

2017-2018 Legislative Session
CLCA Tracked Legislation Report for Week Ending 9/21/2018

AB 1565	Thurmond D	Labor-related liabilities: direct contractor.			Chaptered: 9/19/2018 html pdf
	Status:	9/19/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 528, Statutes of 2018.			
	Organization:	CLCA	Assigned:	MG	Position: Neutral
	Priority:	3			
Location:	9/19/2018-A. CHAPTERED				
Summary:	<p><i>Existing law requires, for all contracts entered into on or after January 1, 2018, a direct contractor, as defined, making or taking a contract in the state for the erection, construction, alteration, or repair of a building, structure, or other work, to assume, and be liable for, specified debt owed to a wage claimant that is incurred by a subcontractor, at any tier, acting under, by, or for the direct contractor for the wage claimant's performance of labor included in the subject of the original contract. Existing law authorizes the Labor Commissioner to bring an action under specified statutes or in a civil action to enforce this liability, and authorizes a 3rd party owed fringe or other benefits, or a joint labor-management cooperation committee, as defined, to bring a civil action to enforce the liability against a direct contractor under these provisions, as specified. Existing law provides that the obligations and remedies under these provisions are in addition to any obligations and remedies otherwise provided by law, except that the provisions are not to be construed to impose liability on a direct contractor for anything other than unpaid wages and fringe or other benefit payments or contributions, including interest owed. This bill would repeal the provisions that state that the obligations and remedies are in addition to existing obligations and remedies provided by law, except that the provisions are not to be construed to impose liability on a direct contractor for anything other than unpaid wages and fringe or other benefit payments or contributions including interest owed. The bill, for contracts entered into on or after January 1, 2019, would require a direct contractor or a subcontractor to include a specified provision in its contract that lists the specific documents or information that the direct contractor or subcontractor will require a lower tiered subcontractor to produce before the direct contractor or subcontractor is allowed to withhold any disputed payments from the lower tiered subcontractor under these provisions. This bill contains other related provisions.</i></p>				
Misc1:					

AB 1654	Rubio D	Labor Code Private Attorneys General Act of 2004: construction industry.			Chaptered: 9/19/2018 html pdf
	Status:	9/19/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 529, Statutes of 2018.			
	Organization:	CLCA	Assigned:	MG	Position: Watch
	Priority:				
Location:	9/19/2018-A. CHAPTERED				
Summary:	<p><i>The Labor Code Private Attorneys General Act of 2004 authorizes an aggrieved employee to bring a civil action to recover specified civil penalties, that would otherwise be assessed and collected by the Labor and Workforce Development Agency, on behalf of the employee and other current or former employees for the violation of certain provisions affecting employees. The act requires the employee to follow prescribed procedures before bringing an action and establishes alternate procedures for specific categories of violations. The act requires, except as provided, that 75% of the civil penalties recovered by aggrieved employees be distributed to the Labor and Workforce Development Agency for enforcement of labor laws and for education of employers and employees about their rights and responsibilities, and 25% be distributed to the aggrieved employees. This bill would except from the act an employee in the construction industry, as defined, with respect to work performed under a valid collective bargaining agreement in effect any time before January 1, 2025, that contains certain provisions, including, among others, a grievance and binding arbitration procedure to redress violations that authorizes the arbitrator to award otherwise available remedies. The bill would authorize the exception until the collective bargaining agreement expires or until January 1, 2028, whichever is earlier, and would repeal the bill's provisions on January 1, 2028.</i></p>				
Misc1:					

AB 1772	Aguiar-Curry D	Fire insurance: indemnity.			Chaptered: 9/21/2018 html pdf
	Status:	9/21/2018-Signed by the Governor			
	Organization:	CLCA	Assigned:	MG	Position: Watch
	Priority:				
Location:	9/21/2018-A. CHAPTERED				
Summary:	<p><i>Existing law defines the measure of indemnity for a loss under an open fire insurance policy and specifies time limits under which an insured must collect the full replacement cost of the loss. In the event of a loss relating to a state of emergency, as defined, existing law establishes a minimum time limit of not less than 24 months from the date that the first payment toward the actual cash value is made during which the insured may collect the full replacement cost of the loss, subject to the policy limit, as specified. This bill would</i></p>				

	extend the minimum time limit during which an insured may collect the full replacement cost of a loss relating to a state of emergency to 36 months. The bill would require that additional extensions of 6 months be provided to policyholders for good cause under that circumstance. The bill would also require that policy forms issued by an insurer be in compliance with these changes on and after July 1, 2019. The bill would also make technical changes. This bill contains other related provisions.		
Misc1:			

AB 1919	Wood D	Price gouging: state of emergency.		Chaptered: 9/21/2018 html pdf
	Status:	9/21/2018-Signed by the Governor		
	Organization:	CLCA	Assigned:	MG Position: Watch
	Priority:			
Location:	9/21/2018-A. CHAPTERED			
Summary:	<p>Under existing law, upon the proclamation of a state of emergency, as defined, declared by the President of the United States or the Governor; or upon the declaration of a local emergency, as defined, by the executive officer of any county, city, or city and county, and for a period of 30 days following that declaration, it is a misdemeanor with specified penalties for a person, contractor, business, or other entity to sell or offer to sell certain goods and services, including housing, for a price that exceeds by 10% the price charged by that person immediately prior to the proclamation of emergency, except as specified. Existing law, the California Emergency Services Act, establishes the Office of Emergency Services and vests the office with responsibility for the state's emergency and disaster response services for natural, technological, or manmade disasters and emergencies, as specified. This bill would additionally, upon the proclamation or declaration of an emergency as described above, make it a misdemeanor for a person, business, or other entity to increase the rental price, as defined, advertised, offered, or charged for housing to an existing or prospective tenant by more than 10%. The bill would extend the prohibition with regards to housing for any period that the proclamation or declaration is extended. The bill would additionally make it a misdemeanor for a person, business, or entity to evict a housing tenant after the proclamation of a state of emergency and then rent or offer to rent to another person at a rental price higher than the evicted tenant could be charged. By creating a new crime, this bill would create a state-mandated local program. The bill would require the Office of Emergency Services, upon the proclamation of an emergency by the Governor, to include information about these provisions and guidance to property owners, as specified, on an appropriate Internet Web site. This bill contains other related provisions and other existing laws.</p>			
Misc1:				

AB 2132	Levine D	Building permit fees: waiver.		Chaptered: 9/15/2018 html pdf
	Status:	9/14/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 386, Statutes of 2018.		
	Organization:	CLCA	Assigned:	MG Position: Watch
	Priority:			
Location:	9/14/2018-A. CHAPTERED			
Summary:	<p>The State Housing Law authorizes cities and counties to prescribe fees for permits required or authorized pursuant to the State Housing Law. This bill would authorize these entities to waive or reduce all building permit fees for improvements to the home of a person at least 60 years of age with a qualifying disability that are made to accommodate that disability.</p>			
Misc1:				

AB 2184	Chiu D	Business licenses.		Chaptered: 9/15/2018 html pdf
	Status:	9/14/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 388, Statutes of 2018.		
	Organization:	CLCA	Assigned:	MG Position: Support
	Priority:	2		
Location:	9/14/2018-A. CHAPTERED			
Summary:	<p>Existing law authorizes the legislative body of an incorporated city and the county board of supervisors to license businesses carried on within their respective jurisdictions and to set license fees as specified. This bill would require a city, including a charter city, county, and city and county that licenses businesses carried on within its jurisdiction to accept a California driver's license or identification number, individual taxpayer identification number, or municipal identification number in lieu of a social security number if the city, county, or city and county otherwise requires a social security number for the issuance of a business license. The bill would require these jurisdictions to require the applicant to provide an address where the individual consents to receive service of process, and would require the jurisdictions to accept a post office box or private mailbox that meets certain requirements. The bill would prohibit personal information, as defined to include these identification numbers, collected for purposes of issuing the business</p>			

	license from being disclosed, except as specified. By increasing the duties of local officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.		
Misc1:			

AB 2334	Thurmond D	Occupational injuries and illness: employer reporting requirements: electronic submission.		Chaptered: 9/19/2018 html pdf
	Status:	9/19/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 538, Statutes of 2018.		
	Organization:	CLCA	Assigned:	MG
	Position:	Watch		
	Priority:			
Location:	9/19/2018-A. CHAPTERED			
Summary:	<i>Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, within the Department of Industrial Relations, to compensate an employee for injuries sustained in the course of his or her employment. Existing law prohibits a person or public or private entity who is not a party to a claim for workers' compensation benefits from obtaining individually identifiable information, as defined, that is obtained or maintained by the division regarding that claim. Existing law permits, however, various state entities to use that information to carry out their duties. This bill would permit the Office of Self-Insurance Plans of the Department of Industrial Relations to use individually identifiable information as necessary to carry out its duties, as specified. This bill contains other related provisions and other existing laws.</i>			
Misc1:				

AB 2544	Lackey R	Parking penalties.		Chaptered: 9/18/2018 html pdf
	Status:	9/18/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 494, Statutes of 2018.		
	Organization:	CLCA	Assigned:	MG
	Position:	Watch		
	Priority:			
Location:	9/18/2018-A. CHAPTERED			
Summary:	<i>Existing law authorizes a processing agency that processes unpaid parking penalties to proceed under specified options to collect those penalties. Under one option, a processing agency is authorized to file an itemization of unpaid penalties with the Department of Motor Vehicles for the department to collect the penalties along with the registration of the vehicle. Existing law requires this option, starting on July 1, 2018, to include a process to provide a payment plan for indigent persons. This bill would specify that the option to collect unpaid penalties that were issued before July 1, 2018, through the department requires a process to provide a payment plan for indigent persons, as specified. The bill would make technical changes to the provisions for all the specified options to collect the unpaid parking penalty. This bill contains other related provisions.</i>			
Misc1:				

SB 721	Hill D	Building standards: decks and balconies: inspection.		Chaptered: 9/17/2018 html pdf
	Status:	9/17/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 445, Statutes of 2018.		
	Organization:	CLCA	Assigned:	MG
	Position:	Watch		
	Priority:			
Location:	9/17/2018-S. CHAPTERED			
Summary:	<i>Existing law provides authority for an enforcement agency to enter and inspect any buildings or premises whenever necessary to secure compliance with or prevent a violation of the building standards published in the California Building Standards Code and other rules and regulations that the enforcement agency has the power to enforce. This bill would require an inspection of exterior elevated elements and associated waterproofing elements, as defined, including decks and balconies, for buildings with 3 or more multifamily dwelling units by a licensed architect, licensed civil or structural engineer, a building contractor holding specified licenses, or an individual certified as a building inspector or building official, as specified. The bill would require the inspections, including any necessary testing, to be completed by January 1, 2025, with certain exceptions, and would require subsequent inspections every 6 years, except as specified. The bill would require the inspection report to contain specified items and would require that a copy of the inspection report be presented to the owner of the building within 45 days of the completion of the inspection and would require copies of the reports to be maintained in the building owner's records for 2 inspection cycles, as specified. The bill would require that if the inspection reveals conditions that pose an immediate hazard to the safety of the occupants, the inspection report be delivered to the owner of the building within 15 days and emergency repairs be undertaken, as specified, with notice given to the local enforcement agency. The nonemergency repairs made under these provisions would be required to be completed within 120 days, unless an extension is granted by the local authorities. The bill would authorize local enforcement agencies to recover enforcement costs associated with these requirements. The bill would require the local enforcement agency to</i>			

send a 30-day corrective notice to the owner of the building if repairs are not completed on time and would provide for specified civil penalties and liens against the property for the owner of the building who fails to comply with these provisions. The bill would exclude a common interest development, as defined, from these provisions. The bill would require any building subject to these provisions that is proposed for conversion to condominiums to be sold to the public after January 1, 2019, to have the required inspection conducted prior to the first close of escrow of a separate interest in the project, and would require the inspection report and written confirmation by the inspector that any recommended repairs or replacements have been completed to be submitted to, among others, the Department of Real Estate and included in certain required statements and reports, as specified. The bill would authorize a local governing entity to enact stricter requirements than those imposed by these provisions. This bill contains other related provisions and other existing laws.

Misc1:

SB 1181	Hueso D	Emergency services: certified community conservation corps.			Chaptered: 9/21/2018 html pdf
	Status:	9/21/2018-Signed by the Governor			
	Organization:	CLCA	Assigned:	MG	Position: Watch
	Priority:				
Location:	9/21/2018-S. CHAPTERED				
Summary:	Existing law, the California Emergency Services Act, grants the Governor certain powers to be exercised in accordance with the State Emergency Plan and programs for the mitigation of the effects of an emergency. Existing law creates the Office of Emergency Services within the Governor's office and commits to the office the responsibility for the state's response services for natural, technological, or manmade disasters and emergencies. This bill would authorize the Office of Emergency Services to enter into an agreement directly with one or more certified community conservation corps, as defined, to perform emergency or disaster response services as the office deems appropriate.				
Misc1:					

SB 1252	Pan D	Wages: records: inspection and copying.			Chaptered: 9/17/2018 html pdf
	Status:	9/17/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 464, Statutes of 2018.			
	Organization:	CLCA	Assigned:	MG	Position: Watch
	Priority:				
Location:	9/17/2018-S. CHAPTERED				
Summary:	Existing law requires an employer, semimonthly or at the time of payment of wages, to furnish an employee, an accurate, itemized, written statement containing specified information regarding the amounts earned, hours worked, and the employee's identity, among other things, subject to certain variations. Existing law grants current and former employees of employers who are required to keep this information the right to inspect or copy records pertaining to their employment, upon reasonable request. Existing law requires an employer to respond to these requests within a specified time and prescribes a penalty of \$750 for an employer's failure to permit a current or former employee to inspect or copy records within that time, to be recovered by the employee or the Labor Commissioner. This bill would provide that employees have the right to receive a copy of the employment records described above and apply the associated time requirements and penalty provisions in this context. The bill would state that it is declaratory of existing law.				
Misc1:					

SB 1262	Beall D	Construction Manager/General Contractor project delivery method: Department of Transportation.			Chaptered: 9/17/2018 html pdf
	Status:	9/17/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 465, Statutes of 2018.			
	Organization:	CLCA	Assigned:	MG	Position: Watch
	Priority:				
Location:	9/17/2018-S. CHAPTERED				
Summary:	Existing law authorizes the Department of Transportation to engage in a Construction Manager/General Contractor project delivery method (CM/GC method), as specified, for projects for the construction of a highway, bridge, or tunnel. Existing law authorizes the department to use the CM/GC method on up to 12 projects, 10 of which are required to have construction costs greater than \$10,000,000. Existing law also authorizes the department to enter into a contract using this method on 12 additional projects, 2 of which are required to be authorized for projects in the County of Riverside, as prescribed. This bill would remove the cap on the number of projects for which the department is authorized to use the CM/GC method and make conforming changes to existing provisions. The bill would impose the requirement to use department employees or consultants to perform project design and				

	<p>engineering services on at least 2/3 of the projects delivered by the department utilizing the CM/GC method. The bill would require the department to submit an interim report no later than July 1, 2021, that describes each Construction Manager/General Contractor project approved under these provisions as of January 1, 2021, and that provides specified relevant data with respect to those projects, and a final report to the Legislature no later than July 1, 2025, that provides the same relevant data for projects approved under these provisions as of January 1, 2025. The bill would require both the interim and final reports to include a comprehensive assessment on the effectiveness of the Construction Manager/General Contractor project delivery method relative to project cost and time savings. This bill contains other related provisions and other existing laws.</p>
Misc1:	

SB 1465	Bill D	Contractors: civil actions: reporting.			Chaptered: 9/18/2018 html pdf
	Status:	9/18/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 514, Statutes of 2018.			
	Organization:	CLCA	Assigned:	MG	Position: Watch
	Priority:				
Location:	9/18/2018-S. CHAPTERED				
Summary:	<p>Existing law, the Contractors' State License Law, provides for the licensure, regulation, and discipline of contractors by the Contractors' State License Board. Existing law requires the board, with the approval of the Director of Consumer Affairs, to appoint a registrar of contractors to serve as the executive officer and secretary of the board. Under existing law, protection of the public is required to be the highest priority for the Contractors' State License Board in exercising its licensing, regulatory, and disciplinary functions. Existing law requires a licensee to report to the registrar within 90 days of the date that the licensee has knowledge of the conviction of the licensee for any felony or any other crime substantially related to the qualifications, functions, and duties of a licensed contractor. Existing law also exempts from disclosure to the public a complaint resolved in favor of the contractor, as specified. This bill would require a licensee to report to the registrar within 90 days of the date that the licensee has knowledge of any civil action resulting in a final judgment, executed settlement agreement, or final arbitration award in an action in which the licensee is named as a defendant or cross-defendant, that meets specified criteria, including that the amount or value of the judgment, settlement payment, or award is \$1,000,000 or greater and that the action is the result of a claim for damages to a property or person allegedly caused by specified construction activities of a licensee on any part of a multifamily rental residential structure, as specified. The bill would require the registrar or a designee to review these reports, return them to the licensee, and take no further action if, upon review, the registrar or a designee makes any one of specified findings. The bill would deem a returned report to be a complaint resolved in favor of the licensee. The bill would further require, within 30 days of all or a portion of the insurer's payment of the judgment, settlement payment, or award, an insurer providing a specified type of insurance to that licensee to report listed information relating to the judgment, settlement payment, or award to the registrar. This bill contains other related provisions and other existing laws.</p>				
Misc1:					

Total Measures: 13
 Total Tracking Forms: 13