

Meeting Date: Thursday, June 27, 2019

 Time: 9:30 a.m. – 10:30 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 | X/X |
| Elizabeth Gutierrez, Contra Costa | T | Val Wood, San Diego | X |
| Chuck Storey, Imperial  | X | Teresa Williamson, San Joaquin | X |
| Kammi Foote, Inyo | T | Joe Holland, Santa Barbara | X |
| Portia Sanders/Monique Blakely/Jaime Pailma, Los Angeles | T/T/T | Gina Alcomendras/Wardell House, Santa Clara | X/T |
| Paula Pesut, Placer | T | Deva Proto/Carrie Anderson, Sonoma | X |
| 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 9:30 AM

1. **Roll call**

Also attending:

|  |  |
| --- | --- |
| ***Attendee*** | ***County*** |
| Kathy Lackey | Butte  |
| Brandon Hill | Fresno |
| Jodi Olson | Marin |
| Andrew Graham | Sacramento |
| DeAnna Hernandez  | San Diego |
| Danielle Rifilato | Santa Barbara |
| Julie Hughes/Laura Luna/Dawn Salazar/Marnie Stout | Santa Clara |
| Amanda King | Sonoma |
| Marnie Ardis/Harjeet Kumar/Donna Linder/Jennie Schultz  | Stanislaus |

1. **Approval of May 23, 2019 Minutes**

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

1. **Legislative advocate update**

Matt sent amendments he made to his report to the committee. Summer recess is from July 12 through August 12; and the end of the session is September 13. From now until the Summer recess begins, the Capitol will be going through all second house policy committee hearings. Any bill that still has opposition, doesn’t have a final compromise, or doesn’t have some sort of resolution to it will not pass. When they return from recess, they will have only 4 weeks left to push through second house fiscal committee. Anything that makes it through that step must go through a full floor vote. Unless it was amended, it will return and go through a concurrent vote.

**AB 716 Fictitious Business Name Electronic Acknowledgment**

This bill would allow for the electronic acknowledgment of identity to be done for the Fictitious Business Name process. The Governor has signed the bill. Goes into effect January 1, 2020.

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

Bill regarding bifurcating the State and local process for domestic partnership registrations 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 is on its final step before being signed. There does not seem to be any issues regarding this bill. It should be brought up by Monday, July 1.

**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. This bill will not have an opportunity to move any more this year. Matt will continue to closely track the bill and remain involved in discussions.

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

The language states the 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. If there are amendments that the Committee can offer, they should be done as soon as possible as there will be limited opportunity to make changes soon. The bill will have its Senate hearing next week. Donna will send out information from Clerk and Recorder regarding amending the language in the bill. Monique sent the letter regarding “oppose unless amended” information from Recorder side that was originally sent to Assembly member Mark Stone. Matt will review and will offer opinions for additional changes.

**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. Matt and Rob have had discussions with all the stakeholders, outlining all the issues that the Committee has with the bill. Matt would like to clarify issues so as not to appear as simply obstructing the bill. Counties are being requested to seal the marriage record and create a new record. Counties send the original record to the State after 90 days. Once the record has been registered, it cannot be changed to create a new record. Counties do not seal records, the State seals records. There are additional issues involved with the new name of the party. The State would have to direct local agencies how to amend confidential marriage licenses in accordance with the bill. If amended, there will be no signatures on the license; government agencies may not accept new documents with no signatures. Older documents cannot be re-created with the new name field. There is nothing in current legislation that states public records, including those involving dissolutions, will not be amended. Amended documents can be requested with PRA. The committee discussed having the new record be made confidential, but there is no way to change a public document to a confidential document. Other spouse on the license must be notified of the request for change. Matt is requesting clarification regarding system-generated date. Donna stated that most systems include the date that the license was issued, and the marriage must occur within 90 days of the license being issued. If the State mandates the original record be sealed, the issuing county cannot re-issue a duplicate of the document that will look like the original document.

1. **Chaptered Bill Review/Presentations**

Contra Costa

AB 1213 Watching

SB 518 Watching

Inyo – (rep not on call)

None of the bills have any effect on Clerk, will continue to watch.

Los Angeles

SB 30 Watching

SB 741 Oppose

Placer – (rep not on call)

AB 231 Drop

Riverside – (rep not on call)

AB 490 Currently 2-year bill

AB 716 Signed into law

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 Currently on committee for judiciary

AB 1184 Currently on committee for judiciary

AB 1819 Currently on committee for judiciary

Ventura – (rep not on call)

AB 289 Watching

AB 1200 Is now a 2-year bill

SB 556 Watching

SB 780 Watching

1. **Legislative Proposals**

Nothing to report.

1. **CRAC - Crossover Legislation**

AB 212 (Recorder Micrographic Fees) was sent to Governor’s office. SB 373 (Block Chain) is now a 2-year bill.

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

Annual conference is in Burlingame, CA next month. If there are any questions, please forward to Val Wood, San Diego and Donna Allred, Sacramento. Elizabeth Gutierrez, Contra Costa sent out a request for input for their “Hidden Gems” session. If anyone has a response or idea for a project or program, please contact Elizabeth so it can be included during the session.

1. **Adjourned**

Meeting ended at 10:30 AM