

Meeting Date: Thursday, February 25, 2021

 Time: 9:30 AM to 10:37 AM

 Location: Teleconference

**MINUTES**

2019/2020 County Clerk Legislative Committee Members

|  |  |  |  |
| --- | --- | --- | --- |
| Candace Grubbs, Butte | X | Joani Finwall/Melissa Garcia, San Bernardino | T/X |
| Elizabeth Gutierrez, Contra Costa  | T | Val Handfield, San Diego | T |
| Brandon Hill, Fresno | X | Teresa Williamson, San Joaquin | T |
| Chuck Storey/Victoria Wong, Imperial  | X/X | Joe Holland/Danielle Rifilato/Melinda Greene, Santa Barbara | X/T/T |
| Kammi Foote, Inyo | T | Gina Alcomendras/Louis Chiaramonte/Belinda Gamutan, Santa Clara | X/T/X |
| Portia Sanders/Monique Blakely/Jaime Pailma, Los Angeles | T/T/T | Deva Proto/Carrie Anderson/Amanda King, Sonoma | X/T/T |
| Erik Karhu/Lisa Anderson, Riverside  | T/T | David Valenzuela/Sheila Jetton, Ventura | T/T |
| Donna Allred/Andrew Graham, Sacramento | T/T |  |  |

 (**T** – Teleconference; **X** – Not on call)

1. **Call to Order**

Meeting started at 9:30 AM

1. **Roll call**

**Also attending:**

|  |  |
| --- | --- |
| ***Attendee*** | ***County*** |
| Cindi Wilde | Butte |
| Robin Glanville | Calaveras |
| Debbie LaGrande | Glenn |
| Susan Morris | Kings |
| Jacquelyn Luna | Madera |
| Jodi Olsen | Marin |
| Nicole Bettencourt, Patti Houbein | Merced |
| Scheereen Dedman, Shannon Kendall | Mono |
| Frederick Garcia  | Placer |
| Tammie Buie, Andrew Ellingwood, Antionette Garrett | Riverside |
| Daniel Sanchez | San Bernardino |
| Nicole Barber, Diana Moore | San Diego |
| Guillermo Sandoval | San Francisco |
| Rosette Keopadubsy | San Juaquin |
| Marnie Ardis, Harjeet Kumar, Donna Linder | Stanislaus |
| Robbie Bergstrom | Tuolumne |
| Luis Vicuna | Ventura |
| Alexis Allston and two others who attended by telephone | (?) |

1. **Approval of Minutes (December 16, 2020)**

Motion to approve: Elizabeth Gutierrez, Contra Costa. Second: Joani Finwall, San Bernardino. Minutes were approved.

1. **Legislative Advocate Update – Matt Siverling**

The deadline to introduce bills was February 19, 2021. There was discussion about severely limiting each member to introduce a maximum of 12 bills (25-30 bills is the average). Additionally, subject matter was discussed as being limited. Any submission to policy committee now must include how the bill being introduced will relate to the COVID-19 pandemic, why it is necessary, why it is critical, etc. This is tied to the fact that about 500 bills died on the floor between both houses, simply because they ran of time. Even though over 2,000 bills were introduced, the number is still relatively low compared to sessions past, but higher than expected.

The State has a rule that when a bill is introduced, it must stay in print for 30 days before it can be amended or heard in Committee. This rule was waived last week, so any bill in print, if it is substantive and has been referred to Committee, are eligible to be heard immediately.

April 30, 2021 is the deadline for policy committees to process their house of origin bills out.

**AB 583 Remote Marriage License Issuance and Solemnization**

This bill would authorize, between January 1, 2022, and January 1, 2024, a county clerk to issue a marriage license or solemnize or witness a marriage ceremony using remote technology, as defined, except for the marriage of a minor. The bill would prescribe the procedures and requirements for marriage license applications, marriage license issuance, and the witnessing or solemnizing of the marriage ceremony using remote technology, including the requirements that the couple be in the same physical location in the State of California while using remote technology to solemnize their marriage. The bill would authorize a county clerk to require a couple to complete an affidavit affirming that they and each individual participating in a marriage solemnization using remote technology are physically present within the State of California, as required. The bill would authorize a county clerk to provide guidance relating to marriage license applications, marriage license issuance, and the witnessing or solemnizing of the marriage ceremony within their jurisdiction using remote technology.

Issues regarding bill:

1. The bill in its current form makes issuing marriage licenses and performing ceremonies remotely optional, not mandatory.

Val Handfield, San Diego said that she did not believe her Elected Official would support this program being included as a mandatory offering and would check with him and report back to Matt. Kammi Foote, Inyo stated that couples from all counties in California (most likely larger counties with limited availability) could require small county offices to perform these services if it is enshrined into law. It could impact small counties in that smaller offices would not have the manpower to handle the increase in services from assisting couples outside of their counties. Susan Morris (Kings County) stated that she will also check with her Official. She also said that the cost to obtain and install the technology needed to provide these services could be a problem for their office. Portia Sanders, Los Angeles said that the program works now because most offices are closed to the public and the services must continue to be available but running the program after the pandemic is over is not cost or time effective for her and her team. Elizabeth Gutierrez, Contra Costa said that her county performed the remote issuing and solemnization during the onset of the pandemic, but due to being so time consuming they discontinued the service after about 1-2 months and reverted to performing in-person services only. Melinda Greene, Santa Barbara stated that having the option available to those who cannot physically appear to complete the marriage ceremony would be a valuable service. However due to the amount of work in comparison to the fee charged, she said that marriage license-only services would not benefit their office. Amanda King, Sonoma stated that they have exclusively been using the remote marriage services and do not want that option taken away. Due to staffing limitations and environmental complications, such as fires, they would like to be able to issue in-person and remotely. She also stated that since the public now has a different view of immunocompromised states of health, many will not want to physically be in office to complete these services and similar ADA accommodations may need to be provided. Louis Chiaramonte, Santa Clara stated his county has been restricted to providing remote services as well, but they would like to have the option of providing remote as well as in-person services.

Based on the discussion, Matt will follow up with the subcommittee. Anyone interested in participating should contact Matt or Donna.

2. There is language in the bill that in the remote marriage ceremony, the couple is required to appear physically together.

Amanda King stated that Sonoma County does not currently allow couples to not appear physically together. However, if the language allows for the couple to not physically appear together, that the option is not only available to those who are incarcerated, but to all citizens. Portia Sanders stated that allowing the couple to not be physically together presents an additional layer of difficulty in identifying fraud. Lisa Anderson, Riverside said that their county requires the couple to list the city that the ceremony was performed on the license, but it is difficult to verify the information. She supports that the couple appears together for the ceremony as well as the license. Melinda Greene, Santa Barbara stated that they had a discussion with their County Counsel and determined that being separated by a glass/transparent partition in the same room does not constitute being in different rooms.

Also, Matt was asked about what language provides safety measures against human trafficking through marriages. If anyone has ideas about how to include that type of language in the bill, please reach out to Matt.

Melinda Greene wanted to make the Committee aware that certain fees are associated with marriage services that are activated by location.

**AB 1168 Vital Records: Local Registrar**

Under the existing law, the local registrar is required to affix the registrar’s signature to each certificate in attest to the date of acceptance for the registration in the local registrar’s office. This bill would make technical, non-substantive changes to these provisions. There is currently no substantive language in the bill, but Matt will follow up when it has been added.

**AB 1286 Marriage: Local Registrar**

Existing law requires the State Registrar to create a document, no later than March 1, 2020, with annual updates, containing information received by local registrar concerning marriage certificates in which one or both of the parties were minors at the time of solemnization of the marriage. Existing law requires that the local registrar at least annually, to submit information, as specified, to the State registrar for those purposes. This bill would require the local registrar to submit that information twice a year, on July 1 and December 31. This bill contains other related provisions and other existing laws. There is currently no substantive language in the bill, but Matt will follow up when it has been added.

**AB 218 Change for Gender and Sex Identifier**

This bill would recast provisions relating to new birth certificates to provide for a change in gender and sex identifier and to specify that a person who was issued a birth certificate by this state, rather than a person born in this state, may obtain a new birth certificate. This bill contains other related provisions and other existing laws.

1. **Bill Review**

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| --- | --- |
| AB 218 | Los Angeles |
| AB 245 | Santa Barbara |
| AB 346 | Riverside |
| AB 439 | Sacramento |
| AB 583 | Riverside |
| AB 621 | Contra Costa |
| AB 751 | Ventura |
| AB 819 | Contra Costa |
| AB 886 | Sonoma |
| AB 1093 | Sacramento |
| AB 1168 | Ventura |
| AB 1260 | Contra Costa |
| AB 1286 | Santa Barbara |
| SB 33 | Contra Costa |
| SB 44 | Contra Costa |
| SB 286 | Ventura |
| SB 554 | San Bernardino |

1. **Legislative Proposals**

**FBN**

Los Angeles County reviewed their proposal to give the County Clerk the option of publishing FBNs to their website or an open data portal. This proposal would also extend the publishing time for FBNs from 30 to 60 days. Motion was approved. Matt will look for a sponsor with availability in a spot bill to include the language.

**Cleanup Language for public marriages**

The language has moved from the Assembly to the Senate and passed. Matt will research the bill and report back to the Committee.

1. **CRAC Report**

Legislative bill extending the sunset on electronic verification.

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

Meeting ended at 10:37 A.M.