

Tracked Legislation Report

Chaptered Legislation as of 9.13.21

[AB 104](#)

(Gonzalez, Lorena D) Pupil instruction: retention, grade changes, and exemptions.

Status: 7/1/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 41, Statutes of 2021.

Location: 7/1/2021-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: (1)Existing law requires the governing board of a school district and a county superintendent of schools to adopt policies regarding pupil promotion and retention, and requires a pupil to be promoted or retained only as provided for in those policies. Until June 30, 2023, existing law makes certain funds available to school districts, county offices of education, charter schools, and state special schools for expenditure by August 31, 2022, for certain activities, including offering supplemental instruction and support, as prescribed. This bill would authorize the parent, guardian, or education rights holder of a pupil, or, for a pupil who is 18 years of age or older, the pupil, who was enrolled in high school and enrolled in a course during the 2020–21 school year to apply to the pupil's school district, county board of education, or charter school to change the letter grade for that course to a Pass or No Pass grade on the pupil's transcript. The bill would require the school district, county office of education, or charter school to make the requested change, as specified. The bill would require the California State University, and encourage private postsecondary institutions and the University of California, to accept, and to notify the State Department of Education whether the institution will accept, those changed transcripts for admission purposes. The bill would require the department to develop the application for the grade change request and to provide related assistance to school districts, county offices of education, and charter schools. By requiring local educational agencies to perform specified duties regarding the grade change option, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position

Seek
Amendments

[AB 130](#)

(Committee on Budget) Education finance: education omnibus budget trailer bill.

Status: 7/9/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 44, Statutes of 2021.

Location: 7/9/2021-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: (1)Existing law places various requirements on county superintendents of schools and the Superintendent of Public Instruction in reviewing and determining whether a county office of education's adopted budget will allow the county office of education to meet its financial obligations during the fiscal year and, based on current forecasts, for 2 subsequent fiscal years. This bill would revise certain requirements on county superintendents of schools and the Superintendent regarding determinations of fiscal distress for county offices of education, and would require the Superintendent to provide a written notice of going concern determination to the county board of education and the county superintendent of schools under certain circumstances. This bill contains other related provisions and other existing laws.

Position

[AB 131](#)

(Committee on Budget) Child development programs.

Status: 7/23/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 116, Statutes of 2021.

Location: 7/23/2021-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: (1)Existing law, the Child Care and Development Services Act, establishes a system of childcare and development services for children up to 13 years of age, which is administered by the State Department of Education and the Superintendent of Public Instruction and which includes various programs and services, including, among others, CalWORKs stage 2 and stage 3 childcare, migrant childcare, childcare and development services for children with special needs, the alternative payment program, and head start programs. These programs and services are contained in the Education Code. Existing law, effective July 1, 2021, transfers administration of these programs to the State Department of Social Services. This bill would make various statutory changes to reflect the transfer described above, including by repealing the statutes governing those programs, services, and duties from the Education Code and reenacting them in the Welfare and Institutions Code. The bill would also

clarify that the State Department of Education and the Superintendent of Public Instruction would retain administrative supervision of the California state preschool programs and would revise and recast related provisions of the Education Code. The bill would repeal various obsolete provisions and would make other related changes. This bill contains other related provisions and other existing laws.

Position

AB 161 (Ting D) Budget Act of 2021.

Status: 7/9/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 43, Statutes of 2021.

Location: 7/9/2021-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Budget Act of 2021 made appropriations for the support of state government for the 2021-22 fiscal year. This bill would amend the Budget Act of 2021 by amending items of appropriation and making other changes. This bill contains other related provisions.

Position

AB 251 (Choi R) Public postsecondary education: admission by exception.

Status: 7/9/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 47, Statutes of 2021.

Location: 7/9/2021-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Existing law, commencing with admissions for the 2021-22 academic year, prohibits a campus of the California State University and, if adopted by the Regents of the University of California by appropriate resolution, the University of California, from admitting an applicant by admission by exception, as defined, unless the admission by exception has been approved, before the student's enrollment, by at least 3 senior campus administrators, the applicant is a California resident who is receiving an institution-based scholarship to attend the campus, or the applicant is accepted by an educational opportunity program for admission to the campus. This bill would prohibit a senior campus administrator, for purposes of this section, from being associated with campus development, external affairs, fundraising, donor relations, alumni relations, or alumni outreach.

Position

AB 306 (O'Donnell D) School districts and community college districts: employee housing.

Status: 7/9/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 49, Statutes of 2021.

Location: 7/9/2021-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Field Act requires the Department of General Services to supervise the design and construction of any school building, including both school district and community college district buildings, or, if the estimated cost exceeds \$100,000, the reconstruction or alteration of or addition to any school building, to ensure that plans and specifications comply with the rules and regulations adopted pursuant to the act and with relevant building standards, and to ensure that the work of construction has been performed in accordance with the approved plans and specifications. Existing law defines "school building" for these purposes, and excludes from that definition certain buildings. Existing law requires the Department of General Services to approve the plans, specifications, and methods of construction of certain factory-built school buildings. Existing law requires the Department of General Services, for purposes relating to access and use by persons with disabilities, to issue a written approval of the plans and specifications of certain buildings and facilities, as provided. This bill would exclude from these requirements any building or facility that serves or is intended to serve as residential housing for school district and community college district teachers and employees, and their families.

Position

Watch

AB 337 (Medina D) Board of Governors of the California Community Colleges.

Status: 6/28/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 23, Statutes of 2021.

Location: 6/28/2021-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. The board of governors consists of 18 members, including 2 community college students appointed by the Governor for 2-year terms. Existing law prohibits a student member from voting at a board meeting during the first year of the student member's term, except as specified. This bill would eliminate the prohibition against a student member voting during the student member's first year on the board.

Position

[AB 444](#)

(Committee on Public Employment and Retirement) State and local employees: pay warrants: designees.

Status: 7/9/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 55, Statutes of 2021.

Location: 7/9/2021-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Existing law authorizes a state employee to designate with their appointing power a person who may receive the employee's warrants upon the employee's death. Existing law requires an appointing power, upon sufficient proof of identity from an appropriate designee, to deliver warrants to the person claiming them. Existing law entitles the designated person who receives warrants to negotiate the warrants as if they were the payee. This bill would prescribe a process by which an appointing power would issue a check directly to a designated person instead of delivering employee warrants to that person, as described above. Upon sufficient proof of the designee's identity, the bill would require the appointing power to endorse and deposit the warrant issued to a deceased employee back into the Treasury to the credit of the fund or appropriation upon which it was drawn, as specified, and then issue a revolving fund check to the designated person in the original amount payable to employee. This bill contains other related provisions and other existing laws.

Position

[AB 761](#)

(Chen R) County employees' retirement: personnel: Orange County.

Status: 6/28/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 26, Statutes of 2021.

Location: 6/28/2021-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The County Employees Retirement Law of 1937 (CERL) authorizes counties to establish retirement systems pursuant to its provisions in order to provide pension benefits to their employees. CERL authorizes the board of retirement and both the board of retirement and the board of investment to appoint administrative, technical, and clerical staff as required to accomplish the necessary work of the board. Under CERL, these appointments are generally required to be made from eligible lists created in accordance with the civil service system or merit system rules of the county. CERL, however, authorizes the retirement boards of specified counties to appoint assistant administrators and chief investment officers who, following appointment, are outside county charter, civil service, and merit system rules, except as specified. CERL provides that these administrators and officers are employees of the county, as specified, while serving at the pleasure of the appointing boards, and that they may be dismissed without cause. Existing law also applies these provisions to any county if the board of supervisors for that county, by resolution adopted by majority vote, makes those provisions applicable in the county. This bill would authorize the board of retirement for Orange County to appoint an administrator, assistant administrators, a chief investment officer, subordinate investment officers, senior management employees, legal counsel, and other specified employees. The bill would provide that the personnel appointed pursuant to these provisions would not be county employees subject to county civil service and merit system rules, and instead would be employees of the retirement system. The bill would provide that the compensation of personnel appointed pursuant to these provisions is an expense of administration of the retirement system. The bill would authorize the board of retirement and board of supervisors to enter into agreements as necessary and appropriate to carry out these provisions and would make related, conforming changes.

Position

[AB 856](#)

(Maienschein D) Pupil health: COVID-19 Youth Health Information Act.

Status: 7/23/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 123, Statutes of 2021.

Location: 7/23/2021-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Existing law establishes a system of public elementary and secondary education in this state. Under this system, local educational agencies throughout the state provide instruction to pupils in kindergarten and grades 1 to 12, inclusive, at the schoolsites they operate. Private schools also provide elementary and secondary level instruction. This bill would enact the COVID-19 Youth Health Information Act. The act would require the State Department of Education to post on its internet website information related to the safe return of pupils to exercise and physical activity, as defined, after exhibiting signs or symptoms of, or testing positive for, COVID-19, and would specify that the information include current guidelines issued by the American Academy of Pediatrics. The bill also would require the department to include in its posts current guidelines of the American Academy of Pediatrics for pupils to obtain medical clearance before returning to exercise and physical activity after exhibiting signs or symptoms of, or testing positive for, COVID-19, as specified. This bill contains other related provisions.

Position

SB 26

(Skinner D) Collegiate athletics: student athlete compensation and representation.

Status: 8/31/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 159, Statutes of 2021.

Location: 8/30/2021-S. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Existing law prohibits California postsecondary educational institutions except community colleges, and every athletic association, conference, or other group or organization with authority over intercollegiate athletics, from providing a prospective intercollegiate student athlete with compensation in relation to the athlete's name, image, or likeness, or preventing a student participating in intercollegiate athletics from earning compensation as a result of the use of the student's name, image, or likeness or obtaining professional representation relating to the student's participation in intercollegiate athletics. Existing law prohibits an athletic association, conference, or other group or organization with authority over intercollegiate athletics from preventing a postsecondary educational institution other than a community college from participating in intercollegiate athletics as a result of the compensation of a student athlete for the use of the student's name, image, or likeness. Existing law prohibits the revocation of a student's scholarship as a result of earning compensation or obtaining legal representation as authorized under these provisions. Existing law prohibits a student athlete from entering into a contract providing compensation to the athlete for use of the athlete's name, image, or likeness if a provision of the contract is in conflict with a provision of the athlete's team contract. Existing law prohibits a team contract from preventing a student athlete from using the athlete's name, image, or likeness for a commercial purpose when the athlete is not engaged in official team activities, as specified. Existing law makes these provisions operative on January 1, 2023. This bill, the Fair Pay to Play Act, would make these provisions operative on September 1, 2021, and would make them applicable to the California Community Colleges. The bill would prohibit California postsecondary educational institutions and every athletic association, conference, or other group or organization with authority over intercollegiate athletics from providing a prospective intercollegiate student athlete with compensation in relation to the athlete's athletic reputation, or preventing a student participating in intercollegiate athletics from earning compensation as a result of the use of the student's athletic reputation. The bill would prohibit an athletic association, conference, or other group or organization with authority over intercollegiate athletics from preventing a postsecondary educational institution from participating in intercollegiate athletics as a result of the compensation of a student athlete for the use of the student's athletic reputation. The bill would prohibit the revocation of a student's scholarship as a result of earning compensation for the use of the student's athletic reputation. This bill contains other related provisions and other existing laws.

Position

SB 254

(Borgeas R) Public schools: September 11th Remembrance Day.

Status: 7/16/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 102, Statutes of 2021.

Location: 7/16/2021-S. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Existing law designates particular days each year as having special significance and encourages all public schools and educational institutions to observe those days and to conduct suitable commemorative exercises on those days. This bill would designate and set apart September 11 each year as September 11th Remembrance Day, a day having special significance. The bill would encourage, when September 11th Remembrance Day falls on a schoolday, each public elementary and

secondary school to observe a moment of silence at an appropriate time while school is in session.

Position

SB 411 (Cortese D) Public Employees' Retirement System: employment without reinstatement.

Status: 7/23/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 136, Statutes of 2021.

Location: 7/23/2021-S. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Existing law, the Public Employees' Retirement Law (PERL), creates the Public Employees' Retirement System (PERS), which provides pension and disability benefits to its members and prescribes their rights and duties. Existing law, the Public Employees' Pension Reform Act of 2013 (PEPRA), prescribed various limitations on public employees, employers, and retirement systems concerning, among other things, work after retirement. PERL generally prohibits retired PERS members from working for an agency participating in the system without reinstatement in the system, unless that employment is otherwise specifically authorized. PEPRA also prohibits retirees from serving or being employed directly, or through a contract, with a public employer, as defined, in the same retirement system from which they receive their benefits, except as expressly permitted. Both PERL and PEPRA generally prescribe limits on the manner and duration that retired members may be employed without reinstatement. PERL requires a person who is employed in violation of its reinstatement requirements to be reinstated in the member category previously held and on the date on which the unlawful employment occurred. In these circumstances, PERL requires that a retired member reimburse the system for the person's allowance received during the periods of the unlawful employment, to pay to the system employee contributions that otherwise should have been paid, and to contribute for associated administrative expenses, as specified. PERL requires employers in these circumstances to pay to the system the employer contributions that otherwise should have been paid and to contribute for associated administrative expenses, as specified. This bill would eliminate the above-described requirement that a person employed without reinstatement in a manner other than authorized by PERL be reinstated, instead providing that reinstatement is permissive. The bill would limit the circumstances pursuant to which retired members and employers are obligated to pay employee and employer contributions, which would have otherwise been paid, plus interest, to apply only to specified reinstatements. The bill would make conforming changes and make specific reference to the duties of employees and employers regarding reinstatement after retirement in violation of PEPRA.

Position

SB 442 (Newman D) School districts and community college districts: governing board elections: charter cities.

Status: 7/23/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 139, Statutes of 2021.

Location: 7/23/2021-S. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Existing law establishes in each county, except a county that is also a city and county, a county committee on school district organization, and authorizes the committee to take certain actions regarding the organization of school districts and community college districts in the territory under the committee's jurisdiction. Existing law authorizes, in any school district or community college district, a county committee on school district organization to establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to 7 or decrease to 5 the number of members of a governing board, or to adopt an alternative method of electing governing board members, as specified, except in a school district governed by a board of education provided for in the charter of a city or city and county. This bill would delete the exception for a school district governed by a board of education provided for in the charter of a city or city and county, for purposes of that provision. The bill would prohibit a county committee on school district organization from rearranging trustee area boundaries in a school district or community college district that has established a hybrid or independent redistricting commission, as specified. This bill contains other related provisions and other existing laws.

Position

SB 590 (Allen D) 2022 statewide primary election: terms of office.

Status: 7/16/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 107, Statutes of 2021.

Location: 7/16/2021-S. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Existing law, Chapter 111 of the Statutes of 2020, moved the date of the statewide direct primary election in even-numbered years in which there is no presidential primary election from the first Tuesday after the first Monday in March to the first Tuesday after the first Monday in June. Existing law authorizes elections for certain local offices to be held on the day of the statewide direct primary election. This bill would extend any term of office set to expire in March or April 2022, where the next scheduled regular election for that office has been consolidated with the 2022 statewide primary election, until the certification of election results from the 2022 statewide primary election.

Position

SB 657

(Ochoa Bogh R) Employment: electronic documents.

Status: 7/16/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 109, Statutes of 2021.

Location: 7/16/2021-S. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Existing law regulates the wages, hours, and working conditions of any worker employed in any occupation, trade, or industry, whether compensation is measured by time, piece, or otherwise, except as specified. This bill would provide that, in any instance in which an employer is required to physically post information, an employer may also distribute that information to employees by email with the document or documents attached. The bill would specify that this does not alter the employer's obligation to physically display the required posting.

Position

SCR 25

(Hurtado D) Adult Education Week.

Status: 7/9/2021-Chaptered by Secretary of State - Res. Chapter 62, Statutes of 2021.

Location: 7/9/2021-S. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: This bill would proclaim the week of April 18, 2021, to April 24, 2021, inclusive, as Adult Education Week, and would honor the teachers, administrators, classified staff, and students of adult education programs statewide for their efforts, persistence, and accomplishments.

Position

Total Measures: 17

Total Tracking Forms: 17