petition at any time after the filing of a petition, and regardless of whether the petition was sustained at trial, by admission or plea agreement. Requires a court, at the time the court terminates jurisdiction or any time thereafter, to consider and afford great weight to evidence offered by the person to prove that specified mitigating circumstances are present unless the person seeking relief under these provisions has been convicted of a serious or violent felony, as defined. Provides that proof of the presence of one or more specified mitigating circumstances weighs greatly in favor of dismissing a petition under these provisions. Specifies that dismissal of a petition under these provisions would not prohibit a court from enforcing a civil judgment for an unfulfilled order of restitution. Authorizes a juvenile case to be dismissed by a court that takes jurisdiction of the juvenile case through a transfer motion.
WIC amend 5150, 5151, 5256, 5275, 5350, 5354, 5585.20	AB 2275 (Wood), CH. 960 <i>Effective: January 1, 2023</i> Mental health: involuntary commitment	For the purposes of the Lanterman Petris Short Act, specifies that the 72-hour period of detention begins at the time when the person is first detained. Removes the provisions for postponement of the certification review hearing. Provides that when a person has not been certified for 14-day intensive treatment and remains detained on a 72-hour hold, a certification review hearing must be held within 7 days of the date the person was initially detained.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
WIC amend 5270.55, add 5270.70	SB 1227 (Eggman), CH. 619 <i>Effective: January 1, 2023</i> Involuntary commitment: intensive treatment	Permits a second up-to-30 days of intensive treatment period under the Lanterman-Petris-Short (LPS) Act for a person who is still in need of intensive services and the certification for an additional up-to-30 days has begun, as specified. Requires the court to either deny the petition or order an evidentiary hearing to be held within two court days after the petition is filed, and permits the court to order that the person be held for up to an additional 30 days of intensive treatment if certain requirements are met.
WIC amend 5346	SB 1035 (Eggman), CH. 828 <i>Effective: January 1, 2023</i> Mental health services: assisted outpatient treatment	For assisted outpatient programs, authorizes the court to conduct status hearings with the person and the treatment team to receive information regarding progress related to the categories of treatment listed in the treatment plan and authorizes the court to inquire about medication adherence.
WIC amend 5352.1	SB 1394 (Eggman), CH. 996 <i>Effective: January 1, 2023</i> Conservatorships: gravely disabled persons	Modifies the maximum amount of time by which a temporary 30-day conservatorship may be extended, pending the resolution of a petition for a conservatorship under the Lanterman-Petris-Short (LPS) Act when the potential conservatee has requested a court or jury trial on the question of whether they are “gravely disabled” for purposes of establishing a full LPS conservatorship, from six months to 180 days.
WIC amend 5801, 5813.5, add 5970 et seq.; HSC add 1374.723; INS add 10144.54; PEN amend 1370.01	SB 1338 (Umberg), CH. 319 <i>Effective: January 1, 2023</i> Community Assistance, Recovery, and Empowerment (CARE) Court Program	Creates the Community Assistance, Recovery, and Empowerment Act (CARE Act) to provide a civil court–based mental health services engagement and oversight program for individuals with schizophrenia spectrum and other psychotic disorders. Specifies other court proceedings from which CARE Act participants may be referred. Specifies eligible petitioners and eligible respondents. Requires petitions to be filed and reviewed in civil court, and dictates hearings to occur within specified time frames. Requires courts to find that a respondent is eligible for CARE Act services upon a finding of clear and convincing evidence. Authorizes courts to hold petitioners and county health and service providers accountable for delivery and provision of supports as required. Permits courts to terminate respondents from CARE Act participation under specified circumstances. Requires courts to report to the Judicial Council numbers of petitions filed, numbers of hearings on the petition, and total number of CARE Act proceedings. Delays implementation of first cohort to October 1, 2023, and names Glenn, Riverside, Orange, San Diego, San Francisco, Stanislaus, and Tuolumne as first counties. Presumes all other counties launch as of December 1, 2024.



CODE SECTION(S)	BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	SUMMARY DESCRIPTION OF NEW LAW
WIC amend 6608, 6608.5, add 6608.6	SB 1034 (Atkins), CH. 880 <i>Effective: January 1, 2023</i> Sexually violent predators	<p>Authorizes the court to grant a petition and to make a finding of extraordinary circumstances only after the county of domicile has petitioned the court to make that finding and after certain events have occurred, including that the county of domicile has demonstrated to the court that it has engaged in an exhaustive housing search with meaningful and robust participation from specified participants, and the county has provided at least one alternative placement county for consideration, and the department and the district attorney of a proposed alternative placement county have had an opportunity to be heard at a noticed hearing. Requires the court, if it finds that extraordinary circumstances require the placement to occur outside the county of domicile, to state its findings on the record and the grounds supporting its findings. Requires the Judicial Council to report to the Legislature on an annual basis the instances in which a court issues a finding of extraordinary circumstances, as specified.</p>
WIC amend, repeal, and add 15657.03	AB 1243 (Rubio), CH. 273 <i>Effective: January 1, 2023</i> Protective orders: elder and dependent adults	<p>Includes within the definition of protective order an order enjoining a party from isolating an elder or dependent adult. Requires certain requirements to be met for that order to be issued, including a showing by a preponderance of the evidence that the respondent's past act or acts of isolation of the elder or dependent adult prevented contact with the interested party and that the elder or dependent adult desires contact with the interested party, as specified. Authorizes the order to specify the actions to be enjoined, including enjoining the respondent from preventing an interested party from in-person or remote online visits, including telephone and online contact, with the elder or dependent adult. Includes within the definition of protective order after notice and a hearing, a finding that specific debts were incurred as the result of financial abuse of the elder or dependent adult, but excepts from firearms relinquishment and CLETS provisions an order after a hearing if the respondent is enjoined based solely on isolation. Makes these provisions operative January 1, 2023.</p>



APPENDIX G

2022 COURT-RELATED BUDGET BILLS

BILL NUMBER AND CHAPTER, EFFECTIVE DATE	TITLE/SUBJECT
AB 152, CH. 736 <i>Effective Immediately</i>	COVID-19 relief: supplemental paid sick leave: September 30, 2022, to December 31, 2022
AB 156, CH. 569 <i>Effective Immediately</i>	State government trailer bill: court reporters: voice writing
AB 160, CH. 771 <i>Effective Immediately</i>	Public safety trailer bill
AB 199, CH. 57 <i>Effective Immediately</i>	Courts trailer bill
AB 200, CH. 58 <i>Effective Immediately</i>	Public safety omnibus trailer bill
AB 204, CH. 738 <i>Effective Immediately</i>	Health omnibus trailer bill: mentally incompetent defendants
AB 205, CH. 61 <i>Effective Immediately</i>	Energy trailer bill: non-fossil-fueled powerplants, energy storage facilities, and related facilities: expedited judicial review
AB 207, CH. 573 <i>Effective Immediately</i>	Human services omnibus trailer bill
SB 114, CH. 4 <i>Effective Immediately</i>	COVID-19: supplemental paid sick leave: retroactive from January 1, 2022, to September 30, 2022
SB 116, CH. 5 <i>Effective Immediately</i>	Human services trailer bill: child placement
SB 118, CH. 10 <i>Effective Immediately</i>	California Environmental Quality Act: public higher education: campus population trailer bill (2021)
SB 154, CH. 43 <i>Effective Immediately</i>	Court-based weapons relinquishment programs (Budget Act of 2022)
SB 184, CH. 47 <i>Effective Immediately</i>	Health omnibus trailer bill: mental health diversion
SB 187, CH. 50 <i>Effective Immediately</i>	Human services trailer bill: child welfare



BILL NUMBER AND CHAPTER, EFFECTIVE DATE	TITLE/SUBJECT
SB 189, CH. 48 <i>Effective Immediately</i>	State government trailer bill: electronic reporting in administrative law proceedings
SB 191, CH. 67 <i>Effective Immediately</i>	Labor and employment trailer bill

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