## CALIFORNIA LEGISLATURE 2021–22 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

## Tuesday, April 27, 2021

# FIFTY-EIGHTH SESSION DAY

## ONE HUNDRED FORTY-SECOND CALENDAR DAY

## AT SACRAMENTO, CALIFORNIA



NOTE: Official record of rollcall votes. All amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. All Senate amendments to Assembly measures considered by the Assembly on this day are on file with the Secretary of the Senate and available on request. A list of all measures amended and on which amendments were offered in the Assembly is shown on the final page of this day's Assembly Journal.

## PROCEEDINGS OF THE ASSEMBLY

#### **IN ASSEMBLY**

Assembly Chamber, Sacramento Tuesday, April 27, 2021

The Assembly met at 7 a.m.

Hon. Christopher M. Ward, Assembly Member, 78th District, presiding.

Chief Clerk Sue Parker at the Desk.

Principal Clerk Russell C. Tomas reading.

### ROLLCALL

The following were placed upon the morning rollcall—77:

Aguiar-Curry	Davies	Levine	Rodriguez
Arambula	Flora	Low	Rubio
Bauer-Kahan	Fong	Maienschein	Salas
Bennett	Frazier	Mathis	Santiago
Berman	Friedman	Mayes	Seyarto
Bigelow	Gabriel	McCarty	Smith
Bloom	Gallagher	Medina	Stone
Boerner Horvath	Garcia, C.	Mullin	Ting
Burke	Garcia, E.	Muratsuchi	Valladares
Calderon	Gipson	Nazarian	Villapudua
Carrillo	Gonzalez	Nguyen	Voepel
Chau	Gray	O'Donnell	Waldron
Chen	Grayson	Patterson	Ward
Chiu	Holden	Petrie-Norris	Weber, A.
Choi	Irwin	Quirk	Wicks
Cooley	Jones-Sawyer	Quirk-Silva	Wood
Cooper	Kalra	Ramos	Mr. Speaker
Cunningham	Kiley	Reyes	-
Dahle	Lackey	Rivas, L.	
Daly	Lee	Rivas, R.	

Quorum present.

#### At 10:23 a.m., Hon. Devon J. Mathis, 26th District, presiding

#### **REGULAR BUSINESS DISPENSED WITH**

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Member was granted leave of absence for the day:

Because of illness: Assembly Member Cervantes.

#### COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

April 27, 2021

Sue Parker

Chief Clerk of the Assembly State Capitol, Room 3196 Sacramento, California

Dear Ms. Parker: Please be advised that I have appointed Assemblymembers Richard Bloom, Ash Kalra, and Adrin Nazarian to fill the Democratic vacancies on the Assembly Appropriations Committee for the Wednesday, April 28 hearing.

Sincerely.

ANTHONY RENDON Speaker of the Assembly

#### REPORTS

The following letter of transmittal was presented by the Speaker and ordered printed in the Journal:

#### **California State Auditor**

2020-805 April 27, 2021

The Honorable Speaker of the Assembly The Honorable Members of the Assembly of the Legislature of California State Capitol, Room 3196 Sacramento, California

Members of the Assembly: As directed by the Joint Legislative Audit Committee, my office conducted an audit of the city of San Gabriel (San Gabriel) as part of our high-risk local government agency audit program. Our assessment focused on San Gabriel's financial and operational risks, and after auditing San Gabriel, we found that the city is at high risk of financial instability because of its depleted general fund reserves, lack of available cash, and large unfunded retirement obligations, all of which threaten the city's financial recovery.

Since San Gabriel depleted its general fund reserves, it has relied on borrowing from other city funds to cover its short-term expenses. This situation began when San Gabriel entered into a loan in 2014 to build a public works facility that set aside \$7.8 million of its general fund cash as collateral for 10 years—essentially limiting the city's ability to pay for city services from the general fund. Despite this condition, the city continued to spend more than the revenues it received between fiscal years 2015–16 and 2017–18, which further deteriorated its financial health. As of June 2020, the city's general fund reserves had a deficit of \$8.1 million. With the prolonged and uncertain economic impact of the COVID-19 pandemic exacerbating the situation, San Gabriel's lack of financial reserves will continue to threaten the city's financial health. Although the current city management has taken steps to strengthen its financial policies and practices, the city does not have a comprehensive plan to adequately address the city's poor financial condition, including how to pay for its large retirement obligations, such as its rising retiree health care costs.

Among the recommendations to address our concerns, we recommend that San Gabriel develop a comprehensive financial recovery plan that includes strategies for building its reserves, renegotiating or refinancing the loan that restricts its available cash, and identifying opportunities to increase revenues and reduce expenditures.

Respectfully submitted,

#### ELAINE M. HOWLE, CPA

California State Auditor

Above report referred to the Committee on Local Government.

#### SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Utilities and Energy, on Tuesday, May 18, 2021, at 1:30 p.m.;

Budget Subcommittee No. 1 on Health and Human Services, on Wednesday, May 12, 2021, at 1:30 p.m., in Room 437;

Budget Subcommittee No. 3 on Climate Crisis, Resources, Energy, and Transportation, on Wednesday, May 5, 2021, at 9:30 a.m., in Room 437;

Budget Subcommittee No. 4 on State Administration, on Tuesday, May 4, 2021, at 1:30 p.m., in Room 437;

Budget Subcommittee No. 5 on Public Safety, on Monday, May 3, 2021, at 2:30 p.m., in Room 437.

#### ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 27, 2021

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Bill No. 273

Assembly Bill No. 448 Assembly Bill No. 1465

And reports the same correctly engrossed.

SUE PARKER. Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 27, 2021

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

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Assembly Bill No. 46	Assembly Bill No. 1180
Assembly Bill No. 369	Assembly Bill No. 1243
Assembly Bill No. 427	Assembly Bill No. 1288
Assembly Bill No. 525	Assembly Bill No. 1471
Assembly Bill No. 790	Assembly Bill No. 1515
Assembly Bill No. 1055	Assembly Bill No. 1531
Assembly Bill No. 1092	Assembly Bill No. 1538
Assembly Bill No. 1162	2
ind reports the same correctly engross	sed.

A ts the same correctly engrossed.

Above bills re-referred to committee.

Assembly Chamber, April 27, 2021

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Bill No. 1537

And reports the same correctly engrossed.

SUE PARKER, Chief Clerk

SUE PARKER, Chief Clerk

Above bill re-referred to committee.

April 27, 2021

#### RESOLUTIONS

#### The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 78—Eduardo Garcia (Coauthors: Senators Bates and Caballero). Relative to Senior Malnutrition Awareness Day.

HOUSE RESOLUTION NO. 41—Mayes (Coauthors: Gabriel, Blanca Rubio, and Ward). Relative to human rights of Uyghurs.

#### AUTHOR'S AMENDMENTS Committee on Local Government

April 27, 2021

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 712 Assembly Bill No. 970

Assembly Bill No. 1124

With author's amendments with the recommendation: Amend, and re-refer to the committee.

#### AGUIAR-CURRY, Chair

**ASSEMBLY BILL NO. 712**—An act to amend Sections 20142, 20395, 20405, 20614, and 20998 of the Public Contract Code, relating to public contracts.

Bill read second time.

**ASSEMBLY BILL NO. 970**—An act to add Section 65850.71 to the Government Code, relating to zoning.

Bill read second time.

**ASSEMBLY BILL NO. 1124**—An act to amend Section 801.5 of the Civil Code, and to amend Section 66015 of the Government Code, relating to solar energy systems.

Bill read second time.

Author's amendments, presented pursuant to Assembly Rules, read and adopted; bills ordered reprinted, and to be re-referred to the committee.

#### REPORTS OF STANDING COMMITTEES

#### Committee on Arts, Entertainment, Sports, Tourism, and Internet Media

Date of Hearing: April 26, 2021

Mr. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Bill No. 35

With the recommendation: Amend, and do pass as amended, and be re-referred to the Committee on Appropriations.

QUIRK-SILVA, Chair

Above bill ordered to second reading.

Date of Hearing: April 26, 2021

Mr. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Bill No. 1348

Assembly Bill No. 1545

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

QUIRK-SILVA, Chair

Above bills re-referred to the Committee on Appropriations.

#### Committee on Water, Parks, and Wildlife

Date of Hearing: April 26, 2021

Mr. Speaker: Your Committee on Water, Parks, and Wildlife reports:

Assembly Bill No. 30 Assembly Bill No. 350 Assembly Bill No. 754 Assembly Bill No. 979 Assembly Bill No. 1183 Assembly Bill No. 1434 Assembly Bill No. 1512

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

EDUARDO GARCIA, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 26, 2021

Mr. Speaker: Your Committee on Water, Parks, and Wildlife reports: Assembly Bill No. 442 Assembly Bill No. 1279 Assembly Bill No. 781 Assembly Bill No. 1298 Assembly Bill No. 1190

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations with the recommendation: To Consent Calendar.

EDUARDO GARCIA, Chair

Above bills re-referred to the Committee on Appropriations.

#### **Committee on Transportation**

Date of Hearing: April 26, 2021

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 41

Assembly Bill No. 363 Assembly Bill No. 455 Assembly Bill No. 796 Assembly Bill No. 907 Assembly Bill No. 1238

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

FRIEDMAN, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 26, 2021

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 349	Assembly Bill No. 811
Assembly Bill No. 629	Assembly Bill No. 971
Assembly Bill No. 660	Assembly Bill No. 1337
Assembly Bill No. 745	Assembly Bill No. 1374
Assembly Bill No. 807	Assembly Bill No. 1524
ith the recommendation: Do	pass, and be re-referred to the C

to the Committee on With the p Appropriations with the recommendation: To Consent Calendar.

FRIEDMAN, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 26, 2021

Mr. Speaker: Your Committee on Transportation reports:

Assembly Concurrent Resolution No. 52

Assembly Concurrent Resolution No. 67

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

FRIEDMAN, Chair

Above resolutions ordered to Consent Calendar.

#### **Committee on Revenue and Taxation**

Date of Hearing: April 26, 2021

Mr. Speaker: Your Committee on Revenue and Taxation reports: Assembly Bill No. 65

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

BURKE, Chair

Above bill re-referred to the Committee on Appropriations.

#### **Committee on Transportation**

Date of Hearing: April 26, 2021

Mr. Speaker: Your Committee on Transportation reports: Assembly Bill No. 794

With the recommendation: Amend, and do pass as amended, and be re-referred to the Committee on Appropriations.

FRIEDMAN, Chair

Above bill ordered to second reading.

#### **Committee on Governmental Organization**

Date of Hearing: April 22, 2021

Mr. Speaker: Your Committee on Governmental Organization reports: Assembly Bill No. 1070 Assembly Bill No. 1242 Assembly Bill No. 1149 Assembly Bill No. 1267 With the recommendation: Amend, and do pass as amended, and be re-referred to the Committee on Appropriations.

FRAZIER, Chair

Above bills ordered to second reading.

#### **Committee on Judiciary**

Date of Hearing: April 27, 2021

Mr. Speaker: Your Committee on Judiciary reports: Assembly Bill No. 1094 Assembly Bill No. 1349 With the recommendation: Do pass, and be re-referred to the Committee on

Appropriations with the recommendation: To Consent Calendar.

STONE, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 27, 2021

Mr. Speaker: Your Committee on Judiciary reports: Assembly Bill No. 618

Assembly Bill No. 662

With the recommendation: Amend, and do pass as amended, and be re-referred to the Committee on Appropriations with the recommendation: To Consent Calendar.

STONE, Chair

Above bills ordered to second reading.

Date of Hearing: April 27, 2021

Mr. Speaker: Your Committee on Judiciary reports: Assembly Bill No. 258

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

STONE, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 27, 2021

Assembly Bill No. 1084

Assembly Bill No. 1194

Assembly Bill No. 1341

Assembly Bill No. 1467

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 257 Assembly Bill No. 386 Assembly Bill No. 587

Assembly Bill No. 721

With the recommendation: Amend, and do pass as amended, and be re-referred to the Committee on Appropriations. STONE, Chair

Above bills ordered to second reading.

#### **Committee on Health**

Date of Hearing: April 20, 2021

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 1178

With the recommendation: Amend, and do pass as amended, and be re-referred to the Committee on Appropriations.

WOOD, Chair

Above bill ordered to second reading.

#### Committee on Jobs, Economic Development, and the Economy

Date of Hearing: April 27, 2021

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 475

Assembly Bill No. 1036

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations with the recommendation: To Consent Calendar.

CERVANTES, Chair

Above bills re-referred to the Committee on Appropriations.

#### **CONSIDERATION OF DAILY FILE** SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 99-An act to amend Section 10851 of, to amend and renumber Section 10858 of, to add Section 10852.5 to, to add the heading of Article 1 (commencing with Section 10850) and the heading of Article 2 (commencing with Section 10853) to Chapter 8.5 of Part 7 of Division 1 of Title 1 of, and to add Article 3 (commencing with Section 10860), Article 4 (commencing with Section 10865) and Article 5 (commencing with Section 10870) to Chapter 8.5 of Part 7 of Division 1 of Title 1 of, the Education Code, relating to pupil data.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 367—An act to amend, repeal, and add Section 35292.6 of, and to add Section 66027.7 to, the Education Code, and to amend Section 118500 of, and to add Section 118507 to, the Health and Safety Code, relating to menstrual products.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 928—An act to add Section 66749.8 to the Education Code, relating to postsecondary education.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

1210

Assembly Bill No. 1573

Assembly Bill No. 1072

**ASSEMBLY BILL NO. 1216**—An act to amend Section 72023.5 of the Education Code, relating to postsecondary education.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ASSEMBLY BILL NO. 1326**—An act to add and repeal Section 66027.7 of the Education Code, and to add Section 10005 to the Welfare and Institutions Code, relating to public social services.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ASSEMBLY BILL NO. 1506**—An act to amend Section 1724 of the Labor Code, relating to prevailing wage.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 286**—An act to amend Section 22598 of, and to add Sections 22599.1, 22599.5, and 22599.6 to, the Business and Professions Code, relating to business.

Bill read second time; amendments proposed by the Committee on Privacy and Consumer Protection read and adopted; bill ordered reprinted and to be returned to the second reading file.

**ASSEMBLY BILL NO. 917**—An act to amend Sections 40240 and 40241 of, and to repeal Section 40240.5 of, the Vehicle Code, relating to vehicles.

Bill read second time; amendments proposed by the Committee on Privacy and Consumer Protection read and adopted; bill ordered reprinted and to be returned to the second reading file.

**ASSEMBLY BILL NO. 1444**—An act to amend Sections 22598 and 22599 of the Business and Professions Code, relating to food delivery.

Bill read second time; amendments proposed by the Committee on Privacy and Consumer Protection read and adopted; bill ordered reprinted and to be returned to the second reading file.

**ASSEMBLY BILL NO. 390**—An act to amend, repeal, and add Section 17602 of the Business and Professions Code, relating to business regulation.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1475**—An act to add Section 13660 to the Penal Code, relating to law enforcement.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1237**—An act to amend Sections 11108.3, 13202, 14230, 14231, 14231.5, 14236, 30000, 30352, 30452, of, and to add Chapter 3 (commencing with Section 14240) to Title 12.2 of Part 4 of, the Penal Code, and to amend Sections 8103 and 8104 of the Welfare and Institutions Code, relating to information.

Bill read second time; amendments proposed by the Committee on Privacy and Consumer Protection read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ASSEMBLY BILL NO. 1503**—An act to add Article 6 (commencing with Section 13020) to Chapter 1 of Division 6 of the Vehicle Code, relating to vehicles.

Bill read second time; amendments proposed by the Committee on Privacy and Consumer Protection read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations. **ASSEMBLY BILL NO. 1556**—An act to amend Sections 22502 and 22507 of the Business and Professions Code, relating to sales.

Bill read second time; amendments proposed by the Committee on Privacy and Consumer Protection read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ASSEMBLY BILL NO. 351**—An act to amend Sections 19596.2 and 19605.25 of the Business and Professions Code, relating to horse racing.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 320**—An act to amend Sections 44203, 44225, 44225.6, 44227, 44253.3, 44253.10, 44253.11, 44259, 44259.1, 44259.2, 44260.2, 44261.2, 44266, 44273, 44275.4, 44275.5, 44277, 44301, 44325, 44453, 44460, 44830.3 of, and to add Sections 44420.5 and 44806 to, the Education Code, relating to teacher credentialing.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ASSEMBLY BILL NO. 457**—An act to add Section 1374.141 to the Health and Safety Code, and to add Section 10123.856 to the Insurance Code, relating to telehealth.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ASSEMBLY BILL NO. 540**—An act to add Section 14595 to the Welfare and Institutions Code, relating to the elderly.

Bill read second time; amendments proposed by the Committee on Health read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ASSEMBLY BILL NO. 641**—An act to add Section 9623 to the Public Utilities Code, relating to transportation electrification.

Bill read second time; amendments proposed by the Committee on Utilities and Energy read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ASSEMBLY BILL NO. 901**—An act to amend Sections 1939.09, 1939.19, and 1939.31 of the Civil Code, relating to rental passenger vehicle transactions.

Bill read second time; amendments proposed by the Committee on Privacy and Consumer Protection read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

**ASSEMBLY BILL NO. 984**—An act to add Section 4854 to the Vehicle Code, relating to vehicles.

Bill read second time; amendments proposed by the Committee on Privacy and Consumer Protection read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ASSEMBLY BILL NO. 1089**—An act to amend, repeal, and add Sections 1789.11, 1789.12, 1789.13, 1789.14, 1789.15, 1789.16, 1789.19, 1789.21, and 1789.25 of, and to add Sections 1789.11.1, 1289.11.3, 1789.11.5, 1789.12.1, 1789.12.3, 1789.12.5, 1789.12.7, 1789.12.9, 1789.12.11, 1789.12.13, 1789.12.15, 1789.12.17, 1789.12.3, 1789.12.25, 1789.12.21, 1789.12.35, 1789.12.35, 1789.12.35, 1789.12.35, 1789.12.35, 1789.12.37, 1789.12.39, 1789.12.41, 1789.12.43, 1789.12.45, 1789.134, and 1789.135 to, the Civil Code, relating to consumer credit.

Bill read second time; amendments proposed by the Committee on Privacy and Consumer Protection read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

#### SECOND READING OF SENATE BILLS

**SENATE BILL NO. 92**—An act to amend Section 3056 of the Penal Code, and to amend Sections 208, 208.5, 607, 726, 733.1, 736.5, 1731.5, 1731.6, 1752.1, 1752.15, 1767.35, 1991, and 2250 of, to amend and repeal Sections 704, 707.2, and 1731.7 of, to add Sections 731 and 779.5 to, and to add Article 23.5 (commencing with Section 875) to Chapter 2 of Part 1 of Division 2 of, the Welfare and Institutions Code, relating to juvenile justice, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Bill read second time, and ordered to third reading.

#### ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, April 28, 2021.

ANTHONY RENDON, Speaker

TAMMY WEIS, Assistant Minute Clerk

## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON APRIL 27, 2021

The following measures were amended in the Assembly on this day:

AB	RN
99	2112402
286	2112516
320	2112407
367	2112408
457	2112597
540	2112296
641	2112540
712	2112763
901	2112668
917	2112667
928	2112462
970	2112773
984	2112671
1089	2112669
1124	2112710
1216	2112411
1237	2112515
1326	2112404
1444	2112518
1503	2112307
1556	2112517

Daily Total: 21

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