



UC Davis State Government Relations Update September/October 2020

Adrian Lopez
Director, State Government Relations

In this Update:

- *Bills of Interest Signed or Vetoed by the Governor (Pages 1-4)*
- *2021 Legislative Proposals (Page 4)*
- *Upcoming State Government Relations Deadlines, Events and Key Dates (Page 5)*
- *Questions or Need Assistance? (Page 5)*

Bills of Interest Signed or Vetoed by the Governor

September 30th was the last day for the Governor to sign or veto bills. Below are some bills of interest to the University which were approved/vetoed by Governor Newsom.

AB 275 (Ramos) revises and recasts portions of California's repatriation policy (Cal-NAGPRA) to provide for greater tribal input into decisions to affiliate particular collections of remains and funerary objects with specific California tribes, and provides that greater weight be given to tribal viewpoints. The University did not take a position on the bill. The bill was signed by the Governor on September 25, 2020 (Chapter 167).

AB 685 (Reyes) was signed by the Governor. The bill prohibits an employer from operating or allowing entry upon determination that it exposed workers to COVID-19 in a manner constituting an imminent hazard, and requires an employer that receives a notice of potential exposure to notify all employees, including exclusive representatives, within one business day of the notice of potential exposure, and to provide them with information regarding related workers' compensation and leave benefits, anti-retaliation and anti-discrimination protections, and disinfection and safety plans.

AB 890 (Wood) expands the scope of practice for nurse practitioners, an issue for which UC has been a progressive leader for many years. The University **supported** the bill and requested the Governor's signature. The Governor signed the bill on September 29, 2020 (Chapter 265).

AB 1196 (Gipson) prohibits law enforcement agencies from authorizing the use of a carotid restraint or choke hold. The University did not take a position on the bill, as the University of California Police

Department (UCPD) already prohibits this tactic. The bill was signed by the Governor on September 30, 2020 (Chapter 324).

AB 1867 (Assembly Budget Committee) was signed by the Governor. The bill establishes COVID-19 supplemental paid sick leave for covered workers, including certain persons employed by private businesses of 500 or more employees or persons employed as certain types of health care providers or emergency responders by public or private entities.

AB 2114 (Rodriguez) was vetoed by the Governor. The bill would've required a higher education employer to provide a procedure for all medical and dental interns and residents, persons in accredited resident physician subspecialty programs, and other post-medical doctor degree trainees in unaccredited programs to challenge a termination of employment or a disciplinary action by the employer, as provided.

AB 2213 (Limón) was signed by the Governor. The bill authorizes a governing body of a postsecondary institution that receives state funds, including funds for student financial assistance, to use its own enrollment, registration, and personnel records to access the contact information of students and employees for the sole purpose of enrolling them in a university- or college-operated public emergency warning system, and to notify them that they have been entered into the system with the ability to opt out.

AB 2273 (Bloom) allows the David Geffen School of Medicine at UCLA to enable Cedars-Sinai Medical Center to assume responsibility for special faculty permits of medical faculty that it hires and trains. UC secured technical and substantive amendments. The University **supported** the bill and requested the Governor's signature. The Governor signed the bill on September 29, 2020 (Chapter 280).

AB 2288 (Low) authorizes an approved nursing program to use a clinical setting without meeting specified requirements and request to revise certain clinical experience requirements for enrolled students when the Governor declares a state of emergency or until the end of the academic term in the county in which the facility is located, subject to specified requirements. UC secured amendments to the bill. The University **supported** the bill and requested the Governor's signature. The Governor signed the bill on September 29, 2020 (Chapter 282).

AB 2416 (Gabriel) requires institutions of higher education to allow students to appeal their loss of certain student financial aid if they fail to meet "satisfactory academic progress" (SAP) due to homelessness. The University **supported** the bill and requested the Governor's signature. The Governor signed the bill on September 29, 2020 (Chapter 285).

AB 2537 (Rodriguez) requires employers of workers in a general acute care hospital to supply those employees who provide direct patient care or services that directly support personal care with personal protective equipment (PPE) in compliance with Department of Industrial Relations regulations, ensure that the PPE is used, maintain a 3-month normal consumption supply, and provide an inventory of its

stockpile and copy of its written procedures to the Division of Occupational Safety and Health upon request. The University did not take a position on the bill. The Governor signed the bill on September 29, 2020 (Chapter 313).

AB 3088 (Chiu) was signed by the Governor. The bill enacts the “Tenant, Homeowner, and Small Landlord Relief and Stabilization Act of 2020” and the “COVID-19 Small Landlord and Homeowner Relief Act of 2020.” The bill prohibits residential tenants from being evicted for failure to pay rent accrued between March 1, 2020 and January 31, 2021 if they assert that the failure to pay stemmed from financial hardship related to COVID-19. However, the tenants would still owe the past due amount, and landlords could sue tenants for unpaid COVID-19 rental debt beginning March 1, 2021.

AB 3092 (Wicks) was signed by the Governor. The bill relates to a 2018 UCLA physician sexual assault case and revives certain claims for damages barred by statute of limitations.

AB 3374 (Committee on Higher Education) is the higher education omnibus clean-up measure, which corrects technical errors and oversights, and makes non-controversial changes to various provisions of the Education Code. The bill was signed by the Governor on September 24, 2020 (Chapter 129).

SB 115 (Senate Budget and Fiscal Review Committee) amends the Budget Act of 2020. The bill includes an appropriation of \$14.1 million in old general obligation bond funds for the UCLA Powell Library seismic retrofit phase I project. This project will also receive an additional \$2.4 million in old lease-revenue bond interest for a total project budget of \$16.5 million. The Governor signed the bill on September 9, 2020 (Chapter 40).

SB 116 (Senate Budget and Fiscal Review Committee) is the higher education trailer bill. The bill includes additional funding for AB 540 student financial aid, technical amendments to financial aid, and reappropriation of special funds. The Governor signed the bill on June 29, 2020 (Chapter 25).

SB 275 (Pan) establishes the Health Care Essential Workers Protection Act, which requires the California Department of Public Health to establish a statewide PPE stockpile by 2022 and a healthcare employer to maintain an inventory of unexpired PPE sufficient for 45 days of surge consumption by 2023, or as specified to ensure an adequate supply for health care and essential workers. The University did not take a position on the bill. The Governor signed the bill on September 29, 2020 (Chapter 301).

SB 406 (Pan) extends the operation of UC CHBRP and authorizes the continued assessment of the annual charge on health care service plans and health insurers for that purpose through July 1, 2022. The University **supported** the bill and requested the Governor’s signature. The Governor signed the bill on September 29, 2020 (Chapter 302).

SB 493 (Jackson) was signed by the Governor. The bill requires a postsecondary institution that receives state funds to comply with various requirements pertaining to student sexual harassment protections and to provide students with procedural protections relating claims of sexual harassment.

SB 793 (Hill) was signed by the Governor. The bill prohibits a tobacco retailer from selling, offering for sale, or possessing with the intent to sell or offer for sale, a flavored tobacco product, except as specified.

SB 820 (Sen. Budget & Fiscal Review Cmte.) was signed by the Governor. This bill is the education finance budget trailer bill and will require the University to certify that new capital expenditures or capital outlay projects financed with state funds use only University employees to perform service functions. The measure also requires UC cash management of reduced debt service costs to support underrepresented student programs and services and avoid employee layoffs, furloughs, or reductions-in-time, and extends the implementation deadline for UC systemwide policies on Native American human remains and cultural items to 1/1/21.

SB 918 (Senate Government Organization Committee) was signed by the Governor. The bill corrects discrepancies in the administrative requirements for the sale of excess wine from the UC Davis Viticulture and Enology program by authorizing a special nonprofit sales license to a nonprofit mutual benefit corporation or a nonprofit public benefit corporation.

SB 980 (Umbert) would have established the Genetic Information Privacy Act to require direct-to-consumer genetic testing companies to provide a consumer with certain information regarding the company's policies and procedures while protecting UC's ability to conduct research involving genetic data. The University secured substantive amendments to preserve UC's research interests and supported the bill. The Governor vetoed the bill on September 25, 2020.

SB 1159 (Hill) creates a rebuttable presumption for essential employees in workers' compensation cases related to COVID-19 and defines parameters for eligibility for others. The University did not take a position on the bill. The bill was signed by the Governor on September 17, 2020 (Chapter 85).

SB 1237 (Dodd/Burke) was signed by the Governor. The bill establishes the Justice and Equity in Maternity Care Act, which allows certified nurse-midwives (CNMs) to practice with a physician under mutually agreed-upon policies and protocols in California.

2021 Legislative Proposals

The California Legislature has adjourned for 2020 and will return on January 4, 2021 for regular business to be conducted in the 1st year of the 2021-22 Legislative Session. UCOP State Government Relations is currently in the process of determining whether there are issues that may require legislation sponsored by the University in 2021. If you are aware of any such issues, please do not hesitate to contact me at adnlopez@ucdavis.edu. The deadline to submit proposals is October 29th.

Upcoming State Government Relations Deadlines, Events and Key Dates

Sept. 30 Last day for Governor to sign or veto bills

Nov. 3 General Election

Dec. 7 Convening of 2021-22 Legislative Session

Jan. 1 Statutes take effect

Jan. 4 Legislature reconvenes

Questions or Need Assistance?

If you have any questions regarding the aforementioned items or would like assistance in connecting with state legislators and/or their staff, please do not hesitate to contact Adrian Lopez, Director of State Government Relations. He can be reached at adnlopez@ucdavis.edu or by phone at (530) 752-9795.