

Meeting Date: Thursday, March 28, 2019

Time: 9:32 a.m. – 10:21 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 | X | Val Wood, San Diego | P |
| 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 | P | Deva Proto/Carrie Anderson, Sonoma | X/X |
| 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 9:32 AM

1. **Roll call**

Also attending:

|  |  |  |
| --- | --- | --- |
| ***Attendee*** | ***County*** |  |
| Kathy Lackey | Butte | T |
| Barbara Dunmore | Contra Costa | T |
| Jacqueline Luna | Madera | T |
| Lori Aleman/Lisa Anderson/Antoinette Garrett/Alyssa Green | Riverside | T/T/T |
| Andrew Graham | Sacramento | P |
| Diane Rea | San Francisco | T |
| Rosette Keopadubsy | San Joaquin | P |
| Amanda King | Sonoma | T |
| Donna Linder/ Marnie Ardis | Stanislaus | P/P |

1. **Approval of Minutes**

Paula Pesut corrected the name of the county she is representing from Shasta County to Placer County. Motion to approve: Paula Pesut, Placer; Second: Monique Blakeley, Los Angeles. Minutes were approved.

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

Matt is confident that all bills to be presented are currently in front of the committee. The next step is the appropriations process, which determines the bills’ costs to the State General Fund. The first Policy Committee deadline is April 26 for bills that have any type of fiscal impact. The next Policy Committee deadline is May 3 for bills that have no fiscal impact. If any of the bills listed in the report need to be stopped, we will bifurcate in order for this committee to have two different approaches.

**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 last week, 20-0. Since there is no fiscal impact it goes straight to the floor where it can be heard as soon as Monday. Matt expects the bill to go to the Senate next week, and to the Governor’s desk quickly.

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

Small piece that removes the mandate for the Secretary of State’s office must share their applications with the public through the County Clerk’s office. It allows for counties to stop providing the information and directing them to the State regarding Domestic Partnership information. Matt was not fully prepared to receive the many questions from the authors as well as the judiciary committee regarding the bill; questions regarding benefits or disadvantages in registering with the State as opposed to the local level. Although, they do not understand, but they did include the language in the bill. It has moved out of the Senate Judiciary Committee. The question most often asked is if the bill is basically about revenue. Monique Blakeley, Los Angeles, and David Valenzuela, Ventura state that it is more about customer service than revenue. Matt does not expect any problems with the bill, but he may have to defend when it gets to the Senate Judiciary Committee.

**AB 1213 Legal Document Assistants and Unlawful Detainer Assistants**

Philip Chen is authoring a bill on behalf of CALDA that attempts to add extra qualifier to be a legal document assistant simply by obtaining a Juris Doctor and maintaining all other requirements to perform as an attorney to be enough to perform as a legal document assistant.

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

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 news reporter who took a mobile phone picture of a document and a staff member stated that it wasn’t permitted. Wardell House feels the wording is too broad and that the author should change the verbiage specifying which documents qualify for CPRA and that official records carry a fee unless the requestor takes a picture of a computer monitor/screen. Val Wood suggested that Matt check with CSAC. Wardell would like the author to include language regarding Recorder official records. Monique will move this issue over to the CRAC Meeting. Paula Pesut, Placer, moved to oppose the bill unless amended, Wardell House, Santa Clara, seconded. Motion approved.

Matt will draft a letter for Val and Donna to review regarding the request to amend the bill.

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

Re-introduction bill regarding online notaries. The office of the author, Assemblyperson Ian Calderon, wants to see how much opposition he can thwart from this bill with amendments that are tailored to the specific issues that the Committee has raised in past letters. The committee submitted a letter regarding AB 2368 specific to retention, uniformity, and lack of guidance as to how clerks are supposed to respond to a notary that has been submitted. The author’s office would like to know if the Committee would accept a requirement that a notary journal must be submitted that could be printed in hard copy form instead of electronic form. Matt proposes three options:

1. There is an open-ended process included for the SOS to convene a task force to develop guidelines and regulations regarding retention by 2021.
2. CACEO be specifically listed in the bill as a mandatory participant during the discussion on the bill between when the bill would go into effect and the year 2021.
3. Attempt to leave the deciding process up to the State. Have the author’s office or other organization specify that the electronic notary journal will be submitted to the Secretary of State instead of the County Clerk for retention of a pre-determined period of time.

Monique suggested the journals need to be printed and bound. Val suggested to start trust fund to add it to the fees to fund the costs of the bill. Val also suggested to have the State charge a fee to build a system of retention as it would be more efficient for the SOS to build one system than to have 58 counties build separate systems. Wardell is concerned that there is no standardized formatting or database. He also brought the forward issue of video editing which could lead to fraud. Opposed last year. Donna Allred motioned to oppose AB 199, Paula Pesut seconded. Motion approved.

1. **Chaptered Bill Review/Presentations**

AB 430 – Santa Clara - DROP

AB 1819 – Santa Clara - ADDED

Bills dropped:

AB 430

Bills added:

AB 1819

SB 373

SB 780

1. **Legislative Proposals**

Nothing new from John Tuteur currently. He has a meeting with Secretary of State’s office next week. John would like the Committee to sponsor the bill if it gets up and moving.

1. **CRAC- Crossover Legislation**

* SB 373: Introductory of Block Chain. Information was sent out regarding this bill after last meeting.
* AB 212: Micrographics. Bill is moving forward.
* Working on the liens and lien releases.
* Social Security truncation reporting. They are working to get the sunset clause removed.

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

Meeting ended at 10:21 AM