

AMENDED IN ASSEMBLY MARCH 21, 2024

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

ASSEMBLY BILL

No. 3058

Introduced by Assembly Member Low

February 16, 2024

~~An act relating to universal basic income. An act to add and repeal Part 5 (commencing with Section 4800) of Division 1 of the Unemployment Insurance Code, relating to benefits.~~

LEGISLATIVE COUNSEL’S DIGEST

AB 3058, as amended, Low. ~~Universal basic income: employment replaced by artificial intelligence. California Unconditional Benefit Program: employment replaced by automation or artificial intelligence: pilot program.~~

Existing law requires the Employment Development Department to implement and administer the unemployment insurance program in this state, and provides for the payment of unemployment compensation benefits to eligible individuals who are unemployed through no fault of their own. Under existing law, unemployment compensation benefit award computations are based on wages paid in the base period. Existing law provides that an individual who is unemployed in any week and is eligible for unemployment compensation benefits shall be paid an unemployment compensation benefit with respect to that week in an amount equal to their weekly benefit amount, as provided. Existing law provides the maximum amount of unemployment compensation benefits payable to an individual during any one benefit year shall not exceed the lower of 26 times their weekly benefit amount or $\frac{1}{2}$ the total wages paid to the individual during their base period.

This bill would establish, until January 1, 2029, the California Unconditional Benefit Income (CalUBI) Pilot Program, to be administered by the Employment Development Department upon appropriation by the Legislature, for the purpose of providing assistance to individuals who are unemployed because of automation or artificial intelligence. The bill would authorize an eligible individual, as defined, to submit an application to the department to receive \$1,000 each month for a period of 12 months, starting as late as January 1, 2027, and until January 1, 2028, upon a determination that the individual is unemployed because of automation or artificial intelligence and has received the maximum amount of unemployment compensation benefits described in the paragraph above before the first \$1,000 is distributed.

The bill would require the department to adopt regulations to implement the CalUBI Pilot Program, on or before January 1, 2026, pursuant to the Administrative Procedure Act. The bill would provide that income received pursuant to the program is not considered taxable income for the purpose of state income taxes, shall not be considered in calculating any state tax credits, and does not affect income eligibility for any other programs administered and funded by the state. The bill would require the department to submit a report to the Legislature of policy recommendations based on the performance of the CalUBI Pilot Program, as specified, no later than December 31, 2028.

This bill would make findings and declarations related to a gift of public funds.

~~Existing law establishes the State Department of Social Services and requires the department to administer various public social services programs, including the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which each county provides cash assistance and other benefits to qualified low-income families and individuals, and the CalFresh program, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county.~~

~~This bill would state that it is the intent of the Legislature to enact legislation to promote economic security and stability for California residents by creating a universal basic income program for residents whose employment is replaced by artificial intelligence.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

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

1 *SECTION 1. Part 5 (commencing with Section 4800) is added*
2 *to Division 1 of the Unemployment Insurance Code, to read:*

3
4 *PART 5. CALIFORNIA UNCONDITIONAL BENEFIT INCOME*
5 *PILOT PROGRAM*
6

7 4800. *For purposes of this part, the following definitions apply:*

8 (a) *“Department” means the Employment Development*
9 *Department.*

10 (b) *“Eligible individual” means an unemployed individual that*
11 *meets both of the following criteria:*

12 (1) *The individual identifies, or has been identified by their*
13 *former employer, as unemployed because of automation or*
14 *artificial intelligence.*

15 (2) *The individual has received the maximum amount of*
16 *unemployment compensation benefits described in subdivision (b)*
17 *of Section 1281, or is currently receiving unemployment*
18 *compensation benefits under Part 1 (commencing with Section*
19 *100) and will receive the maximum amount of unemployment*
20 *compensation benefits described in subdivision (b) of Section 1281*
21 *before January 1, 2027.*

22 4801. (a) *The California Unconditional Benefit Income*
23 *(CalUBI) Pilot Program is hereby established, to be administered*
24 *by the department, for the purpose of providing assistance to*
25 *individuals who are unemployed because of automation or artificial*
26 *intelligence, upon appropriation by the Legislature of sufficient*
27 *funds to carry out the program.*

28 (b) *For a period of time determined by the department, an*
29 *eligible individual may submit an application to the department*
30 *to receive the benefit described in subdivision (c).*

31 (c) *The department shall distribute one thousand dollars*
32 *(\$1,000) each month for a period of 12 months to an individual*
33 *who has submitted an application under subdivision (b) upon a*
34 *determination by the department of both of the following:*

35 (1) *The individual is unemployed because of automation or*
36 *artificial intelligence.*

37 (2) *The individual has received the maximum amount of*
38 *unemployment compensation benefits described in subdivision (b)*

1 of Section 1281 before the first one thousand dollars (\$1,000) is
2 distributed.

3 (d) On and after January 1, 2027, the department shall not
4 distribute any benefit pursuant to this section, unless it is
5 distributed to an individual that began receiving the benefit
6 pursuant to subdivision (c) before January 1, 2027.

7 (e) On and after January 1, 2028, the department shall not
8 distribute any benefit pursuant to this section.

9 4802. The department shall adopt regulations to implement
10 this part on or before January 1, 2026, pursuant to the
11 Administrative Procedure Act (Chapter 3.5 (commencing with
12 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
13 Code).

14 4803. (a) Income received pursuant to this part shall not be
15 considered taxable income for the purpose of state income taxes,
16 and shall not be considered in calculating any state tax credits.

17 (b) Income received pursuant to this part shall not affect income
18 eligibility for any other programs administered and funded by the
19 state.

20 4804. (a) On or before December 31, 2028, the department
21 shall submit a report to the Legislature of policy recommendations
22 based on the performance of the CalUBI Pilot Program. The report
23 shall consider job displacement due to automation and artificial
24 intelligence in the state.

25 (b) The report required by subdivision (a) shall be submitted
26 in compliance with Section 9795 of the Government Code.

27 4805. The provisions of this part are severable. If any provision
28 of this part or its application is held invalid, that invalidity shall
29 not affect other provisions or applications that can be given effect
30 without the invalid provision or application.

31 4806. This part shall remain in effect only until January 1,
32 2029, and as of that date is repealed.

33 SEC. 2. The Legislature finds and declares that the addition
34 of Part 5 (commencing with Section 4800) to Division 1 of the
35 Unemployment Insurance Code by this act serves a public purpose
36 and does not constitute a gift of public funds within the meaning
37 of Section 6 of Article XVI of the California Constitution by
38 ensuring basic economic stability and improving health and quality
39 of life for Californians displaced by advanced automation and
40 artificial intelligence.

1 ~~SECTION 1.—It is the intent of the Legislature to enact~~
2 ~~legislation to promote economic security and stability for California~~
3 ~~residents by creating a universal basic income program for residents~~
4 ~~whose employment is replaced by artificial intelligence.~~

O