

Meeting Date: Thursday, May 23, 2019

Time: 9:35 a.m. – 10:15 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 | T |
| Chuck Storey, Imperial | X | Teresa Williamson, San Joaquin | X |
| Kammi Foote, Inyo | X | 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 | X | Deva Proto/Carrie Anderson, Sonoma | X/T |
| Lisa Anderson, Riverside | T | David Valenzuela/Sheila Harmon, Ventura | X/X |
| Donna Allred, Sacramento | P |  |  |

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

1. **Call to Order**

Meeting started at 9:35 AM

1. **Roll call**

Also attending:

|  |  |  |
| --- | --- | --- |
| ***Attendee*** | ***County*** |  |
| Lisset Barajas, Jaime Parangan | Contra Costa | T/T |
| Debbie LaGrande | Glenn | T |
| Rosie Hernandez | Kings | T |
| Jacqueline Luna | Madera | T |
| Daniel Sanchez | San Bernardino | T |
| Nicole Barber | San Diego | T |
| Melinda Greene/Danielle Rifilato | Santa Barbara | T/T |
| Margarita Williams | Santa Cruz | T |
| Rosette Keopadubsy | San Joaquin | T |
| Louis Chiaramonte/Laura Luna/Dawn Salazar | Santa Clara | T/T/T |
| Amanda King | Sonoma | T |
| Harjeet Kumar | Stanislaus | T |
| Julia Poochigian | Tulare | T |

1. **Approval of April 25, 2019 Minutes**

Motion to approve: Portia Sanders, Los Angeles; Second: Elizabeth Gutierrez, Contra Costa. Minutes were approved.

1. **Approval of Special AB 1819 (May 15, 2019) Meeting Minutes**

Motion to approve: Joani Finwall, San Bernardino, Second: Val Wood, San Diego. Minutes were approved.

1. **Legislative advocate update**

Matt was unavailable to join the conference call but provided the legislative update report to Donna who forwarded the information to meeting/conference call participants.

**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. The bill passed off the Assembly Floor, 74-0. The measure has not yet been set for hearing, but has been referred to the Senate Business and Professions Committee.

**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 off the Senate Floor, 30-4. It is now in the Assembly. The bill was referred to the Assembly Judiciary Committee, where it will be heard on June 4. Committee members agree that there must be clarity in the differences that the local programs provide from what the State provides, and that certain programs are not recognized by the State.

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

Currently a 2-year bill. Matt will be on the stakeholder committee and will be able to communicate any issues or concerns that the Committee may have.

**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. Motion to oppose unless amended: Elizabeth Gutierrez, Contra Costa; Second: Monique Blakely, Los Angeles. Committee agrees that “*no access to agency’s computer*” should be included to prevent dispute with customers/public. Wardell suggests the committee removes the motion until the committee hears back from Matt. Elizabeth and Monique agree to withdraw the motion. Motion was withdrawn. Since it has been difficult to obtain quorum to submit a vote regarding this issue, Joani suggested an email/online vote. Committee is in favor of voting via electronic means/email. Once Matt provides the update on the bill, the Committee will vote via electronic means/email.

**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. Language has been modified to reflect counties instead of State, though the bill is still not workable. CRAC drafted letter to oppose bill. State would have to send the sealing notice. The court order listing the change in gender, which would still include the original gender, would have to be filed and the document would be public record.

1. **Chaptered Bill Review/Presentations**

Contra Costa

AB 1213 Change to neutral

SB 518 Watching

Inyo – (rep not on call)

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 Watching

SB 741 Will defer to Matt’s updates

Placer – (rep not on call)

AB 231 Watching

Riverside – (rep not on call)

AB 490 Watching

AB 716 Watching

SB 744 Watching

Sacramento

AB 394 Watching

AB 431 Watching

AB 1152 Watching

SB 311 Watching

SB 373 Watching

San Diego

AB 199 Currently 2-year bill

Santa Clara

AB 1130 Is now a 2-year bill

AB 1184 No changes

AB 1819 Waiting for update from Matt

Ventura – (rep not on call)

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**

Straight opposed on SB 741, and the letter is ready to be delivered. Opposed unless amended on AB 1819 and will complete letter for delivery once a clear decision has been made by the Committee. Taking neutral positions on AB 214, \_\_\_, \_\_\_.

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

Meeting ended at 10:15 AM