Legislative Bulletin

DRAFT

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Item No. 42

County of Orange Positions on Proposed Legislation

The Legislative Bulletin provides the Board of Supervisors with analyses of measures pending in Sacramento and Washington that are of interest to the County. Staff provides recommended positions that fall within the range of policies established by the Board. According to the County of Orange Legislative Affairs Program Guidelines adopted by the Board of Supervisors on January 25, 2022, staff recommendations for formal County positions on legislation will be agendized and presented in this document for Board action at regular Board of Supervisors meetings. When the Board takes formal action on a piece of legislation, the CEO will direct the County's legislative advocates to promote the individual bills as approved by the Board. The Legislative Bulletin also provides the Board of Supervisors with informative updates on State and Federal issues.

The 2025-2026 Legislative Platform was adopted by the Board of Supervisors on November 19, 2024.

On April 22, 2025, the Board of Supervisors will consider the following actions:

RECOMMENDED ACTIONS

1. **SUPPORT – AB 91 (Harabedian): State and local agencies: demographic data.**

2. **SUPPORT – AB 337 (Bennett): Greenhouse Gas Reduction Fund: grant program: edible food.**

3. **OPPOSE – AB 339 (Ortega): Local public employee organizations: notice requirements.**

4. **SUPPORT – AB 370 (Carillo): California Public Records Act: cyberattacks.**

5. **SUPPORT – AB 762 (Irwin): Disposable, battery-embedded vapor inhalation device: prohibition.**

6. **SUPPORT – AB 1288 (Addis): Registered environmental health specialists.**

7. **Receive and File Legislative Bulletin**

INFORMATIONAL ITEMS

1. **County Position Matrix: CEO-LA**
2. **Sacramento Legislative Report**
3. **Washington DC Legislative Report**

1. SUPPORT – AB 91 (Harabedian): State and local agencies: demographic data.

CEO/Office of Legislative Affairs
Bill Analysis

BILL NUMBER:	Assembly Bill (AB) 91	**INTRODUCED/AMENDED DATE:**	Amended 3/20/25
AUTHOR:	Assemblymember John Harabedian (D-Pasadena)		
SUBJECT:	State and local agencies: demographic data.		
BILL SPONSOR:	CA MENA Civil Rights Coalition (Sponsor) Access California Services (Sponsor) American Arab Anti-Discrimination Committee (Sponsor) Arab American Civic Council (Sponsor) Arab Cultural and Community Center in the San Francisco Bay Area (Sponsor) Armenian-American Action Network (Sponsor) Council on American-Islamic Relations, CA Los Angeles (CAIR-LA) (Sponsor) National Iranian American Council (Sponsor) National Network for Arab American Communities (Sponsor) Somali Family Service of San Diego (Sponsor)		
STATUS:	Assembly Appropriations Committee		
REQUESTING DEPARTMENT/AGENCY:	Second District Supervisor Vicente Sarmiento		
REQUESTING DEPARTMENT/ AGENCY RECOMMENDED POSITION:	**SUPPORT**		
CEO-LA RECOMMENDED POSITION:	**SUPPORT**		
Current Law:	Existing law requires state agencies, boards, and commissions that collect demographic data as to the ancestry or ethnic origin of Californians to use separate collection categories and tabulations for each major Asian and Pacific Islander group and to include that data in every demographic report published on or after July 1, 2012, as specified. Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest		

	protected by the limitation and the need for protecting that interest. This bill would make legislative findings to that effect.
Proposed Law:	This bill would create the Middle Eastern and North African (MENA) Inclusion Act. It would require state and local agencies that collect demographic data as to the ancestry or ethnic origin of Californians to use separate collection categories and tabulations for major Middle Eastern or North African groups, as specified, and, with certain exceptions, to include that data in every demographic report published on or after January 1, 2027, and to make the aggregated data available to the public.
Prior Legislative Votes:	• Assembly Judiciary Committee – Passed 12-0, 4/8/25. *(Dixon, Pacheco, Sanchez voted "aye")* • AB 2089 (Holden, 2023-24) Held, Asm Appropriations. • AB 2763 (Essayli, 2023-24) Held, Asm Appropriations. • HR 30 (Essayli, 2023-24) Adopted.
Vote Threshold:	Majority
State Mandated Local Program:	Yes
Fiscal Committee:	Yes
Support and Opposition:	Support: • CA MENA Civil Rights Coalition (Sponsor) • Access California Services (Sponsor) • American Arab Anti-Discrimination Committee (Sponsor) • Arab American Civic Council (Sponsor) • Arab Cultural and Community Center in the San Francisco Bay Area (Sponsor) • Armenian-American Action Network (Sponsor) • Council on American-Islamic Relations, CA Los Angeles (CAIR-LA) (Sponsor) • National Iranian American Council (Sponsor) • National Network for Arab American Communities (Sponsor) • Somali Family Service of San Diego (Sponsor) • Armenian National Committee of America - Western Region • California Pan-Ethnic Health Network • Carlos A. Leon Councilmember, District 2, City of Anaheim • Immigrants are Los Angeles • South Asian Network • Southern California Armenian Democrats • City and County of San Francisco • City of Glendale • Catalyst California Opposition: None listed
Background:	According to the author's office, "2020 estimates from the U.S. Census Bureau show that California is home to approximately 740,219 individuals who identify as Middle Eastern or North African (MENA). However, people from the MENA region are currently categorized under the broader "white"

	category in both federal and state data collection. When disaggregated, MENA individuals account for just 12% of the broader white population in California, resulting in their underrepresentation within the larger white category. In response to this data underrepresentation, the Biden administration announced the inclusion of a distinct MENA category for the 2030 U.S. Census. Additionally, in 2024 New York Governor Kathy Hochul signed legislation requiring separate data collection on the MENA community in New York State. Broadly classifying individuals from the Middle East and North Africa (MENA) community as "white" in both the U.S. Census and California State data collection fails to capture the unique demographic characteristics, cultural diversity, and specific needs of the MENA population. This classification also overlooks the shared regional history that shapes the identities, experiences, and challenges faced by MENA individuals. Accurate demographic data for the MENA community is essential for improving state planning, budgeting, and resource allocation. Recognizing this population separately would enable both public and private sectors to more effectively meet the needs of MENA residents, ensuring better representation, equitable distribution of resources, and more inclusive planning for community services and infrastructure. It would also allow for targeted interventions and policies to address the unique challenges faced by the MENA population, fostering greater equity and responsiveness to their needs. By disaggregating MENA demographic data from the broader “white” category in state data collection, the MENA Inclusion Act will help position California as a leader in MENA data collection and analysis, ensure the state is prepared for federal Census changes, and help the state better serve this growing and historically underrepresented community.”
Department Comments, Impact on Area(s) of Responsibility:	County Counsel’s office reports the following impacts: “The United States Office of Management and Budget (OMB) oversees the performance of federal agencies, including their collection of race and ethnicity data. The OMB does not itself require agencies to collect data. Rather, to ensure uniformity and consistency, the OMB’s Policy Directive No. 15 *Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity* (“Directive 15”) sets forth the minimum set of categories that federal agencies must use when they collect information on race and ethnicity. On March 29, 2024, OMB published revisions to Directive 15. One of the key changes is requiring private businesses that file an Equal Employment Information Report (EEO-1) to include a Middle Eastern and North African (MENA) race/ethnicity category. The EEO-1 report is a mandatory annual data collection that requires all private sector employers with 100 or more employees, and federal contractors with 50 or more employees meeting certain criteria, to submit workforce demographic data, including data by job category and sex and race or ethnicity, to the EEOC. The authorities under which EEO-1 Component 1 data are collected include: Section 709(c) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e, et seq., and Sections 1602.7-1602.14, Chapter XIV, Title 29 of the Code of Federal

	Regulations (CFR); Exec. Order No. 11246, 30 FR 12319 (Sept. 24, 1965) and 41 CFR 60-1.7(a). The State and Local Government Information Report (EEO-4 Report) is a mandatory biennial data collection that requires all State and local governments with 100 or more employees to submit demographic workforce data, including data by race/ethnicity, sex, job category, and salary band. The filing by eligible State and local governments is required under section 709(c) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e-8(c), 29 CFR 1602.30 and .32-.37. The County of Orange files an EEO-4 as a government agency. While the requirements of Directive 15 apply to *all* race and ethnicity data collected by OMB's federal partners, including the Equal Employment Opportunity Commission (EEOC), it did not explicitly state that state and local government agencies are required to include a MENA category. Given that the EEOC administers EEO-4 report collection, the requirement to include a MENA category will surely apply to public employers, not just private ones. In terms of the effective date, Directive 15 clearly states that federal agencies have 5 years to implement the new rules. In addition, the EEOC has 18 months from March 29, 2024, to submit to the OMB an Action Plan on how it will implement the changes. While the timeline in the Directives for implementation by the EEOC is clear, the timeline for *employers'* implementation is not as evident or explicit. Given the lack of clarity, before the County changes its EEO Survey Form, it would be advisable to monitor whether the EEOC issues additional instructions within the next few weeks or months. Directive 15 specifically requires that the EEOC's Action Plan on the new rule be available to the public through its website, so this would provide the County with specific legal guidance by a date certain."
Mandates:	AB 91 creates a new County mandate that its requirements apply to "state and local agencies" that collect demographic data and defines a "local agency" as a "city, county or city and county, whether general law or chartered."
Operations:	Unknown but likely minimal to add an additional category to the County's EEO-4.
Estimated Costs:	Unknown but likely minimal to add an additional category to the County's EEO-4.
Policy Platform References:	CS-25 Health Equity & Population Health Support proposals that improve health equity and data sharing as appropriate, in collaboration with community partners, to ensure all population groups in the County have access to resources that promote and protect health, including LGBTQ+, reentry, individuals experiencing homelessness, and veterans among others.

2. **SUPPORT – AB 337 (Bennett): Greenhouse Gas Reduction Fund: grant program: edible food.**

CEO/Office of Legislative Affairs
Bill Analysis

BILL NUMBER:	Assembly Bill (AB) 337	**INTRODUCED/AMENDED DATE:**	Introduced: January 28, 2025
AUTHOR:	Assemblymember Steve Bennett (D-Ventura)		
SUBJECT:	Greenhouse Gas Reduction Fund: grant program: edible food		
BILL SPONSOR:	Not applicable		
STATUS:	Assembly Appropriations Committee		

REQUESTING DEPARTMENT/AGENCY:	**OC Waste & Recycling**
REQUESTING DEPARTMENT/ AGENCY RECOMMENDED POSITION:	**SUPPORT**
CEO-LA RECOMMENDED POSITION:	**SUPPORT**
Current Law:	Existing law mandates that the Department of Resources Recycling and Recovery manage a grant program (subject to appropriation) to support in-state infrastructure development, food waste prevention, and other initiatives aimed at reducing organic waste. The program offers financial assistance for activities such as expanding organic waste diversion and recycling, recovering food for human consumption, and preventing food waste. Eligible projects include infrastructure development, such as constructing facilities to support edible food waste recovery operations.
Proposed Law:	AB 337 would expand the grant program to provide financial assistance for the recovery of edible food. The bill would specify that eligible infrastructure projects include the construction or expansion of facilities to help develop, implement, or expand edible food recovery operations. The bill would require the department to consider the increased amount of edible food recovery capacity that the project will create when awarding a grant for edible food recovery.

Prior Legislative Votes:	Assembly Natural Resource Committee (Y:13 N:0 A: 1) 3/24/25
Vote Threshold:	Majority
State Mandated Local Program:	No
Fiscal Committee:	Yes
Support and Opposition:	**Support** • 350 Humboldt • 350 Sacramento • California Association of Food Banks • California Association of Local Conservation Corps • California Food Recovery Coalition • California Grocers Association • California State Association of Counties • Californians Against Waste • California Climate Action Voters • Climate Reality Project, Orange County Chapter • Climate Reality Project, San Diego Chapter • Climate Reality Project, San Fernando Valley Chapter • Climate Reality Project, Silicon Valley Chapter • Elders Climate Action Northern California Chapter • Elders Climate Action, Southern California Chapter • League of California Cities • Rural County Representatives of California **Opposition** • None on file.
Background:	AB 337 builds on an existing grant program administered by CalRecycle. This bill allows the transportation of recovered edible food and makes third-party vendors eligible for grant funding.
Department Comments, Impact on Area(s) of Responsibility:	OCWR reports the following: "AB 337 will help Orange County meet the edible food recovery capacity requirements outlined in SB 1383. The bill provides additional financial support to food recovery programs and organizations, enabling them to develop and expand their operations. This support will increase their ability to collect surplus food and efficiently distribute it to members of our community experiencing food insecurity. This bill will also provide essential funding to non-profits and organizations that operate food recovery facilities. This funding will allow them to construct and expand their facilities, enhance operations, and increase their capacity to donate edible food throughout the community."
Mandates:	Not applicable.
Operations:	AB 337 will assist Orange County in expanding edible food recovery capacity throughout the County to continue to meet SB 1383 Edible Food Recovery Capacity requirements.

Estimated Costs:	N/A
Estimated Revenues:	N/A
<u>Policy Platform References:</u>	<u>IN-50: Waste Management Operations:</u> Support proposals that streamline regulations and permitting, and provide funding for solid waste, organics recycling, and hazardous waste disposal. Support efforts to secure additional funding streams for smart landfill systems.

3. OPPOSE – AB 339 (Ortega): Local public employee organizations: notice requirements.

<u>CEO/Office of Legislative Affairs</u>
Bill Analysis

BILL NUMBER:	Assembly Bill (AB) 339	**INTRODUCED/AMENDED DATE:**	<u>Introduced:</u> 1/28/25
AUTHOR:	Assemblymember Liz Ortega (D-Hayward)		
SUBJECT:	Local public employee organizations: notice requirements		
BILL SPONSOR:	Service Employees International Union, California (Sponsor) American Federation of State, County and Municipal Employees, AFL-CIO (Co-Sponsor) California Federation of Labor Unions, AFL-CIO (Co-Sponsor)		
STATUS:	Assembly Appropriations Committee Suspense File		
REQUESTING DEPARTMENT/AGENCY:	CEO-Legislative Affairs		
CEO-LA RECOMMENDED POSITION:	**OPPOSE**		
<u>Current Law:</u>	Existing law, the Meyers-Milias-Brown Act (MMBA), contains various provisions that govern collective bargaining of local represented employees and delegates jurisdiction to the Public Employment Relations Board to resolve disputes and enforce the statutory duties and rights of local public agency employers and employees. Existing law requires the governing body of a public agency to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations. Existing law requires the governing body of a public agency, and boards and commissions designated by law or by the governing body, to give reasonable written notice, except in cases of emergency, as specified, to each recognized employee organization affected of any ordinance, rule, resolution, or regulation directly relating to matters within the scope of representation proposed to be adopted by the governing body or the designated boards and commissions.		
<u>Proposed Law:</u>	This bill would require all of the following: • The governing body of a public agency (PA), including boards and commissions, shall give a recognized employee organization (REO) no less than 120 days' written notice before issuing a		

	request for proposals, request for quotes, or renewing or extending an existing contract, to perform services that are within the scope of work of the job classifications represented by the REO. • The written notice shall include the following: (1) The anticipated duration of the contract. (2) The scope of work under the contract. (3) The anticipated cost of the contract. (4) The draft solicitation, or if not yet drafted, any information that would normally be included in a solicitation. (5) The reason the public agency believes the contract is necessary. • If an emergency or other exigent circumstance prevents the PA from providing the 120 day required notice, the PA would have to provide as much advance notice as is practical under the circumstances. • If the REO demands to meet and confer within 30 days of receiving notice, the PA and REO shall promptly meet and confer in good faith relating to the PA's proposed decision to enter into the contract and any negotiable effects thereof. • At the request of the REO, the parties shall reopen negotiations on all or a part of a memorandum of understanding (MOU) to reach a mutual agreement concerning the subjects. • This bill shall not diminish any rights of an employee or REO provided by law or MOU, nor shall it invalidate any provision of an existing MOU with the PA.
Prior Legislative Votes:	Passed in Assembly Public Employment & Retirement Committee 3/19/25: 4-0-3
Vote Threshold:	Majority
State Mandated Local Program:	Yes
Fiscal Committee:	Yes
Support and Opposition:	Support as of 4/8/25: • American Federation of State, County and Municipal Employees • California Federation of Labor • Peace Officers Research Association of California (PORAC) • Service Employees International Union, California Oppose as of 4/8/25: • American Council of Engineering Companies • American Institute of Architects, California Council • American Staffing Association

	• Association of California HealthCare Districts • Association of California Water Agencies • California Building Officials • California Chamber of Commerce • California Contract Cities Association • California Geotechnical Engineering Association • California Special Districts Association • California Staffing Professionals • California State Association of Counties (CSAC) • California State Sheriffs' Association • County Health Executives Association of California (CHEAC) • County of Contra Costa • County of Fresno • County of Lake • County of Los Angeles • County of Mendocino • County of Merced • County of Placer • County of Riverside • County of Sacramento • County of San Mateo • County of Santa Clara • County of Siskiyou • League of California Cities • Public Risk Innovation, Solutions, and Management (PRISM) • Rural County Representatives of California (RCRC) • South San Joaquin Irrigation District (SSJID) • Transportation California • Urban Counties of California (UCC)
Background:	AB 339 is a reintroduction of two bills from 2024: • AB 2489 (Ward) would have required a local agency to notify the affected workforce of the agency's intent to contract out for special services and temporary help and required a contractor to demonstrate the contractor's employees meet or exceed the minimum qualifications of civil service employees performing the same work. AB 2489 was held in the Assembly Appropriations Committee's suspense file. The Orange County Board of Supervisors did not take a position on this bill. • AB 2557 (Ortega) would have imposed new requirements on a local agency seeking to contract out for special services and temporary help, including posting contracts online and providing advance notice to the affected workforce. AB 2557 passed the Assembly but was held on the Senate Appropriations Committee's suspense file. The Orange County Board of Supervisors took an "Oppose" position on this bill.

<u>Department Comments, Impact on Area(s) of Responsibility:</u>	<u>Human Resources Services (HRS)</u> reports the following: Under AB 339, the County must provide **at least 120 days' written notice** before issuing all requests for proposals, requests for quotes, or renewing/extending contracts for services within the scope of work of recognized employee organizations. This is a significant expansion beyond the MMBA's existing bargaining requirements, which mandate agencies to **meet and confer in good faith** with affected bargaining units before making decisions within the scope of representation. Additionally, AB 339 outlines specific details that must be included in the notice, such as the anticipated duration of the contract. If an emergency prevents the county from providing the full notice period, they must still offer as much advance notice as possible. The bill imposes stricter procedural requirements which could greatly impact the County where a large portion of the workforce is represented by employee organizations. It would subject nearly all contracting decisions to notice and potential meet-and-confer requirements. This could **delay staffing and essential services** especially in cases where urgent action is needed, and the county is unable to contract for the necessary services. Additionally, the ability to demand negotiations over every contract—including renewals—could create significant administrative hurdles that limit flexibility in service delivery. A union demanding to meet and confer over every request for proposal, request for quotes, and contract, including the extension and renewing of contracts that have previously been negotiated with that same union, provides the ability to dramatically restrict the County's ability to ensure necessary services are provided to the public through contracted services. The proposed 120-day notice requirement, which far exceeds anything currently required in the County's MOUs and practiced by the County, further restricts the County without establishing a reasonable timeframe to finalize negotiations. Finally, this bill could put the County at risk of sanctions for provision violations for not clearly defining the types of services that are "within the scope of work" performed by represented employees. While the bill strengthens labor protections, it does raise questions about whether it addresses a widespread issue or simply adds complexity to local government operations and encroach upon its management rights. <u>County Procurement Office (CPO) reports the following:</u> The County currently has more than 5,300 existing contracts related to financial, economic, accounting (including the preparation and issuance of payroll checks or warrants), engineering, legal, medical, therapeutic, administrative, architectural, airport or building security matters, laundry services or linen services. More than 400 of these are with nonprofit entities and community based organizations who provide critical safety net services to the County's most vulnerable residents, totaling more than $2 billion over the life of the contracts.

<table>
<tr><td></td><td>The mandates contained in AB 339 will require County staff and nonprofits to spend additional hours providing duplicative or unrelated information for reporting and posting, and countless time renegotiating contracts, renewals and amendments, increasing the total cost to the

The County Procurement Office (CPO) reports the following: The County currently has 5,898 existing contracts related to financial, economic, accounting (including the preparation and issuance of payroll checks or warrants), engineering, legal, medical, therapeutic, administrative, architectural, airport or building security matters, laundry services or linen services. Of those, 698 are with nonprofit entities and community-based organizations who provide critical safety net services to the County's most vulnerable residents, totaling more than $6 billion over the life of the contracts.

The mandates contained in AB 339 will require County staff and nonprofits to spend additional hours providing duplicative or unrelated information for reporting and posting, and countless time renegotiating contracts, renewals and amendments, increasing the total cost to the County and reducing time spent on services to the public. Departments estimated significant unknown costs for additional workload, training, and services that may be affected by the provisions of the bill.

The County is already experiencing high numbers of solicitations where zero or one response is received, and local governments have been confronting worsening workforce shortages for years. The bill's provisions do not address those issues and will likely worsen the landscape for progress on them. Departments expect an increase in instances where zero proposals are received for contract RFPs, causing further delays in critical, sometimes mandated services to the public.

Finally, the County is already seeing impacts related to implementing Assembly Bill 2496 (Valencia – 2024) as noted below.</td></tr>
<tr><td colspan="2"></td></tr>
<tr><td>Operations:</td><td><u>HRS:</u> With 5,800 contracts which involve the use of contracted personnel to conduct services on behalf of the County, it would require the allocation of a considerable amount of time and resources to manage the AB 339 mandated negotiation of contracts with all required County's bargaining units. This would require the addition of multiple FTEs to handle the increased monitoring and negotiations of contracts with bargaining units.

<u>CPO:</u> will require multiple FTE's to handle new requirements for AB 339 implementation, followed by additional estimated annual procurement staff time under AB 2946 based on Q1 data:

• <u>AB 339:</u> 5898 Contracts (5200+698 Human Service Contracts) x 7 hours (on average) per contract = 41,286 man hours per year.

• <u>AB 2946:</u> estimated annual number of processed and approved contracts is 150. Estimated staff time per approved contract is 25 hours. 150 contracts x 25 hours = 3,900 man hours per year.</td></tr>
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	• Estimated annual number of AB 2946 processed and cancelled contracts is 33. Estimated staff time per cancelled contract is 7.5 hours. 33 contracts x 7.5 hours = 4,147 man hours per year. **Total required CPO staff time to implement AB 339 and AB 2946: 45,433.50 man hours per year.**
Estimated Costs:	HRS reports estimated costs for multiple FTEs to handle increased monitoring and negotiations of contracts: **$2,639,071.**
<u>Policy Platform References:</u>	<u>GS-6 Burdensome Regulatory Requirements</u> Oppose proposals that mandate burdensome requirements and legal obstacles, impede streamlined and efficient regulatory review for public agency/government projects, impose duplicative or contradictory regulations, and redundancy in reporting requirements. <u>GS-10 Employee/Labor</u> Support full cost recovery for salary, benefits, and administration for all employee relationships, and protect or enhance flexibility and local control over employee and labor relations issues. <u>GS-14 Local Governance Authority</u> The County supports legislation and budget actions that preserve its local discretionary control and flexibility over its governance issues, including land use authority and service delivery. <u>GS-16 Program Efficiency</u> Support efforts that promote the full funding and efficient administration of program services and benefits, and increase access and improve customer service. Identify opportunities to leverage AI to streamline government processes and the delivery of government services.

4. SUPPORT – AB 370 (Carillo): California Public Records Act: cyberattacks.

CEO/Office of Legislative Affairs
Bill Analysis

BILL NUMBER:	Assembly Bill (AB) 370	**INTRODUCED/AMENDED DATE:**	Amended: 3/12/25
AUTHOR:	Assemblymember Juan Carillo (D-Palmdale)		
SUBJECT:	California Public Records Act: cyberattacks		
BILL SPONSOR:	City of Hesperia		
STATUS:	Assembly Floor Consent Calendar		
REQUESTING DEPARTMENT/AGENCY:	CEO-Legislative Affairs		
CEO-LA RECOMMENDED POSITION:	**SUPPORT**		
Current Law:	The California Public Records Act requires state and local agencies to make their records available for public inspection, except as specified. Existing law requires each agency, within 10 days of a request for a copy of records, to determine whether the request seeks copies of disclosable public records in possession of the agency and to promptly notify the person of the determination and the reasons therefor. Existing law authorizes that time limit to be extended by no more than 14 days under unusual circumstances, and defines “unusual circumstances” to include, among other things, the need to search for, collect, and appropriately examine records during a state of emergency when the state of emergency currently affects the agency’s ability to timely respond to requests due to staffing shortages or closure of facilities, as provided. The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose. Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.		

Proposed Law:	This bill would revise the definition of unusual circumstances as it applies to a state of emergency to require the state of emergency, in addition to currently affecting the agency's ability to timely respond to requests as described above, to also require the state of emergency to directly affect the agency's ability to timely respond to requests as described above. By restricting the time period in which a local agency may respond to requests, thus increasing the duties of local officials, this bill would create a state-mandated local program. This bill would also expand the definition of unusual circumstances to include the inability of the agency, because of a cyberattack, to access its electronic servers or systems to search for and obtain a record that the agency believes is responsive to a request and is maintained on the servers or systems in an electronic format that may be responsive to a request. format. Under the bill, the extension would apply only until the agency regains its ability to access its electronic servers or systems and search for and obtain electronic records that may be responsive to a request.
Prior Legislative Votes:	Assembly Judiciary: 12-0-0
Vote Threshold:	Majority
State Mandated Local Program:	Yes
Fiscal Committee:	Yes
Support and Opposition:	Support: • California Special Districts Association • California State Association of Counties • City of Chino Hills • City of Hesperia • League of California Cities • Rural County Representatives of California (RCRC) Opposition: None listed
Background:	
Department Comments, Impact on Area(s) of Responsibility:	County Counsel reports that the unusual circumstances extension was already expanded this year with the addition of subdivision (c)(5) (re: state of emergencies as proclaimed by the Governor). County Counsel is concerned that with these carve outs it that it seems to imply that other types of emergencies are not exempt (e.g. legitimate disasters not immediately recognized by the Governor) or that these types of exemptions are even needed. There is already an implied rule of reason in the PRA. Unsure that we need to specify that major events permit an extra 14 days for a determination letter. (See Rosenthal v. Hansen (1973) 34 Cal.App.3d 754, 761.) In reality, depending on the type of event, the County may need more than 14 days. Plus, the liability for sending a

	determination letter past the 10 days is arguably nonexistent. According to City of Gilroy v. Superior Ct., 96 Cal. App. 5th 818 (2023) and the cases it relies on a requester can only sue when records are withheld, but not if they are reasonably delayed. (See GC 7923.100.) OCIT reports that a cyber incident that compromises the availability and/or integrity of data and affects its search is a realistic emergency. This amendment adds this reasonable assumption to ensure agencies would not be incompliant.
Mandates:	N/A
Operations:	N/A
Estimated Costs:	OCIT reports that some reduction in labor costs should be expected due to the decrease in overtime pay.
Estimated Revenues:	N/A
Policy Platform References:	GS-8 Cybersecurity Support efforts to develop and implement state/federal governance and planning frameworks that will assess local government information systems and capabilities for cybersecurity risks and vulnerabilities. Support measures that provide funding to address cybersecurity risks and maintain cyber hygiene.

5. SUPPORT – AB 762 (Irwin): Disposable, battery-embedded vapor inhalation device: prohibition.

<u>CEO/Office of Legislative Affairs</u>
Bill Analysis

BILL NUMBER:	Assembly Bill (AB) 762	**INTRODUCED/AMENDED DATE:**	<u>Amended:</u> March 28, 2025
AUTHOR:	Assemblymember Jacqui Irwin (D-Thousand Oaks)		
SUBJECT:	Disposable, battery-embedded vapor inhalation device: prohibition		
BILL SPONSOR:	California Against Waster (Cosponsor) California Product Stewardship Council (Cosponsor) California Public Interest Research Group (Cosponsor) Rethink Waste (Cosponsor)		
STATUS:	Assembly Business and Professions Committee 4/29/25 9:00am		
REQUESTING DEPARTMENT/AGENCY:	**OC Waste & Recycling**		
REQUESTING DEPARTMENT/ AGENCY RECOMMENDED POSITION:	**SUPPORT**		
CEO-LA RECOMMENDED POSITION:	**SUPPORT**		
<u>Current Law:</u>	Existing law regulates the manufacture, sale, and disposal of various single-use products, such as foodware accessories, condiments, and carryout bags. It prohibits stores from providing or selling carryout bags, with certain exceptions, and allows cities, counties, or the state to impose civil penalties for violations, including fines of up to $1,000 per day for the first violation. Penalties are directed to the office that brought the action, and the Attorney General may use the funds, with legislative approval, to enforce these regulations. Additionally, the law requires individuals or businesses selling cigarettes or tobacco products to apply for a license with the board. The California Department of Tax and Fee Administration can suspend or revoke the license of any importer or manufacturer that fails to comply with reporting requirements related to distributors and wholesale costs.		

Proposed Law:	This bill, effective January 1, 2026, would prohibit the sale, distribution, or offering for sale of new or refurbished disposable, battery-embedded vapor inhalation devices in California. These devices are defined as vaporization devices not intended for reuse. The bill would allow cities, counties, or the state to enforce this prohibition and impose civil fines, starting at $500 for the first violation. Civil penalties collected would go to the office that brought the action, and the Attorney General could use the funds, with legislative approval, for enforcement. Violators would also be guilty of an infraction, with a fine of up to $500. The bill allows the department to revoke or suspend licenses for those violating the prohibition, especially for those involved with cannabis products. Penalties would be in addition to other legal remedies, and costs incurred by a state agency in enforcement can be recovered from the responsible parties.
Prior Legislative Votes:	Assembly Environmental and Toxic Materials Committee (Y:4 N:1 A:2)
Vote Threshold:	Majority
State Mandated Local Program:	Yes
Fiscal Committee:	Yes
Support and Opposition:	**Support** • California Association of Realtors • 350 Sacramento • 7th Generation Advisors • A Voice for Choice • ACR Solar International Corp. • Action on Smoking and Health • Active San Gabriel Valley • Algalita Marine Research and Education • Alliance of Nurses for Healthy Environments • American Academy of Pediatrics, California District • Azul • Ban SUP (Single Use Plastics) • Breast Cancer Prevention Partners • Breathe California • California Nurses for Environmental Health and Justice • California Product Stewardship Council • California Public Interest Research Group • California State Association of Counties • Californians Against Waste • Catholic Charities, Diocese of Stockton • Chico Bag Company • City of Thousand Oaks • Cleanearth4kids.org • Clean Water Action • Community Environmental Council • County of Yolo • Courage Campaign

	• Defend Our Health (formerly Environmental Health Strategy Center) • Ecology Center • Endangered Habitats League • Environmental Action Committee of West Marin • FACTS Families Advocating for Chemical and Toxics Safety • Friends Committee on Legislation of California • Heal the Bay • Ivan's Recycling • League of California Cities • Little Kamper LP • County Sanitation Districts of Los Angeles County • Los Angeles Waterkeeper • Marin Sanitary Service • Napa Recycling & Waste Services • National Stewardship Council • Natural Resources Defense Council (NRDC) • Northern California Recycling Association • Oakland Recycles • Ocean Conservation Society • Physicians for Social Responsibility - Los Angeles • Plastic Free Future • Plastic Pollution Coalition • Product Stewardship Institute • Recology • Waste Zero • ReGen Monterey • Republic Services • Rethink Disposable • South Bayside Waste Management Authority (Rethink Waste) • Rural County Representatives of California (RCRC) • Salinas Valley Solid Waste Authority • San Diego Pediatricians for Clean Air • County of Santa Barbara, Resource Recovery & Waste Management Division • Save Our Shores • Save the Albatross Coalition • Save the Bay • Sierra Club California • Simply Recycle • 350 SoCal Climate Action • South Bayside Waste Management Authority (Rethink Waste) • Solid Waste Association of North America's Legislative Task Force, California Chapters • The 5 Gyres Institute • Last Plastic Straw, The • Surfrider Foundation • Torus Consulting • Tri-Ced Community Recycling • Turn Climate Crisis Awareness & Action

	• UPSTREAM • Wilmington Recyclers • Waste Management, Inc. • Zero Waste Marin • Zero Waste San Diego • ZERO WASTE SONOMA **Opposition** • American Petroleum and Convenience Store Association • BizFed - Central Valley Business Federation • CalAsian Chamber of Commerce • California Business Roundtable • California Cannabis Industry Association • California Cannabis Operators Association • California Chamber of Commerce • California Fuels And Convenience Alliance (CFCA) • California Grocers Association • Long Beach Police Officers Association • Peace Officers Research Association of California (PORAC) • Westminster Police Officers Association
Background:	Non-reusable battery imbedded devices such as this often make it into the waste stream and are hazardous, often causing waste fires when being transported following waste collection, while at material recovery facilities, or when they are disposed of at landfills. Banning these non-reusable vapor inhalation devices will reduce hazardous waste entering the waste stream and landfills.
Department Comments, Impact on Area(s) of Responsibility:	OCWR reports the following: AB 762 will help improve waste management services while safeguarding the environment and ensuring a healthy community for both current and future generations. The legislation will also ensure the reduction in non-reusable battery embedded products entering the waste stream and reduction in potential battery fires.
Mandates:	State, County, Cities will be responsible for enforcing the ban.
Operations:	AB 762 will reduce batteries from entering the waste streams and landfill systems and improve safety for waste haulers and landfills by reducing the amount of these battery devices entering waste streams, thereby lowering the risk of potential battery fires.
Estimated Costs:	The cost associated with battery fires can vary significantly depending on several factors, including the location of the fire, the duration of operational downtime, the extent of equipment damage, and any injuries sustained. This legislation aims to enhance staff safety and help ensure that operations remain uninterrupted.
Estimated Revenues:	N/A

Policy Platform References:	IN-3: Banning Specified Waste: Support efforts to ban hazardous materials from landfill disposal, transformation/conversion technology, and organics/recycling facilities.

6. SUPPORT – AB 1288 (Addis): Registered environmental health specialists.

<u>**CEO/Office of Legislative Affairs**</u>
Bill Analysis

BILL NUMBER:	Assembly Bill (AB) 1288	**INTRODUCED/AMENDED DATE:**	<u>Amended:</u> April 10, 2025

AUTHOR:	Assemblymember Dawn Addis (D- Morro Bay) Assemblymember Avelino Valencia (D-Anaheim)
SUBJECT:	Registered Environmental Health Specialists
BILL SPONSOR:	County Health Executives Association of California (CHEAC) California Association of Environmental Health Administration (CAEHA)
STATUS:	Assembly Health Committee 4/22/25 1:30pm
REQUESTING DEPARTMENT/AGENCY:	OC Health Care Agency
REQUESTING DEPARTMENT/AGENCY RECOMMENDED POSITION:	**SUPPORT**
CEO-LA RECOMMENDED POSITION:	**SUPPORT**
<u>**Current Law:**</u>	Existing law provides for the certification of Registered Environmental Health Specialists (REHS) by the State Department of Public Health (CDPH), and establishes application, examination, and renewal fees for this certification. Existing law prescribes educational and experience requirements that must be met for an individual to be eligible for admission to the environmental health specialist examination and prohibits persons from taking the examination more than once in a two-year period. Under existing law, the scope of practice for a REHS includes, but is not be limited to, the prevention of environmental health hazards and the promotion and protection of the public health and the environment in various areas such as food protection, housing, and hazardous materials management.

	Existing law also authorizes a local health department to employ a REHS to enforce public health laws and permits an environmental health specialist trainee to work under the supervision of a REHS for a period not to exceed 3 years. Environmental health specialist trainee is defined as a person who possesses a bachelor's degree, as specified, and is engaged in an approved environmental health training plan that includes required elements. Existing law requires an Environmental Health Specialist Registration Committee to meet at least twice annually for the purpose of advising and making recommendations to the CDPH, and prescribes the membership of the committee to include, among others, the Chief of the Environmental Planning and Local Health Services Branch, serving as executive officer in a nonvoting role.
Proposed Law:	AB 1288, as amended, would facilitate recruitment and retention of the REHS workforce by making enhancements to the certification process. Specifically, this bill would: • Allow REHS test applicants to retake the exam 90 days after failing. • Redefine science education requirements for REHS to include a broader variety of college graduates with science and health care degrees. • Expand the primary program elements of an approved environmental health training plan to include liquid waste, recreational health, and body art; in addition, it would expand the secondary elements to include medical waste and vector control. • Extend the time in which local health departments may employ a REHS trainee from three years to five years. • Require the Environmental Health Specialist Registration Committee to meet quarterly, instead of twice a year; and revise the membership to include at least one faculty member from a California university and college with curricula leading to a degree in environmental health.
Prior Legislative Votes:	NA
Vote Threshold:	Majority
State Mandated Local Program:	No
Fiscal Committee:	Yes
Support and Opposition:	Support: • CHEAC (co-sponsor) • CAEHA (co-sponsor)

	• California State Association of Counties (CSAC) • Rural County Representatives of California (RCRC) • Urban Counties of California (UCC) • Los Angeles County • Monterey County • Sacramento County <u>Opposition:</u> • None on record
<u>Background:</u>	Certification for local Registered Environmental Health Specialists (REHS) is administered by the CDPH to ensure that a certified REHS has met adequate science education, training and experience requirements and has passed a comprehensive state examination. Limited examination offerings and strict time limitations governing how often a trainee may take the exam have resulted in trainees being reassigned or released, even if they have excellent job performance and wish to pursue a career as a certified REHS. Currently, the state exam passage rate averages around 60 percent. Environmental health regulations are complex and constantly changing and increasing the number of qualified REHS will help maintain high quality, community-responsive environmental public health programs in our community.
<u>Department Comments, Impact on Area(s) of Responsibility:</u>	Orange County Health Care Agency (HCA) reports the following: Registered Environmental Health Specialists (REHS) are critical to protecting public health in Orange County through food and water safety, waste management, and emergency response. As environmental regulations and wildfire recovery efforts grow more complex, extended supervision and hands-on training are essential to ensure compliance, reduce errors, and protect public safety during high-risk incidents. AB 1288 would reduce County cost of recruitment and increase retention by extending the employment period for assistant environmental health specialists. Orange County is experiencing increasing challenges in recruiting and retaining REHS. Without immediate action to strengthen workforce capacity, the ability to safeguard community health and respond to emergencies will be compromised. Strategic investment in training and retention is needed to prevent regulatory gaps and protect public health infrastructure, and AB1288 provides a solution to address this need.
Mandates:	NA
Operations:	NA

Estimated Costs:	NA	
Estimated Revenues:	NA	
Policy Platform References:		CS 21: Environmental & Public Health Support measures that increase funding, resources, and authority to promote and maintain environmental and public health efforts across the County that include regulatory compliance, enforcement, and response, to meet the needs of vulnerable populations.

INFORMATIONAL ITEMS

1. County Position Matrix: CEO-LA

The tables below list the bills the Board of Supervisors has taken positions on in the 2025-26 legislative session.

State Legislation — *As of Thursday, April 17, 2025*

Bill No.	Author	Subject	Position	Date of Board Action	Status
AB 3	Dixon	Alcohol and drug treatment facilities: local regulation.	**Support**	3.25.25	Assembly Health Committee
AB 81	Ta	Veterans: Mental Health	**Support**	3.25.25	Assembly Appropriations Committee
AB 226	Calderon	California FAIR Plan Association	**Support**	4.08.25	Assembly Rules Committee
AB 261	Quirk-Silva	Fire safety: fire hazard severity zones: State Fire Marshal.	**Support**	3.25.25	Assembly Emergency Management Committee
AB 303	Addis	Battery Energy Storage Facilities	**Support**	3.25.25	Assembly Utilities and Energy Committee
AB 307	Petrie-Norris	Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024: Department of Forestry and Fire Protection: fire camera mapping system	**Support**	3.25.25	Assembly Natural Resources Committee
AB 349	Dixon	Foster care supplement	**Support**	4.08.25	Assembly Human Services Committee
AB 394	Wilson	Crimes: public transportation providers	**Support**	3.25.25	Assembly Judiciary Committee
AB 404	Sanchez	California Environmental Quality Act: exemption: prescribed fire, reforestation, habitat restoration, thinning, or fuel reduction projects	**Support**	3.25.25	Assembly Natural Resources Committee
AB 423	Davies	Alcohol and drug recovery or treatment facilities: discharge and continuing care planning	**Support**	3.25.25	Assembly Health Committee
AB 424	Davies	Alcohol and other drug programs: complaints	**Support**	3.25.25	Assembly Health Committee
AB 425	Davies	Certification of alcohol and other drug programs	**Support**	3.25.25	Assembly Health Committee
AB 492	Valencia	Alcohol and drug programs: licensing	**Support**	3.25.25	Assembly Appropriations Committee
AB 571	Quirk-Silva	California Environmental Quality Act: exemption: Gypsum Canyon Veterans Cemetery	**Co-Sponsor**	2.25.25	Assembly Military and Veterans Affairs Committee
AB 615	Davies	Power facilities: emergency response and action plan	**Support**	3.25.25	Assembly Utilities and Energy Committee
AB 623	Dixon	Fuel modification and reduction projects: California Environmental Quality Act: coastal development permits: exemptions	**Support**	3.25.25	Assembly Natural Resources Committee
AB 877	Dixon	Health care coverage: substance use disorder: residential facilities	**Support**	3.25.25	Assembly Health Committee
AB 1323	Chen	County employee's retirement: administration: Orange County	**Support**	4.08.25	Assembly Public Employment and Retirement Committee

AB 1356	Dixon	Alcohol and other drug programs	**Support**	3.25.25	Assembly Health Committee
SB 35	Umberg	Alcohol and drug programs	**Support if amended**	3.25.25	Senate Health Committee
SB 56	Seyarto	Property taxation: disabled veterans' exemption: household income	**Support**	3.25.25	Assembly Military and Veterans Affairs Committee
SB 71	Wiener	California Environmental Quality Act: exemptions: transit projects	**Support**	3.25.25	Senate Appropriations Committee
SB 283	Laird	Energy storage systems	**Support**	4.8.2025	Assembly Utilities and Energy Committee
SB 296	Archuleta	Property taxation: exemption: disabled veteran homeowners	**Support**	3.25.25	Assembly Military and Veterans Affairs Committee
SB 329	Blakespear	Alcohol and drug recovery or treatment facilities: investigations	**Support**	3.25.25	Senate Appropriations Committee
SB 432	Seyarto	Serious felonies: furnishing fentanyl to a minor	**Support**	3.25.25	Senate Appropriations Committee
SB 496	Hurtado	Advanced Clean Fleets Regulation: appeals advisory committee: exemptions	**Support**	4.08.25	Senate Transportation Committee
SB 561	Blakespear	Hazardous waste: Emergency Distress Flare Safe Disposal Act	**Support**	4.08.25	Assembly Judiciary Committee
SB 569	Blakespear	Department of Transportation: homeless encampments	**Support**	3.25.25	Senate Transportation Committee
SB 623	Archuleta	Property taxation: homeowners', veterans', and disabled veterans' exemptions	**Support**	3.25.25	Senate Revenue and Taxation Committee
SB 741	Archuleta	Coastal resources: coastal development permit: local emergency declaration	**Support**	3.25.25	Senate Natural Resources and Water Committee

Federal Legislation *As of Thursday, April 17, 2025*

Bill No.	Author	Subject	Position	Date of Board Action	Status

Highlighted sections symbolize a status change.

2. Sacramento Legislative Report

Prepared by Precision Advocacy Group LLC

State Budget

According to State Controller Malia Cohen, the state's General Fund revenues, disbursements, and actual cash balance for the fiscal year through March 31, 2025 remains strong. Receipts for the fiscal year through March were higher than estimates in the 2025-26 governor's budget proposal by $4.5 billion. Fiscal year-to-date expenditures were $6.9 billion lower than the administration's January estimates.

The governor's January budget estimates that the state will collect $17.4 billion in personal income taxes in April. However, the Franchise Tax Board extended the current deadline for Los Angeles County individuals and businesses in response to the January fires until October 15, 2025, making hitting that number far less likely. The State Controller's Office is posting daily personal income tax receipts and withholding totals net of refunds on its April 2025 Personal Income Tax Tracker webpage.

As budget uncertainty continues into the foreseeable future with federal action and state revenue volatility, budget conversations are broad, and are continuing to evolve. We do not anticipate much budget action prior to the governor's May revision in mid-May updating revenue numbers as well as his budget proposals.

Cap-and-Trade. 35 environmental groups sent a letter to the legislature last week requesting that prior to its reauthorization, reforms be made to the cap-and-trade program. Specifically, the groups, including the Coalition for Clean Air, Clean Water Action, and the American Lung Association requested that the legislature reduce or eliminate the free allowances given to the oil and gas industry, and give those allowances back to the Greenhouse Gas Reduction Fund and/or the California Climate Credit.

The coalition is anticipating that costs of the cap-and-trade program will increase post-2030, as a result of California's ambitious climate goals. The group contends that changing how the allowances are distributed within the system will not impact the overall cost of the system - it will only shift who pays.

AB 398 (Chapter 135 Statutes of 2017), set the industry assistance factor at 100% for all industries. The industry assistance factor is a percentage that determines how much allowance credits eligible facilities receive. These credits help mitigate the potential for "carbon leakage" (the displacement of manufacturing to less regulated jurisdictions) and provide some transition support for industries as they adapt to the carbon price. The assistance factor is aimed at ensuring that certain industries are not disproportionately impacted by the program. According to the letter, the biggest beneficiary of the 100% industry assistance factor was the oil and gas industry, which received approximately $300 million in free allowances that the industry would have otherwise had to purchase at auction.

Currently, the California Air Resources Board regulates the cap-and-trade program, and the legislature can choose to simply reauthorize or make changes to the program.

There will be budget discussions and potentially legislation related to the extension of, and potential amends to, California's cap-and-trade program in the coming months, particularly with the continued budget uncertainty.

Complicating the issue, last week President Donald Trump released an executive order directing Attorney General Pam Bondi to block states from implementing climate laws, including California's cap-and-trade program. The administration has expressed confidence that action on the part of the President will not stand up to judicial scrutiny.

Federal Court Filings by California Attorney General Against the Federal Government

California's Attorney General has been active in litigation against the federal government since President Donald Trump took office. Attorney General Rob Bonta has filed 12 lawsuits, 12 amicus briefs and 1 motion to intervene against the federal government, as of April 7. An additional lawsuit is expected to be announced today, contesting President Trump's ability to unilaterally enact tariffs.

California officials used the courts extensively during Trump's first administration, suing the federal government more than 120 times and winning two out of every three cases.

The following chart sets forth the lawsuits, amicus briefs, and motions filed in the federal courts by AG Rob Bonta. From time-to-time, this chart will be updated to reflect developments and additional federal court filings.

Date Filed	Lawsuit Topic	Status
Lawsuit Filed (1) 1/21/25	Attorney General Bonta Sues Trump Administration Over Unconstitutional Birthright Citizenship Order	Attorney General Bonta, Coalition of Attorneys General Secure Preliminary Injunction in Birthright Citizenship Case
Amicus Brief Filed (1) 1/24/25	Attorney General Bonta Leads Multistate Coalition to Defend NHTSA's Fuel-Economy Standards for Passenger Vehicles and Trucks	Pending
Lawsuit Filed (2) 1/28/25	Attorney General Bonta Files Lawsuit, Seeks Immediate Court Order to Block Sweeping OMB Directive Freezing up to $3 Trillion in Vital Federal Funding	Attorney General Bonta Secures Preliminary Injunction Against Trump Administration Blocking Harmful Federal Funding Freeze
Lawsuit Filed (3) 2/7/25	Attorney General Bonta Sues Trump Administration Over DOGE's Unlawful Access to Americans' Personal Information	Attorney General Bonta Secures Order Blocking DOGE from Accessing Americans' Private Data / Attorney General Bonta Secures Preliminary Injunction Blocking DOGE's Access to Private Data
Amicus Brief Filed (2) 2/9/25	Attorney General Bonta Stands with Federal Workers in Federal Buyout Challenge	Pending
Lawsuit Filed (4) 2/10/25	Attorney General Bonta Sues Trump Administration over Unlawful NIH Funding Cuts for Universities and Research Institutions	Attorney General Bonta Secures Court Order Blocking Trump Administration from Implementing Unlawful NIH Funding Cuts

Lawsuit Filed (5) 2/13/25	Attorney General Bonta Sues Trump Administration, Challenging Elon Musk's Unconstitutional Exercise of Power	Pending
Amicus Brief Filed (3) 2/14/25	Attorney General Bonta Files Amicus Brief in Support of Challenge to Trump's Executive Order Banning Transgender Servicemembers	Pending
Amicus Brief Filed (4) 2/18/25	Attorney General Bonta Files Amicus Brief in Support of Challenge to Refugee Ban and Refugee Funding Suspension	Pending
Amicus Brief Filed (5) 2/19/25	amicus brief in *Mayor and City Council of Baltimore v. Consumer Financial Protection Bureau,* a lawsuit challenging the Trump Administration's efforts to dismantle the Consumer Financial Protection Bureau (CFPB)	Attorney General Bonta Celebrates Early Win Halting the Destruction of the CFPB
Amicus Brief Filed (6) 2/21/25	filing an amicus brief in the U.S. District Court for the District of Maryland supporting the motion for a preliminary injunction sought by Parents, Families and Friends of Lesbians and Gays (PFLAG), GLMA	Pending
Lawsuit Filed (6) 2/28/25	Attorney General Bonta Files Second Motion to Enforce Against Trump Administration Amid Ongoing Disruptions to Certain FEMA Funding	Attorney General Bonta Secures Court Order Against Trump Administration over Continued Disruptions to FEMA Funding
Amicus Brief Filed (7) 3/5/25	Attorney General Bonta Joins Coalition Defending the Integrity of the National Labor Relations Board	Pending
Lawsuit Filed (7) 3/6/25	Attorney General Bonta Files Lawsuit Challenging Termination of K-12 Teacher Preparation Pipeline Grants	Attorney General Bonta Secures Early Court Decision Stopping Trump Administration's Unlawful Termination of K-12 Teacher Preparation Pipeline Grants
Amicus Brief Filed (8) 3/7/25	filing an amicus brief in *National TPS Alliance v. Noem* in support of a challenge to the early termination of the Temporary Protected Status (TPS) designation for Venezuela.	Court Blocks Trump Administration's Unlawful Attempt to Terminate TPS Designation for Venezuela

Amicus Briefs Filed (9) 2/28/25 3/12/25	Attorney General Bonta Files Amicus Brief in Support of Lawsuit Challenging Unlawful Removal of Gwynne Wilcox from the National Labor Relations Board / Filed an amicus brief in continued opposition to President Donald Trump's unlawful attempt to remove Gwynne Wilcox, a Member of the NLRB	Court Finds That Trump's Termination of NLRB Member Gwynne Wilcox Was Unlawful and Void
Amicus Brief Filed (10) 3/12/25	Attorney General Bonta Urges U.S. Supreme Court to Affirm Decision Dismissing Challenge to Clean Air Act Waiver	Pending
Amicus Brief Filed (11) 3/12/25	filed an amicus brief with the U.S. Supreme Court in support of Medicaid recipients' individual right to receive care from the qualified providers of their choice	Pending
Lawsuit Filed (8) 3/6/25	Attorney General Bonta Continues His Support for Federal Workers: Trump Administration's Termination of Probationary Employees is Simply Unlawful	Attorney General Bonta Secures Court Order Blocking Trump Administration from Terminating Federal Probationary Employees / Issuance of a preliminary injunction blocking the Trump Administration from conducting unlawful mass terminations of federal probationary employees who live or work in California.
Amicus Brief Filed (12) 3/12/25	filed an amicus brief in support of law firm Perkins Coie's lawsuit seeking to block the Trump Administration from retaliating against the firm and its attorneys for no reason other than that it has dared to challenge the Administration in court	Court Ruling Blocking Trump Administration from Retaliating Against Attorneys Protects Free Speech and the Rule of Law
Lawsuit Filed (9) 3/13/25	Attorney General Bonta Files Lawsuit Challenging Unlawful Mass Firings at the U.S. Department of Education	Pending
Amicus Brief Filed (13) 3/17/25	Attorney General Bonta Defends Rule to Stop the Flood of Robocalls	Pending
Amicus Brief Filed (14) 3/24/25	Attorney General Bonta Stands Up for U.S. Army Veterans Denied Education Benefits Under the G.I. Bill	Pending

Motion to Intervene Filed (1) 3/27/25	Attorney General Bonta Joins Multistate Coalition to Defend EPA's Chemical Accident Safety Rule	Pending
Lawsuit Filed (10) 4/1/25	Attorney General Bonta Files Lawsuit Against Trump Administration Over Unlawful Termination of $11 Billion in Critical Public Health Funding	U.S. District Court for the District of Rhode Island's decision granting a temporary restraining order that immediately restores $11 billion in critical public health funding to state and local public health agencies across the country, including $972 million to California.
Lawsuit Filed (11) 4/3/25	Attorney General Bonta Co-Leads Multistate Lawsuit Against Trump Administration Over Unlawful Executive Order Seeking to Impose Sweeping Voting Restrictions	Pending
Lawsuit Filed (12) 4/4/25	Attorney General Bonta Files Lawsuit Challenging Trump Administration's Attempt to Dismantle Several Federal Agencies, Protecting California's Libraries and Museums	Pending
Amicus Brief Filed (15) 4/7/25	Attorney General Bonta to U.S. Supreme Court: Taxpayer Funded Charter Schools Must Abide by Constitution, Remain Secular	Pending

Climate Proposals

The legislature has introduced a few legislative climate proposals, targeting major polluters and imposing major fiscal penalties on those polluters. Should they be signed into law, the proposals would assist in addressing the costs of both major disasters and climate change, relieving the state budget of some of the burden.

SB 222 (Wiener) would create a cause of action for those harmed by climate disasters, including storms, wildfires, and other events caused in part by climate change, against responsible parties, defined as large companies engaged in the extraction, production, manufacture, marketing, or sale of fossil fuel products. Responsible parties would be jointly, severally, and strictly liable for all associated damages and costs. The bill also provides insurers a right of subrogation against a responsible party and the right to bring an action pursuant to the above. The bill requires the California FAIR Plan Association to exercise this right of subrogation against a responsible party as specified in the bill, prior to charging the state's policyholders.
Status: Failed passage in the Senate Judiciary Committee with a 5-2 vote, with 6 Senators abstaining. Senator Tom Umberg, chair of the committee, abstained from the vote.
Notes: The Senate Judiciary Committee analysis points out legal concerns with the bill, including that it charges a select number of fossil fuel companies with billions in potential liability based on past conduct and holds only one contributor to climate change responsible for all the damage. Constitutional concerns related to SB 222 include violations of due process and equal protection, and the levy of excessive fines.

SB 684 (Menjivar) would task the California Environmental Protection Agency with determining the total damage amount caused to the state by covered fossil fuel emissions, then assess a cost recovery demand against those responsible parties, which will be appropriated by the legislature for projects and programs within the state to mitigate, adapt, or respond to the damages and harms from climate change, as well as ongoing operation and maintenance for those projects or programs. According to the author, “We must be relentless in pursuing all avenues to redirect the financial burden away from the consumer as we mitigate the consequences of human-made disasters. The Polluters Pay Climate Superfund Act is a commonsense way to tap into a small fraction of polluters’ profits, and collect their share of the financial burden.”
Status: Passed the Senate Environmental Quality Committee and is awaiting a hearing in the Senate Judiciary Committee

AB 1243 (Addis) Identical to SB 684, AB 1243 would task the California Environmental Protection Agency with determining the total damage amount caused to the state by covered fossil fuel emissions, then assess a cost recovery demand against those responsible parties, which will be appropriated by the legislature for projects and programs within the state to mitigate, adapt, or respond to the damages and harms from climate change, as well as ongoing operation and maintenance for those projects or programs.
Status: Scheduled for hearing in the Assembly Natural Resources Committee on April 21

Upcoming Hearings

Agendas are typically posted on the committee websites in the Assembly and Senate a few days prior to the hearings. To view hearings after they take place, you may access them in the Assembly or Senate media archives where they are generally available within a few hours of committee adjournment.

Monday, April 21, 2025, 2:30 p.m.
Assembly Budget Subcommittee No. 1 on Health
Location: State Capitol, Room 127
Item No. Description
4260 Department of Health Care Services
4800 California Health Benefit Exchange
4265 Department of Public Health
- Open Issues - Changes in Federal Health Policy

Tuesday, April 22, 2025, 1:30 p.m.
Assembly Budget Subcommittee No. 5 on State Administration
Location: State Capitol, Room 447
Item No. Description
0890 Secretary of State
0845 Department of Insurance
0840 State Controller
9210 Local Government Financing
7501 Department of Human Resources
8620 Fair Political Practices Commission
7900 Public Employees' Retirement System
7920 State Teachers' Retirement System

Wednesday, April 23, 2025, 8:00 a.m. (Upon Adjournment of Budget Subcommittee No. 2 and Budget Subcommittee No. 3)
Assembly Budget Subcommittee No. 2 on Human Services
Location: State Capitol, Room 444

Subject: Childcare/Preschool
Item No. Description
5180 Department of Social Services
6100 Education

- Child Care Rate Reform Transition Plan

Wednesday, April 23, 2025, 9:00 a.m.
Assembly Budget Subcommittee No. 7 on Accountability and Oversight
Location: State Capitol, Room 126
Informational Hearing: Update on Federal Funds and Impacts of AB 218 Claim Costs on Local Governments

Wednesday, April 23, 2025, 9:30 a.m.
Assembly Budget Subcommittee No. 4 on Climate Crisis, Resources, Energy, and Transportation
Location: State Capitol, Room 447
Informational Hearing: Wildfire Prevention Oversight

Wednesday, April 23, 2025, 1:30 p.m.
Assembly Joint Hearing Budget Subcommittee No. 2 on Human Services and Budget Subcommittee No. 3 on Education Finance
Location: State Capitol, Room 444
Informational Hearing: Childcare / Preschool
Item No. Description
5180 Department of Social Services
6100 Education

- The State of Preschool
- Universal Transitional Kindergarten
- Child Care and Preschool Rates and Cost of Living Adjustment (COLA)
- Child Care and Development Block Grant (CCDBG)
- Quality Plan Overview
- Department of Social Services Child Care Budget Change Proposals

Thursday, April 24, 2025, 9:30 a.m. (Or upon adjournment of Session)
Senate Budget and Fiscal Review Subcommittee No. 3 on Health and Human Services
Location: 1021 O Street, Room 1200
Item Description
4300 Department of Developmental Services
4100 State Council on Developmental Disabilities
4170 Department of Aging
4700 Department of Community Services and Development
5160 Department of Rehabilitation
5175 Department of Child Support Services

Thursday, April 24, 2025, 9:30 a.m. (Or upon adjournment of Session)
Senate Budget and Fiscal Review Subcommittee No. 4 on State Administration and General Government
Location: State Capitol, Room 113
Item Description
Tax Proposals and Program Oversight
0971 Alternative Energy and Advanced Transportation Financing Authority
0984 California Secure Choice Retirement Savings Board
7600 Department of Tax and Fee Administration
7730 Franchise Tax Board

8780 Milton Marks "Little Hoover" Commission on California State Government Organization and Economy
9210 Local Government Financing

Thursday, April 24, 2025, 9:30 a.m. (Or upon adjournment of Session)
Senate Budget and Fiscal Review Subcommittee No. 5 on Corrections, Public Safety, Judiciary, Labor, and Transportation
Location: State Capitol, Room 112
All Departments - Open Issues

Thursday, April 24, 2025, 9:30 a.m. (Or upon adjournment of Session)
Senate Joint Hearing Natural Resources and Water and Budget and Fiscal Review Subcommittee No. 2 on Resources, Environmental Protection, and Energy
Location: 1021 O Street, Room 2200
Informational Hearing: Defensible Space: Zone Zero Implementation

Grant Opportunities

Below is a list of the latest grant opportunities released by the state. All opportunities for local jurisdictions may be found here.

Deadline: 5/23/25 11:59
Nesting Bird Habitat Incentive Program Public Lands Funding 2025-26
Open Date: Apr 14, 2025
State Agency / Department: Department of Fish and Wildlife
Match Funding? No
Estimated Total Funding: $800,000
Estimated Low/High: Dependent
Funds Disbursement: Other

Governor's Press Releases

Below is a list of the governor's press releases beginning April 9.

April 15: Deadline day: Today is the last day to register up for Los Angeles fire debris removal
April 15: First Partner Siebel Newsom releases recommendations for improving support for survivors of sexual assault
April 15: ICYMI: Crime dropped significantly last year, according to early data
April 15: Governor Newsom, Legislature double down on state's critical cap-and-trade program in face of federal threats
April 14: Governor Newsom issues order extending protections of Los Angeles area firestorm survivors from predatory real estate speculators
April 14: Governor Newsom and Visit California launch international tourism campaign welcoming Canadians to experience the warmth and love of the Golden State
April 14: California welcomes 32 new state park rangers, lifeguards at graduation ceremony
April 14: Governor Newsom proclaims special election for Assembly District 63
April 14: Governor Newsom signs legislation investing additional $170 million to prevent catastrophic wildfires, issues executive order to fast-track projects
April 13: ADVISORY: First Partner Siebel Newsom to release report outlining recommendations for providing better support to survivors of sexual assault
April 12: Governor Newsom announces Pacific Coast Highway will reopen in time for summer as California's all-in fire response continues ahead of schedule
April 11: As LA Fire cleanup advances ahead of schedule, deadline nears for debris removal

April 11: ICYMI: LA's small businesses, nonprofits, and workers get additional aid with support from Governor Newsom and LA Rises
April 10: California's Jobs First regional plans recognized by federal government, creating new opportunities for state economic investment and coordination
April 10: Acting Governor Eleni Kounalakis proclaims Dolores Huerta Day
April 10: California cuts 'green tape': 500+ fast-tracked projects have restored nearly 200,000 acres and improved 700 miles of streams
April 10: Since January, California has seized over $316 million in illicit cannabis
April 9: As a global economic leader, California remains a stable, trusted partner for international trade and investment. Here's why.

3. Washington D.C. Legislative Report

Prepared by Townsend Public Affairs, Inc.

LEGISLATIVE BRANCH ACTIVITY

The House and Senate were in recess this week, returning for votes at the end of April.

House and Senate Pass a Compromise Budget Resolution and Head Home, Difficult Work Still Ahead on a Reconciliation Package

A Compromise Budget Resolution has passed the House and Senate, kicking off the next phase of the Budget Reconciliation process, drafting a Reconciliation Package. The Package is what Republicans have been referring to as the “One Big Beautiful Bill” that would advance the President’s agenda on tax cuts, spending reductions, and a debt limit increase.

H.Con.Res.14, the Senate-proposed Compromise Budget Resolution meant to clear the first hurdle in the Reconciliation process, passed the House on April 10, overcoming a near failure at the hands of deficit hawks and the House Freedom Caucus (HFC). In passing the Resolution the House and Senate’s standing committees can begin work on drafting real bill text to deliver the President’s agenda. Republicans intend to pass a package before Memorial Day.

Reconciliation still faces an uphill battle, as each chamber’s committees received different instructions on how much they must cut. The Senate has a $4 billion and the House a $1.5 trillion floor. This gap was the key controversy Speaker Johnson had to overcome to pass the Resolution. He did so by partnering with Senate Majority Leader John Thune to assure HFC leaders that Senate Republicans would target $1.5 trillion in cuts and Johnson also signed a memo agreeing to those terms with holdout Rep. Ralph Norman (R-SC).

Congressional leadership has pushed House and Senate committees to work out some of their differences over the recess so markups can come quickly once lawmakers return the first week of May. Any package will still face considerable opposition, the House instructions demand $880 billion in cuts from the committee that oversees Medicare and Medicaid, the House Chairman has said $500-$600 billion in cuts would have to come from the healthcare program. Deficit hawks are skeptical about extending the TCJA if there are not sufficient cuts to mitigate the deficit, while on the other side moderate Republicans have sent a letter to leadership drawing a redline on significant Medicare/Medicaid cuts.

Budget Reconciliation is a procedural tool allowing expedited consideration of certain budget/spending related bills. Reconciliation can only be “unlocked” when one party controls the House, Senate, and White House. It works by bypassing cloture and limiting debate in the Senate, reducing the threshold for passage to 51 senators. It requires the House and Senate to pass identical budget resolutions with no extraneous policy riders.

White House Plans to Send Congress a Recission Package on Funding for Public Broadcasting and USAID, Congressional Approval Required, More Packages Expected

The White House is anticipated to send a recission package to Congress when they return on April 28, allowing the Administration to impound Congressionally appropriated discretionary funding for 45 days while Congress mulls approval.
The package is expected to contain complete cuts to the Corporation for Public Broadcasting, which in part funds PBS and NPR, and to formalize the end of USAID foreign assistance programs. The use of this procedure is expected to continue, as the Administration looks to formalize spending cuts in the

forthcoming reconciliation package, the FY26 appropriations process, and across grant and contracting programs.

Rescission packages are requests by the President to cancel all or part of allocated budget authority, specifically targeting unobligated discretionary funds provided through the appropriations process (not budget reconciliation). Under the Impoundment Control Act, the President must transmit a special message to both the House and the Senate detailing and justifying the request. Congress then has 45 calendar days to approve or amend the package, during which time the funding is impounded. If Congress fails to approve the rescissions or does not act the funding must be released. This law applies to an estimated 27% of federal spending.

EXECUTIVE BRANCH ACTIVITY

Trump Signs Executive Order Prioritizing Lowering Prescription Drug Prices

On April 15, the President signed an Executive Order (EO) prioritizing policies that would lower prescription drug prices. Included in the EO are provisions to expand Medicare's Drug Price Negotiation Program, increase drug imports, improve transparency in Pharmacy Benefit Manager fees, and ensure access to insulin and epi-pens for low-income Americans.

Many of these provisions are controversial within Congress and the Pharmaceutical Industry itself but have broad public support. The provisions which direct these actions require a report from the Department of Health and Human Services (HHS) within the next 6 months on avenues for implementation. It is likely the Administration's plans will change, as some of the initiatives in the EO will require agency rulemaking to proceed.

DOGE Begins Using HUD, SSA, and IRS Data to Find Undocumented Immigrants and Ensure They Are Not Receiving Public Benefits

The Department of Government Efficiency Service (DOGE) has been assembling personal data that is usually protected by law from inter-agency sharing for the purpose of finding and removing undocumented immigrants and/or to revoke their access to federal benefits.

This follows an Executive Order (EO) from March mandating interagency cooperation to stop waste, fraud, and abuse. The Department of Housing and Urban Development (HUD) and the Department of Homeland Security (DHS) then signed a Memorandum of Understanding (MOU) in March and DHS and the Internal Revenue Service (IRS) have submitted a deal for review to share taxpayer information to help find undocumented immigrants.

With the MOU signed, HUD has begun pursuing a rule barring mixed-status households from receiving housing benefits, right now an undocumented migrant may live with a citizen or qualifying legal permanent resident in public housing. The Social Security Administration has also begun adding migrant names to databases used to track the deceased, cutting them off from receiving benefits or work authorization in the US.

President Trump Signs Executive Order Targeting CA's Environmental Regulations, Including Cap and Trade

President Trump's April 8 Executive Order (EO) "Protecting American Energy from State Overreach" directs the Attorney General (AG) to identity state laws which are or may be unconstitutional, preempted by Federal law, or otherwise unenforceable within 60 days. The EO also contains a directive that prioritizes environmental policies.

In a fact sheet attached to the EO, the White House stated their intention was also to take action against regulations they have previously identified, such as California's Cap and Trade program and the Clean Air Act waivers for California. The stated goal is to remove barriers to energy resource extraction, arguing that the states are beyond their authority in regulating the environment, as these regulations often apply across state lines by affecting national businesses.

The first Trump Administration was unsuccessful in challenging California's Cap and Trade Program in court. They previously argued that California had entered into an international treaty by tying certain metrics to Canada, therefore exceeding their authority as a state. The Court rejected that argument. It is likely an attempt to enforce the order will again result in litigation.

California To Sue the Trump Administration Over Tariffs

On April 16, Governor Gavin Newsom and Attorney General Rob Bonta announced a lawsuit against the Trump Administration over the economic turbulence caused by the start and stop tariffs the Administration has been pursuing since early March.

The lawsuit is anticipated to argue that the remedies Congress listed under the International Emergency Economic Powers Act, which the President is using as a basis for some tariffs, do not include tariffs, and ask for an injunction stopping them from taking effect. California's lawsuit would join others from a group of small businesses suing in the US Court of International Trade and the New Civil Liberties Alliance's suit in Florida.

Administration Issued Reciprocal Tariff Carveouts for Electronics, President Discusses a Higher Rate in the Long Term

On April 11 U.S. Customs and Border Protection updated their guidance on the reciprocal tariffs to temporarily exclude most electronic products, primarily benefitting Apple, Dell, the Taiwan Semiconductor Manufacturing Company (TSMC), and Nvidia, with ancillary benefits for auto manufacturers. The 60-day reprieve will most immediately impact China, which was not given the temporary, 90-day pause on reciprocal tariffs announced April 9. Other base tariffs, running 10-20%, will continue to apply.

On April 13, President Trump posted on Truth Social announcing his intention to initiate a National Security Tariff Investigation which would likely reapply levies on electronic goods like semiconductors. These tariffs would be based on Section 232 of the Trade Expansion Act of 1962 and would fall into the same category as the longstanding tariffs protecting the domestic steel and aluminum industries. Any Section 232 Investigation would likely require a public comment period, where public agencies and private companies/citizens would be given the opportunity to voice their opinions.