



## Legislative Update

### October 12, 2021

#### INTRODUCTION

The CFA sponsored or co-sponsored seven (7) pieces of legislation during the first year of the 2021-22 biennial legislative session which ended on September 10, 2021. Five (5) of CFA's sponsored/co-sponsored bills were signed into law by the Governor. Two (2) of CFA's co-sponsored bills are considered "two-year" bills and were held in committee for additional work during the second year of the legislative session. Those bills will be given a hearing in early 2022 to determine whether or not they will move forward.

In all, CFA took positions on ninety-three (93) pieces of legislation during the first year of the 2021-22 legislative session. At the end of the 2021 legislative session, thirty-eight (38) of those bills were signed into law, three (3) were incorporated into budget trailer bills and signed into law, eight (8) were made into two-year bills and six (6) were vetoed.

Below are summaries of the CFA's sponsored/co-sponsored bills with their status at the end of the first year of the 2021-22 legislative session. In addition, included in this update are summaries of several other priority bills with CFA's positions and status.

#### **CFA Sponsored/Co-Sponsored Bills**

- **Prohibition on Kinetic Energy Projectiles or Chemical Agents: Assembly Bill 48 (Gonzalez)** would prohibit the use of kinetic energy projectiles or chemical agents by any law enforcement agency to disperse any assembly, protest or demonstration, except in compliance with specified standards, and would prohibit their use solely due to the violation of an imposed curfew, verbal threat or non-compliance with a law enforcement directive. In addition, the bill would include standards for the use of kinetic energy projectiles and chemicals to disperse gatherings that require, among other things, those weapons only be used to defend against a threat of life or serious bodily injury to any individual, including a peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control.

**Position: Sponsor**

**Current Status: Chapter 404, Statutes of 2021**

- **PEACE Act: Assembly Bill 89: (Jones-Sawyer)** would require the office of the Chancellor of the California Community Colleges to develop a "modern policing" degree program, with the Commission on Police Officer Standards and Training (POST) and

other stakeholders to serve as advisors, and to submit a report on recommendations to the Legislature outlining a plan to implement the program on or before June 1, 2023. The bill would require the report to include, among other things, both the modern policing degree program and bachelor's degree in the discipline of their choosing as minimum education requirements for employment as a peace officer. In addition, the report would be required to include recommendations to adopt financial assistance for students of historically underserved and disadvantaged communities with barriers to higher education access. Finally, AB 89 would increase the minimum qualifying age to become a police officer from 18 years of age to 21 years of age.

**Position: Co-Sponsor**

**Current Status: Chapter 405, Statutes of 2021**

- **Law Enforcement Agency Policies: Arrests: Positional Asphyxia: Assembly Bill 490 (Gipson)** would prohibit a law enforcement agency from authorizing techniques or transport methods that involve a substantial risk of Positional Asphyxia.

**Position: Co-Sponsor**

**Current Status: Chapter 407, Statutes of 2021**

- **CLEAR Act: Assembly Bill 655 (Kalra)** would require that the current background investigations conducted on peace officer candidates include an inquiry into whether a candidate has engaged in membership in a hate group, participation in hate group activities or public expressions of hate. The bill would provide that certain findings would disqualify a person from employment. In addition, the bill would require an agency to investigate any internal complaint, or complaint made by the public, that alleges that a peace officer engaged in membership in a hate group, participation in hate group activities or public expressions of hate. The bill specifies that certain findings would be grounds for termination. Finally, AB 655 would exempt from confidentiality the record of any sustained complaint that a peace officer has engaged in membership in a hate group, participation in hate group activities or public expression of hate.

**Position: Co-Sponsor**

**Current Status: Two-Year Bill**

- **Police Officers Certification and Civil Rights: Senate Bill 2 (Bradford and Atkins)** would create a statewide decertification process to revoke the certification of a peace officer following the conviction of serious crimes or termination from employment due to misconduct. Additionally, SB 2 would strengthen the Tom Bane Civil Rights Act to prevent law enforcement abuses and other civil rights violations. SB 2 would also provide clarification regarding the Bane Act that employers can indemnify their employees per existing California law; would change the composition of the advisory board to include another member of the public and remove a law enforcement officer; and would allow the Commission on Peace Officer Standards and Training (POST) to retroactively review

certain misconduct related to deadly use of force, sexual assault or dishonesty for the purpose of decertification.

**Position: Co-Sponsor**

**Current Status: Chapter 409, Statutes of 2021**

- **Broadband for All Act: Senate Bill 4 (Gonzalez)** would extend the operation of the California Advanced Services Fund (CASF) at the California Public Utilities Commission through 2032; increase the annual funding cap for the CASF; expand projects eligible for CASF grants to include funds for broadband deployment at unserved locations for emergency response; and prioritize projects in underserved areas where internet connectivity is limited.

**Position: Co-Sponsor**

**Current Status: Chapter 671, Statutes of 2021**

- **County Sheriffs' Eligibility Requirements: Senate Bill 271 (Wiener)** would restore California's long-standing eligibility criteria for candidates seeking the office of Sheriff. Specifically, the bill would allow all registered voters to run for Sheriff. The bill would allow voters to choose from a broader pool of candidates with more diverse backgrounds and skill sets with greater accountability.

**Position: Co-Sponsor**

**Current Status: Two-Year Bill**

### **Additional CFA Priority Bills**

- **Ethnic Studies: High School Graduation Requirements: Assembly Bill 101 (Medina)** would add the completion of a one-semester course in ethnic studies, meeting specified requirements, to the graduation requirements commencing with pupils graduating in the 2029-30 school year, including those enrolled in a charter school. In addition, the bill would authorize local educational agencies to require a full-year course in ethnic studies at their discretion. Finally, AB 101 would require local educational agencies to offer an ethnic studies course commencing with the 2025-26 school year.

**CFA Position: Watch**

**Current Status: Chapter 661, Statutes of 2021**

- **Teacher Credentialing: Basic Skills Proficiency Test: Assembly Bill 312 (Seyarto)** would exempt from the basic skills proficiency test requirement an applicant who earns at least a letter grade of "B" in qualifying coursework, as defined, determined by a credential preparation program or the Commission on Teacher Credentialing, to sufficiently serve as an alternative indicator of proficiency in basic reading, writing and mathematics skills in the English language.

**CFA Position: Support**

**Current Status: Signed into Law (Budget Trailer Bill)**

- **State Capitol Grounds: Assembly Bill 338 (Ramos)** would authorize tribal nations in the Sacramento, California region, in consultation with the Department of General Services, to plan, construct and maintain a monument to the Native people of the Sacramento, California region on the grounds of the State Capitol.

**CFA Position: Support**

**Current Status: Chapter 280, Statutes of 2021**

- **Teacher Credentialing: Subject Matter Competence: Assembly Bill 437 (Kalra)** would authorize a candidate for the preliminary multiple subject, single subject or education specialist teaching credential to demonstrate subject matter competence by completing higher education coursework in the subject matters related to the content area of the credential, or through a combination of a subject matter examination and higher education coursework in the subject matters related to the content area of the credential.

**CFA Position: Support**

**Current Status: Signed into Law (Budget Trailer Bill)**

- **Pupil Instruction: Financial Aid Applications: Assembly Bill 469 (Reyes)** would require, on or before September 1, 2022, and each year thereafter, the Student Aid Commission and the State Department of Education (DOE) to facilitate the completion of the Free Application for Federal Student Aid and the form established for purposes of the California Dream Act, by requiring the DOE to share the current school year's roster of pupils with the Student Aid Commission, and requiring the commission to share and match data on pupil completion of financial aid forms.

**CFA Position: Support**

**Current Status: Chapter 560, Statutes of 2021**

- **Student Transfer Achievement Reform Act: Assembly Bill 928 (Berman)** would establish the Associate Degree for Transfer (ADT) Intersegmental Implementation Committee to serve as the primary entity charged with the oversight of the Associate Degree for Transfer. In addition, the bill would specify the committee's membership. Finally, AB 928 would assign numerous duties to the committee, including the duty to establish timelines and reporting deadlines relating to reviews of transfer model curricula, and the duty to develop a comprehensive communications plan and guidance to inform students about the ADT pathway.

**CFA Position: Oppose Unless Amended**

**Current Status: Chapter 566, Statutes of 2021**

- **Immigration Enforcement: Assembly Bill 937 (Carrillo)** would prohibit any state or local agency from arresting or assisting with the arrest, confinement, detention, transfer, interrogation or deportation of an individual for an immigration enforcement purpose. In addition, AB 937 would prohibit state or local agencies or courts from using immigration status as a factor to deny or to recommend denial of probation or participation in any diversion, rehabilitation, mental health program, or placement in a credit-earning program or class, or to determine custodial classification level, to deny mandatory supervision or to lengthen the portion of supervision served in custody. Finally, the bill would repeal existing law that requires the Department of Corrections and Rehabilitation to implement and maintain procedures to identify inmates serving terms in state prison who are undocumented felons subject to deportation.

**CFA Position: Support**

**Current Status: Senate Floor (Inactive File)**

- **Student Housing Plans: Assembly Bill 1377 (McCarty)** would require the Office of the Chancellor of the California State University, and request the Office of the President of the University of California, on or before July 1, 2022, to conduct a needs assessment to determine the projected student housing needs, by campus, for the 2022-23 fiscal year to the 2026-27 fiscal year, inclusive, and create a student housing plan, with a focus on affordable student housing, that outlines how they will meet the projected student housing needs. In addition, AB 1377 would require the Office of the Chancellor of the California State University, and request the Office of the President of the University of California, to review and update the plan and include the specific actions to be taken in the next 5 fiscal years.

**CFA Position: Support**

**Current Status: Chapter 571, Statutes of 2021**

- **Public Employment: Labor Relations: Employee Data: Senate Bill 270 (Durazo)** would authorize an exclusive representative of a public employer to file a charge of an unfair labor practice with the Public Employment Relations Board (PERB), only if specified conditions are met, alleging a violation of the requirements in current law to provide specific information regarding newly hired employees within 30 days of hire and provide this information for all employees every 120 days. In addition, SB 270 would subject a violator to a penalty, not to exceed \$10,000, to be determined by PERB based upon specified criteria.

**CFA Position: Support**

**Current Status: Chapter 330, Statutes of 2021**

- **Teacher Credentialing: Reading Instruction: Senate Bill 488 (Rubio)** would authorize the passage of a combination of specified components concerning proficiency in reading instruction, as approved by the Commission on Teacher Credentialing (CTC), to meet the

requirement for a preliminary multiple subject teaching credential. In addition, the bill would require the CTC, by July 1, 2025, to ensure that an approved teaching performance assessment assess all teacher candidates, including intern candidates, for a preliminary multiple subject credential and a preliminary education specialist credential for competence in instruction in literacy, including, but not limited to, evidence-based methods of teaching foundational reading skills. SB 488 would also extend all requirements for demonstrating proficiency in reading instruction to the education specialist teaching credential. Finally, the bill would change the requirement of the study of alternative methods of developing English language skills to a requirement of the study of effective means of teaching literacy to all pupils, as specified.

**CFA Position: Support**

**Current Status: Chapter 678, Statutes of 2021**

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