

CALIFORNIA YMCA MODEL LEGISLATURE

AT SACRAMENTO

2013 REGULAR SESSION

**MODEL  
LEGISLATURE  
DAILY FILE**



**California YMCA  
Youth and Government Program  
Spencer Perry, Youth Governor**

**THURSDAY, FEBRUARY 14, 2013**

*Sixty-Fifth 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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**Introduced by Members Representing the  
Anaheim Family YMCA**

February 14, 2013  
Referred to the Bowen Committee

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An act to add Sections 120385 and 120387 to the Health and Safety Code, relating to health testing of students for sexually transmitted diseases.

ABSTRACT

AB 101 requires every high school student in the state to be tested for a sexually transmitted disease (STD) prior to enrollment for each year the student attends a high school in the state. The bill requires that proof of testing, but not the results, be kept on file in the school's health office, and limits access to those test results to the student only.

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

1     SECTION 1. Section 120385 is added to the Health and Safety Code  
2 to read:

3     120385. It is the intent of the Legislature to do all of the following:

4     (a) Provide a means for public every high school student to be tested  
5 for a sexually transmitted disease (STD) before enrollment for every year  
6 they attend high school.

7     (b) Require that the persons who are required to be tested be allowed to  
8 obtain Testing from any medical source or provider they choose, subject  
9 only to the following conditions:

10    (1) That the testing be performed in accordance with the regulations of  
11 the department.

12    (2) That a record of the testing be provided to the school health office.

13    (c) There shall be an exemption from STD testing requirement in  
14 subdivision (a) for any student who objects to the test for medical reasons  
15 or personal beliefs.

16    (d) For purposes of keeping of adequate records a student's completion  
17 of the STD testing required by this section for health departments, schools,  
18 and other institutions, parents or guardians, any persons tested shall be  
19 permitted, but will not be able to access the results of that test. Appropriate  
20 public agencies shall be able to ascertain sufficient information regarding  
21 the STD testing so as to determine the testing needs of groups of students  
22 in schools or other institutions.

23    SEC. 2. Section 120387 is added to the Health and Safety Code to read:

24    120387. (a) The county office of education, the governing board of a  
25 school district of attendance, or the governing body of a charter school may



1 allow a pupil, advancing to or enrolled in any of grades 9 to 12, inclusive,  
2 to conditionally attend school for up to 30 calendar days, commencing  
3 with the pupil's first day of attendance in the 2013-14 school year for that  
4 county office of education or school district, if that pupil has not completed  
5 the STD testing required under Section 120385 if the student meets the  
6 following requirements::

7 (1) The pupil was enrolled in the county office of education or school  
8 district in the prior year, and is continuing in the same or advancing to the  
9 next grade level.

10 (2) The county office of education or school district work with the  
11 pupil's parent or legal guardian so that the pupil receives STD testing.

12 (b) It is the intent of the Legislature that any pupil allowed to  
13 conditionally attend pursuant to subdivision (a) be STD tested pursuant to  
14 this chapter on or before the 30th day of conditional attendance allowed.

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

February 14, 2013  
Referred to the McPherson Committee

An act to add Sections 120385 and 120387 to the Health and Safety Code, relating to health testing of students for sexually transmitted diseases.

ABSTRACT

AB 102 requires schools to keep at least one emergency epinephrine auto-injector on campus at all times to use on a pupil suffering from an anaphylactic reaction.

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

- 1     SECTION 1. Section 49414 of the Education Code is amended to read:  
2     49414. (a)(1) A school district or county office of education may shall  
3     provide emergency epinephrine auto-injectors to trained personnel, and  
4     trained personnel may utilize those epinephrine auto-injectors to provide  
5     emergency medical aid to persons pupils suffering from an anaphylactic  
6     reaction. Any school district or county office of education choosing to  
7     exercise the authority provided under this subdivision shall not receive  
8     state funds specifically for the purposes of this subdivision or for the  
9     purpose of administering epinephrine.  
10    (2)(A) *Each public school with pupils in kindergarten or any of grades*  
11    *one to twelve, inclusive, shall have at least one emergency epinephrine*  
12    *auto-injector on campus at all times.*  
13    (B) *Each public school with pupils in kindergarten or any of grades one*  
14    *to five, inclusive, shall also have at least one junior emergency epinephrine*  
15    *auto-injector on campus at all times.*  
16    (C) *Each public school with pupils in kindergarten or any of grades*  
17    *one to twelve, inclusive, shall annually replace the emergency epinephrine*  
18    *auto-injector.*  
19    (D) *If the emergency epinephrine auto-injector is administered, the*  
20    *family of the pupil on whom the emergency epinephrine auto-injector was*  
21    *used shall replace the emergency epinephrine auto-injector within 10 days*  
22    *of its use.*  
23    (b) For purposes of this section, the following terms have the following  
24    meaning:  
25    (1) "Anaphylaxis" means a potentially life-threatening hypersensitivity  
26    to a substance.  
27    (A) Symptoms of anaphylaxis may include, but are not limited to,  
28    shortness of breath,

1 wheezing, difficulty breathing, difficulty talking or swallowing, hives,  
2 itching, swelling, shock, or asthma.

3 (B) Causes of anaphylaxis may include, but are not limited to, an insect  
4 sting, food allergy, drug reaction, and exercise.

5 (2) "Epinephrine auto-injector" means a disposable drug delivery  
6 system with a spring-activated concealed needle that is designed for  
7 emergency administration of epinephrine to provide rapid, convenient first  
8 aid for persons suffering a potentially fatal reaction to anaphylaxis.

9 (c) Each public and private elementary and secondary school in the  
10 state ~~may voluntarily determine whether or not to~~ *shall* make emergency  
11 epinephrine auto-injectors and trained personnel available at its school. ~~In~~  
12 ~~making this determination, a school shall evaluate the emergency medical~~  
13 ~~response time to the school and determine whether initiating emergency~~  
14 ~~medical services is an acceptable alternative to epinephrine auto-injectors~~  
15 ~~and trained personnel. Any school choosing to exercise the authority~~  
16 ~~provided under this subdivision shall not receive state funds specifically~~  
17 ~~for the purposes of this subdivision.~~

18 (d) Each public and private elementary and secondary school in the  
19 state ~~may~~ *shall* designate one or more school personnel ~~on a voluntary~~  
20 ~~basis~~ to receive initial and annual refresher training, based on the standards  
21 developed pursuant to subdivision (e), regarding the storage and emergency  
22 use of an epinephrine auto-injector from the school nurse or other qualified  
23 person designated by the school district physician, the medical director  
24 of the local health department, or the local emergency medical services  
25 director. Any school choosing to exercise the authority provided under this  
26 subdivision shall not receive state funds specifically for the purposes of  
27 this subdivision.

28 (e)(1) The Superintendent of Public Instruction shall establish minimum  
29 standards of training for the administration of epinephrine auto-injectors  
30 that satisfy the requirements in paragraph (2). For purposes of this  
31 subdivision, the Superintendent of Public Instruction shall consult with  
32 organizations and providers with expertise in administering epinephrine  
33 auto-injectors and

34 administering medication in a school environment, including, but  
35 not limited to, the State Department of Health Services, the Emergency  
36 Medical Services Authority, the American Academy of Allergy, Asthma,  
37 and Immunology, the California School Nurses Organization, the  
38 California Medical Association, the American Academy of Pediatrics,  
39 and others.

40 (2) Training established pursuant to this subdivision shall include all of  
41 the following:

42 (A) Techniques for recognizing symptoms of anaphylaxis.

43 (B) Standards and procedures for the storage and emergency use of  
44 epinephrine auto-injectors.

1 (C) Emergency follow-up procedures, including calling the emergency  
2 911 phone number and contacting, if possible, the pupil's parent and  
3 physician.

4 (D) Instruction and certification in cardiopulmonary resuscitation.

5 (E) Written materials covering the information required under this  
6 subdivision.

7 (3) A school shall retain for reference the written materials prepared  
8 under subparagraph (E) of paragraph (2).

9 (f) A school nurse, or if the school does not have a school nurse, a  
10 person who has received training pursuant to subdivision (d), may do the  
11 following:

12 (1) Obtain from the school district physician, the medical director  
13 of the local health department, or the local emergency medical services  
14 director a prescription for epinephrine  
15 auto-injectors.

16 (2) Immediately administer an epinephrine auto-injector to a person  
17 exhibiting potentially life-threatening symptoms of anaphylaxis, at school  
18 or a school activity when a physician is not immediately available. *The*  
19 *person on whom the epinephrine auto-injector is administered shall not be*  
20 *required to have a prescription for the epinephrine auto-injector.*

21 (g) A person who has received training as set forth in subdivision  
22 (d) or a school nurse shall initiate emergency medical services or other  
23 appropriate medical follow up in accordance with the training materials  
24 retained pursuant to paragraph (3) of subdivision (e). If anything goes  
25 wrong when a certified administer is administering the epinephrine auto  
26 injector they shall be covered by the Good Samaritans Law.

27 (h) Any school district or county office of education electing to utilize  
28 epinephrine auto-injectors for emergency medical aid shall create a plan to  
29 address all of the following issues:

30 (1) Designation of the ~~individual or individuals~~ *at least one individual*  
31 *who will provide receive* the training pursuant to subdivision (d).

32 (2) Designation of the school district physician, the medical director  
33 of the local health department, or the local emergency medical services  
34 director that the school district or county office of education for the  
35 prescription for epinephrine auto-injectors pursuant to paragraph (1) of  
36 subdivision (f).

37 (3) Documentation as to which individual, the school nurse or other  
38 trained person pursuant to subdivision (f), in the school district or county  
39 office of education will obtain the prescription

40 from the physician and the medication from a pharmacist.

41 (4) Documentation as to where the medication is stored and how the  
42 medication will be made readily available in case of an emergency.

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**Introduced by Members Representing the  
Camarillo Family YMCA**

February 14, 2013  
Referred to the Mitchell Committee

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An act to amend 1553 of the Evidence Code, to amend Section 21455.5 of the Vehicle Code, relating to automated traffic enforcement.

ABSTRACT

AB 103 amends 1553 of the Evidence Code, to amend Section 21455.5 of the Vehicle Code, relating to automated traffic enforcement.

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

- 1     SECTION 1. Section 1553 of the Evidence Code is amended to read:  
2     1553. (a) A printed representation of images stored on a video or digital  
3     medium is presumed to be an *inaccurate* representation of the images it  
4     purports to represent. ~~This presumption is a presumption affecting the~~  
5     ~~burden of producing evidence. If a party to an action introduces evidence~~  
6     ~~that a printed representation of images stored on a video or digital medium~~  
7     ~~is inaccurate or unreliable, the party introducing the printed representation~~  
8     ~~into evidence has the burden of proving, by a preponderance of evidence,~~  
9     ~~that the printed representation is an accurate representation of the existence~~  
10    ~~and content of the images that it purports to represent.~~  
11    (b) Subdivision (a) applies to the printed representation of video or  
12    photographic images stored by an automated traffic enforcement system.  
13  
14    SEC. 2. Section 21455.5 of the Vehicle Code is amended, to read:  
15    21455.5 (a) The limit line, the intersection, or a place designated in  
16    Section 21455, where a driver is required to stop, may not be equipped  
17    with an automated traffic enforcement system.  
18  
19   \*\*\*\*\*  
20  
21    SEC. 3. Section 21455.6 of the Vehicle Code is repealed.  
22    SEC. 4. Section 21455.7 of the Vehicle Code is repealed.  
23    SEC. 5. Section 40518 of the Vehicle Code is repealed.

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

February 14, 2013  
Referred to the Shelley Committee

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Assembly Joint Resolution, relative to federal tax exemptions.

ABSTRACT

AJR104 memorializes the Congress to remove tax exemption status from politically active religious organizations.

- 1     WHEREAS, Under the Internal Revenue Code, all section 501(c)(3)  
2     should be absolutely prohibited from directly or indirectly participating  
3     in, or intervening in, any political campaign, contributions to political  
4     campaign funds or public statements of position, both verbal and written,  
5     made on behalf of the organization, official endorsement of candidates,  
6     propositions, or legislature, holding voter registration events, selling  
7     mailing lists and other business activities or, providing website links  
8     relating to candidates, propositions, or legislature, clearly violate the  
9     prohibition against political campaign activity; and  
10    WHEREAS, Violating this prohibition should result in denial or  
11    revocation of tax-exempt status and the imposition of certain excise taxes;  
12    now, therefore be it  
13    *Resolved by the Assembly and the Senate of the State of California, jointly,*  
14    That the Legislature of the State of California respectfully memorializes  
15    the Congress of the United States to propose regulations for removing tax  
16    exemption status from politically active religious organizations; and be it  
17    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 President  
20    Pro-Tempore of the United States Senate, and to each Senator and  
21    Representative from California in the Congress of the United States, and  
22    to the Chief Clerk of the Legislature in each of the other forty-nine states.

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

February 14, 2013  
Referred to the Jones Committee

An act to amend Section 69434 of the Education Code, relating to eligibility for education grants.

ABSTRACT

AB 105 creates increased eligibility for students applying for a California grant if the student is a same aged sibling

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

1 SECTION 1. Section 69434 of the Education Code is amended as  
2 follows:

3 69434. (a) A Cal Grant A award shall be used only for tuition or student  
4 fees, or both, in a for-credit instructional program with a length of not  
5 less than two academic years. Each student who meets the Cal Grant A  
6 qualifications as set forth in this article shall be guaranteed an award. The  
7 amount of any individual award is dependent on the cost of tuition or  
8 fees, or both, at the qualifying institution at which the student is enrolled.  
9 For each applicant, the award amount shall not exceed the amount of the  
10 calculated financial need. *In making a Cal Grant A award, a student who*  
11 *has a same-age sibling shall be given a higher priority than an applicant*  
12 *who does not have a same-age sibling.*

13 (b) Pursuant to Section 66021.2, any California resident is entitled  
14 to a Cal Grant A award, and the commission, or a qualifying institution  
15 pursuant to Article 8 (commencing with Section 69450), shall allocate that  
16 award, if all of the following criteria are met:

17 (1) The student has submitted, pursuant to Section 69432.9, a complete  
18 financial aid application, submitted or postmarked no later than March 2  
19 of the academic year of high school graduation or its equivalent for the  
20 award year immediately following the academic year of high school  
21 graduation or its equivalent, or no later than March 2 of the academic year  
22 following high school graduation or its equivalent for the second award  
23 year following the year of high school graduation or its equivalent.

24 (2) The student demonstrates financial need pursuant to Section 69433.

25 (3) The student attains a high school grade point average of at least  
26 3.0 on a four-point scale.

27 (4) The student's household has an income and asset level that does  
28 not exceed the level for Cal Grant A recipients set forth in Section 69432.7.

1           (5) The student is pursuing an undergraduate academic program of  
2 not less than two academic years that is offered by a qualifying institution.

3           (6) The student is enrolled at least part time.

4           (7) The student meets the general Cal Grant eligibility requirements  
5 set forth in Article 1 (commencing with Section 69430).

6           (8) The student graduated from high school or its equivalent during or  
7 after the 2000-01 academic year.

8           (c) A student who meets the Cal Grant A Entitlement Program criteria  
9 specified in this article shall receive a Cal Grant A award for tuition or fees,  
10 or both, pursuant to Section 66021.2.



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

February 14, 2013  
Referred to the Miller Committee

An act to amend Section 38086 of the Education Code, relating to fresh drinking water.

ABSTRACT

AB 106 requires a school district, by July 1, 2015, to provide access to free, fresh drinking water during school operating hours and 30 minutes before and after school operating hours in food service areas of the schools under its jurisdiction, except as provided. This bill requires a school district to conduct an annual inspection of schools under its jurisdiction to ensure compliance with these provisions.

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

1 SECTION 1. Section 38086 of the Education Code is amended to read:  
2 38086. (a) ~~Except as provided in subdivision (b), by July 1, 2011~~ *July*  
3 *1 2015*, a school district shall provide access to free, fresh drinking water  
4 ~~during meal times~~ *during school operating hours and 30 minutes before*  
5 *and after school operating hours* in the food service areas of the schools  
6 under its jurisdiction, including, but not necessarily limited to, areas  
7 where reimbursable meals under the National School Lunch Program or  
8 the federal School Breakfast Program are served or consumed. A school  
9 district may comply with this section by, among other means, providing  
10 cups and containers of water or soliciting or receiving donated bottled  
11 water.

12 (b) ~~The governing board of a school district may adopt a resolution~~  
13 ~~stating that it is unable to comply with the requirements of this section~~  
14 ~~and demonstrating the reasons why it is unable to comply due to fiscal~~  
15 ~~constraints or health and safety concerns. The resolution shall be publicly~~  
16 ~~noticed on at least two consecutive meeting agendas, first as an information~~  
17 ~~item and second as an action item, and approved by at least a majority of~~  
18 ~~the governing board.~~

19 (b) *A school district shall conduct an annual inspection of schools*  
20 *under its jurisdiction to ensure compliance with this section.*

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

February 14, 2013  
Referred to the Fong Eu Committee

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An act to repeal Sections 300-310, 350-360, 420-425, 500-511, 910-916, 1830-1842, 200, 2020-2026, 2200, 2201, 2210-2212, 2250-2255, 2300, 2310-2313, 2320-2322, 2330-2348, 2400-2406, 2620-2628, 4330-4339, 7610-7614 of the Family Code, relating to marriage

**ABSTRACT**

AB 107 repeals existing laws that recognize marriage in California.

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

- 1     SECTION 1. Sections 300-310 of the Family Code are repealed
- 2     SEC. 2. Sections 350-360 of the Family Code are repealed.
- 3     SEC. 3. Sections 420-425 of the Family Code are repealed.
- 4     SEC. 4. Sections 500-511 of the Family Code are repealed.
- 5     SEC. 5. Sections 910-916 of the Family Code are repealed.
- 6     SEC. 6. Sections 1830-1842 of the Family Code are repealed.
- 7     SEC. 7. Section 200 of the Family Code is repealed.
- 8     SEC. 8. Sections 2020-2026 of the Family Code are repealed.
- 9     SEC. 9. Sections 2200, 2201 of the Family Code are repealed.
- 10    SEC. 10. Sections 2210-2212 of the Family Code are repealed.
- 11    SEC. 11. Sections 2250-2255 of the Family Code are repealed.
- 12    SEC. 12. Section 2300 of the Family Code is repealed.
- 13    SEC. 13. Sections 2310-2313 of the Family Code are repealed.
- 14    SEC. 14. Sections 2320-2322 of the Family Code are repealed.
- 15    SEC. 15. Sections 2330-2348 of the Family Code are repealed.
- 16    SEC. 16. Sections 2400-2406 of the Family Code are repealed.
- 17    SEC. 17. Sections 2620-2628 of the Family Code are repealed.
- 18    SEC. 18. Sections 4330-4339 of the Family Code are repealed.
- 19    SEC. 19. Sections 7610-7614 of the Family Code are repealed.

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

February 14, 2013  
Referred to the Brown Committee

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

**ABSTRACT**

AB 108 requires a pupil in grades 9 to 12, inclusive, to complete a one-year course in personal finance in order to receive a diploma of graduation from high school.

*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 to 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~~ Four courses in social studies, including United States  
12 history and geography; world history, culture, and geography; a  
13 one-semester course in American government and civics; ~~and~~ a  
14 one-semester course in economics; *and a course in personal finance.*  
15    (E) One course in visual or performing arts, foreign language, or  
16 commencing with the 2012-13 school year, career technical education.

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

February 14, 2013  
Referred to the Sullivan Committee

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An act to add Section 17500.6 to the Business and Professions Code, relating to false advertisement.

**ABSTRACT**

AB 109 prohibits limited service pregnancy centers from making statements regarding pregnancy-related services that are false or misleading.

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

- 1     SECTION 1. Section 17500.6 is added to the Business and Professions  
2     Code , to read:  
3     17500.6. (a) It is unlawful for any limited service pregnancy center to  
4     make or circulate any statement or advertisement concerning pregnancy-  
5     related services that is false or misleading, that the limited services  
6     pregnancy center knows, or which by the exercise of reasonable care  
7     should know, to be false or misleading, especially with the intent to not  
8     provide services directly or indirectly offered, as advertised.  
9     (b) For the purpose of this section, the following definitions shall apply:  
10    (1) "Abortion" is defined as the termination of a pregnancy, including  
11    but not limited to  
12    pharmacological agents  
13    (2) "Emergency contraception" is defined as one or more drugs,  
14    either used individually or in combination, to prevent pregnancy when  
15    administered within a medically recommended amount of time after  
16    sexual intercourse that is provided for that function in accordance with  
17    professional standards of practice and determined by the United States  
18    Food and Drug Administration to be safe for that function.  
19    (3) "Pregnancy service center" is defined as any facility, with or without  
20    a medical license, whose principal focus is to provide services to women  
21    who are or may be pregnant, that either offers obstetric ultrasounds, obstetric  
22    sonograms, or prenatal care to pregnant women, or has the appearance  
23    of a medical facility. A pregnancy service center has the appearance of a  
24    medical facility if two or more of the following factors are present:  
25    (A) The facility offers pregnancy testing and/or pregnancy diagnosis;  
26    (B) The facility has staff or volunteers who wear medical attire or  
27    uniforms;  
28    (C) The facility contains one or more examination tables;

1 (D) The facility contains a private or semi-private room or area  
2 containing medical

3 (E) supplies and/or medical instruments;

4 (F) The facility has staff or volunteers who collect health information  
5 from clients;

6 (G) The facility is located on the same premises as a state-licensed  
7 medical facility or medical provider

8 (4) “Limited service pregnancy center” is defined as any pregnancy  
9 service center as

10 defined in subsection (3) that does not directly provide or provide  
11 referrals to clients for, abortions or emergency contraceptives

12 (c) The Attorney General may enforce this section through a civil  
13 action in any court of competent jurisdiction. Before filing such an action  
14 under this section, the Attorney General shall give written notice of the  
15 violation to the limited service pregnancy center. This notice shall specify  
16 that the limited service pregnancy center has ten days in which to correct  
17 or remove the false or misleading advertising. Failure to respond within  
18 these ten days or refusal to correct or remove the false advertising within  
19 that period will give the Attorney General the power to file a civil action.  
20 The Attorney General may apply to any court of competent jurisdiction for  
21 injunctive relief compelling compliance with this section and correcting  
22 the effects of the false or misleading advertising. Such an injunction may  
23 require a pregnancy center to:

24 (1) Pay for and distribute appropriate corrective advertising to replace  
25 the false or misleading advertising.

26 (2) Post a notice on its premises in a location clearly noticeable from the  
27 waiting area, examination area, or both, stating whether there is a licensed  
28 medical doctor, registered nurse, or other medical practitioner on staff at  
29 the center, and whether abortion, emergency contraception, or referrals for  
30 abortion or emergency contraception are available at the center.

31 (3) Comply with any other relief the court deems necessary to remedy  
32 the adverse effects of the false or misleading advertising on women seeking  
33 pregnancy-related services.

34 (d) Upon finding by a court of competent jurisdiction that a limited  
35 service pregnancy center has violated section 17500.6 of this Section, the  
36 State shall be entitled to recover civil penalties from each and every party  
37 responsible for the violation ranging between five hundred dollars and one  
38 thousand dollars. In addition, if the State prevails, it will be entitled to  
39 reasonable attorney’s fees and costs pursuant to the order of the court.

**Introduced by Members Representing the  
El Camino YMCA Branch of the  
YMCA of Silicon Valley**

February 14, 2013  
Referred to the Jordan Committee

An act to amend Section 14105.97 of the Welfare and Institutions Code.

ABSTRACT

AB 110 requires that all children aged 12 and under who reside in California and can present a birth certificate or other valid identification establishing United States citizenship receive free health care regardless of the coverage of their parents.

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

- 1 SECTION 1. Section 14105.97 of the Welfare and Institutions Code is  
2 amended to read:  
3 14105.97. (a) The department shall annually develop an outpatient  
4 disproportionate share factor for each hospital in California that receives  
5 Medi-Cal payments for outpatient services. That factor shall be the ratio of  
6 the sum of Medi-Cal gross outpatient revenue, county indigent programs  
7 gross outpatient revenue, and the outpatient component of other charity  
8 deductions from revenue, to total gross outpatient revenue. A hospital with  
9 a disproportionate factor that exceeds the mean factor for all hospitals in the  
10 state shall receive supplemental Medi-Cal payments in direct proportion  
11 to the level of the hospital's disproportionate factor. This subdivision shall  
12 only apply to payments for services provided by disproportionate share  
13 hospitals on or after July 1, 1993.  
14 (b) Notwithstanding subdivision (a), the outpatient disproportionate  
15 share factors for children's hospitals shall be no less than the amounts  
16 that would have been established had the disproportionate factors for  
17 all hospitals been computed as the ratio of the sum of Medi-Cal gross  
18 outpatient revenue, the outpatient component of county indigent programs  
19 contractual adjustments, and the outpatient component of other charity  
20 deductions from revenue, to total gross outpatient revenue.  
21 (c) The outpatient component of county indigent programs contractual  
22 adjustments shall be determined by calculating the ratio of county indigent  
23 programs gross outpatient revenue to county indigent programs gross total  
24 revenue, by multiplying that ratio by county indigent programs contractual  
25 adjustments. The outpatient component of other charity deductions from  
26 revenue shall be determined by calculating the ratio of other payors gross  
27 outpatient revenue to other payors gross total revenue, and multiplying

1 that ratio by the sum of other charity deductions from revenue and teaching  
2 allowances for University of California teaching hospitals.

3 (d)For purposes of computing the outpatient disproportionate share  
4 factors, the department shall use the data from the Office of Statewide  
5 Health Planning and Development quarterly financial and utilization  
6 reports, as adjusted by the office for the calendar year preceding the state  
7 fiscal year in which the disproportionate factors will be effective. The  
8 department shall use the data existing on the office's statewide data base  
9 as of April 15 of each year. For the purposes of this section, a hospital shall  
10 submit to the office by April 1 of each year any adjustments to its quarterly  
11 reports for the preceding calendar year. The office shall make its statewide  
12 data base, as adjusted, available to the department by April 20 of each year.

13 (e)Augmentation rates shall be applied to hospitals with all inclusive  
14 rates at the point of final audit settlement and shall be included in  
15 subsequent interim reimbursement rates.

16 (f)(1)If the department deems it necessary to issue general rules  
17 in order to implement, interpret, or make specific this section or to  
18 establish procedures to implement this section, these rules may be issued  
19 without complying with the Administrative Procedure Act (Chapter 3.5  
20 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the  
21 Government Code) and shall remain in effect for a period of 180 days.

22 (2)Thereafter, any rules that are necessary to implement, interpret, or  
23 make specific this section or that govern departmental procedures shall be  
24 adopted in compliance with the Administrative Procedure Act.

25 (3)The adoption, pursuant to paragraph (1), of any emergency  
26 regulations that are filed with the Office of Administrative Law within one  
27 year of the effective date of this act shall be deemed to be an emergency  
28 and necessary for the immediate preservation of the public peace, health,  
29 or safety.

30 (g)*All children aged 12 and under who reside in the state of California*  
31 *are to receive free health care coverage regardless of the coverage of*  
32 *the parents. This coverage includes two checkups per year, and includes*  
33 *all necessary pediatric and hospitalization costs. Coverage under this*  
34 *subdivision shall not include minor cosmetic issues such as dentistry*  
35 *or dermatology. Any persons seeking health care under this subdivision*  
36 *shall present a birth certificate or other valid identification establishing*  
37 *United States citizenship. A pediatrician who provides services under this*  
38 *provision shall be reimbursed two hundred dollars (\$200) per patient visit*  
39 *by the state. The cost of the health care provided under this subdivision*  
40 *shall be covered by a surcharge of ninety dollars (\$90) per one hundred*  
41 *thousand dollars (\$100,000) of assessed valuation on each property tax*  
42 *bill statewide.*

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

February 14, 2013  
Referred to the Peek Committee

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Joint Resolution – Relative to Education.

ABSTRACT

AJR 111 urges Congress to prohibit public school instructors from engaging in work stoppage during the course of the school year.

1 WHEREAS, Teachers are the most important part of the education  
2 process; and

3 WHEREAS, Students are entitled to an uninterrupted educational  
4 experience; and

5 WHEREAS, Labor disputes undermine the educational environment;  
6 and

7 WHEREAS, Quality teachers are not easily replaced during a school  
8 year; therefore be it

9 *Resolved by the Assembly and the Senate of the State of California,*  
10 jointly, that the Legislature of the State of California respectfully  
11 memorializes the Congress of the United States to prohibit public school  
12 instructors from engaging in any work stoppage during the course of the  
13 school year; and be it further

14 *Resolved,* That the Chief Clerk of the Assembly/Senate transmit copies  
15 of this resolution to the Speaker of the House of Representatives, the  
16 President Pro-Tempore of the United States Senate, and to each Senator  
17 and Representative from California in the Congress of the United States,  
18 and to the Chief Clerk of the Legislature in each of the other forty-nine  
19 states.



**Introduced by Members Representing the  
YMCA of Greater Long Beach**

February 14, 2013  
Referred to the Curry Committee

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An act to add Section 66270.1 to the Education Code, relating to college applications

**ABSTRACT**

AB 112 eliminates the use of name and race fields on university and college applications.

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

- 1     SECTION 1. Section 66270.1 is added to the Education Code to read:  
2     66270.1. (a) All California colleges or universities that receive funding  
3     from the state shall not consider the race of any applicant in admission.  
4     (b) The race box in college admissions shall be removed so that no  
5     applicant is required, or compelled, to use their race on their application.  
6     (1) "Race Box": a section on a college application where applicants  
7     would supply the race under which they identify themselves.  
8     (c) A number will be assigned to each applicant in lieu of a name to  
9     prevent a bias toward students who bear names with resemblance to a  
10    specific race. This number will correspond to the student's state ID number.  
11    Students who have not been previously assigned a state ID number will be  
12    issued one at the time of their application.  
13    (d) Any California University, State College, or Community College  
14    discovered to be in violation of these laws shall be subject to a penalty,  
15    which will be a loss of state funding for the duration of their noncompliant  
16    behavior. After a probation period of six months, in which they show  
17    willingness to adhere to these policies, state funding will be restored.  
18    (e) This bill will be implemented in the fall quarter/semester of 2017  
19    and will be enforced by the fall quarter/semester of 2018.

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**Introduced by Members Representing the  
Ketchum-Downtown LA branch of the  
YMCA of Metropolitan Los Angeles**

February 14, 2013  
Referred to the Hart Committee

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An act to amend Section 14572 of the Public Resources Code, relating to recycling.

**ABSTRACT**

AB 113 prohibits a certified recycler from paying a refund to, or claiming a refund value for, a load of materials in excess of specified amounts per day from a person or entity not certified by the department. The bill also imposes a fine on a recycling center for a violation of this provision, as specified.

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

1 Section 1. 14572 of the Public Resources Code is amended to read:  
2 14572. (a) Except as provided in subdivision (b), a certified recycling  
3 center shall accept from any consumer or dropoff or collection program  
4 any empty beverage container, and shall pay to the consumer or dropoff or  
5 collection program the refund value of the beverage container. The center  
6 may pay the refund value based on the weight of returned containers.

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9 *(e) A certified recycler shall not pay the refund value to, or claim refund*  
10 *value for, any material received from any person, operation, or entity who*  
11 *is not certified by the department, delivering a load of material in excess*  
12 *of 30 pounds of aluminum or plastic beverage containers, or 100 pounds*  
13 *of glass beverage containers, per day.*

14 *(f) Any recycling center found in violation of subdivision (e) is subject*  
15 *to fine equal to twice the refund value over the limit, as determined by the*  
16 *department.*

**Introduced by Members Representing the  
Mission Viejo branch of the  
YMCA of Orange County**

February 14, 2013  
Referred to the Waite Committee

An act to amend Section 12808 Vehicle Code, relating to driving under the influence.

ABSTRACT

AB 114 requires those convicted of a second offence of driving under the influence, will have that conviction remain on their driving record permanently

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

SECTION 1. Section 12808 of the Vehicle Code is amended to read:

12808. (a) The department shall, before issuing or renewing any license, check the record of the applicant for conviction of traffic violations and traffic accidents.

(b) The department shall, before issuing or renewing any license, check the record of the applicant for notices of failure to appear in court and shall withhold or not issue a license to any applicant who has violated his or her written promise to appear in court unless the department has received a certificate issued by the magistrate or clerk of the court hearing the case in which the promise was given showing that the case has been adjudicated or unless the applicant's record is cleared as provided in Chapter 6 (commencing with Section 41500) of Division 17. In lieu of the certificate of adjudication, a notice from the court stating that the original records have been lost or destroyed shall permit the department to issue a license.

(c) (1) Any notice received by the department pursuant to Section 40509, 40509.1, or 40509.5, except subdivision (c) of Section 40509.5, that has been on file five years may be removed from the department records and destroyed at the discretion of the department.

~~(2) Any notice received by the department under subdivision (c) of Section 40509.5 that has been on file 10 years may be removed from the department records and destroyed at the discretion of the department.~~

(2) Any notice received by the department under subdivision (c) of Section 40509.5, that relates to a DUI conviction, where a DUI conviction is already within department records, shall remain within the department records for the natural life of that person. Any other notice received by the department under subdivision (c) of Section 40509.5 that has been on file 10 years may be removed from the department records and destroyed at the discretion of the department.

(d) This section shall become operative on January 1, 2011.

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

February 14, 2013  
Referred to the Bowen Committee

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An act to add 18667.1 to the Revenue and Taxation code, relating to taxation for education.

**ABSTRACT**

AB 115 requires that lottery winnings in the state of California be taxed an additional 7%, in addition to the California income tax, for the purpose of funding public education.

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

- 1     SECTION 1. Section 18667.1 is added to the Revenue and Taxation  
2     Code, to read:  
3         18667.1 (a) Commencing no later than the 2014 tax deadline, each  
4     person to receive lottery winnings shall be taxed an additional 7% on  
5     their winnings from the lottery.  
6         (b) This revenue shall go to the fund for public K-12 education.  
7         (c) If a taxpayer does not comply, the taxpayer will be audited in  
8     accordance with sections 7076-7076.4 of the Revenue and Taxation Code.  
9         (d) "Winnings" are here defined as any cash prize over \$1000.00  
10        (e) "Lottery" includes any arrangement whereby three or more  
11     persons (the "participants") advance money or credit to another in  
12     exchange for the possibility or expectation that one or more but not  
13     all of the participants (the "winners") will receive by reason of their  
14     advances more than the amounts they have advanced, the identity  
15     of the winners being determined by any means which includes  
16         (1) A random selection  
17         (2) A game or contest  
18         (3) Any record or tabulation of the result of one or more events in which  
19     any participant has no interest except for its bearing upon the possibility  
20     that he may become a winner.

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

February 14, 2013  
Referred to the McPherson Committee

An act to amend Section 68130.5 of the Education Code, relating to public postsecondary education.

ABSTRACT

AB 116 provides all students, regardless of immigration status, an exemption from paying nonresident tuition at certain postsecondary educational institutions if particular requirements are met. This bill also prohibits immigration status from being considered as a factor in determining college application fee waivers, eligibility for state student financial aid, and eligibility for state financial assistance.

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

1 SECTION 1. Section 68130.5 of the education is amended to read:

2 (a) A student, ~~other than a nonimmigrant alien within the meaning of~~  
3 ~~paragraph (15) of subsection (a) of Section 1101 of Title 8 of the United~~  
4 ~~States Code~~, who meets all of the following requirements shall be exempt  
5 from paying nonresident tuition at the *University of California*, the  
6 California State University, and the California Community Colleges:

7 (1) High school attendance in California for three or more years.

8 (2) Graduation from a California high school or attainment of the  
9 equivalent thereof.

10 (3) Registration as an entering student at, or current enrollment at, an  
11 accredited institution of higher education in California not earlier than the  
12 fall semester or quarter of the 2001-02 academic year.

13 (4) In the case of a person without lawful immigration status, the filing  
14 of an affidavit with the institution of higher education stating that the  
15 student has filed an application to legalize his or her immigration status, or  
16 will file an application as soon as he or she is eligible to do so.

17 (b) A student exempt from nonresident tuition under this section may be  
18 reported by a community college district as a full-time equivalent student  
19 for apportionment purposes.

20 (c) The Board of Governors of the California Community Colleges  
21 and the Trustees of the California State University shall prescribe rules and  
22 regulations for the implementation of this section.

23 (d) Student information obtained in the implementation of this section  
24 is confidential.

1       (e) Disclosure of immigration status on college applications shall not  
2 be considered in determining the following:

3       (1) Applicant's eligibility for college application fee waivers.

4       (2) Applicant's eligibility for "state student financial aid," as defined  
5 in Section 214, Part 1, Chapter 2.

6       (3) Educational institution's eligibility for "state financial assistance"  
7 as defined in Section 213, Part 1, Chapter 2.

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

February 14, 2013  
Referred to the Mitchell Committee

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An act to amend Section 66015 of the Government Code, relating to solar energy.

**ABSTRACT**

AB 117 eliminates the permit fees for rooftop solar energy systems for low-income households to promote the direct consumption of clean energy for Californians who could not otherwise access solar, or some other form of renewable, energy.

*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) Rooftop solar energy systems are a leading renewable energy  
3     technology that will help this state reach its energy and environmental  
4     goals.

5     (b) It is anticipated that more than 1,000,000 additional rooftop solar  
6     energy systems will be deployed in this state in the coming years.

7     (c) Various reports show that the permitting costs associated with  
8     the installation of rooftop solar energy systems varies widely across  
9     jurisdictions in this state.

10    (d) High permitting fees increase the costs of installation and reduce the  
11    ability for solar to be deployed across all income spectrums.

12    (e) Providing statewide permit fee standards will increase the deployment  
13    of solar distributed generation, provide solar customers greater installation  
14    ease, improve the state's ability to reach its clean energy goals, and create  
15    jobs in this state.

16    SEC. 2. Section 66015 of the Government Code is amended to read:

17    (a) For a residential rooftop solar energy system that produces direct  
18    current electricity:

19    (1) A city, county, city and county, or charter city shall not charge a  
20    residential permit fee that exceeds the estimated reasonable cost of  
21    providing the service for which the fee is charged. Except as provided in  
22    paragraph (2), that fee shall not exceed five hundred dollars (\$500) plus  
23    fifteen dollars (\$15) per kilowatt for each kilowatt above 15kW.

24    (2) Notwithstanding paragraph (1), a city, county, city and county,  
25    or charter city may charge a residential permit fee for a rooftop solar  
26    energy system that exceeds the fees specified in paragraph (1) if, as part

1 of a written finding and an adopted resolution or ordinance, it provides  
2 substantial evidence of the reasonable cost to issue the permit.

3 (3) Notwithstanding paragraph (2), a city, county, city and county,  
4 or charter city shall not charge a residential permit fee for a residential  
5 rooftop solar energy system that is attached to a residence that belongs to  
6 an occupant who makes an annual income of \$25,000 or less.

7 (b) For a commercial rooftop solar energy system that produces direct  
8 current electricity:

9 (1) A city, county, city and county, or charter city shall not charge a  
10 commercial permit fee that exceeds the estimated reasonable cost of  
11 providing the service for which the fee is charged. Except as provided in  
12 paragraph (2), the fee shall not exceed one thousand dollars (\$1,000) for  
13 systems up to 50kW plus seven dollars (\$7) per kilowatt for each kilowatt  
14 between 51kW and 250kW, plus five dollars (\$5) per kilowatt for each  
15 kilowatt above 250kW.

16 (2) Notwithstanding paragraph (1), a city, county, city and county, or  
17 charter city may charge a commercial permit fee for a rooftop solar energy  
18 system that exceeds the applicable fee specified in paragraph (1) if, as part  
19 of a written finding and an adopted resolution or ordinance, it provides  
20 substantial evidence of the reasonable cost to issue the permit.

21 (c) A written finding adopted pursuant to subdivision (a) or (b) shall  
22 include all of the following:

23 (1) A determination that the municipality has adopted appropriate  
24 ordinances, permit fees, and processes to streamline the submittal and  
25 approval of permits for solar energy systems pursuant to the practices and  
26 policies in state guidelines and model ordinances.

27 (2) A calculation related to the administrative cost of issuing a solar  
28 rooftop permit.

29 (3) A description of how the higher fee will result in a quick and  
30 streamlined approval process.

31 (d) For purposes of this section, “administrative costs” means the costs  
32 incurred in connection with the review, approval, and issuance of the  
33 permit, and the hourly site inspection and follow up costs, and may also  
34 include an amortization of the costs incurred in connection with producing  
35 a written finding and adopting an ordinance or resolution pursuant to  
36 subdivision (a) or (b).

37 (e) For purposes of this section, “residential permit fee” means the sum  
38 of all charges levied by a city, county, city and county, or charter city in  
39 connection with the application for a rooftop solar energy system.

40 (f) It is the intent of the Legislature that a city, county, city and county,  
41 or charter city that meets the obligations of subdivisions (a) and (b)  
42 receive priority access to state funds for the purposes of distributed energy  
43 generation planning, permitting, training, or implementation.

44 (g) This chapter shall remain in effect only until January 1, 2018, and  
45 as of that date is repealed.



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**Introduced by Members Representing the  
San Gabriel Valley YMCA**

February 14, 2013  
Referred to the Shelley Committee

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An act to add Section 21469 to the Vehicle Code, relating to red light cameras.

ABSTRACT

AB 118 prohibits red light cameras from operating at intersections in this state.

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

- 1     SECTION 1. Section 21469 is added to the Vehicle Code to read:  
2     21469. (a) This section shall be known and may be cited as the Red  
3     Light Camera Removal Act.  
4     (b) Notwithstanding any other law, operation of red light cameras  
5     at intersections in the State of California shall be prohibited. Red light  
6     cameras are defined as such devices that take digital images of the vehicle,  
7     its license plate, and the driver of the vehicle.  
8     (c) Red light cameras installed and in operation at intersections shall be  
9     removed. The removal of these devices shall occur within one year from  
10    the passage of the bill. City officials are responsible for the employment of  
11    certified staff and the fees involved in removing the cameras.

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

February 14, 2013  
Referred to the Jones Committee

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Assembly Joint Resolution No.119 Relative to NASA funding.

**ABSTRACT**

AJR 119 urges Congress to allocate the annual funding for the National Aeronautics and Space Administration (NASA) at a minimum of 1.00% up from 0.48%, as provided in federal budget and that this increase in funding take effect in the following fiscal year after this Joint Resolution's approval.

1       WHEREAS, The NASA budget is too small for the vast amount of  
2 potential regarding science innovation, space exploration, cultural benefits,  
3 as well as economic growth yielded from the program.

4       *Resolved by the Assembly and the Senate of the State of California,*  
5 jointly; That the Legislature of the State of California respectfully urges  
6 Congress to modify the annual federal budget approved by the Congress  
7 and the President of the United States of America, increasing NASA's  
8 share from 0.48% to a minimum of 1.00%, even in times of declared war;  
9 and be it further

10       *Resolved,* That the Chief Clerk of the Assembly transmit copies of this  
11 resolution to the Speaker of the House of Representatives, the President  
12 Pro Tempore of the United States Senate, 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 to each of the other forty-nine states

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

February 14, 2013  
Referred to the Fong Eu Committee

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An act to add to Section 7150.12 to the Health and Safety Code, relating to organ donations.

**ABSTRACT**

AB 120 makes organ donation mandatory unless the person specifically refused to be a donor.

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

- 1     SECTION 1. Section 7150.12 is added to the Health and Safety Code:
- 2     7150.12. (a) Notwithstanding any other law, organ donations after a
- 3     person has passed away shall be mandatory unless the person, during life,
- 4     specifically refused to be a donor. Unless otherwise noted, consent shall
- 5     be presumed.
- 6     (b) This section shall apply to all California citizens and to anyone who
- 7     has lived in California for at least two years.
- 8     (c) Requirements to be an effective post-mortem organ donor shall be
- 9     determined by a medical doctor.

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

February 14, 2013  
Referred to the Fong Eu Committee

An act to amend Section 35292.5 of the Education Code, relating to school facilities.

ABSTRACT

AB 121 eliminates paper towels from public school restrooms.

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

1 SECTION 1. Section 35292.5 of the Education Code is amended to  
2 read:

3 35292.5. (a) Every public and private school maintaining any  
4 combination of classes from kindergarten to grade 12, inclusive, shall  
5 comply with all of the following:

6 (1) Every restroom shall at all times be maintained and cleaned regularly,  
7 fully operational and stocked at all times with toilet paper, soap, and paper  
8 towels or functional hand dryers.

9 (2) The school shall keep all restrooms open during school hours when  
10 pupils are not in classes, and shall keep a sufficient number of restrooms  
11 open during school hours when pupils are in classes.

12 (b) (1) All public schools are required to remove paper towel dispensers  
13 and replace them with automatic hand dryers by 2014.

14 (2) By 2014, paper towels will no longer be allowed in public schools.

15 (3) In order to pay for these dryers, money previously used on paper  
16 towels will be relegated to the cost of the dryers.

17 (4) By 2014, schools that have reduced their waste output shall receive a  
18 small increase in budget for eliminating paper towels from their restrooms,  
19 and this increase shall be derived from saving from paper towel purchases  
20 and lower waste costs.

21 (5) If the automatic hand dryers have not been installed by 2014, the  
22 school budget will be returned to its original uses for school supplies, and  
23 restrooms will not be equipped with any form of hand drying.

24 (b)(c) Notwithstanding subdivision (a), a school may temporarily close  
25 any restroom as necessary for pupil safety or as necessary to repair the  
26 facility.

27 (e)(d) Any school district that operates a public school that is in violation  
28 of this section as determined by the State Allocation Board, is ineligible  
29 for state deferred maintenance fund matching apportionments pursuant

1 to Section 17584 if the school district has not corrected the violation  
2 within 30 days after receipt of a written notice of the violation from the  
3 board. Prior to determining that the school district is ineligible, the board  
4 shall provide the school district with a reasonable opportunity to cure the  
5 violation. The board shall notify the Superintendent of Public Instruction  
6 regarding a school district found to be in violation of this section. The  
7 Superintendent of Public Instruction shall notify the Controller to withhold  
8 apportionments otherwise due the school district under Section 17584.

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

February 14, 2013  
Referred to the Brown Committee

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An act to add Sections 1398 and 1399 to the Financial Code, relating to the creation of a state-owned bank.

ABSTRACT

AB 122 specifies the actions that the state of California can take within the confines of a banking agency.

*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) This legislation will empower the state of California to manage a  
3     business of banking and monetary control.

4     (b) Control over monetary policy does not extend to the creation of an  
5     exclusive Californian currency, nor does the legislation affiliate with the  
6     national Federal Reserve System; it remains a separate and independent  
7     entity.

8     (c) This power will only be sustained so long as it serves to promote the  
9     public welfare in accordance to ensuring economic stability in the various  
10    industries comprising the state market and validating and approving the  
11    fiscal sustainability of legislative expenditures.

12    (d) Through the management of the California state bank, California  
13    will be given influence in the following:

14    (1) The legislature's expenditure; specifically to limit deficit spending  
15    and identify the fiscal feasibility of particular public investments and the  
16    allocation of state funds provided by the Californian tax revenue system.

17    (2) Public loans and grants; direct management over the distribution  
18    of publicly funded grants and loans to individuals in addition to research  
19    facilitators, limit unnecessary concentrated public investment in particular  
20    fields, and divert the potentially retained funds to other interests.

21    (3) Extensive analysis upon state industry to observe potential or  
22    recurring economic fluctuations in an effort to develop and propose public  
23    policy strategies to ease possible detrimental economic externalities.

24    (e) (1) Subsidizing the institution of the Bank remains entirely critical  
25    and can be resolved through identifiable means. The proposition in  
26    paragraph (2) is to be deliberated by the convening Legislature examining  
27    the bill:

(2) The state of California received \$8.6 billion in Federal stimulus on August 31st, and the current amount of funds remaining is identical to the initial \$8.6 billion. The allocation of the \$8.6 billion remains a viable method of compensation. Considering that the money remains unspent, the contributing the funds to the implementation of the state bank would not affect any present governmental entities.

SEC. 2. Section 1398 is added to the Financial Code, to read:

1398. (a) The state bank shall possess a primary executive referred to as the Chairperson, who is appointed by the presiding Governor and approved by the members of the presiding legislature belonging to a different political party than the current Governor.

(b) The powers of the Chairperson shall remain definite and dependent upon what the Governor and the state Legislature, comprised of both the state assembly and senate, recognize and deem appropriate and necessary, yet the presiding Chairperson shall adhere to solidified principles established at the institution's creation, which include:

(1) Refusing to enable the legislature from deriving funds that generate debt.

(2) Ensuring the fiscal practicality of pieces of legislation.

(3) Serving the people of California by providing an effective government and stable marketplace.

(c) The Chairperson shall retain absolute authority over the consolidated bank and that of its employees both potential and active.

(d) The bank shall possess and exercise authority over all public funds. The bank does not retain the ability to engage in an individual and separate investment with public funds, but to evaluate, approve, or refuse the allocation of funds to the legislature's proposed expenditure.

(e) The Chairperson shall be unequivocally obligated to assist in the development of legislation fostering economic implications and shall be required to deliver a monthly analysis of the economic conditions regarding the state unemployment rate, rate of manufacturing, and public revenue.

(f) The Chairperson shall possess the ability to limit public monetary investment in industries or suggest the utilization of additional funds for multiple other government agencies or economic ventures. The Chair shall be required by the mandated principles to refuse to allocate funding to the legislature if it exceeds the current amount available in the state reserve.

(g) The Chairperson's primary and most revered objective is to reduce the state deficit and prevent the legislature's frivolous deficit spending through strategies described in the previous subsections.

(h) The Chairperson shall be required to attend the presiding Governor's cabinet meetings when the officials convene and remain in continuous communication with the Governor.

SEC. 3. Section 1399 is added to the Financial Code, to read:

(a) Estimating the economic relevance and potential benefits of the establishment of the California State Bank is fiscally apparent and shall be identified through the descriptions in this section.

1 (b) The reduction of the accumulated state debt by rejecting deficit  
2 legislature expenditures shall universally apply to the corporate and  
3 financial realm in addition to the Californian individual. The current rate of  
4 taxation for a citizen of California is a maximum of 12.3% and an average  
5 of 9.3%. If the legislative expenditure was reduced by significant margins  
6 the rate of taxation would be decrease or remain constant. Allowing  
7 individuals and private enterprises to invest in the state economy through  
8 taxation reduction would generate approximately \$2 million in regards to  
9 individual consumer investment.

10 (c) The current corporate income tax rate of California is 8.84%, a  
11 reduction in this rate would increase incentive provided to potential and  
12 skeptical companies and investors evaluating California, thus broadening  
13 the taxable base and supplying additional revenue.

14 (d) When the state debt is reduced and the legislature's expenditure  
15 appropriated by the California State bank the amount of taxation required  
16 to sustain deficit spending shall dissolve. Once more the corporate and  
17 individual income tax rates shall be reduced and initiate economic  
18 expansion, through companies expanding their labor force considering  
19 they can afford to do so. Possible incentives to companies may be offered  
20 as well with the conserved funds by the bank's actions.

21 (e) The current state sales tax remains 9.75%, an increase from the  
22 previous 7% in an effort to maintain the legislature's deficit expenditure.  
23 If the current rate was reduced it is estimated that private retail enterprises  
24 shall generate approximately \$5 million through increased consumer  
25 activity.

26 (f) The bank shall eliminate deficit expenditure and reduce the  
27 accumulated state debt through the various provisions entailed in the  
28 previous sections, the reduction of ineffective bureaucratic spending and  
29 the expedient reduction of the state debt shall provide California with a  
30 fiscally sane and effective government.



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

February 14, 2013  
Referred to the Sullivan Committee

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An act to add Section 11153.6 to the Health and Safety Code, relating to prescription medication.

**ABSTRACT**

AB 123 establishes a mandatory procedure for clinical pharmacists regulating controlled substance medication prescribed through a digital database to senior citizens over 65 years of age.

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

1     SECTION. Section 11153.6 is added to the Health and Safety Code, to  
2 read:

3     (a) To stop or reduce all inappropriate prescription errors, conflicts,  
4 `misinformation, or adverse drug events in patients caused by doctors,  
5 independent prescribers, poly pharmacies or licensed prescribers to senior  
6 citizens 65 years of age or older that may have potential for harming any  
7 patient with such instances of over prescribing, pill-to-pill conflicts, or  
8 duplicate prescriptions.

9     (b) Any senior persons seeking prescribed controlled substance  
10 medication for any illnesses that requires such drugs must be overseen by  
11 a licensed clinical pharmacist to regulate medicinal doses, all prescribed  
12 medicines, all prescribers, and all reported illnesses through a digital  
13 database.

14     (c) Any patient is required to fill prescriptions by all physicians at the  
15 same pharmacy, thereby enabling the maintenance of a single current  
16 list of medications and have office staff alert the pharmacist whenever a  
17 medication is discontinued.

18     (d) If a patient wishes to fill their prescription elsewhere or change  
19 pharmacies then that senior citizen must notify their current pharmacy  
20 within 10 days of being prescribed/ filled their controlled medication from  
21 the new desired database.

22     (e) Failure to comply will result in a fine of up to \$150.00.

23     (f) When the previous pharmacy is notified about the pharmacy transfer,  
24 the assigned office has 10 days to notify and transfer all controlled medicine  
25 data to the new pharmacy office.

26     (g) Failure to comply will result in a fine of up to \$150.00 a day for each  
27 day over the given 10 days to comply.

- 1     (h) With all appropriate information in a single database the licensed
- 2     clinical pharmacist will determine based on his or her training whether or
- 3     not the prescribed medication is correct for the patient by managing the
- 4     appropriate dosage level, any conflicts with other medications consumed,
- 5     and available information about the controlled medication received.
- 6     (i) When a patient refills medications, the pharmacist will routinely
- 7     review the database for potential adverse drug events. The pharmacist
- 8     would then alert the physician of potential inappropriate medications or
- 9     adverse drug events.
- 10    (j) This section will go into effect after 90 days of passing.

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

February 14, 2013  
Referred to the Jordan Committee

An act to amend Section 42254 of, and to repeal Section 42257 of, the Public Resources Code, relating to plastic bags.

ABSTRACT

AB 124 allows cities and counties to assess fees on the retail distribution of plastic bags and makes a state-wide plastic bag recycling pilot-program permanent.

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

1 SECTION 1. Section 42254 of the Public Resources Code is amended  
2 to read:

3 \*\*\*

4 (b) Unless expressly authorized by this chapter, a city, county, or  
5 other public agency shall not adopt, implement, or enforce an ordinance,  
6 resolution, regulation, or rule to do any of the following:

7 (1) Require a store that is in compliance with this chapter to collect,  
8 transport, or recycle plastic carryout bags.

9 (2) Impose a plastic carryout bag fee *of more than 50 cents per bag*  
10 upon a store that is in compliance with this chapter.

11 (3) Require auditing or reporting requirements that are in addition to  
12 what is required by subdivision (d) of Section 42252, upon a store that is  
13 in compliance with this chapter.

14 ....

15

16 SEC. 2. Section 42257 of the Public Resources Code is repealed.

17 ~~42257. This chapter shall remain in effect only until January 1, 2013,~~  
18 ~~and as of that date is repealed, unless a later enacted statute, that is enacted~~  
19 ~~before January 1, 2013, deletes or extends that date.~~

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

February 14, 2013  
Referred to the Peek Committee

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An act to add Section 11836.17 to the Health and Safety Code, relating to driving under the influence of alcohol.

**ABSTRACT**

AB 125 changes the punishment for drivers whose blood alcohol level exceeds the legal limit for driving who are under the age of 21 and do not have a driver's license.

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

- 1     SECTION 1. Section 11836.17 is added to the Health and Safety Code,  
2 to read:  
3     An individual convicted of driving under the influence of alcohol  
4 who is under 21 years of age and does not have a driver's license shall be  
5 punished as follows:  
6     (a) For the first offense, a fine of one thousand dollars (\$1000).  
7     (b) For the second offense, imprisonment in a county jail for up to 6  
8 months. The offender shall be tried as an adult.  
9     (c) After the second offense, imprisonment in a county jail for a term at  
10 the discretion of the judge. The offender shall be tried as an adult.

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

February 14, 2013  
Referred to the Curry Committee

An act to add Sections 21290, 21291, 21292, 21293, 21294, and 21295 to the Vehicle Code, relating to eco transportation scooters.

ABSTRACT

AB 126 authorizes the use of a new mobility device called an “eco transportation scooter” and defines its permitted users and uses.

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

1 SECTION 1. Section 21290 is added to the Vehicle Code read:

2 21290. Eco Transportation Scooter: Definition.

3 For the purposes of this article, “eco transportation scooter” or “scooter”  
4 means a two or three-wheeled device designed to transport only one person.  
5 An eco transportation scooter has handlebars, a floorboard that is designed  
6 to be stood upon when riding, and an electric propulsion system averaging  
7 less than 750 watts or 1 horsepower, the maximum speed of which, when  
8 powered solely by a propulsion system on a paved level surface, is no  
9 more than 15 miles per hour. An eco transportation scooter may also have  
10 a driver’s seat that does not interfere with the ability of the rider to stand.

11 SEC. 2. Section 21291 is added to the Vehicle Code read:

12 21291. Eco Transportation Scooters: Operation.

13 (a) A person shall not operate a scooter on a sidewalk, bike path,  
14 pathway, trail, bike lane, street, road, or highway at a speed greater  
15 than is reasonable and prudent having due regard for weather, visibility,  
16 pedestrians, and other conveyance traffic on, and the surface, width and  
17 condition of, the sidewalk, bike path, pathway, trail, bike lane, street, road,  
18 or highway.

19 (b) A person shall not operate a scooter at a speed that endangers the  
20 safety of persons or property.

21 (c) A person shall not operate a scooter on a sidewalk, bike path,  
22 pathway, trail, bike lane, street, road, or highway with willful or wanton  
23 disregard for the safety of persons or property.

24 (d) A person operating a scooter on a sidewalk, bike path, pathway,  
25 trail, bike lane, street, road, or highway shall yield the right-of-way to  
26 all pedestrians on foot, including persons with disabilities using assistive  
27 devices and service animals that are close enough to constitute a hazard.

28 SEC. 3. Section 21292 is added to the Vehicle Code read:

1     21292. Eco Transportation Scooters: Not Defined As Motor Vehicles

2     A person operating a scooter is not subject to the provisions of this  
3 code relating to financial responsibility, registration, and license plate  
4 requirements, and, for those purposes, a scooter is not a motor vehicle.

5     SEC. 4. Section 21293 is added to the Vehicle Code to read:

6     21293. Eco Transportation Scooters: Local Regulations

7     For the purpose of assuring the safety of pedestrians, including seniors,  
8 persons with disabilities, and others using sidewalks, bike paths, pathways,  
9 trails, bike lanes, streets, roads, and highways, a city, county, or city and  
10 county may, by ordinance, regulate the time, place, and manner of the  
11 operation of scooters, including limiting, prohibiting entirely in the local  
12 jurisdiction, or prohibiting use in specified areas, as determined to be  
13 appropriate by local entities. State agencies may limit or prohibit the time,  
14 place, and manner of use on state property.

15     SEC. 5. Section 21294 is added to the Vehicle Code to read:

16     21294. Eco Transportation Scooters: Safety Requirements

17     Every scooter shall be equipped with the following safety mechanisms:

18     (a) Front, rear, and side reflectors.

19     (b) System that enables the operator to bring the device to a controlled  
20 stop.

21     (c) If the scooter is operated between one-half hour after sunset and  
22 one-half hour before sunrise, a lamp emitting a white light that, while the  
23 scooter is in motion, illuminates the area in front of the operator and is  
24 visible from a distance of 300 feet in front of the scooter.

25     (d) A sound emitting device that can be activated from time to time by  
26 the operator, as appropriate, to alert nearby persons.

27     SEC. 6. Section 21295 is added to the Vehicle Code to read:

28     21295. Operation of Eco Transportation Scooters: Prohibitions

29     The operator of a scooter must be at least 12 years old and shall not:

30     (a) Operate a scooter unless it is equipped with a brake that will enable  
31 the operator to make a braked wheel skid on dry, level, clean pavement.

32     (b) Operate a scooter on a highway with a speed limit in excess of 25  
33 miles per hour unless the scooter is operated within a class II bicycle lane.

34     (c) Operate a scooter without wearing a properly fitted and fastened  
35 bicycle helmet that meets the standards described in Section 21212.

36     (d) Operate a scooter with any passengers other than the operator.

37     (e) Operate a scooter carrying a package, bundle, or article that prevents  
38 the operator from keeping at least one hand upon the handlebars.

39     (f) Operate a scooter on the highway with the handlebars raised so that  
40 the operator must elevate his or her hands above the level of his or her  
41 shoulders in order to grasp the normal steering grip area.

42     (g) Leave a scooter lying on its side on any sidewalk, or park a scooter  
43 on a sidewalk in any other position, so that there is not an adequate path  
44 for pedestrian traffic.

45     (h) Attach the scooter or himself or herself while on the roadway, by any  
46 means, to any other vehicle on the roadway.

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

February 14, 2013  
Referred to the Hart Committee

An act to amend 17052.6 to the Revenue and Taxation Code, relating to child tax credits.

ABSTRACT

AB 127 requires unmarried parents that equally support their child to share in the tax deductions and would require the Franchise Tax Board to make a form for this purpose available on its Internet Web site.

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

1 SECTION 1. Section 17052.6 of the Revenue and Taxation Code is  
2 amended, read:  
3 17052.6. (a) For each taxable year beginning on or after January 1,  
4 2000, there shall be allowed as a credit against the “net tax”, as defined in  
5 Section 17039, an amount determined in accordance with Section 21 of  
6 the Internal Revenue Code, except that the amount of the credit shall be a  
7 percentage, as provided in subdivision (b) of the allowable federal credit  
8 without taking into account whether there is a federal tax liability.  
9 (b) For the purposes of subdivision (a), the percentage of the allowable  
10 federal credit shall be determined as follows:  
11 (1) For taxable years beginning before January 1, 2003:  
12 The percentage  
13 If the adjusted gross income of  
14 is: credit is:  
15 \$40,000 or less..... 63%  
16 Over \$40,000 but not over 53%  
17 \$70,000.....  
18 Over \$70,000 but not over 42%  
19 \$100,000.....  
20 Over \$100,000..... 0%  
21 (2) For taxable years beginning on or after January 1, 2003:  
22 The percentage  
23 If the adjusted gross income of  
24 is: credit is:  
25 \$40,000 or less..... 50%  
26 Over \$40,000 but not over 43%

1	\$70,000.....	
2	Over \$70,000 but not over	34%
3	\$100,000.....	
4	Over \$100,000.....	0%

5 (c) For purposes of this section, “adjusted gross income” means  
6 adjusted gross income as computed for purposes of paragraph (2) of  
7 subdivision (h) of Section 17024.5.

8 (d) The credit authorized by this section shall be limited, as follows:

9 (1) Employment-related expenses, within the meaning of Section 21  
10 of the Internal Revenue Code, shall be limited to expenses for household  
11 services and care provided in this state.

12 (2) Earned income, within the meaning of Section 21(d) of the Internal  
13 Revenue Code, shall be limited to earned income subject to tax under this  
14 part. For purposes of this paragraph, compensation received by a member  
15 of the armed forces for active services as a member of the armed forces,  
16 other than pensions or retired pay, shall be considered earned income  
17 subject to tax under this part, whether or not the member is domiciled in  
18 this state.

19 (e) For purposes of this section, Section 21(b)(1) of the Internal  
20 Revenue Code, relating to a qualifying individual, is modified to  
21 additionally provide that a child, as defined in Section 151(c)(3) of the  
22 Internal Revenue Code, shall be treated, for purposes of Section 152 of  
23 the Internal Revenue Code, as applicable for purposes of this section,  
24 as receiving over one-half of his or her support during the calendar year  
25 from the parent having custody for a greater portion of the calendar year,  
26 that parent shall be treated as a “custodial parent,” within the meaning of  
27 Section 152(e) of the Internal Revenue Code, as applicable for purposes of  
28 this section, and the child shall be treated as a qualifying individual under  
29 Section 21(b)(1) of the Internal Revenue Code, as applicable for purposes  
30 of this section, if both of the following apply:

31 (1) The child receives over one-half of his or her support during the  
32 calendar year from his or her parents who never married each other and  
33 who lived apart at all times during the last six months of the calendar year.

34 (2) The child is in the custody of one or both of his or her parents for  
35 more than one-half of the calendar year.

36 (f) The amendments to this section made by Section 1.5 of Chapter  
37 824 of the Statutes of 2002 shall apply only to taxable years beginning on  
38 or after January 1, 2002.

39 (g) The amendments made to this section by the act adding this  
40 subdivision shall apply to taxable years beginning on or after January 1,  
41 2011.

42 (h) *Under circumstances in which parents or care givers equally*  
43 *share the responsibility of caring for a child, they shall equally split the*  
44 *tax credit. Parents or care givers will be considered equally entitled when*  
45 *both parties fulfill all formal agreements to care for a child.*



1       (i) *The California Franchise Tax Board will create a form for use*  
2 *between the parents or care givers for tax purposes. The form will be*  
3 *available on the Franchise Tax Board's Internet Web site and will require*  
4 *consent from each parent or care giver in order to be valid. If the form*  
5 *is not included in tax filings then the previous sections of this law will*  
6 *determine who may claim 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 14, 2013  
Referred to the Waite Committee

An act to amend Section 33352 of the Education code, relating to acceptable outdoor temperature for physical education classes.

ABSTRACT

AB 128 prohibits requiring students in grades TK-12 to participate in outdoor physical education if the outdoor temperature is below 45°F or above 98°F.

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

1 SECTION 1. Section 33352 of the Education Code is amended to read:  
2 33352. (a) The department shall exercise general supervision over  
3 the courses of physical education in elementary and secondary schools  
4 of the state; advise school officials, school boards, and teachers in the  
5 development and improvement of their physical education and activity  
6 programs; and investigate the work in physical education in the public  
7 schools.

8 (b) The department shall ensure that the data collected through the  
9 categorical program monitoring indicates the extent to which each school  
10 within the jurisdiction of a school district or county office of education  
11 does all of the following that are applicable to the school:

12 (1) Provides instruction in physical education for a total period of time  
13 of not less than 200 minutes each 10 schooldays to pupils in grades 1 to 6,  
14 inclusive, as required pursuant to subdivision (g) of Section 51210.

15 (2) Provides instruction in physical education for a total period of time  
16 of not less than 400 minutes each 10 schooldays to pupils in grades 7 to 12,  
17 inclusive, as required pursuant to subdivision (a) of Section 51222.

18 (3) Provides instruction in physical education for a total period of time  
19 of not less than 200 minutes each 10 schooldays to pupils in an elementary  
20 school maintaining grades 1 to 8, inclusive, as required pursuant to Section  
21 51233.

22 (4) *Outdoor physical education class must be moved inside for*  
23 *Transitional Kindergarten, Kindergarten, and grades 1 to 12, inclusive if*  
24 *the outdoor temperature is below 45°F or above 98°F.*

25 ~~(4)~~(5) Conducts physical fitness testing of pupils as required pursuant  
26 to Chapter 6 (commencing with Section 60800) of Part 33.

1       ~~(5)~~(6) Includes the results of physical fitness testing of pupils in the  
2 school accountability report card as required pursuant to subparagraph (C)  
3 of paragraph (1) of subdivision (b) of Section 33126.

4       ~~(6)~~ (7) Offers pupils exempted from required attendance in physical  
5 education courses pursuant to paragraph (1) of either subdivision (b) or (c)  
6 of Section 51241 a variety of elective physical education courses of not  
7 less than 400 minutes every 10 schooldays.

8       (7) (8) Provides a course of study in physical education to pupils in any  
9 of grades 9 to 12, inclusive, that includes a developmentally appropriate  
10 sequence of instruction, including the effects of physical activity upon  
11 dynamic health, the mechanics of body movement, aquatics, gymnastics  
12 and tumbling, individual and dual sports, rhythms and dance, team sports,  
13 and combatives.

14       ~~(8)~~ (9) Provides instruction in physical education to pupils that provides  
15 equal opportunities for participation regardless of gender.

16       (9) (10) Provides instruction in physical education to pupils in any  
17 of grades 1 to 12, inclusive, by physical education teachers who hold  
18 appropriate teaching credentials issued by the Commission on Teacher  
19 Credentialing.

20       (c) The department annually shall do both of the following:

21       (1) Submit a report to the Governor and the Legislature that summarizes  
22 the data collected through categorical program monitoring regarding the  
23 items described in paragraphs (1) to ~~(9)~~ (10), inclusive, of subdivision  
24 (b).

25       (2) Post a summary of the data collected through categorical program  
26 monitoring regarding the items described in paragraphs (1) to ~~(9)~~(10),  
27 inclusive, of subdivision (b) on the Internet Web site of the department.

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

February 14, 2013  
Referred to the Bowen Committee

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An act to add Chapter 4.7 (commencing with Section 19750) to Division 8 of the Business and Professions Code, relating to gambling.

ABSTRACT

AB 129 would legalize regulated sports betting in the state of California.

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

- 1     SECTION 1. Chapter 4.7 (commencing with Section 19750) is added to  
2     Division 8 of the Business and Professions Code to read:  
3                     Chapter 4.7 Sports Gambling  
4     19750. The following entities may conduct wagering as permitted by  
5     this bill:  
6         (a) The owner or operator of a gambling establishment with a current  
7     license issued by the California Gambling Control Commission.  
8         (b) The owner/operator of a horse racing track or horse racing association  
9     with a current license issued by CA horse racing board.  
10        (c) A federally recognized Native American tribe may conduct betting  
11     on Indian lands that meet the requirements of the Federal Indian Gaming  
12     Regulatory Act of 1988.  
13     19751. (a) A licensed operator will set the odds for the sporting events.  
14         (b) The licensed operator is prohibited from conducting any betting that  
15     goes against the parameters of this bill and local laws.  
16     19752. The sport wagering authorized in accordance to this chapter may  
17     be carried out only at gambling establishments, horse racing tracks, off-  
18     site wagering facilities of a licensed operator, or on Native American lands  
19     consistent with the federal Gambling Regulatory Act of 1988.

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

February 14, 2013  
Referred to the Hart Committee

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An act to amend Section 51210 of Education Code, relating to the course of study for grades 1 to 6.

**ABSTRACT**

AB 130 requires pupils to take at least 2 years of foreign language courses before finishing grade 6. The bill requires schools to offer at least three foreign language courses, including French, Chinese, and Spanish, to pupils in grades 1 to 6, and requires that pupils be allowed to take foreign language courses consecutively from grade 1 through grade 6.

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

- 1     51210. The adopted course of study for grades 1 to 6, inclusive, shall
- 2     include instruction, beginning in grade 1 and continuing through grade 6,
- 3     in the following areas of study:
- 4         (a) English, including knowledge of, and appreciation for literature and
- 5     the language, as well as the skills of speaking, reading, listening, spelling,
- 6     handwriting, and composition.
- 7         (b) Mathematics, including concepts, operational skills, and problem
- 8     solving.
- 9         (c) Social sciences, drawing upon the disciplines of anthropology,
- 10    economics, geography, history, political science, psychology, and
- 11    sociology, designed to fit the maturity of the pupils. Instruction shall
- 12    provide a foundation for understanding the history, resources, development,
- 13    and government of California and the United States of America; the
- 14    development of the American economic system including the role of the
- 15    entrepreneur and labor; the relations of persons to their human and natural
- 16    environment; eastern and western cultures and civilizations; contemporary
- 17    issues; and the wise use of natural resources.
- 18         (d) Science, including the biological and physical aspects, with
- 19     emphasis on the processes of experimental inquiry and on the place of
- 20     humans in ecological systems.
- 21         (e) Visual and performing arts, including instruction in the subjects
- 22     of dance, music, theatre, and visual arts, aimed at the development of
- 23     aesthetic appreciation and the skills of creative expression.
- 24         (f) Health, including instruction in the principles and practices of
- 25     individual, family, and community health.

- 1 (g) Physical education, with emphasis upon the physical activities for  
2 the pupils that may be conducive to health and vigor of body and mind,  
3 for a total period of time of not less than 200 minutes each 10 school days,  
4 exclusive of recesses and the lunch period.
- 5 (h) Other studies that may be prescribed by the governing board.
- 6 (i) *Pupils shall take at least two years of foreign language courses before*  
7 *finishing grade 6. At least three foreign language courses, including, but*  
8 *not limited to, French, Chinese, and Spanish, shall be offered to pupils*  
9 *from grades 1 to grade 6, inclusive. Pupils shall be permitted to take*  
10 *foreign language courses consecutively from grade 1 through grade 6.*

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

February 14, 2013  
Referred to the Mitchell Committee

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An act to amend Section 125850 of the Health and Safety Code, relating to male circumcision.

**ABSTRACT**

AB 131 requires the circumcision of newborn males except as provided.

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

1     SECTION. 1. Section 125850 of the Health and Safety Code is amended  
2 to read:

3     (a) The Legislature finds and declares as follows:

4         (1) Male circumcision has a wide array of health and affiliative benefits.

5         (2) This section clarifies existing law.

6     (b) No city, county, or city and county ordinance, regulation, or  
7 administrative action shall prohibit or restrict the practice of male  
8 circumcision, or the exercise of a parent's authority to have a child  
9 circumcised. *The department shall maintain a program of maternal and*  
10 *child health hereby requiring the circumcision of male infants at birth.*

11     ~~(c) The Legislature finds and declares that the laws affecting male~~  
12 ~~circumcision must have uniform application throughout the state.~~  
13 ~~Therefore, this part shall apply to general law and charter cities, general~~  
14 ~~law and charter counties, and charter city and counties.~~

15     ~~(c) An infant's legal guardian may make the decision to forego such~~  
16 ~~a procedure if it is in direct violation of a religious belief by signing a~~  
17 ~~government provided waiver.~~

18     ~~(d) The Legislature finds and declares that the laws affecting male~~  
19 ~~circumcision must have uniform application throughout the state.~~  
20 ~~Therefore, this part shall apply to general law and charter cities, general~~  
21 ~~law and charter counties, and charter city and counties.~~

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

February 14, 2013  
Referred to the Shelley Committee

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An act to add Section 25763 to the Business and Professions Code, relating to business audits.

**ABSTRACT**

AB 132 changes the criteria for what is considered suspicious under IRS expectations, and mandates state audits.

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

- 1     SECTION 1. Section 25763 is added to the Business and Professions
- 2     Code to read:
- 3     25763. (a) When the Internal Revenue Service considers any act of tax
- 4     filing, including deductions and write-offs from any business or corporation
- 5     to be suspicious, a state audit shall also be mandated.
- 6     (b) The auditing commission of California shall be responsible for
- 7     sending two or more members to review the financial reports of the
- 8     business and assure sound funds.
- 9     (c) Once filed as suspicious, these two members will be sent to this
- 10    place of business for a review once every three months.
- 11    (d) Appropriate legal action shall be taken for any embezzlement and
- 12    false filings according to the reviews performed pursuant to subdivision
- 13    (c)
- 14    .(e) All auditing expenses shall be paid for by the business under audit
- 15    and all penalties shall be paid for by the accused group.



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

February 14, 2013  
Referred to the Jones Committee

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An act to amend Section 48900 of the Education Code, relating to suspension or expulsion.

**ABSTRACT**

AB 133 removes willful defiance as a means for in-school suspension, out of-school suspension, or expulsion.

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

- 1     48900. A pupil shall not be suspended from school or recommended  
2     for expulsion, unless the superintendent or the principal of the school in  
3     which the pupil is enrolled determines that the pupil has committed an act  
4     as defined pursuant to any of subdivisions (a) to (r), inclusive:  
5     (a) (1) Caused, attempted to cause, or threatened to cause physical  
6     injury to another person.  
7     (2) Willfully used force or violence upon the person of another, except  
8     in self-defense.  
9     (b) Possessed, sold, or otherwise furnished a firearm, knife,  
10    explosive, or other dangerous object, unless, in the case of possession of  
11    an object of this type, the pupil had obtained written permission to possess  
12    the item from a certificated school employee, which is concurred in by the  
13    principal or the designee of the principal.  
14    (c) Unlawfully possessed, used, sold, or otherwise furnished, or  
15    been under the influence of, a controlled substance listed in Chapter 2  
16    (commencing with Section 11053) of Division 10 of the Health and Safety  
17    Code, an alcoholic beverage, or an intoxicant of any kind.  
18    (d) Unlawfully offered, arranged, or negotiated to sell a controlled  
19    substance listed in Chapter 2 (commencing with Section 11053) of  
20    Division 10 of the Health and Safety Code, an alcoholic beverage, or an  
21    intoxicant of any kind, and either sold, delivered, or otherwise furnished to  
22    a person another liquid, substance, or material and represented the liquid,  
23    substance, or material as a controlled substance, alcoholic beverage, or  
24    intoxicant.  
25    (e) Committed or attempted to commit robbery or extortion.  
26    (f) Caused or attempted to cause damage to school property or private  
27    property.  
28    (g) Stolen or attempted to steal school property or private property.

1 (h) Possessed or used tobacco, or products containing tobacco or  
2 nicotine products, including, but not limited to, cigarettes, cigars, miniature  
3 cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel.  
4 However, this section does not prohibit use or possession by a pupil of his  
5 or her own prescription products.

6 (i) Committed an obscene act or engaged in habitual profanity or  
7 vulgarity.

8 (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated  
9 to sell drug paraphernalia, as defined in Section 11014.5  
10 of the Health and Safety Code.

11 ~~(k) Disrupted school activities or otherwise willfully defied the~~  
12 ~~valid authority of supervisors, teachers, administrators, school~~  
13 ~~officials, or other school personnel engaged in the performance of~~  
14 ~~their duties.~~

15 ~~(l)(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 or  
42 group of pupils as defined in Section 48900.2, 48900.3, or

43 48900.4, directed toward one or more pupils that has or can be reasonably  
44 predicted 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) "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)~~(r) 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.

27 (2) While going to or coming from school.

28 (3) During the lunch period whether on or off the campus.

29 (4) During, or while going to or coming from, a school-sponsored  
30 activity.

31 ~~(t)~~(s) A pupil who aids or abets, as defined in Section 31 of the Penal  
32 Code, the infliction or attempted infliction of physical injury to another  
33 person may be subject to suspension, but not expulsion, pursuant to this  
34 section, except that a pupil who has been adjudged by a juvenile court to  
35 have committed, as an aider and abettor, a crime of physical violence in  
36 which the victim suffered great bodily injury or serious bodily injury shall  
37 be subject to discipline pursuant to subdivision (a).

38 ~~(u)~~(t) As used in this section, "school property" includes, but is not  
39 limited to, electronic files and databases.

40 ~~(v)~~(u) A superintendent of the school district or principal may use his or  
41 her discretion to provide alternatives to suspension or expulsion, including,  
42 but not limited to, counseling and an anger management program, for a  
43 pupil subject to discipline under this section.

44 ~~(w)~~(v) It is the intent of the Legislature that alternatives to suspension  
45 or expulsion be imposed against a pupil who is truant, tardy, or otherwise  
46 absent from school activities.

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

February 14, 2013  
Referred to the Redding Committee

An act to amend Section 66410 of the Education Code, relating to textbooks.

ABSTRACT

AB 151 Requires all textbooks used in secondary schools to have an identical electronic version for sale.

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

- 1     SECTION 1 Section 66410 of the Education Code is amended to read:  
2     66410. (a) No later than January 1, 2020, any individual, firm,  
3     partnership, or corporation that publishes textbooks offered for sale at the  
4     University of California, the California State University, the California  
5     Community Colleges, or a private postsecondary educational institution,  
6     or *any private or public secondary school*, in the state ~~shall, to the extent~~  
7     ~~practicable,~~ *shall* make the textbooks available, in whole ~~or in part~~, for  
8     sale in an electronic format. The electronic version of any textbook shall  
9     contain the same content as the printed version and may be copy-protected.  
10    (b) For purposes of this section, “textbook” has the same meaning as  
11    defined in subdivision (b) of Section 66406.7.  
12    (c) This section does not authorize any use of instructional materials  
13    that would constitute an infringement of copyright under the *federal*  
14    Copyright Revision Act of 1976, as amended (17 U.S.C. Sec. 101 et seq.).

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

February 14, 2013  
Referred to the Foreman Committee

An act to amend Sections 30300 and 30305 of the Penal Code, relating to ammunition.

ABSTRACT

AB 152 makes it a crime to supply, deliver, or give possession to any person ammunition unless the seller receives specified information from the purchaser. The bill also makes it a crime if a seller of ammunition fails to record and retain the number of round of ammunition purchased and receipts derived from ammunition sales.

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

1 SECTION 1. Section 30300 of the Penal Code is amended to read:

2 30300. (a) Any person, corporation, or dealer who does any of  
3 the following shall be punished by imprisonment in a county jail for a  
4 term not to exceed six months, or by a fine not to exceed ~~one thousand~~  
5 ~~dollars (\$1,000)~~ *twenty-five thousand dollars (\$25,000)*, or by both the  
6 imprisonment and fine:

7 (1) Sells any ammunition or reloaded ammunition to a person under 18  
8 years of age.

9 (2) Sells any ammunition or reloaded ammunition designed and  
10 intended for use in a handgun to a person under 21 years of age. Where  
11 ammunition or reloaded ammunition may be used in both a rifle and a  
12 handgun, it may be sold to a person who is at least 18 years of age, but less  
13 than 21 years of age, if the vendor reasonably believes that the ammunition  
14 is being acquired for use in a rifle and not a handgun.

15 (3) Supplies, delivers, or gives possession of any ammunition to any  
16 minor who the person, corporation, or dealer knows, or using reasonable  
17 care should know, is prohibited from possessing that ammunition at that  
18 time pursuant to Chapter 1 (commencing with Section 29610) of Division  
19 9 of Title 4 of Part 6.

20 (4)(A) *Supplies, delivers, or gives possession of any ammunition*  
21 *to a purchaser unless the person, corporation, or dealer receives the*  
22 *purchaser's gun registration, and valid identification before the ammunition*  
23 *is purchased. The person, corporation, or dealer shall compare the*  
24 *purchaser's identification against the Arms Prohibited Persons List.*

1     (B) *The Arms Prohibited Persons List shall be made available to all*  
2 *persons, corporations, or dealers who sell ammunition by the Department*  
3 *of Justice by July 1, 2013. The purpose of the Arms Prohibited Persons*  
4 *List is to provide the background information needed to determine whether*  
5 *the purchaser is legally authorized to purchase ammunition.*

6     (C) *The purchaser may only purchase ammunition for the type gun(s)*  
7 *that they can demonstrate they have a legal registration for.*

8     (5) *Sells any ammunition or reloaded ammunition online to be delivered*  
9 *in the State of California without requiring the purchaser's proof of age*  
10 *and gun license or permit number upon purchase.*

11     (6) *Fails to mark boxes and containers in such a way that clearly*  
12 *indicates the boxes or containers contain ammunition or reloaded*  
13 *ammunition.*

14     (b) *Proof that a person, corporation, or dealer, or his or her agent or*  
15 *employee, demanded, was shown, and acted in reasonable reliance upon,*  
16 *bona fide evidence of majority and identity shall be a defense to any*  
17 *criminal prosecution under this section.*

18     (c) *A 1% sales tax shall apply to all ammunition sales to fund the Arms*  
19 *Prohibited Persons List.*

20     SEC. 2. Section 30305 of the Penal Code is amended to read:

21     30305. (a) (1) *No person prohibited from owning or possessing a*  
22 *firearm under Chapter 2 (commencing with Section 29800) or Chapter 3*  
23 *(commencing with Section 29900) of Division 9 of this title, or Section*  
24 *8100 or 8103 of the Welfare and Institutions Code, shall own, possess, or*  
25 *have under custody or control, any ammunition or reloaded ammunition.*

26     (2) *A violation of this subdivision is punishable by imprisonment in a*  
27 *county jail not to exceed one year or in the state prison, by a fine not to*  
28 *exceed one thousand dollars (\$1,000), or by both the fine and imprisonment.*

29     (b) (1) *A person who is not prohibited by subdivision (a) from*  
30 *owning, possessing, or having under the person's custody or control, any*  
31 *ammunition or reloaded ammunition, but who is enjoined from engaging*  
32 *in activity pursuant to an injunction issued pursuant to Section 3479 of*  
33 *the Civil Code against that person as a member of a criminal street gang,*  
34 *as defined in Section 186.22, may not own, possess, or have under the*  
35 *person's custody or control, any ammunition or reloaded ammunition.*

36     (2)(A) *All persons, corporations, and dealers shall maintain records*  
37 *that record the number of rounds of ammunition purchased, the number*  
38 *of rounds of ammunition sold, and the income derived from the sale of*  
39 *ammunition.*

40     (B) *A person, corporation, or dealer that fails to comply with the*  
41 *requirements of subparagraph (A) shall be punished by a fine not to exceed*  
42 *twenty-five thousand dollars (\$25,000) for each individual purchase or*  
43 *sale of ammunition that is not recorded.*

44     (C)(i) *Every two years the California Bureau of Security and*  
45 *Investigative Services shall verify that the recorded number of rounds of*  
46 *ammunition purchased by a person, corporation, or dealer matches the*

1 *number of rounds of ammunition sold by that person, corporation, or*  
2 *dealers.*

3 *(ii) The California Bureau of Security and Investigative Services shall*  
4 *also verify that the person, corporation, or dealer has properly maintained*  
5 *the records of all income derived from the sale of ammunition.*

6 *(iii) If the California Bureau of Security and Investigative Services*  
7 *determines that the requirements of this subparagraph are unmet, the*  
8 *person, corporation, or dealer who is not in compliance shall be to a state*  
9 *investigation and any associated penalties.*

10 (3) A violation of this subdivision is a misdemeanor.

11 (c) A violation of subdivision (a) or (b) is justifiable where all of the  
12 following conditions are met:

13 (1) The person found the ammunition or reloaded ammunition or  
14 took the ammunition or reloaded ammunition from a person who was  
15 committing a crime against the person who found or took the ammunition  
16 or reloaded ammunition.

17 (2) The person possessed the ammunition or reloaded ammunition  
18 no longer than was necessary to deliver or transport the ammunition  
19 or reloaded ammunition to a law enforcement agency for that agency's  
20 disposition according to law.

21 (3) The person is prohibited from possessing any ammunition or  
22 reloaded ammunition solely because that person is prohibited from owning  
23 or possessing a firearm only by virtue of Chapter 2 (commencing with  
24 Section 29800) of Division 9 or ammunition or reloaded ammunition  
25 because of subdivision (b).

26 (d) Upon the trial for violating subdivision (a) or (b), the trier of  
27 fact shall determine whether the defendant is subject to the exemption  
28 created by subdivision (c). The defendant has the burden of proving  
29 by a preponderance of the evidence that the defendant is subject to the  
30 exemption provided by subdivision (c).

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

February 14, 2013  
Referred to the Burns Committee

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An act to amend Section 51222 of the Education Code, relating to the physical education of student athletes.

**ABSTRACT**

AB 153 authorizes student athletes to opt out of a physical education course and, instead, take a mandated elective course in place.

*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     Section 51241 and those in extra-curricular team sports pertaining to  
4     their own school, shall be required to attend upon the courses of physical  
5     education for a total period of time of not less than 400 minutes each 10  
6     school days. Any pupil may be excused from physical education classes  
7     during one of grades 10, 11, or 12 for not to exceed 24 clock hours in order  
8     to participate in automobile driver training. Such pupil who is excused  
9     from physical education classes to enroll in driver training shall attend  
10    upon a minimum of 7,000 minutes of physical education instruction  
11    during such school year.

12    (b) The governing board of each school district that maintains a high  
13    school and that elects to exempt pupils from required attendance in  
14    physical education courses pursuant to paragraph (1) or (2) or both of  
15    subdivision (b) of Section 51241 shall offer those pupils so exempted a  
16    variety of elective physical education courses of not less than 400 minutes  
17    each 10 schooldays.

18    (c) For students who are involved in a team sport, rather than enroll in  
19    physical education course, they shall be enrolled in an elective course of  
20    their choosing.



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

February 14, 2013  
Referred to the Beck Committee

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An act to add Section 23505 to the Revenue and Taxation Code, relating to taxing of outsourcing.

**ABSTRACT**

AB 154 taxes a company based in California an extra 6% of that company's total income for that taxable year if that company outsources labor of any kind to any country other than United States.

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

- 1     SECTION 1. Section 23505 is added to the Revenue and Taxation
- 2     Code to read:
- 3     22251. Businesses in California that outsource labor of any kind to
- 4     any country other than the United States shall pay an additional 6% of that
- 5     business's total income for that taxable year.

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

February 14, 2013  
Referred to the Melone Committee

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An act to add Section 52307 to the Food and Agriculture Code, relating to genetically modified organisms.

ABSTRACT

AB 155 will ban the use of genetically modified organisms that have been proven harmful to consumers by the Food and Drug Administration.

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

1     SECTION 1. Section 52307 is added to the Food and Agriculture Code  
2 to read:

3     52307. (a) Genetically modified organisms that have been proven to  
4 cause bodily harm to the consumers are banned from use under this act as  
5 a toxic contaminant. Genetically modified organisms include, but are not  
6 limited to, the following:

7     (1) An organism containing the suicide gene, which is a gene that  
8 essentially makes the crop sterile so that the grower must buy more of the  
9 same seed every year.

10    (2) An organism whose genome has been altered in a way to make the  
11 plants more tolerant of pesticides by either of the following:

12       (A) Inserting the pesticide or herbicide directly into the plant.

13       (B) Modifying a plant to be unnaturally tolerant to pesticides.

14    (3) An organism that has been subjected to Microencapsulation, a process  
15 in which scientists encapsulate a microbe with an artificial membrane in  
16 order to protect it from the environment until a specific time and or event.

17    (b) No company may “re-sell” a farmer, individual, or agro-businesses  
18 the seeds derived from a crop of genetically modified seeds that the farmer,  
19 individual, or agro-businesses may have purchased from any company that  
20 produces such.

21    (c) Any damages incurred by the consumer will be considered a direct  
22 result of the negligence of the company that produced the genetically  
23 modified organism.

24    (d) All genetically modified organism crops that do harm to individuals,  
25 either financially or bodily, and are grown in the state of California shall  
26 be phased out by 2016.

27    (e) No later than 4 years after the date of enactment of this act, the  
28 Commissioner of Food and Drugs, in consultation with the Secretary of

1 Agriculture, shall submit a report to congress detailing the implementation  
2 regarding the farming industry.

3 (f) The burden to prove that a genetically modified organism is not  
4 harmful falls upon the company that produces such, through a five year  
5 moratorium on each new genetically modified organism variant and testing  
6 by an independent laboratory facility.

7 (1) If a genetically modified organism is found to be harmful and is  
8 still distributed by the company, the company shall be fined no less than  
9 \$200,000.00 and no more than \$200,000,000.00, and the parties responsible  
10 may be imprisoned for no less than 2 years and no more than 7 years. The  
11 company must also pay medical fees and restitution to those individuals  
12 adversely affected by consuming the products.

13 (h) It is up to the Food and Drug Administration to prove that a  
14 genetically modified organism is harmful to the environment or a  
15 consumer, in accordance with regulations applicable to the Hygienic  
16 Practice for the Primary Production, Harvesting and Packing of Fresh  
17 Fruits and Vegetables.

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

February 14, 2013  
Referred to the Nichols Committee

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An act to add Section 23701.1 to the Revenue and Taxation Code, relating to non-profit organizations.

**ABSTRACT**

AB 156 defines a “limited liability non-profit organization” as a monetary venture that acquires money with the intent of redistributing the money directly to another organization. This bill authorizes the Franchise Tax Board to impose taxes on a limited liability non-profit organization if it does not comply with specified standards.

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

1     SECTION 1. Section 23701.1 is added to the Revenue and Taxation  
2     Code to read:

3     23701.1 (a) For the purposes of this section, a limited liability non-  
4     profit organization means any monetary venture that acquires money by  
5     donation with the intent of redistributing the money directly to another  
6     organization.

7     (b) The Franchise Tax Board may impose taxes under this part on a  
8     limited liability non-profit organization if it does not comply with the  
9     following standards:

10    (1) A limited liability non-profit organization must donate 80 percent of  
11    its donations to another organization monthly. The Franchise Tax Board  
12    must approve each transaction in a two-thirds majority vote.

13    (2) A limited liability non-profit organization shall not retain more than  
14    20 percent of the donations that it receives each month. A limited liability  
15    non-profit organization that wishes to exceed this limit must obtain a  
16    waiver from the Franchise Tax Board.

17    (3) A limited liability non-profit organization must submit monthly  
18    financial reports to the Franchise Tax Board for approval. The Franchise  
19    Tax Board shall approve the financial report if two-thirds of its members  
20    find the financial report to be truthful. The Franchise Tax Board shall  
21    submit it to the Legislative Analyst’s Office, who must also approve the  
22    report and validate it. The Franchise Tax Board must obtain signatures  
23    from recipients and donors of money to validate any transaction.

24    (4) All anonymous donations received by a limited liability non-profit  
25    organization must be forfeited to the Franchise Tax Board. Forfeited

- 1 anonymous donations will be remitted to the limited liability non-profit
- 2 organization in increments of 10 percent of the donation per month until
- 3 the money is exhausted. These anonymous donations do not factor into the
- 4 20 percent limit in subsection (2).

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

February 14, 2013  
Referred to the Beck Committee

An act to repeal Section 48354 of the Education Code, relating to student enrollment.

**ABSTRACT**

AB 157 repeals existing law that allows the parent of a student to apply to a different school district based on school performance.

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

1     SECTION 1. Section 48354 of the Education Code is repealed.  
2     48354. (a) The parent of a pupil enrolled in a low-achieving school may  
3     submit an application for the pupil to attend a school in a school district of  
4     enrollment pursuant to this article.—

5     (b) (1) Consistent with the requirements of Section 1116(b)(1)(E) of the  
6     federal Elementary and Secondary **Education** Act of 2001 (20 U.S.C. Sec.  
7     6301 et seq.), on or before the first day of the school year, or, if later, on the  
8     date the notice of program improvement, corrective action, or restructuring  
9     status is required to be provided under federal law the district of **residence**  
10    shall provide the parents and guardians of all pupils enrolled in a school  
11    determined in subdivision (a) of Section 48352 with notice of the option to  
12    transfer to another public school served by the school district of **residence**  
13    or another school district.

14    (2) An application requesting a transfer pursuant to this article shall be  
15    submitted by the parent of a pupil to the school district of enrollment prior  
16    to January 1 of the school year preceding the school year for which the  
17    pupil is requesting to transfer.—

18    (3) The application deadline specified in paragraph (2) does not apply  
19    to an application requesting a transfer if the parent, with whom the pupil  
20    resides, is enlisted in the military and was relocated by the military within  
21    90 days prior to submitting the application.

22    (4) The application may request enrollment of the pupil in a specific  
23    school or program within the school district of enrollment.—

24    (5) A pupil may enroll in a school in the school district of enrollment  
25    in the school year immediately following the approval of his or her  
26    application.—

27    (6) In order to provide priority enrollment opportunities for pupils  
28    residing in the school district, a school district of enrollment shall establish  
29    a period of time for resident pupil enrollment prior to accepting transfer  
30    applications pursuant to this article.

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

February 14, 2013  
Referred to the Redding Committee

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An act to add Section 14961 to the Health and Safety Code, relating to the sale and packaging of cigarettes

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**ABSTRACT**

AB 158 regulates the type and amount of information that cigarette manufacturers may put on cigarette boxes..

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

1     SECTION 1. Section 14961 is added to the Health and Safety Code, to  
2 read:

3     14961. (a) Retail packaging of all tobacco products. The retail packaging  
4 of tobacco products shall comply with the following requirements:

5     (1) The surfaces of the packaging must not have any decorative ridges,  
6 embossing, bulges or other irregularities of shape or texture, or any other  
7 embellishments, other than as permitted by the regulations.

8     (2) any glues or other adhesives used in manufacturing the packaging  
9 must be transparent and not colored.

10    (b) Cigarette packs and cigarette cartons. A cigarette pack or cigarette  
11 carton must comply with the following requirements:

12    (1) The pack or carton must be rigid and made of cardboard, and only  
13 cardboard, subject to paragraphs (1) of subdivision (a) and paragraph (4)  
14 of subdivision (c).

15    (2) If the pack or carton is closed:

16    (A) Each outer surface of the pack or carton must be rectangular.

17    (B) The surfaces of the pack or carton must meet at 90 degree angles.

18    (3) All edges of the pack or carton must be rigid, straight and not  
19 rounded, bevelled or otherwise shaped or embellished in any way, other  
20 than as permitted by the regulations.

21    (c) A cigarette pack shall comply with the following requirements:

22    (1) The dimensions of the pack shall comply with the requirements  
23 prescribed by the regulations.

24    (2) The only opening to the pack shall be a flip-top lid which shall:

25    (A) Be hinged only at the back of the pack.

26    (B) Have straight edges.and neither the lid, nor the edges of the lid,  
27 may be rounded, bevelled or otherwise shaped or embellished in any way.

1 (3) The inside lip of the cigarette pack must have straight edges, other  
2 than corners which may be rounded, and neither the lip, nor the edges of  
3 the lip, may be bevelled or otherwise shaped or embellished in any way.

4 (4) If the pack contains lining, the lining must be made only of foil  
5 backed with paper, or any other material prescribed by the regulations.

6 Color and finish of retail packaging

7 (d) This section applies to the following items:

8 (1) All outer surfaces and inner surfaces of the retail packaging of  
9 tobacco products

10 (2) Both sides of any lining of a cigarette pack.

11 (e) The items mentioned in subdivision (a) shall comply with both of  
12 the following requirements:

13 (1) Shall have a matt finish.

14 (2) Except as provided by subdivision (c), the color must be dark brown.

15 (f) The following are not required to be the color mentioned in paragraph  
16 (2) of subdivision (e):

17 (1) The health warnings.

18 (2) The text must be:

19 (A) Black for the brand, business or company name, or variant name (if  
20 any), for the tobacco products

21 (B) White for the legislative requirements and the health warnings.

22 Prohibition on trademarks and other marks appearing on retail packaging

23 (h) No trade mark may appear anywhere on the retail packaging of  
24 tobacco products, other than as permitted by subdivision (c).

25 (i) No mark may appear anywhere on the retail packaging of tobacco  
26 products, other than as permitted by subdivision (c).

27 (j) Permitted trade marks and marks. The following may appear on the  
28 retail packaging of tobacco products:

29 (1) The brand, business or company name for the tobacco products, and  
30 any variant name for the tobacco products.

31 (2) The relevant legislative requirements.

32 (3) Any other trade mark or mark permitted by the regulations.

33 (h) Requirements for brand, business, company or variant name—  
34 general. Any brand, business or company name, or any variant name, for  
35 tobacco products that appears on the retail packaging of those products  
36 must comply with any requirements prescribed by the regulations.

37 Requirements for brand, business, company or variant name—cigarette  
38 packs and cigarette cartons.

39 (i) Any brand, business or company name, or any variant name, for  
40 cigarettes that appears on a cigarette pack or cigarette carton:

41 (1) Shall not obscure any relevant legislative requirement.

42 (2) Shall not appear more than once on any of the following outer  
43 surfaces of the pack or carton:

44 (A) Cigarette pack: the front, top and bottom outer surfaces of the pack.

45 (3) Shall appear across one line only.

46 (4) Shall be half the font size of the health warnings.



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

February 14, 2013  
Referred to the Tuttle Committee

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An act to add Section 11158.5 to the Health and Safety Code, relating to restrictions on hydrocodone in combination with acetaminophen.

**ABSTRACT**

AB 159 restricts the distribution of the controlled substance vicodin, as defined, to person with a proper prescription. The bill would also prevent the person from receiving a refill of vicodin.

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

1     SECTION 1. Section 11158.5 is added to the Health and Safety Code,  
2 to read:

3     11158.5 (a) For purposes of this section, the following terms have the  
4 following meanings:

5     (1)     “Prescription drug” is defined as a drug that can be dispensed  
6 to the public only with an order given by a properly authorized person.

7     (2)     “Acetaminophen” is defined as a medicine used to relieve pain  
8 and reduce fever.

9     (3)     “Hydrocodone” is defined as an opioid analgesic, antitussive,  
10 which also depresses respiration, used for cough and upper respiratory  
11 issues, allergies, or colds.

12    (4)     “Vicodin” is defined as the brand name for hydrocodone in  
13 combination with the prescription drug acetaminophen.

14    (5)     “Controlled substance” is defined as a drug that has been  
15 declared by federal or state law to be illegal for sale or use, but may be  
16 dispensed under a physician’s prescription. The basis for control and  
17 regulation is the danger of addiction, abuse, physical and mental harm  
18 (including death), the trafficking by illegal means, and the dangers from  
19 actions of those who have used the substances.

20    (b) A person shall obtain a properly executed, manually signed  
21 prescription in order to obtain the controlled substance Vicodin.

22    (c) No refills are permitted on orders of vicodin.

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

February 14, 2013  
Referred to the Weeks Committee

An act to amend Section 52720 of the Education Code, relating to the Pledge of Allegiance.

ABSTRACT

AB 160 requires public elementary schools in California to recite the Pledge of Allegiance.

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

- 1 SECTION 1. Section 52720 of the Education Code is amended to read:  
2 52720. (a) In every public elementary school each day during the  
3 school year at the beginning of the first regularly scheduled class or activity  
4 period at which the majority of the pupils of the school normally begin the  
5 schoolday, there shall be conducted ~~appropriate patriotic exercises. The~~  
6 ~~the~~ giving of the Pledge of Allegiance to the Flag of the United States of  
7 America ~~shall satisfy the requirements of this section.~~  
8 (b) In every public secondary school there shall be conducted ~~the~~  
9 ~~giving of the Pledge of Allegiance to the Flag of the United States of~~  
10 ~~America. daily appropriate patriotic exercises. The giving of the Pledge~~  
11 ~~of Allegiance to the Flag of the United States of America shall satisfy~~  
12 ~~such requirement.~~ Such patriotic exercises for secondary schools shall  
13 be conducted in accordance with the regulations which shall be adopted  
14 by the governing board of the district maintaining the secondary school.  
15 *As of July 1, 2013, regulations must include provisions for a* the daily  
16 *giving of the Pledge of Allegiance to the United States of America during*  
17 *the school year at the beginning of the first regularly scheduled class or*  
18 *activity period at which the majority of the pupils of the school normally*  
19 *begin the schoolday.*  
20 (c) Pupil participation in the recitation of the Pledge of Allegiance  
21 to the Flag of the United States of America shall be voluntary. Pupils not  
22 participating in the recitation of the Pledge of Allegiance to the Flag of the  
23 United States of America may silently stand or remain seated.

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

February 14, 2013  
Referred to the Price Committee

An act to amend section 114094 of the Health and Safety Code, relating to food labeling requirements.

ABSTRACT

AB 161 expands the Food and Drug Administration labeling requirements for restaurants law to include movie theaters, amusements parks, and family entertainment centers.

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

1 SECTION 1. Section 114094 of the Health and Safety Code is amended  
2 to read:

3 114094. (a) (1) A food facility subject to Section 343(q)(5)(H) of Title  
4 21 of the United States Code *or sanctioned by an amusement park, movie*  
5 *theater, or family entertainment center*; or subject to this section as it reads  
6 on ~~July 1, 2011~~ *March 1, 2013*, shall comply with the requirements of that  
7 section of the United States Code and the regulations adopted pursuant  
8 thereto.

9 (2) *“Family entertainment center” means a permanent establishment*  
10 *that offers multiple anchor attractions, such as but not limited to: bowling,*  
11 *skating, laser tag, miniature golf, and token-operated games.*

12 (b) Notwithstanding the Sherman Food, Drug, and Cosmetic Law (Part  
13 5 (commencing with Section 109875) of Division 104), and to the extent  
14 permitted by federal law:

15 (1) Enforcement of this section shall be made pursuant to Section  
16 113713.

17 (2) (A) A violation of this section after *September 1, 2013*, is,  
18 notwithstanding Section 114395, an infraction, punishable by a fine of not  
19 less than fifty dollars (\$50) nor more than five hundred dollars (\$500). A  
20 second violation within a five year period from a prior violation shall be  
21 punishable by a fine of not less than one hundred dollars (\$100) nor more  
22 than one thousand dollars (\$1,000). For a third or subsequent violation  
23 within a five-year period, the fine shall be not less than two hundred fifty  
24 dollars (\$250) nor more than two thousand five hundred dollars (\$2,500).  
25 A food facility shall not be found to have committed a violation under this  
26 paragraph more than once during an inspection visit.

1 (B) Alternatively, the enforcement agency may assess a civil penalty  
2 of an amount that is no less than or greater than the amounts specified for  
3 fines in this paragraph.

4 (C) Except for the civil penalties authorized by this section, this section  
5 shall not be construed to create or enhance any claim, right of action, or  
6 civil liability that did not exist under state law prior to January 1, 2009,  
7 or limit any claim, right of action, or civil liability that otherwise existed  
8 under state law prior to January 1, 2009. The only enforcement mechanism  
9 of this section is the department or local enforcement agency, as set forth  
10 in Section 113713.

11 (D) This section shall become operative only on and after the compliance  
12 date specified in the federal regulation implementing Section 343(q)(5)(H)  
13 of Title 21 of the United States Code.

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

February 14, 2013  
Referred to the Foreman Committee

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An act to add Section 43354.5 to the Public Resources Code, relating to recycling.

**ABSTRACT**

AB 162 imposes a charge of 13 cents per plastic bag in all stores in the state of California to reduce plastic bag consumption and waste. The bill provides a sustainable way for companies to ease plastic bag dependency and all funds collected will be earmarked for environmental impact causes.

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

- 1     SECTION 1. Section 43354.5 is added to the Public Resource code, to
- 2     read:
- 3     43354.5. Any store that provides a plastic carryout bag shall pay a fee
- 4     of 13 cents per bag. The 13 cent fee for a plastic carryout bag shall be
- 5     earmarked for environmental causes.

**Introduced by Members Representing the  
Kings County Branch of the  
Golden State YMCA**

February 14, 2013  
Referred to the Douglass Committee

An act to add Section 237 to the Welfare and Institutions Code, relating to juveniles.

ABSTRACT

AB 163 creates juvenile restorative justice programs in each California county.

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

1 SECTION 1. Section 237 is added to the Welfare and Institutions Code,  
2 to read:

3 237. (a) Consistent with the rehabilitative purpose of this chapter, the  
4 juvenile court in each county shall adopt a restorative justice program to  
5 address the needs of minors, victims, and the community.

6 (b) For the purposes of this section, an “eligible minor” is a person  
7 under 18 years of age at the time that the offense alleged within the petition  
8 is alleged to have been committed.

9 (c) The restorative justice program shall be implemented through a  
10 restorative justice protocol developed by the juvenile court in conjunction  
11 with the prosecutor, public defender, probation department, and, when  
12 possible, representatives from victims’ groups, law enforcement,  
13 community organizations and service providers, restorative justice groups,  
14 and clinicians with expertise in adolescent development. The protocol  
15 shall address all of the following:

16 (1) Policies and protocols to be implemented in cases utilizing a  
17 restorative justice model.

18 (2) Particular offenses, or the criteria to determine those offenses, that  
19 shall be eligible or ineligible for inclusion within the restorative justice  
20 program, notwithstanding subdivision (g).

21 (3) The rights of minors.

22 (4) Confidentiality issues.

23 (5) Timeliness for case processing.

24 (6) The roles of the court, prosecutor, and defense counsel in relation to  
25 the restorative justice program.

26 (7) The process for evaluating compliance with the program.

27 (8) The process for handling any failure to adhere to the program.

28 (d) The program in each case shall seek to repair the harm to the victim,  
29 the minor, and the community caused by the behavior bringing the minor

1 before the juvenile court. The program requirements shall be tailored to the  
2 age, mental capacity, and developmental maturity of the minor, the nature  
3 of the offense, and the resources available to the minor to accomplish the  
4 goals of this section.

5 (e) All eligible minors shall be referred to a restorative justice program  
6 as part of the court's order for informal supervision pursuant to Section  
7 654.2, the court's order for nonwardship probation under subdivision (a) of  
8 Section 725, the court's disposition order under Section 727, or the court's  
9 order for deferred entry of judgment under Section 790, unless the court  
10 determines that the restorative justice program is not in the best interest  
11 of the minor, in which case the court shall provide for other appropriate  
12 disposition of the case.

13 (f) If the court orders the care, custody, and control of the minor to be  
14 under the supervision of the probation officer for foster care placement  
15 pursuant to subdivision (a) of Section 727, the minor may be referred to  
16 the restorative justice program only as follows:

17 (1) To the extent that participation in the program is consistent with  
18 both the minor's case plan developed pursuant to Section 706.5 and any  
19 provision of reunification services to the minor and his or her family  
20 pursuant to Section 727.2.

21 (2) To the extent that participation in the program does not result in the  
22 loss of federal financial participation for the placement of the minor.

23 (g) Because of their serious nature, the following offenses shall not be  
24 eligible for inclusion in the restorative justice program:

25 (1) Offenses that include the personal possession, use, or discharge of  
26 a firearm.

27 (2) Offenses described within subdivision (b) of Section 707.

28 (3) Offenses described within subdivision (c) of Section 290 of the  
29 Penal Code.

30 (4) Offenses described within Section 186.22 of the Penal Code.

31 (h) In order to participate in the restorative justice program, the minor  
32 must, notwithstanding a formal admission, accept responsibility for the  
33 offense and agree to cooperate with the restorative justice process.

February 14, 2013  
Referred to the Hempstead Committee

## ABSTRACT

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

1270. (a) Any person who has been arrested for, or charged with, an offense other than a capital offense or a violent felony, as defined in subdivision (c) of Section 667.5, may be released on his or her own recognizance by a court or magistrate who could release a defendant from custody upon the defendant giving bail, including a defendant arrested upon an out-of-county warrant.

\* \* \* \*

1270.1. (a) Except as provided in subdivision (e), before any person who is arrested for any of the following crimes may be released on bail in an amount that is either more or less than the amount contained in the schedule of bail for the offense, or may be released on his or her own recognizance, a hearing shall be held in open court before the magistrate or judge:

16 (1) A serious felony, as defined in subdivision (c) of Section 1192.7,  
17 or a violent felony, as defined in subdivision (c) of Section 667.5, but  
18 not including a violation of subdivision (a) of Section 460 (residential  
19 burglary).

\* \* \* \*

22 1270.5. A defendant charged with a violent felony, as defined in  
23 subdivision (c) of Section 667.5, or offense punishable with death cannot  
24 be admitted to bail, when the proof of his or her guilt is evident or the  
25 presumption thereof great. The finding of an indictment does not add to  
26 the strength of the proof or the presumptions to be drawn therefrom.

28 1272. After conviction of an offense not a violent felony, as defined  
29 in subdivision (c) of Section 667.5, or punishable with death, a defendant  
30 who has made application for probation or who has appealed may be  
31 admitted to bail:

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

February 14, 2013  
Referred to the Denver Committee

An act to amend Section 1170 of the Penal Code, relating to sentencing for repeat offenders.

ABSTRACT

AB 165 seeks to repeal the “Three Strikes Law” in California and provide new sentencing for those tried and convicted under the law.

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

1     SECTION 1. Section 1170.12 of the Penal Code is amended to read:  
2     1170.12. Aggregate and consecutive terms for multiple convictions;  
3     Prior conviction as prior felony; Commitment and other enhancements or  
4     punishment.

5     (a) Notwithstanding any other provision of law, if a defendant has been  
6     convicted of a felony and it has been pled and proved that the defendant  
7     has one or more prior serious and/or violent felony convictions, as defined  
8     in subdivision (b), the court shall adhere to each of the following:

9         (1) There shall not be an aggregate term limitation for purposes of  
10        consecutive sentencing for any subsequent felony conviction.

11        ~~(2) Probation for the current offense shall not be granted, nor shall~~  
12        ~~execution or imposition of the sentence be suspended for any prior~~  
13        ~~offense.~~

14        ~~(3) (2)~~ The length of time between the prior serious and/or violent  
15        felony conviction and the current felony conviction shall not affect the  
16        imposition of sentence.

17        ~~(4) There shall not be a commitment to any other facility other than~~  
18        ~~the state prison. Diversion shall not be granted nor shall the defendant~~  
19        ~~be eligible for commitment to the California Rehabilitation Center as~~  
20        ~~provided in Article 2 (commencing with Section 3050) of Chapter 1 of~~  
21        ~~Division 3 of the Welfare and Institutions Code.~~

22        ~~(5) (3)~~ The total amount of credits awarded pursuant to Article 2.5  
23        (commencing with Section 2930) of Chapter 7 of Title 1 of Part 3 shall not  
24        exceed one-fifth of the total term of imprisonment imposed and shall not  
25        accrue until the defendant is physically placed in the state prison.

26        ~~(6) (4)~~ If there is a current conviction for more than one felony count  
27        not committed on the same occasion, and not arising from the same set of

1 operative facts, the court shall sentence the defendant consecutively on  
2 each count pursuant to this section.

3 ~~(7)~~(5) If there is a current conviction for more than one serious or  
4 violent felony as described in subdivision (b), the court shall impose the  
5 sentence for each conviction consecutive to the sentence for any other  
6 conviction for which the defendant may be consecutively sentenced in the  
7 manner prescribed by law.

8 *(b) Incarcerated persons who have pled or been proven guilty between*  
9 *November 8, 1994, and the effective date of the passage of the amendments*  
10 *made by the act that added this subdivision shall have the right to have*  
11 *their sentence reduced through retrial or through a hearing pursuant to*  
12 *the new sentencing provisions.*

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

February 14, 2013  
Referred to the Hendricks Committee

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An act to add Section 51225.35 to the Education Code, relating to graduation requirements.

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ABSTRACT

AB 166 requires students to complete a minimum of 100 hours of community service to graduate from high school.

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

- 1     SECTION 1. Section 51225.35 of the Education Code is added to read:  
2     51225.35 (a) "Community service" means volunteer work for any  
3     nonprofit organization that meets the description set forth in paragraph (3)  
4     of subdivision (c) of Section 501 of Title 26 of the United States Code, or  
5     for any other community service agency or organization that is nonprofit,  
6     nonpartisan, and nonsectarian, which work is performed to further purposes  
7     of education, environmental quality, health care, local, state, or federally  
8     funded public assistance, public safety crime prevention or control,  
9     transportation, recreation, housing and neighborhood improvement, rural  
10    development, conservation, child care, senior citizens' quality of life,  
11    outdoor beautification, or any other purpose of human betterment and  
12    community improvement.  
13    (b) A pupil shall complete the following while in grades 9 to 12,  
14    inclusive, in order to receive a diploma of graduation from high school:  
15    (1) 100 hours of community service.  
16    (A) The community service shall consist of no more than:  
17    (i) 25 hours when making a donation to an organization or organizations  
18    at a rate determined by the governing board of the school district.  
19    (ii) 25 hours when volunteering at a school or school-sponsored event.  
20    (B) No individual with exceptional needs, as defined in Section  
21    56026, is required to meet the requirements of this provision, unless his  
22    or her individualized education program developed pursuant to Article 3  
23    (commencing with Section 56340) of Chapter 4 of Part 30 specifically  
24    provides for that participation.  
25    (C) These requirements shall apply to all public, private, and charter  
26    high schools.  
27    (D) This subdivision shall become operative upon August 1, 2013.

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**Introduced by Members Representing the  
Pescadero Delegation**

February 14, 2013  
Referred to the Thompson Committee

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

ABSTRACT

AB 167 requires the creation of a bike path running the length of and adjacent to State Highway Route 1 for bicyclists, pedestrians, and other nonmotorized users 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:

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

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

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

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

21    (e) The establishment and construction of the bike path shall be initially  
22 funded by assessment of an additional fee of forty-nine cents (\$0.49)  
23 on each Department of Motor Vehicles motor vehicle and truck annual  
24 registration for the two fiscal years following enactment of this section.

25    (f) The Legislature finds and declares that the construction of the bike  
26 path pursuant to this section meets the criteria for use of Highway Users  
27 Tax Account funds, as described in subdivision (a) of Section 2 of Article

1 XIX of the California Constitution, and justifies the expenditure of funds  
2 from the Highway Users Tax Account.

3 (g) (1) As used in this section, “State Highway Route 1” means the  
4 route defined in Section 301.

5 (2) As used in this section, “bike path” means a Class I bikeway that  
6 provides a completely separated right-of-way designated for the exclusive  
7 use of bicycles and pedestrians with crossflows by motorists minimized,  
8 as defined in subdivision (a) of Section 890.4.

**Introduced by Members Representing the  
San Joaquin County YMCA**

February 14, 2013  
Referred to the Tuttle Committee

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An act to 11320.32 of the Welfare and Institutions Code, relating to welfare benefits eligibility.

**ABSTRACT**

AB 168 requires individuals applying for and receiving welfare benefits to submit to quarterly drug test screenings. This bill disqualifies or revokes an individual's eligibility for welfare benefits if he or she fails a drug test and provides that an individual would be eligible to reapply and take another drug test one quarter year after a failure of a drug test screening.

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

1 SECTION 1. Section 11320.32 of the Welfare and Institutions Code is  
2 amended to read:

3 11320.32.

4 \*\*\*\*\*

5 (f) All recipients and applicants of welfare benefits shall successfully  
6 pass drug test screenings for substances deemed illegal by the State of  
7 California. These screenings shall be administered quarterly throughout  
8 the twelve month calendar year. Failure of an initial drug test screening  
9 by an applicant automatically disqualifies the applicant for one quarter  
10 year (four months). Failure of a quarterly drug test screening by a welfare  
11 benefits recipient disqualifies the individual of eligibility for those benefits  
12 and the individual may reapply for benefits no earlier than after the next  
13 quarterly drug test screening.

14 (C) These requirements shall apply to all public, private, and charter  
15 high schools.

16 (D) This subdivision shall become operative upon August 1, 2013.

**Introduced by Members Representing the  
Santa Ana Delegation of the  
Mission Viejo Family Branch of the  
Orange County YMCA**

February 14, 2013  
Referred to the Beck Committee

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An act to amend Section 12800 of the Vehicle Code, relating to driver's licenses.

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ABSTRACT

AB 169 requires anyone who wants to obtain an original or renewal of a driver's license to provide proof of a high school diploma, or equivalent.

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

- 1     SECTION 1. Section 12800 of the Vehicle Code is amended to read:  
2     12800. Every application for an original or a renewal of a driver's  
3     license shall contain all of the following information:  
4     (a) The applicant's true full name, age, sex, mailing address, residence  
5     address, social security number, *and proof of a high school diploma or*  
6     *some degree that is equivalent or greater.*  
7     (b) A brief description of the applicant for the purpose of identification.  
8     (c) A legible print of the thumb or finger of the applicant.  
9     (d) The type of motor vehicle or combination of vehicles the applicant  
10    desires to operate.  
11    (e) Whether the applicant has ever previously been licensed as a driver  
12    and, if so, when and in what state or country and whether or not the license  
13    has been suspended or revoked and, if so, the date of and reason for the  
14    suspension or revocation.  
15    (f) Whether the applicant has ever previously been refused a driver's  
16    license in this state and, if so, the date of and the reason for the refusal.  
17    (g) Whether the applicant, within the last three years, has experienced,  
18    on one or more occasions, either a lapse of consciousness or an episode  
19    of marked confusion caused by any condition which may bring about  
20    recurrent lapses, or whether the applicant has any disease, disorder, or  
21    disability which affects ability to exercise reasonable and ordinary control  
22    in operating a motor vehicle upon a highway.  
23    (h) Whether the applicant understands traffic signs and signals.  
24    (i) Whether the applicant has ever previously been issued an identification  
25    card by the department.  
26    (j) Any other information necessary to enable the department to  
27    determine whether the applicant is entitled to a license under this code.

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**Introduced by Members Representing the  
Santa Monica Family YMCA**

February 14, 2013  
Referred to the Melone Committee

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An act to add Section 51213 to the Education Code, relating to Spanish language classes.

ABSTRACT

AB 170 requires public elementary schools to provide students with Spanish language classes.

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

1     SECTION 1. This act may be known and may be cited to as The  
2     Immersion of Spanish in Elementary Schools Act of 2012.

3     SEC. 2. Section 51213 is added to the Education Code, to read:

4     51213. (a) All public elementary schools shall provide Spanish language  
5     classes to students from the time students enter Kindergarten until they  
6     complete elementary school.

7     (b) Funds to support Spanish language classes shall come from a slight  
8     increase in taxes on all tobacco products (cigarettes, cigars, chewing  
9     tobacco, etc.). The tax shall be increased from \$0.87 to \$0.98. The proceeds  
10    shall go towards hiring and employing Spanish teachers and providing the  
11    appropriate instruments for the course.

12    (c) Students shall participate in the Spanish language class from  
13    kindergarten through second grade. After that time, a student may  
14    participate in the Spanish language class with the consent of his or her  
15    parent. A formal note from the principal's office shall be sent home with  
16    the student. If the note is signed and returned by the parent, the parent is  
17    electing to no longer have his or her child participate in Spanish language  
18    classes.

19    (d) The class shall be treated like any other subject. The student shall  
20    receive a grade between one and five based on participation, completion,  
21    assignments, and speaking. A five stands for excels, a four stands for  
22    approaches, a three stands for meets, a two stands for does not meet, and a  
23    one stands for fail. The grade shall depend on the teacher and/or school's  
24    form or criteria of grading. Not passing the class shall be the student's  
25    receipt of a grade of two or fewer on the scale. If a student fails, they shall  
26    repeat the failed level of Spanish. A student shall not be permitted to test  
27    out of the course.

28    (e) There shall be a designated time period during the day for the entire  
29    school to have Spanish class. This period shall be no less than 30 minutes



1 and no more than 1 hour twice per week, depending on the school's and  
2 teacher's schedule. If a student in third through fifth grade has opted out of  
3 the course, he or she shall be provided an alternative activity. If a student  
4 has failed a level, they shall participate in the appropriate level of Spanish  
5 language class. Spanish speakers will be required to take the class as well.  
6 (f) The material shall be taught based on the student's knowledge of the  
7 English language and at an appropriate pace for the students, teacher, and  
8 school.

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

February 14, 2013  
Referred to the Nichols Committee

An act to amend Sections 6900, 6901, 6902, 6903, 6904, 6905, 6906, and 6908 of the Elections Code, relating to elections.

ABSTRACT

AB 171 changes the electoral college system in California from a winner-take-all voting method to a distribution based on congressional districts.

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

1 SECTION 1. Section 6900 of the Elections Code is amended to read:

2 6900.(a) The term “elector” or “presidential elector” as used in this  
3 chapter means an elector of President and Vice President of the United  
4 States, and not an elector as defined in Section 321.

5 (b) *A political party nominating a candidate for President of the United*  
6 *States and a candidate for Vice President of the United States shall submit*  
7 *to the Secretary of State a certified list of presidential elector nominees who*  
8 *have pledged to vote for the candidates of that political party as follows:*

9 (i) *The number of presidential elector nominees shall be equal to the*  
10 *total number of presidential electors of the State pursuant to Section 1 of*  
11 *Article II of the United States Constitution.*

12 (ii) *One presidential elector nominee shall reside in each congressional*  
13 *district in the state and the two remaining presidential elector nominees*  
14 *shall reside in the state.*

15 (iii) *The manner of choosing presidential elector nominees shall be*  
16 *established by each political party, but in the event a party has no rules for*  
17 *choosing nominees, the candidate for President shall choose the nominees*  
18 *pursuant to subdivision (b)(i) and (ii).*

19 (c) *A group of candidates for nomination as a presidential elector for*  
20 *an independent candidate for President of the United States and for Vice*  
21 *President of the United States pursuant to section 8303 shall also meet the*  
22 *requirements of subdivision (b)(i) and (ii).*

23 SEC. 2. Section 6901 of the Elections Code is amended to read:

24 6901. Whenever a political party, in accordance with Section 7100,  
25 7300, 7578, or 7843, submits to the Secretary of State its certified list of  
26 nominees for electors of President and Vice President of the United States,  
27 the Secretary of State shall notify each candidate for elector of his or her  
28 nomination by the party. The Secretary of State shall cause the names of

1 the candidates for President and Vice President of the several political  
2 parties to be placed upon the ballot for the ensuing general election *and*  
3 *any independent candidate pursuant to section 8304.*

4 SEC. 3. Section 6902 of the Elections Code is amended to read:

5 6902. (a) At the general election in each leap year, or at any other  
6 time as may be prescribed by the laws of the United States, there shall be  
7 chosen by the voters of the state as many electors of President and Vice  
8 President of the United States as the state is then entitled to.

9 (b) *An elector shall be elected in each congressional district if the*  
10 *candidate to whom that elector has pledged to vote received a plurality*  
11 *of the popular vote cast in that congressional district. The two at-large*  
12 *electors shall be elected if the candidates to whom those electors have*  
13 *pledged to vote received a plurality of the popular vote cast in the state.*

14 SEC. 4. Section 6903 of the Elections Code is amended to read:

15 6903. On or before the day of meeting of the electors, the Governor  
16 shall deliver to the electors a list of the names of *each of the* electors  
17 *elected pursuant to section 6902*, and he or she shall perform any other  
18 duties relating to presidential electors which are required of him or her by  
19 the laws of the United States.

20 SEC. 5. Section 6904 of the Elections Code is amended to read:

21 6904. The electors ~~chosen~~ *elected pursuant to section 6902* shall  
22 assemble at the State Capitol at 2 o'clock in the afternoon on the first  
23 Monday after the second Wednesday in December next following their  
24 election.

25 SEC. 6. Section 6905 of the Elections Code is amended to read:

26 6905. In case of the death or absence of any elector chosen, or if the  
27 number of electors is deficient for any other reason, the electors then  
28 present shall elect, ~~from the citizens of the state,~~ *pursuant to subdivision*  
29 *(b) of section 6902 from the citizens of the state*, as many persons as will  
30 supply the deficiency.

31 SEC. 7. Section 6906 of the Elections Code is amended to read:

32 6906. The electors, when convened, if both candidates are alive,  
33 shall vote by ballot for that person for President and that person for Vice  
34 President of the United States, who are, respectively, the candidates of the  
35 political party or independent candidate which they represent *and have*  
36 *pledged to vote one of whom, at least, is not an inhabitant of this state.*

37 SEC. 8. Section 6908 of the Elections Code is amended to read:

38 6908. The electors shall make separate lists of all persons voted for as  
39 President and of all persons voted for as Vice President, and of the number  
40 of votes for each *cast pursuant to Section 6906*, which lists they shall sign,  
41 certify, seal, and transmit by mail to the seat of the Government of the  
42 United States, directed to the President of the Senate.

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

February 14, 2013  
Referred to the Redding Committee

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An act to add Section 894.3 to the Streets and Highways Code, relating to transportation.

**ABSTRACT**

AB 172 increases the vehicle registration and renewal fees by 5% to pay for the cost of identification, establishment, and construction of bicycle infrastructure. The bill decreases the fee by 2.5% after the initial cost of construction is paid. The bill requires that revenue collected after completion of construction would be used for maintenance and repair costs.

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

1     SECTION 1. Section 894.3 is added the Streets and Highways Code,  
2 to read:

3     894.3. (a) (1) The department shall identify and initiate the building of  
4 a 5000-mile bicycle infrastructure system throughout the state.

5     (2) The department shall identify bicycle routes of national, state, or  
6 regional significance, and that are associated only with the highway system,  
7 including state highways, United States highways, interstate freeways, and  
8 state-financed public transportation systems.

9     (b) (1) The cost to identify, establish, and build the bicycle infrastructure  
10 system shall be three hundred million dollars (\$300,000,000), but is not  
11 limited to that amount, and shall be paid for through a five percent increase  
12 in vehicle registration and renewal fees.

13    (2) The fee increase shall continue until the initial amount of funding,  
14 no less than three hundred million dollars (\$300,000,000), is collected.  
15 At which time, the vehicle registration and renewal fee increase shall be  
16 decreased to two and one-half percent, with the revenue going toward the  
17 maintenance and repair costs for the bicycle infrastructure.

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

February 14, 2013  
Referred to the Tuttle Committee

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An act to repeal Sections 48430 and 48431 of the Education Code, relating to alternative schools.

**ABSTRACT**

AB 173 repeals the state law that requires school districts to provide alternative schools for students vulnerable to academic or behavioral failures.

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

- 1     SECTION 1. Section 48430 of the Education Code is repealed.  
2     ~~It is the intent of the Legislature that continuation education schools and~~  
3     ~~classes shall be established and maintained to provide all of the following:~~  
4     ~~—(1) An opportunity for pupils to complete the required academic courses~~  
5     ~~of instruction to graduate from high school.~~  
6     ~~—(2) A program of instruction which emphasizes occupational orientation~~  
7     ~~or a work-study schedule and offers intensive guidance services to meet~~  
8     ~~the special needs of pupils.~~  
9     ~~—(3) A program designed to meet the educational needs of each pupil,~~  
10    ~~including, but not limited to, independent study, regional occupation~~  
11    ~~programs, work study, career counseling, and job placement services, as a~~  
12    ~~supplement to classroom instruction.~~  
13    SEC. 2. Section 48431 of the California Education Code is repealed.  
14    ~~The governing board of each high school district shall establish and~~  
15    ~~maintain a program of guidance, placement, and follow up for all minors~~  
16    ~~within the district subject to compulsory continuation education.~~

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

February 14, 2013  
Referred to the Weeks Committee

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Assembly Joint Resolution No. 174- relative to presidential campaigns.

ABSTRACT

AJR 174 memorializes the Congress of the United States to establish a Committee on Accurate Political Communication and a specified fact-checking procedure for all presidential campaign videos that are intended to be broadcasted either via the web or television to ensure the accuracy of the facts presented.

1     WHEREAS, The Legislature of the State of California believes it is  
2     the right of our nation's citizens to be informed before they go to the  
3     presidential polls; and

4     WHEREAS, The past and current presidential election campaign videos  
5     have been deemed factually inaccurate and purposely misleading to the  
6     general public; and

7     WHEREAS, The Legislature of the State of California believes it is the  
8     duty of our nation's government to ensure that its citizens are receiving  
9     correct information on which they can base independent decisions; now,  
10    therefore, be it

11    *Resolved by the Assembly and the Senate of the State of California,*  
12    *jointly,* That the Legislature of the State of California respectfully  
13    memorializes the Congress of the United States to establish a Committee  
14    on Accurate Political Communication to conduct a fact-checking procedure  
15    with respect to all presidential campaign videos that are intended to be  
16    broadcasted either via the web or television to ensure the accuracy of the  
17    facts presented; and be it further

18    *Resolved,* That the committee consist of six hired individuals who are  
19    responsible to review each campaign video and that those six members be  
20    members of the United States Senate who volunteer for membership and  
21    are approved by a 2/3 vote in the Congress of the United States,

22    *Resolved,* That two members be aligned with the Democratic Party,  
23    two members be aligned with the Republican Party, and two identify  
24    themselves as Independents; and be it further

25    *Resolved,* That if there are less than two independent party members  
26    in the Senate, then the committee shall be composed of three members  
27    aligned with the Democratic Party and three aligned with the Republican  
28    Party; and be it further

1     *Resolved*, That if fewer than six Senators volunteer for the committee,  
2 the remaining seats can be nominated from the Senate, subject to the 2/3  
3 vote approval by the Congress of the United States; and be it further

4     *Resolved*, That campaign headquarters be required to send proposed  
5 videos to the committee for approval, along with written proof of the  
6 facts (non-subjective portions of the video, including statistics and data)  
7 presented in the videos, including the source of the presented facts; and be  
8 it further

9     *Resolved*, That approval of a video require a 4 to 2 vote by the committee  
10 that the video is factually accurate and that any video failing to receive this  
11 vote be returned to its respective headquarters to be edited. Videos can  
12 then be resubmitted for approval; 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 Majority  
15 Leader of the United States Senate, to each Senator and Representative  
16 from California in the Congress of the United States, and to the Chief  
17 Clerk of the Legislature in each of the other 49 states.

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

February 14, 2013  
Referred to the Price Committee

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An act to amend Section 66015.5 of the Education Code, relating to the state funded higher education system's responsibility to cater to rising population rates.

**ABSTRACT**

AB 175 establishes online courses as a means for state funded universities to accommodate for the rising number of college applications.

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

- 1     SECTION 1. Section 66015.5 of the Education Code is amended to
- 2     read:
- 3     66015.5. (a) It is the intent of the Legislature that quality classroom
- 4     instruction be continually improved and that courses required for normal
- 5     progress to a baccalaureate degree be provided in sufficient numbers.
- 6     (b) It is the further intent of the Legislature that where necessary the
- 7     average teaching responsibilities of tenured and tenure track faculty be
- 8     sufficiently increased to meet the goals described in this section.
- 9     (c) *All available general education (GE) classes must be offered online.*



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

February 14, 2013  
Referred to the Foreman Committee

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An act to amend Section 23536 of the Vehicle Code, relating to vehicles.

**ABSTRACT**

AB 176 requires a person convicted of a first incidence of driving under the influence to complete 20 hours of service to help victims of alcohol related vehicle accidents and would require him or her to install, at his or her expense, an ignition interlock device on any motor vehicles registered to them for one year. The bill requires a person convicted of a second offense to permanently install an ignition interlock device on motor vehicles registered to the offender.

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

1       SECTION 1. Section 23536 of the Vehicle Code is amended to read:

2       23536. (a) If a person is convicted of a first violation of Section 23152,  
3 that person shall be punished by imprisonment in the county jail for not  
4 less than 96 hours, at least 48 hours of which shall be continuous, nor  
5 more than six months, and by a fine of not less than three hundred ninety  
6 dollars (\$390), nor more than one thousand dollars (\$1,000) *and complete*  
7 *20 hours of service to help victims of alcohol related vehicle accidents.*

8       (b) The court shall order that a person punished under subdivision (a),  
9 who is to be punished by imprisonment in the county jail, be imprisoned on  
10 days other than days of regular employment of the person, as determined by  
11 the court. If the court determines that 48 hours of continuous imprisonment  
12 would interfere with the person's work schedule, the court shall allow  
13 the person to serve the imprisonment whenever the person is normally  
14 scheduled for time off from work. The court may make this determination  
15 based upon a representation from the defendant's attorney or upon an  
16 affidavit or testimony from the defendant.

17       (c) The person's privilege to operate a motor vehicle shall be  
18 suspended by the department under paragraph (1) of subdivision (a) of  
19 Section 13352 or Section 13352.1. for one year. The court shall require  
20 the person to surrender the driver's license to the court in accordance with  
21 Section 13550.

22       (d) Whenever, when considering the circumstances taken as a whole,  
23 the court determines that the person punished under this section would  
24 present a traffic safety or public safety risk if authorized to operate a

1 motor vehicle during the period of suspension imposed under paragraph  
2 (1) of subdivision (a) of Section 13352 or Section 13352.1, the court  
3 may disallow the issuance of a restricted driver's license required under  
4 Section 13352.4.

5 *(e) In addition to other first offense penalties, the court shall have the*  
6 *offender's privilege to operate a motor vehicle suspended for one year*  
7 *and the offender will be required to install an ignition interlock device on*  
8 *any motor vehicles registered to them for one year. Cost of the device and*  
9 *installation will be the responsibility of the offender and will be in addition*  
10 *to penalties outlined in subdivision (a). A second offense will require an*  
11 *ignition interlock device to be permanently installed on motor vehicles*  
12 *registered to the offender.*  
13

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

February 14, 2013  
Referred to the Douglass Committee

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An act to add Section 110347 to the Health and Safety Code, relating to warning labels for ingredients.

**ABSTRACT**

AB 177 commencing January 1, 2014, adds a warning label to beverages sold in California that contain excessive levels of high fructose corn syrup, as specified.

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

- 1     SECTION 1. Section 110347 is added to the Penal Code:
- 2     110347. (a) Starting January 1, 2014, a warning label must be placed on
- 3     all beverages sold in California that contain high-fructose corn syrup that is
- 4     made up of an excess of 50 percent fructose. The label shall comprise up to
- 5     fifteen percent or more of the surface area of the can or wrapper. The label
- 6     must include: "WARNING: HIGH-FRUCTOSE CORN SYRUP CAUSES
- 7     OBESITY, DIABETES, AND OTHER HEALTH PROBLEMS."
- 8     (b) Sale of a beverage containing high-fructose corn syrup with excessive
- 9     levels fructose without the proper labeling shall result in a \$5,000 fine
- 10    to the distributor. Manufacturers selling improperly labeled products to
- 11    individuals or distributors in California will result in a \$100,000 fine.

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

February 14, 2013  
Referred to the Hempstead Committee

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An act to add Section 66201.1 to the Education code, relating to higher education.

ABSTRACT

AB 178 requires that the University of California and California State Universities use the Common Application for application for admission.

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

- 1     SECTION 1. Section 66201.1 is added to the Education Code to read:
- 2     *66201.1. Commencing with applications for admission for the 2014-15*
- 3     *school year; all University of California and California State Universities*
- 4     *must use the Common Application without any additional supplemental*
- 5     *questions for freshmen applicants.*

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

February 14, 2013  
Referred to the Denver Committee

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An act to amend Section 13387 of the Water Code, relating to water quality.

**ABSTRACT**

AB 179 repeals the penalty of imprisonment and require the moneys from all fines collected to go directly towards clean-up efforts and treatment of the affected areas.

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

1     SECTION 1. Section 13387 of the Water Code is amended to read:

2     13387. (a) Any person who knowingly or negligently does any of the  
3 following is subject to criminal penalties as provided in subdivisions (b),  
4 (c), and (d):

5         (1) Violates Section 13375 or 13376.

6         (2) Violates any waste discharge requirements or dredged or fill  
7 material permit issued pursuant to this chapter or any water quality  
8 certification issued pursuant to Section 13160.

9         (3) Violates any order or prohibition issued pursuant to Section 13243  
10 or 13301, if the activity subject to the order or prohibition is subject to  
11 regulation under this chapter.

12         (4) Violates any requirement of Section 301, 302, 306, 307, 308, 318,  
13 401, or 405 of the Clean Water Act (33 U.S.C. Sec. 1311, 1312, 1316, 1317,  
14 1318, 1328, 1341, or 1345), as amended.

15         (5) Introduces into a sewer system or into a publicly owned treatment  
16 works any pollutant or hazardous substances that the person knew or  
17 reasonably should have known could cause personal injury or property  
18 damage.

19         (6) Introduces any pollutant or hazardous substance into a sewer  
20 system or into a publicly owned treatment works, except in accordance  
21 with any applicable pretreatment requirements, which causes the  
22 treatment works to violate waste discharge requirements.

23         (b) Any person who negligently commits any of the violations set  
24 forth in subdivision (a) shall, upon conviction, be punished by a fine of  
25 not less than five thousand dollars (\$5,000), nor more than twenty-five  
26 thousand dollars (\$25,000), for each day in which the violation occurs,  
27 ~~by imprisonment for not more than one year in a county jail, or by both~~  
28 ~~that fine and imprisonment.~~ If a conviction of a person is for a violation

1 committed after a first conviction of the person under this subdivision,  
2 subdivision (c), or subdivision (d), punishment shall be by a fine of not  
3 more than fifty thousand dollars (\$50,000) for each day in which the  
4 violation occurs, ~~by imprisonment pursuant to subdivision (h) of Section~~  
5 ~~1170 of the Penal Code for 16, 20, or 24 months, or by both that fine and~~  
6 ~~imprisonment.~~

7 (c) Any person who knowingly commits any of the violations set forth  
8 in subdivision (a) shall, upon conviction, be punished by a fine of not less  
9 than five thousand dollars (\$5,000), nor more than fifty thousand dollars  
10 (\$50,000), for each day in which the violation occurs, by imprisonment  
11 pursuant to subdivision (h) of Section 1170 of the Penal Code, or by both  
12 that fine and imprisonment. If a conviction of a person is for a violation  
13 committed after a first conviction of the person under this subdivision or  
14 subdivision (d), punishment shall be by a fine of not more than one hundred  
15 thousand dollars (\$100,000) for each day in which the violation occurs, by  
16 imprisonment pursuant to subdivision (h) of Section 1170 of the Penal  
17 Code for two, four, or six years, or by both that fine and imprisonment.

18 (d) (1) Any person who knowingly commits any of the violations set  
19 forth in subdivision (a), and who knows at the time that the person thereby  
20 places another person in imminent danger of death or serious bodily  
21 injury, shall, upon conviction, be punished by a fine of not more than  
22 two hundred fifty thousand dollars (\$250,000), ~~imprisonment pursuant to~~  
23 ~~subdivision (h) of Section 1170 of the Penal Code for 5, 10, or 15 years,~~  
24 ~~or by both that fine and imprisonment.~~ A person that is an organization  
25 shall, upon conviction under this subdivision, be subject to a fine of not  
26 more than one million dollars (\$1,000,000). If a conviction of a person is  
27 for a violation committed after a first conviction of the person under this  
28 subdivision, the punishment shall be by a fine of not more than five hundred  
29 thousand dollars (\$500,000), ~~by imprisonment pursuant to subdivision (h)~~  
30 ~~of Section 1170 of the Penal Code for 10, 20, or 30 years, or by both~~  
31 ~~that fine and imprisonment.~~ A person that is an organization shall, upon  
32 conviction for a violation committed after a first conviction of the person  
33 under this subdivision, be subject to a fine of not more than two million  
34 dollars (\$2,000,000). Any fines imposed pursuant to this subdivision shall  
35 be in addition to any fines imposed pursuant to subdivision (c).

36 (2) In determining whether a defendant who is an individual knew  
37 that the defendant's conduct placed another person in imminent danger of  
38 death or serious bodily injury, the defendant is responsible only for actual  
39 awareness or actual belief that the defendant possessed, and knowledge  
40 possessed by a person other than the defendant, but not by the defendant  
41 personally, cannot be attributed to the defendant.

42 (e) Any person who knowingly makes any false statement,  
43 representation, or certification in any record, report, plan, notice to comply,  
44 or other document filed with a regional board or the state board, or who  
45 knowingly falsifies, tampers with, or renders inaccurate any monitoring

1 device or method required under this division shall be punished by a fine  
2 of not more than twenty-five thousand dollars (\$25,000), ~~by imprisonment~~  
3 ~~pursuant to subdivision (h) of Section 1170 of the Penal Code for 16, 20, or~~  
4 ~~24 months, or by both that fine and imprisonment.~~ If a conviction of a person  
5 is for a violation committed after a first conviction of the person under this  
6 subdivision, punishment shall be by a fine of not more than twenty-five  
7 thousand dollars (\$25,000) per day of violation, ~~by imprisonment pursuant~~  
8 ~~to subdivision (h) of Section 1170 of the Penal Code for two, three, or four~~  
9 ~~years, or by both that fine and imprisonment.~~

10 (f) For purposes of this section, a single operational upset which leads  
11 to simultaneous violations of more than one pollutant parameter shall be  
12 treated as a single violation.

13 (g) For purposes of this section, “organization,” “serious bodily  
14 injury,” “person,” and “hazardous substance” shall have the same meaning  
15 as in Section 309(c) of the Clean Water Act (33 U.S.C. Sec.

16 1319(c)), as amended.

17 (h) (1) Subject to paragraph (2), funds collected pursuant to this section  
18 shall be deposited in the State Water Pollution Cleanup and Abatement  
19 Account. All funds deposited in this account pursuant to this section  
20 shall be used exclusively for clean up efforts and purification of water in  
21 affected areas.

22 (2) (A) Notwithstanding any other provision of law, fines collected for  
23 a violation of a water quality certification in accordance with paragraph  
24 (2) of subdivision (a) or for a violation of Section 401 of the Clean Water  
25 Act (33 U.S.C. Sec. 1341) in accordance with paragraph (4) of subdivision  
26 (a) shall be deposited in the Water Discharge Permit Fund and separately  
27 accounted for in that fund.

28 (B) The funds described in subparagraph (A) shall be expended by  
29 the state board, upon appropriation by the Legislature, to assist regional  
30 boards, and other public agencies with authority to clean up waste or abate  
31 the effects of the waste, in cleaning up or abating the effects of the waste  
32 on waters of the state, or for the purposes authorized in Section 13443.

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

February 14, 2013  
Referred to the Hendricks Committee

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An act to amend Section 2101 of the Election Code, relating to voting rights.

**ABSTRACT**

AB 180 prohibits a person convicted of a felony from ever voting for federal and state officials. The bill permits a convicted felon, who is a resident in California and meets other general requirements, to vote on a California ballot proposition by mail.

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

- 1     SECTION 1. Section 2101 of the Election Code is amended to read:
- 2     2101. Except as described in this section, a person entitled to register to
- 3     vote shall be a United States citizen, a resident of California, not in prison
- 4     or on parole for the conviction of a felony, and at least 18 years of age at
- 5     the time of the next election. *A person convicted of a felony is prohibited*
- 6     *from voting for a federal or state official. A person convicted of a felony*
- 7     *shall be entitled to vote, by mail, on a California ballot proposition as long*
- 8     *as the person meet the requirements of this section.*



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

February 14, 2013  
Referred to the Burns Committee

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An act to add Section 44252.10 to the Education Code, relating to teaching credentials and continuing education requirements.

**ABSTRACT**

AB 181 imposes additional training requirements for teaching relating to drop-out prevention and dealing with challenging students within the school system.

*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     44252.10. (a) On and after January 1, 2018, in addition to meeting the  
3     basic skills proficiency test, an applicant for a teaching credential shall  
4     complete an additional training course designed to deal with difficult  
5     students and after obtaining the certificate, shall complete, three times a  
6     year, a training course on dealing with challenging students.  
7     (b) Teachers will take an evaluation exam at the beginning of the  
8     program and will enroll and participate in three mandatory workshops  
9     annually thereafter that extend teaching credentials.  
10    (c) The workshops will be online, interactive, and available year-round  
11    through the [virtualeduc.com](http://virtualeduc.com) Internet Web site which has affordable and  
12    proven curriculum for Advanced Classroom Management.  
13    (d) The workshops are intended to give teachers the capacity to serve  
14    difficult and challenging students.  
15    (e) Workshops will address the drop-out rates of students who  
16    chronically misbehave.  
17    (f) The Board of Education shall establish seasonal deadlines for  
18    attending the mandatory workshops.  
19    (g) Hands-on workshops shall be made available for teachers' needing  
20    computer assistance with these online workshops.  
21    (h) Each school shall be responsible ensuring that its teachers meet the  
22    workshop requirements of the program. The school shall provide substitute  
23    instructors, as necessary, to permit teachers to complete the required online  
24    training.  
25    (i) Each school shall be responsible for ensuring that its teachers do not  
26    miss more than two of the required workshops.

1       (j) A one-half cent (\$0.005) increase in the excise tax on tobacco  
2 products is proposed to fund the program.

3       (k) Notwithstanding Section 13340 of the government Code, the funds  
4 raised by subdivision (j) shall be placed into the Teacher's Workshop Fund,  
5 which is hereby created, and continuously appropriated to fund the cost of  
6 the online and other workshops required by this section.

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

February 14, 2013  
Referred to the Thompson Committee

An act to amend Section 295 of the Penal Code, relating to DNA databank collections.

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

1     SECTION 1. Section 295 of the Penal Code is amended to read:

2     295. (a) This chapter shall be known and may be cited as the DNA and  
3     Forensic Identification Database and Data Bank Act of 1998, as amended.

4     (b) The people of the State of California set forth all of the following:

5     (1) Deoxyribonucleic acid (DNA) and forensic identification analysis  
6     is a useful law enforcement tool for identifying and prosecuting criminal  
7     offenders and exonerating the innocent.

8     (2) It is the intent of the people of the State of California, in order  
9     to further the purposes of this chapter, to require DNA and forensic  
10    identification data bank samples from all persons, including juveniles,  
11    for the felony and misdemeanor offenses described in subdivision (a) of  
12    Section 296.

13    (3) It is necessary to enact this act defining and governing the state's  
14    DNA and forensic identification database and data bank in order to clarify  
15    existing law and to enable the state's DNA and Forensic Identification  
16    Database and Data Bank Program to become a more effective law  
17    enforcement tool.

18    (c) The purpose of the DNA and Forensic Identification Database and  
19    Data Bank Program is to assist federal, state, and local criminal justice and  
20    law enforcement agencies within and outside California in the expeditious  
21    and accurate detection and prosecution of individuals responsible for  
22    sex offenses and other crimes, the exclusion of suspects who are being  
23    investigated for these crimes, and the identification of missing and  
24    unidentified persons, particularly abducted children.

25    (d) Like the collection of fingerprints, the collection of DNA samples  
26    pursuant to this chapter is an administrative requirement to assist in the  
27    accurate identification of criminal offenders.

28    (e) Unless otherwise requested by the Department of Justice, collection  
29    of biological samples for DNA analysis from qualifying persons under  
30    this chapter is shall not be limited to collection of inner cheek cells of the  
31    mouth (buccal swab samples), *and shall include the mandated collection*  
32    *of sperm from male sex offenders convicted of crimes resulting in five or*  
33    *more years of time in penitentiary. This additional sample will allow for*  
34    *the swift accusation of the aforementioned criminals found of committing*  
35    *additional sexual offenses following time in jail.*

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**Introduced by Members Representing the  
Santa Monica Family YMCA**

February 14, 2013  
Referred to the Price Committee

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An act to amend Section 101060 of the Health and Safety Code to implement a specific commercial food donation program and publicize said program.

**ABSTRACT**

SB 183 Requires restaurants and stores to offer unused and surplus food for donation and charity.

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

- 1     SECTION 1: Section 101060 of the Health and Safety Code is  
2     renumbered as 101060 (a) and is amended to read: 101060 (a). The  
3     county health officer ~~may~~ *shall* designate a nonprofit food distribution  
4     agency *or agencies* to coordinate and facilitate the donation of food  
5     and food products to nonprofit, charitable corporations, from available  
6     sources, including restaurants, grocery stores, or food distributors.  
7     *Notices submitted by the businesses outlined in section (b) shall be*  
8     *processed in accordance with the designated distribution agencies*  
9     *chosen by the county health officer.*  
10    *To qualify for participation in this program, a nonprofit organization*  
11    *must serve*  
12    *(a) the homeless, including homeless youth and veterans,*  
13    *(b) the home-bound elderly or invalids, or*  
14    *(c) act as a food bank organization, and*  
15    *(d) must not profit from resale of food received or*  
16    *(e) charge constituents for services of any kind.*  
17    Section 101060 (b) of the Health and Safety Code is created to read:  
18    *(b) Each restaurant, food establishment, grocery store, and food*  
19    *distributor in California shall issue a public notice, to be forwarded*  
20    *by the county health officer to the designated distribution agency or*  
21    *agencies of choice as provided in section 101060 (a) above, of the hour*  
22    *of closing on each day the business operates, at which time it must*  
23    *provide for donation any prepared and unsold or perishable foods*  
24    *available on the premises of such establishment.*  
25    *(1) The designated agency or agencies coordinating the transfer of*  
26    *food hold the responsibility for acquiring whatever available foods are*  
27    *provided promptly at the hour specified, and shall be wholly responsible*  
28    *for its transportation and distribution.*



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

February 14, 2013  
Referred to the Bowen Committee

An act to amend Section 42350 of the Public Resources Code, relating to plastic ring devices.

ABSTRACT

SB 201 prohibits the sale of products connected by plastic rings or similar plastic devices.

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

1 SECTION 1 Section 42350 of the Public Resources Code is amended  
2 to read:

3 42350. (a) For the purposes of this section, “degradable” means all of  
4 the following:

5 (1) ~~Biodegradation, photodegradation, chemodegradation, or~~  
6 ~~degradation by other natural degrading processes, as defined by the~~  
7 ~~American Society of Testing Materials;~~

8 (2) ~~Degradation at a rate that meets the requirements of Part 238~~  
9 ~~(commencing with Section 238.10) of Subchapter H of Chapter I of Title~~  
10 ~~40 of the Code of Federal Regulations;~~

11 (3) ~~Degradation that, as attested by the manufacturer of the device, will~~  
12 ~~not produce or result in a residue or byproduct that, during or after the~~  
13 ~~process of degrading, would be a hazardous or extremely hazardous waste~~  
14 ~~identified pursuant to Chapter 6.5 (commencing with Section 25100) of~~  
15 ~~Division 20 of the Health and Safety Code;~~

16 (b) ~~(a)~~ Except as provided in subdivision (c) (b), no container shall be  
17 sold or offered for sale at retail in this state that is connected to any other  
18 container by means of a plastic ring or similar plastic device ~~that is not~~  
19 ~~degradable when disposed of as litter;~~

20 (c) ~~(b)~~ This section does not apply to devices that do not contain an  
21 enclosed hole or circle of more than one and one-half inches in diameter or  
22 that do not contain a hole.

23 (d) ~~(c)~~ Any person who sells at wholesale or distributes to a retailer  
24 for sale at retail in this state containers that are connected to each other  
25 in violation of subdivision (b) ~~(a)~~ is guilty of an infraction and shall be  
26 punished by a fine not exceeding one thousand dollars (\$1,000).

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

February 14, 2013  
Referred to the Hart Committee

An act to add Section 6826.2 to the Public Resources Code, relating to hydraulic fracturing.

ABSTRACT

SB 202 would define hydraulic fracturing, require a study and report to the Legislature of the effects of hydraulic fracturing, impose a moratorium on all hydraulic fracturing permits until the report definitively concludes that hydraulic fracturing is not harmful to the environment, water quality, or health of citizens, in both the long and short term, or when hydraulic fracturing can be regulated in a way to remove these dangers, and would give the Legislature the power to reinstate hydraulic fracturing permits.

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

- 1     SECTION 1. Section 6826.2 is added to the Public Resources Code to  
2 read:
- 3     6826.2. (a) "Hydraulic fracturing" (HF) means any injection of over  
4 100,000 gallons of a mixture of any mixture of water, chemicals and sand  
5 into the earth in order to extract any natural gas, oil or other fluid.
- 6     (b) The California Environmental Protection Agency shall do all of the  
7 following:
- 8     (1) investigate the health and environmental effects of HF
- 9     (2) Present a report to the Legislature by January 1, 2016, which assesses  
10 the environmental effects of HF
- 11    (c) The investigation pursuant to paragraph (1) of subdivision (b) shall  
12 be funded by 0.25% tax on all required bonds related to drilling required  
13 by section 3204.
- 14    (d)(1) Extraction of natural gas or oil by process of HF is prohibited  
15 in public or private land until the report mentioned in subdivision (b) is  
16 released.
- 17    (2) No new permits for HF shall be issued and all existing permits shall  
18 be suspended until the report is released.
- 19    (3) Existing permits shall be reinstated only if the report pursuant  
20 to subdivision (b) definitively concludes that HF is not harmful to the  
21 environment, water quality, or health of citizens, in both the long and short  
22 term, and when HF can be regulated in a way to remove these dangers.
- 23    (e) The Legislature, by a 2/3 vote, may reinstate a permit to allow HF.

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

February 14, 2013  
Referred to the Mitchell Committee

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An act to add Section 125310 to the Health and Safety Code, relating to stem cells.

**ABSTRACT**

SB 203 allows hospitals and clinics to donate umbilical cords, placenta, and aborted fetuses to stem cell research facilities.

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

- 1     SECTION 1. Section 123510 is added to the Health and Safety Code  
2 to read:  
3     123510. (a) All hospitals and clinics in California shall keep and  
4 preserve all umbilical cords, placentae, and aborted fetuses to be sent to a  
5 specified stem cell research center at the end of a seven-day week.  
6     (b) Research centers will be designated for a shipment of cells based on  
7 need. Larger research centers will provide with more cells.  
8     (c) The shipping of stem cells shall be paid for by the research centers  
9 receiving them.  
10    (d) A research center may apply for more stem cells if more are required.  
11 The nearest possible hospital or clinic will meet the need if it is within  
12 reasonable quantities.  
13    (e) The woman whom the stem cells come from may request her cells  
14 not be used for these purposes. In such a case, the hospital or clinic is  
15 required to meet the woman's request as closely as possible, within  
16 reasonable bounds.



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

February 14, 2013  
Referred to the Shelley Committee

An act to add Section 3800 to the Penal Code, relating to the Death Penalty Modification Act of 2013.

ABSTRACT

SB 204 refines the amount of offenses eligible for death, reduces the number of inmates eligible for death, creates immediate savings for the State, and saves the system from unnecessary costs and delays.

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

- 1     SECTION 1. Section 3800 is added to the Penal Code to read:  
2     3800. Crimes eligible for the death penalty are enumerated as follows,  
3     and all others crimes are excluded:  
4     (a) Treason.  
5     (b) The murder of a peace officer killed in the performance of his/her  
6     official duties, when done to prevent or retaliate for that performance.  
7     (c) The murder of any person (included, but no limited to, inmates,  
8     staff, and visitors) occurring at a correctional facility.  
9     (d) The murder of two or more person regardless of whether the deaths  
10    occurred as the result of the same act or of serial related or unrelated acts,  
11    as long as either: (i) the deaths were a result of an intent to kill more than  
12    one person, or (ii) the defendant knew the act or acts would cause death or  
13    create a strong probability of death or great bodily harm to the murdered  
14    individuals or others.  
15    (e) The intentional murder of a person involving the infliction of torture.  
16    (1) In this context, torture means the intentional and depraved infliction  
17    of extreme physical pain for a prolonged period of time before the victim's  
18    death  
19    (2) Depraved means that the defendant relished the infliction of extreme  
20    physical pain upon the victim, evidencing debasement or perversion, or  
21    that the defendant evidenced sense of pleasure in the infliction of extreme  
22    physical pain.  
23    (f) The murder by a person who is under investigation for, or who  
24    has been charged with or has been convicted of, a crime that would be a  
25    felony, or the murder of anyone involved in the investigation, prosecution,  
26    or defense of that crime, including, but not limited to, witnesses, jurors,  
27    judges, prosecutors, and investigators.

1 (g) The murder of a minor as a result of or attempted commission of a  
2 sexual and lewd act.

3 SEC. 2. Any criminal on death row prior to inception of this statute  
4 will have their sentence mitigated to life without the possibility of parole,  
5 in accordance with the policies of the Department of Corrections and  
6 Rehabilitation.

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

February 14, 2013  
Referred to the Miller Committee

An act to amend Section 12814.5 of the Vehicle Code, relating to license renewal requirements for the elderly.

ABSTRACT

SB 205 requires a person 70 years of age or older to renew his or her license yearly and pass a specific skills test in order to renew a driver's license and removes the requirement that the Department of Motor Vehicles notify a licensee granted a renewal by mail of major changes to the Vehicle Code and would authorize the department to renew a person's license by mail even when the license had been renewed by mail two consecutive times for five year periods, which is currently prohibited.

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

- 1     SECTION 1. Section 12814.5 of the Vehicle Code is amended, to read:
- 2     12814.5 (a) The director may establish a program to evaluate the traffic
- 3     safety and other effects of renewing driver's licenses by mail. Pursuant
- 4     to that program, the department may renew by mail driver's licenses for
- 5     licensees not holding a probationary license, and whose records, for the
- 6     two years immediately preceding the determination of eligibility for the
- 7     renewal, show no notification of a violation of subdivision (a) of Section
- 8     40509, a total violation point count not greater than one as determined
- 9     in accordance with Section 12810, no suspension of the driving privilege
- 10    pursuant to Section 13353.2, and no refusal to submit to or complete
- 11    chemical testing pursuant to Section 13353 or 13353.1.
- 12    (b) The director may terminate the renewal by mail program authorized
- 13    by this section at any time the department determines that the program has
- 14    an adverse impact on traffic safety.
- 15    (c) No renewal by mail shall be granted to any person who is 70 years
- 16    of age or older.
- 17    ~~(d) The department shall notify each licensee granted a renewal by mail~~
- 18    ~~pursuant to this section of major changes to the Vehicle Code affecting~~
- 19    ~~traffic laws occurring during the prior five-year period~~
- 20    (d) Drivers 70 years of age or older shall apply to renew their license
- 21    within a year prior to its expiration date.

1     ~~(c) The department shall not renew a driver's license by mail if the~~  
2     ~~license has been previously renewed by mail two consecutive times for~~  
3     ~~five-year periods.~~

4     *(e) Drivers 70 years of age or older shall take and pass an annual*  
5     *mandatory driving skills test to renew their license. The driving skills test*  
6     *shall assess all of the following skills:*

- 7     (1)     *Stopping.*
- 8     (2)     *Turning.*
- 9     (3)     *Backing up.*
- 10    (4)     *Changing lanes.*
- 11    (5)     *Freeway maneuvering.*
- 12    (6)     *Employing defensive driving techniques.*
- 13    (7)     *Vision.*
- 14    (8)     *Hearing.*

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

February 14, 2013  
Referred to the Sullivan Committee

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An act to add Section 116044 to the Health and Safety Code, relating to public swimming pools.

**ABSTRACT**

SB 206 requires a lifeguard station at a public swimming pool to display a placard describing the signs of drowning that is visible to visitors of the pool.

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

- 1     SECTION 1. Section 116044 is added to the Health and Safety Code
- 2     to read:
- 3     116044. A lifeguard station at a public swimming pool is required to
- 4     display a placard describing the signs of drowning that is visible to visitors
- 5     of the pool. The placard shall be known as the “Drowning Prevention
- 6     Guide” and shall have the following specifications: a clearly legible
- 7     heading stating “Drowning Prevention Guide” of at least 8.89 centimeters
- 8     (3.5 inches) and pictures depicting the signs of drowning of at least 10.2
- 9     centimeters (4 inches) by 10.2 centimeters (4 inches).

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

February 14, 2013  
Referred to the Fong Eu Committee

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An act to amend Section 399.11 of the Public Utilities Code, relating to renewable energy.

ABSTRACT

SB 207 increases the renewable energy production in urban areas by means of “The Pacesetter”, which creates electricity by capturing the kinetic energy that is transferred into the ground from walking via heel strikes.

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

1     SECTION 1. Section 399.11 of the Public Utilities Code is amended to  
2 read:

3     399.11. The Legislature finds and declares all of the following:

4     (a) In order to attain a target of generating 20 percent of total retail  
5 sales of electricity in California from eligible renewable energy resources  
6 by December 31, 2013, and 33 percent by December 31, 2020, it is the  
7 intent of the Legislature that the commission and the Energy Commission  
8 implement the California Renewables Portfolio Standard Program  
9 described in this article.

10    (b) Achieving the renewables portfolio standard through the procurement  
11 of various electricity products from eligible renewable energy resources  
12 is intended to provide unique benefits to California, including all of the  
13 following, each of which independently justifies the program:

14    (1) Displacing fossil fuel consumption within the state.

15    (2) Adding new electrical generating facilities in the transmission  
16 network within the Western Electricity Coordinating Council service area.

17    (3) Reducing air pollution in the state.

18    (4) Meeting the state’s climate change goals by reducing emissions of  
19 greenhouse gases associated with electrical generation.

20    (5) Promoting stable retail rates for electric service.

21    (6) Meeting the state’s need for a diversified and balanced energy  
22 generation portfolio.

23    (7) Assistance with meeting the state’s resource adequacy requirements.

24    (8) Contributing to the safe and reliable operation of the electrical grid,  
25 including providing predictable electrical supply, voltage support, lower  
26 line losses, and congestion relief.

1 (9) Implementing the state's transmission and land use planning  
2 activities related to development of eligible renewable energy resources.

3 (c) *The state of California will recognize "Pacesetter" and other*  
4 *technologies like it as viable means of green energy production.*

5 (1) *"Pacesetter" will receive a subsidy of one million dollars*  
6 *(\$1,000,000.00) from the state of California to improve its technology, and*  
7 *to make it more affordable and applicable to cities around California.*

8 (2) *A committee will be formed to oversee a survey of pedestrian traffic*  
9 *in San Francisco to best decide where to place the technology.*

10 (3) *The committee will be allotted \$200,000 United States Dollars to*  
11 *implement the technology in the spots that they deem as most productive*  
12 *and appropriate in San Francisco, California.*

13 (4) *The committee will consist of local and state government officials.*

14 (5) *The pacesetter technology will be included under the types of*  
15 *alternative energy that provide tax breaks to private companies so to*  
16 *provide incentive to utilize renewable energy.*

17 (6) *Reducing air pollution in the state.*

18 (7) *Meeting the state's climate change goals by reducing emissions of*  
19 *greenhouse gases associated with electrical generation.*

20 (8) *Promoting stable retail rates for electric service.*

21 (9) *Meeting the state's need for a diversified and balanced energy*  
22 *generation portfolio.*

23 (10) *Assistance with meeting the state's resource adequacy requirements.*

24 (11) *Contributing to the safe and reliable operation of the electrical*  
25 *grid, including providing predictable electrical supply, voltage support,*  
26 *lower line losses, and congestion relief.*

27 (12) *Implementing the state's transmission and land use planning*  
28 *activities related to development of eligible renewable energy resources.*

29 ~~(c)(d)~~ *The California Renewables Portfolio Standard Program is*  
30 *intended to complement the Renewable Energy Resources Program*  
31 *administered by the Energy Commission and established pursuant to*  
32 *Chapter 8.6 (commencing with Section 25740) of Division 15 of the*  
33 *Public Resources Code.*

34 ~~(d)(e)~~ *New and modified electric transmission facilities may be*  
35 *necessary to facilitate the state achieving its renewables portfolio standard*  
36 *targets.*

37 ~~(e)~~ *(f) (1) Supplying electricity to California end-use customers that is*  
38 *generated by eligible renewable energy resources is necessary to improve*  
39 *California's air quality and public health, and the commission shall ensure*  
40 *rates are just and reasonable, and are not significantly affected by the*  
41 *procurement requirements of this article. This electricity may be generated*  
42 *anywhere in the interconnected grid that includes many states, and areas*  
43 *of both Canada and Mexico.*

44 (2) *This article requires generating resources located outside of*  
45 *California that are able to supply that electricity to California end-use*

1 customers to be treated identically to generating resources located within  
2 the state, without discrimination.

3 (3) California electrical corporations have already executed, and the  
4 commission has approved, power purchase agreements with eligible  
5 renewable energy resources located outside of California that will supply  
6 electricity to California end-use customers. These resources will fully  
7 count toward meeting the renewables portfolio standard procurement  
8 requirements. In addition, there are nearly 7,000 megawatts of additional  
9 proposed renewable energy resources located outside of California that are  
10 awaiting interconnection approval from the Independent System Operator.  
11 All of these resources, if procured, will count as eligible renewable energy  
12 resources that satisfy the portfolio content requirements of paragraph (1)  
13 of subdivision (c) of Section 399.16.



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

February 14, 2013  
Referred to the Brown Committee

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An act to amend Section 51226.4 to the Education Code, relating to career technical education.

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ABSTRACT

SB 208 requires California public high schools to establish a post-secondary internship program.

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

1     SECTION 1. Section 51226.4 is added to the Education Code, to read:  
2     51226.4. (a) The governing board of each California school district  
3 shall establish a post-secondary internship program in which pupils shall  
4 be exposed to careers of interest to them.

5     (b) This program shall take effect in California public high schools and  
6 shall be mandatory for pupils to complete one year of internship orientation  
7 and at least one year of interning.

8     (1) Pupils shall begin the internship program at the start of their  
9 California high school career.

10    (2) During internship orientation, pupils shall be exposed to the process  
11 of interning through their advisory/homeroom class.

12    (3) If a California public high school lacks an advisory/homeroom  
13 period, a 30-minute advisory/homeroom class shall be created for students  
14 within scheduled school hours.

15    (4) At least two days out of the advisory/homeroom week, teachers  
16 shall help pupils prepare for their internship year by teaching a curriculum  
17 centered on resume writing/building, workplace culture and conduct, and  
18 the interviewing process.

19    (5) By the end of their internship orientation year, pupils must have  
20 obtained an internship for the upcoming school term.

21    (c) During the second year of their program, pupils shall intern with  
22 the organization/business with which they obtained an internship in their  
23 orientation year.

24    (1) Students shall be required to complete a minimum of 25 internship  
25 hours per semester or 12.5 internship hours per quarter.

26    (d) Each California public high school shall establish an internship  
27 advisory council in which a liaison is created between the high school and  
28 potential employers.

1 (1) The advisory council shall take the form of current advisory/  
2 homeroom teachers.

3 (2) If California public high schools lack existing advisory/homeroom  
4 teachers, advisory/ homeroom teachers shall be developed , using existing  
5 teachers at the school site.

6 (3) The advisory council shall create an orientation curriculum, based  
7 on the requirements specified in paragraph (4) of subdivision (b).

8 (4) The internship advisory councils shall create a database for pupils to  
9 research and contact possible employers.

10 (e) The internship orientation and internship shall serve as an addition  
11 to the curriculum in which students shall gain A-G credits for this  
12 requirement.

13 (f) Upon completion of their internship year, pupils shall have the  
14 opportunity to re-intern with the same employer upon approval of their  
15 school and current employer or find another employer with whom they can  
16 establish another internship.

17 (g) The additional year(s) of internship shall serve as required A-G  
18 extracurricular credits.

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

February 14, 2013  
Referred to the Sullivan Committee

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An act to add Section 1227.6 to the Penal Code, relating to prisoners.

**ABSTRACT**

SB 209 permits an inmate, scheduled for execution, the option of participating in an experiment, as provided.

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

1     SECTION 1. Section 1227.6 is added to the Penal Code to read:  
2     1227.6. An inmate, scheduled for execution, if in healthy condition, may  
3     consent to such experiments that the American Psychological Association  
4     deems as not permissible on humans. Private and public companies may  
5     administer the experiments if given permission by the state and. If the  
6     experiment is administered by a private company, the company shall pay a  
7     tax to the state in an unspecified amount. This is not a commission by the  
8     state and the process of using a volunteer will be similar, but not identical,  
9     to that of getting permission to use live animal subjects currently. The  
10    inmate shall be compensated for participating in the experiments and such  
11    compensation may be given to the inmate's family, the victim or victim's  
12    family, or charities of the inmate's choice. Dispensation of funds shall be  
13    specified in a contract signed by the inmate and the state or the private  
14    company performing the experiment. The contract shall address all liability  
15    issues and payment, but may vary if given by the state or from private  
16    companies, depending on their wants and needs. If the inmate survives  
17    the experiment without any misbehavior during the experiment, then the  
18    inmate shall be taken off of death row and placed in prison with a life  
19    sentence without parole. If the inmate decides cease participating in the  
20    experiment, the inmate may break the contract but only if the any pending  
21    experiment can be ceased without causing greater harm to the inmate or  
22    the administrator of the experiment.

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

February 14, 2013  
Referred to the Jordan Committee

An act to amend Section 66205 of the Education Code, related to admission to public postsecondary institutions.

**ABSTRACT**

SB 210 prohibits the California State University and the University of California from requiring or considering scores from the SAT I reasoning test or the ACT test for admission. The bill also removes the use of criteria and procedures that allow students to enroll who are otherwise fully eligible and admissible, but who have course deficiencies due to circumstances beyond their control.

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

2     SECTION 1. Section 66205 of the Education Code is amended to  
3     read:66205. (a) In determining the standards and criteria for undergradu-  
4     ate and graduate admissions to the University of California and the Cali-  
5     fornia State University, it is the intent of the Legislature that the govern-  
6     ing boards do all of the following:

7     (1) *Not require or consider scores from the SAT I reasoning test or the*  
8     *ACT test.*

9     (2) *Use factors such as grade point average, rigor of classes taken,*  
10     *community service, extracurricular activities, interview processes, and*  
11     *leadership qualities in evaluating applicants.*

12     ~~(1)~~(3) *Develop processes which strive to be fair and are easily under-*  
13     *standable.*

14     (4) *Allow the submission of SAT I reasoning test or ACT scores after*  
15     *receiving admission for course placement reasons at the university.*

16     ~~(2)~~ (5) Consider the use of criteria and procedures that allow students  
17     to enroll who are otherwise fully eligible and admissible but who have  
18     course deficiencies due to circumstances beyond their control, and, when  
19     appropriate, provide that the admission requires the student to make up  
20     the deficiency.

21     ~~(5)~~(6) Consult broadly with California's diverse ethnic and cultural com-  
22     munities.

23     (b) It is the intent of the Legislature that the University of California  
24     and the California State University, pursuant to Section 66201.5, seek to  
25     enroll a student body that meets high academic standards and reflects the  
26     cultural, racial, geographic, economic, and social diversity of California.

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

February 14, 2013  
Referred to the Peek Committee

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An act to amend Sections 207 and 207.1 of the Revenue and Taxation Code, relating to taxation of religious institutions.

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ABSTRACT

SB 211 eliminates the property tax exemption for religious institutions.

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

1     SECTION 1. Section 207 of the Revenue and Taxation Code is amended  
2 to read:

3     ~~Property used exclusively for religious purposes shall be exempt from~~  
4 ~~taxation.~~ *All property used exclusively for religious purposes shall be*  
5 *subject to taxation.* Property owned and operated by a ~~church~~ *religious*  
6 *institution* and used for religious worship, preschool purposes, nursery  
7 school purposes, kindergarten purposes, school purposes of less than  
8 collegiate grade, or for purposes of both schools of collegiate grade and  
9 schools less than collegiate grade but excluding property used solely  
10 for purposes of schools of collegiate grade, shall be deemed to be used  
11 exclusively for religious purposes under this section.

12     ~~The exemption provided by this section is granted pursuant to the~~  
13 ~~authority in subdivision (b) of Section 4 of Article XIII of the California~~  
14 ~~Constitution, and shall be known as the "religious exemption."~~

15     ~~This section shall be effective for the 1977-78 fiscal year and fiscal~~  
16 ~~years thereafter.~~

17     SECTION 2   Section 207.1 of the Revenue and Taxation Code is  
18 amended to read:

19     Personal property leased to a ~~church~~ *religious institution* and used  
20 exclusively for the purposes described in Section 207 shall be deemed to  
21 be used exclusively for religious purposes under that section.

22     *All personal property leased to a religious-affiliated institution and*  
23 *used exclusively for religious purposes described in Section 207 shall be*  
24 *subject to taxation.*

25     ~~The exemption provided by this section is granted pursuant to the~~  
26 ~~authority in Section 2 of Article XIII of the California Constitution.~~

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

February 14, 2013  
Referred to the Curry Committee

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An act to amend Section 7282 of the Government Code, relating to state government: federal immigration policy enforcement.

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**ABSTRACT**

SB 212 further defines “serious felony” or “violent felony.”

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

- 1     SECTION 1. Section 7282 of the Government Code is amended to read:  
2     7282. For purposes of this chapter, the following terms have the  
3     following meanings:  
4     (a) “Conviction” shall have the same meaning as subdivision (d) of  
5     Section 667 of the Penal Code.  
6     (b) “Eligible for release from criminal custody” means that the  
7     individual may be released from criminal custody because one of the  
8     following conditions has occurred:  
9     (1) All criminal charges against the individual have been dropped or  
10    dismissed.  
11    (2) The individual has been acquitted of all criminal charges filed  
12    against him or her.  
13    (3) The individual has served all the time required for his or her sentence.  
14    (4) The individual has posted a bond.  
15    (5) The individual is otherwise eligible for release under state or local  
16    law, or local policy.  
17    (c) “Immigration hold” means an immigration detainer issued by an  
18    authorized immigration officer, pursuant to Section 287.7 of Title 8 of the  
19    Code of Federal Regulations, that requests that the law enforcement official  
20    maintain custody of the individual for a period not to exceed 48 hours  
21    excluding Saturdays, Sundays, and holidays, and to advise the authorized  
22    immigration officer prior to the release of that individual.  
23    (d) “Law enforcement official” means any local agency or officer of a  
24    local agency authorized to enforce criminal statutes, regulations, or local  
25    ordinances or to operate jails or to maintain custody of individuals in jails,  
26    and any person or local agency authorized to operate juvenile detention  
27    facilities or to maintain custody of individuals in juvenile detention  
28    facilities.  
29    (e) “Local agency” means any city, county, city and county, special  
30    district, or other political subdivision of the state.

1 (f) “Serious felony” means any of the offenses listed in subdivision (c)  
2 of Section 1192.7 of the Penal Code and any offense committed in another  
3 state which, if committed in California, would be punishable as a serious  
4 felony as defined by subdivision (c) of Section 1192.7 of the Penal Code,  
5 *or any other felony punishable by five years or more or by death.*

6 (g) “Violent felony” means any of the offenses listed in subdivision (c)  
7 of Section 667.5 of the Penal Code and any offense committed in another  
8 state which, if committed in California, would be punishable as a violent  
9 felony as defined by subdivision (c) of Section 667.5 of the Penal Code, *or*  
10 *any other felony punishable by five years or more or by death.*

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

February 14, 2013  
Referred to the Hart Committee

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An act to add section 1706 to the Labor Code, relating to the modeling industry.

**ABSTRACT**

SB 213 would require modeling agencies to make sure that their models are in good health before hiring them.

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

- 1     SECTION 1. Section 1706 is added to the Labor Code to read:
- 2     1706. Before hiring a model, a state modeling agency shall first require
- 3     a physical to be administered by a medical professional. For purposes of
- 4     this section, a model shall be defined as a person who is employed to
- 5     display, advertise and promote commercial products or to serve as a subject
- 6     of works of art. If it is determined that the model is of poor health, that fact
- 7     shall automatically disqualify the model from obtaining the modeling job.
- 8     All current and prospective models shall be reexamined every 12 months,
- 9     based on the model's original hiring date. It is the intent of the Legislature
- 10    in enacting this section to prevent models from subjecting themselves to
- 11    malnourishment in order to fit the look.



**Introduced by Members Representing the  
Newport Harbor Delegation of the  
Mission Viejo Branch of the  
YMCA of Orange County**

February 14, 2013  
Referred to the Waite Committee

An act to amend Section 7360 of the Revenue and Taxation Code, relating to the tax on gasoline.

ABSTRACT

SB 214 increases the gasoline tax from \$0.18 to \$0.30 per gallon.

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

1 SECTION 1. Section 7360 of the Revenue and Taxation Code is amend-  
2 ed to read: 7360. (a) (1) A tax of eighteen cents (\$0.18) thirty cents  
3 (\$0.30) is hereby imposed upon each gallon of fuel subject to the tax in  
4 Sections 7362, 7363, and 7364.

5 (2) If the federal fuel tax is reduced below the rate of nine cents  
6 (\$0.09) per gallon and federal financial allocations to this state for high-  
7 way and exclusive public mass transit guideway purposes are reduced  
8 or eliminated correspondingly, the tax rate imposed by paragraph (1), on  
9 and after the date of the reduction, shall be recalculated by an amount so  
10 that the combined state rate under paragraph (1) and the federal tax rate  
11 per gallon equal twenty-seven cents (\$0.27) thirty-nine cents (\$0.39).

12 (3) If any person or entity is exempt or partially exempt from the fed-  
13 eral fuel tax at the time of a reduction, the person or entity shall continue  
14 to be so exempt under this section.

15 (b)(1) On and after July 1, 2010, in addition to the tax imposed by  
16 subdivision (a), a tax is hereby imposed upon each gallon of motor  
17 vehicle fuel, other than aviation gasoline, subject to the tax in Sections  
18 7362, 7363, and 7364 in an amount equal to seventeen and three-tenths  
19 cents (\$0.173) per gallon.

20

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22 (4) The intent of paragraphs (2) and (3) is to ensure that the act add-  
23 ing this subdivision and Section 6357.7 does not produce a net revenue  
24 gain in state taxes.

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

February 14, 2013  
Referred to the Jordan Committee

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Senate Joint Resolution No. 215, relative to the National Organ Transplant Act.

ABSTRACT

SJR 215 urges Congress to amend the National Organ Transplant Act.

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

- 1       WHEREAS, The National Organ Transplant Act forbids the formation  
2 of an organ market; and  
3       WHEREAS, There is an increasing number of people in need of organs  
4 vital to their survival; and  
5       WHEREAS, Current living organ donations are not able to meet  
6 sufficiently meet demand; and  
7       WHEREAS, The price of organs serves as an appropriate incentive for  
8 organ donors; now therefore, be it  
9       *Resolved by the Assembly and the Senate of the State of California,*  
10 jointly, that the Legislature of the State of California respectfully  
11 memorializes the Congress of the United States to propose instituting a  
12 market for live organ transplants, wherein live organs can be bought and  
13 sold, regulated by the government of the United States.

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

February 14, 2013  
Referred to the McPherson Committee

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An act to add Part 32 (commencing with Section 70000) to Division 2 of the Revenue and Taxation Code, and to add Section 14502.5 of the Welfare and Institutions Code, relating to taxation.

**ABSTRACT**

SJR 216 imposes a tax on assisted reproductive procedures and allocates those revenues to the Office of Family Planning, to be distributed to Planned Parenthood and used to provide health care services to the general public.

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

- 1     SECTION 1. Part 32 (commencing with Section 70000) is added to  
2     Division 2 of the Taxation and Revenue, to read:  
3     70000. (a) All assisted reproductive procedures, as described in  
4     subdivision (b), shall be taxed at the rate of 10 percent. The taxes shall  
5     be paid by the doctors and other providers of these services to the State  
6     of California. If the records provided by the service providers include  
7     identification of the recipients of the services, the state shall protect the  
8     privacy of the recipients and not disclose their identities in accordance  
9     with medical privacy laws. The revenues from this tax shall be allocated to  
10    the Office of Family Planning within the State Department of Health Care  
11    Services, which shall distribute the revenues to Planned Parenthood on a  
12    yearly basis pursuant to Section 14502.5 of the Welfare and Institutions  
13    Code.  
14    (b) For purposes of this section, “assisted reproductive procedures”  
15    includes, but is not limited to, in vitro fertilizations and other procedures  
16    used to achieve pregnancy through artificial insemination or the artificial  
17    handling of sperm and ova.  
18    SEC. 2. Section 14502.5 is added to the Welfare and Institutions Code  
19    to read:  
20    14502.5. Any tax revenue generated from Section 70000 of the Taxation  
21    and Revenue Code that is allocated to the Office of Family Planning shall  
22    be distributed, on a yearly basis, to Planned Parenthood only to be used  
23    to provide health care services to the general public, and not for any other  
24    uses, such as administration.

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

February 14, 2013  
Referred to the Waite Committee

An act to amend Section 602 of, and to repeal Section 707 of, the Welfare and Institutions Code, relating to juvenile court jurisdiction.

ABSTRACT

SB 217 states that any person under the age of 18 cannot be tried as an adult in a court of law unless this person is of the age of 16 or 17 and has committed a violent felony.

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

1     SECTION 1. Section 602 of the Welfare and Institutions Code shall be  
2 amended as follows:

3     602. (a) ~~Except as provided in subdivision (b),~~ any person who is under  
4 the age of 18 years when he or she violates any law of this state or of the  
5 United States or any ordinance of any city or county of this state defining  
6 crime other than an ordinance establishing a curfew based solely on age,  
7 is within the jurisdiction of the juvenile court, which may adjudge such  
8 person to be a ward of the court.

9     (b) ~~Any person who is alleged, when he or she was 14 years of age or~~  
10 ~~older, to have committed one of the following offenses shall be prosecuted~~  
11 ~~under the general law in a court of criminal jurisdiction:-~~

12     (1) ~~Murder, as described in Section 187 of the Penal Code, if one of the~~  
13 ~~circumstances enumerated in subdivision (a) of Section 190.2 of the Penal~~  
14 ~~Code is alleged by the prosecutor, and the prosecutor alleges that the minor~~  
15 ~~personally killed the victim:-~~

16     (2) ~~The following sex offenses, if the prosecutor alleges that the minor~~  
17 ~~personally committed the offense, and if the prosecutor alleges one of the~~  
18 ~~circumstances enumerated in the One Strike law, subdivision (d) or (e) of~~  
19 ~~Section 667.61 of the Penal Code, applies:-~~

20     (A) ~~Rape, as described in paragraph (2) of subdivision (a) of Section~~  
21 ~~261 of the Penal Code.~~

22     (B) ~~Spousal rape, as described in paragraph (1) of subdivision (a) of~~  
23 ~~Section 262 of the Penal Code.~~

24     (C) ~~Forcible sex offenses in concert with another, as described in~~  
25 ~~Section 264.1 of the Penal Code.~~

1     ~~(D) Forceful lewd and lascivious acts on a child under the age of 14~~  
2     ~~years, as described in subdivision (b) of Section 288 of the Penal Code.~~

3     ~~(E) Forceful sexual penetration, as described in subdivision (a) of~~  
4     ~~Section 289 of the Penal Code.~~

5     ~~(F) Sodomy or oral copulation in violation of Section 286 or 288a of the~~  
6     ~~Penal Code, by force, violence, duress, menace, or fear of immediate and~~  
7     ~~unlawful bodily injury on the victim or another person.~~

8     ~~(G) Lewd and lascivious acts on a child under the age of 14 years, as~~  
9     ~~defined in subdivision (a) of Section 288, unless the defendant qualifies~~  
10    ~~for probation under subdivision (c) of Section 1203.066 of the Penal Code.~~

11    ~~(b) If someone aged 16 or 17 years of age commits a violent felony,~~  
12    ~~a hearing may be held in their case in which a juvenile court judge may~~  
13    ~~decide to try the minor as an adult.~~

14

15    ~~SEC. 2. Section 707 of the Welfare and Institutions Code is repealed.~~

16    ~~707. (a)(1) In any case in which a minor is alleged to be a person described~~  
17    ~~in subdivision (a) of Section 602 by reason of the violation, when he or she~~  
18    ~~was 16 years of age or older, of any criminal statute or ordinance except~~  
19    ~~those listed in subdivision (b), upon motion of the petitioner made prior~~  
20    ~~to the attachment of jeopardy the court shall cause the probation officer~~  
21    ~~to investigate and submit a report on the behavioral patterns and social~~  
22    ~~history of the minor being considered for a determination of unfitness.~~  
23    ~~Following submission and consideration of the report, and of any other~~  
24    ~~relevant evidence that the petitioner or the minor may wish to submit, the~~  
25    ~~juvenile court may find that the minor is not a fit and proper subject to be~~  
26    ~~dealt with under the juvenile court law if it concludes that the minor would~~  
27    ~~not be amenable to the care, treatment, and training program available~~  
28    ~~through the facilities of the juvenile court, based upon an evaluation of the~~  
29    ~~following criteria:~~

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

February 14, 2013  
Referred to the Shelley Committee

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An act to add Article 9 (commencing with Section 12092) to Chapter 1 of Part 2 of Division 3 of Title 1 of the Government Code, relating to the California Promise Neighborhoods Initiative.

ABSTRACT

SB 218 proposes to strengthen the California Promise Neighborhoods Initiative, as proposed by AB 1072 of the 2011-2012 Regular Session of the California Legislature, by ensuring that youth impacted by the success and failure of key decisions in California Promise Neighborhood funded projects hold positions of authority. Eligible applicants for grants awarded to carry out the purposes of the program would be required to prove that youth have been included in planning decisions, particularly youth who are involved in youth government development programs in their community.

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

- 1     SECTION 1. Section 12093 of the Government Code, as proposed by  
2     Assembly Bill No. 1072 of the 2012 Regular Session of the Legislature is  
3     amended to read:  
4     12093.  
5     \*\*\*\*  
6     (b)  
7     \*\*\*\*  
8     (8) *A youth development organization, including a youth council of not*  
9     *less than 12 neighborhood youth leaders who are members appointed by*  
10    *this organization.*  
11    *No fewer than two (2) ex-officio youth council members may be*  
12    *appointed to hold seats on the following community partner entities: the*  
13    *school district board, the city human services commission, and a child*  
14    *development organization board. Youth appointment to additional partner*  
15    *non-profit organization boards and city commissions is encouraged.*

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

February 14, 2013  
Referred to the Jones Committee

An act to amend Section 44664 of the Education Code, relating to teacher evaluations.

ABSTRACT

SB 219 creates an annual evaluation process for all teachers and establishes an Evaluation Committee, consisting of randomly selected teachers, administrators, and governing board members, to perform specified duties relating to the annual evaluations.

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

- 1 Section 44664 of the Education Code is amended to read:
- 2 44664. (a) Evaluation and assessment of the performance of each
- 3 certificated employee shall be made ~~on a continuing basis as follows: on~~
- 4 ~~an annual basis.~~
- 5 (1) ~~At least once each school year for probationary personnel.~~
- 6 (2) ~~At least every other year for personnel with permanent status.~~
- 7 (3) ~~At least every five years for personnel with permanent status who~~
- 8 ~~have been employed at least 10 years with the school district, are highly~~
- 9 ~~qualified, if those personnel occupy positions that are required to be filled~~
- 10 ~~by a highly qualified professional by the federal No Child Left Behind~~
- 11 ~~Act of 2001 (20 U.S.C. Sec. 6301, et seq.), as defined in 20 U.S.C. Sec.~~
- 12 ~~7801, and whose previous evaluation rated the employee as meeting or~~
- 13 ~~exceeding standards, if the evaluator and certificated employee being~~
- 14 ~~evaluated agree. The certificated employee or the evaluator may withdraw~~
- 15 ~~consent at any time.~~
- 16 (b) The evaluation shall include recommendations, if necessary, as to
- 17 areas of improvement in the performance of the employee. If an employee
- 18 is not performing his or her duties in a satisfactory manner according to
- 19 the standards prescribed by the governing board, the ~~employing authority~~
- 20 *Evaluation Committee* shall notify the employee in writing of that fact
- 21 and describe the unsatisfactory performance. *The Evaluation Committee*
- 22 *will consist of randomly selected teachers, administrators, and governing*
- 23 *board members.* The employing authority shall thereafter confer with the
- 24 employee making specific recommendations as to areas of improvement in
- 25 the employee's performance and endeavor to assist the employee in his or
- 26 her performance. If any permanent certificated employee has received an

1 unsatisfactory evaluation, the employing authority shall annually evaluate  
2 the employee until the employee achieves a positive evaluation or is  
3 separated from the district *place the employee on probationary status.*

4 (c) Any evaluation performed pursuant to this article which contains  
5 an unsatisfactory rating of an employee's performance in the area of  
6 teaching methods or instruction ~~may include the requirement~~ *requires* that  
7 the certificated employee shall, ~~as determined necessary by the employing~~  
8 ~~authority~~, participate in a program designed to improve appropriate areas  
9 of the employee's performance and to further pupil achievement and the  
10 instructional objectives of the employing authority. If a district participates  
11 in the Peer Assistance and Review Program for Teachers established  
12 pursuant to Article 4.5 (commencing with Section 44500), any certificated  
13 employee who receives an unsatisfactory rating on an evaluation performed  
14 pursuant to this section shall participate in the Peer Assistance and Review  
15 Program for Teachers.

16 (d) Hourly and temporary hourly certificated employees, other than  
17 those employed in adult education classes who are excluded by the  
18 provisions of Section 44660, and substitute teachers may be excluded from  
19 the provisions of this section at the discretion of the governing board.



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

February 14, 2013  
Referred to the Miller Committee

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An act to amend Section 1294.1 of the Labor Code, relating to employment of minors.

ABSTRACT

SB 220 prohibits the employment of minors under the age of 16 to be employed or contracted for reality or reality based entertainment for profit of a television network and affiliates.

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

1     SECTION 1. Section 1294.1 of the Labor Code is amended, to read:

2     1294.1. (a) No minor under the age of 16 years shall be employed or  
3 permitted to work in either of the following:

4         (1) Any occupation declared particularly hazardous for the employment  
5 of minors below the age of 16 years in Section 570.71 of Subpart E-1 of  
6 Part 570 of Title 29 of the Code of Federal Regulations, as that regulation  
7 may be revised from time to time.

8         (2) Any occupation excluded from the application of Subpart C of Part  
9 570 of Title 29 of the Code of Federal Regulations, as set forth in Section  
10 570.33 and paragraph (b) of Section 570.34 thereof, as those regulations  
11 may be revised from time to time.

12         (b) No minor shall be employed or permitted to work in any occupation  
13 declared particularly hazardous for the employment of minors between 16  
14 and 18 years of age, or declared detrimental to their health or well-being,  
15 in Subpart E of Part 570 of Title 29 of the Code of Federal Regulations, as  
16 those regulations may be revised from time to time.

17         (c) Nothing in this section shall prohibit a minor engaged in the  
18 processing and delivery of newspapers from entering areas of a newspaper  
19 plant, other than areas where printing presses are located, for purposes  
20 related to the processing or delivery of newspapers.

21         (d) *No minor shall be employed or permitted to work in any occupation*  
22 *or contract of employment relating to reality or reality-based television*  
23 *entertainment declared hazardous for minors below age of 16, or declared*  
24 *detrimental to their physical, mental or emotional health or well-being for*  
25 *the profit of a television network and network affiliates.*

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

February 14, 2013  
Referred to the Brown Committee

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An act to amend Section 7150.15 to the Health and Safety Code, relating to organ donation.

ABSTRACT

SB 221 provides that organ donors may donate specified organs for financial compensation.

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

1     SECTION 1. Section 7150.15 of the Health and Safety Code is amended  
2 to read:

3     7150.15. Subject to Section 7150.35, an anatomical gift of a donor's  
4 body or part may be made during the life of the donor for the purpose of  
5 transplantation, therapy, research, or education in the manner provided in  
6 Section 7150.20 by any of the following individuals:

7     (a) The donor, if the donor is an adult or if the donor is a minor and is  
8 either of the following:

9         (1) An emancipated minor.

10        (2) Between 15 and 18 years of age, only upon the written consent of a  
11 parent or guardian.

12     (b) An agent of the donor, provided that the power of attorney for health  
13 care or other record expressly permits the agent to make an anatomical gift.

14     (c) *A person may sell his or her organs and receive payment in the amount*  
15 *of thousand dollars (\$30,000) for his or her bone marrow, part of his or her*  
16 *liver, a kidney, or a lung. The donation shall be used for transplantation,*  
17 *research, therapy, and education. The payments shall be taxed at a rate of*  
18 *10%, which shall be allocated by the government to both of the following:*

19         (1) *The organization (UAGA), which will be receiving the organs*  
20 *and will be matching them to people in need of transplantation.*

21         (2) *The Department of Education for deposit into the appropriate fund.*

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

February 14, 2013  
Referred to the Brown Committee

An act to amend Sections 30515 and 30605 of the Penal Code, relating to assault weapons.

ABSTRACT

SB 222 eliminates some of the features in the definition of an assault weapon and penalizes all instances of unlawful possession with imprisonment, not to exceed one year.

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

1     SECTION 1. Section 30515 of the Government Code is amended to  
2 read:

3     30515. (a) Notwithstanding Section 30510, “assault weapon” shall  
4 also mean any of the following: *“Assault weapon” characteristics and*  
5 *accessories shall include:*

6     (1) A semiautomatic, centerfire rifle that has the capacity to accept a  
7 detachable magazine ~~and any one of the following:~~

8     (A) ~~A pistol grip that protrudes conspicuously beneath the action of the~~  
9 ~~weapon:~~

10    (B) ~~A thumbhole stock:~~

11    (C) ~~A folding or telescoping stock:~~

12    (D) ~~A grenade launcher or flare launcher:~~

13    (E) ~~A flash suppressor:~~

14    (F) ~~A forward pistol grip:~~

15    (2) A semiautomatic, centerfire rifle *magazine with a capacity of over*  
16 *20 rounds.*

17    (3) ~~A semiautomatic, centerfire rifle that has an overall length of less~~  
18 ~~than 30 inches:~~

19    (3) *A semiautomatic pistol that has the capacity to accept a detachable*  
20 *magazine and any one of the following:*

21    (A) ~~A a threaded barrel, capable of accepting a flash suppressor, forward~~  
22 ~~handgrip, or silencer.~~

23    (B) ~~A second handgrip:~~

24    (C) ~~A shroud that is attached to, or partially or completely encircles, the~~  
25 ~~barrel that allows the bearer to fire the weapon without burning his or her~~  
26 ~~hand, except a slide that encloses the barrel:~~

3 (5) (4) A semiautomatic pistol with a ~~fixed~~ *detachable* magazine that  
4 has the capacity to accept more than 10 20 rounds.

6 ~~(A) A folding or telescoping stock.~~

9 (7) A semiautomatic shotgun that has the ability to accept a detachable  
10 magazine.

11 ~~(8) Any shotgun with a revolving cylinder.~~

12 (b) “Assault weapon” does not include any antique firearm.

13 \*\*\*\*

14 SEC. 2. Section 30605 of the Government Code is amended to read:

15       30605. (a) Any person who, within this state, possesses any *firearm with*  
16 assault weapon *accessories or characteristics*, except as provided in this  
17 chapter, shall be punished by imprisonment in a county jail for a period  
18 not exceeding one year, or by imprisonment pursuant to subdivision (h) of  
19 Section 1170.

(b) Notwithstanding subdivision (a), a first violation of these provisions is punishable by a fine not exceeding five hundred dollars (\$500) if the person was found in possession of no more than two firearms in compliance with Section 30945 and the person meets all of the following conditions:

~~(1) The person proves that he or she lawfully possessed the assault weapon prior to the date it was defined as an assault weapon.~~

26 (2) The person has not previously been convicted of a violation of this  
27 article.

~~(3) The person was found to be in possession of the assault weapon within one year following the end of the one-year registration period established pursuant to Section 30900.~~

31 (4) The person relinquished the firearm pursuant to Section 31100, in  
32 which case the assault weapon shall be destroyed pursuant to Sections  
33 18000 and 18005.

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

February 14, 2013  
Referred to the Sullivan Committee

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An act to add Section 2158 to the Fish and Game Code, relating to permits for restricted species.

**ABSTRACT**

SB 223 beginning January 1, 2020, prohibits the issuance of, and withdraws the permits of any entity that is funded in whole or in part with state, county, or city financing, and that houses 10 or more animals for public display.

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

- 1     SECTION 1. Section 2158 is added to the Fish and Game Code, to read:
- 2     2158. Notwithstanding any other provision of law, beginning on January
- 3     1, 2020, a permit shall not be issued to any entity receiving direct financial
- 4     support of any amount from any state, county, or city government, and that
- 5     houses 10 or more restricted animals for the purposes of displaying those
- 6     animals to the public. Any above described permitted entity shall have its
- 7     permit withdrawn on January 1, 2020.

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

February 14, 2013  
Referred to the Jordan Committee

An act to add Section 5010 to the Penal Code, relating to exercise equipment offered to inmates.

ABSTRACT

SB 224 installs energy-storing ellipticals in California prisons to incentivize exercising for both inmates and prisons, by producing enough electricity to make prisons partially self-sustainable and by reducing a non-violent inmate's prison sentence for time spent using the energy-storing ellipticals, respectively.

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

1     SECTION 1. Section 5010 is amended to the Penal Code, to read:  
2     5010. (a) The Legislature hereby finds and declares that the predominant  
3     purpose of exercise in correctional facilities should be for the maintenance  
4     of the general health and welfare of inmates and that exercise equipment  
5     and programs *and energy-storing ellipticals* in correctional facilities  
6     should be consistent with this purpose.

\*\*\*

7  
8     (b) *California state prisons shall offer five or more energy-storing*  
9     *ellipticals for inmates to utilize. This exercise equipment is attached to*  
10    *a central generator where the electricity produced by the kinetic energy*  
11    *from the inmates exercising is stored. All California state prisons shall*  
12    *comply with this standard by January 1, 2015. The funds to purchase this*  
13    *exercise equipment shall come from the existing budget of the Department*  
14    *of Corrections and Rehabilitation.*

15    (c) *The warden of each state prison shall record the number of hours*  
16    *spent on the energy-storing ellipticals for inmates who have committed*  
17    *non-violent crimes. For every twelve hours that a non-violent inmate*  
18    *exercises on the energy-storing ellipticals, the inmate shall receive one*  
19    *day off of his or her prison sentence.*

20    ~~(b)-(d)~~ (d) It is the intent of the Legislature that ~~both the Department of~~  
21    ~~Corrections and the Department of the Youth Authority eliminate or restrict~~  
22    ~~the department eliminates or restricts~~ access to weights and weight lifting  
23    equipment *and energy-storing ellipticals* where it is determined that the  
24    particular type of equipment involved or the particular prison population  
25    or inmate involved poses a safety concern both in the correctional facility  
26    and to the public upon release. In those instances where inmates are

1 allowed access to weights and weight lifting equipment *and energy-storing*  
2 *ellipticals*, access shall be a privilege.

3 \*\*\*

4 ~~-(e) (e) On or before July 1, 1995, both the Department of Corrections and~~  
5 ~~the Department of the Youth Authority January 1, 2015, the Department of~~  
6 *Corrections and Rehabilitation* shall adopt regulations governing inmate  
7 access to weight lifting and weight training equipment *and energy-storing*  
8 *ellipticals* in ~~state prison and California Youth Authority correctional~~  
9 *facilities, respectively*. In developing these regulations, the ~~departments~~  
10 *department* shall consider each of the following:

11 (1) Some prisoners may utilize weight equipment to develop strength  
12 and increase body mass and size rather than for the maintenance of general  
13 health. This use of weight exercise equipment may create a risk of harm  
14 to other inmates, correctional officers, and staff and, upon release, to law  
15 enforcement officers and the general public.

16 (2) The improper use of weights and weight lifting equipment *and*  
17 *energy-storing ellipticals* may result in injuries that require costly medical  
18 attention.

19 (3) Access to weights and weight lifting equipment *and energy-storing*  
20 *ellipticals* by inmates may result in the use of the equipment by inmates to  
21 attack other inmates or correctional officers.

22 (f) *The Department of Corrections and Rehabilitation shall report to*  
23 *the Chair of the Assembly Committee on Public Safety and the Chair of the*  
24 *Senate Judiciary Committee on or before January 1, 2015, regarding the*  
25 *regulations adopted pursuant to this section.*

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

February 14, 2013  
Referred to the Peek Committee

An act to amend Section 7284.2 of, and to add Part 19.5 (commencing with Section 40250) to Division 2 of, the Revenue and Taxation Code, relating to taxation.

ABSTRACT

SB 225 levies a state carbon tax based on residential carbon emissions per metric ton, in place of all local utility user and provider taxes in the State of California imposed on electricity, in an effort to reduce greenhouse gas emissions in the State of California.

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

1     SECTION 1. Section 7284.2 of the Revenue and Taxation Code is  
2     amended to read:

3     7284.2 (a) The board of supervisors of any county may levy a utility  
4     user tax on the consumption of electricity, gas, water, sewer, telephone,  
5     telegraph, and cable television services in the unincorporated area of the  
6     county.

7     (b) For purposes of this section, “gas” shall not be construed as  
8     referring to the consumption of compressed natural gas dispensed by a gas  
9     compressor, within a local jurisdiction, that is separately metered and is  
10    dedicated to providing compressed natural gas as a motor vehicle fuel for  
11    use by the local agency or public transit operator.

12    (c) For purposes of this section, “local jurisdiction” means any city,  
13    county, city and county, including any chartered city, county, or city and  
14    county, district, or public or municipal corporation.

15    (d) For purposes of this section “public transit operator” means a  
16    local or regional transit agency or a joint powers agency operating bus  
17    transportation service as defined pursuant to

18    Article 1 (commencing with Section 99200) of Chapter 4 of Part 11 of  
19    Division 10 of the Public Utilities Code.

20    SEC. 2. Part 19.5 (commencing with Section 40250) is added to  
21    Division 2 of the Revenue and Taxation Code, to read:

22                                   PART 19.5. CARBON TAX

23    40250. (a) Taxpayers in the State of California are to pay a carbon tax  
24    based on the year’s average resident carbon emission beginning January  
25    1, 2014. Tax will be considered void when the annual carbon emission



1 among Californian taxpayers is verified to exist below an average six  
2 metric tons per resident. Given the fluctuation of carbon emissions from  
3 resident consumption, rates will appear within an exclusive section of  
4 forms regarding annual taxation.

5 (b) The State of California will determine tax amounts based on the  
6 following criteria:

7 (1) The number of electric kilowatt hours spent.

8 (2) The taxpayers' classification within California's income brackets.  
9 The tax amounts will be ten, twenty, thirty, forty, fifty, sixty, or one hundred  
10 dollars per metric ton respectively ranging from lowest to highest rates.

11 (3) Tax will double for those of marital status.

12 (c) All revenue generated by the taxes imposed by this part is to be  
13 regulated accordingly:

14 (1) Fifty percent is to be distributed as financial stimulus in the form  
15 of grants to environmentally conservative causes and entities performing  
16 research, development, and widespread implementation of alternative  
17 energy sources.

18 (2) Fifty percent is to be redistributed to municipal treasuries based  
19 upon the zip codes of taxpaying residents.

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

February 14, 2013  
Referred to the Curry Committee

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An act to add Section 6058 to the Revenue and Taxation Code, relating to taxation of toilets.

ABSTRACT

SB 226 requires the collection of an additional 5% tax on toilets with flappers, as defined. The bill provides that this tax revenue be deposited in a specified fund to be disbursed as rebates on the purchase of flapperless toilets.

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

- 1     SECTION 1. Section 6058 is added to the Revenue and Taxation Code,  
2 to read:  
3     6058. (a) For the purpose of this section:  
4     (1) "Flapper" means a component that is found within gravity, or flush,  
5 toilets, and serves the purpose of allowing water to flow in and out of the  
6 tank.  
7     (2) "Flapperless" refers to a toilet without the flapper mentioned in  
8 paragraph (1).  
9     (b) In addition to any other sales tax or other tax, the purchase of a toilet  
10 with a flapper shall be subject to a 5 percent tax on its purchase price, the  
11 revenue from which shall be deposited into the Flapperless Toilet Rebate  
12 Fund.  
13     (c) The funds collected from tax described in subdivision (b) shall be  
14 applied to providing a 3 percent rebate on the purchase of flapperless  
15 toilets, which shall be administered by the Department of Public Health.  
16     (d) The above tax and rebate in subsections (b) and (c) shall be operative  
17 January 1, 2014.

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

February 14, 2013  
Referred to the Waite Committee

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An act to amend Section 2101 of the Elections Code, relating to voting.

**ABSTRACT**

SB 227 requires all state prisons and local jails to provide Internet access to prisoners for the use of the Secretary of State's website for online voter registration and would set certain requirements for inmate voter registration.

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

- 1     SECTION 1. Section 2101 of the Elections Code is amended, to read:  
2     2101. (a) A person entitled to register to vote shall be a United States  
3     citizen, a resident of California, not in prison or on parole for the conviction  
4     of a felony, and at least 18 years of age at the time of the next election.  
5     (b) *For the purpose of prisoner voting rights, the following shall be*  
6     *mandated:*  
7     (1) *All prisoners in state prison or jail shall be entitled to internet access*  
8     *for use of the California Secretary of State's website for the purpose of on-*  
9     *line voter registration.*  
10    (2) *A prisoner registering to vote shall use the site of the prison or jail*  
11    *in which they are currently incarcerated as their residence.*  
12    (3) *A prisoner who registers to vote must register as a permanent*  
13    *absentee voter.*

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

February 14, 2013  
Referred to the Curry Committee

An Act to amend Section 7150.15 of the Health and Safety code, relating to anatomical gifts.

**ABSTRACT**

SB 228 requires that organ recipients are themselves organ donors.

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

- 1     SECTION 1. Section 7150.15 of the Health and Safety Code is amended  
2 to read:  
3     7150.15. (a) Subject to Section 7150.35, an anatomical gift of a donor's  
4 body or part may be made during the life of the donor for the purpose of  
5 transplantation, therapy, research, or education in the manner provided in  
6 Section 7150.20 by any of the following  
7 individuals:  
8     ~~(a)~~ (1) The donor, if the donor is an adult or if the donor is a minor and  
9 is either of the following:  
10     ~~(1)~~ (A) An emancipated minor.  
11     ~~(2)~~ (B) Between 15 and 18 years of age, only upon the written consent  
12 of a parent or guardian.  
13     ~~(b)~~ (2) An agent of the donor, provided that the power of attorney  
14 for health care or other record expressly permits the agent to make an  
15 anatomical gift.  
16     (b) *In order to be eligible to receive an anatomical gift, a person 18*  
17 *years of age or older must have identified himself or herself as organ and*  
18 *tissue donor upon their death with the Donate Life California Organ and*  
19 *Tissue Donor Registry. If a person 18 years of age or older receives an*  
20 *anatomical gift he or she must continue to be enrolled with the Donate Life*  
21 *California Organ and Tissue Donor Registry for the rest of his or her life.*

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**Introduced by Members Representing the  
Torrance-South Bay Branch of the  
YMCA of Metropolitan Los Angeles**

February 14, 2013  
Referred to the Bowen Committee

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An act to amend Section 597 of the Penal Code, relating to the proper treatment of domestic animals.

ABSTRACT

SB 229 creates an animal abuse registry.

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

1     SECTION 1. Section 597 of the Penal Code is amended to read:

2     597. (a) Except as provided in subdivision (c) of this section or Section  
3     599c, every person who maliciously and intentionally maims, mutilates,  
4     tortures, or wounds a living animal, or maliciously and intentionally kills  
5     an animal, is guilty of an offense punishable by imprisonment in the state  
6     prison, or by a fine of not more than twenty thousand dollars (\$ 20,000), or  
7     by both the fine and imprisonment, or, alternatively, by imprisonment in a  
8     county jail for not more than one year, or by a fine of not more than twenty  
9     thousand dollars (\$20,000), or by both the fine and imprisonment.

10    (b) Except as otherwise provided in subdivision (a) or (c), every person  
11    who overdrives, overloads, drives when overloaded, overworks, tortures,  
12    torments, deprives of necessary sustenance, drink, or shelter, cruelly beats,  
13    mutilates, or cruelly kills any animal, or causes or procures any animal  
14    to be so overdriven, overloaded, driven when overloaded, overworked,  
15    tortured, tormented, deprived of necessary sustenance, drink, shelter, or  
16    to be cruelly beaten, mutilated, or cruelly killed; and whoever, having the  
17    charge or custody of any animal, either as owner or otherwise, subjects  
18    any animal to needless suffering, or inflicts unnecessary cruelty upon the  
19    animal, or in any manner abuses any animal, or fails to provide the animal  
20    with proper food, drink, or shelter or protection from the weather, or who  
21    drives, rides, or otherwise uses the animal when unfit for labor, is, for  
22    every such offense, guilty of a crime punishable as a misdemeanor or as a  
23    felony or alternatively punishable as a misdemeanor or a felony and by a  
24    fine of not more than twenty thousand dollars(\$20,000).

25    (c) Every person who maliciously and intentionally maims, mutilates,  
26    or tortures any mammal, bird, reptile, amphibian, or fish as described in  
27    subdivision (d), is guilty of an offense punishable by imprisonment in  
28    the state prison, or by a fine of not more than twenty thousand dollars  
29    (\$ 20,000), or by both the fine and imprisonment, or, alternatively, by

1 imprisonment in the county jail for not more than one year, by a fine of  
2 not more than twenty thousand dollars (\$ 20,000), or by both the fine and  
3 imprisonment.

4 (d) Subdivision (c) applies to any mammal, bird, reptile, amphibian, or  
5 fish which is a creature described as follows:

6 \*\*\*

7 (e) For the purposes of subdivision (c), each act of malicious and  
8 intentional maiming, mutilating, or torturing a separate specimen of a  
9 creature described in subdivision (d) is a separate offense. If any person  
10 is charged with a violation of subdivision (c), the proceedings shall be  
11 subject to Section 12157 of the Fish and Game Code.

12 (f) (1) Upon the conviction of a person charged with a violation of  
13 this section by causing or permitting an act of cruelty, as defined in  
14 Section 599b, all animals lawfully seized and impounded with respect  
15 to the violation by a peace officer, officer of a humane society, or officer  
16 of a pound or animal regulation department of a public agency shall be  
17 adjudged by the court to be forfeited and shall thereupon be awarded  
18 to the impounding officer for proper disposition. A person convicted of  
19 a violation of this section by causing or permitting an act of cruelty, as  
20 defined in Section 599b, shall be liable to the impounding officer for  
21 all costs of impoundment from the time of seizure to the time of proper  
22 disposition. (2) Mandatory seizure or impoundment shall not apply to  
23 animals in properly conducted scientific experiments or investigations  
24 performed under the authority of the faculty of a regularly incorporated  
25 medical college or university of this state.

26 (g) Notwithstanding any other provision of law, if a defendant is  
27 granted probation for a conviction under this section, the court shall  
28 order the defendant to pay for, and successfully complete, counseling,  
29 as determined by the court, designed to evaluate and treat behavior or  
30 conduct disorders. If the court finds that the defendant is financially  
31 unable to pay for that counseling, the court may develop a sliding fee  
32 schedule based upon the defendant's ability to pay. An indigent defendant  
33 may negotiate a deferred payment schedule, but shall pay a nominal fee  
34 if the defendant has the ability to pay the nominal fee. County mental  
35 health departments or Medi-Cal shall be responsible for the costs of  
36 counseling required by this section only for those persons who meet the  
37 medical necessity criteria for mental health managed care pursuant to  
38 Section 1830.205 of Title 7 of the California Code of Regulations or the  
39 targeted population criteria specified in Section 5600.3 of the Welfare and  
40 Institutions Code.

41 (h) *Any person who is caught doing anything stated in subdivisions*  
42 *(a), (b) and (c) shall be punished accordingly, and shall also have their*  
43 *names recorded in an animal abuse registry.*

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

February 14, 2013  
Referred to the McPherson Committee

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An act to add Section 251.1 to the Revenue and Taxation Code, relating to tax credits.

**ABSTRACT**

SB 230 provides a tax credit for state taxpayers that reduce their use of electricity by at least 5% from the year prior and meet other specified requirements.

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

- 1     SECTION   1. Section 251.1 is added to the Revenue and Taxation  
2     Code, to read:  
3     251.1. (a) A taxpayer shall receive a tax credit of one percent on the  
4     taxpayer's income, as described in subdivision (b), if the taxpayer meets  
5     the following requirements:  
6         (1) The taxpayer is an owner or lessor of real property.  
7         (2) The taxpayer contracts for electrical services with a public utility  
8     within the state.  
9         (3) The taxpayer's energy consumption, measured in kilowatts,  
10    decreases five percent from the preceding year.  
11    (b) A taxpayer shall receive a tax credit of one percent on the taxpayer's  
12    income for the year following that year in which taxpayer has met the  
13    requirements of subdivision (a).

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

February 14, 2013  
Referred to the Mitchell Committee

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An act to add Article 13 (commencing with Section 16429.40) to Chapter 2 of Part 2 of Division 4 of Title 2 of the Government Code, relating to school energy efficiency.

ABSTRACT

SB 231 encourages schools to make improvements to their facilities and to lower their energy and water usages, by awarding schools, after five years of improvements to the school's facilities, funds amounting to 25% of their overall energy savings to offset costs and reward self-sustainability, in consultation with the United States Green Building Council and the Center for Green Schools, or other appropriate nationally recognized entities.

*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) Over 70 percent of the state's public school classrooms are over 25  
3     years old.

4     (b) Schools account for approximately 12 percent of all commercial  
5     energy consumption, representing not only a significant cost to the state's  
6     public schools, but also demonstrating that schools have a sizeable  
7     greenhouse gas emissions footprint.

8     (c) Many school districts and local governments know there are  
9     opportunities to reduce both the economic cost and carbon footprints  
10    of schools by having more energy efficient buildings, operations, and  
11    maintenance. These financial savings could provide schools with the  
12    flexibility to pay for other upgrades that enhance the learning environment.

13    (d) It is in the best interest of the state to quickly reduce energy  
14    consumption from schools in a cost-effective manner.

15    (e) The California Global Warming Solutions Act of 2006 (Division  
16    25.5 (commencing with Section 38500) of the Health and Safety Code)  
17    requires the state to reduce carbon emissions to 1990 levels by 2020. As  
18    part of the regulations designed to achieve this goal, the State Air Resources  
19    Board has developed a carbon auction and trading system. Under the  
20    regulation, the state's investor-owned utilities will be given allowances  
21    for nearly 500 million tons of greenhouse gas emissions, all of which must  
22    be auctioned. Revenues of those auctioned allowances become revenues  
23    for the investor-owned utilities. The Public Utilities Commission, which



1 oversees the investor-owned utilities, has an obligation to oversee the use  
2 of these revenues.

3 (f) By directing that some of the investor-owned utilities' auction  
4 revenues be used to fund energy efficiency measures in public schools  
5 located in the investor-owned utility's service area, ratepayers of the  
6 investor-owned utility will benefit from increased budgetary flexibility,  
7 while also reducing greenhouse gas emissions.

8 SEC. 2. Article 13 (commencing with Section 16429.40) is added to  
9 Chapter 2 of Part 2 of Division 4 of Title 2 of the Government Code, to  
10 read:

11 Article 13. School Energy Efficiency and Greenhouse Gas Reduction  
12 16429.40. (a)(1)The State Energy Resources Conservation and  
13 Development Commission shall consult with the United States Green  
14 Building Council and the Center for Green Schools, other nationally  
15 recognized entities with expertise in the design and construction of  
16 green schools, to assist in the contracting of environmentally-friendly  
17 improvements for the California public school system. The improvements  
18 shall include, but are not limited to, all of the following:

19 (A)Solar panels.

20 (B)Fluorescent light bulbs.

21 (C)Reusable water bottle filling stations.

22 (2) As an additional source of financial incentive for improvement  
23 made pursuant to paragraph (1), the state shall provide a financial bonus  
24 equal to 25 percent of a school's overall savings in energy and water usage  
25 costs. This award would be in addition to the savings the school would be  
26 receiving through their cuts to energy and water bills as a result of these  
27 improvements.

28 (b) School curricula incorporating solar energy production shall  
29 be integrated into environment and civics classes as a way to promote  
30 environmentally-informative education throughout the state.

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

February 14, 2013  
Referred to the Peek Committee

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An act to add Section 300.1 to the Family Code, relating to marriage.

**ABSTRACT**

SB 232 requires the legal term of “marriage” to be replaced with “civil union for the purposes of the Family Code.”

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

- 1     SECTION 1. Section 300.1 is added to the Family Code to read:
- 2     300.1 (a) The word marriage shall be dissolved in legal terms, allowing
- 3     all people, regardless of sex, to form a civil union, the legal of binding of
- 4     two people, therefore allowing the rights, benefits and responsibilities of
- 5     marriage.
- 6     (b) A county clerk shall issue a civil union license to any person over
- 7     the age of 18.
- 8     (c) The members of a civil union shall not be financially bound to each
- 9     other.
- 10    (d) Commencing January 1, 2013, any person living in California may
- 11    apply for a civil union license.
- 12    (e) Heterosexual couples shall have the choice between a marriage
- 13    license or a civil union license, while homosexual couples desiring a
- 14    license may only obtain a civil union license. Persons currently holding
- 15    a marriage license may also apply for a civil union license, which shall
- 16    automatically override their marriage license, thus replacing it with a civil
- 17    union license.

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

February 14, 2013  
Referred to the Jones Committee

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An act to amend Section 49550 of the Education Code, relating to pupil nutrition.

**ABSTRACT**

SB 233 requires each district or county superintendent of the above described schools to provide all pupils one nutritionally adequate free lunch during each school day.

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

- 1     SECTION 1. Section 49550 of the Education Code is amended to read:  
2     49550. (a) (1) Notwithstanding any other provision of law, each school  
3     district or county superintendent of schools maintaining any kindergarten  
4     or any of grades 1 to 12, inclusive, shall provide for each needy pupil  
5     one nutritionally adequate free or reduced-price ~~meal~~ breakfast during  
6     each schoolday, except for family day care homes that shall be reimbursed  
7     for 75 percent of the meals served, *and shall provide for each pupil one*  
8     *nutritionally adequate free lunch during each schoolday.*  
9     (b) In order to comply with subdivision (a), a school district or county  
10    office of education may use funds made available through any federal or  
11    state program the purpose of which includes the provision of meals to a  
12    pupil, including the federal School Breakfast Program, the federal National  
13    School Lunch Program, the federal Summer Food Service Program, the  
14    federal Seamless Summer Option, or the state meal program, or may do so  
15    at the expense of the school district or county office of education.

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

February 14, 2013  
Referred to the Fong Eu Committee

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An act to amend Section 220 of the Education Code, relating to discrimination in educational institutions.

ABSTRACT

SB 234 makes a violation of Section 220 of the Education Code a misdemeanor punishable as described

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

- 1     SECTION 1. Section 220 of the Education Code is amended to read:  
2     220. (a) No person shall be subjected to discrimination on the basis of  
3     disability, gender, gender identity, gender expression, nationality, race or  
4     ethnicity, religion, sexual orientation, or any other characteristic that is  
5     contained in the definition of hate crimes set forth in Section 422.55 of  
6     the Penal Code in any program or activity conducted by an educational  
7     institution that receives, or benefits from, state financial assistance or  
8     enrolls pupils who receive state student financial aid.  
9     (b) *A person convicted of a violation of this section shall be punishable*  
10    *by imprisonment in the county jail not exceeding 12 months, a fine not*  
11    *exceeding \$10,000, or both.*

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

February 14, 2013  
Referred to the Hendricks Committee

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An act to add Section 49452.6 of the Education Code, relating to sexual health exams.

ABSTRACT

SB 251 requires sexual health exams for all students before entry into the eleventh grade.

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

1     SECTION 1. Section 49452.6 is added to the Education Code to read:  
2     49452.6 (a) As used in this chapter, “governing authority” means the  
3     governing board of each school district or the authority of each other  
4     private or public institution responsible for the operation and control of the  
5     institution or the principal or administrator of each school or institution.

6     (b) The governing authority shall not unconditionally admit any person  
7     as a pupil of any private or public secondary school, unless, prior to his or  
8     her admission to that institution in eleventh grade or older, he or she has  
9     received the required sexual health screenings for his or her corresponding  
10    physiological sex.

11    (1) The sexual health screenings for females shall include, but not be  
12    limited to, gynecological examinations, Pap smear tests, pelvic exams,  
13    sexually transmitted infections (STI) tests, HIV tests, urinary tract infection  
14    tests, urine tests, or blood tests.

15    (2) The sexual health screenings for males shall include, but not be  
16    limited to, urinary tract infection tests, sexually transmitted infections  
17    (STIs) tests, HIV tests, or hernia screenings.

18    (c) The parent(s) or guardian(s) of the pupil may opt out from the sexual  
19    health screenings for medical reasons or because of their personal beliefs.

20    (d) The persons required to be screened pursuant to this section may  
21    receive the screening from the medical source of their choice, provided  
22    that the screening is performed in accordance with the regulations of the  
23    California Department of Public Health and that a record of the screening  
24    is made in accordance with the regulations.

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

February 14, 2013  
Referred to the Thompson Committee

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An act to amend Section 19320 of the Education Code, relating to the powers granted to state librarians.

ABSTRACT

SB 252 creates a government approved identification card for high school minors that signifies that parents have granted that specific minor permission to purchase and attend R-rated movies without the presence of a parent or guardian. This bill provides movie theatres the option of either accepting or denying these identification cards.

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

- 1     SECTION 1. Section 19320 of the Education Code is amended to read:  
2     19320. The State Librarian may do all of the following:  
3     (a) Make rules and regulations, not inconsistent with law, for the  
4     government of the State Library.  
5     (b) Appoint assistants as necessary.  
6     (c) Sell or exchange duplicate copies of books.  
7     (d) Keep in order and repair the books and property in the library.  
8     (e) Prescribe rules and regulations permitting persons other than  
9     Members of the Legislature and other state officers to have the use of  
10    books from the library.  
11    (f) Collect and preserve statistics and other information pertaining  
12    to libraries, which shall be available to other libraries within the state  
13    applying for the information.  
14    (g) Establish, in his or her discretion, deposit stations in various parts of  
15    the state, under the control of an officer or employee of the State Library.  
16    No book shall be kept permanently away from the main library, which may  
17    be required for official use. Books and other library materials from public  
18    libraries of the state may be accepted for deposit, under agreements entered  
19    into by the State Librarian and the public libraries concerned, whereby  
20    materials that should be preserved but are rarely used in the region may be  
21    stored and made available for use under the same conditions that apply to  
22    materials in the State Library.  
23    (h) Collect, preserve, and disseminate information regarding the history  
24    of the state.

1 (i) Authorize the State Library to serve as regional library for the blind,  
2 in cooperation with the Library of Congress.

3 (j) Give advisory, consultive, and technical assistance with respect to  
4 public libraries to librarians and library authorities, and assist all other  
5 authorities, state and local, in assuming their full responsibility for library  
6 services.

7 (k) Authorize the State Library to serve as the central reference and  
8 research library for the departments of state government and maintain  
9 adequate legislative reference and research library services for the  
10 Legislature.

11 (l) Acquire, organize and supply books and other library informational  
12 and reference materials to supplement the collections of other public  
13 libraries of the state with the more technical, scientific and scholarly  
14 works, to the end that through an established interlibrary loan system, the  
15 people of the state shall have access to the full range of reference and  
16 informational materials.

17 (m) Make studies and surveys of public library needs and adopt rules  
18 and regulations for the allocation of federal funds to public libraries.

19 (n) Contract, at his or her discretion, with other public libraries in the  
20 state to give public services of the types referred to in subdivisions (g)  
21 and (l) of this section, when service by contract appears to be a needed  
22 supplement to the facilities and services carried on directly by the State  
23 Library.

24 (o) *Issue, upon receipt of the appropriate application, a photographic*  
25 *identification card to high school minors that signifies a minor's parental*  
26 *approval to attend R-rated movies. The approving parent shall be required*  
27 *to be present during acquisition of the card and may specify at the time the*  
28 *types of R-rated movies the minor may be permitted to attend, including,*  
29 *but not limited to, violence, language, and nudity. An application fee of five*  
30 *dollars (\$5) shall apply to all applicants, and that money shall be granted*  
31 *directly for the production of the card and to the library.*

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

February 14, 2013  
Referred to the Burns Committee

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An act to add Section 10285.6 to the Public Contract Code, relating to public contracts.

**ABSTRACT**

SB 253 prohibits the state from contracting with a privately owned prison in the state of California.

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

- 1     SECTION 1. Section 10285.6 is added to the Public Contract Code to  
2 read:  
3     10285.6. No state agency shall contract with a privately owned prison,  
4 as defined as any corporation, business, individual, or other entity that  
5 seeks a contract with the state to detain prisoners sentenced by court to a  
6 term of incarceration, except under the provisions of Section 6267 of the  
7 Penal Code, regarding special nursing facilities for inmates with severe  
8 medical problems.



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

February 14, 2013  
Referred to the Beck Committee

An act to amend Section 551 of the Food and Agricultural Code, relating to sustainable agriculture.

ABSTRACT

SB 254 requires that 15% of livestock based subsidies be reallocated to go toward subsidizing plant-based foods to pursue an efficient way to allocate existing resources to make plant-based food prices decline.

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

1 SECTION 1. Section 551 of the Food and Agricultural Code is amended  
2 to read:

3 551. (a) The Legislature finds and declares all of the following:

4 (a) (1) There is a growing movement in California and the nation  
5 to change farming techniques by adopting more resource-conserving,  
6 energy-efficient systems of agriculture. The objective of these changes is  
7 to produce agricultural products that may reduce the use of petrochemicals,  
8 improve means of biological pest management, improve soil productivity,  
9 improve erosion control, and improve irrigation, cultivation, and harvesting  
10 techniques.

11 (b) (2) Over the long term, adoption of more efficient resource-  
12 conserving systems of agricultural production can benefit both the  
13 producing and consuming public.

14 (c) (3) The resolution of many agricultural problems depends on  
15 immediate efforts to provide farmers with practices that are both resource  
16 conserving and economical for food producers, and to foster food  
17 production and distribution methods that reduce dependence on petroleum-  
18 based inputs.

19 (b) (1) *Agricultural studies shall be subsidized by transferring 15%*  
20 *of livestock based funds to plant based foods to pursue an efficient way to*  
21 *allocate existing resources to make plant-based food prices decline.*

22 (2) *The production pay shall come out of the funding of slaughterhouses*  
23 *and genetic experimentation of livestock and meat-based products.*

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

February 14, 2013  
Referred to the Melone Committee

An act to amend Section 22651 of the Vehicle Code, relating to vehicle removal.

## ABSTRACT

SB 255 authorizes a peace officer and other specified employees to remove a mobile home that is parked on a residential street for a period of time longer than 24 consecutive hours, except if the mobile home belongs to a resident of the street and displays a valid parking permit.

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

1 SECTION 1. Section 22651 of the Vehicle Code is amended to read:

2       22651. A peace officer, as defined in Chapter 4.5 (commencing with  
3       Section 830) of Title 3 of Part 2 of the Penal Code, or a regularly employed  
4       and salaried employee, who is engaged in directing traffic or enforcing  
5       parking laws and regulations, of a city, county, or jurisdiction of a state  
6       agency in which a vehicle is located, may remove a vehicle located within  
7       the territorial limits in which the officer or employee may act, under the  
8       following circumstances:

9 (a) When a vehicle is left unattended upon a bridge, viaduct, or  
10 causeway or in a tube or tunnel where the vehicle constitutes an obstruction  
11 to traffic.

12 (b) When a vehicle is parked or left standing upon a highway in a  
13 position so as to obstruct the normal movement of traffic or in a condition  
14 so as to create a hazard to other traffic upon the highway.

15 (c) When a vehicle is found upon a highway or public land and a  
16 report has previously been made that the vehicle is stolen or a complaint  
17 has been filed and a warrant thereon is issued charging that the vehicle was  
18 embezzled.

19 (d) When a vehicle is illegally parked so as to block the entrance to a  
20 private driveway and it is impractical to move the vehicle from in front of  
21 the driveway to another point on the highway.

22 \*\*\*\*\*

(w) (1) When a vehicle is parked or left standing in violation of a local ordinance or resolution adopted pursuant to subdivision (p) of Section 21100, if the registered owner of the vehicle was previously issued a warning citation for the same offense, pursuant to paragraph (2).

1 (2) Notwithstanding subdivision (a) of Section 22507, a city or county, in  
2 lieu of posting signs noticing a local ordinance regulating advertising signs  
3 adopted pursuant to subdivision (p) of Section 21100, may provide notice  
4 by issuing a warning citation advising the registered owner of the vehicle  
5 that he or she may be subject to penalties upon a subsequent violation of  
6 the ordinance that may include the removal of the vehicle as provided in  
7 paragraph (1). A city or county is not required to provide further notice for  
8 a subsequent violation prior to the enforcement of penalties for a violation  
9 of the ordinance.

10 (x) *When a mobile home, as defined in section 396 of the Vehicle*  
11 *Code, is parked on a residential street for a period of time longer than*  
12 *24 consecutive hours, except if the mobile home belongs to a resident of*  
13 *the street and displays a valid parking permit issued by the relevant local*  
14 *authority.*

**Introduced by Members Representing the  
DaVinci Delegation of the  
YMCA of Metropolitan Los Angeles**

February 14, 2013  
Referred to the Nichols Committee

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An act to add Section 401.1 to the Penal code, relating to physician assisted suicide.

**ABSTRACT**

SB 256 permits a California resident who is expected to die within the next 6 months due to terminal illness to exercise the option of a physician assisted suicide.

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

- 1     SECTION 1. Section 401.1 is added to the Penal Code to read:
- 2     401.1 Notwithstanding any other law, terminally ill residents of
- 3     California shall have the opportunity to choose between being kept alive
- 4     through medical care and hospitalization or a physician assisted suicide.
- 5     A terminally ill patient shall be granted this option if desired as long he
- 6     or she is a resident of California, is 18 years of age or older, and mentally
- 7     sane enough to be able to communicate their own healthcare decisions.
- 8     Therefore, any terminally ill patient who expresses the wish the die
- 9     and passes the prerequisites shall be granted the opportunity to obtain a
- 10    physician assisted suicide and shall not be denied the privilege to do so.

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

February 14, 2013  
Referred to the Tuttle Committee

An act to add Sections 1841 and 27281 to the Street and Highway Code, relating to the establishment of a high congestion change program.

ABSTRACT

SB 257 requires all motor vehicle owners driving in designated high congestion zones, as defined, on weekdays from 6:00am to 6:00pm to pay a charge of eight dollars per day.

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

1     SECTION 1. Section 1814 is added to the Street and Highway Code,  
2 to read:

3     1814. (a) For the purpose of this bill “commercial and entertainment  
4 area” shall be defined as any area used primarily by businesses,  
5 corporations, shopping establishments, and recreational facilities. “High  
6 congestion zones” shall be defined as commercial and entertainment areas  
7 of cities with populations of 465,000 or more. Road signs shall be erected  
8 to signal to boundaries of these high congestion zones.

9     (b). There shall be imposed on a vehicle driving in a high congestion  
10 zone on weekdays from 6:00am to 6:00pm a charge of eight dollars (\$8)  
11 per day. The charge shall only be in effect from 6:00 am to 6:00 pm on  
12 weekdays (Mondays-Fridays).

13     (c) The Department of Transportation may prescribe exemptions to  
14 the charge imposed under subdivision (b), and no motor vehicle shall be  
15 charged the fee more than once per day.

16     (d) The California Department of Transportation may use the “automated  
17 enforcement system”, as defined in Section 210 of the California Vehicle  
18 Code, to photograph vehicle license plates and administer fines to violators  
19 who fail to pay within 10 days of initial travel date.

20     (e) Drivers may pay the congestion charge through the use of cameraID  
21 system or a Fastrak like system through an electronic database set up and  
22 maintain by the Department of Transportation.

23     (f) This section shall not apply to the following vehicles:

24     (1) Emergency vehicles as define under Section 23301.5 of the Vehicle  
25 Code,.

26     (2) Any vehicles owned by a federal, state, county or municipal  
27 government.

- 1 (d) Vehicles defines as “low emission vehicles” under Section 5205.1  
2 of the Vehicle Code shall be eligible for a 90% discount on the charge  
3 imposed by this section.
- 4 (b) Private taxi and chauffeur companies, car loaning companies, and  
5 cars with more than nine seats shall be eligible for a 50% discount on the  
6 charge imposed by this section.
- 7 (c) Residents living in the high congestion zone or within a 10 mile  
8 radius from the boundary of the high congestion zone who can show proof  
9 of residency within the zone shall be eligible for a 50% discount on the  
10 charge imposed by this section.
- 11 (d) Low income drivers with a single household income of less than  
12 \$12,000 shall be eligible for a 50% discount on the charge imposed by this  
13 section.

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

February 14, 2013  
Referred to the Redding Committee

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An act to add Section 110391 to the Health and Safety Code, relating to prescription drug advertisement.

**ABSTRACT**

SB 258 prohibits the purchase and sale of advertisements on television to market a prescription drug.

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

- 1     SECTION 1. Section 110391 is added to the Health and Safety Code,  
2     to read:  
3     110391. (a) For the purposes of this section, the following definitions  
4     shall apply:  
5     (1) "Prescription drug" means a pharmaceutical product distributed  
6     only through a licensed medical practitioner's prescription as required by  
7     Federal law.  
8     (2) "Advertising slots" means time intervals during breaks in a television  
9     station's broadcast that may be purchased by a business entity as a means  
10    to promote a product or service.  
11    (b) No corporation, business entity, or person shall purchase advertising  
12    slots for broadcast in the state of California to market a prescription drug.  
13    (c) No television station shall accept payment for advertising slots for  
14    broadcast in the state of California to market a prescription drug.

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

February 14, 2013  
Referred to the Weeks Committee

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An act to amend Section 32282 of the Education Code, relating to school safety.

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**ABSTRACT**

SB 259 requires schools to have an appropriate plan through the assessment of current school crime status and in particular when it comes to informing the community about acts of violence and the response the school administration will take.

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

- 1     SECTION 1. Section 32282 of the Education Code is amended, to read:  
2     32282. (a) The comprehensive school safety plan shall include, but not  
3 be limited to, both of the following:  
4     (1) Assessing the current status of school crime committed on school  
5 campuses and at school-related functions.  
6     (2) Identifying appropriate strategies and programs that will  
7 provide or maintain a high level of school safety and address the  
8 school's procedures for complying with existing laws related to school  
9 safety, which shall include the development of all of the following:  
10    (A) Child abuse reporting procedures consistent with Article 2.5  
11 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the  
12 Penal Code.  
13    (B) Disaster procedures, routine and emergency, including adaptations  
14 for pupils with disabilities in accordance with the federal Americans  
15 with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.). The disaster  
16 procedures shall also include, but not be limited to, both of the following:  
17    (i) Establishing an earthquake emergency procedure system in every  
18 public school building having an occupant capacity of 50 or more pupils  
19 or more than one classroom. A district or county office may work with  
20 the California Emergency Management Agency and the Seismic Safety  
21 Commission to develop and establish the earthquake emergency procedure  
22 system. The system shall include, but not be limited to, all of the following:  
23    (ii) Establishing a procedure to allow a public agency, including the  
24 American Red Cross, to use school buildings, grounds, and equipment  
25 for mass care and welfare shelters during disasters or other emergencies  
26 affecting the public health and welfare. The district or county office



1 shall cooperate with the public agency in furnishing and maintaining the  
2 services as the district or county office may deem necessary to meet the  
3 needs of the community.

4 (C) Policies pursuant to subdivision (d) of Section 48915 for pupils  
5 who committed an act listed in subdivision (c) of Section 48915 and  
6 other school-designated serious acts which would lead to suspension,  
7 expulsion, or mandatory expulsion recommendations pursuant to Article  
8 1 (commencing with Section 48900) of Chapter 6 of Part 27 of Division  
9 4 of Title 2.

10 (D) Procedures to notify teachers of dangerous pupils pursuant to  
11 Section 49079.

12 (E) A discrimination and harassment policy consistent with the  
13 prohibition against discrimination contained in Chapter 2 (commencing  
14 with Section 200) of Part 1.

15 (F) The provisions of any school wide dress code, pursuant to Section  
16 35183, that prohibits pupils from wearing “gang-related apparel,” if the  
17 school has adopted that type of a dress code. For those purposes, the  
18 comprehensive school safety plan shall define “gang-related apparel.”  
19 The definition shall be limited to apparel that, if worn or displayed on a  
20 school campus, reasonably could be determined to threaten the health and  
21 safety of the school environment. Any school wide dress code established  
22 pursuant to this section and Section 35183 shall be enforced on the school  
23 campus and at any school-sponsored activity by the principal of the school  
24 or the person designated by the principal. For purposes of this paragraph,  
25 “gang-related apparel” shall not be considered a protected form of speech  
26 pursuant to Section 48950.

27 (G) Procedures for safe ingress and egress of pupils, parents, and school  
28 employees to and from school.

29 (H) A safe and orderly environment conducive to learning at the school.

30 *(I) A response plan to handle violent crimes on campus and around*  
31 *campus area to help students cope and integrate back into regular routines.*  
32 *Process shall include the following:*

33 *(i) All campus community shall be informed of situation to let students,*  
34 *teachers, and parents know that it is being handled.*

35 *(ii) Make councilors available for students that witnessed the incident*  
36 *or need support.*

37 *(iii) close campus if the situation possess a serious risk to the community*

38 *(iv) Hold a parent meeting to inform parents of the incident, the follow*  
39 *up, and discipline procedure.*

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

February 14, 2013  
Referred to the Price Committee

An act to add Section 30351 to the Penal Code, relating to firearms.

ABSTRACT

SB 260 with specified exceptions, prohibits a person from purchasing more than 50 rounds of ammunition every 90 days for every registered firearm the individual owns.

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

- 1     SECTION 1. Section 30351 is added to the Penal Code, to read:  
2     30351. (a) A vendor may not sell an individual more than 50 rounds of  
3     ammunition for use with each registered firearm the person owns. A 90  
4     day waiting period must pass before an individual may purchase additional  
5     ammunition for the same registered firearm.  
6     (b) The following are exempt from the provision of this section:  
7     (1) A law enforcement agency.  
8     (2) A agency duly authorized to perform law enforcement duties.  
9     (3) A state or local correctional facility.  
10    (4) A private security company licensed to do business in California.  
11    (5) A person who is properly identified as a full-time paid peace officer,  
12    as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part  
13    2, and who is authorized to, and does, carry a firearm during the course and  
14    scope of employment as a peace officer.  
15    (6) A motion picture, television, or video production company or  
16    entertainment or theatrical company whose production by its nature  
17    involves the use of a firearm.  
18    (7) A person who may, pursuant to Section 27600, 27650, or 27700  
19    claim an exemption from the waiting period set forth in Section 27540.  
20    (8) A community college that is certified by the Commission on Peace  
21    Officer Standards and Training to present the law enforcement academy  
22    basic course or other commission-certified law enforcement training.  
23    (9) A vendor at a target range that has been issued a license pursuant to  
24    Sections 26700 and 26800.  
25    (b) The title vendor includes any in-state store that sells ammunition, as  
26    well as any in- or out-of-state online store.

1 (c) A vendor shall submit all of the following to the Department of  
2 Justice:

3 (1) The date of the sale or other transaction.

4 (2) The purchaser's or transferee's driver's license or other identification  
5 number and the state in which it was issued.

6 (3) The brand, type, and amount of ammunition sold or otherwise  
7 transferred.

8 (4) The purchaser's or transferee's signature.

9 (5) The name of the salesperson who processed the sale or other  
10 transaction.

11 (6) The right thumbprint of the purchaser or transferee on the above  
12 form.

13 (7) The purchaser's or transferee's full residential address and telephone  
14 number.

15 (8) The purchaser's or transferee's date of birth.

16 (d) Subdivision (a) shall not apply to or affect sales or other transfers of  
17 ownership of ammunition by ammunition vendors to any of the following,  
18 if properly identified:

19 (1) A person licensed pursuant to Article 1 (commencing with Section  
20 26700) or Article 2 (commencing with Section 26800) of Chapter 2 of  
21 Division 6.

22 (2) An ammunition vendor.

23 (3) A person who is on the centralized list maintained by the department  
24 pursuant to Section 28450.

25 (4) A target facility that holds a business or regulatory license.

26 (5) A gunsmith.

27 (6) A wholesaler.

28 (7) A manufacturer or importer of firearms licensed pursuant to Chapter  
29 44 (commencing with Section 921) of Title 18 of the United States Code,  
30 and the regulations issued pursuant thereto.

31 (8) An authorized law enforcement representative of a city, county, city  
32 and county, or state or federal government, if the sale or other transfer of  
33 ownership is for exclusive use by that government agency and, prior to the  
34 sale, delivery, or transfer of the handgun ammunition, written authorization  
35 from the head of the agency authorizing the transaction is presented to  
36 the person from whom the purchase, delivery, or transfer is being made.  
37 Proper written authorization is defined as verifiable written certification  
38 from the head of the agency by which the purchaser, transferee, or person  
39 otherwise acquiring ownership is employed, identifying the employee as  
40 an individual authorized to conduct the transaction, and authorizing the  
41 transaction for the exclusive use of the agency by which that individual is  
42 employed.

43 (d) A vendor shall not limit the amount of ammunition an individual  
44 may purchase for any individually owned firearm for the purpose of target  
45 practice or a shooting competition conducted on the premises of the selling  
46 vendor.

**Introduced by Members Representing the  
Gardena-Carson Family Branch of the  
YMCA of Metropolitan Los Angeles**

February 14, 2013  
Referred to the Foreman Committee

An act to amend code Section 51241, relating to physical education.

ABSTRACT

SB 261 limits the amount of time students can be inactive by not being enrolled in a physical education class if they passed the physical performance test in grade 9.

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

1     SECTION 1. Section 51241 of the Education code is amended, to read:  
2     51241.

\* \* \*

3  
4     (b)(1)~~The~~ *Except as provided in subdivision (c), the* governing board  
5 of a school district or the office of the county superintendent of schools  
6 of a county, with the consent of a pupil, may grant a pupil an exemption  
7 from courses in physical education for ~~two years~~ *one year* anytime during  
8 grades 10 to 12, inclusive, if the pupil has met satisfactorily at least five of  
9 the six standards of the physical performance test administered in grade 9  
10 pursuant to Section 60800.

\* \* \*

11  
12     (3) *Pursuant to subdivision (b), the governing board of a school district*  
13 *and its administrators shall enforce this action. The mandatory 2 years of*  
14 *physical education for graduation requirements shall be completed.*

\* \* \*

15  
16     (f) *The Legislature finds and declares the following:*

17     (1) *An increase in the amount of physical activity will help to fight*  
18 *obesity and stress, as students will be more active in their daily lives.*

19     (2) *An Iowa State University study of 1,011 adolescents found that the*  
20 *amount of overweight teens is likely to increase with the presence of four or*  
21 *more stressors, including academic problems, consumption of drugs and*  
22 *alcohol, depression or poor mental health problems, aggressive behaviors,*  
23 *and lack of future orientation.*

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

February 14, 2013  
Referred to the Melone Committee

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An act to add Section 438 to the Food and Agriculture Code, relating to healthy food subsidies, and making an appropriation therefor.

ABSTRACT

SB 262 imposes a ½ cent excise tax per every serving of a packaged food product deemed unhealthy to fund subsidies for healthy food.

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

1     SECTION 1. Section 438 is added to the Food and Agriculture Code,  
2 to read:

3     438. (a) The department shall establish an 11-member committee  
4 charged with determining what packaged food products are deemed  
5 unhealthy and what foods are deemed healthy for purposes of this section.

6     (b) All packaged food products deemed unhealthy by the committee  
7 pursuant to subdivision (a) shall be subject to an excise tax of ½ cent per  
8 every serving of the item.

9     (c) Healthy food shall include fruits and vegetables. Other products  
10 deemed healthy food shall be at the discretion of the committee.

11    (d) Notwithstanding Section 13340 of the Government Code, all  
12 revenues pursuant to this section are hereby continuously appropriated  
13 to the committee to establish subsidies for healthy food consistent with  
14 this subdivision, but otherwise at the committee's discretion, in order to  
15 decrease the price of healthy food. Subsidies shall be in accordance with  
16 the following:

17    (1) The committee shall allocate a minimum 20 percent of revenues for  
18 subsidies to small businesses throughout the state to buy healthy food so  
19 that small businesses can sell it to consumers at a reduced price.

20    (2) The committee shall allocate a minimum 40 percent of revenues to  
21 subsidize farmers within the state of California.

22    (e) An entity that receives a subsidy pursuant to subdivision (d) shall  
23 report to the committee quarterly to prove that it has used the subsidy for  
24 the intended purpose of lowering the price of healthy food.

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

February 14, 2013  
Referred to the Douglass Committee

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An act to add Chapter 2 (commencing with Section 24300) to Division 20 of the Health and Safety Code, relating to underweight models.

ABSTRACT

SB 263 requires all models being photographed in California to provide up to date medical records that prove that they are not unhealthily underweight.

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

- 1     SECTION 1. Chapter 2 (commencing with Section 24300) is added to  
2     Division 20 of the Health and Safety Code to read:  
3  
4                             Chapter 2. Modeling  
5     24300. (a) The legislature finds and declares the following:  
6     (1) Anorexia and bulimia are dangerous medical conditions that can  
7     ruin lives and kill people.  
8     (2) These medical conditions are disproportionately present in the  
9     modeling industry relative to the general population.  
10    (b) All models who are photographed in California and use their image  
11    or parts thereof to sell goods or services shall provide up to date medical  
12    records that prove they are not unhealthily underweight and have a Body  
13    Mass Index of 18 or higher. Medical records shall be current to within 6  
14    months.

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**Introduced by Members Representing the  
Newport-Corona del Mar Delegation of the  
Orange County YMCA**

February 14, 2013  
Referred to the Hempstead Committee

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An act to add Section 22511.61 to the Vehicle code, relating to parking spaces.

ABSTRACT

SB 264 requires that every parking lot with more than one hundred spots must have at least 2% of their most convenient spots reserved for hybrid vehicles.

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

- 1     SECTION 1. Section 22511.61 is added to the Vehicle Code, to read:  
2     22511.61 (a) By January of 2013, every parking lot of one hundred or  
3     more must change 2% of parking spaces to be only available to Hybrid  
4     vehicles.  
5     (b) "Hybrid vehicles" are vehicles which rely not only on batteries but  
6     also on an internal combustion engine which drives a generator to provide  
7     the energy. For the purpose of this section, Hybrid vehicles are defined as  
8     (1) Mild hybrid where an electric motor and a battery is used to assist  
9     the internal combustion engine, or  
10    (2) Full hybrid where an electric motor and the internal combustion  
11    engine are working together or independently, or  
12    (3) Plug-in hybrids where the internal combustion engine works as a  
13    backup for the electric system.  
14    (c) The maker of the "Hybrid only" signs shall print on any distinguishing  
15    sign the maximum penalty that may be imposed for a violation by drivers  
16    of Section 22511.61.  
17    (d) A violation of this subdivision is subject to the issuance of a notice  
18    of parking violation imposing a civil penalty of not less than two hundred  
19    fifty dollars (\$250) and not more than five hundred dollars (\$500), for  
20    which enforcement shall be governed by the procedures set forth in Article  
21    3 (commencing with Section 40200) of Chapter 1 of Division 17.

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

February 14, 2013  
Referred to the Denver Committee

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Senate Constitutional Amendment No. 265-- A resolution to proposed to the people of the State of California an amendment to the Constitution of the State by amending Section 28 of Article 1 thereof, relating to victims' rights.

ABSTRACT

SCA 265 requires the release of information to co-victims and their consuls prior to the opening of the court trials.

1     *Resolved by the Senate, the Assembly concurring:* That the Legislature  
2 of the State of California at its 2013 Regular Session, commencing on  
3 the 14th day of February, 2013, two-thirds of all members elected to each  
4 two houses of the Legislature voting in favor thereof, hereby proposes  
5 to the people of the State of California that Section 28 of Article 1 of the  
6 Constitution of the State is amended to read:

7     SEC. 28

8

\*\*\*\*\*

9     (11) *For the co-victims, as well as the defendant* to receive, upon  
10 request, the pre-sentence report when available, except for those por-  
11 tions made confidential by law the described restrictions that are directed  
12 specifically towards homicide cases as follows:

13     (A) *Co-victims, who will need to be cleared as suspects, will be given*  
14 *a portion of the pre-sentence report upon request, and will be notified of*  
15 *any further developments in the investigation.*

16     (B) *Co-victims, in this case, are defined as only direct relatives of the*  
17 *homicide victim.*



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

February 14, 2013  
Referred to the Hendricks Committee

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An act to amend Section 4852 of the Vehicle code, relating to license plates

ABSTRACT

SB 266 requires the addition of a one-inch by 12-inch strip along the bottom of newly issued license plates to be reserved for public advertising, and creates a committee within the Department of Motor Vehicles that shall select advertisers and determine pricing for the license plates.

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

1     SECTION 1. Section 4852 of the Vehicle Code is amended to read:

2     (a)(1) License plates issued for motor vehicles, other than motorcycles,  
3 shall be rectangular in shape, 12 inches in length and six inches in width.  
4 The number and letter characters on the plates shall have a minimum height  
5 of two and three-quarter inches, a minimum width of one and one-quarter  
6 inches, and a minimum spacing between characters of five-sixteenths of  
7 an inch.

8     (2) *A one 1-inch by 12-inch strip along the bottom of license plates shall*  
9 *be added for advertisement space on all newly issued motor vehicle license*  
10 *plates. This strip may not be obstructed. Any necessary changes in the size*  
11 *of "California" or any information other than the numbers or letters shall*  
12 *be implemented in order to fit the new advertising strip. All funds collected*  
13 *through license plate advertising and exemption fees shall be designated*  
14 *to the state's transit systems.*

15     (A) *The Department of Motor Vehicles shall form a committee to*  
16 *determine advertisers for this strip. The committee shall determine pricing,*  
17 *set an appropriate value for each individual license plate advertisement*  
18 *twice a year, and require participating advertisers to pay accordingly. The*  
19 *total amount a company pays for advertisements shall be determined by*  
20 *the individual cost of the license plate advertisement. Potential advertisers*  
21 *shall submit an application to the aforementioned committee for approval.*  
22 *The committee shall not discriminate against advertisements based on*  
23 *personal preferences, and shall screen for profanity and obscene language.*  
24 *The screening process shall follow similar protocols used to regulate*  
25 *roadside billboards.*

26     (B) *If the vehicle owner wishes to avoid a license plate advertisement,*  
27 *he or she may pay a fee equal to the amount designated as the worth of*

- 1 *a single license plate advertisement at the time the plate is issued. The*  
2 *vehicle owner may elect to keep the space blank or submit a custom banner*  
3 *to the Department of Motor Vehicles committee for approval. The system*  
4 *of approving custom designs shall be similar to the system for approving*  
5 *custom license plate characters. The funds raised from exemption fees shall*  
6 *replace the revenue from charging companies for the advertising space.*  
7 *The committee may also establish a minimum and maximum number of*  
8 *plates that an advertiser may purchase.*
- 9 (b) Motorcycle license plates shall measure seven inches in length and  
10 four inches in width, and the characters on the plates shall have a minimum  
11 height of one and one-half inches and a minimum width of nine-sixteenths  
12 inches, and shall have a minimum spacing between characters of three-  
13 sixteenths of an inch.

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

February 14, 2013  
Referred to the Thompson Committee

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An act to add Section 48900.9 to the Education Code, relating to bullying in schools.

ABSTRACT

SB 267 provides for a five-strike policy to deter bullying in schools, provide for disciplinary actions when bullying occurs and outline students' right to appeal.

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

- 1     SECTION 1. Section 48900.9 is added to the Education Code, to read:  
2     48900.9. (a) In addition to the reasons specified in Sections 48900,  
3     48900.2, 48900.3, 48900.4 and 48900.7, effective the school year  
4     beginning fall 2013, a five strike policy to deter bullying, as defined in  
5     subdivision (r) of Section 49800, shall be implemented at all schools to  
6     address students accused of bullying:  
7     (1) First strike: Disciplinary action shall be determined by the accused  
8     student's teacher or instructor. The action taken shall be documented in  
9     writing and added to student's school records.  
10    (2) Second strike: In addition to all action taken pursuant to paragraph  
11    (1), the teacher or instructor shall send written notification to the student's  
12    parent or guardian and to the school administrators.  
13    (3) Third strike: In addition to all action taken pursuant to paragraphs  
14    (1) and (2), the student shall forfeit participation in all extracurricular  
15    activities and shall undergo counseling in anger management with school  
16    counseling personnel.  
17    (4) Fourth strike: In addition to all action taken pursuant to paragraphs  
18    (1) to (3), inclusive, the district and the student shall obtain legal counsel  
19    to review the imposition of all previous action taken, the student shall be  
20    suspended from all classes for one week, and the student shall undergo  
21    additional counseling.  
22    (5) Fifth strike: In addition to all action taken pursuant to paragraphs (1)  
23    to (4), inclusive, the district and the student's legal counsel shall review the  
24    case, and the case shall be referred to the district board of education for a  
25    determination whether the student shall be expelled.  
26    (b) (1) If the student is not subject to disciplinary action pursuant to  
27    this section and does not commit other violations for more than two years,

1 any subsequent action taken against the student shall be imposed in the  
2 order described in paragraph (a) beginning with the first strike, except as  
3 otherwise provided in this subdivision.

4 (2) Students who have been expelled by the board of education  
5 pursuant to paragraph (5) of subdivision (a) and are proven to have bullied  
6 others again, shall be subject to disciplinary action in the order described  
7 in subdivision (a), beginning with the fourth strike.

8 (3) Discipline for students who have been expelled by the board of  
9 education for violating the five strikes bullying policy more than three  
10 times shall be determined by the district board of education.

11 (c) Students accused of bullying have a right to appeal any disciplinary  
12 action with the assistance of legal counsel.

13 (d) After each strike, the violation shall be reviewed by a third  
14 party educator, such as a counselor, teacher, or administrator, or a peer  
15 review group to determine that the act meets the definition of bullying.  
16 No disciplinary action shall be imposed until a third party review and  
17 consultation with legal counsel is completed.

18 (e) Students and guardians shall be given notice of violations no later  
19 than 48 hours after the incident.

20 (f) Students and guardians shall be given written notice of hearings at  
21 least two weeks prior to the hearing.

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

February 14, 2013  
Referred to the Burns Committee

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An act to amend Section 3042 of the Family Code, relating to child custody hearings.

ABSTRACT

SB 268 authorizes a child who is 14 years of age or older to address the court regarding custody or visitation regardless of whether the court determines that doing so is not in the child's best interest, as specified.

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

- 1     SECTION 1. Section 3042 of the Family Code is amended, to read:
- 2     3042. (a) If a child is of sufficient age and capacity to reason so as to
- 3     form an intelligent preference as to custody or visitation, the court shall
- 4     consider, and give due weight to, the wishes of the child in making an
- 5     order granting or modifying custody or visitation.
- 6     (b) In addition to the requirements of subdivision (b) of Section 765
- 7     of the Evidence Code, the court shall control the examination of a child
- 8     witness so as to protect the best interests of the child.
- 9     (c) If the child is 14 years of age or older and wishes to address the
- 10    court regarding custody or visitation, the child shall be permitted to do so,
- 11    ~~unless the court determines that doing so is not in the child's best interests;~~
- 12    *however, the court is not required to alter its final decision if the child's*
- 13    *wishes are not determined to be within his or her best interest.* In that case,
- 14    the court shall state its reasons for that finding on the record.
- 15    (d) Nothing in this section shall be interpreted to prevent a child who is
- 16    less than 14 years of age from addressing the court regarding custody or
- 17    visitation, if the court determines that is appropriate pursuant to the child's
- 18    best interests.
- 19    (e) If the court precludes the calling of any child as a witness, the court
- 20    shall provide alternative means of obtaining input from the child and other
- 21    information regarding the child's preferences.
- 22    (f) To assist the court in determining whether the child wishes to
- 23    express his or her preference or to provide other input regarding custody or
- 24    visitation to the court, a minor's counsel, an evaluator, an investigator, or a
- 25    mediator who provides recommendations to the judge pursuant to Section
- 26    3183 shall indicate to the judge that the child wishes to address the court,
- 27    or the judge may make that inquiry in the absence of that request. A party

1 or a party's attorney may also indicate to the judge that the child wishes to  
2 address the court or judge.

3 (g) Nothing in this section shall be construed to require the child to  
4 express to the court his or her preference or to provide other input regarding  
5 custody or visitation.

6 (h) The Judicial Council shall, no later than January 1, 2012, promulgate  
7 a rule of court establishing procedures for the examination of a child  
8 witness, and include guidelines on methods other than direct testimony  
9 for obtaining information or other input from the child regarding custody  
10 or visitation.

11 (i) The changes made to subdivisions (a) to (g), inclusive, by the act  
12 adding this subdivision shall become operative on January 1, 2012.

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**Introduced by Members Representing the  
Santa Barbara Branch of the  
Channel Islands YMCA**

February 14, 2013  
Referred to the Beck Committee

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An act to add Section 51207 to the Education Code, and to add Section 729.14 to the Welfare and Institution code, relating to juveniles and “sexting.”

ABSTRACT

SB 269 amends and clarifies the punishments applicable to minors if found to be engaging in the activity of “sexting.”

*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) Sexting, which is defined as the sending or receiving of sexually  
3 explicit pictures or video images via cellular phone or similar electronic  
4 device, is a growing problem among minors. According to a 2008 survey  
5 conducted by the National Campaign to Prevent Teen and Unplanned  
6 Pregnancy, 20 percent of teens between 13 and 19 years of age have sent  
7 or posted nude or semi-nude pictures or videos of themselves.

8     (b) While teens generally send these images to an intended recipient,  
9 these images are frequently shared with others. Thirty-eight percent of  
10 teens report that they have received sexts that were meant for someone  
11 else, but were shared with them.

12    (c) United States Senator Robert Menendez of New Jersey introduced  
13 the SAFE Internet Act (S. 1047), which would allocate \$175 million to  
14 funding the program created by that act and authorize the Director of the  
15 Bureau of Justice Assistance to make grants available to schools, state  
16 agencies, and nonprofit organizations to assist in providing education  
17 programs for children about the dangers of sexting.

18    (d) According to the Pew Research Center, sexting has become a form  
19 of “relationship currency” that causes girls, in particular, to feel pressure  
20 to send sexually explicit images.

21    SEC. 2. Section 51207 is added to the Education Code, to read:

22    51207. A school district may provide instruction regarding the potential  
23 risks and consequences of creating and sharing sexually suggestive or  
24 sexually explicit materials through cellular telephones, social networking  
25 Internet Web sites, computer networks, or other digital media.

26    SEC. 3. Section 729.14 is added to the Welfare and Institutions Code,  
27 to read:

1       729.14. If a minor is found to be a person described in Section 602 by  
2 reason of the commission of an offense described in Section 288.2 of the  
3 Penal Code, the court shall, in addition to any other fine, sentence, or as a  
4 condition of probation, order the minor to:

5       (a) Community service not to exceed 50 hours and impose a one month  
6 suspension of the usage of cellular devices or other handheld electronic  
7 devices. In addition, if the minor is found to be “sexting” on school  
8 grounds, he or she shall be punished with a one week suspension from  
9 school.

10      (b) If found guilty of a second offense, the court shall order the minor  
11 to 100 hours of community service and impose a six month suspension  
12 of the usage of cellular device or other handheld electronic devices. In  
13 addition, if the minor is found to be “sexting” on school grounds, he or she  
14 shall be punished with a one week suspension from school and required to  
15 complete a 20 hour child abuse course.

16      (c) If found guilty of a third or subsequent offense, the court shall order  
17 the minor to perform 200 hours of community service, attend counseling  
18 sessions with a court appointed counselor, and pay a fine not to exceed  
19 one thousand dollars (\$1,000), and impose a suspension of the usage of  
20 cellular and handheld electronic devices until the age of 18. Additionally,  
21 if the minor is found to be “sexting” on school grounds, he or she shall  
22 be punished by expulsion from the school district, required to complete  
23 a 20 hour child abuse course, and shall not be eligible for state funded  
24 scholarships until the age of 21.

25      (d) For the purposes of this section, “sexting” is defined as the sending  
26 or receiving of sexually explicit pictures or video images via cellular phone  
27 or similar electronic device.



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

February 14, 2013  
Referred to the Melone Committee

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An act to add Article 1.5 to Chapter 5 of Title 9 of the Government Code, relating to campaign contributions.

ABSTRACT

SB 270 limits financial contributions to political campaigns.

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

1     SECTION 1. Article 1.5 (commencing with Section 85150) is added to  
2     Chapter 5 of Title 9 of the Government Code to read:

3     Article 1.5 Contribution limits.

4     85150. (1) Except as described in subsections (2), (3), and (4) of  
5     this section, no person, including a political committee, shall make to a  
6     candidate committee, and no candidate committee shall accept from any  
7     one person, aggregate contributions for a primary or a general election in  
8     excess of the following amounts:

9     (a) Five hundred dollars to any one:

10    (I) Governor candidate committee for the primary election, and governor  
11    and lieutenant governor candidate committee, as joint candidates under  
12    1-1-104, C.R.S., or any successor section, for the general election;

13    (II) Secretary of state, state treasurer, or attorney general candidate  
14    committee; and

15    (b) Two hundred dollars to any one state senate, state house of  
16    representatives, state board of education, regent of the University of  
17    California, or district attorney candidate committee.

18    (2) No small donor committee shall make to a candidate committee, and  
19    no candidate committee shall accept from any one small donor committee,  
20    aggregate contributions for a primary or a general election in excess of the  
21    following amounts:

22    (a) Five thousand dollars to any one:

23    (I) Governor candidate committee for the primary election, and governor  
24    and lieutenant governor candidate committee, as joint candidates under  
25    1-1-104, C.R.S., or any successor section, for the general election;

26    (II) Secretary of state, state treasurer, or attorney general candidate  
27    committee; and

28    (b) Two thousand dollars to any one state senate, state house of  
29    representatives, state board of education, regent of the university of

1

2 California, or district attorney candidate committee.

3 (3) (a) No political party shall accept aggregate contributions from any  
4 person, other than a small donor committee as described in paragraph (b)  
5 of this subsection (3), that exceed three thousand dollars per year at the  
6 state, county, district, and local level combined, and of such amount no  
7 more than twenty-five hundred dollars per year at the state level;

8 (b) No political party shall accept aggregate contributions from any  
9 small donor committee that exceed fifteen thousand dollars per year at the  
10 state, county, district, and local level combined, and of such amount no  
11 more than twelve thousand, five hundred dollars at the state level;

12 (c) No political party shall accept contributions that are intended, or in  
13 any way designated, to be passed through the party to a specific candidate's  
14 candidate committee;

15 (d) In the applicable election cycle, no political party shall contribute  
16 to any candidate committee more than twenty percent of the applicable  
17 spending limit set forth in section 4 of this Article.

18 (e) Any unexpended campaign contributions retained by a candidate  
19 committee for use in a subsequent election cycle shall be counted and  
20 reported as contributions from a political party in any subsequent election  
21 for purposes of paragraph (d) of this subsection (3);

22 (4) (a) It shall be unlawful for a corporation or labor organization to make  
23 contributions to a candidate committee or a political party, and to make  
24 expenditures expressly advocating the election or defeat of a candidate;  
25 except that a corporation or labor organization may establish a political  
26 committee or small donor committee which may accept contributions or  
27 dues from employees, office holders, shareholders, or members.

28 (b) The prohibition contained in paragraph (a) of this subsection (4)  
29 shall not apply to a corporation that:

30 (I) Is formed for the purpose of promoting political ideas and cannot  
31 engage in business activities; and

32 (II) Has no shareholders or other persons with a claim on its assets or  
33 income; and

34 (III) Was not established by and does not accept contributions from  
35 business corporations or labor organizations.

36 (5) No political committee shall accept aggregate contributions or pro-  
37 rata dues from any person in excess of five hundred dollars per House of  
38 Representatives election cycle.

39 (6) No candidate's candidate committee shall accept contributions  
40 from, or make contributions to, another candidate committee, including  
41 any candidate committee, or equivalent entity, established under federal  
42 law.

43 (7) No person shall act as a conduit for a contribution to a candidate  
44 committee.

(8) Notwithstanding any other section of this Article to the contrary, a candidate's candidate committee may receive a loan from a financial institution organized under state or federal law if the loan bears the usual and customary interest rate, is made on a basis that assures repayment, is evidenced by a written instrument, and is subject to a due date or amortization schedule. The contribution limits described in this section shall not apply to a loan as described in this subsection (8).

(9) All contributions received by a candidate committee, issue committee, political committee, small donor committee, or political party shall be deposited in a financial institution in a separate account whose title shall include the name of the committee or political party. All records pertaining to such accounts shall be maintained by the committee or political party for one-hundred eighty days following any general election in which the committee or party received contributions unless a complaint is filed, in which case they shall be maintained until final disposition of the complaint and any consequent litigation. Such records shall be subject to inspection at any hearing held pursuant to this Article.

(10) No candidate committee, political committee, small donor committee, issue committee, or political party shall accept a contribution, or make an expenditure, in currency or coin exceeding one hundred dollars.

(11) No person shall make a contribution to a candidate committee, issue committee, political committee, small donor committee, or political party with the expectation that some or all of the amounts of such contribution will be reimbursed by another person. No person shall be reimbursed for a contribution made to any candidate committee, issue committee, political committee, small donor committee, or political party, nor shall any person make such reimbursement except as provided in subsection (8) of this section.

(12) No candidate committee, political committee, small donor committee, or political party shall knowingly accept contributions from:

(a) Any natural person who is not a citizen of the United States;

(b) A foreign government; or

(c) Any foreign corporation that does not have the authority to transact business in this state pursuant to Article 115 of title 7, C.R.S., or any successor section.

(13) Each limit on contributions described in subsections (1), (2), (3) (a), (3) (b) and (5) of this section, and subsection (14) of section 2, shall be adjusted by an amount based upon the percentage change over a four year period in the United States bureau of labor statistics consumer price index for Denver- Boulder-Greeley, all items, all consumers, or its successor index, rounded to the nearest lowest twenty-five dollars. The first adjustment shall be done in the first quarter of 2007 and then every four years thereafter. The secretary of state shall calculate such an adjustment in each limit and specify the limits in rules promulgated in accordance with article 4 of title 24, C.R.S., or any successor section.

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

February 14, 2013  
Referred to the Nichols Committee

An act to amend Section 42464 of the Public Resources Code, relating to e-recycling waste fees.

## ABSTRACT

SB 271 increases the point of sale fee for electronic devices sold in retail.

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

- Section 42464 of the Public Resources Code is amended to read:
42464. (a) On and after January 1, 2005, or as otherwise provided by Section 5214.10.1 of the Health and Safety Code, *Notwithstanding any other provision*, a consumer shall pay a covered electronic waste recycling fee upon the purchase of a new or refurbished covered electronic device, in the following amounts:
- (1) ~~Six dollars (\$6)~~ *Ten dollars (\$10)* for each covered electronic device with a screen size of less than 15 inches measured diagonally.
- (2) ~~Eight dollars (\$8)~~ *Thirteen dollars (\$13)* for each covered electronic device with a screen size greater than or equal to 15 inches but less than 35 inches measured diagonally.
- (3) ~~Ten dollars (\$10)~~ *Sixteen dollars (\$16)* for each covered electronic device with a screen size greater than or equal to 35 inches measured diagonally.
- (b) Except as provided in subdivision (d), a retailer shall collect from the consumer a covered electronic waste recycling fee at the time of the retail sale of a covered electronic device.
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**Introduced by Members Representing the  
South Bay Family Branch of the  
YMCA of San Diego County**

February 14, 2013  
Referred to the Redding Committee

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An act to amend Section 44258.3 of the Education Code, relating to teacher employment.

ABSTRACT

SB 272 requires high schools involve students in the employment process of teachers, through a hiring committee with a 3:1 teacher student ratio. This bill would require a prospective teacher to receive at least a 50% of committee approval in order to be hired.

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

1     SECTION 1. Section 44258.3 of the Education Code is amended to  
2 read:

3     44258.3. (a) The governing board of a school district may assign the  
4 holder of a credential, other than an emergency permit, to teach any  
5 subjects in departmentalized classes in kindergarten or any of grades 1 to  
6 12, inclusive, provided that the governing board verifies, prior to making  
7 the assignment, that the teacher has adequate knowledge of each subject  
8 to be taught and the teacher consents to that assignment. The governing  
9 board shall adopt policies and procedures for the purpose of verifying the  
10 adequacy of subject knowledge on the part of each of those teachers. The  
11 governing board shall involve subject matter specialists in the subjects  
12 commonly taught in the district in the development and implementation  
13 of the policies and procedures, and shall include in those policies and  
14 procedures both of the following:

15     ~~(1) One or more of the following ways to assess subject matter~~  
16 ~~competence; Two or more of the following ways to asses subject matter~~  
17 ~~competence, which shall at least include an oral interviews with the~~  
18 ~~student and faculty hiring committee:~~

19     (A) Observation by subject matter specialists, as defined in subdivision  
20 (d).

21     (B) Oral interviews with the student and faculty hiring committee in  
22 accordance with the following:

23     (i) There must be a minimum 3:1 teacher student ratio

24     (ii) The students will rate teachers through a rubric provided to them  
25 by the school district

1     (iii) *Students must have had no previous personal connection with the*  
2     *potential teacher*

3     (iv) *Students must have training and be interviewed by a principal or*  
4     *assistant principal in order to be a part of the hiring process*

5     (v) *Students must have at least a 3.5 GPA*

6     (vi) *Students who are involved in the hiring process must have attended*  
7     *the school district for at least two years and must be in grades 9-12*

8     (vii) *Students will only be involved in the hiring of general education*  
9     *teachers*

10    (C) Demonstration lessons

11    (D) Presentation of curricular portfolios.

12    (E) Written examinations.

13    (2) Specific criteria and standards for verifying adequacy of subject  
14    matter knowledge using any of the methods in paragraph (1). The criteria  
15    shall include, but need not be limited to, evidence of the candidate's  
16    knowledge of the subject matter to be taught, including demonstrated  
17    knowledge of the curriculum framework for the subject to be taught and  
18    the specific content of the course of study in the school district for the  
19    subject, at the grade level to be taught. *There must be a majority of approval*  
20    *among the district, faculty, and student committee who have conducted the*  
21    *required interview for candidate to qualify for employment.*

22    (b) Teaching assignments made pursuant to this section shall be valid  
23    only in that school district. The principal of the school, or other appropriate  
24    administrator, shall notify the exclusive representative of the certificated  
25    employees for that school district, as provided under Chapter 10.7  
26    (commencing with Section 3540) of Division 4 of Title 1 of the Government  
27    Code, of each instance in which a teacher is assigned to teach classes  
28    pursuant to this section. Any school district policy or procedures adopted  
29    and teaching assignments made pursuant to this section shall be included  
30    in the report required by subdivisions (a) and (e) of Section 44258.9. The  
31    Commission on Teacher Credentialing may suspend the authority of a  
32    school district to use the teaching assignment option authorized by this  
33    section upon a finding that the school district has violated the provisions  
34    of this section.

35    (c) Nothing in this section shall be construed to alter the effect of Section  
36    44955 with regard to the reduction by a school district governing board of  
37    the number of certificated employees.

38    (d) For the purposes of this section, "subject matter specialists" are  
39    mentor teachers, curriculum specialists, resource teachers, classroom  
40    teachers certified to teach a subject, staff to regional subject matter projects  
41    or curriculum institutes, or college faculty.

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

February 14, 2013  
Referred to the Weeks Committee

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Senate Joint Resolution No. 273, relative to undocumented prisoners.

ABSTRACT

SJR 273 memorializes the Congress of the United States to propose legislation to prohibit states from giving undocumented prisoners the option to remain in the United States.

1 WHEREAS, California's prisons are overcrowded and financially  
2 unsustainable; and

3  
4 WHEREAS, California taxpayers are currently paying for the  
5 incarceration of prisoners who aren't citizens of this country; and

6  
7 WHEREAS, The removal of undocumented prisoners would save  
8 California millions of dollars that would then be allotted to investing in  
9 public education; now, therefore, be it

10  
11 *Resolved by the Assembly and the Senate of the State of California,*  
12 *jointly, That the Legislature of the State of California respectfully*  
13 *memorializes the Congress of the United States to propose legislation to*  
14 *prohibit states from giving undocumented prisoners the option to remain*  
15 *in the United States; and be it further*

16  
17 *Resolved, That the Chief Clerk of the Assembly transmit copies of this*  
18 *resolution to the Speaker of the House of Representatives, the Majority*  
19 *Leader of the United States Senate, and to each Senator and Representative*  
20 *from California in the Congress of the United States, and to the Chief*  
21 *Clerk of the Legislature in each of the other 49 states.*

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

February 14, 2013  
Referred to the Tuttle Committee

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An act to add Section 23521 to the Penal Code, relating to firearms.

ABSTRACT

SB 274 makes the ownership of any gun illegal with special exemptions for active police and military personnel.

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

- 1     SECTION 1. Section 23521 is added to the Penal Code to read:  
2     23521. Notwithstanding any other law, all of the following shall apply  
3     with respect to firearms:  
4     (a) No ordinary citizen shall be permitted to own any form of firearm.  
5     (b) Active police officers and active military personnel shall be allowed  
6     to carry  
7     a fire arm.  
8     (c) Hunting will be allowed at state certified grounds, no gun on these  
9     grounds will carry more than one bullet at a time, and no person shall  
10    remove a gun from the grounds.  
11    (d) To use certified hunting grounds persons must pass an annual gun  
12    safety course.  
13    (e) Those owning firearms at the operative date of this act will have 12  
14    months to give up their firearms to any accepting place for destruction.



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

February 14, 2013  
Referred to the Price Committee

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An act to repeal and add Section 41300.1 of the Education Code, relating to Instructional Improvement and Accountability.

**ABSTRACT**

SB 275 allows for the excess money after every public and charter school reaches their minimum criteria of funding to be distributed equally amongst K-12 schools based on population.

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

- 1     SECTION 1. Section 41300.1 of the Education Code is repealed.  
2     SEC. 2. Section 41300.1 is added to the Education Code, to read:  
3     41300.1. (a) The Superintendent of Public Instruction, with the approval  
4     of the State Board of  
5     Education, shall administer the statewide school funding equally  
6     through the districts concerning the population of students within a school.  
7     This will allow the district to distribute the excess money to school based  
8     on students.  
9     (b) The State of California shall distribute its excess money in according  
10    to the student population rather than the schools API scores and the  
11    California Standardized Test's (CST's).  
12    (c) The school shall receive the money in accordance to the teacher  
13    to student ratio, and the school will need to provide evidence through a  
14    report written to the Board of Education proving the use of fiscal spending  
15    towards the improvement of their school.  
16    (d) Schools that receive outstanding API scores shall no longer be  
17    awarded through monetary incentives but through government funded  
18    field trips. It shall also benefit students in the school by recognition of  
19    being a part of a stellar school, which can be implemented onto a students'  
20    transcript and count toward college.  
21    (e) Funds will also help decrease the student to teacher ratio.

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

February 14, 2013  
Referred to the Foreman Committee

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An act to add Section 8698 to the Fish and Game Code, relating to gill nets.

ABSTRACT

SB 276 prohibits the manufacture, ownership, or use of gill nets, as defined. The bill would provide for a recall of all gill nets, to be turned into the Department of Fish and Game, and for a tax credit for a replacement purse seine net under specified circumstances. The bill would provide for fines for the private and commercial use of gill nets on and after December 31, 2014.

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

- 1     SECTION 1. Section 8698 is added to the Fish and Game Code, to read:  
2     8698. (a) A gill net shall not be manufactured, owned, or used. For  
3     purposes of this section, a “gill net” is a fishing net set in the water so that  
4     fish swimming into it are entangled by the gills in its mesh and is inclusive  
5     of any fishing line which is anchored to the ocean bottom at one end and  
6     attached at the surface to a fishing vessel or a buoy.  
7     (b) From January 1, 2014, until December 31, 2014, there will be a  
8     statewide recall of all gill nets. Gill nets are to be turned into any office of  
9     the California Department of Fish and Game.  
10    (c) From January 1, 2014, until December 31, 2014, any company or  
11    individual that turns in gill nets to an office of the California Department  
12    of Fish and Games shall receive a proof of recall receipt. If, within the  
13    stated time period, the company or person purchases a purse seine net as a  
14    replacement for their gill net they may attach the proof of recall receipt as  
15    well as the receipt for the purchased purse seine net to their tax return to  
16    receive a tax credit for the value of their purse seine net. For the purposes  
17    of this section, a purse seine net means any net drawn by one or two boats  
18    that is drawn into the shape of a bag in order to enclose fish.  
19    (d) Department of Fish and Game wardens shall be designated to  
20    conduct random annual inspections of fishing companies and their fishing  
21    vessels to identify any violations of this section.  
22    (e) (1) Any person or company found by a warden to be in possession  
23    of a gill net for commercial use after December 31, 2014, shall be fined  
24    \$10,000 per gill net and the gill net shall be confiscated.

1     (2) Any person found by a warden to be in possession of a gill net for  
2     personal use after December 31, 2014, shall be fined \$1,000 per gill net  
3     and the gill net shall be confiscated.

4     (3) The warden confiscating the gill nets shall make a preliminary  
5     determination regarding whether or not the net was used for commercial  
6     or personal use and the warden shall issue a fine accordingly. A violator  
7     may appeal the warden's determination to the department.

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

February 14, 2013  
Referred to the Douglass Committee

An act to amend Section 124250 of the Health and Safety Code, relating to mental health.

**ABSTRACT**

SB 277 allows minors 12 years of age or older to consent to mental health treatment and counseling services on their own volition, as well as power of consent to inform their parents or guardians of services received. This bill allows minors of any age to consent to mental health treatment or counseling services for domestic or sexual abuse.

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

1 SECTION 1. Section 124260 of the Health and Safety Code is amended,  
2 to read: 124260.

3 \*\*\*\*\*

4 (b) Notwithstanding any provision of law to the contrary, a minor who  
5 is 12 years of age or older may consent to mental health treatment or  
6 counseling services if, ~~in the opinion of the attending professional person,~~  
7 ~~the minor is mature enough to participate intelligently in the mental health~~  
8 ~~treatment or counseling services. If the minor is seeking mental health~~  
9 ~~treatment or counseling services for domestic or sexual abuse, the minor~~  
10 may be of any age to consent.

11 (c) Notwithstanding any provision of law to the contrary, the mental  
12 health treatment or counseling of a minor authorized by this section  
13 shall include ~~involvement of the minor's parent or guardian, informing~~  
14 the minor's parent or guardian only with consent of the minor, unless  
15 the professional person who is treating or counseling the minor, after  
16 consulting with the minor, determines that the involvement informing  
17 would be inappropriate. The professional person who is treating or  
18 counseling the minor shall state in the client record whether and when the  
19 person attempted to contact the minor's parent or guardian, and whether  
20 the attempt to contact was successful or unsuccessful, or the reason why,  
21 in the professional person's opinion, it would be inappropriate to contact  
22 the minor's parent or guardian.

23 (d) The minor's parent or guardian is not liable for payment for mental  
24 health treatment or counseling services provided pursuant to this section  
25 unless the parent or guardian participates in the mental health treatment or

1 counseling, and then only for services rendered with the participation of  
2 the parent or guardian.

3 (e) This section does not authorize a minor to receive convulsive  
4 therapy or psychosurgery, as defined in subdivisions (f) and (g) of Section  
5 5325 of the Welfare and Institutions Code, or psychotropic drugs without  
6 the consent of the minor's parent or guardian.

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

February 14, 2013  
Referred to the Denver Committee

An act to repeal and add Section 7150.20 of, and to repeal Sections 7150.25, 7150.30, and 7150.35 of, the Health and Safety Code, relating to organ donation.

ABSTRACT

SB 278 amends existing law to make organ donation mandatory at age 18 unless an individual chooses to opt out of the program.

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

1 SECTION 1. Section 7150.20 of the Health and Safety Code is repealed.

2 SEC. 2. Section 7150.20 is added to the Health and Safety Code, to  
3 read:

4 7150.20. (a) All persons 18 years of age or older shall be considered  
5 eligible organ donors.

6 (b) All persons 18 years of age or older may opt-out of making an  
7 anatomical gift if they desire. Opt-Out forms shall be available at all post  
8 office locations and online. Opt-Out donation shall apply to any person  
9 over the age of 18 years beginning on January 1, 2014. Upon the death of  
10 a minor, donation may be made by persons listed, in order of priority, in  
11 section 7150.40.

12 (c) An individual may record his or her desire to opt out of making an  
13 anatomical gift by doing any of the following:

14 (1) Through the Donate Life California Organ and Tissue Donor  
15 Registry by either of two methods:

16 (A) Mail in Opt-Out form

17 (B) Online Opt-Out Registry

18 (2) In a will

19 (d) Individuals may designate specific conditions for organ donation.  
20 The Donate Life California Organ and Tissue Donor Registry shall allow  
21 persons to opt-out of some or all of the following uses of organ donation:

22 (1) Transplantation, (2) Therapy, (3) Research, (4) Education

23 SEC. 3. Section 7150.25 of the Health and Safety Code is repealed.

24 SEC. 4. Section 7150.30 of the Health and Safety Code is repealed.

25 SEC. 5. Section 7150.35 of the Health and Safety Code is repealed.

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**Introduced by Members Representing the  
Torrance-South Bay Branch of the  
YMCA of Metropolitan Los Angeles**

February 14, 2013  
Referred to the Hempstead Committee

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An act to amend Section 1102 of the Civil Code, relating to the power of unions to collect fees.

**ABSTRACT**

SB 279 eliminates the forced payment of union dues by members who are not in the union.

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

- 1     SECTION 1. Section 1102 of the Labor Code is amended to read:  
2     1102. (a) No employer shall coerce or influence or attempt to coerce or  
3     influence his employees through or by means of threat of discharge or loss  
4     of employment to adopt or follow or refrain from adopting or following  
5     any particular course or line of political action or political activity.  
6     (b) *No employee in any profession is required to pay union dues if he*  
7     *or she is not part of the union. Furthermore, if a union is reported to have*  
8     *coerced payment and this is proven to be true, the accused union shall*  
9     *have to return the money that was paid and shall be fined five-thousand*  
10    *(\$5000) dollars.*

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

February 14, 2013  
Referred to the Hendricks Committee

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Senate Constitutional Amendment No. 280-- 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 2 thereof, relating to elections.

ABSTRACT

SCA 280 allows an underage voter, as defined, to vote in a statewide election.

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

- 1     *Resolved by the Senate, the Assembly concurring:* That the Legislature  
2 of the State of California at its 2013 Regular Session, commencing on  
3 the 14th day of February, 2013, two-thirds of all members elected to each  
4 two houses of the Legislature voting in favor thereof, hereby proposes  
5 to the people of the State of California that Section 2 of Article 2 of the  
6 Constitution of the State is amended to read:  
7     SEC. 2.   (a) A United States citizen 18 years of age or an underage  
8 voter and resident in this State may vote.  
9     (b) “Underage voter” means a legally employed person at least fifteen  
10 and a half years of age whose previous year’s income is taxable by this  
11 state.



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

February 14, 2013  
Referred to the Thompson Committee

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An act to amend Section 3502 of the Penal Code, relating to inmates

ABSTRACT

SB 281 authorizes biomedical research to be conducted on any prisoner in the state for specified purposes.

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

- 1     SECTION 1. Section 3502 of the Penal Code is amended to read:  
2     3502. ~~Except as provided in Section 1706 of the Welfare and Institutions~~  
3     ~~Code, no biomedical~~ Biomedical research ~~shall~~ may be conducted on any  
4     prisoner in this state *for the sole purpose of the development of vaccines,*  
5     *cures, or treatments for pandemic diseases, under the supervision of the*  
6     *federal Department of Health and Human Services.*  
7     (a) Biomedical research conducted on prisoners shall be done in  
8     accordance with all rules and regulations that are enforced by the federal  
9     Department of Health and Human Services and detailed in Title 45 of the  
10    Code of Federal Regulation. This includes obtaining the informed consent  
11    of all prisoners who participate in research.  
12    (b) Failure to adhere to the aforementioned regulations will result in  
13    the closing of the noncompliant study as well as the loss of the medical  
14    licenses of involved researchers as deemed appropriate by the state.

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

February 14, 2013  
Referred to the Burns Committee

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An act to amend Section 5007.5 of the Penal Code, relating to healthcare policies of inmates.

**ABSTRACT**

SB 282 changes 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 fee  
3 ~~in the amount of five dollars (\$5) equal to ten percent (10%) of the costs~~  
4 ~~billed to the state for the visit, up to a maximum of twenty-thousand dollars~~  
5 ~~(\$20,000), 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  
8 the inmate has no money in his or her personal account, ~~there shall be~~  
9 ~~no charge for the medical visit~~ *the inmate shall repay to the state, the*  
10 *amount of the fee owed, within ten years of his or her release or when an*  
11 *amount equal to the amount of the outstanding fee is earned by the inmate,*  
12 *whichever occurs first.*

13     (c) An inmate shall not be denied medical care because of a lack of  
14 funds in his or her prison account.

15     (d) The medical provider ~~may waive the fee for any inmate-initiated~~  
16 ~~treatment and~~ shall waive the fee in any life-threatening or emergency  
17 situation, defined as those health services required for alleviation of severe  
18 pain or for immediate diagnosis and treatment of unforeseen medical  
19 conditions that if not immediately diagnosed and treated could lead to  
20 disability or death.

21     (e) Followup medical visits at the direction of the medical staff shall  
22 not be charged to the inmate.

23     (f) All moneys received by the Director of Corrections pursuant to  
24 this section shall, upon appropriation by the Legislature, be expended to  
25 reimburse the Department of Corrections for direct provision of inmate  
26 health care services.

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

February 14, 2013  
Referred to the Nichols Committee

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An act to amend Section 49426 of the Education Code, relating to school nurses.

ABSTRACT

SB 283 authorizes, subject to authorization by the local governing board, school nurses to furnish ibuprofen to high school students with parental consent.

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

1     SECTION 1. Section 49426 of the Education Code is amended to read:

2     A school nurse is a registered nurse currently licensed under Chapter  
3     6 (commencing with Section 2700) of Division 2 of the Business and  
4     Professions Code, and who has completed the additional educational  
5     requirements for, and possesses a current credential in, school nursing  
6     pursuant to Section 44877.

7     School nurses strengthen the educational process by improving and  
8     protecting the health status of children and by identification and assistance  
9     in the removal or modification of health-related barriers to learning  
10    in individual children. The major focus of school health services is the  
11    prevention of illness and disability, and the early detection and correction  
12    of health problems. The school nurse is especially prepared and uniquely  
13    qualified in preventive health, health assessment, and referral procedures.

14    Nothing in this section shall be construed to limit the scope of  
15    professional practice or otherwise to change the legal scope of practice for  
16    any registered nurse or other licensed healing arts practitioner. Rather, it is  
17    the intent of the Legislature to provide positively for the health services,  
18    many of which may be performed in the public schools only by physicians  
19    and school nurses. School nurses may perform, if authorized by the local  
20    governing board, the following services:

21    (a) Conduct immunization programs pursuant to Section 49403 and  
22    assure that every pupil's immunization status is in compliance with the  
23    law, including parental or guardian consent, and good health practice.

24    (b) Assess and evaluate the health and developmental status of pupils  
25    to identify any disorders or factors relating to the learning process,  
26    communicate with the primary care provider, and contribute relevant  
27    information in order to modify the pupils' educational plans.

28

1 (c) Interpret the assessment to parents, teachers, administrators, and  
2 other professionals directly concerned with the pupil.

3 (d) Design and implement an individualized health maintenance plan  
4 to meet the needs of students, incorporating plans directed by a physician.

5 (e) Refer the pupil and his or her parent or guardian to appropriate  
6 community resources for necessary services.

7 (f) Maintain communication with parents and all involved community  
8 practitioners and agencies to promote needed treatment and secure reports  
9 of findings pertinent to educational planning.

10 (g) Interpret medical and nursing findings appropriate to the student's  
11 individual educational plan and make recommendations to professional  
12 personnel directly involved.

13 (h) Consult with, conduct in-service training to, and serve as a  
14 resource person to teachers and administrators, and act as a participant  
15 in implementing any section or sections of a comprehensive health  
16 instruction curriculum for students by providing current scientific  
17 information regarding nutrition, preventive dentistry, mental health,  
18 genetics, prevention of communicable diseases, self-health care, consumer  
19 education, and other areas of health.

20 (i) Counsel pupils and parents by:

21 (1) Assisting youth, parents, and school personnel in identifying and  
22 utilizing appropriate and mutually acceptable private and community  
23 health delivery services for professional care and remediation of defects.

24 (2) Counseling with parents, pupils and school staff regarding health-  
25 related attendance problems.

26 (3) Helping parents, school personnel and pupils understand and adjust  
27 to physical, mental and social limitations.

28 (4) Exploring with families and pupils, attitudes, information and values  
29 which affect their health behavior.

30 (j) Assist parents and pupils to solve financial, transportation and other  
31 barriers to needed health services.

32 *(k) Furnish ibuprofen to high school students with reasonable condition*  
33 *under parental consent.*

34 *(1) High school nurses would be required to mark down the time of*  
35 *distribution and check the condition of the student.*

36 *(2) Included in registration forms would be a consent form for parents.*

37 *(3) Students 18 years of age or older do not need parental consent.*

38 *(4) Students will not be given more than the prescribed dosage of 200*  
39 *milligrams of Ibuprofen every four to six hours.*

40 *(5) If students request to go to the health office during a class period, a*  
41 *note of the teacher would be required.*

42 The holder of a services credential with a specialization in health for  
43 a school nurse who also completes the requirements for a special class  
44 authorization in health in a program that is approved by the commission is  
45 authorized to teach classes on health in a preschool, kindergarten, grades 1  
46 to 12, inclusive, and classes organized primarily for adults.

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**Introduced by Members Representing the  
McClymonds Delegation of the  
Urban Services Branch of the  
YMCA of the East Bay**

February 14, 2013  
Referred to the Weeks Committee

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An act to amend Section 44256 of the Education Code, relating to requirements for teaching credentials.

ABSTRACT

SB 284 requires California single subject teaching credential candidates to successfully complete a one year apprenticeship.

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

- 1     SECTION 1. Section 44256 of the Education Code is amended, to read:  
2     44256. Authorization for teaching credentials shall be of four basic  
3     kinds, as defined below:  
4     (a) "Single subject instruction" means the practice of assignment of  
5     teachers and students to specified subject matter courses, as is commonly  
6     practiced in California high schools and most California junior high  
7     schools. The holder of a single subject teaching credential or a standard  
8     secondary credential or a special secondary teaching credential, as defined  
9     in this subdivision, who has completed 20 semester hours of coursework or  
10    10 semester hours of upper division or graduate coursework approved by  
11    the commission at an accredited institution in any subject commonly taught  
12    in grades 7 to 12, inclusive, other than the subject for which he or she is  
13    already certificated to teach, *and who has successfully completed a 1 year*  
14    *apprenticeship under a credentialed teacher in the same subject area* shall  
15    be eligible to have this subject appear on the credential as an authorization  
16    to teach this subject. *The credential holder shall begin and complete his or*  
17    *her 1 year apprenticeship at the school he or she intends to serve. All single*  
18    *subject credentials shall have a designation for the individual school(s)*  
19    *the credential holder is authorized to serve based on the completion of*  
20    *the previously mentioned apprenticeship. District certified principals shall*  
21    *be responsible for reporting successfully completed apprenticeships to the*  
22    *Commission.* The commission, by regulation, may require that evidence of  
23    additional competence is a condition for instruction in particular subjects,  
24    including, but not limited to, foreign languages. The commission may  
25    establish and implement alternative requirements for  
    additional authorizations to the single subject credential on the basis of  
    specialized needs. For purposes of this subdivision, a special secondary

1 teaching credential means a special secondary teaching credential  
2 issued on the basis of at least a baccalaureate degree, a student teaching  
3 requirement, and 24 semester units of coursework in the subject specialty  
4 of the credential.

5 (b) “Multiple subject instruction” means the practice of assignment  
6 of teachers and students for multiple subject matter instruction, as is  
7 commonly practiced in California elementary schools and as is commonly  
8 practiced in early childhood education.

9 The holder of a multiple subject teaching credential or a standard  
10 elementary credential who has completed 20 semester hours of coursework  
11 or 10 semester hours of upper division or graduate coursework approved  
12 by the commission at an accredited institution in any subject commonly  
13 taught in grades 9 and below shall be eligible to have that subject appear  
14 on the credential as authorization to teach the subject in departmentalized  
15 classes in grades 9 and below. The governing board of a school district  
16 by resolution may authorize the holder of a multiple subject teaching  
17 credential or a standard elementary credential to teach any subject in  
18 departmentalized classes to a given class or group of students below grade  
19 9, provided that the teacher has completed at least 12 semester units,  
20 or six upper division or graduate units, of coursework at an accredited  
21 institution in each subject to be taught. The authorization shall be with the  
22 teacher’s consent. However, the commission, by regulation, may provide  
23 that evidence of additional competence is necessary for instruction in  
24 particular subjects, including, but not limited to, foreign languages. The  
25 commission may establish and implement alternative requirements for  
26 additional authorizations to the multiple subject credential on the basis of  
27 specialized needs.

28 (c) “Specialist instruction” means any specialty requiring advanced  
29 preparation or special competence, including, but not limited to, reading  
30 specialist, mathematics specialist, specialist in special education, or early  
31 childhood education, and such other specialties as the commission may  
32 determine.

33 (d) “Designated subjects” means the practice of assignment of  
34 teachers and students to designated technical, trade, or career technical  
35 courses which courses may be part of a program of trade, technical, or  
36 career technical education.

## 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;

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- 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).