

CALIFORNIA YMCA MODEL LEGISLATURE

AT SACRAMENTO

2014 REGULAR SESSION

MODEL LEGISLATURE DAILY FILE



**California YMCA
Youth & Government Program**

Sam Leichenger, Youth Governor

THURSDAY, FEBRUARY 13, 2014

Sixty-Sixth Year

(Please report errors or omissions to the Model Legislature Office)

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Committees are named for former California Secretaries of State.

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 SB 221 Sonoma
 SB 235 Northwest/SV

#2 McPherson

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#3 Mitchell

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#4 Shelley

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#5 Jones

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 AB 119 SDSC/Peninsula
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 SB 225 SRV/Valle Lobo

#6 Miller

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 SB 226 Torrance - South Bay

#7 Fong Eu

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#8 Brown

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#9 Sullivan

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#10 Jordan

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#11 Peek

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AB	168	SDSC/La Jolla	AB	175	SRV/Valle Lobo
AB	182	Wilmington	SB	255	Culver-Palms
SB	262	McClymonds	SB	269	SFY/Bayview
SB	276	Torrance - South Bay	SB	283	Redlands
#20 Nichols			#27 Hempstead		
AB	155	Crescenta-Canada	AB	162	Irvine
ACA	169	SDSC/Rancho	AB	176	Stuart C. Gildred
AB	183	SDSC/Magdalena Ecke	SJR	256	Desert Family YMCA
AB	186	Salinas	SCA	270	SFY/Marin
SB	263	Mission Viejo	SB	284	Santa Monica
SJR	277	Triunfo			
#21 Redding			#28 Denver		
AB	156	Culver-Palms	AB	163	Miller
ACA	170	SFY/Burton	AB	177	Triunfo
AB	184	Pescadero	SB	257	Diablo Valley YMCA
SB	264	NCDM	SJR	271	S. Pasadena San Marino
SB	278	Verdugo Hills	SB	285	Pasadena

**Introduced by Members Representing the
Albany Branch of the
YMCA of the Central Bay Area**

February 13, 2014
Referred to the Bowen Committee

An act to amend Section 22348 of the Vehicle Code, relating to income-adjusted speeding violation tickets.

ABSTRACT

AB 101 amends current highway speeding fines to increasing brackets of percent of the traffic violator's income depending on the speed driven above the limit.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 22348 of the Vehicle is amended to read:
- 2 22348. (a) Notwithstanding subdivision (b) of Section 22351, a person
- 3 shall not drive a vehicle upon a highway with a speed limit established
- 4 pursuant to Section 22349 or 22356 at a speed greater than that speed limit.
- 5 (b) *There shall be a fine of the below percentage of the driver's*
- 6 *previous year gross income for driving in excess of the speed limit. There*
- 7 *is a maximum fine of one million dollars (\$1,000,000). Speeding fines*
- 8 *shall remain the same for all citizens with an annual gross income less*
- 9 *than \$1,000,000. For any violator with an annual gross income above*
- 10 *\$1,000,000, the speeding fine shall be the percent income as follows:*
- 11 (1) *Speed in excess of 6 to 10 mph: 0.00625%*
- 12 (2) *Speed in excess of 11 to 20 mph: 0.0125 %*
- 13 (3) *Speed in excess of 21 to 35 mph: 0.025%*
- 14 (4) *Speed in excess of 36 to 50 mph: 0.05%*
- 15 (5) *Speed in excess of 51 mph: 0.1%*
- 16 (bc) A person who drives a vehicle upon a highway at a speed greater
- 17 than 100 miles per hour is guilty of an infraction punishable, as follows:
- 18 (1) Upon a first conviction of a violation of this subdivision, by a fine of
- 19 not to exceed five hundred dollars (\$500). The court may also suspend the
- 20 privilege of the person to operate a motor vehicle for a period not to exceed
- 21 30 days pursuant to Section 13200.5.
- 22 (2) Upon a conviction under this subdivision of an offense that occurred
- 23 within three years of a prior offense resulting in a conviction of an offense
- 24 under this subdivision, by a fine of not to exceed seven hundred fifty
- 25 dollars (\$750). The person's privilege to operate a motor vehicle shall be
- 26 suspended by the Department of Motor Vehicles pursuant to subdivision
- 27 (a) of Section 13355.

1 (3) Upon a conviction under this subdivision of an offense that occurred
2 within five years of two or more prior offenses resulting in convictions of
3 offenses under this subdivision, by a fine of not to exceed one thousand
4 dollars (\$1,000). The person's privilege to operate a motor vehicle shall be
5 suspended by the Department of Motor Vehicles pursuant to subdivision
6 (b) of Section 13355

**Introduced by Members Representing the
Berkeley Branch of the
YMCA of the Central Bay Area**

February 13, 2014
Referred to the McPherson Committee

An act to amend Section 51934 of the Education Code, relating to contraceptives in public high schools.

ABSTRACT

AB 102 requires all public high schools in California to provide free male or female contraceptives and informative counseling regarding contraceptives to all high school students.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 51934 of the Education Code is amended to read:
2 51934. (a) A school district shall ensure that all pupils in grades 7 to
3 12, inclusive, receive HIV/AIDS prevention education from instructors
4 trained in the appropriate courses. Each pupil shall receive this instruction
5 at least once in junior high or middle school and at least once in high
6 school.
7 (b) HIV/AIDS prevention education, whether taught by school district
8 personnel or outside consultants, shall satisfy all of the criteria set forth
9 in paragraphs (1) to (6), inclusive, of subdivision (b) and paragraphs (1)
10 and (2) of subdivision (d) of Section 51933, shall accurately reflect the
11 latest information and recommendations from the United States Surgeon
12 General, the federal Centers for Disease Control and Prevention, and the
13 National Academy of Sciences, and shall include the following:
14 (1) Information on the nature of HIV/AIDS and its effects on the human
15 body.
16 (2) Information on the manner in which HIV is and is not transmitted,
17 including information on activities that present the highest risk of HIV
18 infection.
19 (3) Discussion of methods to reduce the risk of HIV infection. This
20 instruction shall emphasize that sexual abstinence, monogamy, the
21 avoidance of multiple sexual partners, and abstinence from intravenous
22 drug use are the most effective means for HIV/AIDS prevention, but
23 shall also include statistics based upon the latest medical information
24 citing the success and failure rates of condoms and other contraceptives
25 in preventing sexually transmitted HIV infection, as well as information
26 on other methods that may reduce the risk of HIV transmission from
27 intravenous drug use.

1 (4) Discussion of the public health issues associated with HIV/AIDS.

2 (5) Information on local resources for HIV testing and medical care.

3 (6) Development of refusal skills to assist pupils in overcoming peer
4 pressure and using effective decision making skills to avoid high-risk
5 activities.

6 (7) Discussion about societal views on HIV/AIDS, including stereotypes
7 and myths regarding persons with HIV/AIDS. This instruction shall
8 emphasize compassion for persons living with HIV/AIDS.

9 *(c) In accordance to the legislature's findings stated in Section*
10 *124175, and subdivisions (a) and (b), all public high schools must*
11 *provide male and female condoms for each student. Each student may*
12 *receive up to three condoms per visit. These students shall also receive*
13 *a short mandatory counseling session which must include information*
14 *on abstinence and instructions on proper storage and use of condoms. A*
15 *pamphlet that includes detailed information may substitute the mandatory*
16 *counseling session. Each school must appoint a counselor, physician, or an*
17 *administrative staffer as the "Ambassador of Health" who will distribute*
18 *condoms and educate the students. The state will allocate new funds to*
19 *cover this program from the General Fund and will not use funds currently*
20 *allocated for public education.*

21 *(1) A student must be enrolled in a public California high school in*
22 *order to qualify for contraception distribution.*

23 *(2) Schools must implement this program by January 1, 2016. Those*
24 *schools that do not begin the program by that date will lose 3% of their*
25 *Average Daily Attendance funding for each day until the program is*
26 *implemented.*

**Introduced by Members Representing the
Burbank Community YMCA**

February 13, 2014
Referred to the Michell Committee

An act to add Section 1622.5 of the Education Code, relating to the budget of each county's office of education.

ABSTRACT

AB 103 equalizes the public educational system by implementing an educational voucher system in which funding is directed away from schools receiving a grade of 1-3 on the 10 point scale and is directed instead to the students attending these schools. Those students would receive a voucher worth the amount spent annually on each student by the California Department of Education. Each year, the state will transfer this amount to the public or charter school that each student elects to attend, whether it be the same school receiving a 1-3 ranking or a different school receiving a better ranking.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1622.5 is added to the Education Code is amended
2 to read:
- 3 (a) On or before July 1 of each fiscal year, beginning with the 2013-
4 2014 fiscal year, each county board of education shall account for every
5 student eligible to receive a K-12 education in the district who attends
6 a school ranked 1-3 and issue them an educational voucher worth the
7 amount that the California Department of Education spends annually on
8 each student. The board shall coordinate the choosing of a public or charter
9 school by each student and provide for the transfer of the voucher from the
10 student to the school administration.
- 11 (b) The school administration may allocate the funds collected from
12 student attendance to any and all programs that the administration deems
13 fit to provide an education to their student body.
- 14 (c) No school receiving a grade of 1-3 shall receive any state funding
15 from the county board of education except for the funding received from
16 student vouchers.
- 17 (d) All students who initially receive this voucher will continue to
18 receive the voucher annually for the entirety of their K-12 education.
- 19 (e) If, at any point, the student elected to leave the public educational
20 system in favor of a private school, they also elect to forfeit their annual
21 voucher.

**Introduced by Members Representing the
Conejo Valley YMCA**

February 13, 2014
Referred to the Shelley Committee

Assembly Joint Resolution 104, relative to legislative power

ABSTRACT

AJR 104 memorializes the Congress of the United States to propose an amendment, for consideration by the states, to Article I of the United States Constitution to grant legislative power to a unicameral body, to be titled the Assembly, by dissolving the current bicameral Senate body and House of Representatives.

1 WHEREAS, All legislative powers shall be vested in the Upper House-
2 being The Assembly. The chamber in which the Upper House presides
3 shall be permitted equivalent jurisdiction and sovereignty to that found
4 within the parameters of the current Senate; and

5 WHEREAS,, It shall be comprised of members based on political
6 party affiliation. The number of seats a party receives shall be determined
7 proportionally by the fraction of votes the party is elected by its
8 constituents. For a party to be accepted into Assembly, that party must
9 receive a minimum 5% of the total vote; and

10 WHEREAS,, The Party that holds a majority will appoint the President.
11 Furthermore the President appoints the cabinet. A vote of no confidence is
12 permitted, which if a 2/3rd vote is received, will result in the removal of
13 the President from office and the dissolution of The Assembly; and

14 WHEREAS,, If no such party makes up a single majority, then a coalition
15 with a lesser-represented party will commence and the President is to
16 affiliate himself with the greater represented party within the coalition; and

17 WHEREAS,, Elections for Assemblymen shall take place every fourth
18 year. The election shall decide the proportion of seats a party will hold in
19 The Assembly. This election shall take the structure of a simple Party List
20 Ballot, to which the voter will mark off their political party affiliation,
21 determining the number of seats the party shall hold for the remaining
22 term; now, therefore, be it

23 *Resolved by the Assembly and the Senate of the State of California,*
24 *jointly,* That the Legislature of the State of California respectfully
25 memorializes the Congress of the United States to propose an amendment
26 to Article I of the United States Constitution, for consideration by the
27 states, to grant legislative power to a unicameral body, to be titled the
28 Assembly, by dissolving the current bicameral Senate body and House of

1 Representatives and making the revisions as set forth in this resolution;
2 and be it further

3 *Resolved*, That the Chief Clerk of the Assembly transmit copies of this
4 resolution to the Speaker of the House of Representatives, the Majority
5 Leader of the United States Senate, to each Senator and Representative
6 from California in the Congress of the United States, and to the Chief
7 Clerk of the Legislature in each of the other 49 states.

**Introduced by Members Representing the
Crescenta-Cañada Family Branch of the
YMCA of the Foothills**

February 13, 2014
Referred to the Jones Committee

An act to create a “Resettlement Administration” within the Department of Agriculture and the Government of the State of California

ABSTRACT

ACR 105 establishes within the Government of the State of California a Resettlement Administration to reduce unemployment in the agriculture sector of the State of California.

1 WHEREAS, Unemployment remains a significant problem in
2 California’s agricultural industry, now therefor be it

3 *Resolved by the Assembly, the Senate thereof concurring,* That the
4 members request that the State of California create a Resettlement
5 Administration; and be it further

6 *Resolved* that the people also prescribe the following functions
7 and duties of the said Resettlement Administration to be exercised and
8 performed by the Administrator thereof:

9 (a) To administer approved projects involving resettlement of
10 destitute or low-income families from rural and urban areas, including
11 the establishment, maintenance, and operation, in such connection, of
12 communities in rural and suburban areas.

13 (b) To initiate and administer a program of approved projects with
14 respect to soil erosion, stream pollution, seacoast erosion, reforestation,
15 forestation, and flood control.

16 (c) To make loans as whole or in part, the purchase of far lands and
17 necessary equipment by farmers, farm tenants, croppers, or farm laborers.

18 The powers of Administration of the “Resettlement Administration” is
19 hereby appointed to a Joint Congressional Committee whom will conduct
20 biannual reviews of the “Resettlement Administration” to ensure that the
21 duties outlined in sections (a), (b), and (c) are maintained.

22 (d) The office of Agency Executive will be filled by an executive
23 appointment by the Governor of the State of California.

24 In the performance of such duties and functions the Administrator
25 is hereby authorized to employ the services and means to exercise the
26 authority with respect to personnel conferred by subdivision (b) thereof.

27 To the extent necessary to carry out the provisions of this Executive
28 Order the Administrator is authorized to acquire, by purchase or by the
29 power of eminent domain, any real property or any interest therein and

1 improve, develop, grant, sell, lease (with or without the privilege of
2 purchasing), or otherwise dispose of any such property or interest therein.
3 For the administrative expenses of the Resettlement Administration
4 there is hereby allocated to the Administration the appropriation the sum
5 of \$250,000,000 or 0.02% of the California State budget of 2013-2014.
6 Separate allocations will be made hereafter for each of the authorized
7 activities as may be needed; and be it further *Resolved That the Secretary of*
8 *the Senate transmit copies of this resolution to the California Department*
9 *of Agriculture.*

**Introduced by Members Representing the
Culver-Palms Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Miller Committee

An act to add Section 44050 to the Education Code, relating to student property.

ABSTRACT

AB 106 limits the ability of a public school to confiscate student property.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 44050 is added to the Education Code, to read:
2 44050 (a) *A public school employee shall not detain, for longer than*
3 *the remainder of the school day, a student's private property unless the*
4 *property violates state law.*
5 (b) *A public school policy shall not require the confiscation of student*
6 *property, as described in subdivision (a).*
7 (c) *Any public school in violation of subdivision (b) shall lose 10%*
8 *of state funding for infrastructure each academic year until the policy is*
9 *adjusted.*

**Introduced by Members Representing the
Family YMCA of the Desert**

February 13, 2014
Referred to the Fong Eu Committee

An act to amend Sections 6500, 6501, and 7002, of the Family Code, and to amend Section 653 of the Penal Code, relating to the age of legal emancipation and getting tattoos.

ABSTRACT

AB 107 changes the age of granting legal emancipation and the ability to get a tattoo without parental consent to 20 years of age.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 6500 of the Family Code is amended to read:
2 6500. A minor is an individual who is under 18 20 years of age.
3 The period of minority is calculated from the first minute of the day on
4 which the individual is born to the same minute of the corresponding day
5 completing the period of minority.
6 SEC. 2. Section 6501 of the Family Code is amended to read:
7 6501. An adult is an individual who is 18 20 years of age or older.
8 SEC. 3. Section 7002 of the Family Code is amended to read:
9 7002. A person under the age of 18 20 years is an emancipated minor if
10 any of the following conditions is satisfied:
11 (a) The person has entered into a valid marriage, whether or not the
12 marriage has been dissolved.
13 (b) The person is on active duty with the armed forces of the United
14 States.
15 (c) The person has received a declaration of emancipation pursuant to
16 Section 7122.
17 SEC. 4. Section 653 of the Penal Code is amended to read:
18 653. Every person who tattoos or offers to tattoo a person under the
19 age of 18 20 years is guilty of a misdemeanor. As used in this section, to
20 “tattoo” means to insert pigment under the surface of the skin of a human
21 being, by pricking with a needle or otherwise, so as to produce an indelible
22 mark or figure visible through the skin.
23 This section is not intended to apply to any act of a licensed practitioner
24 of the healing arts performed in the course of his practice.

**Introduced by Members Representing the
Downey-South Gate Delegation of the
Downey Family Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Brown Committee

An act to add Section 21658.1 and 21658.2 of the Vehicle Code, relating to motorcycle lane splitting and filtering

ABSTRACT

AB 108 regulates the ability of motorcycle drivers to ride or stop in between lanes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 21658.1 is added to the Vehicle Code, to read:
- 2 21658.1. (a) Motorcycles shall not not pass or stop in between lanes
- 3 unless both of the following conditions are met:
- 4 (1) The passing occurs when surrounding traffic is at a standstill.
- 5 (2) The passing occurs at speed of no greater than 15 miles per hour.
- 6 (b) This section does not apply to a peace officer in the performance of
- 7 official duties.
- 8 SEC. 2. Section 21658.2 is added to the Vehicle Code, to read:
- 9 21658.2. A violation of section 21658.1 shall result in the following:
- 10 (a) First offence: \$300 fine
- 11 (b) Second offence: \$650 fine
- 12 (c) Third and subsequent offences: \$1000 fine

**Introduced by Members Representing the
East Valley Family Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Sullivan Committee

An act to add Article 3 (commencing with Section 38140) to Chapter 4 of Part 23 of Division 3 of Title 2 of the Education Code, relating to composting.

ABSTRACT

AB 109 mandates that each public school in California provide education and materials for composting.

The people of the State of California do enact as follows:

1 SECTION 1. Article 3 (commencing with Section 38140) is added to
2 Chapter 4 of Part 23 of Division 3 of Title 2 of the Education Code, to read
3 as follows:

4 ARTICLE 3. COMPOSTING PROGRAM

5 38140. (a) Each elementary and secondary public school shall have a
6 composting program. The program shall include compost bins, composting
7 education, and a system for treating food waste after it has been disposed.
8 Each elementary and secondary public school shall have at least one
9 compost bin on campus. The education program shall include a description
10 of the composting process and the benefits of composting, information
11 about how to use the school compost system, and resources for students to
12 learn more about composting. Students shall complete at least 6 hours in
13 the education program, either during a daylong assembly or several shorter
14 assemblies throughout the year. CalRecycle, a government organization
15 dedicated to environmental issues, shall design the education program.
16 Food waste generated by each elementary and secondary public school
17 can either be processed on site, or transported to composting facilities in
18 California.

19 (b) A flat tax of twenty-five cents (\$0.25) is hereby imposed on each
20 resident of the state. All moneys collected as a result of the flat tax shall
21 be deposited in the Compost Fund, which is hereby created in the State
22 Treasury. All moneys deposited in the Compost Fund shall only be used to
23 pay for the composting program.

**Introduced by Members Representing the
El Dorado Delegation of the
Sacramento Central Branch of the
YMCA of Superior California**

February 13, 2014
Referred to the Jordan Committee

An act to amend Section 51242 of the Education Code, relating to education.

ABSTRACT

AB 110 requires school districts to exempt students from physical education requirements for participation in specified athletic programs.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 51242 of the Education Code is amended to read:
- 2 51242. The governing board of a school district ~~may~~ *shall* exempt any
- 3 four-year or senior high school pupil from attending courses of physical
- 4 education, if the pupil is engaged in a ~~regular~~ *current* school-sponsored
- 5 interscholastic athletic program *or non-school affiliated athletic program*
- 6 *with prior school approval* carried on wholly or partially after regular
- 7 school hours *for more than fifteen hours each week.*

**Introduced by Members Representing the
Estancia Branch of the
Orange County YMCA**

February 13, 2014
Referred to the Peek Committee

An act to amend section 2339 of the Family Code, relating to marriage.

ABSTRACT

AB 111 authorizes individuals to terminate a marriage that was entered into less than 48 hours prior to the time either party files for dissolution, as specified.

The people of the State of California do enact as follows:

1

2 SECTION 1. Section 2339 of the Education Code is amended to read:

3 (a) Subject to subdivision (b) and to Sections 2340 to 2344, inclusive, no
4 judgment of dissolution is final for the purpose of terminating the marriage
5 relationship of the parties until six months have expired from the date of
6 service of a copy of summons and petition or the date of appearance of the
7 respondent, whichever occurs first.

8 (b) The court may extend the six-month period described in subdivision
9 (a) for good cause shown.

10 (c) *The court will disregard the six month period described in subdivision*
11 *(a) if the marriage was entered into less than 48 hours from the time either*
12 *party files for dissolution. During the “cooling off period” either party*
13 *may return to the location the original marriage license was obtained and*
14 *file for immediate dissolution and void the marriage license. Under these*
 circumstances the marriage will not be recognized.

**Introduced by Members Representing the
Hilltop Branch of the
YMCA of the East Bay**

February 13, 2014
Referred to the Curry Committee

An act to add Section 70024 to the Education Code, relating to postsecondary education scholarships.

ABSTRACT

AB 112 commencing with the fall semester of 2014, the Student Aid Commission awards graduating California high school seniors who have attained a grade point average of 3.7 or higher a one-time \$5,000 scholarship to attend an University of California, California State University, or private postsecondary college campus. For purposes of funding the scholarships, a 10% sales tax is levied on beverages that contain over 30 grams of sugar in a ten-ounce serving sold in the state.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 70024 is added to the Education Code, to read:
- 2 (a) Commencing with the fall semester of 2014, the Student Aid
- 3 Commission shall award a graduating high school senior who has attained
- 4 a grade point average of 3.7 or higher a one-time scholarship of \$5000 to
- 5 attend an University of California, California State University, or private
- 6 postsecondary college campus.
- 7 (b) The scholarship moneys awarded pursuant to subdivision (a) shall
- 8 be used to pay only for school fees, including books, boarding, and tuition.
- 9 (c) A graduating high school senior receiving a scholarship pursuant to
- 10 subdivision (a) shall have resided in the state for at least two years of his
- 11 or her high school education, with one of those years having been his or
- 12 her senior year.
- 13 (d) To apply for a scholarship established pursuant to subdivision (a),
- 14 the graduating high school senior shall complete an application process
- 15 in the final semester of his or her senior year that proves he or she has
- 16 attained a grade point average of 3.7 or higher.
- 17 (e) A ten-percent sales tax shall be levied on all beverages that contain
- 18 over thirty grams of sugar in a ten-ounce serving sold in the state. All
- 19 moneys collected pursuant to this subdivision shall be used only to fund
- 20 the scholarships awarded pursuant to this section.

**Introduced by Members Representing the
Mid-Valley Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Hart Committee

Assembly Joint Resolution No. 113, relative to emergency call response systems.

ABSTRACT

AJR 113 memorializes the Congress of the United States to pass legislation that would require emergency response operators to have immediate access to GPS coordinates when help is summoned from a cell phone.

1 WHEREAS, emergency response operators may only have access to
2 the cell phone tower connected to someone seeking help from operators
3 via cell phone, rather than having access to the exact location of the caller;
4 and

5 WHEREAS, there have been reported cases of superfluous harm to
6 persons who had summoned help from emergency response operators
7 from a cell phone; and

8 WHEREAS, emergency response operators must first achieve approval
9 from cell phone companies to have access to caller location before
10 commencing with helping persons in danger; and

11 WHEREAS, operators automatically receive GPS coordinates when
12 contacted via a landline; and

13 WHEREAS, it has already been deemed not a breach in personal privacy
14 for emergency response operators to have access to GPS coordinates in the
15 case of a phone call summoning help or otherwise, now; therefore, be it

16 *Resolved, by the Assembly and the Senate of the State of California,*
17 *jointly,* the Legislature of the State of California respectfully memorializes
18 the Congress of the United States to enact legislation that would require
19 that emergency response operators have access to GPS coordinates from
20 cellular phones when such a phone is used to make an emergency call
21 through use of the 911 emergency call system; and be it further

22 *Resolved,* That the Chief Clerk of the Assembly transmit copies of this
23 resolution to the Speaker of the House of Representatives and the President
24 Pro Tempore of the United States Senate and to all the Representatives and
25 Senators of California, in the Congress and Senate of the United States,
26 and to the Chief Clerk of the Legislature, and to the Representatives and
27 Senators from each of the other forty-nine states.

**Introduced by Members Representing the
Murieta/Temecula Valley YMCA**

February 13, 2014
Referred to the Waite Committee

An act to add Section 596.6 to the Penal Code, relating to dolphins.

ABSTRACT

AB 114 establishes civil and criminal penalties for the keeping, breeding, or both, of oceanic dolphins, as defined, in captivity.

The people of the State of California do enact as follows:

- 1 SECTION 1. *Section 596.6 is added to the Penal Code to read:*
2 596.6. (a) It shall be unlawful for any person to willfully do either of
3 the following:
4 (1) Keep any member of an oceanic dolphin in captivity.
5 (2) Breed members of oceanic dolphin family in a captive environment.
6 (b) For purposes of this section, "oceanic dolphin" is defined to mean
7 any member of the Dephinidae family.
8 (c) A person who violates this section shall be guilty of an infraction
9 punishable by a fine not to exceed one million dollars (\$1,000,000) for
10 each day the violation exists.
11 (d) In addition to the fines imposed pursuant to section (b), the court
12 may enjoin the operation of any business in violation of this section until
13 the violations of this section cease and all fines are paid.
14 (e) Paragraph (1) of subdivision (a) does not apply to either of the
15 following:
16 (1) A person who keeps an oceanic dolphin in captivity for the purpose
17 of medical treatment or rehabilitation with the intent to release the animal
18 back into the wild.
19 (2) A person who keeps an oceanic dolphin in captivity if the oceanic
20 dolphin has been in captivity within the state of California continuously
21 prior to January 1, 2015.

**Introduced by Members Representing the
Newport-Corona del Mar**

February 13, 2014
Referred to the Bowen Committee

An act to add Sections 23155 and 23574 to the California Vehicle Code, relating to drunk driving.

ABSTRACT

AB 115 makes it unlawful to ride in a car with a driver found to be under the influence of alcohol.

The people of the State of California do enact as follows:

1 SECTION 1. Section 23155 is added to the Vehicle Code, to read:

2 (a) It is unlawful for anyone to ride in a car being controlled by anyone
3 found in violation of Section 23152.

4 (1) Persons under the age of eighteen years old shall be exempt from
5 any fines, tickets or citations under this section.

6 (2) Passengers shall be cited, regardless of knowledge, based on the
7 blood alcohol content of the driver.

8

9 SEC. 2. Section 23574 is added to the Vehicle Code, to read:

10 (a) Any person found to be riding in a car with someone convicted of
11 violating section 23152 shall be required to pay a minimum fine of \$400
12 but not greater than \$600.

13 (1) \$100 shall be added to the fine for each offense following the first
14 offense, up to \$600.

15 (b) Failure to pay the fine will result in one of the following:

16 (1) 72 hours in county jail

17 (2) 100 hours of community service to be completed within 6 months
18 from the time of the citation.

**Introduced by Members Representing the
Palo Alto Family Branch of the
YMCA of Silicon Valley**

February 13, 2014
Referred to the McPherson Committee

An act to amend Section 49032 of the Education Code, relating to high school athletics.

ABSTRACT

AB 116 aims to alter today's mindset regarding rape, by addressing the education of athletes' role models, their coaches, to empower them to begin difficult and complex conversations regarding sexual violence and eventually lower the number of rapes committed by high school students.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 49032 of the Education Code is amended to read:
2 49032. (a) (1) Effective December 31, 2008, each high school sports
3 coach shall have completed a coaching education program developed by
4 his or her school district or the California Interscholastic Federation that
5 meets the guidelines set forth in Section 35179.1.
6 (2) *Commencing June 1, 2013, each high school sports coach taking or*
7 *renewing his or her first aid certification shall take additional training that*
8 *includes an understanding of sexual violence prevention.*
9 (2) (3) The coaching education program described by ~~paragraph (1)~~
10 *paragraphs (1) and (2)* may be taught by an athletic director or high school
11 sports coach who is deemed to be qualified by the California Interscholastic
12 Federation.
13 (b) Upon completion of the coaching education program, a high school
14 sports coach shall be deemed to have completed the education requirement
15 for the remainder of his or her time coaching at the high school level in any
16 school district in the state.
17 (c) Each high school sports coach shall be responsible for the costs of
18 taking the ~~course~~ *coaching education program*.
19 (d) The training requirements of this section shall count toward the
20 continuing education required for the renewal of the teaching credential of
21 a high school sports coach who is also a certificated employee.
22 (e) Notwithstanding subdivision (a), a high school sports coach who
23 does not meet the requirements of subdivision (a) may be used for no
24 longer than one season of interscholastic competition.
25 (f) For the purposes of this section, "high school sports coach" means
26 an employee or a volunteer who is authorized by a high school to be
27 responsible for leading a school sports team of pupil athletes.

**Introduced by Members Representing the
San Leandro Branch of the
YMCA of the East Bay**

February 13, 2014
Referred to the Mitchell Committee

An act to amend Section 39606 of the Health and Safety Code, relating to air quality standards.

ABSTRACT

AB 117 establishes public health criteria to be used in establishing localized air quality standards within currently established air basins. This bill also authorizes the California Air Resources Board and associated agencies to create more localized air quality standards taking into account various factors. This bill allows a city, county or local neighborhood to establish their own air quality standards.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares that the approach taken
2 in this act recognizes the need to address disparities in health outcomes
3 arising from air quality differences that have long been recognized to exist
4 at this geographical scale as well as respond to epidemiological research
5 that shows adverse health effects at lower pollution concentrations than
6 previously known.

7 SEC. 2. Section 39606 of the Health and Safety Code is amended to
8 read:

9 39606. (a) The state board shall do both of the following:

10 (1) Based upon similar meteorological and geographic conditions and
11 consideration for political boundary lines whenever practicable, divide the
12 state into air basins to fulfill the purposes of this division.

13 (2) Adopt standards of ambient air quality for each air basin in
14 consideration of the public health, safety, and welfare, including, but
15 not limited to, health, illness, irritation to the senses, aesthetic value,
16 interference with visibility, and effects on the economy. These standards
17 may vary from one air basin to another. Standards relating to health effects
18 shall be based upon the recommendations of the Office of Environmental
19 Health Hazard Assessment.

20 (b) In its recommendations for submission to the state board pursuant
21 to paragraph (2) of subdivision (a), the Office of Environmental Health
22 Hazard Assessment, to the extent that information is available, shall assess
23 the following:

1 (1) Exposure patterns, including, but not limited to, patterns determined
2 by relevant data supplied by the state board, among infants and children
3 that are likely to result in disproportionately high exposure to ambient air
4 pollutants in comparison to the general population.

5 (2) Special susceptibility of infants and children to ambient air pollutants
6 in comparison to the general population.

7 (3) The effects on infants and children of exposure to ambient air
8 pollutants and other substances that have a common mechanism of toxicity.

9 (4) The interaction of multiple air pollutants on infants and children,
10 including the interaction between criteria air pollutants and toxic air
11 contaminants.

12 *(c) Along with the criteria established in subdivision (b) as considerations*
13 *for air standards for an air basin, political subdivisions, including, but*
14 *not limited to, counties, cities, and local neighborhoods, within an air*
15 *basin shall follow sustainability standards that will be established by the*
16 *Office of Environmental Health Hazard Assessment and the California*
17 *Environmental Protection Agency.*

18 *(1) The Office of Environmental Health Hazard Assessment and*
19 *the California Environmental Protection Agency will have the right*
20 *to establish, alter, or repeal these sustainability standards at their own*
21 *discretion.*

22 *(2) Political subdivisions shall be assessed on their ability to follow*
23 *sustainability standards based on the evaluation of the state offices*
24 *regulating the standards.*

25 *(3) Political subdivisions may establish their own sustainability*
26 *standards that complement state standards, but do not supersede or*
27 *contradict them.*

28 *(4) Failure to follow standards set by state agencies may result in a*
29 *violation of air quality standards set in subdivision (b).*

30 ~~(c)~~ *(d)* In assessing the factors specified in subdivision (b), the office
31 shall use current principles, practices, and methods used by public health
32 professionals who are experienced practitioners in the field of human
33 health effects assessment. The scientific basis or scientific portion of the
34 method used by the office to assess the factors set forth in subdivision
35 (b) shall be subject to peer review as described in Section 57004 or in a
36 manner consistent with the peer review requirements of Section 57004.
37 Any person may submit any information for consideration by the entity
38 conducting the peer review, which may receive oral testimony.

39 ~~(d)~~ *(e)* (1) No later than December 31, 2000, the state board in consultation
40 with the office, shall review all existing health-based ambient air quality
41 standards to determine whether, based on public health, scientific literature,
42 and exposure pattern data, the standards adequately protect the health of
43 the public, including infants and children, with an adequate margin of
44 safety. The state board shall publish a report summarizing these findings.

45 (2) The state board shall revise the highest priority ambient air quality
46 standard determined to be inadequate to protect infants and children with

1 an adequate margin of safety, based on its report, no later than December
2 31, 2002. Following the revision of the highest priority standard, the state
3 board shall revise any additional standards determined to be inadequate to
4 protect infants and children with an adequate margin of safety, at the rate
5 of at least one per year. The standards shall be established at levels that
6 adequately protect the health of the public, including infants and children,
7 with an adequate margin of safety.

8 ~~(e)~~ *(f)* Nothing in this section shall restrict the authority of the state
9 board to consider additional information in establishing ambient air quality
10 standards or to adopt an ambient air quality standard designed to protect
11 vulnerable populations other than infants and children.

**Introduced by Members Representing the
East County Family Branch of the
YMCA of San Diego County**

February 13, 2014
Referred to the Shelley Committee

Assembly Joint Resolution No. 118, relative to the Gun Control Act of 1968.

ABSTRACT

Assembly Joint Resolution 118 urges Congress to propose an amendment to Section 922 (s)(1)(A)(ii)(II) of Title 18 of the United States Code to require background checks for the transfer of firearms.

- 1 *Resolved by the Assembly and Senate of the State of California, jointly,*
- 2 That the Legislature of the State of California respectfully memorializes
- 3 the Congress of the United States to propose an amendment to Section 922
- 4 (s)(1)(A)(ii)(II) of Title 18 of the United States Code, to read:
- 5 “The transferor has received notice from the chief law enforcement
- 6 officer that the officer has no information indicating that receipt or
- 7 possession of the handgun by the transferee would violate Federal, State,
- 8 or local law and that a clean background check from the National Instant
- 9 Criminal Background Check System has been returned to the transferor.”
- 10 *Resolved,* that the Chief Clerk of the Assembly transmit copies of
- 11 this resolution to the President and Vice-President of the United States,
- 12 to the Speaker of the House of Representatives, and to each Senator and
- 13 Representative from California in the Congress of the United States, and
- 14 to the Chief Clerk of the Legislature in each of the other forty-nine states.

**Introduced by Members Representing the
Peninsula Branch of the
YMCA of San Diego County**

February 13, 2014
Referred to the Jones Committee

An act to amend Section 51225.3 of the Education Code, relating to high school graduation requirements.

ABSTRACT

AB 119 requires pupils to take at least one year of an approved computer/technology class in high school to graduate.

The people of the State of California do enact as follows:

1 SECTION 1. Section 51225.3 of the Education Code is amended to
2 read:

3 81225.3. (a) A pupil shall complete all of the following while in grades
4 9 to 12, inclusive, in order to receive a diploma of graduation from high
5 school:

6 (1) At least the following numbers of courses in the subjects specified,
7 each course having a duration of one year, unless otherwise specified:

8 (A) Three courses in English.

9 (B) Two courses in mathematics.

10 (C) Two courses in science, including biological and physical sciences.

11 (D) Three courses in social studies, including United States history
12 and geography; world history, culture, and geography; a one-semester
13 course in American government and civics; and a one-semester course in
14 economics.

15 (E) One course in visual or performing arts, foreign language, or,
16 commencing with the 2012–13 school year, career technical education.

17 (i) For purposes of satisfying the requirement specified in this
18 subparagraph, a course in American Sign Language shall be deemed a
19 course in foreign language.

20 (ii) For purposes of this subparagraph, “a course in career technical
21 education” means a course in a district-operated career technical
22 education program that is aligned to the career technical model curriculum
23 standards and framework adopted by the state board, including courses
24 through a regional occupational center or program operated by a county
25 superintendent of schools or pursuant to a joint powers agreement.

26 (iii) This subparagraph does not require a school or school district that
27 currently does not offer career technical education courses to start new
28 career technical education programs for purposes of this section.

1 (iv) If a school district or county office of education elects to allow a
2 career technical education course to satisfy the requirement imposed by
3 this subparagraph, the governing board of the school district or county
4 office of education, before offering that alternative to pupils, shall notify
5 parents, teachers, pupils, and the public at a regularly scheduled meeting
6 of the governing board of all of the following:

7 (I) The intent to offer career technical education courses to fulfill the
8 graduation requirement specified in this subparagraph.

9 (II) The impact that offering career technical education courses, pursuant
10 to this subparagraph, will have on the availability of courses that meet the
11 eligibility requirements for admission to the California State University
12 and the University of California, and whether the career technical
13 education courses to be offered pursuant to this subparagraph are approved
14 to satisfy those eligibility requirements. If a school district elects to allow
15 a career technical education course to satisfy the requirement imposed by
16 this subparagraph, the school district shall comply with subdivision (m) of
17 Section 48980.

18 (III) The distinction, if any, between the high school graduation
19 requirements of the school district or county office of education, and the
20 eligibility requirements for admission to the California State University
21 and the University of California.

22 (F) Two courses in physical education, unless the pupil has been
23 exempted pursuant to the provisions of this code.

24 (G) *To fulfill the proper graduation requirements in the public high*
25 *school system, California students enrolling in a public high school for*
26 *the 2016-17 year are mandated to complete one year of a Computer/*
27 *Technology course in the new G category of the A-G requirements in*
28 *subparagraph A-G of this section. The type of Computer/Technology*
29 *courses required will be instituted by the California Board of Education,*
30 *as decided by the University of California Office of the President (UCOP).*
31 *The UCOP determines the courses that meet the A-G requirements for*
32 *graduation. The California Board of Education determines which classes*
33 *are to be implemented into the curriculum given the necessary resources*
34 *such as teachers with the proper credentials, equipment and coursework.*

35 (H) *This bill will become effective on January 1, 2016.*

**Introduced by Members Representing the
Buchanan Branch of the
YMCA of San Francisco**

February 13, 2014
Referred to the Miller Committee

An act to add Section 58651.1 to the Food and Agricultural Code, relating to the marketing of food products.

ABSTRACT

AB 120 amends California Law to prohibit the predatory marketing of unhealthy food to minors in areas frequented by minors.

The people of the State of California do enact as follows:

1 SECTION 1. Section 58651.1 is added to the Food Agricultural Code,
2 to read:

3 58651.1. The predatory marketing of unhealthy food products to minors
4 in areas frequented by minors is hereby prohibited in accordance with all
5 of the following:

6 (a) The California Department of Alcohol Beverage Control will
7 oversee enforcement of marketing to minors.

8 (b) A violation of this code section shall include the following fines to be
9 paid to the state of California: For first time offenses a fine of \$100,000.00
10 with a concurrent daily fine of \$1,000.00 to be paid each day after receipt
11 of the notice of violation until the marketing or advertisement is removed.
12 For second offenses, a fine of \$500,000.00 with a concurrent daily fine of
13 \$1,000.00 to be paid each day after receipt of the notice of violation until
14 the marketing or advertisement is removed. For each third and subsequent
15 offense, a fine of \$1,000,000.00 with a concurrent daily fine of \$1,000.00
16 to be paid each day after receipt of the notice of violation.

17 (c) (1) The proceeds of these fines shall be redistributed as follows:

18 (A) One-Third of all proceeds going to non-profit organizations offering
19 programing to youths.

20 (B) One-Third of all proceeds going to public health education programs.

21 (C) One-Third of all proceeds going to the Covered California Universal
22 Healthcare program.

23 (2) The proceeds shall be returned to the aforementioned organizations
24 based on the county in which the fine was originally collected.

25 (d) For the purpose of enforcement and application of this section, the
26 following definitions shall apply:

1 (1) “Predatory Marketing” shall be defined as any marketing or
2 advertisement which is designed to entice a distinct subsection of the
3 population.

4 (2) “Unhealthy Food” shall be defined as any product for consumption,
5 either food or beverage, which is of little, no, or questionable nutritional
6 value, including but not limited to, candy, sugar sweetened beverages, fast
7 food, and processed foods.

8 (3) “Minors” shall be defined as individuals under the age of eighteen
9 (18) years old.

10 (4) “Areas frequented by minors” shall be defined as areas known to
11 have a high volume of minors at any given time, including but not limited
12 to, school zones, parks, religious organizations, hubs of local public
13 transportation, libraries, and other areas where programs for youths are
14 offered.

15 (5) “Advertisement or Marketing” shall be defined as the showing
16 of products to be sold, and shall include, but is not limited to, print
17 advertisements, bill boards, bus stop inserts, in store advertisements, and
18 other similar advertisements. This is not including electronic or television
19 commercial advertisements.

**Introduced by Members Representing the
Mission Delegation of the
YMCA of San Francisco**

February 13, 2014
Referred to the Fong Eu Committee

An act to amend Section 114377 of the Health and Safety Code, relating to trans fats.

ABSTRACT

AB 121 prohibits public school cafeterias from serving foods containing trans fats, including prepackaged foods.

The people of the State of California do enact as follows:

1 SECTION 1. Section 114377 of the Health and Safety Code is amended
2 to read: 114377. (a) Every food facility shall maintain on the premises
3 the label for any food or food additive that is, or includes, any fat, oil, or
4 shortening, for as long as this food or food additive is stored, distributed
5 or served by, or used in the preparation of food within, the food facility.
6 The label described in this subdivision refers to the label that is required
7 by applicable federal and state law to be on the food or food additive at the
8 time of purchase by the food facility.

9 (b)(1) Commencing January 1st, 2010, no oil, shortening or margarine
10 containing artificial trans fat for use in spreads or frying except for the
11 deep frying of yeast dough or cake batter, may be stored, distributed, or
12 served by, or used in the preparation of any food within, a food facility.

13 (2) Commencing January 1, 2011, no food containing artificial trans fat,
14 including oil and shortening that contains artificial trans fat for use in the
15 deep frying of yeast dough or cake batter, may be stored, distributed, or
16 served by, or used in preparation of any food within, a food facility.

17 (c) Subdivision (b) shall not apply to food sold or served in a
18 manufacturer's original, sealed package. *unless served in a public*
19 *elementary, middle, junior high, or high school cafeteria.*

20 (d) For purposes of this section, a food contains artificial trans fat if the
21 food contains vegetable shortening, margarine, or any kind of partially
22 hydrogenated vegetable oil, unless the label required on the food, pursuant
23 to applicable federal and state law, lists the trans fat content as less than
24 0.5 grams per serving.

25 ~~(e) This section shall not apply to public elementary, middle, junior~~
26 ~~high, or high school cafeterias.~~

27 (f) *(e)* Notwithstanding Section 114395, a violation of this section shall
28 be punishable by a fine of not less than twenty-five dollars (\$25) or more
29 than one thousand dollars (\$1,000).

**Introduced by Members Representing the
South Pasadena San Marino Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Brown Committee

An act to amend Section 11218 of the Health and Safety Code, relating to controlled substances.

ABSTRACT

AB 122 legalizes the prescription and use of Ibogaine under the supervision of a medical doctor, for the purpose of treatment against addiction.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 11218 of the Health and Safety Code is amended,
- 2 to read:
- 3 A physician treating an addict for addiction may not prescribe for
- 4 or furnish to the addict more than any one of the following amounts of
- 5 controlled substances during each of the first 15 days of that treatment:
- 6 (a) Eight grains of opium.
- 7 (b) Four grains of morphine.
- 8 (c) Six grains of Pantopon.
- 9 (d) One grain of Dilaudid.
- 10 (e) Four hundred milligrams of isonipecaine (Demerol).
- 11 (f) *Twenty milligrams per kilogram body weight of Ibogaine.*

**Introduced by Members Representing the
Southeast Rio Vista Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Sullivan Committee

Assembly Joint Resolution 123, relative to Super Political Action Committees (PACs).

ABSTRACT

AJR 123 urges Congress to reinstate the Bipartisan Campaign Reform Act of 2002 after the Citizen United v. Federal Election Commission ruling.

1 WHEREAS the United States has historically prevented corporate
2 interest from unduly influencing federal elections through fairness of
3 opportunity precedential in the Taft Hartley Act of 1947; and

4 WHEREAS the Bipartisan Campaign Reform Act normalizes political
5 elitism and hyperplurality; and

6 WHEREAS corporations should not hold voter rights as interest groups;
7 and

8 WHEREAS contributors to the 2012 presidential campaigns donated
9 millions of dollars, inflating advantages and leading to wasted resources;
10 and

11 WHEREAS Super PACs funding President Obama's campaign
12 are irresponsibly being allocated for objectives furthering the Obama
13 administration's agenda; now therefore, be it

14 *Resolved by the Assembly and the Senate of the State of California, jointly,*
15 *that the Legislature of the State of California respectfully memorializes the*
16 *Congress of the United States to propose a reevaluation of The Bipartisan*
17 *Campaign Reform Act of 2002 and a reversal of the 2010 Supreme Court*
18 *decision in Citizens United v. Federal Election Commission, in order to*
19 *prevent the existence of organizations and committees organized under*
20 *Section 527 of the Internal Revenue Code; and be it further*

21 *Resolved, that the Chief Clerk of the Assembly transmit copies of this*
22 *resolution to the Speaker of the House of Representatives, the President*
23 *Pro-Tempore of the United States Senate, and to each Senator and Repre-*
24 *sentative from California in the Congress of the United States, and to the*
25 *Chief Clerk of the Legislature in each of the other forty-nine states.*

**Introduced by Members Representing the
San Pedro Delegation of the
San Pedro & Peninsula Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Jordan Committee

An act to add Section 42391 to the Public Resources Code, relating to recycling.

ABSTRACT

AB 124 prohibits restaurants and food businesses from distributing any prepared food in polystyrene containers.

The people of the State of California do enact as follows:

1 SECTION 1. Section 42391 of the Public Resources Code is added to
2 read:

3 42391. (a) Beginning on January 1, 2016, restaurants and food
4 businesses shall be prohibited from selling, purchasing or distributing any
5 products in polystyrene containers.

6 (b) Between January 1, 2015 and January 1, 2016, any privately
7 owned restaurant or food business that returns their previously purchased
8 polystyrene products to the distributor of the polystyrene shall be entitled
9 to a full refund if they return the products with a return receipt.

10 (c) Polystyrene products discussed in subdivision (b) must be returned
11 to distributor in the same condition that they were purchased in.

12 (d) Distributors of polystyrene who have to refund polystyrene returns
13 shall be entitled to a tax credit equal to fifty (50) % of the sum of returned
14 products.

15 (e) Between January 1, 2015 and January 1, 2016, any privately owned
16 restaurant or food business that purchases corn based plastic products shall
17 be entitled to a tax credit equal to the taxes paid on the corn based plastic
18 products. A privately owned restaurant or food business shall be required
19 to submit a receipt of purchase in order to collect the tax credit.

20 (f) Between January 1, 2015 and January 1, 2016, any corporate
21 restaurant company or organization that purchases corn based plastic
22 products shall be entitled to a tax credit equal to fifty (50) % of their total
23 costs for the corn based plastic products. A privately owned restaurant or
24 food business shall be required to submit a receipt of purchase in order to
25 collect the tax credit.

**Introduced by Members Representing the
Valle Lobo Delegation of the
San Ramon Valley Branch of the
YMCA of the Central Bay Area**

February 13, 2014
Referred to the Peek Committee

An act to add Section 21208.1 of the Vehicle Code, relating to bicycles.

ABSTRACT

AB 125 requires bicyclists to use a designated crosswalk when making left hand turns.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 21208.1 is added to the Vehicle Code, to read:
2 21208.1 (a) Notwithstanding Sections 21202 and 21208, whenever a
3 bicycle lane has been established on a roadway pursuant to Section 21207,
4 any person operating a bicycle upon the roadway at a speed less than the
5 normal speed of traffic moving in the same direction at that time shall
6 proceed to a crosswalk entrance, dismount the bicycle, and walk across
7 when safe to do so in order to make a left turn.
8 (b) If there is no bicycle lane, the person shall still proceed to a
9 crosswalk entrance, dismount the bicycle, and walk across when safe to do
10 so in order to make a left turn.
11 (c) If there is no visible crosswalk entrance, the person shall proceed to
12 the nearest intersection, dismount the bicycle, and walk across when safe
13 to do so in order to make a left turn.

**Introduced by Members Representing the
Vista Diablo Delegation of the
San Ramon Valley Branch of the
YMCA of the Central Bay Area**

February 13, 2014
Referred to the Curry Committee

An act to add a section to the retail food code related to dietary needs menus in restaurants.

ABSTRACT

AB 126 to require restaurants with four or more establishments to provide a nutritious dietary needs menu.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 113725.5 is added to the Health and Safety Code,
- 2 to read:
- 3 113725.5. (a) All sit-down restaurants with four or more locations
- 4 within the state that provide table service are required to provide nutritious
- 5 meal options for customers with dietary needs, including, but not limited
- 6 to, gluten-free, lactose-free, vegan, and vegetarian meal options.
- 7 (b) If a restaurant has four or more sit-down establishments, all other
- 8 branches then qualify. A restaurant subject to this section shall implement
- 9 these dietary needs menu choices within twelve months of the enactment
- 10 of this section.
- 11 (c) As used in this section:
- 12 (1) "Table service" means a restaurant where food orders are taken at a
- 13 table and served back to the customer at the table.
- 14 (2) "Nutritious meal" has the same definition as defined in federal law.
- 15 (3) "Gluten-free meal" is a meal that excludes foods containing gluten,
- 16 including but not limited to, wheat, barley, rye, and triticale.
- 17 (4) "Lactose-free meal" is a meal that excludes any food produced from
- 18 the milk of mammals, including but not limited to, milk, cheese, butter,
- 19 yogurt, casein, clabber, gelato, and ice cream.
- 20 (5) "Vegan meal" is a meal that excludes any products produced by
- 21 animals including, but not limited to, dairy products, honey, eggs, gelatin,
- 22 lard, bone, and meat, including fish.

**Introduced by Members Representing the
Tri-Valley Branch of the
YMCA of the East Bay**

February 13, 2014
Referred to the Hart Committee

An act to amend Section 3301 of the Unemployment Insurance Code, relating to family temporary insurance disability.

ABSTRACT

AB 127 expands the state mandated compensation for family disability leave from 6 weeks to 12 weeks, giving the employee the option of receiving 55% weekly benefited amount of pay for 12 weeks with no work or 75% weekly benefited amount of pay for 12 weeks while working half of the employee's regular hours.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3301 of Unemployment Insurance Code is
2 amended to read:

3 3301. (a)(1) The purpose of this chapter is to establish, within the state
4 disability insurance program, a family temporary disability insurance
5 program. Family temporary disability insurance shall provide up to six
6 twelve weeks of wage replacement benefits to workers who take time off
7 work to care for a seriously ill child, spouse, parent, domestic partner, or
8 to bond with a minor child within one year of the birth or placement of the
9 child in connection with foster care or adoption.

10 (2) Nothing in this chapter shall be construed to abridge the rights and
11 responsibilities conveyed under the CFRA or pregnancy disability leave.

12 (b) An individual's "weekly benefit amount" shall be the amount
13 provided in Section 2655. An individual is eligible to receive family
14 temporary disability insurance benefits equal to one-seventh of his or her
15 weekly benefit amount for each full day during which he or she is unable to
16 work due to caring for a seriously ill or injured family member or bonding
17 with a minor child within one year of the birth or placement of the child in
18 connection with foster care or adoption.

19 (c) *When pertaining to family temporary disability insurance; the*
20 *person shall have the option of receiving 55 percent or their weekly wage*
21 *for twelve weeks with no work, or 75 percent of their weekly wage for*
22 *twelve weeks while working half of their regular hours. The decision*
23 *between the two options must be made and signed into contract with the*
24 *employer prior to disability leave.*

- 1 ~~(e)~~ (d) The maximum amount payable to an individual during any
2 disability benefit period for family temporary disability insurance shall be
3 ~~six~~ *55 percent of twelve* times his or her “weekly benefited amount” *for*
4 ~~no work or 75 percent of twelve times his or her “weekly benefit amount”~~
5 *for work for half of regular hours*, but in no case shall the total amount of
6 benefits payable be more than the total wages paid to the individual during
7 his or her disability base period. If the benefit is not a multiple of one dollar
8 (\$1), it shall be computed to the next higher multiple of one dollar (\$1).
- 9 ~~(d)~~ (e) No more than ~~six~~ *twelve* weeks of family temporary disability
10 insurance benefits shall be paid within any 12-month period.
- 11 ~~(e)~~ (f) An individual shall file a claim for family temporary disability
12 insurance benefits not later than the 41st consecutive day following the
13 first compensable day with respect to which the claim is made for benefits,
14 which time shall be extended by the department upon a showing of
15 good cause. The claim must include which option of compensation the
16 employee is receiving. If a first claim is not complete, the claim form shall
17 be returned to the claimant for completion and it shall be completed and
18 returned not later than the 10th consecutive day after the date it was mailed
19 by the department to the claimant, except that such time shall be extended
20 by the department upon a showing of good cause.

**Introduced by Members Representing the
Triunfo Branch of the
Southeast Ventura County YMCA**

February 13, 2014
Referred to the Waite Committee

An act to amend Section 119405 of the Health and Safety Code, relating to electronic cigarettes.

ABSTRACT

AB 128 requires that in order to purchase and receive electronic cigarettes online, a California state resident must present proper identification proving him or herself to be 18 years of age or older.

The people of the State of California do enact as follows:

1 SECTION 1. Section 119405 of the Health and Safety Code is amended
2 to read:

3 119405. (a) To the extent not preempted by federal law, including, but
4 not limited to, the regulation of electronic cigarettes by the United States
5 Food and Drug Administration, it shall be unlawful for a person to sell or
6 otherwise furnish an electronic cigarette, as defined in subdivision-(b), (c)
7 to a person under 18 years of age.

8 (b) *A California state resident must present a valid, state-issued*
9 *identification proving that the recipient is 18 years of age or older when*
10 *receiving an electronic cigarette package via mail order. Should the*
11 *identification be inaccurate or not available, purchaser will not receive*
12 *the package or receive a refund, thereby preventing the sale of electronic*
13 *cigarettes to minors over the internet.*

14 ~~(b)-(c)~~ “Electronic cigarette” means a device that can provide an
15 inhalable dose of nicotine by delivering a vaporized solution.

16 ~~(c)~~ (d) A violation of this section shall be an infraction punishable by
17 a fine not exceeding two hundred dollars (\$200) for the first violation, by
18 a fine not exceeding five hundred dollars (\$500) for the second violation,
19 or by a fine not exceeding one thousand dollars (\$1,000) for a third or
20 subsequent violation.

21 ~~(d)-(e)~~ Nothing in this section nor any other law shall be construed to
22 invalidate an existing ordinance of, or prohibit the adoption of an ordinance
23 by, a city or county that regulates the distribution of electronic cigarettes
24 in a manner that is more restrictive than this section, to the extent that the
25 ordinance is not otherwise prohibited by federal law.

**Introduced by Members Representing the
Verdugo Hills Branch of the
YMCA of the Foothills**

February 13, 2014
Referred to the Bowen Committee

An act to amend Section 442.5 of the Health and Safety Code, relating to assisted suicide.

ABSTRACT

AB 129 legalizes the consumption of a euthanasia drug for diagnosed terminally ill patients.

The people of the State of California do enact as follows:

1 SECTION 1. Section 442.5 of the Health and Safety Code is amended
2 to read:

3 442.5. When a health care provider makes a diagnosis that a patient has
4 a terminal illness, the health care provider shall, upon the patient's request,
5 provide the patient with comprehensive information and counseling
6 regarding legal end-of-life care options pursuant to this section. When a
7 terminally ill patient is in a health facility, as defined in Section 1250, the
8 health care provider, or medical director of the health facility if the patient's
9 health care provider is not available, may refer the patient to a hospice
10 provider or private or public agencies and community-based organizations
11 that specialize in end-of-life care case management and consultation to
12 receive comprehensive information and counseling regarding legal end-
13 of-life care options. *If the patient's doctor diagnoses the patient with six*
14 *months or less to live, the patient may request assisted suicide.*

15 (a) If the patient indicates a desire to receive the information and
16 counseling, the comprehensive information shall include, but not be
17 limited to, the following:

18 (1) Hospice care at home or in a health care setting.

19 (2) A prognosis with and without the continuation of disease-targeted
20 treatment.

21 (3) The patient's right to refusal of or withdrawal from life-sustaining
22 treatment.

23 (4) The patient's right to continue to pursue disease-targeted treatment,
24 with or without concurrent palliative care.

25 (5) The patient's right to comprehensive pain and symptom management
26 at the end of life, including, but not limited to, adequate pain medication,
27 treatment of nausea, palliative chemotherapy, relief of shortness of breath

1 and fatigue, and other clinical treatments useful when a patient is actively
2 dying.

3 (6) The patient's right to give individual health care instruction pursuant
4 to Section 4670 of the Probate Code, which provides the means by which
5 a patient may provide written health care instruction, such as an advance
6 health care directive, and the patient's right to appoint a legally recognized
7 health care decision maker.

8 (b) The information described in subdivision (a) may, but is not required
9 to, be in writing. Health care providers may utilize information from
10 organizations specializing in end-of-life care that provide information on
11 factsheets and Internet Web sites to convey the information described in
12 subdivision (a).

13 (c) Counseling may include, but is not limited to, discussions about the
14 outcomes for the patient and his or her family, based on the interest of the
15 patient. Information and counseling, as described in subdivision (a), may
16 occur over a series of meetings with the health care provider or others who
17 may be providing the information and counseling based on the patient's
18 needs.

19 (d) The information and counseling sessions may include a discussion
20 of treatment options in a manner that the patient and his or her family
21 can easily understand. If the patient requests information on the costs of
22 treatment options, including the availability of insurance and eligibility
23 of the patient for coverage, the patient shall be referred to the appropriate
24 entity for that information.

25 *(e) If the patient is diagnosed with six months or less to live and has*
26 *requested assisted suicide, the patient shall follow all of the following*
27 *requirements in order to be considered as a candidate for the euthanasia*
28 *drug:*

29 *(1) The patient shall obtain two doctor's opinions, at least one from a*
30 *psychiatrist after attending end-of-life care.*

31 *(2) The patient is required to obtain a mental screening, performed by*
32 *both doctors, in order to deem whether the patient mentally stable, and*
33 *capable of requesting assisted suicide.*

34 *(3) The patient shall have been attending, or have begun to attend,*
35 *weekly sessions with a psychiatrist who will assess the patient's mental*
36 *health and stability in order to make sure the patient is not going through*
37 *a period of depression.*

38 *(4) The patient's immediate family shall attend at least one session with*
39 *the psychiatrist, and be made aware of the process.*

40 *(5) At this point in time, the prescribing doctor will no longer be held*
41 *civily or criminally liable for prescribing lethal doses of the drug.*

42 *(6) The patient has to be able to self-administer the euthanasia*
43 *drug, which consists of a lethal dose of a combination of nine grams of*
44 *secobarbital in capsules and 10 grams pentobarbital in a liquid form that*
45 *is to be consumed at the same time.*

1 (f) The patient is required to meet and follow all requirements stated
2 in subdivision (e) to be permitted access to the euthanasia drug to be
3 administered with the following restrictions:

4 (1) The patient is required to consume the euthanasia drug in a hospital
5 or hospice care facility.

6 (2) Once the euthanasia drug is prescribed, the patient has a maximum
7 of 24 hours to ingest the drug. If it is not ingested during that time period,
8 the drug is required to be returned to the psychiatrist who will dispose of
9 the drug. In order to receive the euthanasia drug a second time, the patient
10 shall undergo a three week renewal process.

11 (g) If the patient is taking the euthanasia drug in a hospice care facility,
12 the facility is required to follow these requirements:

13 (1) Psychiatrists are to be present when the euthanasia drug is self-
14 administered in order to pronounce the patient's time of death and alert
15 paramedics.

16 (2) Once the patient is pronounced dead, the psychiatrist or doctor
17 present shall inform the paramedics of the patient's ingestion of the
18 euthanasia drug. A mortician of the family's choice or an ambulance shall
19 be used to retrieve the patient's body.

**Introduced by Members Representing the
Weingart Urban Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the McPherson Committee

An act to add Section 44252.10 to the Education Code, relating to teachers.

ABSTRACT

AB 130 requires a teacher applying for a teaching credential to complete additional training requirements related to dropout prevention and dealing with challenging pupils within the public school system. The bill imposes a one-half cent increase in the excise tax on tobacco products to pay for the additional training, as specified.

The people of the State of California do enact as follows:

1 SECTION 1. Section 44252.10 is added to the Education Code, to read:

2 (a)(1) An applicant for a teaching credential shall complete an
3 additional training course designed to deal with challenging pupils and
4 after obtaining a completion certificate, shall complete, at least three times
5 a year, a training course on dealing with challenging pupils.

6 (2) Teachers shall take an evaluation exam at the beginning of the
7 program and shall annually enroll and participate in three mandatory
8 workshops that extend teaching credentials.

9 (3) The workshops shall be online, interactive, and available year-round
10 through the www.virtualeduc.com Internet Web site, which has affordable
11 and proven curricula for advanced classroom management.

12 (4) The workshops are intended to give teachers the capacity to serve
13 difficult and challenging pupils.

14 (5) The workshops shall address dropout rates of pupils with a history
15 of misbehavior.

16 (6) The state board shall establish seasonal deadlines for attending the
17 mandatory workshops.

18 (b)(1) Each school shall be responsible for ensuring that its teachers
19 meet the workshop requirements of the program. The school shall provide
20 substitute instructors, as necessary, to permit teachers to complete the
21 required online training.

22 (2) Each school shall be responsible for ensuring that its teachers do not
23 miss more than two of the required workshops.

24 (c) A one-half cent (\$.005) increase in the excise tax on tobacco products
25 is proposed to fund the program.

26 (d) Notwithstanding Section 13340 of the Government Code, the funds
27 raised by the subdivision (c) shall be placed into the Teachers Online
28 Training Fund, which is hereby established, and continuously appropriated
29 to fund the cost of the online and other workshops required by this section.

**Introduced by Members Representing the
Westchester Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Mitchell Committee

An act to amend Section 66205 of the Education Code, relating to postsecondary education.

ABSTRACT

AB 131 states the intent of the Legislature that the governing boards of the University of California and the California State University ensure race, ethnicity, name, and religion are not considered in determining the standards and criteria for undergraduate and graduate admissions to the University of California and the California State University.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 66205 of the Education Code is amended to read:
2 66205. (a) In determining the standards and criteria for undergraduate
3 and graduate admissions to the University of California and the California
4 State University, it is the intent of the legislature that the governing boards
5 do all of the following:
6 (1) Develop processes which strive to be fair and are easily
7 understandable.
8 (2) Consider the use of criteria and procedures that allow students
9 to enroll who are otherwise fully eligible and admissible but who have
10 course deficiencies due to circumstances beyond their control, and, when
11 appropriate, provide that the admission requires the student to make up the
12 deficiency.
13 (3) Consult broadly with California's diverse ethnic and cultural
14 communities.
15 (4) *Ensure that race, ethnicity, name, and religion are not considered in*
16 *order to eliminate any form of discrimination.*
17 (b) It is the intent of the Legislature that the University of California
18 and the California State University, pursuant to Section 66201.5, seek to
19 enroll a student body that meets high academic standards and reflects the
20 cultural, racial, geographic, economic, and social diversity of California.

**Introduced by Members Representing the
Westside Family Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Shelley Committee

Assembly Joint Resolution No. 132, relative to blood and organ donation.

ABSTRACT

AJR 132 urges Congress to prohibit discrimination against individuals, on the basis of sexual orientation, who wish to donate blood or organs.

WHEREAS, The Constitution of the United States states that all men
1 are created equal and Americans now concur that it is “all men and women
2 are created equal”; and
3 WHEREAS, There are now laws and policies regarding equality
4 between sexual orientations to provide equal opportunity and access to all
5 rights; now therefore, be it
6 *Resolved by the Assembly and the Senate of the State of California,*
7 *jointly,* that the Legislature of the State of California respectfully
8 memorializes the Congress of the United States to pass legislation that
9 would repeal the Food and Drug Administration regulation that bans men
10 who have had sex with another man anytime since 1977 to donate blood or
11 organs; and be it further
12 *Resolved* that all men regardless of sexual orientation are allowed to
13 donate blood or organs; and be it further
14 *Resolved,* That the Chief Clerk of the Assembly transmit copies of this
15 resolution to the Speaker of the House of Representatives, the President
16 Pro-Tempore of the United States Senate, and to each Senator and
17 Representative from California in the Congress of the United States, and
18 to the Chief Clerk of the Legislature in each of the other forty-nine states.
19

**Introduced by Members Representing the
Palisades-Malibu Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Hendricks Committee

An act to add Section 21722 to the Vehicle Code, relating to lane splitting.

ABSTRACT

AB 133 prohibits lane splitting on all official roads in California and exempts police and emergency vehicles from this prohibition.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the following:
2 (a) That California is the only state that currently allows lane splitting.
3 (b) That 37.25% of vehicle drivers disapprove of lane splitting in
4 California.
5
6 SEC. 2. Section 21722 is added to the Vehicle Code, to read:
7 21722. (a) Lane splitting is prohibited in all official roads, highways,
8 and residential areas.
9 (b) This law does not apply to police and emergency vehicles.
10 (c) A motorcyclist who violates subdivision (a) shall receive a fine on his
11 or her first offense. On the second offense, the motorcyclist shall receive an
12 additional fine and a minimum of 20 hours of community service. On the
13 third offense, the motorcyclist's license shall be suspended for a minimum
14 of 60 days.
15 (d) For purposes of this section, "lane splitting" means the process of a
16 motorcyclist riding between lanes of stopped or slower moving traffic or
17 moving between lanes to the front of traffic stopped at a traffic light.

**Introduced by Members Representing the
Magdalena Ecke Branch of the
YMCA of San Diego County**

February 13, 2014
Referred to the Jones Committee

An act to amend Section 14504 of, and to add Section 14560 to, the Public Resources Code, relating to beverage containers

ABSTRACT

AB 134 Imposes a tax of 5 percent (5%) on the purchase of High-Density Polyethylene milk containers, with all the revenue to be used to fund the research alternative energy.

The people of the State of California do enact as follows:

- 1 SECTION 1. 14504.(a) Except as provided in subdivision (b),
2 “beverage” means any of the following products if those products are in
3 liquid, ready-to-drink form, and are intended for human consumption:
4 (1) Beer and other malt beverages.
5 (2) Wine and distilled spirit coolers.
6 (3) Carbonated water, including soda and carbonated mineral water.
7 (4) Noncarbonated water, including noncarbonated mineral water.
8 (5) Carbonated soft drinks.
9 (6) Noncarbonated soft drinks and “sport” drinks.
10 (7) Except as provided in paragraph (4) of subdivision (b),
11 noncarbonated fruit drinks that contain any percentage of fruit juice.
12 (8) Coffee and tea drinks.
13 (9) Carbonated fruit drinks.
14 (10) Vegetable juice in beverage containers of 16 ounces or less.
15 (11) Milk
16 (b) “Beverage” does not include any of the following:
17 (1) Any product sold in a container that is not an aluminum beverage
18 container, a glass container, a plastic beverage container, or a bimetal
19 container.
20 (2) Wine, or wine from which alcohol has been removed, in whole or
21 in part, whether or not sparkling or carbonated.
22 (3) ~~Milk~~, medical food, or infant formula.
23 (4) One hundred percent fruit juice in containers that are 46 ounces or
24 more in volume.
25 14560. (a) (1) Except as provided in paragraph (3), a beverage distributor
26 shall pay the department, for deposit into the fund, a redemption payment

1 of four cents (\$0.04) for a beverage container sold or offered for sale in this
2 state by the distributor.

3 (2) A beverage container with a capacity of 24 fluid ounces or more
4 shall be considered as two beverage containers for purposes of redemption
5 payments paid pursuant to paragraph (1).

6 (3) The amount of the redemption payment and refund value for a
7 beverage container with a capacity of less than 24 fluid ounces sold or
8 offered for sale in this state by a dealer shall equal five cents (\$0.05),
9 and the amount of redemption payment and refund value for a beverage
10 container with a capacity of 24 fluid ounces or more shall be ten cents
11 (\$0.10), if the aggregate recycling rate reported pursuant to Section 14551
12 for all beverage containers subject to this division is less than 75 percent
13 for the 12-month reporting period from January 1, 2006, to December 31,
14 2006, or for any calendar year
15 thereafter.

16 (b) Except as provided in paragraph (3) of subdivision (a), a beverage
17 container sold or offered for sale in this state has a refund value of four
18 cents (\$0.04) if the beverage container has a capacity of less than 24 fluid
19 ounces and eight cents (\$0.08) if the beverage container has a capacity of
20 24 fluid ounces or more.

21 (c) This section does not apply to a refillable beverage container.

22 (4) *Impose a tax on the purchase of fluid, High-Density Polyethylene*
23 *milk containers of five percent (5%). The revenue from this tax will solely*
24 *be allocated toward the research, development, and implementation of*
25 *alternative energy sources. This money will be stored in The California*
26 *State HDPE Energy Endowment Fund.*

27 (b) *The California State HDPE Energy Endowment Fund will be*
28 *established. It will have it main source of contribution as the five percent*
29 *(5%) taxation on High Density Polyethylene milk jugs.*

**Introduced by Members Representing the
South Valley Branch of the
YMCA of Silicon Valley**

February 13, 2014
Referred to the Miller Committee

An act to add section 51247 to the education code, referring to school exemptions.

ABSTRACT

AB 135 allows students to be exempted from taking a high school government class if they complete a year of the California YMCA Model Legislature and Court.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 51247 of the Education Code is amended as
- 2 follows:
- 3 *51247. The governing board of a school district may exempt any four-*
- 4 *year or senior high school pupil from attending courses of Principles of*
- 5 *American Democracy, if the pupil is engaged in at least one full year of the*
- 6 *California YMCA Model Legislature and Court program.*

**Introduced by Members Representing the
Santa Anita Family Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Fong Eu Committee

An act to add Sections 60412 and 60413 to the Education Code, relating to electronic textbooks.

ABSTRACT

AB 136 changes the distribution of textbooks from paper to electronic versions and requires districts to distribute electronic readers in high schools.

The people of the State of California do enact as follows:

- 1 SECTION 1. . Section 60412 of the Education Code is added to read:
2 60412. In lieu of providing physical textbooks, the district board of
3 each high school district shall purchase electronic textbooks for the use
4 of pupils and shall purchase electronic reading devices as a means to
5 view said textbooks. The State of California shall use funds set aside for
6 maintaining textbooks to purchase a state-approved electronic reader. The
7 high school district shall assess a fee upon a pupil if an electronic reader is
8 not returned or is returned damaged.
9
10 SEC. 2. Section 60413 of the Education Code is added to read:
11 60413. Each high school district shall enact a plan to provide electronic
12 readers as provided in Section 60412 to ensure that all paper textbooks are
13 replaced with electronic textbooks by January 1, 2020.

**Introduced by Members Representing the
Albany Branch of the
YMCA of the Central Bay Area**

February 13, 2014
Referred to the Thompson Committee

An act to amend Section 17041 of the Revenue and Taxation Code, relating to the income taxation of minors.

ABSTRACT

AB 151 prohibits the taxation of minor's income when it is under \$30,000.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17041 of the Revenue and Taxation Code is
2 amended to read:

3 17041. (a) (1) There shall be imposed for each taxable year upon the
4 entire taxable income of every resident of this state who is not a part-year
5 resident, except the head of a household as defined in Section 17042, taxes
6 in the following amounts and at the following rates upon the amount of
7 taxable income computed for the taxable year as if the resident were a
8 resident of this state for the entire taxable year and for all prior taxable
9 years for any carryover items, deferred income, suspended losses, or
10 suspended deductions

11 If the taxable income is:	The tax is:
12 Not over \$3,650	1% of the taxable
13 income	

14 Over \$3,650 but not over \$8,650	\$36.50 plus 2% of
15 the excess over \$3,650	

16 Over \$8,650 but not over \$13,650	\$136.50 plus 4% of
17 the excess over \$8,650	

18 Over \$13,650 but not over \$18,950	\$336.50 plus 6% of
19 the excess over \$13,650	

20 Over \$18,950 but not over \$23,950	\$654.50 plus 8% of
21 the excess over \$18,950	

22 Over \$23,950	\$1,054.50 plus 9.3% of
23 the excess over \$23,950	

24 (2) For taxable years beginning on or after January 1, 2009, and before
25 January 1, 2011, the percentages specified in the table in paragraph (1)
26 shall be increased by adding 0.25 percent to each percentage.

27 (3) *All resident minors who earn less than thirty thousand dollars*
28 *(\$30,000) annually in gross income are exempt from taxation.*

**Introduced by Members Representing the
Berkeley Branch of the
YMCA of the Central Bay Area**

February 13, 2014
Referred to the Burns Committee

An act to amend section 11350 of the Health and Safety Code, relating to alternative punishments for non-violent drug offenders.

ABSTRACT

AB 152 allows judges to consider work release, drug rehabilitation treatment or educational programs as appropriate sentences for non-violent drug offenses, effectively eliminating mandatory minimum sentencing for non-violent drug offenses.

The people of the State of California do enact as follows:

1 SECTION 1. Section 11350 of the Health and Safety Code is amended,
2 to read: 11350.(a) Except as otherwise provided in this division, every
3 person who possesses (1) any controlled substance specified in subdivision
4 (b) or (c) of, or paragraph (1) of subdivision (f) of, Section 11054, specified
5 in paragraph (14), (15), or (20) of subdivision (d) of Section 11054,
6 or specified in subdivision (b) or (c) of Section 11055, or specified in
7 subdivision (h) of Section 11056, or (2) any controlled substance classified
8 in Schedule III, IV, or V which is a narcotic drug, unless upon the written
9 prescription of a physician, dentist, podiatrist, or veterinarian licensed to
10 practice in this state, shall be punished by imprisonment in a county jail
11 for not more than one year or pursuant to subdivision (h) of Section 1170
12 of the Penal Code.

13 (b) Except as otherwise provided in this division, every person who
14 possesses any controlled substance specified in subdivision (e) of Section
15 11054 shall be punished by imprisonment in a county jail for not more than
16 one year or pursuant to subdivision (h) of Section 1170 of the Penal Code.

17 (c) Except as otherwise provided in this division, whenever a person
18 who possesses any of the controlled substances specified in subdivision (a)
19 or (b), the judge may, in addition to any punishment provided for pursuant
20 to subdivision (a) or (b), assess against that person a fine not to exceed
21 seventy dollars (\$70) with proceeds of this fine to be used in accordance
22 with Section 1463.23 of the Penal Code. The court shall, however, take
23 into consideration the defendant's ability to pay, and no defendant shall be
24 denied probation because of his or her inability to pay the fine permitted
25 under this subdivision.

26 (d) Except in unusual cases in which it would not serve the interest of
27 justice to do so, whenever a court grants probation pursuant to a felony

1 conviction under this section, in addition to any other conditions of
2 probation which may be imposed, the following conditions of probation
3 shall be ordered:

4 (1) For a first offense under this section, a fine of at least one thousand
5 dollars (\$1,000) or community service. (2) For a second or subsequent
6 offense under this section, a fine of at least two thousand dollars (\$2,000)
7 or community service. (3) If a defendant does not have the ability to pay
8 the minimum fines specified in paragraphs (1) and (2), community service
9 shall be ordered in lieu of the fine. (4) *For all nonviolent drug offenses or*
10 *drug offenses where no accidental harm is caused, a judge will decide if*
11 *work release, educational study, or drug rehabilitation is an appropriate*
12 *sentence that suits the defendant and the community at large in the name*
13 *of justice.*

14 (A) *If the judge decides that work release, educational study, or drug*
15 *rehabilitation is an appropriate sentence, the defendant will be ordered by*
16 *the judge to enroll in for one or more of the following three programs. It will*
17 *be up to the discretion of the judge to decide how long a given defendant*
18 *has to sign up for the programs they have been ordered to participate in.*

19 (B) *The California Department of Corrections and Rehabilitation will*
20 *be required to create a work program for convicted nonviolent drug*
21 *offenders, employing them at minimum wage, for a period of at least one*
22 *month, but not to exceed two years, in which released offenders would*
23 *be given training and assigned to California state infrastructure projects*
24 *that require minimum advanced skill or knowledge to complete such as*
25 *construction and maintenance crews for state roads, highways and levies,*
26 *or community based service employment.*

27 (C) *Released nonviolent drug offenders may be enrolled in a drug and*
28 *alcohol rehabilitation program. The California Department of Corrections*
29 *and Rehabilitation will be required to coordinate with existing and new*
30 *drug rehabilitation centers and community based treatment centers and*
31 *support programs throughout California.*

32 (D) *Released nonviolent drug offenders may be enrolled in an*
33 *Educational, Vocational or Certificate program. The California*
34 *Department of Corrections and Rehabilitation will be required to create*
35 *a program in which released non-violent drug offenders will have access*
36 *to educational resources including but not limited to; community college*
37 *courses, vocational training, and specialized certificate programs.*

38 (E) *All nonviolent drug offenders, convicted of a misdemeanor infraction*
39 *in which no violence or accidental harm occurs will be released into these*
40 *programs, thereby effectively eliminating the mandatory minimum drug*
41 *sentencing in such cases.*

42 (F) *The process of enrolling non-violent drug offenders into these*
43 *programs will commence as soon as the Department of Corrections and*
44 *Rehabilitation coordinates the necessary efforts to establish the networks*
45 *and administration required for each program, but must be available no*
46 *later than January 1, 2016.*

**Introduced by Members Representing the
Central Branch of the
YMCA of Silicon Valley**

February 13, 2014
Referred to the Beck Committee

An act to amend Section 594.37 of the Penal Code, relating to picketing.

ABSTRACT

AB 153 restricts picketing at funerals to a distance of 400 feet and also increases fines for violations.

The people of the State of California do enact as follows:

1 SECTION 1. Section 594.37 of the Penal Code is amended to read:

2 594.37. (a) It is unlawful, except upon private property, for a person to
3 engage in picketing targeted at a funeral during the time period beginning
4 one hour prior to the funeral and ending one hour after the conclusion of
5 the funeral.

6 (b) Any violation of subdivision (a) is punishable by a fine not exceeding
7 one thousand dollars (\$1,000), imprisonment in a county jail not exceeding
8 six months, or by both that fine and imprisonment.

9 (c) For purposes of this section: (1) "Funeral" means the ceremony
10 or memorial service held in connection with the burial or cremation of a
11 deceased person. "Funeral" does not mean any nonburial or noncremation
12 activities, businesses, or services. (2) "Picketing," for purposes of this
13 section only, means protest activities engaged in by any person within 300
14 feet of a burial site, mortuary, or place of worship. (3) "Protest activities"
15 includes oration, speech, use of sound amplification equipment in a manner
16 that is intended to make or makes speech, including, but not limited to,
17 oration audible to participants in a funeral, or similar conduct that is not
18 part of the funeral, before an assembled group of people.

19 (4) "Targeted at" means directed at or toward the deceased person or the
20 attendees of a funeral.

21 (d) The provisions of this section are severable. If any provision of this
22 section or its application is held invalid, that invalidity shall not affect
23 other provisions or applications that can be given effect without the invalid
24 provision or application.

25 (e) *Notwithstanding any other law, all protests of funerals must be at a*
26 *distance of 400 feet or more, thus ensuring the peace of those mourning or*
27 *rejoicing, or both. For violation of this restriction, there will be a \$1000*
28 *fine and for every repeating offense this fine will be doubled from what the*
29 *previous dollar sum was.*

**Introduced by Members Representing the
Corona-Norco Family YMCA**

February 13, 2014
Referred to the Melone Committee

An act to add Section 50806.6 to the Health and Safety Code, relating to housing.

ABSTRACT

AB 154 requires the Department of Housing and Community Development to administer the Emergency Housing and Assistance program, as specified.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 50806.6 is added to the Health and Safety Code
2 to read:
3 50806.6. (a) The Department of Housing and Community Development
4 shall administer the Emergency Housing and Assistance program.
5 (b) In administering the program, the department shall do all of the
6 following:
7 (1) Provide shelter to homeless persons at as low a cost and as quickly as
8 possible without compromising the health and safety to shelter occupants.
9 (2) Encourage the move of homeless persons from shelters to a self-
10 supporting environment as soon as possible.
11 (3) Encourage provision of services for as many persons at risk of
12 homelessness as possible.
13 (4) Encourage compatible and effective funding of homeless services.
14 (5) Encourage coordination among public agencies that fund or provide
15 services to homeless individuals, as well as agencies that discharge people
16 from their institutions.

**Introduced by Members Representing the
Crescenta-Cañada Family Branch of the
YMCA of the Foothills**

February 13, 2014
Referred to the Nichols Committee

An act to amend Section(s) 44700.1 to the Education Code, relating to student instruction.

ABSTRACT

AB 155 encourages public high school teachers to schedule “office hours” for their students that require academic assistance.

The people of the State of California do enact as follows:

- 1 Section 44700.1 is added to the Education Code to read:
- 2 44700.1 Students frequently do not receive adequate assistance in their
- 3 enrolled classes and/or extracurricular activities. Teachers are given no
- 4 choice but to move past these students for the sake of the curriculum and
- 5 various time constraints imposed upon them by factors such as semester
- 6 duration and Advanced Placement testing. Allocating additional time for
- 7 teachers to assist students that require it would be mutually beneficial for
- 8 the school and its students as well as the school’s teachers.
- 9 a) Teachers are to inform students of their available office hours (at least
- 10 twice per school week) and provide all relevant information in their syllabi
- 11 at the beginning of the academic school year. Additionally, teachers are to
- 12 earnestly try to meet students who are not able to meet within the assigned
- 13 office hours.
- 14 b) During the ending of the academic school year, surveys will be
- 15 administered to evaluate the teaching ability of teachers outside of class
- 16 during these office hours.
- 17 c) Should the results be at least sixty-five percent “positive,” then these
- 18 teachers that have proven to be sufficiently helpful will receive funding on
- 19 top of their regular salary provided to them by local/state governments in
- 20 correlation to the amount of time in hours they have provided to students.
- 21 d) Teachers under any school district that fail to meet the benchmark
- 22 sixty-five percent approval mark from their office hour participants will
- 23 not receive their full additional funding, as the provision of sufficient and
- 24 effective office hours is only highly recommended and ultimately optional.
- 25 e) If a teacher does not reach the 65% approval rating by their fourth
- 26 year, that teacher will no longer be given the opportunity to offer students
- 27 additional hours for assistance.

- 1 f) The local governments in which the school resides is be authorized to
- 2 impose additional taxes on Alcohol and Tobacco products to provide the
- 3 necessary funds.
- 4 g) This bill will become effective after the surveys are made and printed
- 5 or put online for students to easily access, interpret, and use.
- 6 i) These surveys are to be created by the 1st of July, 2015 in order
- 7 for this bill to come into effect during the 2015- 2016 school year. The
- 8 Department of Education shall be required to begin work on the surveys
- 9 immediately.

**Introduced by Members Representing the
Culver-Palms Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Redding Committee

An act to add Chapter 5 (commencing with Section 1850) to Division 8 of the Military and Veterans Code, relating to veterans.

ABSTRACT

AB 156 institutes a five year period for the University of California to conduct research on the effects of MDMA on the human brain; after which, a veteran residing in California may participate in MDMA-assisted psychotherapy.

The people of the State of California do enact as follows:

- 1 SECTION 1. Chapter 5 (commencing with Section 1850) is added to
2 Division 8 of the Military and Veterans Code to read:
3 Chapter 5. MDMA Research and Psychotherapy
4 1850. (a) Thirty-five million dollars (\$35,000,000) shall be appropriated
5 to the University of California from the unspent funds of 2013-2014
6 budget to be distributed equally to neuroscience programs in the
7 University of California in increments of seven hundred thousand
8 dollars (\$700,000) per year for the purpose of researching the effect of
9 MDMA (3,4-methylenedioxy-N-methylamphetamine or "ecstasy") on the
10 human brain.
11 (b) Beginning on January 1, 2029, a psychiatrist practicing within
12 California may recommend and facilitate MDMA-assisted psychotherapy
13 if his or her patient meets the following qualifications:
14 (1) The patient is or has been a military participant.
15 (2) The patient has been diagnosed with an appropriate psychological
16 disorder.
17 (3) The patient has signed a waiver agreeing that he or she is aware of
18 the effects of MDMA on the adult brain after the psychiatrist has informed
19 him or her of these effects.
20 (4) The patient is 25 years of age or older.
21 (5) The patient is within a 25 foot radius of the psychiatrist who has
22 recommended MDMA-assisted psychotherapy for the duration of the
23 drug's effect on the patient.

**Introduced by Members Representing the
Diablo Valley Branch of the
YMCA of the Central Bay Area**

February 13, 2014
Referred to the Tuttle Committee

An act to add Section 49001(c) to the Education Code, relating to the punishment of students in school.

ABSTRACT

AB 157 seeks to outlaw the use of alternative intervention methods to punish or restrain students in California public schools.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 49001(c) is added to the Education Code to read:
2 49001. (a) For the purposes of this section “corporal punishment” means
3 the willful infliction of, or willfully causing the infliction of, physical
4 pain on a pupil. An amount of force that is reasonable and necessary for
5 a person employed by or engaged in a public school to quell a disturbance
6 threatening physical injury to persons or damage to property, for purposes
7 of self-defense, or to obtain possession of weapons or other dangerous
8 objects within the control of the pupil, is not and shall not be construed
9 to be corporal punishment within the meaning and intent of this section.
10 Physical pain or discomfort caused by athletic competition or other such
11 recreational activity, voluntarily engaged in by the pupil, is not and shall
12 not be construed to be corporal punishment within the meaning and intent
13 of this section.
14 (b) No person employed by or engaged in a public school shall inflict,
15 or cause to be inflicted corporal punishment upon a pupil. Every resolution,
16 bylaw, rule, ordinance, or other act or authority permitting or authorizing
17 the infliction of corporal punishment upon a pupil attending a public school
18 is void and unenforceable.
19 (c) *No person employed by or engaged in a public school shall use*
20 *alternative intervention methods to restrain, or control a pupil as a means*
21 *of punishment. These methods include physical restraint, seclusion of a*
22 *pupil in closed quarters, and aversive therapy.*

**Introduced by Members Representing the
Downtown Oakland Branch of the
YMCA of the East Bay**

February 13, 2014
Referred to the Weeks Committee

An act to amend Section 51222 of, and to add Sections 51242.1 and 51242.2 to, the Education Code, relating to physical and health education.

ABSTRACT

AB 158 removes the exemption from physical education courses if the pupil participates in automobile driver training. Assembly Bill ### authorizes the governing board of a school district to, among other things, require any high school pupil students, grades 9-12, to attend health education classes for two (2) years as part of the as part of a regular course of study to help students acquire information and the skills needed to make quality health decisions, including a healthy lifestyle through proper exercise and diet.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 51222 of the Education Code is amended to read:
- 2 51222. (a) All pupils, except pupils excused or exempted pursuant to
- 3 Sections 51241, 51242, and 51242.1, shall be required to attend courses in
- 4 physical education for a total period of time of not less than 400 minutes
- 5 each 10 schooldays. *Any pupil may be excused from physical education*
- 6 *classes during one of grades 10, 11, or 12 for a time period less than*
- 7 *24 hours in order to participate in automobile driver training. A pupil*
- 8 *who is excused from physical education classes to enroll in driver training*
- 9 *shall attend a minimum of 7,000 minutes of physical education instruction*
- 10 *during that school year.*
- 11 (b) The governing board of each school district that maintains a
- 12 high school and that elects to exempt pupils from required attendance
- 13 in physical education courses pursuant to paragraph (1) or (2), or both,
- 14 of subdivision (b) of Section 51241 shall offer those exempted pupils a
- 15 variety of elective physical education courses of not less than 400 minutes
- 16 each 10 schooldays.
- 17 SEC. 2. Section 51242.1 is added to the Education Code, to read:
- 18 51242.1. The governing board of a school district may exempt
- 19 any four-year or senior high school pupil from attending courses of
- 20 physical education, if the pupil is engaged in a regular school-sponsored
- 21 interscholastic athletic program carried on wholly or partially after regular
- 22 school hours.
- 23 SEC. 3. Section 51242.2 is added to the Education Code, to read:

1 51242.2. (a) Pursuant to the Education Code, health education is
2 required to be offered to all pupils, and, therefore, schools are required to
3 provide adequate facilities and instructional resources for that instruction.
4 In this regard, this subdivision shall be implemented in a manner that does
5 not create a new program or impose a higher level of service on a local
6 educational agency. This subdivision does not mandate any overall increase
7 in staffing or instructional time because, pursuant to this subdivision, pupils
8 are not permitted to attend fewer total hours of class if they do not enroll in
9 health education. This subdivision does not mandate any new costs because
10 any additional health education instruction that a local educational agency
11 provides may be accomplished during the existing instructional day, with
12 existing facilities. This subdivision does not prevent a local educational
13 agency from implementing any other temporary or permanent exemption
14 authorized by this section.

15 (b) The governing board of a school district or the office of the county
16 superintendent of a county may grant permanent exemption from courses
17 in health education if the pupil complies with any one of the following:

18 (1) Is in 9th, 10th, 11th, or 12th grade and has completed two (2) years
19 of health education during high school.

20 (2) Is enrolled as a postgraduate pupil.

21 (c) A pupil exempted under subdivision (b) shall not attend fewer total
22 hours of courses and classes if he or she elects not to enroll in a health
23 education course than he or she would have attended if he or she had
24 elected to enroll in a health education course.

25 (d) All pupils, except pupils excused or exempted, shall be required to
26 attend courses in health education for a total period of time of not less than
27 80 minutes each 10 schooldays.

**Introduced by Members Representing the
East Valley Family Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Price Committee

An act to add Section 5150.5 to the Welfare and Institutions Code, relating to mentally ill persons.

ABSTRACT

AB 159 mandates that when 911 is called and a mentally ill person is involved, a psychiatrist will be dispatched with the police.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 5150.5 is added to the Welfare and Institutions
- 2 Code, to read:
- 3 5150.5. (a) In the event of a 911 call in which a mentally ill individual is
- 4 involved, a psychiatrist will be dispatched with the local law enforcement
- 5 officers. The dispatcher shall be informed that a mentally ill person
- 6 is involved by the individual who calls 911. If not aforementioned, the
- 7 officers shall request a psychiatrist's presence at the scene. In being well
- 8 trained with mentally ill individuals, the psychiatrist shall interface with
- 9 the police officers on how best to serve this individual. The psychiatrist
- 10 shall advise the officers and keep the situation from further escalation. The
- 11 psychiatrist shall be in plain clothes so as to create a visual separation from
- 12 the police. Every police station shall have access to at least one on call
- 13 psychiatrist. The quantity of psychiatrists shall be determined based on the
- 14 need of the surrounding area.
- 15 (b) Because this is an unfunded mandate, the police stations shall redirect
- 16 funds to pay for the psychiatrists with no help from the state government.

**Introduced by Members Representing the
El Dorado Delegation of the
Sacramento Central Branch of the
YMCA of Superior California**

February 13, 2014
Referred to the Foreman Committee

An act to amend Section 12814.6 of the Vehicle Code, related to provisional licenses.

ABSTRACT

AB 160 amends the Brady-Jared Teen Safety Act to require all persons applying for a driver's license over the age of 16 to be held to existing provisional licensing requirements.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12814.6 of the Vehicle Code is amended to read:
2 12814.6. (a) Except as provided in Section 12814.7, a driver's license
3 issued to a person at least 16 years of age ~~but under 18 years of age~~ shall
4 be issued pursuant to the provisional licensing program contained in this
5 section. The program shall consist of all of the following components:

6 (1) Upon application for an original license, the applicant shall be issued
7 an instruction permit pursuant to Section 12509. A person who has in his or
8 her immediate possession a valid permit issued pursuant to Section 12509
9 may operate a motor vehicle, other than a motorcycle or motorized bicycle,
10 only when the person is either taking the driver training instruction referred
11 to in paragraph (3) or practicing that instruction, provided the person is
12 accompanied by, and is under the immediate supervision of, a California
13 licensed driver 25 years of age or older whose driving privilege is not on
14 probation. The age requirement of this paragraph does not apply if the
15 licensed driver is the parent, spouse, or guardian of the permit holder or is
16 a licensed or certified driving instructor.

17 (2) The person shall hold an instruction permit for not less than six
18 months prior to applying for a provisional driver's license.

19 (3) The person shall have complied with one of the following:

20 (A) Satisfactory completion of approved courses in automobile driver
21 education and driver training maintained pursuant to provisions of the
22 Education Code in any secondary school of California, or equivalent
23 instruction in a secondary school of another state.

24 (B) Satisfactory completion of an integrated driver education and
25 training program that is approved by the department and conducted by
26 a driving instructor licensed under Chapter 1 (commencing with Section
27 11100) of Division 5. The program shall utilize segmented modules,

1 whereby a portion of the educational instruction is provided by, and then
2 reinforced through, specific behind-the-wheel training before moving to
3 the next phase of driver education and training. The program shall contain
4 a minimum of 30 hours of classroom instruction and six hours of behind-
5 the-wheel training.

6 (C) Satisfactory completion of six hours or more of behind-the-wheel
7 instruction by a driving school or an independent driving instructor
8 licensed under Chapter 1 (commencing with Section 11100) of Division
9 5 and either an accredited course in automobile driver education in any
10 secondary school of California pursuant to provisions of the Education
11 Code or satisfactory completion of equivalent professional instruction
12 acceptable to the department. To be acceptable to the department, the
13 professional instruction shall meet minimum standards to be prescribed
14 by the department, and the standards shall be at least equal to the
15 requirements for driver education and driver training contained in the rules
16 and regulations adopted by the State Board of Education pursuant to the
17 Education Code. A person who has complied with this subdivision shall
18 not be required by the governing board of a school district to comply with
19 subparagraph (A) in order to graduate from high school.

20 (D) Except as provided under subparagraph (B), a student may not take
21 driver training instruction, unless he or she has successfully completed
22 driver education.

23 (4) The person shall complete 50 hours of supervised driving practice
24 prior to the issuance of a provisional license, which is in addition to any
25 other driver training instruction required by law. Not less than 10 of the
26 required practice hours shall include driving during darkness, as defined in
27 Section 280. Upon application for a provisional license, the person shall
28 submit to the department the certification of a parent, spouse, guardian, or
29 licensed or certified driving instructor that the applicant has completed the
30 required amount of driving practice and is prepared to take the department's
31 driving test. A person without a parent, spouse, guardian, or who is an
32 emancipated minor, may have a licensed driver 25 years of age or older
33 or a licensed or certified driving instructor complete the certification. This
34 requirement does not apply to motorcycle practice.

35 (5) The person shall successfully complete an examination required by
36 the department. Before retaking a test, the person shall wait for not less
37 than one week after failure of the written test and for not less than two
38 weeks after failure of the driving test.

39 (b) Except as provided in Section 12814.7, the provisional driver's
40 license shall be subject to all of the following restrictions:

41 (1) Except as specified in paragraph (2), during the first 12 months
42 after issuance of a provisional license the licensee may not do any of the
43 following unless accompanied and supervised by a licensed driver who is
44 the licensee's parent or guardian, a licensed driver who is 25 years of age
45 or older, or a licensed or certified driving instructor:

1 (A) Drive between the hours of 11 p.m. and 5 a.m.

2 (B) Transport passengers who are under 20 years of age.

3 (2) A licensee may drive between the hours of 11 p.m. and 5 a.m. or
4 transport an immediate family member without being accompanied and
5 supervised by a licensed driver who is the licensee's parent or guardian,
6 a licensed driver who is 25 years of age or older, or a licensed or certified
7 driving instructor, in the following circumstances:

8 (A) Medical necessity of the licensee when reasonable transportation
9 facilities are inadequate and operation of a vehicle by a minor is necessary.
10 The licensee shall keep in his or her possession a signed statement from a
11 physician familiar with the condition, containing a diagnosis and probable
12 date when sufficient recovery will have been made to terminate the
13 necessity.

14 (B) Schooling or school-authorized activities of the licensee when
15 reasonable transportation facilities are inadequate and operation of a vehicle
16 by a minor is necessary. The licensee shall keep in his or her possession a
17 signed statement from the school principal, dean, or school staff member
18 designated by the principal or dean, containing a probable date that the
19 schooling or school-authorized activity will have been completed.

20 (C) Employment necessity of the licensee when reasonable transportation
21 facilities are inadequate and operation of a vehicle by a minor is necessary.
22 The licensee shall keep in his or her possession a signed statement from
23 the employer, verifying employment and containing a probable date that
24 the employment will have been completed.

25 (D) Necessity of the licensee or the licensee's immediate family member
26 when reasonable transportation facilities are inadequate and operation of
27 a vehicle by a minor is necessary to transport the licensee or the licensee's
28 immediate family member. The licensee shall keep in his or her possession
29 a signed statement from a parent or legal guardian verifying the reason and
30 containing a probable date that the necessity will have ceased.

31 (E) The licensee is an emancipated minor.

32 *(F) The licensee is an adult over 18 years of age.*

33 (c) A law enforcement officer shall not stop a vehicle for the sole
34 purpose of determining whether the driver is in violation of the restrictions
35 imposed under subdivision (b).

36 (d) A law enforcement officer shall not stop a vehicle for the sole purpose
37 of determining whether a driver who is subject to the license restrictions
38 in subdivision (b) is in violation of Article 2.5 (commencing with Section
39 118947) of Chapter 4 of Part 15 of Division 104 of the Health and Safety
40 Code.

41 (e) (1) Upon a finding that any licensee has violated paragraph (1) of
42 subdivision (b), the court shall impose one of the following:

43 (A) Not less than eight hours nor more than 16 hours of community
44 service for a first offense and not less than 16 hours nor more than 24 hours
45 of community service for a second or subsequent offense.

1 (B) A fine of not more than thirty-five dollars (\$35) for a first offense
2 and a fine of not more than fifty dollars (\$50) for a second or subsequent
3 offense.

4 (2) If the court orders community service, the court shall retain
5 jurisdiction until the hours of community service have been completed.

6 (3) If the hours of community service have not been completed within
7 90 days, the court shall impose a fine of not more than thirty-five dollars
8 (\$35) for a first offense and not more than fifty dollars (\$50) for a second
9 or subsequent offense.

10 (f) A conviction of paragraph (1) of subdivision (b), when reported to
11 the department, may not be disclosed as otherwise specified in Section
12 1808 or constitute a violation point count value pursuant to Section 12810.

13 (g) Any term of restriction or suspension of the driving privilege
14 imposed on a person pursuant to this subdivision shall remain in effect
15 until the end of the term even though the person becomes 18 years of age
16 before the term ends.

17 (1) The driving privilege shall be suspended when the record of the
18 person shows one or more notifications issued pursuant to Section 40509
19 or 40509.5. The suspension shall continue until any notification issued
20 pursuant to Section 40509 or 40509.5 has been cleared.

21 (2) A 30-day restriction shall be imposed when a driver's record shows
22 a violation point count of two or more points in 12 months, as determined
23 in accordance with Section 12810. The restriction shall require the licensee
24 to be accompanied by a licensed parent, spouse, guardian, or other licensed
25 driver 25 years of age or older, except when operating a class M vehicle, or
26 so licensed, with no passengers aboard.

27 (3) A six-month suspension of the driving privilege and a one-year
28 term of probation shall be imposed whenever a licensee's record shows a
29 violation point count of three or more points in 12 months, as determined
30 in accordance with Section 12810. The terms and conditions of probation
31 shall include, but not be limited to, both of the following:

32 (A) The person shall violate no law which, if resulting in conviction, is
33 reportable to the department under Section 1803.

34 (B) The person shall remain free from accident responsibility.

35 (h) Whenever action by the department under subdivision (g) arises as
36 a result of a motor vehicle accident, the person may, in writing and within
37 10 days, demand a hearing to present evidence that he or she was not
38 responsible for the accident upon which the action is based. Whenever
39 action by the department is based upon a conviction reportable to the
40 department under Section 1803, the person has no right to a hearing
41 pursuant to Article 3 (commencing with Section 14100) of Chapter 3.

42 (i) The department shall require a person whose driving privilege is
43 suspended or revoked pursuant to subdivision (g) to submit proof of
44 financial responsibility as defined in Section 16430. The proof of financial
45 responsibility shall be filed on or before the date of reinstatement following

1 the suspension or revocation. The proof of financial responsibility shall
2 be maintained with the department for three years following the date of
3 reinstatement.

4 (j) (1) Notwithstanding any other provision of this code, the department
5 may issue a distinctive driver's license, that displays a distinctive color
6 or a distinctively colored stripe or other distinguishing characteristic, to
7 persons at least 16 years of age and older but under 18 years of age, ~~and~~ to
8 persons 18 years of age and older but under 21 years of age, *and to persons*
9 *over 21 years of age in possession of a provisional license*, so that the
10 distinctive license feature is immediately recognizable. The features shall
11 clearly differentiate between driver's licenses issued to persons at least 16
12 years of age or older but under 18 years of age and to persons 18 years of
13 age or older but under 21 years of age.

14 (2) If changes in the format or appearance of driver's licenses are
15 adopted pursuant to this subdivision, those changes may be implemented
16 under any new contract for the production of driver's licenses entered into
17 after the adoption of those changes.

18 (k) The department shall include, on the face of the provisional driver's
19 license, the original issuance date of the provisional driver's license in
20 addition to any other issuance date.

21 (l) This section shall be known and may be cited as the Brady-Jared
22 ~~Teen~~ *Provisional Driver* Safety Act of 1997.

**Introduced by Members Representing the
Fremont/Newark Branch of the
YMCA of the East Bay**

February 13, 2014
Referred to the Douglass Committee

An act to amend Section 44929.21 of the Education Code, related to employee tenure.

ABSTRACT

AB 161 modifies a provision for the process of obtaining a permanent, tenured position as an employee of any California school district.

The people of the State of California do enact as follows:

1 SECTION 1. Section 44929.21 of the Education Code is amended to
2 read:

3 (a) Every employee of a school district of any type or class having an
4 average daily attendance of 250 or more who, after having been employed
5 by the district for ~~three~~ *nine* complete consecutive school years in a position
6 or positions requiring certification qualifications, is reelected for the next
7 succeeding school year to a position requiring certification qualifications
8 shall, at the commencement of the succeeding school year be classified
9 as and become a permanent employee of the district. This subdivision
10 shall apply only to probationary employees whose probationary period
11 commenced prior to the 1983-84 fiscal year.

12 (b) Every employee of a school district of any type or class having an
13 average daily attendance of 250 or more who, after having been employed
14 by the district for two ~~nine~~ complete consecutive school years in a position
15 or positions requiring certification qualifications, is reelected for the next
16 succeeding school year to a position requiring certification qualifications
17 shall, at the commencement of the succeeding school year be classified
18 as and become a permanent employee of the district. The governing
19 board shall notify the employee, on or before March 15 of the employee's
20 second complete consecutive school year of employment by the district in
21 a position or positions requiring certification qualifications, of the decision
22 to reelect or not reelect the employee for the next succeeding school year
23 to the position. In the event that the governing board does not give notice
24 pursuant to this section on or before March 15, the employee shall be
25 deemed reelected for the next succeeding school year. This subdivision
26 shall apply only to probationary employees whose probationary period
27 commenced during the 1983-84 fiscal year or any fiscal year thereafter.

**Introduced by Members Representing the
Irvine Delegation of the
Orange County YMCA**

February 13, 2014
Referred to the Hempstead Committee

An act to add Chapter 6 (commencing with Section 900) to Part 2 of Division 2 of the Labor Code, relating to working hours.

ABSTRACT

AB 162 limits, except as specified, surgeons' working hours to 80 per week and the surgeons' consecutive working hours, as specified.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 6 (commencing with Section 900) is added to Part
2 2 of Division 2 of the Labor Code, to read:

3 Chapter 6. Surgeons.

4 900. In order to promote the provision of quality medical care, hospitals
5 shall establish the following limits on working hours for surgeons pursuant
6 to this chapter.

7 901. (a) For hospitals with over 15,000 unscheduled visits to an
8 emergency service per year, assignments of surgeons shall be limited to
9 no more than sixteen consecutive hours per on-duty assignment in the
10 emergency service.

11 (b) The commissioner may approve alternative schedule limits of up
12 to twenty-four consecutive hours for attending physicians in a hospital
13 emergency service upon a determination of all of the following:

14 (1) The alternative schedule contributes to the hospital's ability to meet
15 its community's need for quality emergency services.

16 (2) The volume of patients examined and treated during the extended
17 period is substantially less than for other hours of the day.

18 (3) Adequate rest time is provided between assignments and during
19 each week to prevent fatigue.

20

21 902. On and after January 1, 2015, schedules of surgeons with inpatient
22 care responsibilities shall meet the following criteria:

23 (a) The scheduled work week shall not exceed an average of eighty
24 hours per week over a four week period with a maximum of sixteen hours
25 a day;

26 (b) A surgeon shall not be scheduled to work for more than twenty-four
27 consecutive hours, unless he or she is not assigned to work within 24 hours
28 following the end of the scheduled work.

1 (c) “On call” duty in the hospital during the night shift hours by surgeons
2 should be included in the twenty-four limit contained in subdivision (b) of
3 the eighty-hour limit contained in subdivision (a)

4 (d) The hospital shall document that during night shifts surgeons are
5 generally resting and that interruptions for patient care are infrequent and
6 limited to patients for whom the surgeons have continuing responsibility.

7 (1) The hospital may document valid rest hours during the night shifts
8 under conditions where surgeons are generally resting and interruptions
9 for minimal patient care are infrequent;

10 (2) The duty is scheduled for each surgeon no more often than every
11 third night;

12 (3) A continuous 24 hour assignment that includes night shift “on call”
13 duty is followed by a non-working period of no less than 16 hours.

14 (4) Policies and procedures are developed and implemented to
15 immediately relieve a surgeon from a continuing assignment when fatigue
16 due to an unusually active “on call” period is observed.

17 903. The medical staff shall develop and implement policies relating to
18 surgeon schedules that prescribe limits on the assigned responsibilities of
19 surgeons, including but not limited to, assignment to care of patients, as
20 the duration of daily on-duty assignments progress.

21 904. Hospitals employing surgeons shall adopt and enforce specific
22 policies governing dual employment. The policies shall require, at a
23 minimum, that each surgeon notify the hospital of employment outside
24 the hospital and the hours devoted to the dual employment. Surgeons who
25 have worked the maximum number of hours permitted pursuant to this
26 chapter shall be prohibited from working additional hours as physicians
27 providing professional patient care services.

28 905. This chapter does not apply in any of the following circumstances:

29 (a) Eemergency situations such as a natural disaster, any event or
30 force of nature that has catastrophic consequences, such as avalanche,
31 earthquake, flood, forest fire, hurricane, lightning, tornado, tsunami, and
32 volcanic eruption, or an act of God.

33 (b) An emergency procedure that cannot be delayed and for which a
34 delay could result in death or permanent impairment of health or in which
35 an unforeseen complication has occurred.

36 (c) For hospitals in rural areas, an area, city, town, village, or borough,
37 with a population density less than 2,500 persons per square mile

38 906.(a) Any person who violates any provision of this chapter is guilty
39 of a misdemeanor punishable by a fine of five hundred dollars (\$500) to
40 twenty-five thousand dollars (\$25,000) for the first offense. The second or
41 third offense will result in a fine of five thousand (\$5,000) to twenty-five
42 thousand (\$25,000).

43 (b) In addition to subdivision (a), a person who violates this chapter
44 may also be imprisoned in county jail for up to 60 days.

**Introduced by Members Representing the
Miller Family Branch of the
YMCA of Southeast Ventura County**

February 13, 2014
Referred to the Denver Committee

An act to amend Sections 27360, 27360.6, and 27363 of the Vehicle Code, relating to pets in vehicles.

ABSTRACT

AB 163 prohibits drivers from operating a vehicle with an animal in the front seat of the car, except as specified. A \$150 fine shall be imposed for the first offense.

The people of the State of California do enact as follows:

1 SECTION 1. Section 27360 of the Vehicle Code is amended to read:

2 27360. (a) Except as provided in Section 27363 a parent, legal
3 guardian, or driver shall not transport on a highway in a motor vehicle, as
4 defined in paragraph (1) of subdivision (3) of Section 27315, *a domestic*
5 *animal of any age*, child, or ward who is under eight years of age, without
6 properly securing that child *or pet* in a rear seat in an appropriate child or
7 pet passenger restraint system meeting applicable federal motor vehicle
8 safety standards. *Pets must be safely restrained in the backseat and may*
9 *not be transported in the front seat.*

10 SEC. 2. Section 27360.6 of the Vehicle Code is amended to read:

11 27360.6. (a) (1) For a conviction of a violation of Section 27360 or
12 27360.5, a first offense is punishable by a fine of one hundred *and fifty*
13 *dollars (\$150).* ~~except that the court may reduce or waive the fine if the~~
14 ~~defendant establishes to the satisfaction of the court that he or she is~~
15 ~~economically disadvantaged, and the court, instead, refers the defendant~~
16 ~~to a community education program that includes, but is not limited~~
17 ~~to, education on the proper installation and use of a child passenger~~
18 ~~restraint system for children of all ages, and provides certification to the~~
19 ~~court of completion of that program. Upon completion of the program,~~
20 ~~the defendant shall provide proof of participation in the program. If an~~
21 ~~education program on the proper installation and use of a child passenger~~
22 ~~restraint system is not available within 50 miles of the residence of the~~
23 ~~defendant, the requirement to participate in that program shall be waived.~~
24 ~~If the fine is paid, waived, or reduced, the court shall report the conviction~~
25 ~~to the department pursuant to Section 1803.~~

26 SEC. 3. Section 27363 of the Vehicle Code is amended to read:

27 27363. (e) Notwithstanding Section 27360, a child or ward under eight
28 years of age or a pet may ride properly secured in an appropriate child or

- 1 pet passenger restraint system meeting applicable federal motor vehicle
2 safety standards in the front seat of a motor vehicle under any of the
3 following circumstances:
- 4 (1) There is no rear seat.
 - 5 (2) The rear seats are side-facing jump seats.
 - 6 (3) The rear seats are rear-facing seats.
 - 7 (4) The child *or pet* passenger restraint system cannot be installed
8 properly in the rear seat.
 - 9 (5) All rear seats are already occupied by children seven years of age
10 or under.
 - 11 (6) Medical reasons necessitate that the *pet*, child or ward not ride in the
12 rear seat. The court may require satisfactory proof of the *pet's* or child's
13 medical condition.

**Introduced by Members Representing the
Southwest Riverside Branch of the
Murieta/Temecula Valley YMCA**

February 13, 2014
Referred to the Hendricks Committee

An act to amend Section 202 of the Corporation Code, relating to corporations.

ABSTRACT

AB 164 requires a corporation's articles of incorporation to set forth the required shareholder approval of corporate independent expenditures that may not be less than 51% for each class of shares issued.

The people of the State of California do enact as follows:

1 SECTION 1. Section 202 of the Corporation Code is amended, to read:

2 202. The articles of incorporation shall set forth:

3 (a) The name of the corporation; provided, however, that in order for the
4 corporation to be subject to the provisions of this division applicable to a
5 close corporation (Section 158), the name of the corporation must contain
6 the word "corporation," "incorporated," or "limited" or an abbreviation of
7 one of such words.

8 (b) (1) The applicable one of the following statements:

9 (A) The purpose of the corporation is to engage in any lawful act or
10 activity for which a corporation may be organized under the General
11 Corporation Law of California other than the banking business, the
12 trust company business or the practice of a profession permitted to be
13 incorporated by the California Corporations Code; or

14 (B) The purpose of the corporation is to engage in the profession of
15 ____ (with the insertion of a profession permitted to be incorporated by the
16 California Corporations Code) and any other lawful activities (other than
17 the banking or trust company business) not prohibited to a corporation
18 engaging in such profession by applicable laws and regulations.

19 (2) In case the corporation is a corporation subject to the Banking Law
20 (Division 1 (commencing with Section 99) of the Financial Code), the
21 articles shall set forth a statement of purpose which is prescribed in the
22 applicable provision of the Banking Law.

23 (3) In case the corporation is a corporation subject to the Insurance
24 Code as an insurer, the articles shall additionally state that the business of
25 the corporation is to be an insurer.

26 (4) If the corporation is intended to be a "professional corporation"
27 within the meaning of the Moscone-Knox Professional Corporation Act
28 (Part 4 (commencing with Section 13400) of Division 3), the articles shall
29 additionally contain the statement required by Section 13404.

1 The articles shall not set forth any further or additional statement with
2 respect to the purposes or powers of the corporation, except by way of
3 limitation or except as expressly required by any law of this state other
4 than this division or any federal or other statute or regulation (including
5 the Internal Revenue Code and regulations thereunder as a condition of
6 acquiring or maintaining a particular status for tax purposes).

7 (c) The name and street address in this state of the corporation's initial
8 agent for service of process in accordance with subdivision (b) of Section
9 1502.

10 (d) The initial street address of the corporation.

11 (e) The initial mailing address of the corporation, if different from the
12 initial street address.

13 (f) If the corporation is authorized to issue only one class of shares, the
14 total number of shares which the corporation is authorized to issue.

15 (g) If the corporation is authorized to issue more than one class of
16 shares, or if any class of shares is to have two or more series:

17 (1) The total number of shares of each class the corporation is authorized
18 to issue, and the total number of shares of each series which the corporation
19 is authorized to issue or that the board is authorized to fix the number of
20 shares of any such series;

21 (2) The designation of each class, and the designation of each series or
22 that the board may determine the designation of any such series; and

23 (3) The rights, preferences, privileges, and restrictions granted to or
24 imposed upon the respective classes or series of shares or the holders
25 thereof, or that the board, within any limits and restrictions stated, may
26 determine or alter the rights, preferences, privileges, and restrictions
27 granted to or imposed upon any wholly unissued class of shares or any
28 wholly unissued series of any class of shares. As to any series the number
29 of shares of which is authorized to be fixed by the board, the articles may
30 also authorize the board, within the limits and restrictions stated therein
31 or stated in any resolution or resolutions of the board originally fixing the
32 number of shares constituting any series, to increase or decrease (but not
33 below the number of shares of such series then outstanding) the number of
34 shares of any such series subsequent to the issue of shares of that series.
35 In case the number of shares of any series shall be so decreased, the shares
36 constituting such decrease shall resume the status which they had prior
37 to the adoption of the resolution originally fixing the number of shares of
38 such series.

39 (h) *The percentage of shareholder approval required to make*
40 *independent expenditures, as defined in Government Code Section 82031.*
41 *This percentage shall not be less than 51% of each class of shares issued.*

**Introduced by Members Representing the
Newport-Corona del Mar Delegation**

February 13, 2014
Referred to the Thompson Committee

An act to add section 49035 of the Education code, relating to testing of students for use of human growth hormone.

ABSTRACT

AB 165 requires 25% of varsity high school athletes in specified sports to undergo testing for human growth hormone (HGH) 7 to 14 days before the beginning of the CIF or playoff season, and requires athletes who test positive to be suspended for the remainder of the season.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 49035 will be added to the Education Code to read:
2 49035. It is the intent of the Legislature to do all of the following:
3 (a) 25% of public and private varsity athletes shall be
4 tested for the use of human growth hormone (HGH) 7-14 days prior to
5 the playoff season.
6 (b) Sports that require testing shall include:
7 (1) Water polo.
8 (2) Football.
9 (3) Rowing.
10 (4) Baseball.
11 (5) Wrestling.
12 (6) Lacrosse.
13 (c) Athletes shall consent to testing upon registration for the sports
14 specified in subdivision (b).
15 (d) School nursing staff shall be trained in administering the tests.
16 (e) Test results be kept on file in the school's health office and may only
17 be accessed by the student and varsity sport coach.
18 (f) In the case of a positive test result, an athlete's coach, along with the
19 school health staff and the governing school board of the school district,
20 must suspend the positively tested student for the remainder of the season.

**Introduced by Members Representing the
Palo Alto Family Branch of the
YMCA of Silicon Valley**

February 13, 2014
Referred to the Burns Committee

An act to add Section 21118 to the Vehicle Code, relating to drivers sleeping or resting in their vehicles.

ABSTRACT

AB 166 legalizes the act of sleeping in one's own vehicle, providing it is parked in a safe location and orientation.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 21118 is added to the Vehicle Code to read:
2 21118. (a) Providing protection, while establishing limits, for persons
3 residing in vehicles from any prosecution or fines.
4 (b) Must be parked legally in accordance to any local, or state, laws.
5 (c) (1) No public spaces with set hours of operation may be used to
6 reside in a vehicle, unless the public space is open, but must be vacated
7 when hours end.
8 (2) Areas that prohibit parking outright do not qualify as a suitable area
9 for residing, such as freeways, intersections, or other places that would be
10 considered unsafe, improper, or unlawful.
11 (3) Private Property is not an acceptable place to rest and the act of
12 residing in a vehicle on private property will result in immediate ejection
13 and may result in prosecution.
14 (4) State Parks are not an area acceptable for resting in vehicles, during
15 closed hours. While the park is open, drivers may rest but only up until the
16 closing time for the park.
17 (5) Vehicles may not reside in areas that are considered "off road," and
18 will result in immediate ejection from the site.
19 (d) Must be a legitimate parking spot that is not breaking any parking
20 regulations (e.g. time restraints, days not approved for parking in said spot,
21 etc.)
22 (e) Vehicles cannot be running while resting in the parking spot.
23 (f) Vehicles cannot remain parked in the same location while inhabited
24 for more than five days.

**Introduced by Members Representing the
San Luis Obispo County YMCA**

February 13, 2014
Referred to the Beck Committee

An act to amend Sections 51930, 51931, and 51933 of the Education Code, relating to comprehensive sexual health education.

ABSTRACT

AB 167 requires the inclusion of precautions for preventing rape, as well as the procedures in prosecuting and resolving rape, within the sexual health curriculum.

The people of the State of California do enact as follows:

1 SECTION 1. Section 51930 of the Education Code is amended to read
2 as follows: 51930. (a) This chapter shall be known and may be cited as
3 the California Comprehensive Sexual Health and HIV/AIDS Prevention
4 Education Act.

5 (b) The purposes of this chapter are as follows:

6 (1) To provide a pupil with the knowledge and skills necessary to protect
7 his or her sexual and reproductive health from unintended pregnancy, and
8 sexually transmitted diseases, and sexual assault.

9 (2) To encourage a pupil to develop healthy attitudes and practices
10 concerning adolescent growth and development, body image, gender
11 roles, sexual orientation, dating, sexual consent, marriage, committed
12 relationships, and family.

13 SEC. 2. Section 51931 of the Education Code is amended to read as
14 follows:

15 51931. For the purposes of this chapter, the following definitions apply:

16 ****

17 (h) *“Precautions for preventing, and procedures in prosecuting and*
18 *resolving rape,” shall include the circumstances under which consent may*
19 *be given, victim’s protocol following a rape including the production of a*
20 *rape kit, and defensive measures to be taken to reduce the occurrence of*
21 *rape.*

22 (i) *“Rape kit” means a sexual assault evidence collection kit, sexual*
23 *assault forensic evidence (SAFE) kit, Sexual offense evidence collection*
24 *(SOEC) kit, or Physical Evidence Recovery Kit (PERK), with the intention*
25 *collecting physical evidence against a sexual assailant.*

26 SEC. 3. Section 51933 of the Education Code is amended to read as
27 follows:

1 51933. (a) School districts may provide comprehensive sexual health
2 education, consisting of age-appropriate instruction, in any
3 kindergarten to grade 12 inclusive, using instructors trained in the
4 appropriate courses.

5 (b) A school district that elects to offer comprehensive sexual health
6 education pursuant to subdivision (a), whether taught by school district
7 personnel or outside consultants, shall satisfy all of the following criteria:

8 (1) Instruction and materials shall be age appropriate.

9 (11) Commencing in grade 7, instruction and materials shall
10 provide pupils with *information and* skills for making and implementing
11 responsible decisions about sexuality, *including, but not limited to, the law*
12 *regarding, the precautions for preventing, and procedures in prosecuting*
13 *and resolving rape.*

14 (12) Commencing in grade 7, instruction and materials shall
15 provide pupils with information on the law on surrendering physical
16 custody of a minor child 72 hours or younger, pursuant to Section
17 1255.7 of the Health and Safety Code and Section 271.5 of the Penal
18 Code.

**Introduced by Members Representing the
La Jolla Branch of the
YMCA of San Diego County**

February 13, 2014
Referred to the Melone Committee

An act to amend Section 36510 of the Streets and Highways Code, and add Sections 42649.7, 42649.8, 42649.9, and 42649.10 to the Public Resources Code, relating to recycling receptacles.

ABSTRACT

AB 168 implements and requires the use of recycling receptacles in public locations to reduce commercial waste.

The people of the State of California do enact as follows:

- 1 SECTION 1. SECTION 1. Section 36510 of the Streets and Highways
2 Code is amended, to read:
3 36510. "Improvement" means the acquisition, construction, installation,
4 or maintenance of any tangible property with an estimated useful life of
5 five years or more including, but not limited to, the following:
6 (a) Parking facilities
7 (b) Benches
8 (c) Trash receptacles
9 (d) Street lighting
10 (e) Decorations
11 (f) Parks
12 (g) Fountains
13 (h) *Recycling receptacles*
14 SEC. 2. Section 42649.7 is added to the Public Resources Code, to read:
15 42649.7(a). Every public trash receptacle must have an accompanying
16 recycling receptacle.
17 SEC. 3. Section 42649.8 is added to the Public Resources Code, to read:
18 42649.8. All California food processors, restaurants, and grocery stores
19 must either compost or donate all compostable or donatable leftover food
20 beginning January 1, 2015, or be subject to a fine, the amount of which is
21 to be determined by the Legislature.
22 SEC. 4. Section 42649.9 is added to the Public Resources Code, to read:
23 42649.9. All California restaurants must package all food and drinks
24 sold in recyclable containers beginning January 1, 2019, or be subject to a
25 fine, the amount of which is to be determined by the Legislature.
26 SEC. 5. Section 42649.910 is added to the Public Resources Code,
27 to read: 42649.10. All California restaurants must use exclusively paper
28 products made from recyclable material beginning January 1, 2019, or be
29 subject to a fine, the amount of which is to be determined by the Legislature.

**Introduced by Members Representing the
Rancho Branch of the
YMCA of San Diego County**

February 13, 2014
Referred to the Nichols Committee

Constitutional Amendment No. 169-- A Resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 27 of Article 1 thereof, relating to the death penalty.

ABSTRACT

ACA 169 abolishes the death penalty as a possible sentence for any crime committed in the state.

- 1 *Resolved by the Senate, and the Assembly concurring:* That the
2 Legislature of the State of California at its 2014 Regular Session,
3 commencing with the 6th day of January 2014, two-thirds of all members
4 elected to each two houses of the Legislature voting in favor thereof,
5 hereby proposes to the people of the State of California that Section 27 of
6 Article 1 of the Constitution of the State is amended to read:
7
8 SEC. 27. (a) ~~All statutes of this State in effect on February 17, 1972,~~
9 ~~requiring, authorizing, imposing, or relating to the death penalty are in~~
10 ~~full force and effect, subject to legislative amendment or repeal by statute,~~
11 ~~initiative, or referendum.~~
12 The death penalty provided for under those statutes shall not be deemed
13 to be, or to constitute, the infliction of cruel or unusual punishments within
14 the meaning of Article 1, Section 6 nor shall such punishment for such
15 offenses be deemed to contravene any other provision of this constitution.
16 ~~will be considered a violation of the Eighth Amendment to the United~~
17 ~~States Constitution and found to be cruel and unusual punishment.~~

**Introduced by Members Representing the
Burton Delegation of the
YMCA of San Francisco**

February 13, 2014
Referred to the Redding Committee

Constitutional Amendment No. 170-- A Resolution to propose to the people of the State of California an amendment to Section 7060.4 (b) of the Government Code relating to evicting tenants of tenants

ABSTRACT

ACA 170 extends the notification requirement on landlords for rental evictions.

The people of the State of California do enact as follows:

- 1 SECTION 1. SECTION 7060.4. (b) The statute, ordinance, or regulation
- 2 of the public entity may require that the owner record with the county
- 3 recorder a memorandum summarizing the provisions, other than the
- 4 confidential provisions, of the notice in a form which shall be prescribed
- 5 by the statute, ordinance, or regulation, and require a certification with that
- 6 notice that actions have been initiated as required by law to terminate any
- 7 existing tenancies. In that situation, the date on which the accommodations
- 8 are withdrawn from rent or lease for purposes of this chapter is ~~120 days~~ 1
- 9 year from the delivery in person or by first-class mail of that notice to the
- 10 public entity. However, if the tenant or lessee is at least 62 years of age or
- 11 disabled, and has lived in his or her accommodations for at ~~least one year~~
- 12 1 year and 6 months prior to the date of delivery to the public entity of the
- 13 notice of intent to withdraw pursuant to subdivision
- 14 2 Extend the 120 days to 1 year for all tenants and one and 6 months
- 15 for elders and disabled citizens
- 16 3 Amend bill by enforcing an earmarked property tax on all Ellis
- 17 condominiums sold where half the percent is allocated to building
- 18 affordable housing and tenant programs

**Introduced by Members Representing the
Stonestown Delegation of the
YMCA of San Francisco**

February 13, 2014
Referred to the Tuttle Committee

An act to add Chapter 5.6 (commencing with Section 108670) to Part 3 of Division 104 of the Health and Safety Code, relating to product safety.

ABSTRACT

AB 171 requires a specified notice relating to radiofrequency energy emitted by a cellular telephone to be prominently displayed by the retailer of the cellular telephone in California immediately adjacent to the displayed purchase price at the physical retail location, on the retailer's Internet Web sites, and on the cellular telephone's exterior packaging or on a label attached to that exterior packaging.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 5.6 (commencing with Section 108670) is added
2 to Part 3 of Division 104 of the Health and Safety Code, to read:

3 CHAPTER 5.6. CELLULAR TELEPHONES

4 108670. (a) The retailer of a cellular telephone in California shall
5 prominently display the notice in subdivision (b) as follows:

6 (1) Immediately adjacent to the displayed purchase price at the retailer's
7 physical locations and on the retailer's Internet Websites.

8 (2) On the exterior of the cellular telephone's packaging or on a label
9 attached to the cellular telephone's exterior packaging.

10 (b) The following notice shall be clearly printed:

11 "This device emits radiofrequency energy at the Specific Absorption
12 Rate (SAR) level of (insert SAR) watts per kilogram. The FCC has deemed
13 any device exceeding 1.6 watts per kilogram unsafe."

14 (c) The notice shall be followed by a graphical representation of the
15 Specific Absorption Rate (SAR) of the device, which shall represent a
16 scale of SAR levels ranging from 0 to 3 W/kg. The area from 0-1.6 W/
17 kg shall be represented in green, meaning SAR levels at these rates have
18 been deemed safe. The area from 1.6 - 3 W/kg shall be represented in red,
19 meaning SAR levels at these rates have been deemed unsafe. The SAR
20 level for the labeled device shall be represented with a blue bar at the
21 appropriate location on this scale.

**Introduced by Members Representing the
South Pasadena San Marino Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Weeks Committee

Assembly Constitutional Amendment No.172 – A Resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 31 of Article 1 thereof, relating to affirmative action.

ABSTRACT

ACA 172 reinstates affirmative action programs pertaining to admissions to public postsecondary education, public employment, and public contracting, with an amendment directing the State to base preference on socio-economic status.

1 *Resolved by the Assembly, the Senate concurring:* That the Legislature
2 of the State of California at its 2014 Regular Session, commencing with
3 the 6th day of January 2014, two-thirds of all members elected in each
4 two houses of the Legislature voting in favor thereof, hereby proposes
5 to the people of the State of California that Section 31 of Article 1 of the
6 Constitution of the State is amended to read:

7 SEC. 31. (a) The State shall not discriminate against, or grant preferential
8 treatment to, any individual or group on the basis of race, sex, color,
9 ethnicity, or national origin, *but rather the state shall give preferential*
10 *consideration based on disadvantage to persons who are, at that time,*
11 *in a position of lower socio-economic status,* in the operation of public
12 employment, public education, or public contracting.

13 (b) This section shall apply only to action taken after the section's
14 effective date.

15 (c) Nothing in this section shall be interpreted as prohibiting bona fide
16 qualifications based on sex which are reasonably necessary to the normal
17 operation of public employment, public education, or public contracting.

18 (d) Nothing in this section shall be interpreted as invalidating any court
19 order or consent decree which is in force as of the effective date of this
20 section.

21 (e) Nothing in this section shall be interpreted as prohibiting action
22 which must be taken to establish or maintain eligibility for any federal
23 program, where ineligibility would result in a loss of federal funds to the
24 State.

25 (f) For the purposes of this section, "State" shall include, but not
26 necessarily be limited to, the State itself, any city, county, city and
27 county, public university system, including the University of California,
28 community college district, school district, special district, or any other

1 political subdivision or governmental instrumentality of or within the
2 State.

3 (g) The remedies available for violations of this section shall be the
4 same, regardless of the injured party's race, sex, color, ethnicity, or national
5 origin, as are otherwise available for violations of then-existing California
6 antidiscrimination law.

7 (h) This section shall be self-executing. If any part or parts of this
8 section are found to be in conflict with federal law or the United States
9 Constitution, the section shall be implemented to the maximum extent that
10 federal law and the United States Constitution permit. Any provision held
11 invalid shall be severable from the remaining portions of this section.

**Introduced by Members Representing the
Palos Verdes Delegation of the
San Pedro & Peninsula Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Price Committee

An act to add Section 1625.2 to the Health and Safety Code, relating to blood donations.

ABSTRACT

AB 173 requires blood banks to accept blood donations from prisoners who elect to donate.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1625.2 of the Health and Safety Code is added to
2 read:
3
4 1625.2. All licensed tissue donation facilities shall be required to accept
5 blood donations from currently incarcerated inmates who elect to donate.

**Introduced by Members Representing the
San Pedro Delegation of the
San Pedro & Peninsula Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Foreman Committee

Assembly Joint Resolution 174, relative to the United States currency.

ABSTRACT

AJR 174 memorializes the Congress of the United States to eliminate the penny from United States currency.

The people of the State of California do enact as follows:

- 1 SECTION 1. WHEREAS, The United States' current use of pennies in
2 the currency system will be eliminated; and
3 WHEREAS, the rounding system will be implemented; and
4 WHEREAS, as pennies exit circulation, cash payments or transactions
5 only will need to be rounded, either up or down, to the nearest five-cent
6 increment; and
7 WHEREAS, only cash payments would be rounded; now, therefore, be
8 it
9 *Resolved By the Assembly and Senate of the State of California, jointly,*
10 That the Legislature of the State of California respectfully memorializes
11 the Congress of the United States to implement the rounding system and
12 eliminate the penny from United States currency; and be it further
13 *Resolved,* that the Chief Clerk of the Assembly transmit copies of this
14 resolution to the Speaker of the House of Representatives, the President
15 Pro-Tempore of the United States Senate, and to each Senator and
16 Representative from California in the Congress of the United States, and
17 to the Chief Clerk of the Legislature in each of the other forty-nine states.

February 13, 2014
Referred to the Douglass Committee

SECTION 1. Section 17041 of the Revenue and Taxation Code is amended to read: 17041. (a) (1) There shall be imposed for each taxable year upon the entire taxable income of every resident of this state *who has reached 18 years of age* who is not a part-year resident, except the head of a household as defined in Section 17042, taxes in the following amounts and at the following rates upon the amount of taxable income computed for the taxable year as if the resident were a resident of this state for the entire taxable year and for all prior taxable years for any carryover items, deferred income, suspended losses, or suspended deductions:

If the taxable income is:	The tax is:
Not over \$3,650	1% of the taxable income
Over \$3,650 but not over \$8,650	\$36.50 plus 2% of the excess over \$3,650
Over \$8,650 but not over \$13,650	\$136.50 plus 4% of the excess over \$8,650
Over \$13,650 but not over \$18,950	\$336.50 plus 6% of the excess over \$13,650
Over \$18,950 but not over \$23,950	\$654.50 plus 8% of the excess over \$18,950
Over \$23,950	\$1,054.50 plus 9.3% of the excess over \$23,950

**Introduced by Members Representing the
Stuart C. Gildred Family Branch of the
Channel Islands YMCA**

February 13, 2014
Referred to the Hempstead Committee

An act to add Section 9250.3 to the Vehicle Code, relating to registration fees.

ABSTRACT

AB 176 adds an additional 3% fee to the registration of vehicles with a gas mileage below a specified amount to fund alternative and renewable fuel and vehicle technology.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 9250.3 is added to the Vehicle Code, to read:
- 2 9250.3. (a) (1) An additional 3% shall be added to the fee described in
- 3 section 9250 for all new vehicles purchased on or after January 1, 2015
- 4 with a city gas mileage of less than 23 miles per gallon.
- 5 (2) For used vehicles purchased on or after January 1, 2015 an additional
- 6 3% fee shall be added to the fee described in 9250 to vehicles with a city
- 7 gas mileage of less than 20 miles per gallon.
- 8 (b) This section shall not apply to non-privately owned vehicles.
- 9 (c) Fees collected pursuant to this section shall be deposited into the
- 10 Alternative and Renewable Fuel and Vehicle Technology Fund created by
- 11 Section 44273 of the Health and Safety Code.

**Introduced by Members Representing the
Triunfo Branch of the
Southeast Ventura County YMCA**

February 13, 2014
Referred to the Denver Committee

An act to add Section 114250.2 to the Health and Safety Code, relating to public restrooms.

ABSTRACT

AB 177 requires the installation of bidet extensions in every publicly accessible lavatory in the state of California

The people of the State of California do enact as follows:

1 SECTION 1. Section 114250.2 is added to the Health and Safety Code,
2 to read:

3 114250.2. (a) A bidet toilet shall be installed in every publically
4 accessible restroom in the state, including but not limited to banks,
5 restaurants, shopping malls, parks, grocery stores, hotel lobbies.

6 (1) The ratio of stalls to bidet toilets shall be 1 to 3. Therefore, for every
7 three stalls in a bathroom, one of the three is mandated to be a bidet toilet.

8 (2) The third toilet shall have a bidet extension installed onto it.
9 Therefore, no toilet shall be replaced, only modified to serve dual purposes.

10 (3) For restrooms with only one stall, the toilet in said stall shall have
11 the bidet extension installed onto it.

12 (b) All employees for the food industries shall be required to use the
13 installed bidet toilet when using the lavatory.

14 (1) In affect it shall reduce the chances of fecal matter cross contamination
15 with food.

16 (2) Also a precautionary measure to decrease likeliness of outbreaks of
17 fecal matter related diseases such as Pink Eye, Hepatitis A, Hepatitis E,
18 Cholera, Typhoid Fever, Rotavirus, Norovirus, and Dysentery.

**Introduced by Members Representing the
Ventura Family Branch of the
Channel Islands YMCA**

February 13, 2014
Referred to the Hendricks Committee

An act to amend Section 12814.6 of the Vehicle Code, relating to issuance and renewal of licenses.

ABSTRACT

AB 178 reduces the restrictions on provisional licenses currently in place under The Brady-Jared Teen Driver Safety Act of 1997.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12814.6 of the Vehicle Code is amended to read:
2 12814.6. (a) Except as provided in Section 12814.7, a driver's license
3 issued to a person at least 16 years of age but under 18 years of age shall
4 be issued pursuant to the provisional licensing program contained in this
5 section. The program shall consist of all of the following components:

6 ***

7 (b) Except as provided in Section 12814.7, the provisional driver's
8 license shall be subject to all of the following restrictions:

9 (1) Except as specified in paragraph (2), during the first ~~12~~ 9 months
10 after issuance of a provisional license the licensee may *be subject not do*
11 any of to the following ~~unless accompanied and supervised by a licensed~~
12 driver who is the licensee's parent or guardian, a licensed driver who is 25
13 years of age or older, or a licensed or certified driving instructor:-

14 (A) ~~Drive between the hours of 10 p.m. and 5 a.m.~~ After 3 months
15 of infraction-free driving under the provisional license, the driver will
16 gain rights to drive an immediate family member without any restrictions
17 besides the 10 p.m. to 5 a.m. time restriction.

18 (B) ~~Transport passengers who are under 20 years of age.~~ After 9 months
19 of infraction-free driving under the provisional license, the driver will gain
20 the right to drive passengers under 21 years of age.

21 (C) *If the driver is found guilty of an infraction while driving, the driver*
22 *will lose the ability to drive immediate family members and/or passengers*
23 *while still under the provisional license. (D) This revision shall not apply*
24 *to, or supersede the punishments for felonies and misdemeanors that the*
25 *driver may be convicted of while driving under a provisional license.*

26 ***

**Introduced by Members Representing the
Verdugo Hills Branch of the
YMCA of the Foothills**

February 13, 2014
Referred to the Thompson Committee

An act to add Section 12514 to the Vehicle Code, relating to age requirements for driver's licenses.

ABSTRACT

AB 179 voids all driver's licenses for California citizens 90 years of age and older.

The people of the State of California do enact as follows:

- 1 SECTION 1. This act shall be known, and may be cited as the Senior
2 Driving Safety Act.
3 SEC. 2. Section 12514 is added to the Vehicle Code to read:
4 12514 (a) Notwithstanding any other law, no license to drive shall be
5 issued to a person 87 years of age or older.
6 (b) A person who possess a license to drive who is 87 years of age
7 or older on January 1, 2015, may retain his or her license to drive until
8 January 1, 2018, upon which date the license shall be voided.
9 (c) Commencing on January 1, 2018, the license to drive of any person
10 under the age of 90 years shall be voided when he or she attains 90 years
11 of age.

**Introduced by Members Representing the
West Contra Costa Hilltop Branch of the
YMCA of the East Bay**

February 13, 2014
Referred to the Burns Committee

An act to add Section 7631 to the Family Code, relating to the determination of paternity.

ABSTRACT

AB180 provides for the determination of the paternity of a newborn through the use of DNA testing of the man identified as being the father.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 7631 is added to the Family Code, to read:
- 2 7631. Upon the event of a live birth, prior to the mother leaving the
- 3 hospital the person responsible for registering the birthday under Section
- 4 102405 of the Health and Safety Code shall provide to the natural mother
- 5 and shall attempt to provide, at the place of birth, to the person identified by
- 6 the natural mother as the natural father, mandatory declaration of paternity
- 7 through the use of a DNA test.

**Introduced by Members Representing the
Westchester Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Beck Committee

An act to amend Section 22581 of the Business and Professions Code, relating to internet privacy.

ABSTRACT

AB 181 requires the operator of an Internet Web site, online service, online application, or mobile application to permit a minor, who is a registered user of the operator's Internet Web site, online service, online application, or mobile application, to remove, or to request and obtain removal of, content or information posted on the operator's Internet Web site, service, or application by a third party.

The people of the State of California do enact as follows:

1 SECTION 1. Section 22581 of the Business and Professions Code is
2 amended to read:

3 22581. (a) An operator of an Internet Web site, online service, online
4 application, or mobile application directed to minors or an operator of an
5 Internet Web site, online service, online application, or mobile application
6 that has actual knowledge that a minor is using its Internet Web site,
7 online service, online application, or mobile application shall do all of the
8 following:

9 (1) Permit a minor who is a registered user of the operator's Internet
10 Web site, online service, online application, or mobile application to
11 remove or, if the operator prefers, to request and obtain removal of, content
12 or information posted on the operator's Internet Web site, online service,
13 online application, or mobile application by the user or third party.

14 (2) Provide notice to a minor who is a registered user of the operator's
15 Internet Web site, online service, online application, or mobile application
16 that the minor may remove or, if the operator prefers, request and obtain
17 removal of, content or information posted on the operator's Internet
18 Web site, online service, online application, or mobile application by the
19 registered user.

20 (3) Provide clear instructions to a minor who is a registered user of the
21 operator's Internet Web site, online service, online application, or mobile
22 application on how the user may remove or, if the operator prefers, request
23 and obtain the removal of content or information posted on the operator's
24 Internet Web site, online service, online application, or mobile application.

1 (4) Provide notice to a minor who is a registered user of the operator's
2 Internet Web site, online service, online application, or mobile application
3 that the removal described under paragraph (1) does not ensure complete
4 or comprehensive removal of the content or information posted on the
5 operator's Internet Web site, online service, online application, or mobile
6 application by the registered user.

7 (b) An operator or a third party is not required to erase or otherwise
8 eliminate, or to enable erasure or elimination of, content or information in
9 any of the following circumstances:

10 (1) Any other provision of federal or state law requires the operator or
11 third party to maintain the content or information.

12 ~~(2) The content or information was stored on or posted to the operator's~~
13 ~~Internet Web site, online service, online application, or mobile application~~
14 ~~by a third party other than the minor, who is a registered user, including~~
15 ~~any content or information posted by the registered user that was stored,~~
16 ~~republished, or reposted by the third party.~~

17 (3)(2) The operator anonymizes the content or information posted by
18 the minor who is a registered user, so that the minor who is a registered
19 user cannot be individually identified.

20 (4)(3) The minor does not follow the instructions provided to the minor
21 pursuant to paragraph (3) of subdivision (a) on how the registered user
22 may request and obtain the removal of content or information posted on
23 the operator's Internet Web site, online service, online application, or
24 mobile application by the registered user or a third party.

25 (5)(4) The minor has received compensation or other consideration for
26 providing the content.

27 (c) This section shall not be construed to limit the authority of a law
28 enforcement agency to obtain any content or information from an operator
29 as authorized by law or pursuant to an order of a court of competent
30 jurisdiction.

31 (d) An operator shall be deemed compliant with this section if:

32 (1) It renders the content or information posted by the minor user or a
33 third party no longer visible to other users of the service and the public
34 even if the content or information remains on the operator's servers in
35 some form.

36 (2) Despite making the original posting by the minor user invisible, it
37 remains visible because a third party has copied the posting or reposted the
38 content or information posted by the minor.

39 (e) This section shall not be construed to require an operator of an
40 Internet Web site, online service, online application, or mobile application
41 to collect age information about users.

42 (f) "Posted" means content or information that can be accessed by a user
43 in addition to the minor who posted the content or information, whether
44 the user is a registered user or not, of the Internet Web site, online service,
45 online application, or mobile application where the content or information
46 is posted.

**Introduced by Members Representing the
Wilmington Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Melone Committee

An act to amend Section 1834.4 of the Civil Code, relating to animal euthanization.

ABSTRACT

AB 182 requires an adoptable animal to be held at least 4 weeks in state-funded shelters.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1834.4 of the Civil Code is amended to read:
2 1834.4 (a) ~~It is the policy of the state that no~~ No adoptable animal should
3 be euthanized if it can be adopted into a suitable home. *These adoptable*
4 *animals shall be held for a minimum of four weeks.* Adoptable animals
5 include only those animals, eight weeks of age or older, at or subsequent
6 to the time the animal is impounded or otherwise taken into possession,
7 have manifested no sign of a behavior or temperamental defects that
8 could pose a health or safety risk or otherwise make the animal unsuitable
9 for placement as a pet and have manifested no sign of disease, injury, or
10 congenital or hereditary condition that would adversely affect the health
11 of the animal or that is likely to adversely affect the animal's health in the
12 future.

**Introduced by Members Representing the
Magdalena Ecke Branch of the
YMCA of San Diego County**

February 13, 2014
Referred to the Nichols Committee

An act to amend sections Section 17075.50 of the Education Code, relating to locks on classroom doors, and section 23690 of the Penal Code, relating to fees on the purchase or transfer of firearms.

ABSTRACT

AB 183 requires that classroom doors be lockable from the inside without the use of a key and funds the retrofitting of said doors through a fee increase paid into the Firearm Safety Account.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17075.50 of the Education Code is amended to
2 read:

3 17075.50. (a) On and after July 1, 2011, all new construction projects
4 submitted to the Division of the State Architect pursuant to this chapter
5 shall include locks that allow doors to classrooms and any room with an
6 occupancy of five or more persons to be locked from the inside.

7 (b) The locks shall conform to the specifications and requirements set
8 forth in Title 24 of the California Code of Regulations.

9 (c) Doors that are locked from the outside at all times and pupil
10 restrooms are exempt from the requirements of this section.

11 (d) *On and after July 1, 2016, all doors to classrooms and any room*
12 *with an occupancy of five or more persons that have not been equipped*
13 *with new locks per subdivision (a) of this section shall be equipped with a*
14 *sliding rubber lock block or similar device to allow the door to be locked*
15 *from the inside without use of a key.*

16 SECTION 2. Section 23690 of the Penal Code is amended to read:

17 (a) (1) The Department of Justice may shall require each dealer to
18 charge each firearm purchaser or transferee a fee tax not to exceed ~~one~~
19 ~~dollar (\$1)~~ five dollars (\$5) for each firearm transaction.

20 (2) *One dollar (\$1) of the fee shall be for the purpose of supporting*
21 *department program costs related to this act, including the establishment,*
22 *maintenance, and upgrading of related database systems and public*
23 *rosters.*

24 (3) *Four dollars (\$4) of the tax shall be apportioned to the school*
25 *districts, which shall use their discretion on how to spend the money*
26 *relating to campus safety.*

1 (b) (1) There is hereby created within the General Fund the Firearm
2 Safety Account.

3 (2) Revenue from the ~~fee-tax~~ imposed by subdivision (a) shall be
4 deposited into the Firearm Safety Account and shall be available for
5 expenditure by the Department of Justice upon appropriation by the
6 Legislature.

7 (3) Expenditures from the Firearm Safety Account shall be limited to
8 program expenditures as defined by subdivision (a).

**Introduced by Members Representing the
Pescadero Delegation**

February 13, 2014
Referred to the Redding Committee

An act to add Section 889.3 to the Streets and Highway Code, relating to scenic bikeways.

ABSTRACT

AB 184 requires the creation of a bike path running the length of and adjacent to State Route 1 for bicyclists, pedestrians and other nonmotorized uses to promote the health and safety of the public and the environment.

The people of the State of California do enact as follows:

1 SECTION 1. Section 889.3 is added to the Streets and Highways Code
2 to read: *Section 889.3. (a) The Legislature recognizes that State Route 1 is*
3 *a route of unique scenic significance and draws bicyclists, pedestrians and*
4 *motorists from around the world for sightseeing, recreation and sport. The*
5 *Legislature recognizes further that the number of fatalities and injuries*
6 *from accidents involving motorists and bicyclists on State Route 1 has*
7 *been steadily increasing. To promote the health and safety of Californians*
8 *and visitors seeking to utilize this unique resource, it is the intent of the*
9 *Legislature to mandate the construction of a separate bike path running*
10 *the length of and adjacent to State Route 1 for use by bicyclists, pedestrians*
11 *and other nonmotorized uses.*

12 **(b)** *To effectuate this purpose, the Department of Transportation shall*
13 *establish and construct the bike path which shall provide a completely*
14 *separated right-of-way designated for the exclusive use of bicycles,*
15 *pedestrians and other nonmotorized uses.*

16 **(c)** *To the extent practicable, the Department shall use or convert*
17 *existing bike trails and rights-of-way to create the bike path.*

18 **(d)** *The Department may acquire, by gift, purchase, or condemnation,*
19 *land, real property, easements, or rights-of-way to establish the bike path.*

20 **(e)** *The Legislature finds and declares that the construction of the bike*
21 *path pursuant to this Section is a highway purpose under Article XIX of*
22 *the California Constitution and justifies the expenditure of highway funds*
23 *therefore.*

24 **(f)** *(1) As used in this section, "Route 1" means the route defined in*
25 *Section 301 [of the Streets and Highway Code].*

26 **(2)** *As used in this section, "bike path" means a Class I bikeway as*
27 *defined in Section 890.4 [of the Streets and Highway Code ("a completely*
28 *separated right-of-way designated for the exclusive use of bicycles and*
29 *pedestrians with crossflows by motorists minimized"))].*

**Introduced by Members Representing the
Palisades-Malibu Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Brown Committee

An act to add Section 12804.16 to Vehicle Code, relating to the driving test.

ABSTRACT

AB 185 requires the Department of Motor Vehicles to include freeway driving and parallel parking as part of the driving test.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the following:

2 (a) California is ranked the most dangerous state for road users in the
3 United States.

4 (b) Car accidents are the leading cause of accidental death for citizens
5 under the age of 34.

6 (c) Many states in the US include freeway and parallel parking on their
7 driving tests, including Washington, Oregon, and Massachusetts.

8 (d) Massachusetts, which has the hardest driving test in the country, has
9 the lowest average yearly rate for deaths caused by motor vehicles.

10

11 SEC. 2. Section 12804.16 is added to the Vehicle Code, to read:

12 12804.16 (a) The department shall include freeway driving and
13 parallel parking on the driving test in addition to the other elements of the
14 driving test required by this code and regulations issued pursuant those
15 requirements.

16 (b) The department shall increase the time of the driving test from 15
17 minutes to 30 minutes.

18 (c) If an applicant for a license fails to pass the driving test three
19 consecutive times, he or she shall be required to wait a minimum of three
20 months before reapplying for a license.

**Introduced by Members Representing the
Salinas Community Branch of the
Central Coast YMCA**

February 13, 2014
Referred to the Nichols Committee

An act to amend Section 4852.03 of the Penal Code, relating to prison rehabilitation requirements.

ABSTRACT

AB 186 authorizes the filing by petitioner for a certificate of rehabilitation after participation in and successful completion of a joint program with a local animal shelter.

The people of the State of California do enact as follows:

1 Section 4825.03 of the Penal Code is amended to read:

2 4825.03. (a) The period of rehabilitation shall begin to run upon the
3 discharge of the petitioner from custody due to his or her completion of the
4 term to which he or she was sentenced or upon his

5 or her release on parole or probation, whichever is sooner. For purposes
6 of this chapter, the period of rehabilitation shall constitute five years'
7 residence in this state, plus a period of time

8 determined by the following rules:

9 (1) To the five years there shall be added four years in the case of any
10 person convicted of violating Section 187, 209, 219, 4500, or 18755 of this
11 code, or subdivision (a) of Section 1672 of the Military and Veterans Code,
12 or of committing any other offense which carries a life sentence.

13 (2) To the five years there shall be added five years in the case of any
14 person convicted of committing any offense or attempted offense for which
15 sex offender registration is required pursuant to Section 290, except for
16 convictions for violations of subdivision (b), (c), or (d) of Section 311.2,
17 or of Section 311.3, 311.10, or

18 314. For those convictions, two years shall be added to the five years
19 imposed by this section.

20 (3) To the five years there shall be added two years in the case of any
21 person convicted of committing any offense that is not listed in paragraph
22 (1) or paragraph (2) and that does not carry a life sentence.

23 (4) The trial court hearing the application for the certificate of
24 rehabilitation may, if the defendant was ordered to serve consecutive
25 sentences, order that his or her statutory period of rehabilitation be
26 extended for an additional period of time which when combined with the
27 time already served will not exceed the period prescribed by statute for the
28 sum of the maximum penalties for all the crimes.

1 (5) Any person who was discharged after completion of his or her term
2 or was released on parole before May 13, 1943, is not subject to the periods
3 of rehabilitation set forth in these rules.

4 (b) Unless and until the period of rehabilitation, as stipulated in this
5 section, has passed, the petitioner shall be ineligible to file his or her
6 petition for a certificate of rehabilitation with the court. Any certificate of
7 rehabilitation that is issued and under which the petitioner has not fulfilled
8 the requirements of this chapter shall be void.

9 (c) A change of residence within this state does not interrupt the
10 period of rehabilitation prescribed by this section.

11 (d) *Notwithstanding the period of rehabilitation requirements described*
12 *in subdivisions (a) and (b), the petitioner, upon discharge or release,*
13 *may file a petition for a certificate of rehabilitation after the petitioner*
14 *participates in and successfully completes a joint program with a local*
15 *animal shelter. This program shall require that an eligible petitioner*
16 *takes on the responsibility of the caring for and training of a shelter dog*
17 *for the length of eight weeks, commencing after the petitioner attends a*
18 *mandatory information session given by the local shelter representative.*
19 *The petitioner shall be subject to evaluation by the animal shelter in order*
20 *to acknowledge successful completion of this program. In addition to the*
21 *evaluation, the court may require testimony in order to issue the certificate*
22 *of rehabilitation.*

**Introduced by Members Representing the
Albany Branch of the
YMCA of the Central Bay Area**

February 13, 2014
Referred to the Sullivan Committee

An act to add Section 46120 to the Education Code, relating to the length of the school day.

ABSTRACT

SB 201 extends the minimum length of elementary school days by 120 minutes for schools that are chronically under-performing.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 46120 is added to the Education Code, to read:
2 46120. (a) The minimum length of the school day for chronically
3 under-performing elementary schools shall be extended to 350 minutes.
4 The State Board of Education shall lengthen of the school day by 120
5 minutes, and this requirement shall be implemented beginning on August
6 1, 2015.
7 (b) (1) For the purpose of this section, “chronically under-performing
8 elementary schools” shall be defined as the bottom 10 percent of elementary
9 schools according to the Academic Performance Index of the average for
10 the last five years.
11 (2) The chronically under-performing elementary schools shall be
12 reevaluated every five years.

**Introduced by Members Representing the
Berkeley Branch of the
YMCA of the Central Bay Area**

February 13, 2014
Referred to the Jordan Committee

An act to amend Section 29102 of the Food and Agricultural Code, relating to the neonicotinoids family of pesticides.

ABSTRACT

SB 202 prohibits the use of the neonicotinoids family of pesticides for agricultural purposes in California.

The people of the State of California do enact as follows:

1 SECTION 1. Section 29102 of the Food and Agricultural Code is
2 amended to read:

3 20102. (a) The director shall adopt regulations necessary to minimize
4 the hazard to bees, while still providing for the reasonable and necessary
5 application of pesticides toxic to bees to blossoming plants. The regulations
6 may be limited to specific blossoming plants.

7 (b) Regulations adopted pursuant to this section may be applicable to
8 either the entire state or specified areas of the state. Regulations that are
9 applicable to only specified areas of the state shall include provisions for
10 the mandatory notice of movement of apiaries, including any relocation
11 thereof within the area to which the regulations are applicable.

12 (c) The regulations may also include provisions for timely notification
13 of apiary owners of proposed pesticide applications, and limitations on the
14 time and method of application of pesticides and the pesticides used.

15 (d) (1) *The use of the neonicotinoids family of pesticides in agricultural*
16 *practice shall be prohibited for a period of 5 years beginning on January*
17 *1, 2015. After 5 years, this prohibition shall be revisited for renewal.*

18 (2) *On and after January 1, 2015, farmers who are found using*
19 *neonicotinoids shall be fined 20 times the amount that was originally*
20 *paid for the pesticides. These fines shall be redistributed to subsidize the*
21 *beekeeping industry.*

22 (3) *For the purposes of this subdivision, "neonicotinoids" is defined as*
23 *a class of neuro-active insecticides chemically similar to nicotine.*

**Introduced by Members Representing the
Conejo Valley YMCA**

February 13, 2014
Referred to the Peek Committee

An act to add Section 14059 to the Education Code, relating to the distribution of funds.

ABSTRACT

SB 203 restricts the use of funds on contracts with the intent to gather information from students social media outlets.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 14059 is added to the Education Code to read:
- 2 14059. (a) Allowances shall be restricted on contracts or hire companies
- 3 to gather information on students social media outlets.
- 4 (b) Expenditures on unprovoked exploratory research are banned.
- 5 Expenditures to gather information for any form of transcript, official
- 6 admissions processes, and any form of social and private life outside of
- 7 school grounds is banned.
- 8 (c) Exemption may be made in cases that involve law enforcement and
- 9 due process. Warrants and proper evidence must be made clear before any
- 10 public education system expenditures are made.

**Introduced by Members Representing the
Crenshaw Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Curry Committee

An act to add Section 2810.6 to the Labor Code, relating to employee diversity and sensitivity training.

ABSTRACT

SB 204 requires all employers to provide their employees with diversity and sensitivity training.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2810.6 is added to the Labor Code, to read:

2 2810.6. (a) All employers in the state, both public and private, shall
3 provide all employees with diversity and sensitivity training:

4 (1) For new employees, the training will be prior to the start of their
5 assigned job

6 (2) For current employees, training must be completed within six
7 months to a year of the effective date of this act.

8 (b) For the purpose of this section, “diversity and sensitivity training” is
9 defined as, but is not limited to:

10 (1) Training that addresses differences of culture, gender, age, race,
11 religion, sexual orientation, disability, and national origin.

12 (2) Training that promotes active listening and conflict resolution.

13 (c) The diversity and sensitivity training shall consist of two components:

14 (1) The first component of the training shall be a general overview to
15 diversity and sensitivity, consisting of highlighting the components listed
16 in subdivision (b).

17 (2) The second component of the training shall be regional specific and
18 will educate employees on the needs and issues of the community/region
19 of their work assignment.

20 (3) Employees that transfer to another region shall take the regional
21 specific component of the training.

22 (d) After the training, employees shall take an exit test to determine
23 their level of comprehension. This exit test shall have no negative impact
24 on the employment status of the employee.

25 (1) Employees that do not pass the exit test may re-test up to a total of
26 three times in one sitting.

27 (2) Employees that do not pass the exit test after three attempts shall
28 be required to re-take the diversity and sensitivity training. Retaking the

1 training shall have no negative impact on the employment status of the
2 employee.

3 (3) Employees that do not pass the exit test within three attempts after
4 re-taking the diversity and sensitivity training shall be required to take an
5 extended diversity and sensitivity course. Taking the course shall have no
6 negative impact on the employment status of the employee.

7 (e) Employees shall take a refresher diversity and sensitivity training
8 every two years that shall include any new information or trends in the
9 field of diversity and sensitivity.

10 (f) All employees shall receive compensation for the diversity and
11 sensitivity training.

**Introduced by Members Representing the
Crescenta-Cañada Family Branch of the
YMCA of the Foothills**

February 13, 2014
Referred to the Hart Committee

An act to amend Section 89542.5 of the Education code, relating to Teachers and Chapter 4 (commencing with Section 44800) of Part 25 of Division 3 of Title 2 of the Education Code.

ABSTRACT

SB 205 abolishes Teacher Tenure within the California Public Education System.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 44929.30 is added to the Education Code to read:
- 2 44929.30. 1) *Tenure will no longer be available to teachers within the*
- 3 *California Public Education System. All teachers who currently have*
- 4 *earned tenure shall lose the rights and privileges conferred by tenure.*
- 5 2) *All teachers in the California Public Education system will be tested*
- 6 *annually to ensure they maintain proficiency in their assigned subjects.*

**Introduced by Members Representing the
Culver-Palms Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Waite Committee

An act to amend Section 266i of the Penal Code, relating to prison sentencing.

ABSTRACT

SB 206 increases the prison sentence for human traffickers.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 266 of the Penal Code is amended to read:
- 2 266. (a) Except as provided in subdivision (b), any person who does any
- 3 of the following is guilty of pandering, a felony, and shall be punishable by
- 4 imprisonment in the state prison for three, four, or six years:
- 5 (1) Procures another person for the purpose of prostitution.
- 6 (2) By promises, threats, violence, or by any device or scheme, Causes,
- 7 induces, persuades, or encourages another person to become a prostitute.
- 8 (3) Procures for another person a place as an inmate in a house of
- 9 prostitution or as an inmate of any place in which prostitution is encouraged
- 10 or allowed within this state.
- 11 (4) By promises, threats, violence, or by any device or scheme, causes,
- 12 induces, persuades, or encourages an inmate of a house of prostitution, or
- 13 any other place in which prostitution is encouraged or allowed, to remain
- 14 therein as an inmate.
- 15 (5) By fraud or artifice, or by duress of person or goods, or by abuse
- 16 of any position of confidence or authority, procures another person for the
- 17 purpose of prostitution, or to enter any
- 18 place, in which prostitution is encouraged or allowed within this state,
- 19 or to come into this state or leave this state for the purpose of prostitution.
- 20 (6) Receives or gives, or agrees to receive or give, any money or thing
- 21 of value for procuring, or attempting to procure, another person for the
- 22 purpose of prostitution, or to come into this state or leave this state for the
- 23 purpose of prostitution.
- 24 (b) Any person who does any of the acts described in subdivision (a)
- 25 with another person who is a minor is guilty of pandering, a felony, and
- 26 shall be punishable as follows:
- 27 (1) If the other person (prostitute) is a minor 16 years of age or older,
- 28 the offense is punishable by imprisonment in the state prison for ~~three, six,~~
- 29 ~~or eight years~~ *twenty-five years to life*. (2) If the other person (prostitute)
- 30 is under 16 years of age, the offense is punishable by imprisonment in the
- 31 state prison for ~~three, six, or eight years~~ *twenty-five years to life*.

**Introduced by Members Representing the
Diablo Valley Branch of the
YMCA of the Central Bay Area**

February 13, 2014
Referred to the Bowen Committee

An act to amend Section 33511 of the Education Code, relating to standardized testing.

ABSTRACT

SB 207 adds to the Educational Innovation and Planning Commission the responsibility of overseeing the creation of district and state standardized tests.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 33511 of the Education Code is amended to read:
2
3 33511. The commission may do all of the following:
4 (a) Advise the state educational agency on the preparation of, and
5 policy matters arising in the administration of, the state plan, including the
6 development of criteria for the distribution of funds and the approval of
7 applications for assistance under Title IV.
8 (b) Assist the State Board of Education and the Department of Education
9 in the planning, development, and improvement of educational programs.
10 (c) Evaluate all programs and projects assisted under Title IV.
11 (d) *Oversee the development of both district and state accountability*
12 *tests. The department may use funds received pursuant to Title VI of the*
13 *federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.) or*
14 *any other available and appropriate state and federal funds in order to*
15 *implement this subdivision.*

**Introduced by Members Representing the
East Valley Family Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the McPherson Committee

An act to add Article 7 (commencing with Section 32070) to Chapter 1 of Part 19 of Division 1 of Title 1 of the Education Code, relating to schools.

ABSTRACT

SB 208 prohibits any and all persons or private interests groups from protesting or distributing any materials within a school zone unless specifically invited to do so by the school itself.

The people of the State of California do enact as follows:

1 SECTION 1. Article 7 (commencing with Section 32070) is added to
2 Chapter 1 of Part 19 of Division 1 of Title 1 of the Education Code, to read:

3

4

ARTICLE 7. DISTRIBUTION OF PROPAGANDA

5

6 32070. No private interest group or person working on behalf of, or
7 strongly supporting, a particular cause, including an item of legislation, an
8 industry, or a special segment of society, shall distribute or present materials
9 or propaganda relating to their cause within 1,000 feet of a school, unless
10 specifically invited to do so by the school. A person or private interest
11 group that violates this prohibition shall be fined not less than one thousand
12 dollars (\$1,000) for each day of the offense. Alternatively, a person that
13 violates this prohibition may be imprisoned in a county jail, not exceeding
14 one year, for each offense.

**Introduced by Members Representing the
Eastlake Branch of the
YMCA of the East Bay**

February 13, 2014
Referred to the Mitchell Committee

An act to add Section 49476 to the Education Code, relating to football practice.

ABSTRACT

SB 209 limits the time in which a K-12 school-based football team may practice full-contact techniques to 60% of their regular-season practice days.

The people of the State of California do enact as follows:

1

2 SECTION 1. Section 49476 is added to the Education Code to read:

3 49476. (a) If a school district elects to offer football activities through
4 its K-12 athletic program, it shall limit the full-contact practice time of a
5 team to a maximum of 60% of the team's regular or off-season practice
6 days.

7 (b) School districts shall convene, train, and deploy an evaluation team
8 to conduct a minimum of 2 unannounced spot checks per program at team
9 practices per season to ensure compliance.

10 (c) An evaluation team shall consist of 3 members from two or more of
11 the following:

12 (1) District administrator.

13 (2) Parent volunteer.

14 (3) Non-athletic, certified instructional staff.

15 (4) Community volunteer who is a licensed physician and surgeon or
16 obtained a medical degree from an accredited medical school.

17 (d) An athletic program in violation of this section shall be subject to
18 a penalty of removal of the head coach for the remainder of the athletic
19 season, a fine not exceeding one thousand dollars (\$1,000), or both.

20 (e) A fine under subdivision (d) shall be submitted to the school district
21 and shall be used on in-school education programs on the hazards of
22 concussions and repetitive, subconcussive blows, and preventive health
activities for concussions.

**Introduced by Members Representing the
El Dorado Delegation of the
Sacramento Central Branch of the
YMCA of Superior California**

February 13, 2014
Referred to the Shelley Committee

An act to add Part 11 (commencing with Section 125950) to Division 106 of the Health and Safety Code, relating to infertility procedures.

ABSTRACT

SB 210 limits the number of embryos that may be implanted during a single in vitro fertilization procedure.

The people of the State of California do enact as follows:

1 SECTION 1. Part 11 (commencing with Section 125950) is added to
2 Division 106 of the Health and Safety Code, to read:

3

4 PART 11. IN VITRO FERTILIZATION

5

6 125950. (a) The Legislature finds and declares as follows:

7 (1) There is a risk of multiple pregnancies when more than one embryo
8 is placed into the womb.

9 (2) Carrying more than one baby at a time increases the risk of premature
10 birth and low birth weight.

11 (3) Even a single baby born after in vitro fertilization is at higher risk for
12 prematurity and low birth weight.

13 (b) Any and all in vitro fertilization procedures in the state of California
14 shall be limited to a maximum of three embryos implanted into the uterine
15 wall.

16 (c) The three-embryo limit imposed by this section applies regardless of
17 the fertilization method or technique used.

18 (d) Negligent or willful violation of this part constitutes unprofessional
19 conduct on the part of, and grounds for disciplinary action by the appropriate
20 licensing entity for, the person performing the fertilization procedure.

**Introduced by Members Representing the
Fremont/Newark Branch of the
YMCA of the East Bay**

February 13, 2014
Referred to the Jones Committee

An act to amend Section 51890 of the Education Code, relating to health education curriculum.

ABSTRACT

SB 211 requires school districts to include specified curricula related to sexual identity.

The people of the State of California do enact as follows:

1

2 SECTION 1. Section 51890 of the Education Code is amended to read:

3 51890. (a) For the purposes of this chapter, “comprehensive health
4 education programs” are defined as all educational programs offered in
5 kindergarten and grades 1 to 12, inclusive, in the public school system,
6 including in-class and out-of-class activities designed to ensure that:

7 (1) Pupils will receive instruction to aid them in making decisions in
8 matters of personal, family, and community health, to include the following
9 subjects:

10 (A) The use of health care services and products.

11 (B) Mental and emotional health and development.

12 (C) Drug use and misuse, including the misuse of tobacco and alcohol.

13 (D) Family health and child development, including the legal and
14 financial aspects and responsibilities of marriage and parenthood.

15 (E) Oral health, vision, and hearing.

16 (F) Nutrition, which may include related topics such as obesity and
17 diabetes.

18 (G) Exercise, rest, and posture.

19 (H) Diseases and disorders, including sickle cell anemia and related
20 genetic diseases and disorders.

21 (I) Environmental health and safety.

22 (J) Community health.

23 (K) *LGBTIAQ identities.*

24 (2) To the maximum extent possible, the instruction in health is
25 structured to provide comprehensive education in health that includes all
26 the subjects in paragraph (1).

27 (3) The community actively participates in the teaching of health
28 including classroom participation by practicing professional health and
safety personnel in the community.

1 (4) Pupils gain appreciation for the importance and value of lifelong
2 health and the need for each individual to take responsibility for his or her
3 own health.

4 (5) School districts may voluntarily provide pupils with instruction
5 on preventative health care, including obesity and diabetes prevention
6 through nutrition education.

7 (b) Health care professionals, health care service plans, health care
8 providers, and other entities participating in a voluntary initiative with a
9 school district may not market their services when undertaking activities
10 related to the initiative. For purposes of this subdivision, “marketing” is
11 defined as making a communication about a product or service that is
12 intended to encourage recipients of the communication to purchase or
13 use the product or service. Health care or health education information
14 provided in a brochure or pamphlet that contains the logo or name of
15 a health care service plan or health care organization is not considered
16 marketing if provided in coordination with the voluntary initiative. The
17 marketing prohibitions contained in this subdivision do not apply to
18 outreach, application assistance, and enrollment activities relating to
19 federal, state, or county sponsored health care insurance programs that
20 are conducted by health care professionals, health care service plans,
21 health care providers, and other entities if the activities are conducted in
22 compliance with the statutory, regulatory, and programmatic guidelines
23 applicable to those programs.

**Introduced by Members Representing the
Ketchum-Downtown LA branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Miller Committee

An act to add Section 2153 to the Revenue and Taxation Code, relating to sales and use tax.

ABSTRACT

SB 212 requires all retail businesses to include the total price of an item, including all applicable sales taxes, on the display label, shelf label, or price tag of all goods for sale in the state.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 2153 added to the Revenue and Taxation Code,
- 2 to read:
- 3 All retail businesses are required to provide the total cost of an item,
- 4 including all sales taxes required by law, on the display label, shelf label,
- 5 or price tag of every item for sale.

**Introduced by Members Representing the
Miller Family Branch of the
YMCA of Southeast Ventura County**

February 13, 2014
Referred to the Fong Eu Committee

An act to amend Section 51933 of the Education Code, relating to sex education.

ABSTRACT

SB 213 requires that all public schools that offer 7th through 12th grade courses require an unbiased comprehensive sex education program for all students.

The people of the State of California do enact as follows:

1

2 SECTION 1. Section 51933 of the Education Code is amended to read:

3 51933. (a) School districts ~~may~~ *shall* provide comprehensive sexual
4 health education, consisting of age-appropriate instruction, in ~~any~~
5 ~~kindergarten grade 7~~ to grade 12, inclusive, using instructors trained in the
6 appropriate courses.

7 ~~(b) A school district that elects to offer comprehensive sexual health~~
8 ~~education pursuant to subdivision (a), whether taught by school district~~
9 ~~personnel or outside consultants, All school districts shall satisfy all of the~~
10 ~~following criteria:~~

11 (1) Instruction and materials shall be age appropriate.

12 (2) All factual information presented shall be medically accurate and
13 objective.

14 (3) Instruction shall be made available on an equal basis to a pupil who is
15 an English learner, consistent with the existing curriculum and alternative
16 options for an English learner pupil as otherwise provided in this code.

17 (4) Instruction and materials shall be appropriate for use with pupils of
18 all races, genders, sexual orientations, ethnic and cultural backgrounds,
19 and pupils with disabilities.

20 (5) Instruction and materials shall be accessible to pupils with
21 disabilities, including, but not limited to, the provision of a modified
22 curriculum, materials and instruction in alternative formats, and auxiliary
23 aids.

24 (6) Instruction and materials shall encourage a pupil to communicate
25 with his or her parents or guardians about human sexuality.

26 (7) Instruction and materials shall teach respect for ~~marriage and~~
27 ~~committed relationships.~~

28 (8) Commencing in grade 7, instruction and materials shall teach that
29 abstinence from sexual intercourse is the only certain way to prevent

1 unintended pregnancy, teach that abstinence from sexual activity is the
2 only certain way to prevent sexually transmitted diseases, and provide
3 information about the value of abstinence while also providing medically
4 accurate information on other methods of preventing pregnancy and
5 sexually transmitted diseases.

6 (9) Commencing in grade 7, instruction and materials shall provide
7 information about sexually transmitted diseases. This instruction shall
8 include how sexually transmitted diseases are and are not transmitted,
9 the effectiveness and safety of all federal Food and Drug Administration
10 (FDA) approved methods of reducing the risk of contracting sexually
11 transmitted diseases, and information on local resources for testing and
12 medical care for sexually transmitted diseases.

13 (10) Commencing in grade 7, instruction and materials shall provide
14 information about the effectiveness and safety of all FDA-approved
15 contraceptive methods in preventing pregnancy, including, but not limited
16 to, emergency contraception.

17 (11) Commencing in grade 7, instruction and materials shall provide
18 pupils with skills for making and implementing responsible decisions
19 about sexuality.

20 (12) Commencing in grade 7, instruction and materials shall provide
21 pupils with information on the law on surrendering physical custody of a
22 minor child 72 hours or younger, pursuant to Section 1255.7 of the Health
23 and Safety Code and Section 271.5 of the Penal Code.

24 (c) A school district that ~~elects to offer~~ *offers* comprehensive sexual
25 health education pursuant to subdivision (a) earlier than grade 7 may
26 provide age appropriate and medically accurate information on any of the
27 general topics contained in paragraphs (8) to (12), inclusive, of subdivision
28 (b).

29 (d) A school district that ~~elects to offer~~ *offers* comprehensive sexual
30 health education pursuant to subdivision (a), whether taught by school
31 district personnel or outside consultants, the school district shall comply
32 with the following:

33 (1) Instruction and materials may not teach or promote religious
34 doctrine.

35 (2) Instruction and materials may not reflect or promote bias against any
person on the basis of any category protected by Section 220.

**Introduced by Members Representing the
Newport Harbor Delegation of the
Mission Viejo Branch of the
YMCA of Orange County**

February 13, 2014
Referred to the Brown Committee

An act to amend and repeal Section 42251 of, to amend, repeal and add Section 42252 of, and to add Section 42250.1 to, the Public Resources Code, relating to plastic bags.

ABSTRACT

SB 214 prohibits, on and after January 1, 2015, the distribution of plastic carryout bags by a store and repeals, on and after January 1, 2018, the requirement that an operator of a store provide an at-store recycling program for plastic carryout bags.

The people of the State of California do enact as follows:

1 SECTION 1. Section 42250.1 is added to the Public Resources Code
2 to read:

3 42250.1 (a) A store shall not distribute plastic carryout bags.

4 (b) A retail establishment that is not a store and that provides plastic
5 carryout bags to customers at the point of sale may continue to do so.

6 (c) This section does not affect the distribution of paper carryout bags or
7 product bags or ban the use of personal grocery bags brought by consumers.

8 (d) This section shall become operative on January 1, 2015.

9 SEC. 2. Section 42251 of the Public Resources Code is amended to
10 read:

11 42251. (a) The operator of a store shall establish an at-store recycling
12 program pursuant to this chapter that provides an opportunity for a
13 customer of the store to return to the store clean plastic carryout bags.

14 (b) A retail establishment that does not meet the definition of a store,
15 as specified in Section 42250, and that provides plastic carryout bags to
16 customers at the point of sale may also adopt an at-store recycling program,
17 as specified in this chapter.

18 (c) *This section shall become inoperative and is repealed on January 1,*
19 *2018, unless a later enacted statute extends that date.*

20 SEC. 3. Section 42252 of the Public Resources Code is amended to
21 read:

22 42252. An at-store recycling program provided by the operator of a
23 store shall include all of the following:

1 (a) A plastic carryout bag provided by the store shall have printed or
2 displayed on the bag, in a manner visible to a consumer, the words “PLEASE
3 RETURN TO A PARTICIPATING STORE FOR RECYCLING.”

4 (b) A plastic carryout bag collection bin shall be placed at each store and
5 shall be visible, easily accessible to the consumer, and clearly marked that
6 the collection bin is available for the purpose of collecting and recycling
7 plastic carryout bags.

8 (c) All plastic bags collected by the store shall be collected, transported,
9 and recycled in a manner that does not conflict with the local jurisdiction’s
10 source reduction and recycling element, pursuant to Chapter 2 (commencing
11 with Section 41000) and Chapter 3 (commencing with Section 41300) of
12 Part 2.

13 (d) The store shall maintain records describing the collection, transport,
14 and recycling of plastic bags collected for a minimum of three years and
15 shall make the records available to the board or the local jurisdiction, upon
16 request, to demonstrate compliance with this chapter.

17 (e) The operator of the store shall make reusable bags available to
18 customers within the store, which may be purchased and used in lieu of
19 using a plastic carryout bag or paper bag. This subdivision is not applicable
20 to a retail establishment specified pursuant to subdivision (b) of Section
21 42251.

22 *(f) This section shall become inoperative and is repealed on January 1,*
23 *2018, unless a later enacted statute extends that date.*

24 SEC. 4. Section 42252 is added to the Public Resources Code to read:

25 42252. (a) The operator of the store shall make reusable bags available
26 to customers within the store, which may be purchased and used in lieu of
27 using a plastic carryout bag or paper bag. This subdivision is not applicable
28 to a retail establishment that is not a store.

29 (b) This section shall be operative on January 1, 2018.

**Introduced by Members Representing the
Newport-Corona del Mar Delegation**

February 13, 2014
Referred to the Sullivan Committee

An act to add Section 1257.1 to the Unemployment Insurance Code, relating to drug-screening for eligibility.

ABSTRACT

SB 215 requires that applicants for unemployment benefits to pass a five-panel drug test, which will be reimbursed to passing applicants by the state government, in order to qualify for receiving the benefits.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1257.1 is added to the Unemployment Insurance
2 Code, to read:
3 1257.1 (a) Commencing no later than the 2015 tax deadline, the
4 department shall require each person applying for unemployment insurance
5 benefits to first pass a five-panel drug test. Failure to pass the drug test
6 shall deem the claimant ineligible for receiving benefits.
7 (b) Drug tests shall be available to the unemployed individual who is in
8 all respects otherwise eligible for unemployment compensation benefits.
9 The drug test shall not be made available to claimants that do not otherwise
10 qualify.
11 (c) A claimant who fails to pass the drug test may pay for subsequent
12 tests in order to qualify as eligible.
13 (d) A claimant may appeal to the department after a failed drug test if
14 either of the following apply:
15 (1) The claimant is undergoing verified rehab or treatment for their
16 abuse.
17 (2) The failure to pass the drug test was caused by medication legally
18 prescribed to the claimant by an attending physician, as defined in Section
19 11362.7 of the Health and Safety Code.
20 (d) The department shall require the claimant to pay for the five-panel
21 drug test at a cost determined by the department. The department shall
22 reimburse the claimant the cost of the drug test only if the claimant passes
23 the drug test. The department shall only reimburse claimants for the first
24 two drug tests that they take per benefit year.

**Introduced by Members Representing the
Sacramento Central Delegation of the
YMCA of Superior California**

February 13, 2014
Referred to the Jordan Committee

An act to repeal Sections 44929.25, 44929.26, and 44929.27 of, and to repeal and add Sections 44929.21, 44929.22, and 44929.23 to, the Education Code, relating to teacher employment.

ABSTRACT

SB 216 provides that teachers shall no longer be permanent employees of a school district but instead shall have his or her employment contract renewed for a period of at least 1 year but not longer than 4 years unless the teacher receives annual performance evaluations that fail to meet a certain standard, as specified.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 44929.21 of the Education code is repealed:
2 44929.21. (a) Every employee of a school district of any type or class
3 having an average daily attendance of 250 or more who, after having been
4 employed by the district for three complete consecutive school years in
5 a position or positions requiring certification qualifications, is reelected
6 for the next succeeding school year to a position requiring certification
7 qualifications shall, at the commencement of the succeeding school year
8 be classified as and become a permanent employee of the district.
9 -This subdivision shall apply only to probationary employees whose
10 probationary period commenced prior to the 1983-84 fiscal year.
11 (b) Every employee of a school district of any type or class having an
12 average daily attendance of 250 or more who, after having been employed
13 by the district for two complete consecutive school years in a position
14 or positions requiring certification qualifications, is reelected for the next
15 succeeding school year to a position requiring certification qualifications
16 shall, at the commencement of the succeeding school year be classified as
17 and become a permanent employee of the district.
18 -The governing board shall notify the employee, on or before March
19 15 of the employee's second complete consecutive school year of
20 employment by the district in a position or positions requiring certification
21 qualifications, of the decision to reelect or not reelect the employee for the
22 next succeeding school year to the position. In the event that the governing
23 board does not give notice pursuant to this section on or before March 15,
24 the employee shall be deemed reelected for the next succeeding school
25 year.

1 This subdivision shall apply only to probationary employees whose
2 probationary period commenced during the 1983–84 fiscal year or any
3 fiscal year thereafter.

4 SEC. 2. Section 44929.21 of the Education code is added, to read:

5 44929.21. “Permanent Status” means a teacher’s status during the
6 effective period of his or her contract.

7 SEC. 3. Section 44929.22 of the Education code is repealed:

8 ~~44929.22. At the discretion of the governing board of a district with
9 60,000 average daily attendance or more every employee of the district
10 who, after having been employed by the district for two consecutive
11 school years in a position or positions requiring certification qualifications;
12 is reelected for the next succeeding school year to a position requiring
13 certification qualifications may, at the commencement of the succeeding
14 school year, be classified as and become a permanent employee of the
15 district. If the board is the governing board of more than one district,
16 it may exercise the discretionary power given it by this section in each
17 district under its jurisdiction, whether or not each of the districts has
18 60,000 average daily attendance.~~

19 ~~-This section shall apply only to probationary employees whose
20 probationary period commenced prior to the 1983–84 fiscal year.~~

21 SEC. 4. Section 44929.22 of the Education code is added, to read:

22 44929.22. The Superintendent, school districts of the state, and the
23 Commission on Teacher Credentialing are hereby directed to prepare a
24 teacher evaluation that focuses on classroom management and lesson
25 comprehension.

26 SEC. 5. Section 44929.23 of the Education code is repealed:

27 ~~44929.23. (a) The governing board of a school district of any type
28 or class having an average daily attendance of less than 250 pupils may
29 classify as a permanent employee of the district any employee who, after
30 having been employed by the school district for three complete consecutive
31 school years in a position or positions requiring certification qualifications;
32 is reelected for the next succeeding school year to a position requiring
33 certification qualifications. If that classification is not made, the employee
34 shall not attain permanent status and may be reelected from year to year
35 thereafter without becoming a permanent employee until a change in
36 classification is made.~~

37 ~~-(b) Notwithstanding subdivision (a), Section 44929.21 shall apply
38 to certificated employees employed by a school district, if the governing
39 board of the school district elects to dismiss probationary employees
40 pursuant to Section 44948.2. If that election is made, the governing
41 board thereafter shall classify as a permanent employee of the district
42 any probationary employee who, after being employed for two complete
43 consecutive school years in a position or positions requiring certification
44 qualifications, is reelected for the next succeeding school year to a position
45 requiring certification qualifications as required by Section 44929.21.~~

1 Any probationary employee who has been employed by the district for
2 two or more consecutive years on the date of that election in a position
3 or positions requiring certification qualifications shall be classified as a
4 permanent employee of the district.

5 - (c) If the classification is not made pursuant to subdivision (a) or (b);
6 the employee shall not attain permanent status and may be reelected from
7 year to year thereafter without becoming a permanent employee until the
8 classification is made.

9 SEC. 6. Section 44929.23 of the Education code is added, to read:

10 44929.23. A permanent status contract shall be renewed a period of at
11 least one year but not to exceed four years unless the employee receives
12 two consecutive annual performance evaluation ratings of unsatisfactory,
13 pursuant to Section 44929.22, two annual performance evaluation ratings
14 of unsatisfactory within 3 consecutive years, pursuant to Section 44929.22,
15 or three consecutive annual performance evaluation ratings of needs
16 improvement or a combination of needs improvement and unsatisfactory,
17 pursuant to Section 44929.22.

18 SEC. 7.

19 Section 44929.25 of the Education code is repealed:

20 44929.25. When a teacher of classes for adults serves sufficient
21 probationary time as provided in Sections 44929.20 to 44929.23, inclusive;
22 and Section 44908 to be eligible for election to permanent classification
23 in that district, his or her tenure shall be for the service equivalent to the
24 average number of hours per week that he or she has served during his
25 or her probationary years. In no case shall the employee be classified as
26 permanent for more than one full-time assignment. The service for which
27 the person has acquired tenure may be reduced in conformity with Sections
28 44955 and 44956.

29 - Notwithstanding any other provision to the contrary, in a district
30 that has, or in a district that is one of two or more districts governed by
31 governing boards of identical personnel that have a combined average
32 daily attendance of 400,000 or more, as shown by the annual report of the
33 county superintendent of schools for the preceding fiscal year, no person
34 who is assigned 10 hours or less a week in adult classes in the district
35 shall be eligible for election to permanent classification in the district on
36 account of the assignment in adult classes.

37 - Notwithstanding any other provision to the contrary, any person who
38 is employed to teach adults for not more than 60 percent of the hours per
39 week considered a full-time assignment for permanent employees having
40 comparable duties shall be classified as a temporary employee, and shall
41 not become a probationary employee under the provisions of Section
42 44954.

43 SEC. 8.

44 Section 44929.26 of the Education code is repealed:

1 44929.26. Nothing in Sections 44929.20 to 44929.23, inclusive, shall be
2 construed to give permanent classification to a person in the adult school
3 who is already classified as a permanent employee in the day school. In
4 case a teacher obtains permanent classification in the evening school and
5 later is eligible for the same classification in the day school by reason of
6 having served the probationary period therein, he or she shall be given his
7 or her choice as to which he or she shall take:

8 - Notwithstanding any other provision to the contrary, service in the
9 evening school shall not be included in computing the service required as a
10 prerequisite to attainment of, or eligibility to, classification as a permanent
11 employee in the day school, except service in the evening school rendered by
12 a person rendering services in the day school who is directed or specifically
13 requested by the school district to render services in the evening school
14 either in addition to, or instead of, rendering service in the day school.
15 Service in the day school shall not be included in computing the service
16 required as a prerequisite to attainment of, or eligibility to, classification
17 as a permanent employee in the evening school, except service in the day
18 school rendered by a person rendering services in the evening school who
19 is directed or specifically requested by the school district to render service
20 in the day school either in addition to, or instead of, rendering service in
21 the evening school:

22 SEC. 9.

23 Section 44929.27 of the Education code is repealed:

24 44929.27. No employee of a school district or districts, in which the
25 average daily attendance of all the districts combined is in excess of 200,000;
26 governed by the same governing board shall hereafter acquire permanent
27 certificated tenure or permanent noncertificated status, or a combination
28 of tenure and status, for more than one full-time position. Any employee
29 who hereafter acquires any combination of permanent certificated tenure
30 or permanent noncertificated status or both which exceeds that for one full-
31 time position shall have a choice which tenure or status to retain so long as
32 that retained does not exceed one full-time position:

33 - It is the intent of this section that an employee holding permanent
34 certificated tenure or permanent noncertificated status for a full-time
35 position may not have permanent tenure or status protection for any
36 additional time in either a certificated or a noncertificated position under
37 any such school district governed by the same governing board:

**Introduced by Members Representing the
Santa Barbara Branch of the
Channel Islands YMCA**

February 13, 2014
Referred to the Peek Committee

Senate Joint Resolution No. 217, relative to food labels.

ABSTRACT

SJR 217 urges Congress to mandate that all products sold in the United States containing palm oil shall include a specified warning label, except products that have been certified to not be destructive to rainforests.

1 WHEREAS, The rainforest is a vital source of medicine and food; and
2 WHEREAS, Humans eventually will not be able to breathe without it;
3 and

4 WHEREAS, This rich ecosystem is being burned down at an equivalent
5 rate of 50 football fields an hour for the production of such items as palm
6 oil; and

7 WHEREAS The United States ranks among the top nine consumers per
8 capita in the world of palm oil, and California, by itself, is the 12th largest
9 economy in the world; now, therefore, be it

10 *Resolved by the Senate and the Assembly of the State of California*
11 *jointly*, that the Legislature of the State of California urges Congress to
12 mandate that all products sold in the United States containing palm oil
13 shall include a warning label that states: “consumption of this product kills
14 the rainforests and may kill orangutans,” with an exemption from the label
15 requirement to be applicable to products containing palm oil that have
16 been certified by independent organizations (“rainforest certified”) to not
17 be destructive to rainforests; and be it further

18 *Resolved*, That the Chief Clerk of the Assembly transmit copies of this
19 resolution to the Speaker of the House of Representatives, the Majority
20 Leader of the United States Senate, to each Senator and Representative
21 from California in the Congress of the United States, and to the Chief
22 Clerk of the Legislature in each of the other 49 states.

**Introduced by Members Representing the
Mission Valley Branch of the
YMCA of San Diego County**

February 13, 2014
Referred to the Curry Committee

Senate Joint Resolution No. 218 relative to public transportation.

ABSTRACT

SJR 218 memorialized Congress to enact legislation requiring that conventional public transportation buses be replaced by hybrid-fuel buses.

The people of the State of California do enact as follows:

- 1 WHEREAS, Hybrid buses are better than their diesel counterparts
2 because they reduce the amount of diesel toxins exhausted into the
3 atmosphere; and
4 WHEREAS, The use of hybrid buses will decrease consumption of
5 fossil fuels; now, therefore, be it
6 *Resolved by the Senate and the Assembly of the State of California*
7 *jointly*, That the legislature of the State of California respectfully
8 memorializes the Congress of the United States to enact legislation that
9 requires all public transportation systems replace all diesel fuel buses with
10 hybrid buses by 2018, and be it further
11 *Resolved*, that funds be provided from the Clean Fuels Grant Program
12 and the American Recovery and Reinvestment Act (ARRA) to effect this
13 change, and be it further
14 *Resolved*, That the Chief Clerk of the Assembly transmit copies of this
15 resolution to the Speaker of the House of Representatives, the President
16 Pro-Tempore of the United States Senate, and to each Senator and
17 Representative from California in the Congress of the United States, and
18 to the Chief Clerk of the Legislature in each of the other forty-nine states.

**Introduced by Members Representing the
South Bay Family Branch of the
YMCA of San Diego County**

February 13, 2014
Referred to the Hart Committee

An act to add Section 436 to the Labor Code, relating to employment.

ABSTRACT

SB 219 allows a first time misdemeanor offender to not disclose criminal history on a job application through community service.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 436 is added to the Labor Code, to read:
- 2 436. (a) A person who commits a misdemeanor shall not be compelled
- 3 to disclose the misdemeanor from a job application if both of the following
- 4 occur:
- 5 (1) The person completes community service hours through the state as
- 6 follows:
- 7 (A) A misdemeanor that requires less than 1 month jail time would
- 8 require at least 150 hours.
- 9 (B) A misdemeanor that requires more than 1 month and less than 3
- 10 months jail time would require at least 300 hours.
- 11 (C) A misdemeanor that requires more than 3 months and less than 6
- 12 months jail time, would require at least 600 hours.
- 13 (D) A misdemeanor that requires more than 6 months and less than a
- 14 year jail time, would require at least 1000 hours.
- 15 (2) The person works at a state approved place of service that, when
- 16 feasible, corresponds with the crime committed.
- 17 (b) The prohibition on disclosure provided in subdivision (a) shall only
- 18 apply once and only on a first offense.

**Introduced by Members Representing the
Embarcadero Delegation of the
YMCA of San Francisco**

February 13, 2014
Referred to the Waite Committee

An act to amend Section 49430 of the Education Code, relating to pupils.

ABSTRACT

SB 220 revises the definition of “full meal” by requiring certain provisions relating to produce to create healthier lunches.

The people of the State of California do enact as follows:

1 SECTION 1. Title. This Act shall be known, and may be cited, as “The
2 Healthier School Lunches Act.”

3 SEC. 2. Purposes and Findings.

4 The Legislature hereby finds and declares that its purpose in enacting
5 this act is that, currently in California many school lunch programs provide
6 meals that meet dietary requirements but may not be the most nutritious.
7 This act will ensure that more meals are fresher and thus more nutritious.

8 SEC. 3. Section 49430 of the Education Code is amended, to read:

9 As used in this article, the following terms have the following meanings:

10 (a) “Elementary school” means a public school that maintains any grade
11 from kindergarten to grade 6, inclusive, but no grade higher than grade 6.

12 (b) “Middle school” means a public school that maintains grade 7 or 8,
13 7 to 9, inclusive, or 7 to 10, inclusive.

14 (c) “High school” means a public school maintaining any of grades 9
15 to 12, inclusive.

16 (d) (1) “Full meal” means a combination of food items that meet USDA-
17 approved School Breakfast Program or National School Lunch Program
18 meal pattern requirements or the menu planning options of Shaping
19 Health as Partners in Education developed by the state (SHAPE California
20 network).

21 (2) *Notwithstanding any other provision of law, at least 75 percent*
22 *of all produce served in a public school must originate from the State of*
23 *California. In addition, 25 percent of any produce originating in California*
24 *must have been harvested no later than two months prior to delivery to the*
25 *school.*

26 (3) *For purposes of this subdivision, the following terms have the*
27 *following meanings:*

28 (A) “Harvested” means to collect or obtain a resource for future use.

29 (B) “Originating” has the same meaning as stemming, or emanating,
30 from.

- 1 (e) “Added sweetener” means an additive other than 100 percent fruit
2 juice that enhances the sweetness of a beverage.
- 3 (f) “Sold” means the exchange of food for money, coupons, or vouchers.
- 4 (g) “Entrée” means a food that is generally regarded as being the
5 primary food in a meal, and shall include, but not be limited to, sandwiches,
6 burritos, pasta, and pizza.
- 7 (h) “Snack” means a food that is generally regarded as supplementing
8 a meal, including, but not limited to, chips, crackers, onion rings, nachos,
9 french fries, donuts, cookies, pastries, cinnamon rolls, and candy.
- 10 (i) “Deep fried” means a food item is cooked by total submersion in oil
11 or fat.
- 12 (j) “Par fried” means a food item is fried to reach an internal temperature
13 of 160 degrees Fahrenheit then is cooled to room temperature so that it
14 may be refrigerated or frozen for future frying.
- 15 (k) “Flash fried” means a food item is quickly fried on both sides in oil
16 with a temperature of 400 degrees Fahrenheit or higher.

**Introduced by Members Representing the
Sonoma County YMCA**

February 13, 2014
Referred to the Bowen Committee

An act to add Section 17 to the California Education Code, relating to teacher tenure.

ABSTRACT

SB 221 imposes certain criteria on a teacher who wishes to receive, and maintain, a tenured position on and after January 1, 2015, and provides procedures for the removal of a teacher's tenured position. SB 221 prohibits these provisions from applying to a contract entered into before January 1, 2015.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17 of the Education Code is added, to read:

2 17. (a) On and after January 1, 2015, a tenured position for a teacher
3 of kindergarten and of grades 1 to 12, inclusive, shall only be given to a
4 teacher if one of the following are met:

5 (1) For teachers whose subject matter area requires students to take
6 standardized testing, both of the following shall be met:

7 (A) The teacher has been employed within the school district
8 consecutively for the preceeding five years in the same subject area.

9 (B) The teacher has consecutive success in teaching state curriculum
10 for the preceeding five years. For purposes of this paragraph, "consecutive
11 success" shall be determined by the average scores of all of the teacher's
12 students on state standardized testing, advanced placement testing, and
13 international baccalaureate testing.

14 (2) For teachers whose subject matter area does not require students to
15 take standardized testing, both of the following shall be met:

16 (A) The teacher been employed within the school district, in the same
17 subject area, for a total of 7 years.

18 (B) The teacher has met additional performance-based standards which
19 evaluate effectiveness, as set by the school district.

20 (C) For purposes of this paragraph, subject matter areas that do not
21 require students to take standardized testing includes, but are not limited
22 to, art, music, dance, drama, and physical education.

23 (b) (1) (A) If a teacher receives a tenured position on or after January
24 1, 2015, and does not meet the provisions described under subdivision (a)
25 in subsequent years, the teacher shall be subject to at least one year, but no
26 more than three years, of probation.

1 (B) A teacher with a tenured position that does not meet the requirements
2 described in subdivision (a) for three consecutive years, or for four non-
3 consecutive years within a 10-year period, shall have his or her tenured
4 position removed by the school district.

5 (2) If a teacher received tenure before January 1, 2015, and that teacher
6 does not meet the provisions described under subdivision (a), the teacher
7 shall be subject to at least one year, but no more than three years, of
8 probation. If, during the probation period the provisions described in
9 subdivision (a) are not met, the school district may remove the teacher's
10 tenure status and may release the teacher from employment.

11 (c) This section shall only apply to a contract entered into on or after
12 January 1, 2015.

**Introduced by Members Representing the
South Pasadena San Marino Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the McPherson Committee

An act to amend Sections 51210, 51210.1, and 51210.2 of the Education Code, relating to physical education time requirements.

ABSTRACT

SB 222 increases the amount of time students spend in physical education programs in the California public school system from 200 minutes every 10 schooldays to 60 minutes every school day.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 51210 of the Education Code is amended, to read:
2 51210. The adopted course of study for grades 1 to 6, inclusive, shall
3 include instruction, beginning in grade 1 and continuing through grade 6,
4 in the following areas of study:
5 (a) English, including knowledge of, and appreciation for literature and
6 the language, as well as the skills of speaking,
7 reading, listening, spelling, handwriting, and composition.
8 (b) Mathematics, including concepts, operational skills, and problem
9 solving.
10 (c) Social sciences, drawing upon the disciplines of anthropology,
11 economics, geography, history, political science, psychology, and
12 sociology, designed to fit the maturity of the pupils. Instruction shall
13 provide a foundation for understanding the history, resources, development,
14 and government of California and the United States of America; the
15 development of the American economic system including the role of the
16 entrepreneur and labor; the relations of persons to their human and natural
17 environment; eastern and western cultures and civilizations; contemporary
18 issues; and the wise use of natural resources.
19 (d) Science, including the biological and physical aspects, with emphasis
20 on the processes of experimental inquiry and on the place of humans in
21 ecological systems.
22 (e) Visual and performing arts, including instruction in the subjects
23 of dance, music, theatre, and visual arts, aimed at the development of
24 aesthetic appreciation and the skills of creative expression.
25 (f) Health, including instruction in the principles and practices of
26 individual, family, and community health.
27 (g) Physical education, with emphasis upon the physical activities for
28 the pupils that may be conducive to health and vigor of body and mind, for

1 a total period of time of not less than ~~200 minutes each 10 schooldays~~ 60
2 *minutes* each school day, exclusive of recesses and the lunch period.

3 (h) Other studies that may be prescribed by the governing board.

4 SEC. 2. Section 51210.1 of the Education Code is amended, to read:

5 51210.1. (a) (1) The Legislature finds and declares all of the following:

6 (A) The Education Code currently mandates ~~200 minutes~~ 60 *minutes*
7 of physical education ~~every 10 schooldays~~ *each school day* for pupils in
8 elementary school. Recent studies have shown that the vast majority of
9 children and youth are not physically fit.

10 (B) According to a 2012 report by the Centers for Disease Control,
11 the percentage of overweight children has more than doubled and the
12 percentage of overweight adolescents has tripled in the last 30 years. Most
13 of this increase occurred within the last 10 years.

14 (C) Nearly 40 percent of children of ages five to eight years have health
15 conditions that significantly increase their risk of early heart disease.

16 (D) Some 70 percent of girls, and 40 percent of boys, who are from 6 to
17 12 years of age do not have enough muscle strength to do more than one
18 pullup.

19 (E) Most children lead inactive lives. According to the American
20 Academy of Pediatrics children today are spending an average of 7 hours
21 a day engaged with various entertainment media, including television,
22 computers, phones, and other electronic devices

23 (2) It is, therefore, the intent of the Legislature that all children shall have
24 access to a high-quality, comprehensive, and developmentally appropriate
25 physical education program on a regular
26 basis.

27 (b) (1) Each school district selected by the Superintendent of Public
28 Instruction pursuant to paragraph (2) shall report to the Superintendent of
29 Public Instruction in the Coordinated Compliance Review as to the extent
30 of its compliance with subdivision (g) of Section 51210 for grades 1 to 6,
31 inclusive, during that school year.

32 (2) The Superintendent of Public Instruction shall select not less than
33 10 percent of the school districts of the state to report compliance with the
34 provisions set forth in paragraph (1). The school districts selected shall
35 provide a random and accurate sampling of the state as a whole.

36 (c) For purposes of determining compliance with paragraphs (1) and (2)
37 of subdivision (b), the Superintendent of Public Instruction shall not count
38 the time spent in recesses and the lunch period.

39 (d) A school district that fails to comply with the existing statutory
40 requirements shall issue a corrective action plan to the State Department
41 of Education in accordance with the Coordinated Compliance Review
42 process.

43 (e) This section shall not be applicable to high schools.

44 SEC. 3. Section 51210.2 of the Education Code is amended, to read:

1 51210.2. (a) The Legislature hereby finds and declares that the physical
2 fitness and motor development of children in the public elementary schools
3 is of equal importance to that of other elements of the curriculum.

4 (b) It is, therefore, the intent of the Legislature to encourage each school
5 district maintaining an elementary school composed of any of grades 1 to
6 6, inclusive, to do one of the following:

7 (1) Employ a credentialed physical education teacher to provide
8 instruction in physical education for each class of grades 1 to 6, inclusive,
9 within any elementary school in the district for a total period of time of
10 not less than ~~200 minutes each 10 schooldays~~ *60 minutes each schoolday*,
11 exclusive of recesses and the lunch period.

12 (2) Provide each teacher providing instruction in physical education
13 to any of grades 1 to 6, inclusive, within any elementary school in the
14 district with yearly theoretical practical training in developmental physical
15 education, as set forth in the Physical Education Framework adopted by
16 the State Department of Education pursuant to Section 33350, except that
17 any teacher who has successfully completed one college level course in
18 elementary physical education shall not be subject to this paragraph.

**Introduced by Members Representing the
Palos Verdes Delegation of the
San Pedro & Peninsula Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Mitchell Committee

An act to add Chapter 3.95 (commencing with Section 7195) to Part 1 of Division 7 of the Health and Safety Code, relating to physician-aided suicide.

ABSTRACT

SB 223 makes it legal for people diagnosed with a terminal illness to take their own life through euthanasia.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 3.95 (commencing with Section 7195) is added to
2 Part 1 of Division 7 of the Health and Safety Code, to read:

3 CHAPTER 3.95. Physician-Aided Suicide Act.

4 Article 1. General Provisions 7195. (a) The Legislature believes
5 that dying patients should have choices throughout the continuum
6 of palliative care and that much must be done to improve access to
7 hospice care and pain management. Hospice and effective palliative
8 care successfully assist many thousands of terminally ill patients to
9 die with dignity and without pain, and the Legislature hopes that all
10 patients considering the procedures available under this chapter will
11 properly consider other options, including hospice care and effective pain
12 management. The Legislature finds that medical studies have shown that
13 between 5 and 10 percent of dying patients experience severe pain and
14 suffering that cannot be palliated by the best hospice or comfort care.
15 The Legislature finds that in response to the Death with Dignity Act in
16 the State of Oregon, that the referrals to hospice increased significantly.
17 In addition, doctors significantly increased the use of morphine and other
18 strong pain medications, thus improving the end-of-life care for more
19 dying patients.

20 (b) (1) It is the intent of the Legislature that the personal and autonomous
21 choice of dying patients regarding the time and manner of their death
22 provided under this chapter be viewed as but one of several endoflife
23 options for dying patients.

24 (2) It is the intent of the Legislature that this chapter be strictly construed
25 and not expanded in any manner. The restrictions and safeguards in the
26 provisions of this chapter are based on the intent of the Legislature to
27 balance the personal and autonomous choice of dying patients regarding
the time and manner of their death and the Legislature's goal of providing

1 safeguards to ensure that there are not instances of a coerced, unwanted, or
2 early death by a vulnerable dying patient.

3 (3) The Legislature finds and declares that historically persons with
4 disabilities have been subject to discrimination in the provision of medical
5 care and have been treated by some as though their lives were less valuable
6 or worthy of maintenance than those without disabilities. The Legislature
7 finds that this discriminatory conduct is both illegal and reprehensible.

8 (4) It is the intent of the Legislature that a disability or age alone is not
9 a reason for a patient to be a qualified patient as defined in subdivision
10 (l) of Section 7195.1. Any disabled individual, low-income person, or
11 elderly person, and any physician who is the attending physician to these
12 individuals, must strictly comply with all of the provisions of this chapter.
13 Strict and rigorous attention must be evidenced in distinguishing chronic
14 conditions, that are not eligible conditions under this chapter, and terminal
15 illnesses, which are eligible, as described in this chapter.

16 (5) It is the intent of the Legislature for the physician discussions and
17 written patient documents in this chapter to be translated in a manner that is
18 consistent with Section 7295.2 of the Government Code, Section 10133.8
19 of the Insurance Code, and Section 1367.04 if the otherwise qualified
20 patient is non-English proficient and meets the criteria of those sections.

21 7195.1. For purposes of this chapter the following definitions shall
22 apply:

23 (a) “Adult” means an individual who is 18 years of age or older.

24 (b) “Attending physician” means the physician who has primary
25 responsibility for the care of the patient and for treatment of the patient’s
26 terminal disease.

27 (c) “Capable” means that in the opinion of the patient’s attending
28 physician or consulting physician, a patient has the ability to make and
29 communicate health care decisions to health care providers, including
30 communication through persons familiar with the patient’s manner of
31 communicating, if those persons are available.

32 (d) “Consulting physician” means a physician, other than the attending
33 physician, who is qualified by specialty or experience to make a professional
34 diagnosis and prognosis regarding the patient’s disease.

35 (e) “Counseling” means a consultation between a state licensed
36 psychiatrist or psychologist and a patient for the purpose of determining
37 whether the patient is suffering from a psychiatric or psychological
38 disorder, or depression causing impaired judgment.

39 (f) “Health care provider” means a person licensed, certified, or
40 otherwise authorized or permitted by the law of this state to administer
41 health care in the ordinary course of business or practice of a profession,
42 and includes a licensed health care facility.

43 (g) (1) “Health care facility” means any health facility described in
44 Section 1250.

45 (2) “Hospice” means a comprehensive, interdisciplinary program of
46 medical and socially supportive care delivered to patients with a terminal

1 disease in order to palliate their symptoms and pain since the patient's
2 condition is no longer amenable to curative therapies and for whom the
3 primary therapeutic goal is comfort and dignity at the end of life.

4 (h) "Informed decision" means a decision, made by a qualified patient,
5 to request and obtain a prescription to end his or her life in a humane and
6 dignified manner, that is not based on coercion by the patient's next-of-kin
7 or any other third party; that is not based on financial coercion by any other
8 individual or entity; is based on an appreciation of the relevant facts, and
9 is made after being fully informed by the attending physician of all of the
10 following:

11 (1) His or her medical diagnosis. (2) His or her prognosis. (3) The
12 potential risk associated with taking the medication to be prescribed. (4)
13 The probable result of taking the medication to be prescribed. (5) The
14 feasible alternatives, as provided in paragraph (5) of subdivision (b) of
15 Section 7196, including, but not limited to, comfort care, hospice care, and
16 pain control.

17 (i) "Medically confirmed" means the medical opinion of the attending
18 physician has been confirmed by a consulting physician who has examined
19 the patient and the patient's relevant medical records.

20 (j) "Medication" means medication prescribed pursuant to this chapter
21 to provide comfort with an assurance of peaceful dying if suffering
22 becomes unbearable.

23 (k) "Patient" means a person who is under the care of a physician.

24 (l) "Physician" means a doctor of medicine or osteopathy licensed to
25 practice medicine by the Medical Board of California.

26 (m) "Qualified patient" means a capable adult who is a resident of
27 California and has satisfied the requirements of this chapter in order to
28 obtain a prescription for medication (n) "Resident" means a person who
29 has lived in a principal place of residence in the State of California for six
30 months or more.

31 (o) "Terminal disease" means an incurable and irreversible disease
32 that has been medically confirmed and will, within reasonable medical
33 judgment, produce death within six months.

34 7195.4. An adult who is capable, is a resident of California, has been
35 determined by the attending physician and a consulting physician to be
36 suffering from a terminal disease, and who has voluntarily expressed his or
37 her wish to obtain life-ending medication to his or her attending physician
38 shall, in addition to the other requirements of this chapter, make both an
39 oral and a written request for medication in accordance with this chapter
40 in order to be eligible for qualification under this chapter.

41 7195.5. (a) A valid written request for medication under this chapter
42 shall be in substantially the form prescribed by Section 7199, signed and
43 dated by the patient and witnessed by at least two individuals who, in the
44 presence of the patient, attest that to the best of their knowledge and belief
45

1 the patient is capable, acting voluntarily, and is not being coerced to sign
2 the request.

3 (b) Both of the witnesses shall be a person who is not any of the
4 following:

5 (1) A relative of the patient by blood, marriage, or adoption.

6 (2) A person who at the time the request is signed would be entitled to
7 any portion of the estate of the qualified patient upon death under any will
8 or by operation of law.

9 (3) An owner, operator, or employee of a health care facility where the
10 qualified patient is receiving medical treatment or is a resident.

11 (c) The patient's attending physician at the time the request is signed
12 shall not be a witness.

13 Article 2. Safeguards 7196. Upon being voluntarily informed by
14 a qualified patient that the patient wishes to receive medication in
15 accordance with this chapter, the attending physician shall do all of the
16 following:

17 (a) Make the initial determination of whether a patient has a terminal
18 disease, is capable, and has made the request voluntarily.

19 (b) Inform the patient of all of the following:

20 (1) His or her medical diagnosis.

21 (2) His or her prognosis.

22 (3) The potential risks associated with taking the medication to be
23 prescribed.

24 (4) The probable result of taking the medication to be prescribed.

25 (5) The feasible alternatives, including, but not limited to, comfort
26 care, hospice care, and pain control, or, if appropriate to the patient's faith
27 tradition spiritual healing. This disclosure must be provided in writing to
28 the patient, and shall include, but not be limited to, contact information
29 about locally based providers of comfort and hospice care.

30 (c) Refer the patient to a consulting physician for medical confirmation
31 of the diagnosis, and for a determination that the patient is capable and
32 acting voluntarily. (d) Refer the patient for counseling, if appropriate
33 pursuant to Section 7196.2. (e) Request that the patient notify next of
34 kin. (f) Inform the patient that he or she has an opportunity to rescind
35 the request at any time and in any manner, and offer the patient an
36 opportunity to rescind at the end of the 15-day waiting period described
37 in Section 7196.5. (g) Verify, immediately prior to writing the prescription
38 for medication under this chapter, that the patient is making an informed
39 decision. No prescription shall be written until the physician verifies that
40 the patient's current prognosis is three months to live or less. (h) Fulfill the
41 medical record documentation requirements of Section 7196.8. (i) Ensure
42 that all appropriate steps are carried out in accordance with this chapter
43 prior to writing a prescription for medication.

44 7196.1. Before a patient is qualified under this chapter, a consulting
45 physician shall examine the patient and his or her relevant medical records

1 and shall, in writing, confirm, the attending physician's diagnosis and that
2 the patient is suffering from a terminal disease and verify that the patient is
3 capable, is acting voluntarily, and has made an informed decision.

4 7196.2. If, in the opinion of the attending physician or the consulting
5 physician, a patient may be suffering from a psychiatric or psychological
6 disorder that impairs judgment or from depression or medication that
7 impairs judgment, or the patient is not a hospice patient, the attending
8 physician or consulting physician shall require the patient to undergo
9 counseling as specified in subdivision (e) of Section 7195.1. In this case,
10 no medication shall be prescribed unless the patient first undergoes the
11 requisite consultation or counseling and until the person performing the
12 counseling determines that the patient is not suffering from a psychiatric or
13 psychological disorder that impairs judgment, or from impaired judgment
14 caused by depression or medication.

15 7196.3. No person shall receive a prescription for medication unless
16 he or she has made an informed decision as defined in subdivision (h) of
17 Section 7195. Immediately prior to writing a prescription for medication in
18 accordance with this chapter, the attending physician shall verify that the
19 patient is making an informed decision.

20 7196.4. The attending physician shall ask the patient to notify the
21 patient's next of kin of his or her request for medication pursuant to this
22 chapter. A patient who declines or is unable to notify next of kin shall not
23 have his or her request denied for that reason.

24 7196.5. In order to receive a prescription for medication, a qualified
25 patient shall have made an oral request and a written request, and reiterate
26 the oral request to his or her attending physician no less than 15 days after
27 making the initial oral request. At the time the qualified patient makes his
28 or her second oral request, the attending physician shall offer the patient an
29 opportunity to rescind the request.

30 7196.6. A patient may rescind his or her request at any time and in
31 any manner without regard to his or her mental state. No prescription
32 for medication under this chapter may be written without the attending
33 physician offering the qualified patient an opportunity to rescind the
34 request.

35 7196.7. No less than 15 days shall elapse between the patient's initial
36 oral request and the writing of a prescription under this chapter. No less
37 than 48 hours shall elapse between the patient's written request and the
38 writing of a prescription under this chapter.

39 7196.8. The following shall be documented or filed in the patient's
40 medical record: (a) All oral requests by a patient for medication. (b) All
41 written requests by a patient for medication. (c) The attending physician's
42 diagnosis and prognosis, and his or her determination that the patient is
43 capable, acting voluntarily, and has made an informed decision. (d) The
44 consulting physician's diagnosis and prognosis, and his or her verification
45

1 that the patient is capable, acting voluntarily, and has made an informed
2 decision.

3 (e) A report of the outcome and determinations made during counseling,
4 if performed.

5 (f) The attending physician's offer to the patient to rescind his or her
6 request at the time of the patient's second oral request pursuant to Section
7 7196.5.

8 (g) The attending physician's discussion with the patient of feasible
9 alternatives, including, but not limited to, hospice care, comfort care, and
10 pain control. (h) A note by the attending physician indicating that all the
11 requirements of this chapter have been met and indicating the steps taken
12 to carry out the request, including a notation of the medication prescribed.

13 7196.9. Only requests made by California residents under this chapter
14 shall be granted.

15 7197. Any medication prescribed under this chapter for the purpose
16 of aiding a terminally ill patient that was not self-administered by that
17 qualified patient shall be destroyed. This disposal shall be in accordance
18 with applicable laws and regulations governing the disposal of unused
19 medications after the patient's death.

20 7197.1. (a) The department shall adopt regulations regarding
21 requirements for the collection of information to determine the use of
22 and compliance with this chapter. The information collected shall not
23 be a public record and shall not be made available for inspection by
24 the public. (b) The department shall generate and make available to the
25 public an annual statistical report of information collected, disaggregated
26 by age, gender, race, ethnicity, and language spoken at home, pursuant
27 to subdivision (a). (c) The department shall annually review a sample of
28 records maintained pursuant to this chapter.

29 7197.3. (a) No provision in a contract, will, or other agreement, whether
30 written or oral, to the extent the provision would affect whether a person
31 may make or rescind a request for medication, shall be valid. (b) No
32 obligation owing under any contract in existence on or before January
33 1, 2008, shall be conditioned or affected by the making or rescinding
34 of a request by a person for medication. (c) No health care service plan
35 contract, as defined in subdivision (r) of Section 1345, shall be conditioned
36 upon or affected by the making or rescinding of a request by a person for
37 medication. Any such contract provision shall be invalid. (d) No provision
38 of a policy of disability insurance or a health benefit plan contract that
39 provides coverage for hospital, medical, or surgical expenses pursuant to
40 Part 2 (commencing with Section 10110) of Division 2 of the Insurance
41 Code shall be conditioned upon or affected by the making or rescinding
42 of a request by a person to end his or her life in a humane and dignified
43 manner. Any such policy provision shall be invalid.

44 7197.5. The sale, procurement, or issuance of any life, health, or
45 accident insurance or annuity policy or the rate charged for any policy

1 shall not be conditioned upon or affected by the making or rescinding of
2 a request by a person for medication. A qualified patient's act of ingesting
3 medication to end his or her life in a humane and dignified manner in
4 accordance with this chapter shall not have an effect upon a life, health, or
5 accident insurance or annuity policy.

6 7197.7. Nothing in this chapter shall be construed to authorize a
7 physician or any other person to end a patient's life by lethal injection,
8 mercy killing, or active euthanasia. The patient must self-administer the
9 medication provided under this chapter. Actions taken in accordance with
10 this chapter shall not, for any purpose, constitute suicide, assisted suicide,
11 mercy killing, or homicide, under the law. Every state agency, department,
12 or office that prepares or issues a document or report that describes or refers
13 to the medical practice described in this chapter shall use the phrase "aid
14 in dying" to describe or reference the medical practice in the document or
15 report.

16 7197.8. Nothing in this chapter shall affect the authority of a coroner or
17 medical examiner to investigate a death.

18 Article 3. Immunities and Liabilities

19 7198. Except as provided in Section 7198.5:

20 (a) Notwithstanding any other provision of law, no person shall be
21 subject to civil or criminal liability or professional disciplinary action for
22 participating in good faith compliance with this chapter. This includes
23 being present when a qualified patient takes the prescribed medication to
24 end his or her life in a humane and dignified manner. (b) No professional
25 organization or association, or health care provider, may subject a person
26 to censure, discipline, suspension, loss of license, loss of privileges, loss
27 of membership, or other penalty for participating or refusing to participate
28 in good faith compliance with this chapter. (c) No request by a patient
29 for or provision by an attending physician of medication in good faith
30 compliance with this chapter shall constitute neglect for any purpose of law
31 or provide the sole basis for the appointment of a guardian or conservator.
32 (d) No health care provider shall be under any duty, whether by contract,
33 by statute, or by any other legal requirement to participate in the provision
34 to a qualified patient of medication. If a health care provider is unable or
35 unwilling to carry out a patient's request under this chapter, and the patient
36 transfers his or her care to a new health care provider, the prior health
37 care provider shall transfer, upon request, a copy of the patient's relevant
38 medical records to the new health care provider.

39 (e) Notwithstanding any other provision of law, a general acute care
40 hospital, as defined in subdivision (a) of Section 1250, may prohibit a
41 licensed physician from carrying out a patient's request under this chapter
42 on the premises of the hospital if the hospital has notified the licensed
43 physician of its policy regarding this chapter.

44 7198.5. (a) Nothing in this chapter limits civil or criminal liability
45 resulting from other negligent conduct or intentional misconduct by any

1 person. (b) The penalties in this chapter do not preclude criminal penalties
2 applicable under other law for conduct that is inconsistent with this chapter.

3 Article 4. Severability 7198.9. Any section of this chapter that is held
4 invalid as to any person or circumstance shall not affect the application of
5 any other section of this chapter that can be given full effect without the
6 invalid section or portion thereof.

7 Article 5. Form of the Request 7199. A request for a medication as
8 authorized by this chapter shall be in substantially the following form:

9 REQUEST FOR MEDICATION TO END MY LIFE IN A HUMANE
10 AND DIGNIFIED MANNER

11 I, _____, am an adult of sound mind.

12 I am suffering from _____, which my attending physician has determined
13 is a terminal disease which will, within reasonable medical judgment,
14 likely lead to my death within six months, and which has been medically
15 confirmed by a consulting physician.

16 I have been fully informed of my diagnosis, prognosis, the nature of the
17 medication to be prescribed, and the potential associated risks, the expected
18 result, and the feasible alternatives, including comfort care, hospice care,
19 and pain control.

20 I request that my attending physician prescribe medication that will
21 allow me to hasten the end of my life in a humane and dignified manner.

22 INITIAL ALL: I understand that I have the right to rescind this request
23 at any time. I understand that I will not receive a prescription for the
24 medication until my physician verifies that my current prognosis is three
25 months to live or less. I understand the full import of this request, and I
26 expect to die if I take the medication to be prescribed. I make this request
27 voluntarily and without reservation. I made this request without any
28 coercion or influence based on financial or other reasons from anyone else
29 or any entity. I accept full moral responsibility for my actions.

30 INITIAL ONE: I have informed my family of my decision and taken
31 their opinions into consideration. I have decided not to inform my family
32 of my decision. I have no family to inform of my decision.

33 Print Name: _____ Signed: _____ Dated: _____

34 DECLARATION OF WITNESSES

35 We declare that the person signing this request: (a) Is personally known
36 to us or has provided proof of identity; (b) Signed this request in our
37 presence; (c) Appears to be of sound mind and not under duress, fraud, or
38 undue influence; (d) Is not a patient for whom either of us is the attending
39 physician.

40 Witness 1/Date Print Name _____ Witness 2/Date Print Name _____

41 NOTE: Neither witness shall be a relative (by blood, marriage, or
42 adoption) of the person signing this request. Neither witness shall be
43 entitled to any portion of the person's estate upon death. Neither witness
44 shall own, operate, or be employed at a health care facility where the
45 person is a patient or resident.

**Introduced by Members Representing the
San Pedro Delegation of the
San Pedro & Peninsula Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Shelley Committee

An act to amend Section 23153 of the Vehicle Code, relating to DUI offenders liability.

ABSTRACT

SB 224 makes DUI offenders who are not partially or completely at fault for an automobile accident exempt from liability for resulting damages.

The people of the State of California do enact as follows:

1

2 SECTION 1. Section 23153 of the Vehicle Code is amended to read:

3 23153. (a) It is unlawful for any person, while under the influence of
4 any alcoholic beverage or drug, or under the combined influence of any
5 alcoholic beverage and drug, to drive a vehicle and concurrently do any
6 act forbidden by law, or neglect any duty imposed by law in driving the
7 vehicle, which act or neglect proximately causes bodily injury to any
8 person other than the driver.

9 (b) It is unlawful for any person, while having 0.08 percent or more, by
10 weight, of alcohol in his or her blood to drive a vehicle and concurrently
11 do any act forbidden by law, or neglect any duty imposed by law in driving
12 the vehicle, which act or neglect proximately causes bodily injury to any
13 person other than the driver.

14 (c) In proving the person neglected any duty imposed by law in driving
15 the vehicle, it is not necessary to prove that any specific section of this
16 code was violated.

17 (d) It is unlawful for any person, while having 0.04 percent or more, by
18 weight, of alcohol in his or her blood to drive a commercial motor vehicle,
19 as defined in Section 15210, and concurrently to do any act forbidden by
20 law or neglect any duty imposed by law in driving the vehicle, which act or
21 neglect proximately causes bodily injury to any person other than the driver.
22 In any prosecution under this subdivision, it is a rebuttable presumption
23 that the person had 0.04 percent or more, by weight, of alcohol in his or her
24 blood at the time of driving the vehicle if the person had 0.04 percent or
25 more, by weight, of alcohol in his or her blood at the time of performance
26 of a chemical test within three hours after driving.

27 (e) *Notwithstanding subdivision (a) or (b), if the person is not partially*
28 *or completely at fault for an accident, Section 23152 applies.*

**Introduced by Members Representing the
Valle Lobo Delegation of the
San Ramon Valley Branch of the
YMCA of the Central Bay Area**

February 13, 2014
Referred to the Jones Committee

An act to amend Section 1376 of the Penal Code, relating to intellectual disability.

ABSTRACT

SB 225 prohibits a party from presenting evidence to reopen a case after the court issues its ruling regarding a claim of intellectual disability.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1376 of the Penal Code is amended to read:

2 1376. (a) As used in this section, “intellectual disability” means the
3 condition of significantly subaverage general intellectual functioning
4 existing concurrently with deficits in adaptive behavior and manifested
5 before 18 years of age.

6 (b) (1) In any case in which the prosecution seeks the death penalty,
7 the defendant may, at a reasonable time prior to the commencement of
8 trial, apply for an order directing that a hearing to determine intellectual
9 disability be conducted. Upon the submission of a declaration by a
10 qualified expert stating his or her opinion that the defendant is a person
11 with an intellectual disability, the court shall order a hearing to determine
12 whether the defendant is a person with an intellectual disability. At the
13 request of the defendant, the court shall conduct the hearing without a jury
14 prior to the commencement of the trial. The defendant’s request for a court
15 hearing prior to trial shall constitute a waiver of a jury hearing on the issue
16 of intellectual disability. If the defendant does not request a court hearing,
17 the court shall order a jury hearing to determine if the defendant is a person
18 with an intellectual disability. The jury hearing on intellectual disability
19 shall occur at the conclusion of the phase of the trial in which the jury has
20 found the defendant guilty with a finding that one or more of the special
21 circumstances enumerated in Section 190.2 are true. Except as provided
22 in paragraph (3), the same jury shall make a finding that the defendant is
23 a person with an intellectual disability or that the defendant does not have
24 an intellectual disability.

25 (2) For the purposes of the procedures set forth in this section, the
26 court or jury shall decide only the question of the defendant’s intellectual
27 disability. The defendant shall present evidence in support of the claim that
28 he or she is a person with an intellectual disability. The prosecution shall

1 present its case regarding the issue of whether the defendant is a person
2 with an intellectual disability. Each party may offer rebuttal evidence.
3 ~~The court, for good cause in furtherance of justice, may permit either~~
4 ~~party to reopen its case to present evidence in support of or opposition~~
5 ~~to the claim of intellectual disability.~~ *After the court issues ruling on*
6 *the claim of intellectual disability, neither party may present evidence*
7 *to reopen the case.* Nothing in this section shall prohibit the court from
8 making orders reasonably necessary to ensure the production of evidence
9 sufficient to determine whether or not the defendant is a person with an
10 intellectual disability, including, but not limited to, the appointment of,
11 and examination of the defendant by, qualified experts. A statement made
12 by the defendant during an examination ordered by the court shall not be
13 admissible in the trial on the defendant's guilt.

14 (3) At the close of evidence, the prosecution shall make its final
15 argument, and the defendant shall conclude with his or her final argument.
16 The burden of proof shall be on the defense to prove by a preponderance
17 of the evidence that the defendant is a person with an intellectual disability.
18 The jury shall return a verdict that either the defendant is a person with
19 an intellectual disability or the defendant does not have an intellectual
20 disability. The verdict of the jury shall be unanimous. In any case in which
21 the jury has been unable to reach a unanimous verdict that the defendant
22 is a person with an intellectual disability, and does not reach a unanimous
23 verdict that the defendant does not have an intellectual disability, the court
24 shall dismiss the jury and order a new jury impaneled to try the issue of
25 intellectual disability. The issue of guilt shall not be tried by the new jury.

26 (c) In the event the hearing is conducted before the court prior to the
27 commencement of the trial, the following shall apply:

28 (1) If the court finds that the defendant is a person with an intellectual
29 disability, the court shall preclude the death penalty and the criminal trial
30 thereafter shall proceed as in any other case in which a sentence of death is
31 not sought by the prosecution. If the defendant is found guilty of murder in
32 the first degree, with a finding that one or more of the special circumstances
33 enumerated in Section 190.2 are true, the court shall sentence the defendant
34 to confinement in the state prison for life without the possibility of parole.
35 The jury shall not be informed of the prior proceedings or the findings
36 concerning the defendant's claim of intellectual disability.

37 (2) If the court finds that the defendant does not have an intellectual
38 disability, the trial court shall proceed as in any other case in which a
39 sentence of death is sought by the prosecution. The jury shall not be informed
40 of the prior proceedings or the findings concerning the defendant's claim
41 of intellectual disability.

42 (d) In the event the hearing is conducted before the jury after the
43 defendant is found guilty with a finding that one or more of the special
44 circumstances enumerated in Section 190.2 are true, the following shall
45 apply:

1 (1) If the jury finds that the defendant is a person with an intellectual
2 disability, the court shall preclude the death penalty and shall sentence the
3 defendant to confinement in the state prison for life without the possibility
4 of parole.

5 (2) If the jury finds that the defendant does not have an intellectual
6 disability, the trial shall proceed as in any other case in which a sentence
7 of death is sought by the prosecution.

8 (e) In any case in which the defendant has not requested a court hearing
9 as provided in subdivision (b), and has entered a plea of not guilty by reason
10 of insanity under Sections 190.4 and 1026, the hearing on intellectual
11 disability shall occur at the conclusion of the sanity trial if the defendant
12 is found sane.

**Introduced by Members Representing the
Torrance-South Bay Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Miller Committee

An act to add Section 60120 of the Education Code, relating to high school textbooks.

ABSTRACT

SB 226 resolves to provide Kindle e-readers to all students in grades 9-12.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 60120 is added to the Education Code to read:
2 60120. (a) *All public school districts must purchase basic Kindle*
3 *e-readers for all high school students.*
4 (1) *Superintendents shall do the following:*
5 (i) *supervise the purchasing of basic Kindle e-readers for each student*
6 *when the first textbook becomes outdated in accordance to Section 60119*
7 *for high school students.*
8 (ii) *supervise the establishment of one Kindle account per every five*
9 *hundred high school students.*
10 (iii) *supervise the purchase of one copy of all necessary electronic*
11 *textbooks and instructive materials*
12 *on each account.*
13 (iv) *supervise the distribution of Kindle e-readers at high school*
14 *libraries*
15 (b) *The purchase of basic Kindle e-readers will be made with funds*
16 *appropriated in the annual Budget Act.*
17 (1) *In carrying out subparagraph (A), the governing board of a school*
18 *district may use moneys in any of the following funds:*
19 (i) *Profits from the sale of school bonds*
20 (ii) *Disclosed monetary donations*
21 (iii) *Unspent funds within the school district.*
22 (c) *Students will be liable for the Kindle e-reader devices through a*
23 *returnable deposit.*
24 (i) *The deposit will be no more than the highest cost of the Kindle*
25 *e-reader device.*
26 (ii) *The deposit is to be returned in full if device is returned unharmed*
27 *physically and internally at the end of the student's academic career in the*
28 *specific district.*

**Introduced by Members Representing the
Triunfo Branch of the
Southeast Ventura County YMCA**

February 13, 2014
Referred to the Fong Eu Committee

A joint resolution relating to blood and tissue donations.

ABSTRACT

SJR 227 urges Congress to allow homosexual men and women to give blood and tissue donations.

1 WHEREAS, Any and all persons wishing to donate blood and tissue
2 should not be discriminated against based on sexual orientation and/or
3 sexual behavior;

4 WHEREAS, All potential donors must comply with pre-existing blood
5 screenings for HIV and other blood-born disorders and diseases; now
6 therefore, be it

7 *Resolved by the Assembly and the Senate of the State of California,*
8 *jointly,* that the Legislature of the State of California respectfully
9 memorializes the Congress of the United States to propose legislation that
10 would authorize blood and tissue donations by homosexuals.

11 *Resolved,* That the Chief Clerk of the Assembly transmit copies of this
12 resolution to the Speaker of the House of Representatives, the President
13 Pro-Tempore of the United States Senate, and to each senator and
14 Representative from California in the Congress of the United States, and
15 to the Chief Clerk of the Legislature for the other forty-nine states.

**Introduced by Members Representing the
Verdugo Hills Branch of the
YMCA of the Foothills**

February 13, 2014
Referred to the Brown Committee

An act to repeal and add Sections 653.22 and 653.23 of, and to add Section 653.21 to the Penal Code, relating to prostitution.

ABSTRACT

SB 228 legalizes the act of prostitution through private businesses and regulation by the State of California.

The people of the State of California do enact as follows:

1 SECTION 1.The Legislature hereby finds and declares all of the
2 following:

3 (a) This act may be cited as the Legalization of Prostitution Act of 2013.

4 (b) It is currently being done throughout the state. This law would
5 allow the legalization and regulation of prostitution, providing for a much
6 safer occupation.

7 (c) Guarantees protection and basic rights for prostitutes.

8 (d) The State of California makes significant revenue as a result of the
9 tax of this system.

10 SEC. 2.Section 653.21 is added to the Penal Code to read:

11 653.21. (a) Prostitutes shall be supported by private business ventures
12 (escort services and like businesses).

13 (b) Fixed minimum rates will be set by state on income of prostitute.

14 (c) Prostitution ventures shall be inspected by a state moderator so as to
15 enforce set regulations and ensure the safety of prostitutes.

16 (d) Customers shall use protection when engaging in sexual intercourse
17 and it shall be provided for employees, by their employers.

18 (e) Cliental may choose to remain anonymous if so desired and shall
19 be pre-approved by the prostitute before goods and services are provided.

20 SEC. 3. Section 653.22 of the Penal Code is repealed.

21 SEC. 4. Section 653.22 is added to the Penal Code to read:

22 653.22. (a) The state will regulate and inspect individual businesses to
23 ensure business practices are lawful.

24 (b) One shall be over 18 years of age to become employed as a prostitute.

25 (c) Customers shall be over 21 years of age to use provided services.

26 (d) Only U.S. citizens or legal U.S. residents may be employed as
27 prostitutes.

28 SEC. 5. Section 653.23 of the Penal Code is repealed.

29 SEC. 6. Section 653.23 is added to the Penal Code to read:

- 1 653.23. (a) May charge a fee of no more than ten thousand dollars
2 (\$10,000) for individuals who work outside of state approved companies.
3 (b) May be imprisoned for no more than one year in county jail for
4 violating any guidelines set by the state when with a prostitute, with due
5 process of law.
6 (c) Company shall be terminated if found to have broken repeatedly, or
7 having broken numerous laws and guidelines set by the state.

**Introduced by Members Representing the
Weingart East Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Sullivan Committee

An act to amend 48900 of the Education Code, relating to pupil suspension or expulsion.

ABSTRACT

SB 229 removes disruptive school activities or willful defiance of valid authorities as an act upon which a pupil may be suspended from school or recommended for expulsion.

The people of the State of California do enact as follows:

1

2 SECTION 1. Section 48900 of the Education Code is amended to read:

3 48900. A pupil shall not be suspended from school or recommended
4 for expulsion, unless the superintendent or the principal of the school in
5 which the pupil is enrolled determines that the pupil has committed an act
6 as defined pursuant to any of subdivisions (a) to

7 (r), inclusive:

8 (a) (1) Caused, attempted to cause, or threatened to cause physical
9 injury to another person.

10 (2) Willfully used force or violence upon the person of another, except
11 in self-defense.

12 (b) Possessed, sold, or otherwise furnished a firearm, knife, explosive,
13 or other dangerous object, unless, in the case of possession of an object
14 of this type, the pupil had obtained written permission to possess the item
15 from a certificated school employee, which is concurred in by the principal
16 or the designee of the principal.

17 (c) Unlawfully possessed, used, sold, or otherwise furnished, or
18 been under the influence of, a controlled substance listed in Chapter 2
19 (commencing with Section 11053) of Division 10 of the Health and Safety
20 Code, an alcoholic beverage, or an intoxicant of any kind. (d) Unlawfully
21 offered, arranged, or negotiated to sell a controlled substance listed in
22 Chapter 2 (commencing with Section 11053) of Division 10 of the Health
23 and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and
24 either sold, delivered, or otherwise furnished to a person another liquid,
25 substance, or material and represented the liquid, substance, or material as
26 a controlled substance, alcoholic beverage, or intoxicant.

27 (e) Committed or attempted to commit robbery or extortion.

28 (f) Caused or attempted to cause damage to school property or vprivate
29 property.

1 (g) Stolen or attempted to steal school property or private property.

2 (h) Possessed or used tobacco, or products containing tobacco or
3 nicotine products, including, but not limited to, cigarettes, cigars, miniature
4 cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel.
5 However, this section does not prohibit use or possession by a pupil of his
6 or her own prescription products.

7 (i) Committed an obscene act or engaged in habitual profanity or
8 vulgarity.

9 (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated
10 to sell drug paraphernalia, as defined in Section 11014.5 of the Health and
11 Safety Code.

12 ~~(k) Disrupted school activities or otherwise willfully defied the valid~~
13 ~~authority of supervisors, teachers, administrators, school officials, or other~~
14 ~~school personnel engaged in the performance of their duties.~~

15 ~~(k)~~(k) Knowingly received stolen school property or private property.

16 ~~(m)~~(l) Possessed an imitation firearm. As used in this section, “imitation
17 firearm” means a replica of a firearm that is so substantially similar in
18 physical properties to an existing firearm as to lead a reasonable person to
19 conclude that the replica is a firearm.

20 ~~(n)~~(m) Committed or attempted to commit a sexual assault as defined in
21 Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed
22 a sexual battery as defined in Section 243.4 of the Penal Code.

23 ~~(o)~~(n) Harassed, threatened, or intimidated a pupil who is a complaining
24 witness or a witness in a school disciplinary proceeding for the purpose of
25 either preventing that pupil from being a witness or retaliating against that
26 pupil for being a witness, or both.

27 ~~(p)~~(o) Unlawfully offered, arranged to sell, negotiated to sell, or sold
28 the prescription drug Soma.

29 ~~(q)~~(p) Engaged in, or attempted to engage in, hazing. For purposes of
30 this subdivision, “hazing” means a method of initiation or preinitiation
31 into a pupil organization or body, whether or not the organization or body
32 is officially recognized by an educational institution, which is likely to
33 cause serious bodily injury or personal degradation or disgrace resulting
34 in physical or mental harm to a former, current, or prospective pupil. For
35 purposes of this subdivision, “hazing” does not include athletic events or
36 school-sanctioned events.

37 ~~(r)~~(q) Engaged in an act of bullying. For purposes of this subdivision,
38 the following terms have the following meanings:

39 (1) “Bullying” means any severe or pervasive physical or verbal act
40 or conduct, including communications made in writing or by means of
41 an electronic act, and including one or more acts committed by a pupil
42 or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4,
43 directed toward one or more pupils that has or can be reasonably predicted
44 to have the effect of one or more of the following:

45

1 (A) Placing a reasonable pupil or pupils in fear of harm to that pupil's
2 or those pupils' person or property.

3 (B) Causing a reasonable pupil to experience a substantially detrimental
4 effect on his or her physical or mental health.

5 (C) Causing a reasonable pupil to experience substantial interference
6 with his or her academic performance.

7 (D) Causing a reasonable pupil to experience substantial interference
8 with his or her ability to participate in or benefit from the services, activities,
9 or privileges provided by a school.

10 (2) "Electronic act" means the transmission of a communication,
11 including, but not limited to, a message, text, sound, or image, or a post
12 on a social network Internet Web site, by means of an electronic device,
13 including, but not limited to, a telephone, wireless telephone or other
14 wireless communication device, computer, or pager.

15 (3) "Reasonable pupil" means a pupil, including, but not limited to, an
16 exceptional needs pupil, who exercises average care, skill, and judgment
17 in conduct for a person of his or her age, or for a person of his or her age
18 with his or her exceptional needs.

19 (s) A pupil shall not be suspended or expelled for any of the acts
20 enumerated in this section, unless that act is related to school activity or
21 school attendance occurring within a school under the jurisdiction of the
22 superintendent of the school district or principal or occurring within any
23 other school district. A pupil may be suspended or expelled for acts that
24 are enumerated in this section and related to school activity or attendance
25 that occur at any time, including, but not limited to, any of the following:

26 (1) While on school grounds. (2) While going to or coming from school.
27 (3) During the lunch period whether on or off the campus. (4) During, or
28 while going to or coming from, a school-sponsored activity.

29 (t) A pupil who aids or abets, as defined in Section 31 of the Penal Code,
30 the infliction or attempted infliction of physical injury to another person
31 may be subject to suspension, but not expulsion, pursuant to this section,
32 except that a pupil who has been adjudged by a juvenile court to have
33 committed, as an aider and abettor, a crime of physical violence in which
34 the victim suffered great bodily injury or serious bodily injury shall be
35 subject to discipline pursuant to subdivision (a).

36 (u) As used in this section, "school property" includes, but is not limited
37 to, electronic files and databases.

38 (v) A superintendent of the school district or principal may use his or
39 her discretion to provide alternatives to suspension or expulsion, including,
40 but not limited to, counseling and an anger management program, for a
41 pupil subject to discipline under this section.

42 (w) It is the intent of the Legislature that alternatives to suspension or
expulsion be imposed against a pupil who is truant, tardy, or otherwise
absent from school activities.

**Introduced by Members Representing the
West Valley Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Jordan Committee

An act to amend Section 23123.5 of the California Vehicle Code, relating to use of electronic wireless devices.

ABSTRACT

SB 230 increases the penalties for the use of an electronic wireless communication device to write, send, or read a text-based communication while driving a motor vehicle.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 23123.5 of the Vehicle Code is amended to read:
2 23123.5. (a) A person shall not drive a motor vehicle while using an
3 electronic wireless communications device to write, send, or read a text-
4 based communication, unless the electronic wireless communications
5 device is specifically designed and configured to allow voice-operated
6 and hands-free operation to dictate, send, or listen to a text-based
7 communication, and it is used in that manner while driving.
8 (b) As used in this section “write, send, or read a text-based
9 communication” means using an electronic wireless communications
10 device to manually communicate with any person using a text-based
11 communication, including, but not limited to, communications referred to
12 as a text message, instant message, or electronic mail.
13 (c) For purposes of this section, a person shall not be deemed to be
14 writing, reading, or sending a text-based communication if the person
15 reads, selects, or enters a telephone number or name in an electronic
16 wireless communications device for the purpose of making or receiving a
17 telephone call or if a person otherwise activates or deactivates a feature or
18 function on an electronic wireless communications device.
19 (d) A violation of this section is an infraction punishable by ~~a base fine~~
20 ~~of twenty dollars (\$20) for a first offense and fifty dollars (\$50) for each~~
21 ~~subsequent offense.~~ *the following:*
22 (1) *A base fine of no less than one thousand four hundred dollars*
23 *(\$1,400) and no more than two thousand six hundred dollars (\$2,600) and*
24 *possible license suspension for 30 days to 10 months for a first offense.*
25 (2) *A base fine of no less than one thousand eight hundred dollars*
26 *(\$1,800) and no more than two thousand eight hundred dollars (\$2,800)*
27 *and a possible license suspension of two years for a second offense.*

- 1 (3) *A base fine of no less than one thousand eight hundred dollars*
2 *(\$1,800) and no more than eighteen thousand dollars (\$18,000) and a*
3 *possible license suspension of three years for a third or subsequent offense.*
4 (e) This section does not apply to an emergency services professional
5 using an electronic wireless communications device while operating an
6 authorized emergency vehicle, as defined in Section 165, in the course and
7 scope of his or her duties.

**Introduced by Members Representing the
Westchester Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Peek Committee

An act to add Section 647.1 to the Penal Code, relating to narcotics.

ABSTRACT

SB 231 legalizes all forms of previously illegal narcotics.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 647.1 of the Penal Code is added to read:
- 2 647.1 (a) Notwithstanding any other law, anyone over the age of 18 and
- 3 with proper identification may be in possession of, use, sell, or distribute
- 4 any of the following:
- 5 (1) All narcotics previously illegal, including but not limited to,
- 6 intoxicating liquor, any drug, controlled substance, or toluene, or any
- 7 combination of any intoxicating liquor, drug, controlled substance, or
- 8 toluene.
- 9 (2) All paraphernalia associated with the substances identified in
- 10 paragraph (1).
- 11 (b) This section shall also be applied retroactively, pardoning all
- 12 prisoners and defendants in the state of California who have been convicted
- 13 of, or are being tried for, crimes relating to the possession of, use, sale,
- 14 or distribution of the items identified in subdivision (a). Notwithstanding
- 15 this subdivision, a prisoner or defendant pardoned under this subdivision
- 16 shall only be pardoned for affiliated crimes, and shall still be held fully
- 17 responsible for all other crimes committed.
- 18 (c) Owners of private property maintain the right to limit the use on the
- 19 premises of their property of any substances or paraphernalia identified
- 20 in subdivision (a). Business owners also maintain the right to impose
- 21 limitations on any items identified in subdivision (a), that their employees
- 22 might seek to have; however, these limitations may only be placed on the
- 23 premises of the worksite and during paid work hours.

**Introduced by Members Representing the
Wilmington Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Curry Committee

An act to add Section 17053.83 to the Revenue and Taxation Code, relating to the contribution of corporate income tax.

ABSTRACT

SB 232 designates a specified amount of state corporate income tax be assessed and then distributed to county departments of education to fund higher education scholarships.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17053.83 of the Revenue and Taxation Code is
2 added to read:

3 1705.83. In the state of California:

4 (a) Businesses are to be taxed a certain amount of their corporate income
5 tax to be paid to the Franchise Tax Board.

6 (1) The assessment of the tax is dependent on the yearly earnings of the
7 business.

8 (2) The tax will begin at .25% for businesses with a taxable annual
9 income of \$200,000 to \$500,000, .50% for businesses with an annual
10 income from \$500,001 to \$1,000,000, .75% for businesses with an annual
11 income from \$1,000,001 to \$3,000,000, 1% for businesses with an annual
12 income from \$3,000,001 to \$5,000,000, and 2% for businesses with an
13 annual income exceeding \$5,000,000.

14 (b) This tax shall be distributed to the county education departments.

15 (c) The county education departments shall distribute the money to low
16 income applicants.

17 (d) Low income is defined as a gross income of up to 150% of the
18 poverty level.

19 (e) Money is dispersed to the county departments of education will:

20 (1) Create the scholarship application and application process.

21 (2) Distribute the scholarships to school districts that agree to abide by
22 the criterion.

23 (3) Monitor the distribution and compliance of the districts administering
24 the program and review their oversight procedures.

25 (4) A maximum of 5% of the scholarship money can be used to cover
26 overhead and costs of administering the scholarship program.

27 (5) Create an event that brings together the scholarship recipients with
28 the local businesses to showcase the program and results.

1 (f) Students' eligibility to participate in receiving these scholarships
2 will be subject to following qualifications and expectations.

3 (1) Students must graduate from an accredited high school under the
4 jurisdiction of the awarding county education department.

5 (2) Students must qualify as low income not to exceed an annual gross
6 income of 150% of the poverty line.

7 (3) Student must be accepted to an accredited school of higher education
8 or career training program.

9 (4) Upon graduating from college or the program, students will be
10 required to fulfill a term of employment of three years in California.

11 (5) A one year grace period will be given to the graduate to obtain a job.

12 (6) Failure to graduate from the accredited school of higher education
13 or career training program, or to obtain a job within the grace period will
14 result in the grants being converted to a student loan to accrue interest at
15 the current prime rate and be repaid to the General Fund of the California
16 State Department of Education.

**Introduced by Members Representing the
DaVinci Delegation of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Hart Committee

An act to amend existing recycling code Section 42257 to include a fee on single use bags.

ABSTRACT

SB 233 adds fees for the use of single-use plastic grocery bags.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 42257 of the Public Resources Code is amended
2 to read:
3 42257 (a) The Legislature finds and declares that all of these are matters
4 of statewide interest and concern:
5 (2) A 20 cent fee will be applied to all single-use bags distributed at
6 any retail location. This fee will be administered directly to the customers
7 by said business and collected by the government from the business. This
8 revenue would be given to the US Environmental Protection Agency.
9 (3) Requiring a store to conduct auditing or reporting with regard to
10 plastic carryout bags.
11 (b) Unless expressly authorized by this chapter, a city, county, or
12 other public agency shall not adopt, implement, or enforce an ordinance,
13 resolution, regulation, or rule to do any of the following:
14 (1) Require a store that is in compliance with this chapter to collect,
15 transport, or recycle plastic carryout bags.
16 (2) Impose a plastic carryout bag fee upon a store that is in compliance
17 with this chapter.
18 (3) Require auditing or reporting requirements that are in addition to
19 what is required by subdivision (d) of Section 42252, upon a store that is
20 in compliance with this chapter.
21 (c) This section does not prohibit the adoption, implementation,
22 or enforcement of any local ordinance, resolution, regulation, or rule
23 governing curbside or drop off recycling programs operated by, or pursuant
24 to a contract with, a city, county, or other public agency, including any
25 action relating to fees for these programs.
26 (d) This section does not affect any contract, franchise, permit, license,
27 or other arrangement regarding the collection or recycling of solid waste
28 or household hazardous waste.

**Introduced by Members Representing the
Santa Monica Family YMCA**

February 13, 2014
Referred to the Waite Committee

An act amending section 35012 of the Education Code, relating to student members of school district governing boards.

ABSTRACT

SB 234 extends voting rights to student members of local boards of education.

The people of the State of California do enact as follows:

1 SECTION 1. Section 35012 of the Education Code is amended to read:

2 (a) Except as otherwise provided, the governing board of a school district
3 shall consist of five members elected at large by the qualified voters of the
4 district. The terms of the members shall, except as otherwise provided, be
5 for four years and staggered so that as nearly as practicable one-half of the
6 members shall be elected in each odd-numbered year.

7 (b) A unified school district may have a governing board of seven
8 members in the event the proposal for unification has specified a governing
9 board of seven members. The members of the board shall be elected at
10 large or by trustee areas as designated in the proposal for unification and
11 shall serve four-year terms of office.

12 (c) Notwithstanding subdivision (a), and except as provided in this
13 subdivision and Section 5018, the governing board of an elementary school
14 district other than a union or joint union elementary school district shall
15 consist of three members selected at large from the territory comprising
16 the district. Whenever, in any such elementary school district the average
17 daily attendance during the preceding fiscal year is 300 or more, the
18 procedures prescribed by Section 5018 shall be undertaken.

19 (d) ~~There may be submitted to the governing board of a school district~~
20 ~~maintaining one or more high schools a pupil petition requesting the~~
21 ~~governing board to appoint one or more nonvoting voting pupil members~~
22 ~~to the board pursuant to this section.~~

23 ~~There may also be submitted to the governing board of a school~~
24 ~~district maintaining one or more high schools a pupil petition requesting~~
25 ~~the governing board to allow preferential voting for the pupil member or~~
26 ~~members of the board. This request may be made in the original petition~~
27 ~~for pupil representation on the board or in a separate petition after a pupil~~
28 ~~member or members have been appointed to the board.~~

29 ~~Whether for pupil representation or for preferential voting for the pupil~~
30 ~~member or members, the petition shall contain the signatures of either (a)~~

1 not less than 500 pupils regularly enrolled in high schools of the district;
2 or (b) not less than 10 percent of the number of pupils regularly enrolled in
3 high schools of the district, whichever is less.

4 Upon receipt of a petition for pupil representation, the governing
5 board shall, commencing July 1, 1976, and each year thereafter, order the
6 inclusion within the membership of the governing board, in addition to
7 the number of members otherwise prescribed, at least one nonvoting pupil
8 member. The board may order the inclusion of more than one nonvoting
9 pupil member.

10 Upon receipt of a petition for preferential voting for the pupil member
11 or members, the governing board shall allow preferential voting for the
12 pupil member or members of the governing board. Preferential voting, as
13 used in the section, means a formal expression of opinion that is recorded
14 in the minutes and cast prior to the official vote of the governing board. A
15 preferential vote will not serve in determining the final numerical outcome
16 of a vote. No preferential vote will be solicited on matters subject to closed
17 session discussion.

18 The governing board of a school district containing one or more high
19 schools shall appoint a voting student member, who shall be chosen by
20 the pupils enrolled in the high school or high schools in the district in
21 accordance with procedures prescribed by the governing board. The term
22 of a student member shall be one year, commencing on July 1 of each year.

23 *The student member shall have the right to attend each and all meetings*
24 *of the governing board, except executive sessions.*

25 *The student member shall be seated with the members of the governing*
26 *board and shall be recognized as a full member of the board at the meetings,*
27 *including receiving all materials presented to the board members and*
28 *participating in the questioning of speakers and the discussion of issues.*

29 *The student member shall be authorized to vote and make motions that*
30 *may be acted upon by the governing board, except on matters dealing with*
31 *employer-employee relations pursuant to Chapter 10.7 (commencing with*
32 *Section 3540) of Division 4 of Title 1 of the Government Code.*

33 The governing board may adopt a resolution authorizing the nonvoting
34 or preferential voting pupil member or members to make motions that
35 may be acted upon by the governing board, except on matters dealing with
36 employer-employee relations pursuant to Chapter 10.7 (commencing with
37 Section 3540) of Division 4 of Title 1 of the Government Code.

38 Each pupil member shall have the right to attend each and all meetings
39 of the governing board, except executive sessions.

40 Any pupil selected to serve as a nonvoting or preferential voting
41 member of the governing board shall be enrolled in a high school of the
42 district, may be less than 18 years of age, and shall be chosen by the pupils
43 enrolled in the high school or high schools of the district in accordance
44 with procedures prescribed by the governing board. The term of a pupil
45 member shall be one year commencing on July 1 of each year.

1 A nonvoting or preferential voting pupil *student member* shall be
2 entitled to the mileage allowance to the same extent as regular members,
3 but is not entitled to the compensation prescribed by Section 35120.

4 ~~A nonvoting or preferential voting pupil member shall be seated with the~~
5 ~~members of the governing board and shall be recognized as a full member~~
6 ~~of the board at the meetings, including receiving all materials presented to~~
7 ~~the board members and participating in the questioning of witnesses and~~
8 ~~the discussion of issues.~~

9 ~~The nonvoting or preferential voting pupil member shall not be included~~
10 ~~in determining the vote required to carry any measure before the board.~~

11 ~~The nonvoting or preferential voting pupil *student member* shall not be~~
12 ~~liable for any acts of the governing board.~~

13 SECTION 2. Subsection (f) of Section 33000.5 of the Education Code
14 is repealed in its entirety.

**Introduced by Members Representing the
Northwest Branch of the
YMCA of Silicon Valley**

February 13, 2014
Referred to the Bowen Committee

An act to add Section 48900.9 of the Education Code, related to school suspensions.

ABSTRACT

SB 235 requires school officials to follow a specified procedure when determining the type and degree of consequences pertaining to acts that are specified as grounds for suspension of a student.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the following:

2 (a) More than 700,000 suspensions involving over 365,000 students
3 occur in California's public schools each year.

4 (b) Suspension and chronic absenteeism are linked to academic failure,
5 higher school dropout rates, and involvement in the juvenile and criminal
6 justice systems.

7 (c) Suspensions are not recorded as excused absence in several schools.

8 SEC. 2. Section 48900.9 is added to the Education Code to read:

9 48900.9 (a) Upon the receipt by the principal of a report of an incident
10 that results in a student being suspended from school, the student shall
11 receive an excused absence until the following school day.

12 (b) The following procedure shall be completed by the end of the
13 following school day regardless of when the incident occurred:

14 (1) School officials shall convene a preliminary meeting, including but
15 not limited to, assistant principal, deans, and school psychiatric counselors
16 as part of the investigating committee, to review the facts surrounding the
17 suspension.

18 (2) The investigating committee shall hold separate meetings with
19 students involved in the incident.

20 (3) The investigating committee shall call in witnesses as necessary.

21 (4) The investigating committee shall then recommend a course of action
22 to the principal with regard to the proposed suspension of the student.

23 (5) The principal shall review the plan and enforce the decision of the
24 investigating committee.

**Introduced by Members Representing the
Anaheim Family YMCA**

February 13, 2014
Referred to the Tuttle Committee

An act to add Section 17041.3 to the Revenue and Taxation Code, relating to taxation.

ABSTRACT

SB 251 provides funding for after school programs in the event that Proposition 49 fails to fund schools that have applied for grants. This will be executed through a 1% income tax.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 17041.3 is added to the Revenue and Taxation
- 2 Code, to read:
- 3 17041.3 In the event that Proposition 49 fails to fund a school's after
- 4 school program,
- 5 (a) A 1% increase in income tax each year for those whose annual
- 6 income is \$400,000 or above would be implemented.
- 7 (b) The money collected from the income tax will be set aside for
- 8 funding for afterschool programs that reach a certain criteria.
- 9 (1) Priority to low income schools.
- 10 (2) Only organizations with programs that service 1,000 youth
- 11 participants or more are eligible to apply for funding.

**Introduced by Members Representing the
Berkeley Branch of the
YMCA of the Central Bay Area**

February 13, 2014
Referred to the Weeks Committee

An act to amend Section 1367.005 of the Health and Safety Code, relating to health care coverage.

ABSTRACT

SB 252 requires all California employers who currently offer health insurance plans to their employees to offer a plan that covers sex reassignment surgery for the treatment of Gender Dysphoria, as defined.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1367.005 of the Health and Safety Code is
2 amended to read:

3 1367.005. (a) An individual or small group health care service plan
4 contract issued, amended, or renewed on or after January 1, ~~2014~~ 2015,
5 shall, at a minimum, include coverage for essential health benefits pursuant
6 to PPACA and as outlined in this section. For purposes of this section,
7 “essential health benefits” means all of the following:

8 (†) (A) Health benefits within the categories identified in Section
9 1302(b) of PPACA: ambulatory patient services, emergency services,
10 hospitalization, maternity and newborn care, mental health and substance
11 use disorder services, including behavioral health treatment, prescription
12 drugs, rehabilitative and habilitative services and devices, laboratory
13 services, preventive and wellness services and chronic disease management,
14 and pediatric services, including oral and vision care.

15 (B) Sex reassignment surgery for the treatment of Gender Dysphoria.
16 For the purposes of this subparagraph, , sex reassignment surgery means
17 a surgical procedure to construct or alter the genitalia of the patient
18 to that of the opposite sex. For the purposes of this subparagraph,
19 Gender Dysphoria means the condition of feeling one’s emotional and
20 psychological identity as male or female to be opposite to one’s biological
21 sex according to the National Library of Medicine.

**Introduced by Members Representing the
Conejo Valley Branch of the
Southeast Ventura County YMCA**

February 13, 2014
Referred to the Price Committee

An act to add Section 29801 to the Penal Code, relating to gun control.

ABSTRACT

SB 253 restricts gun ownership for patients recently released from drug addiction treatment facilities.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 29801 is added to the Penal Code to read:
2 29801. (a) Those recently released from treatment for addiction
3 to Schedule 1 or Schedule 2 drugs as defined by the U.S. Controlled
4 Substances Act shall be prohibited from owning a firearm.
5 (b) In addition to the restrictions of Section 29800; after leaving treatment
6 for addiction to a Schedule 1 drug there shall be a 1 year restriction where
7 the patient cannot purchase or receive, attempt to purchase or receive, have
8 in his or her possession, or control any firearm. For a Schedule 2 drug
9 the restriction shall be reduced to 6 months. This time restriction shall be
10 renewed should the patient re-enter a facility for treatment for the same or
11 a different addiction.
12 (c) Subdivision (a) shall also be applied by Section 29800.
13 (d) This restriction on firearm ownership shall be applied to Section
14 8105 of the Welfare and Institutions Code, and as such, centers for drug
15 addiction treatment shall release information on their patients in a timely
16 manner to the Department of Justice.

**Introduced by Members Representing the
Crescenta-Cañada Family Branch of the
YMCA of the Foothills**

February 13, 2014
Referred to the Foreman Committee

An act to amend Section 21967 of the Vehicle Code, regarding skateboard prohibitions.

ABSTRACT

SB 254 allows the riding or propelling of skateboards on roadways with a speed limit equal to or less than twenty five miles per hour.

The people of the State of California do enact as follows:

- 1 SECTION 1. SECTION 21967 of the Vehicle Code is amended to read:
2 21967. The Legislature finds and declares the following:
3 (a) In the same manner that riding bicycles on California roadways is
4 regulated, safe and skilled skateboarders should be allowed to ride. With
5 the growing popularity of skateboarding, the objective of this bill is to
6 offer skateboarders the freedom to use their desired forms of transportation
7 and recreation without harassment of law enforcement and the ridicule
8 of the public. A skateboarder shall be allowed to ride in roadways with
9 a speed limit of twenty five miles per hour or less in the same fashion
10 bicyclists are permitted to ride. A skateboarder shall follow all bicycling
11 regulations than also apply to skateboarding, including the use of a bike
12 lane when available. A minor skateboarder shall follow all laws on the use
13 of helmets. This bill is with the concern of non-motorized skateboards,
14 only with regular skateboards.
15 (b) Failure to follow traffic laws will result in the equivalent punishment
16 to that of a motor vehicle.
17 (c) All skateboarders ride at their own risk and are in effect acknowledging
18 the dangers of entering any roadway.

**Introduced by Members Representing the
Culver-Palms Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Douglass Committee

An act to amend Section 14500.5 of the Welfare and Institutions Code, relating to abortions.

ABSTRACT

SB 255 institutes a counseling service for women seeking an abortion under Medi-Cal.

The people of the State of California do enact as follows:

- 1 SECTION 1.. Section 14500.5 of the Welfare and Institutions Code is
2 amended to read:
3 14500.5 (a)(1) It is the intent of the Legislature that family planning
4 includes, but is not limited to, an effective means to improve reproductive
5 health by disease prevention and treatment, to reduce the incidence of
6 unintended pregnancies, and to reduce the demand for abortions. It is the
7 intent of the Legislature that no family planning shall be expended other
8 than for the services enumerated in this chapter. It is also the intent of the
9 Legislature that no funds received pursuant to this chapter be used for
10 abortions or services ancillary to abortions.
11 (2)(A) *Prior to an abortion procedure, a patient shall attend a 30 minute*
12 *counseling service about contraceptive methods. This service shall occur*
13 *on the same day as the procedure.*
14 (B) *The curriculum of the counseling service shall be standardized and*
15 *implemented by the State Department of Health Care Services.*
16 (C) *This paragraph shall apply only to patients covered by the Medi-*
17 *Cal program.*
18 (b) For purposes of this chapter, the following definitions shall apply:
19 (1) "Family planning" means the process of establishing objectives for
20 the number and spacing of children, and selecting the means by which
21 those objectives may be achieved. These means include a broad range of
22 acceptable and effective methods and services to limit or enhance fertility,
23 including contraceptive methods, natural family planning, abstinence
24 methods, and the management of infertility. Family planning services
25 include preconceptional counseling, maternal and fetal health counseling,
26 and general reproductive health care, including diagnosis and treatment
27 of infections and conditions, including cancer, that threaten reproductive
28 capability, and other services as described in Section 14503, except for
29 abortions and services ancillary to abortions as prohibited in Section

- 1 14509. Family planning does not include abortion, pregnancy testing solely
2 for the purposes of referral for abortion or services ancillary to abortions,
3 or pregnancy care which is not incident to the diagnosis of a pregnancy,
4 except as otherwise provided for in this chapter.
- 5 (2) “Abortion as a method of family planning” means the deliberate
6 choice of abortion over other methods to limit the number, gender, and
7 spacing of children, including, but not limited to, contraception, abstinence,
8 and natural family planning methods.
- 9 (3) “Department” means the State Department of Health Care Services.
- 10 (4) “Director” means the Director of Health Care Services.
- 11 (5) “Grantee” means an agency, institution, or organization approved
12 by the department to provide family planning services pursuant to this
13 chapter.

**Introduced by Members Representing the
Family YMCA of the Desert**

February 13, 2014
Referred to the Hempstead Committee

Senate Joint Resolution No. 256 relative to military service requirements

ABSTRACT

SJR 256 urges Congress to change the minimum age for enlistment for all military branches to 19 years of age.

1 WHEREAS, Teenagers should not view the military as the only option
2 for them after high school, as many of them do; and

3 WHEREAS, Students leaving high school should experience living
4 on their own before making a life altering decision such as joining the
5 military; and

6 WHEREAS, The military would have many more people enlisting who
7 have the desire to be there; and

8 WHEREAS, Adolescents lack the neurological capacity to make fully
9 informed decisions; now, therefore, be it

10 *Resolved by the Assembly and the Senate of the State of California,*
11 *jointly,* That the Legislature urges the Congress of the United States to
12 change the minimum enlistment age to any branch of the United States
13 Military to 19 years of age.

14 *Resolved,* That the Chief Clerk of the Assembly transmit copies of this
15 resolution to the President and Vice President of the United States, to the
16 Speaker of the House of Representatives, to the Majority Leader of the
17 Senate, and to each Senator and Representative from California in the
18 Congress of the United States.

**Introduced by Members Representing the
Diablo Valley Branch of the
YMCA of the Central Bay Area**

February 13, 2014
Referred to the Denver Committee

An act to add Section 82 to the Penal Code, relating to city ordinances.

ABSTRACT

SB 257 requires all cities with a population over 150,000 persons to enact a Municipal Sit-and-Lie ordinance specific to their city according to specified criteria.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 182 is added to the Penal Code, to read:
- 2 182. All cities with a population over 150,000 persons shall enact an
- 3 ordinance in which it is unlawful to sit or lie upon a public sidewalk,
- 4 or upon a blanket, chair, stool, or any other object placed upon a public
- 5 sidewalk.
- 6 (a) For the first offense a written warning shall be issued, a second
- 7 offense shall be punished by a citation which shall fine the offender or
- 8 require community service based on city policy. If an offender receives
- 9 more than one citation in a twenty-four hour period, the offense shall be
- 10 regarded as a misdemeanor.
- 11 (b) Upon receiving a written citation, offenders shall be instructed of
- 12 the ordinance and if the offender is a transient, he or she shall be offered
- 13 concrete referrals for health care and social services. Officers shall use
- 14 experienced judgment when identifying transient persons.
- 15 (c) In addition, enforcement shall be waived during organized events
- 16 with permission in the form of a municipal permit.

**Introduced by Members Representing the
East Valley Family Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Hendricks Committee

An act to add Section 38566 to the Health and Safety Code, relating to leaf blowers.

ABSTRACT

SB 258 amends the California Global Warming Solutions Act of 2006 to ban operation of a gasoline-powered leaf blower in the state of California.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 38566 is added to the Health and Safety Code, to
2 read as follows:
3 38566. (a) For purposes of this section, a “gasoline-powered leaf-
4 blower” means a device that uses air to move debris on the ground that is
5 run by a gasoline-powered engine.
6 (b) (1) No person shall operate a gasoline-powered leaf blower in the
7 state.
8 (2) No person shall authorize or knowingly permit an employee to
9 operate a gasoline-powered leaf blower during the course and scope of
10 their employment.
11 (3) No owner of real property shall authorize or knowingly permit the
12 operation of a gasoline-powered leaf blower on his or her property.
13 (c) (1) Any person that violates subdivision (b) is subject to a fine not to
14 exceed one hundred dollars (\$100) for each violation.
15 (2) Any gasoline-powered leaf blower that is operated in this state shall
16 be confiscated and disposed of at a recycling facility.
17 (d) During the first year that this section is operable, the state board
18 shall designate a day, or more than one day, during which the owner of a
19 gasoline-powered leaf blower may trade in the leaf blower for a grass rake
20 to be provided by the state and paid for out of the moneys received by the
21 state board for recycling the leaf blowers.

**Introduced by Members Representing the
El Camino YMCA Branch of the
YMCA of Silicon Valley**

February 13, 2014
Referred to the Thompson Committee

An act to amend Section 7151.20 of the Health and Safety Code, relating to organ donation.

ABSTRACT

SB 259 requires drivers to opt-out from organ donation.

The people of the State of California do enact as follows:

SECTION 1. Section 7150.20 of the Health and Safety Code is amended to read:

7150.20. (a) A donor may make opt out of making an anatomical gift through any of the following:

(1) By authorizing a statement or symbol indicating that the donor ~~has made~~ *does not wish to make* an anatomical gift to be imprinted on the donor's driver's license or identification card and included on a donor database registry.

(2) Directly through the Donate Life California Organ and Tissue Donor Registry Internet Web site.

~~(3) In a will.~~

~~(4)~~ (3) During a terminal illness or injury of the donor, by any form of communication that clearly expresses the donor's wish to refrain from donating, addressed to at least two adults, at least one of whom is a disinterested witness. The witnesses shall memorialize this communication in a writing and sign and date the writing.

~~(4) As provided in subdivision (b).~~

~~(b) A donor or other person authorized to make an anatomical gift under Section 7150.15 may opt out of making make a gift by a donor card or other record signed by the donor or other person making the gift or by authorizing that a statement or symbol, indicating that the donor has made an anatomical gift, be included on a donor registry. If the donor or other person is physically unable to sign a record, the record may be signed by another individual at the direction of the donor or other person and shall comply with all of the following:~~

~~(1) Be witnessed by at least two adults, at least one of whom is a disinterested witness, who have signed at the request of the donor or the other person.~~

~~(2) State that it has been signed and witnessed as provided in paragraph (1).~~

1 ~~(e)~~ (b) Revocation, suspension, expiration, or cancellation of a driver's
2 license or identification card upon which an anatomical gift is indicated
3 does not invalidate the gift. *The option of opting out of the donation system*
4 *shall be clearly presented when a person renews his or her driver's license.*

5 ~~(d) An anatomical gift made by will takes effect upon the donor's death~~
6 ~~whether or not the will is probated. Invalidation of the will after the donor's~~
7 ~~death does not invalidate the gift.~~

8 (e) (c) Notwithstanding subdivision (i) of Section 7150.65, a document
9 of gift may designate a particular physician to carry out the recovery
10 procedures. In the absence of this designation, or if the designee is not
11 reasonably available or is deemed by the organ procurement organization
12 not to be qualified to perform the required procedure, the organ procurement
13 organization may authorize another physician or technician to carry out the
14 recovery.

**Introduced by Members Representing the
El Dorado Delegation of the
Sacramento Central Branch of the
YMCA of Superior California**

February 13, 2014
Referred to the Burns Committee

Senate Joint Resolution No. 260– Relative to the Pledge of Allegiance.

ABSTRACT

SJR No. 260 urges Congress to pass legislation to edit the Pledge of Allegiance.

1 WHEREAS, The Pledge of Allegiance violates the First Amendment of
2 the United States Constitution by recognizing a deity and using the phrase
3 “under God”; and

4 WHEREAS, The phrase “under God” was added to the Pledge of
5 Allegiance in the 1950s during the Cold War to distance the United States
6 from communism; and

7 WHEREAS, The Cold War has ended, removing the need for the phrase
8 “under God”; and

9 WHEREAS, The Pledge of Allegiance does not acknowledge the stated
10 principles from the United States Declaration of Independence, such as
11 “life, liberty, and the pursuit of happiness”; now, therefore, be it

12 *Resolved, by the Assembly and the Senate of the State of California,*
13 *jointly,* That the Legislature of the State of California respectfully
14 memorializes the Congress of the United States to pass legislation
15 to modify the Pledge of Allegiance to the Flag of the United States of
16 America; and be it further

17 *Resolved,* That the Chief Clerk of the Assembly transmit copies of
18 this resolution to the President and Vice President of the United States,
19 the Speaker of the House of Representatives, the Minority Leader of the
20 House of Representatives, the Majority Leader of the United States Senate,
21 the Minority Leader of the United States Senate, and to each Senator and
22 Representative from California in the Congress of the United States.

**Introduced by Members Representing the
Gardena-Carson Family Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Beck Committee

An act to amend Section 8286 of the Education Code, relating to child development programs.

ABSTRACT

SB 261 requires the state plan for day care and preschools in the state to include areas involved in basic math and science concepts.

The people of the State of California do enact as follows:

- 1 SECTION 1. Sections 8286 of the Education Code is amended, to read:
- 2 8286. (a) ***
- 3 (c) The advisory committee shall assist the department in developing
- 4 a state plan for child development programs pursuant to this chapter. The
- 5 state plan shall include, but shall not be limited to, areas involved in basic
- 6 mathematics and science concepts.

**Introduced by Members Representing the
McClymonds Delegation of the
Urban Services Branch of the
YMCA of the East Bay**

February 13, 2014
Referred to the Melone Committee

An act to amend Sections 13844 of the Penal Code, relating to crime.

ABSTRACT

SB 262 authorizes communities taking part in the California Community Crime Resistance Program to expend monies granted under the program for the organization of gun buyback programs meeting specified requirements.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 13844 of the Penal Code is amended, to read:
2 13844. (a) Use of funds granted under the California Community Crime
3 Resistance Program are restricted to the following activities:
4 (1) Further the goal of a statewide crime prevention network by
5 supporting the initiation or expansion of local crime prevention efforts.
6 (2) Provide information and encourage the use of new and innovative
7 refinements to the traditional crime prevention model in localities that
8 currently maintain a well-established crime prevention program.
9 (3) Support the development of a coordinated service network,
10 including information exchange and case referral between such programs
11 as local victim-witness assistance programs, sexual assault programs,
12 gang violence reduction programs, drug suppression programs, elderly
13 care custodians, state and local elderly service programs, or any other
14 established and recognizable local programs devoted to the lessening of
15 crime and the promotion of the community's well-being.
16 (b) With respect to the initiation or expansion of local crime prevention
17 efforts, projects supported under the California Community Crime
18 Resistance Program shall do either of the following:
19 (1) Carry out as many of the following activities as deemed, in the
20 judgment of the Office of Emergency Services, to be consistent with
21 available resources:
22 (A) Crime prevention programs using tailored outreach techniques in
23 order to provide effective and consistent services for the elderly in the
24 following areas:
25 (i) Crime prevention information to elderly citizens regarding personal
26 safety, fraud, theft, grand theft, burglary, and elderly abuse.
27 (ii) Services designed to respond to the specific and diverse crime
28 prevention needs of elderly residential communities.

1 (iii) Specific services coordinated to assist in the installation of security
2 devices or provision of escort services and victim assistance.

3 (B) Programs to provide training, information, and prevention literature
4 to peace officers, elderly care custodians, health practitioners, and social
5 service providers regarding physical abuse and neglect within residential
6 health care facilities for the elderly.

7 (C) Programs to promote neighborhood involvement such as, but
8 not limited to, block clubs and other community or resident-sponsored
9 anticrime programs.

10 (D) Personal safety programs.

11 (E) Domestic violence prevention programs.

12 (F) Crime prevention programs specifically geared to youth in schools
13 and school district personnel.

14 (G) Programs which make available to residents and businesses
15 information on locking devices, building security, and related crime
16 resistance approaches.

17 (H) In cooperation with the Commission on Peace Officer Standards
18 and Training, support for the training of peace officers in crime prevention
19 and its effects on the relationship between citizens and law enforcement.

20 (I) Efforts to address the crime prevention needs of communities with
21 high proportions of teenagers and young adults, low-income families, and
22 non-English-speaking residents, including juvenile delinquency diversion,
23 social service referrals, and making available crime resistance literature in
24 appropriate languages other than English.

25 (2) Implement a community policing program in targeted neighborhoods
26 that are drug infested. The goal of this program shall be to empower the
27 people against illegal drug activity. A program funded pursuant to this
28 chapter shall be able to target one or more neighborhoods within the grant
29 period. In order to be eligible for funding, the program shall have the
30 commitment of the community, local law enforcement, school districts,
31 and community service groups; and shall be supported by either the city
32 council or the board of supervisors, whichever is applicable.

33 (c) With respect to the support of new and innovative techniques,
34 communities taking part in the California Crime Resistance Program
35 shall carry out those activities, as determined by the Office of Emergency
36 Services that conform to local needs and are consistent with available
37 expertise and resources. These techniques may include, but are not limited
38 to, community policing programs or activities involving the following:

39 (1) Programs to reinforce the security of "latchkey" children, including
40 neighborhood monitoring, special contact telephone numbers, emergency
41 procedure training for the children, daily telephone checks for the children's
42 well-being, and assistance in developing safe alternatives to unsupervised
43 conditions for children.

44 (2) Programs dedicated to educating parents in procedures designed to
45 do all of the following:

1 (A) Minimize or prevent the abduction of children.

2 (B) Assist children in understanding the risk of child abduction.

3 (C) Maximize the recovery of abducted children.

4 (3) Programs devoted to developing automated systems for monitoring
5 and tracking crimes within organized neighborhoods.

6 (4) Programs devoted to developing timely “feedback mechanisms”
7 whose goals would be to alert residents to new crime problems and to
8 reinforce household participation in neighborhood security organizations.

9 (5) Programs devoted to creating and packaging special crime prevention
10 approaches tailored to the special needs and characteristics of California’s
11 cultural and ethnic minorities.

12 (6) Research into the effectiveness of local crime prevention efforts
13 including the relationships between crime prevention activities, participants’
14 economic and demographic characteristics, project costs, local or regional
15 crime rate, and law enforcement planning and staff deployment.

16 (7) Programs devoted to crime and delinquency prevention through
17 the establishment of partnership initiatives utilizing elderly and juvenile
18 volunteers.

19 (8) *Programs for the purpose of organizing an anonymous firearm*
20 *“buyback” and the firearms brought back are to be melted down and*
21 *properly disposed of.*

22 (d) All approved programs shall utilize volunteers to assist in
23 implementing and conducting community crime resistance programs.
24 Programs providing elderly crime prevention programs shall recruit senior
25 citizens to assist in providing services.

26 (e) Programs funded pursuant to this chapter shall demonstrate a
27 commitment to support citizen involvement with local funds after the
28 program has been developed and implemented with state moneys.

**Introduced by Members Representing the
Mission Viejo branch of the
YMCA of Orange County**

February 13, 2014
Referred to the Nichols Committee

An act to amend Section 48900 of the Education Code, relating to electronic cigarettes.

ABSTRACT

SB 263 requires pupils, enrolled and present for class and school activities, determined by the superintendent of the school district or the principal of the school to be in possession of an electronic cigarette to be suspended or recommended for expulsion.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 48900 of the Education Code is amended, to read:
2 48900. A pupil shall not be suspended from school or recommended for
3 expulsion, unless the superintendent of the school district or the principal
4 of the school in which the pupil is enrolled determines that the pupil has
5 committed an act as defined pursuant to any of subdivisions (a) to (r),
6 inclusive:
7 (a) (1) Caused, attempted to cause, or threatened to cause physical
8 injury to another person.
9 (2) Willfully used force or violence upon the person of another, except
10 in self-defense.
11 (b) Possessed, sold, or otherwise furnished a firearm, knife, explosive,
12 or other dangerous object, unless, in the case of possession of an object
13 of this type, the pupil had obtained written permission to possess the item
14 from a certificated school employee, which is concurred in by the principal
15 or the designee of the principal.
16 (c) Unlawfully possessed, used, sold, or otherwise furnished, or
17 been under the influence of, a controlled substance listed in Chapter 2
18 (commencing with Section 11053) of Division 10 of the Health and Safety
19 Code, an alcoholic beverage, or an intoxicant of any kind.
20 (d) Unlawfully offered, arranged, or negotiated to sell a controlled
21 substance listed in Chapter 2 (commencing with Section 11053) of
22 Division 10 of the Health and Safety Code, an alcoholic beverage, or an
23 intoxicant of any kind, and either sold, delivered, or otherwise furnished to
24 a person another liquid, substance, or material and represented the liquid,
25 substance, or material as a controlled substance, alcoholic beverage, or
26 intoxicant.
27 (e) Committed or attempted to commit robbery or extortion.

1 (f) Caused or attempted to cause damage to school property or private
2 property.

3 (g) Stole or attempted to steal school property or private property.

4 (h) (1) Possessed or used tobacco, or products containing tobacco or
5 nicotine products, including, but not limited to, cigarettes, *electronic*
6 *cigarettes*, cigars, miniature cigars, clove cigarettes, smokeless tobacco,
7 snuff, chew packets, and betel. However, this section does not prohibit use
8 or possession by a pupil of his or her own prescription products.

9 (2) *For purposes of this section, “electronic cigarette” means a device*
10 *that can provide an inhalable dose of nicotine by delivering a vaporized*
11 *solution.*

**Introduced by Members Representing the
Newport-Corona del Mar Delegation**

February 13, 2014
Referred to the Redding Committee

An act to add Section 35182.1 to the Education Code, relating to school funding.

ABSTRACT

SB 264 requires public high schools to post advertisements on their school site for the purpose of generating revenue for the school.

The people of the State of California do enact as follows:

- 1
2 SECTION 1. Section 35182.1 is added to the Education Code to read:
3 35182.1. (a) For the purposes of this section, “advertisement” means
4 an advertisement sign with a maximum area of 950 square inches.
5 (b) The governing board of each school district shall require each school
6 to place a minimum of one poster advertisement per 200 students with the
7 intention of increasing school funding.
8 (c) Each school shall have a maximum of one advertisement per 30
9 students.
10 (d) Advertisements shall only be placed in non-academic areas such as
11 hallways, gymnasiums, and/or on the outside of buildings.
12 (e) (1) The governing board of each school district shall screen, select,
13 and distribute advertisements created under this section.
14 (2) All revenue generated through the posting of advertisements shall be
distributed directly to the individual schools.

**Introduced by Members Representing the
North Valley Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Tuttle Committee

An act to amend Section 264 of the California Penal Code relating to prison sentences of convicted rapists.

ABSTRACT

SB 265 allows inmates convicted of rape to shorten their incarceration sentence if they agree to participate in-prison mental health services.

The people of the State of California do enact as follows:

1 SECTION 1. Section 264 of the Penal Code is amended to read:

2 264. (a) Except for restrictions outlined in this bill as provided in
3 subdivision (c), rape of an adult, as defined in Section 261 or 262, is
4 punishable by imprisonment in the state prison for three, six, or eight
5 years. Imprisonment sentences for convicted rapists will be shortened by a
6 maximum of a third of the set sentence on the basis that the prisoner agrees
7 to actively participate in offered mental health services at least once a week
8 during incarceration.(b) In addition to any punishment imposed under this
9 section the judge may assess a fine not to exceed seventy dollars (\$70)
10 against any person who violates Section 261 or 262 with the proceeds of
11 this fine to be used in accordance with Section 1463.23. The court shall,
12 however, take into consideration the defendant's ability to pay, and no
13 defendant shall be denied probation because of his or her inability to pay
14 the fine permitted under this subdivision.

15 (c) (1) Any person who commits rape in violation of paragraph (2) of
16 subdivision (a) of Section 261 upon a child who is under 14 years of age
17 shall be punished by imprisonment in the state prison for 9, 11, or 13 years.

18 (2) Any person who commits rape in violation of paragraph (2) of
19 subdivision (a) of Section 261 upon a minor who is 14 years of age or older
20 shall be punished by imprisonment in the state prison for 7, 9, or 11 years.

21 (3) This subdivision does not preclude prosecution under Section 269,
22 Section 288.7, or any other provision of law.

**Introduced by Members Representing the
San Gabriel Valley North YMCA**

February 13, 2014
Referred to the Weeks Committee

An act to amend Section 49600 of the Education Code, relating to educational counseling.

ABSTRACT

SB 266 commencing January 1, 2015, requires an educational counselor to receive at least 10 hours of training focused on youth who identify as lesbian, gay, bisexual, transgender, or questioning, before renewing his or her license, as specified.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 49600 of the Education Code is amended, to read:
2 49600. (a) The governing board of any school district may provide a
3 comprehensive educational counseling program for all pupils enrolled in
4 the schools of the district.
5 For purposes of this section, “educational counseling” means specialized
6 services provided by a school counselor possessing a valid credential with
7 a specialization in pupil personnel services who is assigned specific times
8 to directly counsel pupils.
9 (b) Educational counseling shall include, but not be limited to, all of the
10 following:
11 (1) Academic counseling, in which pupils receive counseling in the
12 following areas:
13 (A) Establishment and implementation with parental involvement of
14 the pupil’s immediate and long-range educational plans.
15 (B) Optimizing progress towards achievement of proficiency standards.
16 (C) Completion of the required curriculum in accordance with the
17 pupil’s needs, abilities, interests, and aptitudes.
18 (D) Academic planning for access and success in higher education
19 programs including advisement on courses needed for admission to public
20 colleges and universities, standardized admissions tests, and financial aid.
21 (2) Career and vocational counseling, in which pupils are assisted in
22 doing all of the following:
23 (A) Planning for the future.
24 (B) Becoming aware of their career potential.
25 (C) Developing realistic perceptions of work.
26 (D) Relating to the work world.

1 (3) Personal and social counseling, in which pupils receive counseling
2 pertaining to interpersonal relationships for the purpose of promoting
3 the development of their academic abilities, careers and vocations,
4 personalities, and social skills.

5 (c) Nothing in this section shall be construed as prohibiting persons
6 participating in an organized advisory program approved by the governing
7 board of a school district, and supervised by a school district counselor,
8 from advising pupils pursuant to the organized advisory program.

9 (d) Notwithstanding any provisions of this section to the contrary,
10 any person who is performing these counseling services pursuant to law
11 authorizing the performance thereof in effect before January 1, 1987, shall
12 be authorized to continue to perform those services on and after that date
13 without compliance with the additional requirements imposed by this
14 section.

15 (e) *Commencing January 1, 2015, a counselor shall receive at least*
16 *10 hours of training focused on LGBTQ-youth before renewing his or*
17 *her license. Failure to receive this training shall result in the counselor*
18 *being unable to renew his or her license that is necessary to practice in*
19 *public schools. The training shall be aimed at assisting LGBTQ-youth and*
20 *may include, but is not limited to, understanding LGBTQ rights, assisting*
21 *in the creation of safe environments away from home, and familiarity*
22 *with the gender spectrum. The training requirements may be satisfied*
23 *by attending training sessions provided by non-profit organizations, or*
24 *classes or conferences dedicated to helping LGBTQ-youth. For purposes*
25 *of this subdivision, "LGBTQ" means lesbian, gay, bisexual, transgender,*
26 *or questioning.*

**Introduced by Members Representing the
Santa Clarita Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Price Committee

An act to amend Section 51225.3 of the Education Code, relating to high school graduation requirements.

ABSTRACT

SB 267 revises existing high school graduation requirements to allow completion of one semester of personal finance as an alternative to the existing requirement of completion of one semester of economics.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 51225.3 of the Education Code is amended, to
2 read:
- 3 51225.3 (a) A pupil shall complete all of the following while in grades
4 9 – 12, inclusive, in order to receive a diploma of graduation from high
5 school.
- 6 (1) At least the following number of courses in the subjects specified,
7 each course have a duration of one year, unless otherwise specified:
- 8 (A) Three courses in English.
- 9 (B) Two courses in mathematics.
- 10 (C) Two courses in science, including biological and physical sciences.
- 11 (D) Three courses in social studies, including United States history and
12 geography; world history, culture, and geography; a one semester course in
13 American government and civics and a one semester course in economics
14 or *personal finance*.
- 15 (E) One course in visual or performing arts, foreign language, or,
16 commencing with the 2012-2013 school year, career technical education

**Introduced by Members Representing the
Palomar Family Branch of the
YMCA of San Diego County**

February 13, 2014
Referred to the Foreman Committee

Senate Joint Resolution No. 268, relative to free speech.

ABSTRACT

SJR 268 urges Congress to propose regulations for abolition of designated free speech zones on publicly owned property in the United States.

1 WHEREAS, Free Speech Zones restrict the first amendment rights of
2 the citizens of the United States and California; and

3 WHEREAS, The creation of areas, zones, or structures designated to be
4 places of free protest and expression on publicly owned land is prohibited
5 and illegal; and

6 WHEREAS, Current areas, zones, or structures designated to be places
7 of free protest and expression may not be used for the purpose of containing,
8 hiding, or otherwise herding citizens for the purpose of restricting their
9 speech elsewhere; and

10 WHEREAS, All structures designed to contain citizens exercising their
11 right to free speech may be abandoned or dismantled at the respective
12 county legislature's discretion; and

13 WHEREAS, All public lands, properties, and establishments are to be
14 reserved for the unimpeded constitutionally legal speech and expression of
15 United States citizens; and

16 WHEREAS, Families will have the option to secure a permit for a
17 temporary free speech zone in order to protect personal matters, such as
18 funerals. This petition does not extend to political events; and

19 WHEREAS, The Congress shall have the power to enforce, by
20 appropriate legislation, the provisions of this article; and

21 WHEREAS, This regulation shall take effect one year after the date of
22 ratification; and, be it further

23 *Resolved by the Assembly and the Senate of the State of California,*
24 *jointly,* That the Legislature of the State of California respectfully urges
25 the Congress of the United States to propose regulations for the abolition
26 of designated free speech zones on publicly owned property in the United
27 States; and be it further

28 *Resolved,* That the Chief Clerk of the Assembly transmit copies of this
29 resolution to the President and Vice President of the United States, to the
30 Speaker of the House of Representatives, to the Majority Leader of the
31 Senate, and to each Senator and Representative from California in the
32 Congress of the United States, and to the Chief Clerk of the Legislature in
33 each of the other forty-nine states.

**Introduced by Members Representing the
Bayview Delegation of the
YMCA of San Francisco**

February 13, 2014
Referred to the Douglass Committee

An act to add Sections 14122 to the Penal Code, relating to Community Violence Prevention Programs.

ABSTRACT

SB 269 mandates that all Community Peace Officers attend 2 Community Summits annually in an effort to better understand the needs and concerns of residents affected by violence.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 14122 of the Penal Code is added to read:
- 2 *14122 All employed Peace Officers must attend 2 Community Summits*
- 3 *annually. Monthly Community and Peace Officer Summits are to be hosted*
- 4 *by a neutral agency – Community Based Organizations or Non-Profit –*
- 5 *in which community members offer recommendations to officers that*
- 6 *help them better serve the neighborhoods and residents most affected by*
- 7 *community violence.*

**Introduced by Members Representing the
Bayview Delegation of the
YMCA of San Francisco**

February 13, 2014
Referred to the Hempstead Committee

Senate Constitutional Amendment No. 270 -- A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 2 of Article II thereof, relating to elections.

ABSTRACT

SCA 270 mandates that all registered voters in the state of California vote at each election held within the political subdivision in which they reside. Failure to vote will result in a \$30 fine which will be applied to the General Fund.

1 *Resolved by the Assembly, and the Senate concurring*, that the Legislature
2 of the State of California at its 2013-14 Regular Session, commencing with
3 the 13th day of February 2014, two-thirds of all members elected in each
4 two houses of the Legislature, voting in favor thereof, hereby proposes to
5 the people of the State of California that the Constitution of the State be
6 amended as follows:

7
8 That Section 2 of Article II thereof is amended to read:
9

10 SEC. 2. (a) A United States citizen 18 years of age and resident in this
11 State may vote.

12 ***(b) Every person who qualifies under this section and who is registered***
13 ***to vote is required to vote at each election held within the political***
14 ***subdivision in which the person resides and in which the person is eligible***
15 ***to vote. A person, so qualified, who fails to vote shall be fined \$30 with the***
16 ***penalty being placed in the General Fund.***

**Introduced by Members Representing the
South Pasadena San Marino Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Denver Committee

Senate Joint Resolution No. 271, relative to the ability of food companies to advertise on public airways.

ABSTRACT

SJR 271 memorializes the Congress of the United States to ban the advertisement of food and drink on all airways under the jurisdiction of the FCC in order to help curb a growing rate of childhood obesity.

1 WHEREAS, According to the Center for Disease Control and Prevention
2 a person is considered overweight when their Body Mass Index (BMI) is
3 25-30, obese with a BMI of 30-40 and extremely obese with a BMI of over
4 40; and

5 WHEREAS, The American Heart/Stroke Association reported that 23.9
6 million children are either overweight or obese and 154.7 million adults
7 are overweight or obese; and

8 WHEREAS, The United States is second only to Mexico in a ranking of
9 the countries with the highest percentage of citizens who can be categorized
10 as obese; and

11 WHEREAS, According to the CDC childhood obesity has short term
12 affects including higher risk of cardiovascular disease, prediabetes, bone
13 and joint problems, sleep apnea, social and psychological problems as well
14 as long term affects including likely adult obesity which can cause heart
15 disease, type 2 diabetes, stroke, osteoarthritis and several types of cancer
16 including cancer of the breast, colon, endometrium, esophagus, kidney,
17 pancreas, gall bladder, thyroid, ovary, cervix, and prostate, as well as
18 multiple myeloma and Hodgkin's lymphoma; and

19 WHEREAS, Heart disease, strokes, and diabetes are all strongly related
20 to diet and are all

21 listed in the top ten leading causes of death in the US according to the
22 Center for Disease Control and Prevention; and

23 WHEREAS, According to the UCLA Newsroom when consumers are
24 shown advertisement for products they consume 45% more of these foods.
25 Forty percent of commercials on TV today advertise foods, and of that,
26 90% advertise unhealthy foods; and

27 WHEREAS, According to the American Academy of Pediatrics
28 children today are spending an average of 7 hours a day engaged with
29 various entertainment media, including television, computers, phones, and
30 other electronic devices; now, therefore, be it

1 *Resolved, by the Assembly and Senate of the State of California, jointly,*
2 that the legislature of the State of California respectfully memorializes
3 the Congress of the United States to make it unlawful to advertise food or
4 beverage products on any medium of electronic communication subject
5 to the jurisdiction of the Federal Communications Commission; and be it
6 further

7 *Resolved,* Any person or company who violates the provisions of this
8 chapter shall be guilty of a misdemeanor and shall on conviction thereof
9 be subject to a fine to be set under the jurisdiction of the FDC. Congress
10 shall have the power to further enforce, by appropriate legislation, the
11 provisions of this bill; and be it further

12 *Resolved,,* That the Chief Clerk of the Assembly transmit copies of
13 this resolution to the President and Vice-President of the United States,
14 to the Speaker of the House of Representatives, and to each Senator and
15 Representative from California in the Congress of the United States, and
16 to the Chief Clerk of the Legislature in each of the other forty-nine states.

**Introduced by Members Representing the
Southeast Rio Vista Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Hendricks Committee

An act to add Section 3237 to the Public Resources Code, relating to hydraulic fracturing.

ABSTRACT

SB 272 eliminates industry secrecy claims for chemicals utilized in hydraulic fracturing and acidization, and implements standards for reducing toxicity and environmental contamination.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 3237 is added to the Public Resources Code,
2 to read: 3237. (a) Entities responsible for and possessing mechanisms
3 capable of hydraulic fracturing and acidization shall report the original
4 components and exact quantities of solutions, aqueous and otherwise,
5 injected into shale rock, and the weight of natural gas extracted daily, from
6 a single well. All aforementioned proponents and their producers shall be
7 logged, as well as all distributors and instances of industrial or commercial
8 natural gas ownership.
- 9 (b) Entities performing hydraulic fracking and acidization shall
10 seal the drilling well bore in multiple layers of cylindrical steel pipes
11 encased in multiple layers of cement, covering the depth and width of
12 the fracking well. After fracking, companies shall collect and dispose of
13 all toxic byproducts consistent with a plan authorized by the California
14 Environmental Protection Agency. The plan shall be approved prior to
15 occupying the site.
- 16 (c) All solutions shall comply with compositional standards listed
17 below and not exceed .95% total of any solution utilized in fracking:
- 18 - Acid: .25% - Biocides: > .01%
19 - Corrosion Inhibitor, friction reducers, gelling agents, and oxygen
20 scavengers: .69%
- 21 (d) Notwithstanding any other law, hydraulic fracturing and acidization
22 is subject to the California Environmental Quality Act. All revenue
23 generated by this section and Sections 3213, 3215, 3236.5, 3401, and 3150
24 of Chapter 1 of Division 3 of the Public Resources Code, and Section
25 10783 of the Water Code, are to be distributed as financial stimulus in
26 the form of grants to environmental conservation causes and entities
27 performing research, development, and widespread implementation of
28 alternative energy sources.

**Introduced by Members Representing the
San Pedro Delegation of the
San Pedro & Peninsula Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Thompson Committee

An act to add Section 19524 to the Public Resources Code, relating to beverage containers.

ABSTRACT

SB 273 prohibits a person from manufacturing, distributing, importing, or producing a glass beverage container in colors other than dark brown or clear.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 19524 of the Public Resources Code is added to
2 read:
3 19524. (a) A person, firm, corporation, association, manufacturer,
4 or supplier shall not manufacture, distribute, import, or produce a glass
5 beverage container unless that glass beverage container is either dark
6 brown or clear glass.
7 (b) The State of California prohibits importing, production,
8 manufacturing or distribution of glass beverage containers that are not
9 dark brown or clear glass.

**Introduced by Members Representing the
Fuerza Unida Delegation of the
San Ramon Valley Branch of the
YMCA of the Central Bay Area**

February 13, 2014
Referred to the Burns Committee

An act to add Section 633.85 to the Penal Code, relating to police surveillance.

ABSTRACT

SB 274 mandates the use of body-worn video cameras for all on-duty police officers.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 633.85 is added to the Penal Code to read:
2 633.85. (a) All California uniformed police officers, both state and
3 locally-employed, shall be equipped with and operate body-worn video
4 cameras while on duty.
5 (b) Cameras worn by uniformed officers must be operating, recording,
6 facing the direction of the officer's vision, and without obstruction during
7 the entirety of any verbal or physical contact with citizens.
8 (c) Each state or local department or agency that employs police officers
9 may independently, and of its own accord:
10 (1) Choose a camera with a retail cost not exceeding three hundred
11 dollars (\$300) for its uniformed officers to use.
12 (2) Retain possession of audio and video recordings using whichever
13 method it sees fit.
14 (d) Each state or local department or agency that employs uniformed
15 police officers shall:
16 (1) Request an appropriate quantity of recording devices to adequately
17 equip each member of patrol staff with a recording device.
18 (2) To the best of its abilities, maintain recording devices in working
19 condition.
20 (3) Associate all audio and video recordings with whichever officer was
21 wearing the device at the time the video and audio was recorded.
22 (e) Video and audio recordings shall be made available to citizens upon
23 request, if one of the following conditions are met:
24 (1) The requested recording is to be, is currently being, or has been used
25 in a legal investigation or court of law.
26 (2) The civilian subject(s) of the requested recording has given explicit
27 consent for its release.
28 (f) Audio and video recordings shall be retained for a period not
29 exceeding one year, with the exception of recordings which meet one or

1 more of the following conditions, which shall be retained for a period of
2 five years:

3 (1) Involves a use of force by either a police officer or a civilian.

4 (2) Involves an incident that has led to detention or arrest.

5 (3) Involves an incident that has resulted in a complaint being registered.

**Introduced by Members Representing the
Valle Lobo Delegation of the
San Ramon Valley Branch of the
YMCA of the Central Bay Area**

February 13, 2014
Referred to the Beck Committee

An act to add Section 113947.15 to the Health and Safety Code, relating to food allergies.

ABSTRACT

SB 275 requires restaurant staff to ask if customers have any food allergies.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 113947.15 is added to the Health and Safety
2 Code, to read:
3 113947.15. (a) For purposes of this section, “department” means the
4 department of public health.
5 (b) For purposes of this section, “person in charge” means a designated
6 person who has knowledge of safe food handling practices as they related
7 to the specific food preparation activities that occur at the food facility.
8 (c) Food facilities that prepare and sell food shall:
9 (1) Prominently display in the ordering area a poster approved by the
10 department relative to food allergy awareness. The poster shall include,
11 but not be limited to, information regarding the risk of a possible allergic
12 reaction
13 (2) Include on all menus a notice to customers of the customer’s
14 obligation to inform the server about any food allergies,
15 (c) Any person recognized as the server must notify the person in charge
16 of any food related allergies of any customer.
17 (d) Any person in charge must periodically inspect the kitchen to be sure
18 that cross-contamination of commonly recognized allergens is avoided
19 and that the kitchen is sanitary.
20 (e) The kitchen is required to acknowledge all allergies reported and
21 disclose all their ingredients as well as sanitize all pertinent cooking
22 utensils before creating a dish containing an allergen.
23 (f) The department shall develop a program for restaurants to be
24 designated as “Food Allergy Friendly” and shall maintain a listing of
25 restaurants receiving that designation on its website. Participation in the
26 program shall be required and the department shall issue guidelines and
27 requirements for restaurants to receive the designation. The person in
28 charge must pass a certification course, which includes but is not limited
29 to viewing a video and passing a test on prevention, safety, and first aid

- 1 *related to food allergies. Requirements will include but not be limited to*
2 *having a certified person in charge on duty at all times and maintaining*
3 *on the premises and making available to the public, a master list of all*
4 *the ingredients used in the preparation of each food item available for*
5 *consumption.*
6 *(g) Any violation of this section shall be subject to the Health and Safety*
7 *Code Section 114395.*

**Introduced by Members Representing the
Torrance-South Bay Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Melone Committee

An act to amend section 2 of the Elections code, relating to voting.

ABSTRACT

SB 276 resolves to re-evaluate voting district lines.

The people of the State of California do enact as follows:

- 1 SECTION 1. SECTION 1. Section 2 of the Elections code is amended,
2 to read:
3
4 Retired judges from the court of appeals will collaborate to create the
5 district lines, in place of regular citizens.

**Introduced by Members Representing the
Triunfo Branch of the
Southeast Ventura County YMCA**

February 13, 2014
Referred to the Nichols Committee

An An act to add Section 1834.10 to the Civil Code, relating to the abolishment of animal testing.

ABSTRACT

SB 277 enables the prohibition of the use of animal tests with requirements of state or federal agencies.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1834.10 is added to the Civil Code, to read:

2 1834.10. (a) This section provides for the annulment of animal testing
3 in California and the invalidation of the licensing of animal testing for
4 cosmetic products and ingredients.

5 (b) Nothing in this section shall prohibit the use of animal tests to
6 comply with requirements of state agencies. Nothing in this section shall
7 prohibit the use of animal tests to comply with requirements of federal
8 agencies when the federal agency has approved an alternative nonanimal
9 test pursuant to subdivision (d) and the federal agency staff concludes
10 that the alternative nonanimal test does not assure the health or safety of
11 consumers.

12 (c) Within this section animal testing shall be prohibited to comply with
13 the requirements of state agencies.

14 (d) An alternative test shall be used if the state or federal agency staff
15 concludes that the alternative nonanimal test can assure the health and
16 or safety of consumers. There are many alternatives to animal testing in
17 regard to cosmetic products, including the following:

18 (1) The first is Synthetic Skin, specifically Corrositex, can be used to
19 test the corrosiveness of chemicals and chemical mixtures when applied to
20 skin. The test was designed to replace rabbit testing of corrosive chemicals
21 and is based on a proprietary biomembrane and chemical detection
22 methodology. Corrositex can deliver results in as little as four hours,
23 versus the two to four weeks required if testing on animals

24 (2) The second is computer modeling which has replaced some tests
25 that were previously done on animals. Through computer modeling, parts
26 of testing processes that had previously required animals to ensure product
27 safety can now be done using only computers.

28 (3) The third is statistical analysis which can help researchers use
29 smaller statistical sample groups to project chemical effects on animals.

1 Using these results can help to either reduce or eliminate cosmetic testing
2 in animals. Although still a very young science, statistical analysis in
3 cosmetic safety testing is advancing quickly, with Lund University in
4 Sweden using Qlucore analysis software to look at gene expression to
5 predict allergic reactions to compounds commonly used in cosmetics.

**Introduced by Members Representing the
Verdugo Hills Branch of the
YMCA of the Foothills**

February 13, 2014
Referred to the Redding Committee

An act to add Chapter 6 (commencing with Section 45461) to Part 25 of Division 3 of Title 2 of the Education Code, relating to background checks for educational employment.

ABSTRACT

SB 278 requires teachers and those being hired for educational careers to partake in a mental health examination.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the following:

2 (a) It is estimated that 15% of students will be sexually abused by a
3 member of the school staff during their school career.

4 (b) At least 1/4 of all school districts in the United States have dealt with
5 a case of staff sexual abuse in the past 10 years.

6 (c) Teachers are considered responsible for protecting children in
7 a school setting; therefore, they should have standards similar to those
8 in law enforcement (e.g. police officers), who are required to undergo
9 psychological testing before being hired.

10 (d) Participation in this psychological testing would help decrease the
11 rate of student abuse, as well as creating a safer academic environment by
12 hiring the best teachers for the job.

13 SEC. 2 Chapter 6 (commencing with Section 45461) is added to Part 25
14 of Division 3 of Title 2 of the Education Code to read:

15 Chapter 6. Mental Health.

16 45461. All applicants for employment in the field of education shall
17 cooperate in a mental health evaluation in order to be considered for hiring.

18 45462. All psychological tests may be administered by a doctor or
19 psychologist of the teacher's healthcare provider, with approval from the
20 school district.

21 45463. The applicant shall sign a waiver, provided by the employer,
22 giving full consent to the doctor or psychologist to disclose the results
23 of the psychological exam to the employer, in accordance with HIPAA.
24 Therefore, the school district shall have access to the information regarding
25 the exam.

26 45464. The applicant may have a history of mental condition, but
27 is required to be mentally sound by the time of employment, unless
28 employment is otherwise prohibited by law.

1 45465. This bill applies solely to new applicants seeking employment in
2 the field of education, such as teachers and principals.

3 45466. This bill does not affect those who already work and are currently
4 occupied within the educational field.

5 45467. This chapter shall become operative beginning in the school
6 year of 2015.

**Introduced by Members Representing the
Weingart East Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Tuttle Committee

An act to amend Section 5007.5 of the Penal Code, relating to health care policies of inmates.

ABSTRACT

SB 279 amends existing law to change how inmates are charged for medical visits.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 5007.5 of the Penal Code is amended to read:
- 2 5007.5. (a) The Director of Corrections is authorized to charge a
- 3 ~~fee in the amount of five dollars (\$5)~~ *ten percent (10%) of the costs*
- 4 ~~billed to the state for the visit, or twenty-thousand dollars (\$20,000)~~
- 5 ~~maximum,~~ for each inmate-initiated medical visit of an inmate confined in
- 6 the state prison.
- 7 (b) The fee shall be charged to the prison account of the inmate. If the
- 8 inmate has no money in his or her personal account, ~~there shall be no~~
- 9 ~~charge for the medical visit;~~ *then the inmate must pay the fee owed within*
- 10 ~~ten years of their release or when the money is earned, whichever one~~
- 11 ~~comes first.~~
- 12 (c) An inmate shall not be denied medical care because of a lack of
- 13 funds in his or her prison account.
- 14 (d) The medical provider ~~may waive the fee for any inmate-initiated~~
- 15 ~~treatment and~~ shall waive the fee in any life-threatening or emergency
- 16 situation, defined as those health services required for alleviation of severe
- 17 pain or for immediate diagnosis and treatment of unforeseen medical
- 18 conditions that if not immediately diagnosed and treated could lead to
- 19 disability or death.
- 20 (e) Follow-up medical visits at the direction of the medical staff shall
- 21 not be charged to the inmate.
- 22 (f) All moneys received by the Director of Corrections pursuant to
- 23 this section shall, upon appropriation by the Legislature, be expended to
- 24 reimburse the Department of Corrections for direct provision of inmate
- 25 health care services.
- 26 (g) *The amendments in this bill will be enacted by January 1, 2015.*

**Introduced by Members Representing the
West Valley Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Weeks Committee

Senate Joint Resolution No. 280, relative to telecommunications.

ABSTRACT

SJR 280 memorializes Congress to pass legislation that prohibits bans on public municipal telecommunication networks.

1 WHEREAS, Nineteen states have barriers in place that discourage or
2 prevent local communities from deciding locally if an investment in public
3 municipal telecommunication networks is a wise decision; and

4 WHEREAS, Referendums are typically one-sided affairs in which
5 incumbents outspend community network advocates anywhere from 10:1
6 to 60:1; and

7 WHEREAS, Existing laws are rigged to ensure the public cannot build a
8 public municipal telecommunication network, allowing existing providers
9 to monopolize the community; and

10 WHEREAS, Banning broadband provision by the public sector forces
11 communities to beg private companies to invest in needed infrastructure;
12 and

13 WHEREAS, Such policies encourage the private sector to invest in
14 wealthy areas and ignore low income or rural areas; now, therefore, be it

15 *Resolved by the Assembly and the Senate of the State of California, jointly,*
16 that the Legislature of the State of California respectfully memorializes
17 the Congress of the United States to propose regulations that prohibit
18 bans on public municipal telecommunications networks, protecting them
19 from privatized telecommunication companies such as Time Warner and
20 Comcast, in the interest of small business and the nation's ever growing
21 economy; and be it further

22 *Resolved,* That the Chief Clerk of the Assembly transmit copies of this
23 resolution to the Speaker of the House of Representatives, the President
24 Pro-Tempore of the United States Senate, and to each Senator and
25 Representative from California in the Congress of the United States, and
26 to the Chief Clerk of the Legislature in each of the other forty-nine states.

**Introduced by Members Representing the
Westside Family Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Price Committee

An act to amend Section 1268 of the Penal Code, relating to bail.

ABSTRACT

SB 281 requires a magistrate to consider allowing a defendant to perform community service in lieu of bail when specified conditions are met.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1268 of the Penal Code is amended to read:
2 1268. (a) Admission to bail is the order of a competent Court or
3 magistrate that the defendant be discharged from actual custody upon bail.
4 (b) *The magistrate shall consider allowing the defendant to be released*
5 *on his or her own recognizance and perform community service in lieu of*
6 *bail when all of the following conditions are met:*
7 (1) *The instant crime is not a violent felony or violent misdemeanor.*
8 (2) *The defendant has no prior convictions for violent felonies or violent*
9 *misdemeanors.*
10 (3) *The defendant can demonstrate strong ties to the community.*
11 (4) *The defendant has demonstrated a compelling interest in a*
12 *rehabilitation program or counseling or both.*

**Introduced by Members Representing the
YMCA of Greater Long Beach**

February 13, 2014
Referred to the Foreman Committee

An act to add to Section 51225.3 to the Education Code, giving reward to K-12 public schools that offer a beginning music class.

ABSTRACT

SB 282 is an addition to the Education Code to promote child learning development through the use of beginning music theory classes in K-12 public schools by offering inflated state stimulus incentives per student.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1 of Section 51225.3 of the Education Code is
2 added to read:
3 a) All California K-12 public schools that offer a beginning music class
4 shall receive double the amount of state stimulus funds per student for each
5 beginning music class taken, in comparison to other classes. Each student
6 will only be permitted to take one beginning music class per semester.
7 b) Schools will be required to prove they have provided at least 4 hours
8 of beginning music education per week.
9 c) Teachers will need to hold at least a bachelors degree in music theory
10 or a related music field.
11 d) Schools without funding to purchase musical instruments can apply
12 for state funding or use the additional funding to invest in instruments over
13 time.

**Introduced by Members Representing the
Redlands Branch of the
East Valley YMCA**

February 13, 2014
Referred to the Douglass Committee

An act to add Sections 69437.8 and 69437.9 to the Education Code, relating to Cal-Grants.

ABSTRACT

SB 283 requires individuals who receive Cal-Grant monies to complete their desired or designated course of study within an allotted period of time. If the recipient does not complete their course of study, the recipient must return all awarded funds from the state of California.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 69437.8 is added to the Education Code, to read:
2 69437.8. (a) All Cal-Grant recipients shall complete their elected
3 course of study designated by the recipient in the Cal-Grant application
4 for commitment.
5 (b) Failure to complete course of study in allotted time shall result of
6 forfeiture of grant and repayment of all funds used. The recipient shall do
7 all of the following:
8 (1) Complete vocational certificate within nine (9) months
9 (2) Complete an AA or AS degree within 3 consecutive calendar years.
10 Recipients shall be permitted to change their course of study an unlimited
11 number of times within the first year of receiving Cal-Grant monies.
12 (3) Complete a BA or BS within 6 consecutive calendar years.
13 (A) Recipients shall be permitted to change their course of study an
14 unlimited number of times within the first two (2) years of receiving Cal-
15 Grant monies.
16 (B) Recipients must have a major declared before the start of their third
17 year of receiving Cal-Grant monies.
18 (c) Extended course of study may be granted if a degree or certificate is
19 not completed within the defined time for the following reasons:
20 (1) The recipient is called up for active military duty or deployment,
21 including service in the National Guard. The deadline to complete degree
22 shall be extended by twice the length of deployment in months.
23 (2) Documented major illness, persisting for six (6) months, to be
24 determined by the learning institution's financial aid or assistance office.
25 (3) All other inquiries into extended course of study shall be subject
26 to the recipient's learning institution's policies on interrupted enrollment.

1 SEC. 2. Section 69437.9 is added to the Education Code, to read:
 2 69437.9. The terms of repayment for Cal-Grants awarded under Section.
 3 69437.8 shall be as follows:

4 (a) Timetable – sliding scale based upon annual wages against the fixed
 5 percentage of income that must be repaid toward the balance of Cal-Grant,
 6 in accordance with the following:

7 Annual wages/salary	Annual obligation	Effective rate paid
8 \$0.00-\$19,999.99	Up to \$240/yr	1.2% of gross income
9 \$20,000.00-\$27,999.99	Up to \$560/yr	2.0% of gross income
10 \$28,000.00-\$35,999.99	Up to \$2,052/yr	5.7% of gross income
11 \$36,000.00-\$43,999.99	Up to \$3,300/yr	7.5% of gross income
12 \$44,000.00-\$51,999.99	Up to \$4,810/yr	9.25% of gross income
13 \$52,000.00-\$59,999.99	Up to \$6,240/yr	10.4% of gross income
14 \$60,000.00-\$67,999.99	Up to \$7,343/yr	10.8% of gross income
15 \$68,000.00-\$75,999.99	Up to \$8,512/yr	11.2% of gross income
16 \$76,000.00 and up	Minimum of \$9,120/yr	12% of gross
17	income	

18 (b) Full amount of grant awarded multiplied by the rate of federal
 19 inflation of the first awarded year of the Cal-Grant.

20 (1) Payment shall be calculated monthly.

21 (2) Payment can be remitted by eft, cashier check, cash, or money order.

22 (3) Repayment made to financial aid office of last California state higher
 23 learning institution attended.

24 (4) Failure to remit payment shall result in payments missed being made
 25 up with state income taxes are processed or by paycheck garnishment.

26 (c) Payment forgiveness and deferment.

27 (1) Repayment forgiveness.

28 (A) Repayment shall be forgiven in the event of recipient's death.

29 (B) Repayment shall be forgiven in the event of total and permanent
 30 disability discharge of the recipient.

31 (C) Repayment shall be forgiven in the event of school closure.

32 (2) Repayment deferment.

33 (A) Repayment deferment must be applied for through the recipient's
 34 learning instructions financial assistance office. Period of deferment shall
 35 last six (6) months, and each recipient shall be able to apply for deferment
 36 one (1) time for every ten thousand (10,000) dollars owed.

37 (B) Repayment may be deferred if:

38 (i) The recipient is deployed for military service, including active
 39 service in the National Guard. The repayment schedule must resume
 40 within three (3) months of returning from deployment. (ii) The recipient

41 has demonstrated financial hardship, including serving in the Peace Corps.

42 (iii) If the recipient has a major illness documented. (iv) The recipient
 43 experiences an extended leave of absence from employment in order to
 44 provide primary care for a loved one. (v) The recipient experiences a
 45 prolonged period of unemployment.

**Introduced by Members Representing the
Santa Monica Family YMCA**

February 13, 2014
Referred to the Hempstead Committee

An act to amend section 113947.6 and 114390 of, and to add Section 114090.5 to, Health and Safety Code, relation to retail sales.

ABSTRACT

SB 284 amends section 113947.6, 114390(F) and 113947.6 of the California retail food code relating to receipts.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 114090.5 of the California. Retail food and safety
2 code is amended to read;
3 *114090.5(A) Any retail food venue that uses a POS system shall be*
4 *subject to this section.*
5 *(B) This bill will comment three years from the date that it is passed.*
6 *(C) This bill will require retail food venues to upgrade their systems, so*
7 *that they have to ask customers if they want a receipt. If they do not want*
8 *a receipt then one will not be printed.*
9 Section 114390 (F) of the California, retail food and safety code is
10 amended to read;
11 *(A2) Citizens shall be able to report any rule breaking in reference to*
12 *114090.5 to a dedication website.*
13 Section 113947.6. Shall be Enacted to read;
14 Notwithstanding section 114395, a violation of any provision in
15 114090.5 shall result in a fine of \$1,000 for the first offense, \$5,000 for the
16 second offense and any offenses going forward.

**Introduced by Members Representing the
Palisades-Malibu Branch of the
YMCA of Metropolitan Los Angeles**

February 13, 2014
Referred to the Denver Committee

An act to amend Section 48900 of the Education Code, relating to suspension and expulsion.

ABSTRACT

SB 285 specifies the alternatives that the superintendent of a school district or a principal of a school may impose on a student who is subject to a suspension or expulsion include, but are not limited to, a fine and community service involving anti-bullying or bullying prevention programs.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 48900 of the Education Code is amended, to read:
2 48900. A pupil shall not be suspended from school or recommended for
3 expulsion, unless the superintendent of the school district or the principal
4 of the school in which the pupil is enrolled determines that the pupil has
5 committed an act as defined pursuant to any of subdivisions (a) to (r),
6 inclusive:
7 (a) (1) Caused, attempted to cause, or threatened to cause physical
8 injury to another person.
9 (2) Willfully used force or violence upon the person of another, except
10 in self-defense.
11 (b) Possessed, sold, or otherwise furnished a firearm, knife, explosive,
12 or other dangerous object, unless, in the case of possession of an object
13 of this type, the pupil had obtained written permission to possess the item
14 from a certificated school employee, which is concurred in by the principal
15 or the designee of the principal.
16 (c) Unlawfully possessed, used, sold, or otherwise furnished, or
17 been under the influence of, a controlled substance listed in Chapter 2
18 (commencing with Section 11053) of Division 10 of the Health and Safety
19 Code, an alcoholic beverage, or an intoxicant of any kind.
20 (d) Unlawfully offered, arranged, or negotiated to sell a controlled
21 substance listed in Chapter 2 (commencing with Section 11053) of
22 Division 10 of the Health and Safety Code, an alcoholic beverage, or an
23 intoxicant of any kind, and either sold, delivered, or otherwise furnished to
24 a person another liquid, substance, or material and represented the liquid,
25 substance, or material as a controlled substance, alcoholic beverage, or
26 intoxicant.
27 (e) Committed or attempted to commit robbery or extortion.

1 (f) Caused or attempted to cause damage to school property or private
2 property.

3 (g) Stole or attempted to steal school property or private property.

4 (h) Possessed or used tobacco, or products containing tobacco or
5 nicotine products, including, but not limited to, cigarettes, cigars, miniature
6 cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel.
7 However, this section does not prohibit use or possession by a pupil of his
8 or her own prescription products.

9 (i) Committed an obscene act or engaged in habitual profanity or
10 vulgarity.

11 (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated
12 to sell drug paraphernalia, as defined in Section 11014.5 of the Health and
13 Safety Code.

14 (k) Disrupted school activities or otherwise willfully defied the valid
15 authority of supervisors, teachers, administrators, school officials, or other
16 school personnel engaged in the performance of their duties.

17 (l) Knowingly received stolen school property or private property.

18 (m) Possessed an imitation firearm. As used in this section, “imitation
19 firearm” means a replica of a firearm that is so substantially similar in
20 physical properties to an existing firearm as to lead a reasonable person to
21 conclude that the replica is a firearm.

22 (n) Committed or attempted to commit a sexual assault as defined in
23 Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed
24 a sexual battery as defined in Section 243.4 of the Penal Code.

25 (o) Harassed, threatened, or intimidated a pupil who is a complaining
26 witness or a witness in a school disciplinary proceeding for purposes of
27 either preventing that pupil from being a witness or retaliating against that
28 pupil for being a witness, or both.

29 (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the
30 prescription drug Soma.

31 (q) Engaged in, or attempted to engage in, hazing. For purposes of
32 this subdivision, “hazing” means a method of initiation or preinitiation
33 into a pupil organization or body, whether or not the organization or body
34 is officially recognized by an educational institution, which is likely to
35 cause serious bodily injury or personal degradation or disgrace resulting
36 in physical or mental harm to a former, current, or prospective pupil. For
37 purposes of this subdivision, “hazing” does not include athletic events or
38 school-sanctioned events.

39 (r) Engaged in an act of bullying. For purposes of this subdivision, the
40 following terms have the following meanings:

41 (1) “Bullying” means any severe or pervasive physical or verbal act
42 or conduct, including communications made in writing or by means of
43 an electronic act, and including one or more acts committed by a pupil
44 or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4,
45 directed toward one or more pupils that has or can be reasonably predicted
46 to have the effect of one or more of the following:

1 (A) Placing a reasonable pupil or pupils in fear of harm to that pupil's
2 or those pupils' person or property.

3 (B) Causing a reasonable pupil to experience a substantially detrimental
4 effect on his or her physical or mental health.

5 (C) Causing a reasonable pupil to experience substantial interference
6 with his or her academic performance.

7 (D) Causing a reasonable pupil to experience substantial interference
8 with his or her ability to participate in or benefit from the services,
9 activities, or privileges provided by a school.

10 (2) (A) "Electronic act" means the transmission, by means of an
11 electronic device, including, but not limited to, a telephone, wireless
12 telephone, or other wireless communication device, computer, or pager,
13 of a communication, including, but not limited to, any of the following:

14 (i) A message, text, sound, or image.

15 (ii) A post on a social network Internet Web site including, but not
16 limited to:

17 (I) Posting to or creating a burn page. "Burn page" means an Internet
18 Web site created for the purpose of having one or more of the effects listed
19 in paragraph (1).

20 (II) Creating a credible impersonation of another actual pupil for the
21 purpose of having one or more of the effects listed in paragraph (1).
22 "Credible impersonation" means to knowingly and without consent
23 impersonate a pupil for the purpose of bullying the pupil and such that
24 another pupil would reasonably believe, or has reasonably believed, that
25 the pupil was or is the pupil who was impersonated.

26 (III) Creating a false profile for the purpose of having one or more of the
27 effects listed in paragraph (1). "False profile" means a profile of a fictitious
28 pupil or a profile using the likeness or attributes of an actual pupil other
29 than the pupil who created the false profile.

30 (B) Notwithstanding paragraph (1) and subparagraph (A), an electronic
31 act shall not constitute pervasive conduct solely on the basis that it has
32 been transmitted on the Internet or is currently posted on the Internet.

33 (3) "Reasonable pupil" means a pupil, including, but not limited to, an
34 exceptional needs pupil, who exercises average care, skill, and judgment
35 in conduct for a person of his or her age, or for a person of his or her age
36 with his or her exceptional needs.

37 (s) A pupil shall not be suspended or expelled for any of the acts
38 enumerated in this section unless the act is related to a school activity or
39 school attendance occurring within a school under the jurisdiction of the
40 superintendent of the school district or principal or occurring within any
41 other school district. A pupil may be suspended or expelled for acts that
42 are enumerated in this section and related to a school activity or school
43 attendance that occur at any time, including, but not limited to, any of the
44 following:

45 (1) While on school grounds.

46 (2) While going to or coming from school.

1 (3) During the lunch period whether on or off the campus.

2 (4) During, or while going to or coming from, a school-sponsored
3 activity.

4 (t) A pupil who aids or abets, as defined in Section 31 of the Penal Code,
5 the infliction or attempted infliction of physical injury to another person
6 may be subject to suspension, but not expulsion, pursuant to this section,
7 except that a pupil who has been adjudged by a juvenile court to have
8 committed, as an aider and abettor, a crime of physical violence in which
9 the victim suffered great bodily injury or serious bodily injury shall be
10 subject to discipline pursuant to subdivision (a).

11 (u) As used in this section, “school property” includes, but is not limited
12 to, electronic files and databases.

13 (v) For a pupil subject to discipline under this section, a superintendent
14 of the school district or principal may use his or her discretion to provide
15 alternatives to suspension or expulsion that, *include but are not limited to*
16 *a fine and community service involving antibullying or bullying prevention*
17 *programs*, are age appropriate and designed to address and correct the
18 pupil’s specific misbehavior as specified in Section 48900.5.

19 (w) It is the intent of the Legislature that alternatives to suspension or
20 expulsion be imposed against a pupil who is truant, tardy, or otherwise
21 absent from school activities.

LEGISLATIVE COMMITTEE PROCEDURE

1. Clerk reads enacting clause of Bill
2. Sponsor's speech (5 minutes) - purpose and major provisions of Bill
3. Questions of intent and interpretation. NOT DEBATE (not through chair)
4. Legislative Analyst's Comments
5. Lobbyists speak for and against (3 minutes)
6. Committee members speak (roll call - 2 minutes)
7. General discussion among Committee members (not through chair)
8. Chair calls for a motion on the Bill:

DO PASS

DO PASS AS AMENDED

POSTPONE INDEFINITELY (kill the bill)

TABLE THE BILL (sets the bill aside)

9. Lobbyists' summation speeches (2 minutes)
10. Sponsor's summation speech (3 minutes)
11. Clerk reads enacting clause
12. Roll call vote: AYE, NAY, or ABSTAIN Majority will prevail; abstentions are not counted in the majority.

Notes:

If a motion is not carried, a new motion is called for (see #8) Committee may not go on to another Bill until one of these motions passes. Amendments may be made any time following #1 and before #8. A speaker's time may not be extended.

SENATE AND ASSEMBLY BILL HEARING PROCEDURE

1. Bill is introduced by Presiding Officer
 2. Clerk reads the enacting clause
 3. Presiding Officer asks for any amendments
Clerk responds YES or NO
If Yes:
 - A. Clerk reads amendments
 - B. In the House of Origin the Presiding Officer asks for motion to approve
 - C. Motion/Second/Vote (requires simple majority)If No: Continue to 4
 4. Bill Sponsor Speech
 5. Legislative Analysts' report (5 minutes)
 6. Presiding Officer asks for Speaker for/against bill (3 minutes)
 - A. Alternate speakers for and against
 - B. Speakers must yield their time to Chair or to questions
 - C. Three speakers MAXIMUM for and against
 - D. A motion to end debate (previous question) may be made before 3 for each side have spoken. This motion requires a second and a 2/3 majority to pass
 - E. Debate ends with three speakers for and against, or with a successful motion to end debate.
 7. Bill Sponsor summation speech (3 minutes)
 8. Clerk reads the enacting clause
 9. Presiding Officer calls for a vote on the bill
 - A. AYE, NAY, or ABSTAIN
 - B. Majority will prevail; abstentions are not considered in majority.
 10. Presiding Officer announces results; go on to next bill.
- Note: A speaker's time may not be extended.

STANDING JOINT RULES

OF THE ASSEMBLY AND SENATE OF THE CALIFORNIA YMCA MODEL LEGISLATURE

1. HOURS OF MEETING

The hours of meeting, including the hours for committee meetings, shall be as established in the printed program and the rulings of the Speaker or Lieutenant Governor (hereafter called presiding officer). Enforcing such hours shall not be subject to appeal. Extra committee sessions may be held if (1) the Committee Chair can arrange for an official advisor and a meeting location, and (2) the presiding officer of each house grants permission for the holding of such an extra session.

2. ORDER OF BUSINESS

The order of business shall be as follows:

1. Roll Call
2. Invocation by the Chaplain
3. Pledge of Allegiance
4. Reading of Previous Day's Journal
5. Report of Committee
6. Messages from the Governor
7. Messages from the other House
8. Motions
9. Consideration of bills on Docket (Section 13)
10. Announcements
11. Adjournment

3. CALL TO ORDER

The presiding officer, or in his/her absence, the Speaker Pro-Tempore (President Pro-Tempore), shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Assembly (Senate) to order. In the absence of the presiding officer or the Speaker Pro-Tempore (President Pro-Tempore), the Chief Clerk (Secretary) shall call the House to order.

4. ROLL CALL AND QUORUM

Before proceeding with the business of the day, the roll of members shall be called, and the names present shall be entered in the journal. A majority of the members of either House shall constitute a quorum of that House.

5. INVOCATION BY CHAPLAIN

Following the roll of members the Chaplain shall be asked to open the session with an invocation

6. PLEDGE OF ALLEGIANCE

Following the invocation the members of the Assembly (Senate) shall stand and be led in the Pledge of Allegiance to the American Flag by the presiding officer.

7. READING OF JOURNAL

Reading of the Journal of the previous day may be dispensed with upon a motion adopted by a majority of the members present. The Chief Clerk (Secretary) shall maintain, and correct as instructed, the Journal of the Assembly (Senate).

8. COMMITTEE REPORTS

Each committee shall report promptly to the Assembly (Senate) its recommendations on those bills referred to it by the California YMCA Youth & Government staff. These reports shall be in writing, and shall be delivered to the Secretary of State who will deliver them to the Chief Clerk (Secretary) or an assistant, and shall then be read unless otherwise ordered by the chair or by a majority vote of the members present

9. MESSAGES FROM THE GOVERNOR

Messages from the Governor shall be delivered to the Chief Clerk (Secretary) or to an assistant and shall be read.

10. MESSAGES FROM THE OTHER HOUSE

Messages from the other House shall be delivered to the Chief Clerk (Secretary) or to an assistant, and shall be read. Bills approved by the other House shall be placed on the docket, following such reading.

11. INTRODUCTION OF BILLS

The delegation from each local YMCA or Branch thereof (including school and other non-branch delegations, hereinafter referred to as YMCAs), must, on behalf of that YMCA, introduce one or more bills, as determined by the size of the delegation on the form provided by the California YMCA Youth & Government staff office, or a reasonable facsimile thereof.

The Bills shall be printed separately, except that in the case of identical bills from different YMCAs, the text of the bill shall be printed in the Daily File only once, but the bill shall carry the names of each of the YMCAs. When identical bills are introduced by two different delegations in both the Senate and the Assembly, concurrently, the full text of only one bill shall be printed.

No bill may be introduced except in the manner specified in these rules.

The California YMCA Youth & Government Board of Directors has made the following statement regarding the subject matter of bills:

The YMCA has always been aware that strong differences of opinion grow out of statements by individuals at the Model Legislature/Court and even out of 'Legislation' enacted by the youth delegates. It believes strongly, however, that this process is essential to the maximum growth of the participants and to the future of the Nation. The 'legislative acts' (bills) and statements presented by high school students at the YMCA Model Legislature/Court are their own and they do not speak for the YMCA as an organization."

As used in these rules, the term "bill" includes constitutional amendments, concurrent and joint resolutions.

12. CONSTITUTIONAL AMENDMENTS, CONCURRENT AND JOINT RESOLUTIONS

Constitutional amendments, concurrent and joint resolutions shall be treated as bills, except as provided in Rule 18(c).

Note: The Youth Governor does not have the prerogative to veto Constitutional Amendments, concurrent or joint resolutions, but may attach to these documents a statement of opinion of the bill.

13. DOCKET

The following listing shall constitute the order of the docket:

- A. Unfinished business.
- B. Combines second and third reading of bills originating in the House convened.
- C. Combines second and third reading of bills originating in the other House. All bills on the docket shall be called for

STANDING JOINT RULES

consideration in the order determined by the Secretary of State and the Chief Clerk (Secretary); except that: 1) When bills from more than one committee are pending, not more than one bill reported from a particular committee shall be acted upon before each other committee shall likewise have had the opportunity to submit one, but not more than one, bill for consideration, and 2) Bills must be ordered as reported out of committee by the committee chair.

D. The Chief Clerk (Secretary) shall establish the order of bills on the docket, subject to the direction of the presiding officer. The presiding officer may give priority on the docket to the consideration of bills originating in the other House but such bills shall be called in the order of their receipt.

E. Each House may adopt a ratio for consideration of bills from the other house. The author/sponsor of a bill may request the Chief Clerk (Secretary) to place the author/sponsor's bill in a lower position on the docket (not to exceed five places), but once moved it cannot be moved again. When the Chief Clerk (Secretary) has so placed a bill, the presiding officer and the members of the Assembly (Senate) shall be notified.

F. A bill may be referred back to committee (1) by majority vote of the house during consideration or (2) by motion of the author/sponsor before consideration once written consent has been received from the committee chair. A bill referred back to committee shall be returned to its former position on the docket. If its former position on the docket has passed, the bill shall be placed on the top of the docket.

14. CONSENT CALENDAR

At the conclusion of the final legislative session, at the discretion of the presiding officer, a motion may be made to place all pending legislation which currently appears on the docket on a "Consent Calendar". Bills on the Consent Calendar must meet the following requirements:

- A. Must have the approval of the bill's author/sponsor.
- B. Must not have been heard on the floor of the House prior to the "Consent Calendar" motion (except in the case of a bill sent to the floor after being referred back to committee).
- C. Must be currently on the docket (Bills may not be pulled from the table or committee)

The Consent Calendar motion shall not be used to override a Governor's veto of legislation. The Consent Calendar shall be approved by a majority vote of the Assembly (Senate). If approved, Consent Calendar legislation that requires the Governor's signature will be sent to the Governor for action.

15. SUSPENSION/AMENDMENT OF RULES

The Standing Rules may not be suspended and/or amended during the session for which adopted. Recommendations for amending the Standing Rules may be initiated only by concurrent resolution. Notwithstanding the provisions of Rule 2, such a resolution may be introduced and shall be referred to the Joint Committee on Rules, consisting of the President Pro-Tempore and two members of the Senate appointed by the Lieutenant Governor, and three members of the Assembly appointed by the Speaker. The President Pro-Tempore of the

Senate shall serve as Chairman. Approval by the committee requires a favorable vote of at least one Senate member and two Assembly members of the. Approved resolutions shall be reported back to the House of origin for consideration. Any amendments receiving favorable action from both Houses shall take effect the year following their adoption. All changes in the Standing Joint Rules must be approved by the YMCA Youth & Government Program Committee.

16. DUTIES OF OFFICERS

A. All legislative officers, when not presiding (or performing their official duties, shall have debate and voting privileges on the floor of their own House.

B. The Speaker (Lieutenant Governor) shall possess the following powers and perform these duties:

- i. Preserve order and decorum; speak to points of order in preference to other members;
- ii. Decide all question of order subject to appeal to the Assembly (Senate) by any member;
- iii. Have general direction over the Chambers and other rooms set aside for the use of the Assembly (Senate);
- iv. Name any member to perform the duties of Speaker (Lieutenant Governor); but not beyond adjournment of the meeting for which the person is so appointed;
- v. Have general control and direction over the Journals, bills, and papers of the Assembly (Senate);
- vi. Authenticate by signature, all bills, memorials, resolutions, order, and proceedings of the Assembly (Senate);
- vii. Be an ex-officio member of all committees to the Assembly (Senate) and all joint committees but without the right to vote. This attendance shall not be considered in establishing a quorum in such committee meetings.

C. The Presiding Officer shall vote only in case of a tie vote.

D. The Speaker Pro-Tempore (President Pro-Tempore) shall have the powers and perform the duties of the Speaker (Lieutenant Governor) in his/her absence.

- i. The Speaker Pro-Tempore (President Pro-Tempore) is entitled to be an ex-officio member of all committees to the Assembly (Senate) and all joint committees, but without the right to vote.
- ii. The President Pro-Tempore shall serve as Chair of the Joint Committee on Rules.

E. The Chief Clerk (Secretary) shall have the following duties:

- i. Have charge of and supervise all clerical business and printing of the Assembly (Senate);
- ii. See that all records are properly kept;
- iii. Refuse to permit any records or papers to be taken from personal custody, except upon duly signed receipts from authorized persons;
- iv. Read or allow assigned assistants to read from the desk only such matter as the presiding officer shall direct;

STANDING JOINT RULES

v. Have general supervision over all clerks, attaches, and employees of the Assembly (Senate) with full responsibility for their attendance and the proper performance of their duties;
vi. Dispatch to the other House all bills with their amendments promptly upon passage by the House concerned;
vii. At the direction of the presiding officer correct the title of any bill to conform to amendments adopted by the House to the text of the bill, and correct clerical errors in bills.

F. The Sergeant-at-Arms shall have the following duties:

- i. Attend the Assembly (Senate) during its sessions, preserve order, and perform such other duties as he/she may be assigned by the presiding officer;
- ii. See that no person is admitted to the Assembly (Senate) Chamber during its session other than its members, except as directed by the presiding officer or as otherwise directed in these Rules (Section 17E);
- iii. Direct the activities of assigned assistants.

G. The Chaplain shall offer an invocation following the roll call at the opening of each day's regular sessions, and at such other times as he/she may be requested.

17. DECORUM AND PRIVILEGES OF MEMBERS

A. When a member desires to address the Assembly (Senate) the member shall rise from his/her seat and respectfully address himself or herself to "MR. OR MADAM SPEAKER" (MR. OR MADAM PRESIDENT), but shall not speak further until recognized by the chair. Upon being recognized, they are to state their name and YMCA, and then may speak on the subject under consideration. When two or more members rise at the same time, the presiding officer shall designate the member who is entitled to speak.

B. No member shall speak more than once during the consideration of one question on the same day and at the same stage of proceeding without the unanimous consent of the members, except that the author (official proponent) of a bill or the maker of a motion shall have the right to open and close the debate thereon.

Once recognized, each member shall be entitled to three, but not more than three, minutes to speak on any bill or other question before the house, except that the author or official proponent of the bill under consideration may speak five minutes to open and three minutes to close the debate. No question may be directed to a member speaking on a bill during his/her presentation, but a member may yield to questions during any time he/she has remaining after making his/her presentation.

A member's time to speak may only be extended beyond the three-minute limit by a unanimous vote.

Speakers on a main motion (bill) shall not exceed 3 for (pro) and 3 against (con).

A motion to increase the number of speakers may be passed by a two-thirds vote of all members for a maximum of two speakers. The number of speakers may be increased only once during any main motion.

The author or official proponent of the bill under

consideration may yield the entitled time to any member who has not yet spoken, but no other member shall yield to another member time to speak on any matter.

C. If any member is in violation of these rules, the presiding officer shall call the offending member to order. The member shall immediately be seated, unless permitted by the chair to explain. Any member may rise to a point of order by receiving recognition of the chair and stating a point of order. The member shall then be seated.

The presiding officer shall decide the point of order without debate. The decision of the presiding officer on points of order shall be subject to appeal to the Assembly (Senate) and a majority vote of the members present shall decide such an appeal. An appeal is not debatable.

D. No person shall, while on the floor of the Assembly (Senate) or in the chambers proper engage in attacks ad hominem, profanity or offensive language, or any activity not keeping with the solemnity and decorum of the proceedings.

Food or drink of any kind is not permitted in any of the State Capitol chambers and meeting rooms, in any other state owned facility, and at any Joint Convention or General session held in the Hyatt Hotel or Convention Center.

All Electronic devices(except those used by Y&G staff) must be turned off during all sessions, meetings, and hearings in all program areas. Advisors and staff may leave devices on, but inaudible, for emergency contact reasons, but must leave the session/area in order to answer a call.

Smoking or the use of tobacco products is not permitted during any conference sponsored by the California YMCA Youth & Government Program.

Infringements of these regulations shall be dealt with by the Sergeant-at-Arms and if appropriate, the Conference deans. Those who disregard the warning of the Sergeant-at-Arms shall be brought to the attention of the presiding officer by the Sergeant-at-Arms and may be required to leave at the discretion of the presiding officer. Nothing in this paragraph shall, however, be construed as limiting or otherwise regulating the actions of any regular employees or officials of the California Legislature.

E. Only members of the Assembly (Senate) shall be allowed on the floor of that House, with the following exceptions:

1. Youth officers
2. Youth cabinet members (one at a time)
3. Pages of the House
4. Media members when actively photographing or taping the proceedings, with permission of the Sgt.-at-Arms. (maximum of five at a time)
5. Assistant Legislative Analysts
6. Youth & Government staff and administrators
7. Advisors taking photographs (one at a time for no more than three minutes) with permission of Sgt.-at-Arms
8. Adult legislators and their staff

None of the exceptions listed above may speak or vote on the floor except as provided in Rule 22.

STANDING JOINT RULES

18. METHOD OF VOTING

A. Only duly selected members may vote, and every member in the Assembly (Senate) Chamber when a vote is taken shall vote, unless religious or moral reasons shall force them to abstain from voting, in which case they shall have the right to express their reason for abstention. Their vote shall be by voice, except as otherwise provided herein. Their vote shall be a simple "Aye" if for the measure or motion; "No" if opposed.

B. The presiding officer, using personal discretion, may, or upon the request of 20 members of the Assembly (10 Senators) made before the voting begins, shall, call for a standing vote. In this event he/she shall ask for those in favor of the measure or motion to stand. They shall stand until the Chief Clerk (Secretary) has completed the tally. The Speaker (Lieutenant Governor) shall then ask for those opposed to the motion or measure to stand. They likewise shall continue standing until the Chief Clerk (Secretary) has completed the count, and the results are then announced.

C. A majority vote of the members of the Assembly (Senate) present shall be required for the passage of any bill (including concurrent or joint resolutions), except that a two-thirds vote of the members of the Assembly (Senate) present shall be required for the passage of any proposed Constitutional amendment, or for the passage of a bill over the Governor's veto. A veto by the Governor may be overridden if both Houses vote therefore.

D. In the case of an equal division or tie vote in either House in which the Speaker or the Lieutenant Governor refused to vote, the question shall be lost.

E. Once begun, the vote shall not be interrupted.

19. LEAVE OF ABSENCE

No member shall leave any session of the Assembly (Senate) without the permission of the presiding officer.

20. MOTIONS AND QUESTIONS

When a question is under debate or before the Assembly (Senate) all privileged, subsidiary, and incidental motions shall be received by the presiding officer in the order of precedence set by Roberts Rules of Order (revised). No motion which conflicts with Section 15 of the Joint Rules shall be received. All incidental questions or order, arising after a motion is made or any of the questions indicated above, shall be decided by the presiding officer and shall not be subject to debate.

21. AMENDMENTS

A. Amendments may be introduced only in the House in which the bill originated and the second House shall consider the bill in its amended form.

B. Amendments may not be submitted by members on the floor.

C. Amendments must first be considered in committees. They shall be in writing and attached to the original bill and committee report thereon at the time the bill is returned to the Chief Clerk (Secretary) with the committee report. Amendments which constitute a change of 25

words or more shall be reproduced for distribution to members of both Houses.

Committees may not actually amend bills, but may only propose recommended amendments for action by the Assembly (Senate). Such recommendations shall require a majority vote of the members of the committee. Committee amendments shall be considered at the time of the combined second and third reading of bills, and action on committee amendments shall precede consideration of the bill on the floor.

Author's amendments may be presented to the committee prior to the consideration of the bill, and will become part of the unamended bill without debate or vote of the committee. Authors amendments may not change the intent of the original bill as submitted to the YMCA Youth & Government office.

D. Amendments may be adopted by majority vote of the present members of the House in which the amendment is being considered.

22. SPECIAL SPEAKERS

A.. Only House members may speak on the floor of that House, with the following exceptions:

1. The State Legislative Analyst or an assistant, when speaking in reference to the fiscal nature of a bill.

2. The Governor, when presenting a legislative address.

3. The Assembly (Senate) may, upon a two-thirds vote of its members, allow a non-member to speak to the House. The speaker is entitled to speak for three minutes and may have their time extended as provided in Rule 17B.

4. Under special (i.e., emergency) circumstances, Youth & Government staff may address the House.

B. The Assembly (Senate) shall adopt no rules which infringe upon these exceptions.

23. PARLIAMENTARY RULES

In all cases not provided for in these Rules, the authority shall be Roberts Rules of Order (revised).

