



Legislative Bulletin

DRAFT

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August 9, 2022
Item No. 29

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 Procedures adopted by the Board of Supervisors on December 10, 2019, staff recommendations for formal County positions on legislation will be agendaized 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 2021-2022 Legislative Platform was adopted by the Board of Supervisors on December 5, 2020.

On August 9, 2022, the Board of Supervisors will consider the following actions:

RECOMMENDED ACTIONS

1. **Receive and File Legislative Bulletin**

INFORMATIONAL ITEMS

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

INFORMATIONAL ITEMS

1. County Position Matrix: CEO-LA


The tables below list the active bills the Board of Supervisors has taken positions on in the 2021-22 legislative session.

State Legislation

As of Thursday, August 4, 2022

Bill Number	Author	Subject	Position	Date of Board Action	Status
<u>AB 988</u>	<u>Bauer-Kahan</u>	Mental Health: 988 Crisis Hotline	Support	8.24.21	Senate Appropriations Committee
<u>AB 989</u>	<u>Gabriel</u>	Housing Accountability Act: Appeals	Oppose	9.2.21	Senate Floor – Inactive
<u>AB 1051</u>	<u>Bennett</u>	Medi-Cal: Specialty Mental Health: Foster Youth	Support	7.13.21	Senate Floor – Inactive
<u>AB 1595</u>	<u>Quirk-Silva</u>	Veterans Cemetery: County of Orange	Sponsor	1.11.22	Senate Appropriations Committee Hearing Date: Aug. 8 th
<u>AB 1598</u>	<u>Davies</u>	Controlled Substances: Paraphernalia: Fentanyl Testing	Support	3.8.22	Senate Floor
<u>AB 1627</u>	<u>Ramos</u>	Opioid Overdose Prevention	Support	4.12.22	Senate Appropriations Committee
<u>AB 1628</u>	<u>Ramos</u>	Online Platforms: Electronic Content Management: Controlled Substances	Support	3.8.22	Senate Floor
<u>AB 1932</u>	<u>Daly</u>	Public Contracts: Construction Manager At-Risk Construction Contracts	Support	3.22.22	Senate Floor
<u>AB 2452</u>	<u>Chen</u>	Structural Fumigation Enforcement Program	Support	6.28.22	Senate Appropriations Committee Hearing Date: Aug. 8 th
<u>SB 43</u>	<u>Umberg</u>	Veterans Cemetery: County of Orange	Oppose Unless Amended	7.5.21	Assembly Appropriations Committee
<u>SB 454</u>	<u>Bates</u>	Child Support: Enforcement	Sponsor	3.9.21	Assembly Appropriations Committee
<u>SB 897</u>	<u>Wieckowski</u>	Accessory Dwelling Units	Oppose	6.28.22	Assembly Appropriations Committee Hearing Date: August 10 th
<u>SB 922</u>	<u>Wiener</u>	California Environmental Quality Act: Exemptions: Transportation-Related Projects	Support	6.28.22	Assembly Floor
<u>SB 1165</u>	<u>Bates</u>	Substance Abuse and Mental Health Services: Advertising and Marketing	Support	4.26.22	Assembly Floor
<u>SB 1342</u>	<u>Bates</u>	Aging Multidisciplinary Personnel Teams	Sponsor	1.11.22	Assembly Appropriations Committee

Bill Number	Author	Subject	Position	Date of Board Action	Status
<u>HR 1368</u>	Porter	Mental Health Justice Act of 2021	Support	7.13.21.	House Subcommittee on Crime, Terrorism and Homeland Security
<u>HR 2367</u>	Levin	The Studying Outcomes and Benchmarks for Effective Recovery (SOBER) Homes Act	Support	5.11.21	House Committee on Energy and Commerce – Subcommittee on Health
<u>HR 4601</u>	Levin	Commitment to Veteran Support and Outreach Act	Support	3.22.22	House Committee on Veteran's Affairs
<u>HR 4673</u>	Takano	Ensuring Veterans' Smooth Transition Act	Support	5.10.22	Senate Committee on Veteran's Affairs
<u>HR 6527</u>	Steel	Driving Veterans Success Act	Support	5.10.22	House Transportation and Infrastructure Subcommittee on Highways and Transit
<u>HR 6685</u>	Levin	Spent Fuel Prioritization Act	Support	3.22.22	House Committee on Energy and Commerce
<u>S. 339</u>	Portman/ Manchin	Federal Initiative to Guarantee Health by Targeting (FIGHT) Fentanyl Act	Support	3.23.21	Senate Committee on Judiciary

 Highlighted sections symbolize a status change

2. Sacramento Legislative Report

Prepared by Precision Advocacy Group LLC

The legislature returned to Sacramento on Monday, with the appropriations committees immediately facing a combined bill load of 649 bills this week, most of which were referred to the suspense files which will be dispensed with on August 11. After next week, the legislature will focus on moving bills off of the floor and on to the governor for his action.

High Profile Legislation

Some of the most controversial and high-profile legislation is typically decided in the last month of session, and this year is no exception. Below is a summary of some of the bills that you'll likely read about or see on your local news station still pending in the legislature.

Guns: Although Governor Newsom signed into law a [package](#) of bills aimed at reducing gun violence in July, Senator Anthony Portantino (D-La Cañada Flintridge) also introduced SB 918, sponsored by Attorney General Bonta.

SB 918 (Portantino) Firearms.

Summary: Creates a new issuing process for concealed carry weapons licenses following the June 2022 U.S. Supreme Court ruling in *New York Rifle and Pistol Association v. Bruen*.

Status: Scheduled to be heard in the Assembly Appropriations Committee on August 3.

COVID

SB 866 (Wiener) Minors: vaccine consent.

Summary: Permits, but does not mandate, that a minor 15 years of age or older may consent to receive a federally-approved vaccine without parental consent.

Status: Ordered to Assembly Third Reading.

SB 1479 (Pan) COVID-19 testing in schools: COVID-19 testing plans.

Summary: Requires the California Department of Public Health (CDPH) to coordinate COVID-19 testing programs at local educational agencies (LEAs) funded by federal resources or organized under the California COVID-19 Testing Task Force. CDPH is also to expand its COVID-19 contagious, infectious or communicable disease testing and other public health mitigation efforts to include prekindergarten, onsite after school programs and childcare centers. In addition, this bill requires an LEA, after consulting with its local health department, to create a COVID-19 testing plan that is consistent with guidance from CDPH. CDPH is also to determine which COVID-19 tests are appropriate for use for the testing programs. The bill authorizes LEAs to designate a staff member to report information on its testing program to CDPH.

Status: Scheduled to be heard in the Assembly Appropriations Committee on August 3.

SB 1018 (Pan) Platform Accountability and Transparency Act.

Summary: Creates the Platform Accountability and Transparency Act to require a social media platform, on or before July 1, 2023, and annually thereafter, to disclose to the public statistics regarding the extent to which, in a preceding 12-month period, content that the platform determined violated its policies and were recommended or otherwise amplified by platform algorithms before and after that content was identified as violating the platform's policies. The bill also authorizes the Department of Justice (DOJ) and city attorneys, to file a civil action against any social media platform for penalties of up to \$100,000 for any violation of the requirements of the bill.

Status: Scheduled to be heard in the Assembly Appropriations Committee on August 3.

AB 1797 (Weber) Immunization registry.

Summary: Would require, rather than permit, health care providers and specified agencies that have access to immunization information to disclose certain information from a patient medical record or a client record to the California Department of Public Health (CDPH) and local health departments (LHDs).

Status: Referred to the Senate Appropriations Committee Suspense File.

AB 2098 (Low) Physicians and surgeons: unprofessional conduct.

Summary: Provides that the dissemination of misinformation or disinformation related to COVID-19 constitutes unprofessional conduct for a physician and surgeon licensed under the Medical Board of California and the Osteopathic Medical Board of California.

Status: Referred to the Senate Appropriations Committee Suspense File.

Labor and Workplace

AB 1577 (Stone) Collective bargaining: Legislature.

Summary: Would provide employees of the California Legislature with collective bargaining rights.

Status: Referred to the Senate Appropriations Committee Suspense File.

SB 951 (Durazo) Unemployment insurance: contribution rates: disability insurance: paid family leave: weekly benefit amount.

Summary: Would revise the formula for computing State Disability Insurance and Paid Family Leave benefits.

Status: Scheduled to be heard in the Assembly Appropriations Committee on August 3.

SB 1162 (Limon) Employment: Salaries and Wages.

Summary: Expands pay data reporting requirements for a private employer with over 100 employees, requires the Department of Fair Employment and Housing to post pay data reports online and requires an employer to publicize pay scales for all positions.

Status: Scheduled to be heard in the Assembly Appropriations Committee on August 3.

Criminal Justice

AB 2632 (Holden) Segregated confinement.

Summary: Would establish a definition for “segregated confinement” that applies to all detention facilities in the state and would limit the use of segregated confinement to no more than 15 days at a time, and no more than 45 days total, in a 6-month period. The bill would also prohibit the use of segregated confinement against a person belonging to a “special population,” and it would establish procedural and reporting requirements regarding the use of segregated confinement.

Status: Referred to the Senate Appropriations Committee Suspense File.

SB 300 (Cortese) Crimes: murder: punishment.

Summary: Repeals the provisions of law that requires punishment by death or life without parole (LWOP) for a person convicted of first-degree murder who is not the actual killer, but acted with reckless indifference to human life as a major participant in specified dangerous felonies. This bill is an urgency measure and requires a two-thirds vote to pass.

Status: Scheduled to be heard in the Assembly Appropriations Committee on August 3.

Environment

AB 2026 (Friedman) Recycling: plastic packaging.

Summary: Would require e-commerce shippers to reduce the total weight and number of units of single-use plastic and expanded polystyrene shipping materials used by an unspecified percentage.

Status: Referred to the Senate Appropriations Committee Suspense File.

Internet and Tech

AB 2408 (Cunningham) Social media platform: child users: addiction.

Summary: Would prohibit a social media platform from using a design, feature, or affordance that the platform knows, or should know by the exercise of reasonable care, causes a child user to become addicted to the platform.

Status: Referred to the Senate Appropriations Committee Suspense File.

AB 2269 (Grayson) Digital financial asset businesses: regulation.

Summary: Establishes a licensing and regulatory framework, administered by the Department of Financial Protection and Innovation, for digital financial asset business activity.

Status: Referred to the Senate Appropriations Committee Suspense File.

Abortion

SB 1142 (Skinner/Caballero) Abortion services.

Summary: Establishes an online database for the public to find information on how to access abortion services in the state.

Status: Scheduled to be heard in the Assembly Appropriations Committee on August 10.

SB 1245 (Kamlager) Los Angeles County Abortion Access Safe Haven Pilot Program.

Summary: Upon appropriation of the Legislature, would establish the Los Angeles County Abortion Safe Haven Pilot Program to fund expanded access to abortion services in the County of Los Angeles.

Status: Scheduled to be heard in the Assembly Appropriations Committee on August 10.

SB 1375 (Atkins) Nursing: nurse practitioners and nurse-midwives: abortion and practice standards.

Summary: Current law authorizes a nurse practitioner or certified nurse-midwife to perform abortion services after completing board-recognized training. This bill would expand the authority to perform an abortion to a nurse practitioner functioning under certain advanced practice provisions or a standardized procedure after successfully completing requisite training in performing these procedures by certain board-approved programs, courses, and trainings.

Status: Scheduled to be heard in the Assembly Appropriations Committee on August 3.

AB 657 (Cooper) Healing arts: expedited licensure process: applicants providing abortions.

Summary: Would require the Medical Board of California, the Osteopathic Medical Board of California, the Board of Registered Nursing, and the Physician Assistant Board to expedite the licensure process of an applicant who intends to provide abortion services within their scope of practice.

Status: Scheduled to be heard in the Senate Appropriations Committee on August 8.

AB 1242 (Bauer-Kahan) Reproductive rights.

Summary: Would prohibit law enforcement from making an arrest for performing or aiding an abortion, and would also prohibit law enforcement from cooperating with law enforcement from another state regarding law abortions, with some exceptions. This bill is an urgency measure and requires a two-thirds vote to pass.

Status: Referred to the Senate Appropriations Committee Suspense File.

AB 1918 (Petrie-Norris) California Reproductive Health Service Corps.

Summary: Would establish the California Reproductive Health Service Corps in the Health Care Access and Information (HCAI) for the purposes of recruiting, training, and retaining a diverse workforce of reproductive health care professionals who will be part of reproductive health care teams to work in underserved areas.

Status: Referred to the Senate Appropriations Committee Suspense File.

AB 2091 (Bonta) Disclosure of information: reproductive health and foreign penal civil actions.

Summary: Establishes requirements to protect the private information of individuals who seek or consider an abortion. This bill is an urgency measure and requires a two-thirds vote to pass.

Status: Scheduled to be heard in the Senate Appropriations Committee on August 8.

AB 2134 (Weber) Reproductive health care.

Summary: Would establish the California Reproductive Health Equity Program (Program) within the Department of Health Care Access and Information (HCAI) for the purpose of providing grant funding to safety net providers of abortion and contraception services. The bill would require health plans and health insurers that provide coverage to employees of a religious employer, which do not include coverage and benefits for abortion and contraception, to provide enrollees with information regarding that lack of coverage and that services are available, and would require DIR to post information regarding the Program on its website.

Status: Referred to the Senate Appropriations Committee Suspense File.

AB 2205 (Carrillo) California Health Benefit Exchange: abortion services coverage reporting.

Summary: Beginning on July 1, 2023, and annually thereafter, would require a health plan and health insurer providing a qualified health plan through Covered California to report to the Department of Managed Health Care director or Insurance Commissioner the total amount of funds maintained in a segregated account pursuant to federal law and require this annual report to contain the ending balance of the account and the total dollar amount of claims paid during the reporting year.

Status: Ordered to Senate Third Reading.

AB 2223 (Wicks) Reproductive health.

Summary: Would prohibit a person from being subject to civil or criminal liability based on their actions or omissions with respect to their pregnancy or actual, potential, or alleged pregnancy outcome or based solely on their actions to aid or assist a pregnant person who is exercising their reproductive rights.

Status: Referred to the Senate Appropriations Committee Suspense File.

AB 2320 (Garcia) Reproductive health care pilot program.

Summary: Would require the CA Health and Human Services Agency, or an entity designated by the agency, to establish and administer a pilot program to direct funds to primary care clinics that provide reproductive health care services in five counties that agree to participate.

Status: Referred to the Senate Appropriations Committee Suspense File.

AB 2529 (Davies) Health care: workforce training programs.

Summary: Adds accredited programs that train certified nurse-midwives and licensed midwives to the Song-Brown Health Care Workforce Training Act.

Status: Pending hearing date in the Senate Appropriations Committee.

AB 2586 (Garcia) Reproductive and sexual health inequities.

Summary: Would require the California Department of Public Health (CDPH) to convene a working group to examine the root causes of the reproductive health and sexual health inequities in the state and would establish the California Reproductive Justice and Freedom Fund (RJ Fund) which would require CDPH, upon appropriation by the Legislature, to award grants from the RJ Fund to eligible organizations over a three-year period.

Status: Referred to the Senate Appropriations Committee Suspense File.

AB 2626 (Calderon) Medical Board of California: licensee discipline: abortion.

Summary: Prohibits specified licensing boards from suspending or revoking the certificate of a physician, nurse practitioner, certified nurse-midwife, or a physician assistant who performs an abortion in accordance with the provisions of their practice act and the Reproductive Privacy Act. This bill is an urgency measure and requires a two-thirds vote to pass.

Status: Scheduled to be heard in the Senate Appropriations Committee on August 8.

Monkeypox

California Department of Public Health Director, Tomás Aragón announced last week an incoming supply of 72,000 monkeypox vaccine doses heading to California, and noted that the state is leveraging the resources and infrastructure put in place in response to COVID-19. About 37,000 doses have already been delivered, however the need is an estimated 600,000 to 800,000 doses. The state has the capacity to process more than 1,000 tests per week.

As of July 28, California [reported](#) 786 probable and confirmed cases, eleven of whom have been hospitalized. The demographics of current cases reflect that men make up more than

98% of cases, gay and lesbian people account for nearly 92% of cases, and nearly 75% of cases have occurred in Californians between the ages of 25 and 44.

Senator Scott Wiener (D-San Francisco) has called for additional funding to address monkeypox, however it's unclear at this point whether another budget bill junior will contain that funding. On August 1, Governor Newsom declared a State of Emergency to bolster the state's vaccination efforts.

Rezoning Extension

Last year, [AB 1398](#) (Bloom), Chapter 358, Statutes of 2021, began requiring that cities and counties failing to adopt a legally compliant housing element within 120 days of the statutory deadline, to complete a rezone program within one year instead of the current three-year requirement.

This was problematic, because as a result of AB 1398, 191 out of 197 Southern California jurisdictions had been facing an October 15 deadline to rezone land for housing because they failed to adopt a new housing plan by early February. The rezoning process requires both public hearings and environmental reviews, making the quick turnaround nearly impossible. Additionally, these jurisdictions would have lost access to many state-funded housing programs if they were deemed out of compliance.

The author of AB 1398, Assemblymember Richard Bloom (D-Santa Monica), agreed that the rezoning deadline needed to be extended as part of the 2022-23 Budget Act. SB 197 instead grants a local government three years and 120 days from the statutory deadline for the adoption of its statutorily-required housing element to complete the required rezoning of sites to comply with that housing element if:

- The statutory deadline for adoption of the 6th revision of the housing element was in the 2021 calendar year;
- The local government failed to adopt a housing element that the Department of Housing and Community Development found to be in substantial compliance with specified requirements; and
- The local government adopts its 6th revision of the housing element that the department finds to be in substantial compliance within one year of the applicable statutory deadline.

Minimum Wage Increase

On July 27, the Department of Finance made the determination and certified to the governor that California's minimum wage needs to be adjusted for inflation per Labor Code section [1182.12\(c\)\(3\)\(B\)](#). This code section requires that when the rate of increase in inflation exceeds 7% in the first year in which the minimum wage for employers with 26 or more employees is \$15 per hour, the minimum wage for employers with 25 or fewer employees must be set to the same amount as for employers with 26 or more employees, effective the following January 1. As a result, the Department of Finance determined that minimum wage shall increase by 3.5% to \$15.50 per hour and shall be implemented for all employers on January 1, 2023.

Upcoming Hearings

Monday, August 8, 2022, 10:30 a.m. – [livestream](#)
Joint Hearing [Assembly Health](#) and [Senate Health](#)

Joint Initiative Hearing: Proposition 29: Requires On-Site Licensed Medical Professional at Kidney Dialysis Clinics and Establishes other State Requirements. Initiative Statute. (21-0013)

Tuesday, August 9, 2022, 9 a.m. – [livestream](#)

[Assembly Public Safety](#)

Informational Hearing: We See You: Law Enforcement Surveillance and Investigative Technologies

Tuesday, August 9, 2022, 9:30 a.m. – [livestream](#)

[Senate Energy, Utilities, and Communications Subcommittee On Clean Energy Future](#)

Informational Hearing: Clean Reliability: What Does California Need to Ensure Grid Reliability While Reducing Fossil Fuels

Tuesday, August 9, 2022, 1:30 p.m. – [livestream](#)

[Senate Special Committee on Pandemic Emergency Response](#)

Informational Hearing: Lessons Learned from COVID-19: Preparing California for the Next Pandemic

Wednesday, August 10, 2022, 9 a.m. – [livestream](#)

[Senate Joint Hearing Governance and Finance; Energy, Utilities, and Communications; and Natural Resources and Water](#)

Informational Hearing: Overview of Proposition 30: Provides Funding for Programs to Reduce Greenhouse Gas Emissions by Increasing Tax on Personal Income over \$2 Million. Initiative Statute (21-0037A1)

Wednesday, August 10, 2022, 1:30 p.m. – [livestream](#)

[Joint Hearing Assembly Governmental Organization and Senate Governmental Organization](#)

Initiative Hearing: Overview of Propositions 26 and 27

Proposition 26: Allows In-Person Roulette, Dice Games, Sports Wagering on Tribal Lands. Initiative Constitutional Amendment and Statute. (19-0029A1)

Proposition 27: Allows Online and Mobile Sports Wagering Outside Tribal Lands Initiative Constitutional Amendment and Statute. (21-0017A1)

Wednesday, August 10, 2022, 2 p.m. – [livestream](#)

[Assembly Agriculture](#)

Informational Hearing: Advancing California's Agricultural Competitiveness

Thursday, August 11, 2022, Upon adjournment of Appropriations Committee – [livestream](#)

[Assembly Select Committee On Gasoline Supply and Pricing](#)

Subject: Pain at the Pump: Perspectives on Gasoline Production, Pricing, and Consumption

Governor's Press Releases

Below is a list of the governor's press releases beginning July 27.

August 3: [Governor Newsom Supports \\$1.65 Billion Film & TV Tax Credit Extension, Calls on the Industry to Stand Up for Employees](#)

August 2: [Governor Newsom's Statement on the Death of Vin Scully](#)

August 2: [Governor Newsom Announces Appointments](#) - Chief of Primary Care Services at Napa State Hospital, Vice Chair at the State Council on Developmental Disabilities, and the State Council on Developmental Disabilities.

August 1: [Governor Newsom Proclaims State of Emergency to Support State's Response to Monkeypox](#)

July 30: [Governor Newsom Proclaims State of Emergency in Siskiyou County Due to McKinney and Other Fires](#)

July 29: [Governor Newsom Announces Appointments](#) - Undersecretary at the Government Operations Agency, Deputy Director and Chief Counsel at the California Department of General Services, Senior Product Manager at the Office of Data and Innovation, Structural Pest Control

Board, Dental Board of California, Board of Barbering and Cosmetology, and the 41st District Agricultural Association (Del Norte Fair Board).

July 29: [With Conservation Trending in the Right Direction, Governor Newsom Rallies Local Water Agencies to Do More](#)

July 29: [Governor Newsom Applauds President Biden for Youth Mental Health Actions Complementing California's \\$4.7 Billion Master Plan](#)

July 28: [Governor Newsom Announces Appointments](#) - Deputy Director of Legislative and Intergovernmental Affairs at the Governor's Office of Business and Economic Development, California Unemployment Insurance Appeals Board, Off-Highway Motor Vehicle Recreation Commission, California State Lottery Commission, and the 34th District Agricultural Association (Modoc Fair Board).

July 27: [Governor Newsom Announces Appointments](#) - Deputy Director of Legislation at the California Department of Parks and Recreation, Deputy Director of the Boating and Waterways Division at the California Department of Parks and Recreation, Deputy Director of Public Affairs at the California Department of Parks and Recreation, Technical Advisor II to Commissioner John Reynolds at the California Public Utilities Commission, and the Deputy Commissioner of Communications at the California Department of Financial Protection and Innovation.

July 27: [Governor Newsom Statement on California Supreme Court Chief Justice Cantil-Sakauye Stepping Down](#)

3. Washington DC Legislative Report

Prepared by Van Scoyoc Associates

LEGISLATIVE BRANCH ACTIVITY

Senate Democrats Announce Deal on Reconciliation

For many months, Senate Majority Leader Chuck Schumer (D-NY) and Senator Joe Manchin (D-WV) have been working on a major reconciliation bill. The talks have fluctuated between progress and regression. Most recently, public statements and political constraints indicated the two Democrats were likely unable to reach a deal on a major reconciliation bill due to disagreements over climate and tax provisions. As such, Senate Republicans, who had previously pledged to block a major Chips and Science Act if Democrats pursued reconciliation, relented and passed that microchips legislation.

Shortly after the Senate passed the microchips and scientific research bill, Schumer and Manchin shocked the Capitol by announcing their talks had reached a deal on a reconciliation bill, now called the Inflation Reduction Act. The legislation raises \$739 billion in new savings and spends \$433 billion over the next decade, thus reducing the deficit by \$306 billion. [Full legislative text is here](#), a [summary of health provisions](#) is here, and a [one page summary of key provisions is here](#).

In broad terms, the health provisions include the following:

- Authorizes the Centers for Medicare and Medicaid Services to directly negotiate drug prices with drug manufacturers.
- Caps out of pocket prescription drugs to \$2,000 per year.
- Creates an "inflation rebate" under Medicare Part D which rebates funds to patients if drug prices rise faster than inflation.
- Extends Medicare coverage to provide free vaccines for all vaccinations.
- Extends premium support for low-income Americans to purchase health insurance on the individual market through 2025.
- Allows full subsidy for Medicare Part D for low-income families.
- Limits Medicare Part D annual premium increases.

- Though not in the current bill, Senator Schumer says they will add a provision to cap insulin out-of-pocket expenses.
- Imposes a 15% minimum corporate tax (while preserving the 21% marginal corporate rate)
- Boost IRS staffing to investigate taxpayers suspected of fraud.
- Provides \$369 billion for lower energy and climate investments to reduce carbon emissions by 40% by 2030.

Next up, the Senate Parliamentarian must review the legislative text of the plan to determine if each provision is compliant with Senate reconciliation rules. Further, Senator Kyrsten Sinema (D-AZ), who has been vocally critical of some provisions of the original reconciliation bill, has said she still needs to review the bill to determine her position. Thus, the Senate does not yet have all 50 Democrats on board. If Sinema endorses the bill, Senate Democrats hope to bring the bill to the floor as soon as possible. However, with multiple Democratic senators out with health problems, getting all their members to the Senate is a very real challenge.

Meanwhile, in the House, there are possible problems for Democrats. The bill does not include a fix to the State and Local Tax (SALT) deduction cap. Many California, New York, and New Jersey Democrats have said they will only support reconciliation if they address SALT. Other Democrats still have objections to some prescription drug provisions. And many progressive Democrats wanted a far more ambitious reconciliation bill addressing education and social services. There are several scenarios where Democrats (who only have a four-seat majority in the House) aren't able to pass it in the House. However, recent reports suggest notable Democratic opponents are falling in line.

Senate and House Pass Major Microchip Legislation

The Senate and House of Representatives passed the CHIPS and Science bill (former versions titled USICA and NSF For The Future) that includes \$52 billion in grants and incentives for domestic semiconductor manufacturing, sending it to President Joe Biden for his signature and delivering a win for his administration more than a year after legislation was first introduced in Congress. The 243 to 187 vote attracted support from 24 Republicans who defied a last-minute push from GOP leaders to oppose the bill. House Minority Leader Kevin McCarthy initially took a hands-off approach to the bill but decided to whip against it after Senate Democrats announced a surprise agreement on a separate reconciliation bill that Republicans oppose. The CHIPS and Science measure, the result of lengthy House-Senate negotiations, has been presented as both a way to reinvigorate the US industrial base and fortify the country's national security interests against future supply chain disruptions overseas, where the vast majority of advanced semiconductors are currently produced. In addition to semiconductor funding, the bill includes money for research and workforce training and 5G wireless technology. [Section by Section](#)

Senate Passes Veteran Burn-Pit Exposure Bill

Following the announcement by Senate Democrats that they reached a deal on reconciliation, Senate Republicans were furious, and threatened to derail any major bipartisan legislation. That included the PACT Act which would, among other things, provide funding for the Department of Veterans Affairs to care for veterans harmed by combat burn-pits. The burn pits are a way of disposing of waste in a combat zone, but are highly carcinogenic.

When Senate Republicans, who previously supported the bill, changed their votes, there was substantial public outcry. Ultimately, the pressure was too much, and the Senate was able to pass the legislation on an 86-11 vote. The legislation now goes to President Biden's desk for signature.

Legislation Introduced by Orange County Delegation

Senator Dianne Feinstein:

- Introduced the [Preventing a Patronage System Act](#) which would "prevent any position in the federal civil service from being reclassified outside of merit system principles without the express consent of Congress."

Senator Alex Padilla:

- Introduced the [Airport Energy Resiliency and Renewable Energy Act](#) which would “create a new \$125 million Federal Aviation Administration (FAA) grant program to fund the installation of renewable energy resources that directly and substantially benefit airports.”
- Introduced the [Let Doctors Provide Reproductive Health Care Act](#) which would “ensure that providers in states where abortion remains legal are protected from any efforts to restrict their practice or create uncertainty about their legal liability. Specifically, the bill will:
 - Protect health care providers in states where abortion is legal from being subject to laws that try to prevent them from providing reproductive health care services or make them liable for providing those services to patients from any other state. These protections could be enforced by a federal lawsuit from the Department of Justice, a patient, or a provider, ensuring a future Department of Justice could not turn a blind eye to state laws that violate these protections;
 - Prohibit any federal funds from being used to pursue legal cases against individuals who access legal reproductive health care services or against health care providers in states where abortion is legal;
 - Protect reproductive health care providers from being denied professional liability insurance coverage because of legal services offered to patients.”
- Introduced [Supreme Court Review Act](#) which would “strengthen Congress’s ability to legislate in response to Supreme Court decisions that roll back constitutional rights. The Senators’ bill would help ensure that the constitutional power to make policy remains with Congress, not the Supreme Court, by creating streamlined procedures through which Congress can exercise its existing power to amend statutes or create federal statutory rights in response to Supreme Court decisions.”

Rep. Mike Levin:

- Introduced the Increasing Nuclear Safety Protocols for Extended Canister Transfers (INSPECT) Act which “requires the Nuclear Regulatory Commission (NRC) to keep a resident inspector at decommissioning nuclear power plants until all spent fuel is transferred from its spent fuel pools to canisters.”

EXECUTIVE BRANCH ACTIVITY

HUD Announces Programs to Lower Low-Income Electricity Bills

The [Department of Housing and Urban Development](#) and [White House](#) announced new measures to connect families served by HUD programs to solar power and help lower their electricity bills.

The measures include:

- 1) **New Guidance to Connect Families to Solar Power:** HUD is issuing national guidance to help ensure that residents of assisted housing can access cost-saving community solar subscriptions. With this guidance, HUD estimates 4.5 million families will save 10% per year on their electric bills. The guidance can be found [HERE](#).
- 2) **Small Rural Frozen Rolling Base Utility Program:** The Small Rural Frozen Rolling Base program enables small rural housing authorities to retain utility cost savings from efficiency or capital investments from conservation measures. Now, HUD is launching an educational campaign and partnership to encourage broader usage of the incentive, and help housing authorities partner with weatherization providers to access low-cost energy efficiency measures. HUD will make public a list of eligible rural housing authorities. Read more about the Small Rural Frozen Rolling Base program [here](#).
- 3) **FHA’s 203(k) Rehabilitation Mortgage Insurance Program:** The 203(k) Rehabilitation Mortgage Insurance program is FHA's primary program for the rehabilitation and repair of single-family properties. It is flexible and makes it easy to incorporate the costs of repairs into a loan when purchasing a home or refinancing a current mortgage. The eligible improvements

include energy efficiency upgrades, energy-saving equipment, and energy generation improvements. The Limited 203(k) Mortgage permits homebuyers and homeowners to finance up to \$35,000 into their mortgage to repair, improve, or upgrade their home. In Qualified Opportunity Zones (QOZ), the amount is up to \$50,000 per home, enough to make a range of important and cost saving energy improvements.

- 4) **FHA Education and Outreach:** HUD Homeownership Centers offer training sessions on FHA products, programs, and policies throughout the year which includes the 203(k), Energy Efficient Mortgage, Weatherization, and Solar and Wind programs.

FEMA Announces Additional Hazard Mitigation Funds for Wildfires

The Federal Emergency Management Agency (FEMA) has announced additional measures to help eligible homeowners in areas covered by Presidential Disaster Declarations due to wildfire damage. FEMA has been providing mitigation assistance to eligible homeowners under the individuals and households program (IHP) for several hazard mitigation measures since June 2021.

Homeowners who are affected by wildfire damage and eligible for IHP home repair assistance may receive additional funds for specific mitigation measures based on the cause and amount of damage to their home. After receiving their award letter, applicants whose home repair assistance includes additional funds for mitigation measures receive a follow-up letter explaining the intended mitigation measures. This additional assistance is available for all wildfire disasters declared on or after July 27, 2022.

The following mitigation measures may now be covered for eligible applicants affected by wildfires:

- 1) Covering attic vents, crawlspace vents and vents in enclosures below decks with metal screens to help prevent embers from entering and spreading fires inside of homes.
- 2) Installing non-combustible leaf guards over gutters to avoid future fire damage.

Additional information can be found at: <https://www.fema.gov/fact-sheet/hazard-mitigation-under-individuals-and-households-program>

Community Wildfire Defense Grant Notice of Funding Opportunity

The U.S. Forest Service released a notice of funding opportunity announcing the availability of up to \$1 billion in grant funding, appropriated and authorized under the Infrastructure Investment and Jobs Act, for the establishment of the Community Wildfire Defense Grant (CDWG) Program. There are two primary project types for which the CDWG provides funding: the development and revising of Community Wildfire Protection Plans (CWPP) and the implementation of projects described in a CWPP that is less than ten years old. The Act prioritizes at-risk communities that are in an area identified as having high or very high wildfire hazard potential, are low-income, and/or have been impacted by a severe disaster. Applications are due by October 7, 2022.

The announcement can be viewed in the Federal Register [here](#).

White House Gun Violence Safety Plan

President Biden released his Safer America Plan in an effort to reduce gun violence and improve public safety. A fact sheet on the Safer America Plan can be viewed [here](#). According to the White House, the plan:

- **Funds the police and promotes effective prosecution of crime affecting families.** The plan will provide communities with the resources they need to hire and train 100,000 additional police officers for effective, accountable community policing. It will help law enforcement set up task forces to share intelligence, take shooters off the streets, and bring down the gun violence rate. It also cracks down on fentanyl trafficking and organized retail theft.

- **Invests in crime prevention and a fairer and more equitable criminal justice system.** The plan includes a new \$15 billion grant program called Accelerating Justice System Reform that will provide cities and states with resources to stand up new responses to persons in mental health crisis or those with substance use disorders and to expand access to job training, education, housing, and other supportive services that prevent crime and advance equity. The Plan also invests \$5 billion to support evidence-based community violence intervention programs shown to reduce violence by up to 60%. And, the plan proposes to end the crack-powder disparity, making the fix retroactive.
- **Takes additional steps on firearms.** The Plan calls on Congress to take additional actions, including requiring background checks for all gun sales, banning assault weapons and high-capacity magazines, closing the dating violence restraining order loophole, and banning the manufacture, sale, or possession of unserialized “ghost guns.”

If you or your staff have any questions or require additional information on any of the items in this bulletin, please contact Peter DeMarco at 714-834-5777.