May 26, 2021

To: CACEO County Clerks Legislative Committee

From: Matt Siverling, Legislative Advocate

Re: Monthly Report

The 2021 Legislative Session is nearly halfway complete. June 4th is the last day for any bill to clear the House of Origin Floor. Since this is the first year of a Session, the measures that fail to overcome deadlines have a brief opportunity next year to be heard and move either “as is” or with amendments to secure votes for passage. A significant number of bills were tabled or amended into non-fiscal bills during the first Appropriations Suspense Hearing earlier this month on May 20th. The committees heard, analyzed and determined the outcome for nearly 1,000 bills over the course of just under an hour.

The Legislature is continuing to adhere to a limited bill load, and is anticipating potentially intermittent activity on the Floor due to the potential of a surge in COVID-19 infections. That being said, the Governor has signaled that it is his intention to officially “reopen” California by the middle of June. It remains to be seen whether that includes a more traditional Committee and Legislative process in the Capitol building. Until then, we will be forced to participate in hearings and Sessions virtually.

The Leadership in each House has also instituted a strict “12 bill limit” for each member of the Legislature. This is forcing Members to choose favorites or identify creative ways to move their priorities.

**SPONSORED BILLS**

CACEO County Clerks Legislative Committee opted to sponsor one bill this year.

**ASSEMBLY BILL 583 (Chiu) Remote Marriage and Electronic Issuance of Licenses**

In response to the pandemic and subsequent “stay at home” order issued by the State, we pursued an Executive Order in 2020 to allow for the waiving of select Family Code provisions to allow for the remote/electronic issuance of marriage licenses and solemnization of ceremonies.

As 2021 began, we determined that, although the Executive Order is still in effect for the foreseeable future, it would be advisable to move forward with permanent changes to law to allow for the continuation of the service. Many counties have received positive feedback from constituents about the convenience and ease of the new process, and recommended that it become an option going forward; even after the COVID-19 pandemic is in the rear view mirror.

We secured an Author in Assemblyman David Chiu, who is the former Mayor of San Francisco. Senator Nancy Skinner, from Berkeley, has signed on as a Principal Co-Author.

Since the Executive Order currently authorizing the remote and electronic processes for marriage ceremonies and licenses may expire once the “stay at home order” is lifted, we approached the Author and requested that he amend the bill to contain an “urgency clause”, which would make the bill effective immediately. He agreed, and the measure has now been amended.

We also have shifted the principal author status to one of the co-authors, Assemblywoman Laurie Davies. She is a wedding planner by trade, and spoke highly of the bill and concept in committee when she voted for it and asked to be added as a co-author. The measure has already cleared the Floor and is now in the possession of the Senate Judiciary Committee.

**Other bills**

**Assembly Bill 819 (Levine) CEQA Notices**

As it is currently written the bill would require that all County Clerks post the EIRs on our websites within 24 hours. This is due to an amendment that was taken in April that created a mandate.

The concern that was communicated to the Author and staff was that the counties would not be ensured to be in compliance with GC 6254.21, which states that no state or local agency shall post the home address or telephone number of any elected or appointed official on the Internet without first obtaining the written permission of that individual. There is a threshold of “knowingly” attached to the posting; but there is still concern that wholesale posting of notices could result in conflicts with this Section.

We have discussed proposing that, rather than posting individual notices; a link to the county index be posted on the website. We have reached out to the Author’s staff to schedule a meeting and determine if they are willing to work with CACEO. Thus far, the bill has received unanimous support.