

2017 New Law Workbook

A SUMMARY OF LEGISLATION AFFECTING COUNTY CLERKS



California Association of Clerks and Election Officials

2017 New Law Workbook

Presented by

**California Association of Clerks and
Election Officials**

Legislative Committee

Sacramento, California

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2017 Chaptered Bill Analysis

Bill Number:	AB 46
Chapter:	776
Author:	Cooper
Topic:	Employers: wage discrimination
Impact:	Information Only
Summary:	Defines “employer” as used in this section to include public and private employers. Specifies that a public employer is not subject to the misdemeanor provision.
Effect:	Amends Section 1197.5 of the Labor Code, relating to employment.
Actions Required:	Inform staff
Presenter:	Mindy Hartman, Riverside County

2017 Chaptered Bill Analysis

Bill Number:	AB 114
Chapter:	38
Author:	Committee on Budget
Topic:	Public Health
Impact:	Information Only
Summary:	<p>Extends until January 1, 2023, the provisions of the Umbilical Cord Blood Collection Program:</p> <ul style="list-style-type: none">• Requires an applicant to pay an \$18 fee for a certified copy of a birth certificate; and• Requires \$2 of the \$18 fee to be paid to the Umbilical Cord Collection Program Fund.
Effect:	<p>Amends Sections 1627, 1630, 102247, 103605, 103625, and 127662 of, to add Section 1629.5 to, and repeals and adds Section 127665 of, the Health and Safety Code, and amends Sections 5892 and 5899 of, and adds Sections 5892.1 and 5899.1 to, the Welfare and Institutions Code, relating to health.</p>
Actions Required:	Inform staff
Presenter:	Donna Allred, Sacramento County
Notes:	Takes effect immediately as a bill providing for appropriations related to the Budget Bill.

2017 Chaptered Bill Analysis

Bill Number:	AB 168
Chapter:	688
Author:	Eggman
Topic:	Employers: salary information
Impact:	Information Only
Summary:	<p>Prohibits an employer from relying on the salary history information of an applicant for employment as a factor in determining whether to offer an applicant employment or what salary to offer an applicant.</p> <p>Prohibits an employer from seeking salary history information about an applicant for employment and requires an employer, upon reasonable request, to provide the pay scale for a position to an applicant for employment.</p> <p>Does not prohibit an applicant from voluntarily and without prompting disclosing salary history information and does not prohibit an employer from considering or relying on that voluntarily disclosed salary history information in determining salary, as specified.</p> <p>Applies to all employers, including state and local government employers and the Legislature and does not apply to salary history information disclosable to the public pursuant to federal or state law.</p> <p>Specifies that a violation of these provisions is not subject to the misdemeanor provision.</p>
Effect:	Adds Section 432.3 to the Labor Code, relating to employers.
Actions Required:	None
Presenter:	Catherine Stefani, City & County of San Francisco

2017 Chaptered Bill Analysis

Bill Number:	AB 242
Chapter:	222
Author:	Arambula
Topic:	Certificates of death: veterans
Impact:	Important
Summary:	<p>Requires a person completing the certificate of death to record whether the decedent was ever in the Armed Forces of the United States.</p> <p>Requires the State Department of Public Health to access data within the electronic death registration system to compile a report on veteran suicide in California and annually, beginning January 1, 2019, to provide that report to the Legislature and the Department of Veterans Affairs.</p>
Effect:	<p>An act to amend Section 102875 of, and to add Section 102791 to, the Health and Safety Code, relating to certificates of death.</p> <p>Imposes a state-mandated local program.</p>
Actions Required:	Inform staff
Presenter:	Sheila Harmon, Ventura County

2017 Chaptered Bill Analysis

Bill Number:	AB 430
Chapter:	42
Author:	Irwin
Topic:	Marriage solemnization
Impact:	Minor
Summary:	To the extent not prohibited by law and provided that the compensation is reasonable, authorizes specified officials, including retired judges and retired commissioners, to accept compensation for solemnizing a marriage.
Effect:	Amends Section 400 of the Family Code, relating to marriage.
Actions Required:	Inform staff
Presenter:	Joani Finwall, San Bernardino County
Notes:	Contains an urgency clause to take effect immediately.

2017 Chaptered Bill Analysis

Bill Number:	AB 492
Chapter:	293
Author:	Grayson
Topic:	Advertising and solicitations: government documents
Impact:	Information Only
Summary:	<p>Permits a person, firm, corporation, or association that is a nongovernmental entity to solicit a fee for providing a copy of a public record if that solicitation meets the specified requirements, including the following content:</p> <ul style="list-style-type: none">• Disclosure stating that the solicitation is an advertisement;• Fee or cost charged by the relevant state or local government agency to obtain a copy of the record;• Information necessary to contact the state or local agency with custody of the record; and• Name and physical address of the nongovernmental entity soliciting the fee. <p>Defines “solicit” for purposes of these provisions.</p> <p>Authorizes the Attorney General, a district attorney, or a city attorney to bring an action against a person who violates this provision and authorizes the court to order the person in violation to refund all of the moneys paid to the victim.</p> <p>Requires the court to impose a civil penalty in an amount of not more than \$100 for each unlawful solicitation document distributed, and not more than \$200 for each subsequent document distributed in violation of this provision.</p>
Effect:	Adds Section 17533.6.5 to the Business and Professions Code, relating to government documents.
Actions Required:	None
Presenter:	Joani Finwall, San Bernardino County

2017 Chaptered Bill Analysis

Bill Number:	AB 660
Chapter:	381
Author:	Rubio
Topic:	Public agencies: unlawful interference
Impact:	Information Only
Summary:	Makes it an infraction to intentionally interfere with any lawful business carried on by the employees of a public agency open to the public by knowingly making a material misrepresentation of the law to those attempting to transact business with the agency and refusing to leave, as specified.
Effect:	Amends Section 602.1 of the Penal Code, relating to crime. Imposes a state-mandated local program.
Actions Required:	None
Presenter:	Monique Blakely, Los Angeles County
Notes:	The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

2017 Chaptered Bill Analysis

Bill Number:	AB 1726
Chapter:	215
Author:	Committee on Health
Topic:	Vital records: confidentiality
Impact:	Information Only
Summary:	Extends access to the confidential portion of any certificate of live birth or fetal death, the electronic file of birth information, and the birth mother linkage information to the State Department of Public Health, the State Department of Health Care Services, and the Department of Finance, if those departments agree to maintain confidentiality and request the information for official government business purposes as deemed appropriate by the State Registrar and to the birth hospital responsible for preparing and submitting a record of the birth or fetal death for purposes of reviewing and correcting birth or fetal death records.
Effect:	Amends Section 102430 of the Health and Safety Code, relating to vital records.
Actions Required:	None
Presenter:	Florence Shimano, Marin County

2017 Chaptered Bill Analysis

Bill Number:	SB 179
Chapter:	853
Author:	Atkins
Topic:	Gender identity: female, male, nonbinary
Impact:	Information Only
Summary:	<p>Enacts the Gender Recognition Act.</p> <p>For purposes of obtaining a new birth certificate (to reflect change of gender), deletes the requirement that an applicant have undergone any treatment</p> <p>Instead authorizes a person to submit to the State Registrar an application to change gender on the birth certificate and an affidavit attesting, under penalty of perjury, that the request for a change of gender is to conform the person's legal gender to the person's gender identity and not for any fraudulent purpose.</p> <p>By requiring the affidavit to be attested to under penalty of perjury, the bill creates a crime, thereby imposing a state-mandated local program.</p> <p>Authorizes the change of gender on a new birth certificate to be female, male, or nonbinary.</p>
Effect:	<p>Amends, repeals, and adds Sections 1277 and 1278 of, and adds Section 1277.5 to, the Code of Civil Procedure, amends Sections 103426 and 103440 of, amends the heading of Article 7 (commencing with Section 103425) of Chapter 11 of Part 1 of Division 102 of, and amends, repeals, and adds Sections 103425 and 103430 of, the Health and Safety Code, amends Section 13005 of, amends, repeals, and adds Section 12800 of the Vehicle Code, relating to gender identity.</p>
Actions Required:	Inform staff
Presenter:	Elizabeth Gutierrez, Contra Costa County

2017 Chaptered Bill Analysis

Bill Number:	SB 205
Chapter:	387
Author:	Committee on Governance and Finance
Topic:	Local Government Omnibus Act of 2017
Impact:	Information Only
Summary:	<p>Existing law authorizes the County of Merced, by a 4/5 vote of the board of supervisors, to sell a specified area of county property that the county has acquired from the federal government due to the closure of Castle Air Force Base.</p> <p>This bill additionally authorizes the County of Merced to enter into a lease, concession, or managerial contract involving that area, by a 4/5 vote of the board of supervisors, and makes additional conforming changes.</p>
Effect:	<p>Amends Sections 1360, 16182, 16183, 16184, 16186.5, 16200, 16202, 25536.9, 27282, 30201, 53237.1, 54973, and 54974 of the Government Code, amends Sections 21220 and 22050 of the Public Contract Code, amends Sections 2505, 2514, 2515, 2781, 20503, 20505, 20585, 20586, 20621, 20627, 20630, 20640.3, 20641, 20645.5, and 20645.6 of the Revenue and Taxation Code, amends Section 501 of the North Fork Kings Groundwater Sustainability Agency Act (Chapter 392 of the Statutes of 2016), amends Section 34 of the Sacramento Area Flood Control Agency Act (Chapter 510 of the Statutes of 1990), and amends Sections 1, 2, 3, 16, 17, and 28 of the Vallejo Sanitation and Flood Control District Act (Chapter 17 of the First Extraordinary Session of the Statutes of 1952), relating to local government</p>
Actions Required:	Inform staff
Presenter:	David Valenzuela, Ventura County

2017 Chaptered Bill Analysis

Bill Number:	SB 800
Chapter:	573
Author:	Committee on Business, Professions and Economic Development
Topic:	Professions and vocations
Impact:	Information Only
Summary:	<p>Existing law requires every person who makes service of process in this state for compensation more than 10 times a year to register as a process server with the county clerk, except as provided. At the time of filing the initial certificate of registration, requires the registrant to pay certain fees to the county clerk, including a fee to cover the actual cost of processing the completed fingerprint cards.</p> <p>This bill requires a registrant to pay a fee to cover the actual costs of processing the completed request for live scan.</p>
Effect:	Amends Section 22352 of the Business and Professions Code.
Actions Required:	None
Presenter:	Andrew B. Graham, Sacramento County