

Meeting Date: Thursday, April 25, 2019

Time: 9:33 a.m. – 10:50 a.m.

Location: Pinnacle Advocacy, Sacramento, CA

**MINUTES**

2019/2020 County Clerk Legislative Committee Members

|  |  |  |  |
| --- | --- | --- | --- |
| Candace Grubbs, Butte | X | Joani Finwall/Melissa Garcia, San Bernardino | T/T |
| Elizabeth Gutierrez, Contra Costa | T | Val Wood, San Diego | P |
| Chuck Storey, Imperial | X | Teresa Williamson, San Joaquin | X |
| Kammi Foote, Inyo | T | Joe Holland, Santa Barbara | X |
| Portia Sanders/Monique Blakely/Jaime Pailma, Los Angeles | T/P/T | Gina Alcomendras/Wardell House, Santa Clara | X/T |
| Paula Pesut, Placer | P | Deva Proto/Carrie Anderson, Sonoma | X/T |
| Victoria Rodriguez, Riverside | X | David Valenzuela/Sheila Harmon, Ventura | T/T |
| Donna Allred, Sacramento | P |  |  |

(**P** – Present; **X** – Not in attendance; **T** – Teleconference)

1. **Call to Order**

Meeting started at 9:33 AM

1. **Roll call**

Also attending:

|  |  |  |
| --- | --- | --- |
| ***Attendee*** | ***County*** |  |
| Lisset Barajas, Jaime Parangan | Contra Costa | T/T |
| Debbie LaGrande | Glenn | T |
| Jacqueline Luna | Madera | T |
| Lisa Anderson/Doug Cady | Riverside | T/T |
| Nicole Barber/Andrea Velasco | San Diego | T |
| Rosette Keopadubsy | San Joaquin | P |
| Danielle Rifilato | Santa Barbara | T |
| Marnie Stout/Laura Luna/Julie Hughes/Dawn Salazar /Lori Minneker/Jules Ordinario | Santa Clara | T/T/T/T/T/T |
| Margarita Williams | Santa Cruz | T |
| Amanda King | Sonoma | T/T |
| Donna Linder | Stanislaus | T |

1. **Approval of Minutes**

Motion to approve: Monique Blakeley, Los Angeles; Second: Paula Pesut, Placer. Minutes were approved.

1. **Legislative advocate update – Matt Siverling**

Deadline for fiscal bills to be heard in policy committee is tomorrow, April 26. Deadline for non-fiscal bills is May 3. Any legislation that is moving forward was dealt with yesterday. All bills will now shift to the Appropriations Committee. Any bill that does not pass by midnight May 31, becomes a 2-year bill.

**AB 716 Fictitious Business Name Electronic Acknowledgment**

This was a bill would allow for the electronic acknowledgment of identity to be done for the Fictitious Business Name process. The bill passed first committee and is now awaiting a hearing. Assembly Privacy Committee suggested an amendment to clarify that the identity proofing process shall follow federal guidelines for security and privacy at an authentication level 3 or higher of the National Institute of Standards and Technology. Matt asked Los Angeles to forward to committee. Monique discussed what is missing in comparison to the Vitals bill. Monique states that there are 4 items required that will promote security to level 3. Los Angeles expects no pushback if the author wants to modify language. Matt will work with the author to clean up the bill. Hearing is scheduled for next week.

**SB 30 Domestic Partnership: Persons Under 62 Years of Age**

Bill regarding bifurcating the State and local process for domestic partnership registration that removes the mandate for the Secretary of State’s office must share their applications with the public through the County Clerk’s office. The bill passed judiciary committee without any questions, was waived through the Appropriations Committee, and is now on the floor awaiting vote.

**AB 199 California Online Notary Act of 2019**

Just before hearing the author pulled the bill, making it a 2-year bill. Matt confirmed that the author will not be moving forward with it this year, but asked to be involved with stakeholder committee going forward. The author also agreed to allow CACEO the opportunity to discuss their concerns on the retention issue.

**AB 1819 Inspection of Public Records: Use of Requester’s Reproduction Equipment**

The Judiciary Committee is sponsoring this bill in the Capitol. The language states that bill would grant the requester the right to use the requester’s equipment, without being charged any fees or costs, to photograph or otherwise copy or reproduce any record upon inspection, unless the means of copy or reproduction would damage the record. The bill is based on a news reporter who took a mobile phone picture of a document and a staff member stated that it wasn’t permitted. They have inserted the following language, “Agency may impose any reasonable limits on the use of the requester’s equipment *that are necessary to protect the safety of the records or to prevent the copying of records from being an unreasonable burden to the orderly function of the agency and its employees. The bill would authorize the agency to impose any limit* that is necessary to maintain the integrity *of, or ensure the long-term preservation of,* historic or high-value *records.*” The new language addresses the concerns of the Association. The new concern is that the language does not address constituents’ flash drives being used in County Clerks’ office systems. Wardell’s concern is that constituent may say that it is unreasonable to prohibit the use of their personal flash drive in the County Clerks’ office system. Val suggests that the term “flash drive” be removed (the term is in the analysis). She feels that constituents should not be able to introduce any type of device into any County computer or network. County Recorders’ Association of California also previously discussed issue and will discuss at next meeting on April 25 and will share the information with Matt. Motion to oppose bill: Wardell House, Santa Clara; Second: David Valenzuela, Ventura. Motion carried.

**SB 741 Marriage Cert and Birth Cert**

This bill adds marriage certificates and birth certificates of a person’s child to existing law that permits a person to file a petition seeking a judgment recognizing the change of gender to female, male, or non-binary. Matt requested background on this bill from the Association. The bill affects the County Clerk in that it would apply to all marriage certificates, both public and confidential. Gender is not on a marriage certificate, so the question is whether the expectation is that the customer will be requesting a change to the previously selected “bride/groom” field. Birth certificates will not affect the local level because the certificate will have long-been issued. The state would have to issue the sealing notice, which all counties currently have a process for. There is no comprehensive marriage index, so CDPH does not have the ability to complete the new certificates. Marriage certificates contain at least one signature (officiant). If the certificate is re-issued, there would be no signature on the certificate and will defeat the purpose of the change being confidential as someone will know that no signatures means a change was made. The author may argue that even though gender is not included on the marriage certificate, the name or name change may be associated with gender. Matt will connect with Rob. Motion to oppose bill: Portia Sanders, Los Angeles; Second: David Valenzuela, Ventura. Three counties opposed to bill opposition. Motion carried.

1. **Chaptered Bill Review/Presentations**

Contra Costa

AB 1213 Changed to remove the JD requirement, and extending the LDA/UDA filings now to 2024; watching

SB 518 Watching

Inyo

None of the bills have any effect on Clerk, will continue to watch

Previously notified co-chairs with bills to drop due to no connection to County Clerk.

Los Angeles

SB 30 Bill is moving

SB 741 Watching

Placer

AB 231 Watching

Riverside

AB 490 Watching

AB 716 Watching

SB 744 Watching

Sacramento

AB 394 Watching

AB 431 Watching

AB 1152 Watching

SB 311 Watching

SB 373 Motion to oppose: Wardell House, Santa Clara; Seconded: Val Wood, San Diego. Motion failed. Motion to be neutral: Elizabeth Gutierrez, Contra Costa; Seconded: Monique Blakeley, Los Angeles. Motion carried. Continue to watch.

San Bernardino

AB 469 Bill is moving; dropped

San Diego

AB 199 Dropped

Santa Clara

AB 1130 Is now a 2-year bill

AB 1184 Added “unless a longer retention is required”

AB 1819 Dropped

Ventura

AB 289 Watching

AB 1200 Will watch for another month

SB 556 Watching

SB 780 Bill is moving

1. **Legislative Proposals**

Nothing to report.

1. **CRAC - Crossover Legislation**

Covered during meeting

1. **For the Good of the Order**
2. **Adjourned**

Meeting ended at 10:50 AM