

Meeting Date: Thursday, June 25, 2020

Time: 9:31 AM – 10:06 AM

Location: Conference Call

**MINUTES**

2019/2020 County Clerk Legislative Committee Members

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

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

1. **Call to Order**

Meeting started at 9:31 AM

1. **Roll call**
2. **Also attending:**

|  |  |
| --- | --- |
| ***Attendee*** | ***County*** |
| Jenevive Herrington | Butte |
| Kelly E. Sanders | Humboldt |
| Jacqueline Luna | Madera |
| Jodi Olsen | Marin |
| Matt H. May/Barbara Levy | Merced |
| Scheereen Dedman | Mono |
| Daniel Gutierrez | Orange |
| Frederick Garcia | Placer |
| Lisa Anderson | Riverside |
| Nicole Barber/David Gonzalez/Diana Moore | San Diego |
| Diane Rae/Guillermo Sandoval | San Francisco |
| Melissa Greene | Santa Barbara |
| Margarita Williams | Santa Cruz |

1. **Approval of May 28, 2020 Minutes**

Motion to approve: Monique Blakely, Los Angeles, Elizabeth Gutierrez, Contra Costa. Minutes were approved.

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

Assembly adjourned last week for Summer Recess, but will return this week to attempt to resolve the budget and some additional legislative issues. The Senate plans to adjourn before the July 4th holiday and return at the same time as the Assembly on July 13.

Most deadlines for sales and income tax were pushed back from April to July. The Budget is now “balanced” on the assumption of taxes to be received. If the incurred taxes are not paid, they will have to return in July to re-balance the budget.

Although the Committee has made repeated requests for a decision on whether to extend the Executive Order regarding remote/video licenses being issued as well as ceremonies being conducted in the like manner. Staff said they are aware of the upcoming expiration, but no decision has been made at this time to extend the order. Matt has secured an Assembly bill to include language to support an extension of the Executive Order. Matt has been asked if the Committee anticipated any opposition on the bill, and several call participants stated that though the “romance” and “tradition” of having in-person marriage ceremonies is hindered, it is a practical option in the face of catastrophic events such as COVID, wildfires, civil unrest, etc. If the Governor does not officially extend the Executive Order, there will be a gap where there will be no authorization to continue performing remote/video ceremonies and licensing. Additionally, there is no word if the licenses currently issued will have an extension on the expiration dates.

**AB 3365 Family Law**

This bill provides for a “confidential marriage,” whereby two unmarried people, not minors, who have been living together as spouses, may be married. This bill would require the County Clerk to issue a duplicate confidential marriage license within one year after the date of the marriage and require the person solemnizing the marriage to return the license to the Clerk within one year of the date of the marriage. The bill should be heard by the Senate around mid-July.

**AB 1912 Fictitious Business Names**

This bill requires a person who regularly conducts business in the state for profit under a fictitious name to file a fictitious business name statement with either the clerk of the county in which its principal place of business is located or the clerk of the County of Sacramento, as specified, not later than 40 days from the time the registrant commences to transact business.

The measure would require the Secretary of State to maintain a ***searchable*** index on its internet website that meets the requirements of existing law with respect to those indices maintained by county clerks and would require a county clerk to ***timely*** provide to the Secretary of State a copy of a statement filed with the county clerk as described above, thereby imposing a state-mandated local program. This bill is held for the year, but may be reintroduced next year. Matt will stay in contact with the Author’s staff to ensure that if the Author plans to reintroduce the bill, he can work with them to communicate the Committee’s preferred language additions before it goes to print.

**AB 2424 Notaries Public: Disclosures**

The proposal would require a notary public that is not licensed as an attorney to disclose, prior to providing services as a notary public to any person that requests those services, that the notary public is not authorized to practice law, as defined, in the state, and of all services the notary public offers, the fee for each service, and any other applicable fees. The bill did not clear the Assembly and is held for the year.

**SB 741 Change of Gender**

The bill would authorize a person, as part of a proceeding on a petition for a judgment recognizing the change of gender, to also seek an order to revise a marriage license and certificate of the petitioner or a birth certificate of the petitioner’s child or children to include the petitioner’s change of gender. The bill would authorize a spouse of the petitioner to object to a revision of the marriage license and certificate by filing a written objection and appearing at the hearing on the petition. The measure is technically still active and will be until the second house policy deadline in the Assembly which is in late July. Matt will report to the Committee immediately if the bill moves or is set for hearing.

**SB 927 Marriage Licenses: Brochures**

This bill would require the Judicial Council to prepare and annually update a brochure concerning marriage and domestic partnership rights and obligations, including property rights and spousal support obligations to be available to couples at the time of application for a marriage license. This bill will not move but is technically still active since the Senate has not adjourned for Summer Recess. Matt will keep it on the list until they recess.

**AB 609 CEQA Electronic Filing**

This bill would require the lead agency and the project applicant to post notices to persons who have filed a written request for notices on their internet website. This bill would require a lead agency to submit to the State Clearinghouse, in electronic form, a draft environmental impact report, proposed negative declaration, or proposed mitigated negative declaration for all projects and would require the lead agency and project applicant to post those documents on their internet website. The bill would require the notice of determination or the notice of exemption to be filed electronically by the state agency as well as the local agency if that option is offered by the County Clerk. The bill was gutted and amended June 24 and will probably not be heard before mid- to late-July.

1. **Bill Review**

AB 3365 – no change

SB 522 – will continue to watch

SB 741 – no change

AB 2165 – will continue to watch

AB 2251 – drop

SB 373 – no change

AB 2376 – sent for assignment to the Rules Committee on June 16

AB 289 – no change

SB 556 – no change

AB 609 – Los Angeles will track

AB 168 – Sacramento will track

1. **Legislative Proposals**

Matt is currently working on the Video Marriage proposal.

1. **CRAC - Crossover Legislation**

Nothing to report.

1. **For the good of the order**
2. **Adjourned**

Meeting ended at 10:06 AM