

**Taking effect January 1, 2023 unless otherwise stated.**

**AB - Assembly Bill    SB - Senate Bill**

**Catalytic Converters (SB1087, Gonzalez) (AB 1740, Muratsuchi)**

These laws enhance requirements on recyclers to keep specific records of catalytic converters they receive and on the authorized parties that can sell used catalytic converters. These laws will outline who can sell catalytic converters to recycling centers and also require those recyclers to archive the year, make, model and copy of the vehicle title from the vehicle the catalytic converter was removed from. These laws aim to reduce the increasing theft of catalytic converters and help keep Californians and their cars safer. Both laws were passed in an attempt to combat catalytic converter thefts.

**Vehicular manslaughter: Speeding and Reckless Driving (SB 1472, Stern)**

Here, the law will expand what classifies for “gross negligence” when relating to the crime of vehicular manslaughter. Drivers who participate in sideshows, racing or speeding over 100 miles per hour, which results in a fatality, could now be charged with vehicular manslaughter with gross negligence.

**Motor Vehicle Speed Contests and Exhibitions of Speed / Ban on Sideshows at Parking Facilities (AB 2000, Gabriel)**

Parking lots and off-street parking structures will now be included as locations where it is illegal to participate in races, burnouts, speeding, or sideshow activities. Parking lots across the state are now included with public roads as locations where street racing and sideshows are banned. Another law passed in 2021 (AB 3, Fong) allows courts to suspend an individual’s driver’s license for violating this ban beginning on July 1, 2025.

**Endangered Missing Advisory: Feather Alert (AB 1314, Ramos)**

The new “Feather Alert” will allow law enforcement agencies to send out an alert (similar to an AMBER alert) when a person of indigenous descent has been kidnapped, abducted, or reported missing under unexplained or suspicious circumstances and certain criteria has been met to broadcast an alert. The “Feather alert” will utilize radio, television, and social media to spread the information of the missing indigenous person.

**Hit-and-Run Incidents: Yellow Alert (AB 1732, Patterson)**

Law enforcement agencies can request the CHP to activate a “Yellow Alert” when a fatal hit-and-run crash has taken place. AB 1732 will also allow media outlets to circulate information included in a “Yellow Alert”. The new law will use the public’s tips/assistance to help law enforcement agencies throughout the state investigate ongoing hit-and-run crashes.

**Public Employment: Peace officers: Citizenship (Senate Bill 960, Skinner)**

This law maintains that peace officers, including trainees, be legally authorized to work in the United States while abiding with federal laws and regulations. SB 960 will however, remove the requirement that peace officers be citizens or permanent residents of the United States.

### **Online Marketplaces: Reporting (AB 1700, Maienschein)**

The Attorney General's Office will be required to create an online reporting system for users of third-party online marketplaces to report listings of suspected stolen property. The recorded information would be made available to local law officials and the CHP's Organized Retail Crime Task Force to aid investigators.

### **Enhanced Safeguards for Bicycle Riders / Bicycles Omnibus Bill (AB 1909, Friedman)**

AB 1909 is similar to the 'move over or slow down' law. Drivers are now required to change into another available lane, when possible, to pass cyclists, building on the current requirement for drivers to give cyclists at least three feet of space when passing. This new law will provide increased protections to bicyclists by requiring passing vehicles or overtaking a bicycle in the same direction, to move over to an adjacent lane of traffic, if one is open, or slow down and only pass the bicyclist when it is safe. Class 3 e-bike riders will now be allowed to use approved bicycle paths and trails, bikeways, and bicycle lanes. This law will prohibit local governments from requiring bicycle registration and allow local authorities to prohibit any electric bicycle on a horse, hiking or other recreational trails. . In addition, starting on January 1, 2024, the law allows cyclists to cross an intersection when a walk sign is on.

### **Electric Bicycles: Safety and Training Program (AB 1946, Boerner Horvath)**

CHP will be required to work with other traffic safety stakeholders such as the California Office of Traffic Safety, to develop statewide safety and training programs for e-bikes. The training program will include electric bicycle riding safety, emergency maneuver skills, rules of the road and e-bike laws. The program will launch in Sept. 2023 via the CHP's website.

### **Pedestrians (AB 2147, Ting)**

This law will prohibit peace officers from stopping pedestrians for certain violations such as crossing the road outside of a crosswalk (jaywalking), unless there is immediate danger of a collision.

### **Online Driver's License Renewal for Californians 70 and Older Ends December 31 (AB 174, Committee on Budget)**

Starting January 1, California law will again require drivers 70 and older to renew their license in person at a DMV office. There are only a few more days individuals 70 and older to take advantage of the temporary rule allowing them to renew their driver's licenses or identification cards online or by mail – even if their renewal notice states a visit to a DMV field office is required. In October 2020, Governor Gavin Newsom temporarily waived the California law requiring senior drivers to renew their licenses at a DMV field office and signed AB 174 in September 2021 to allow online or by mail renewals through the end of 2022. This temporary online option has helped Californians avoid DMV field offices during the COVID-19 pandemic.

### **New Requirement for Permanent Disabled Person Parking Placard Renewals (SB 611, Hill, 2017)**

The DMV is sending notices to Californians who have had their permanent Disabled Person Parking Placard for at least six years and asking them to confirm that they are still in need of one. The DMV will not renew

placards for people who do not respond. This renewal requirement is one provision of prior legislation, SB 611, enacted in 2017 to curb fraud and abuse of Disabled Person Parking Placards.

### **Consumer Notices for Semi Autonomous Vehicles (SB 1398, Gonzalez)**

Dealers and manufacturers that sell new passenger vehicles equipped with a partial driving automation feature or provide any software update or vehicle upgrade that adds such a feature are required to give a clear description of its functions and limitations. The law also prohibits a manufacturer or dealer from deceptively marketing a feature.

### **Veteran Designation on Driver's Licenses (SB 837, Umberg)**

This law eliminates the \$5 fee for obtaining a military "VETERAN" designation on a driver's license or identification (ID) card.

### **Toll Exemptions for Certain Veterans (AB 2949, Lee)**

This law exempts vehicles registered to veterans displaying specialized license plates from paying tolls on roads, bridges, highways, vehicular crossings, or other toll facilities. The exemption applies only to vehicles with license plates that are issued to a disabled veteran, Pearl Harbor survivor, prisoner of war, or to veterans who have received distinctions such as the Purple Heart or the Congressional Medal of Honor.

### **Digital Notices and Remote Renewals for Some Transactions (SB 1193, Newman)**

This law allows customers to receive certain DMV notices electronically – which previously had been required to be mailed – if they opt in. It also removes the requirement that a vehicle salesperson's license be renewed in person, which will enable the DMV to establish a renewal program that allows for consecutive remote vehicle salesperson license renewals. The law will help save time, paper, and reduce the number of transactions needing to be completed at a field office.

### **Alternatives to Conventional License Plates, Stickers, Tabs, and Registration Cards (AB 984, Wilson)**

The DMV will create a new ongoing program that allows entities to issue alternatives such as digital license plates, vinyl front license plate wraps and digital registration cards. Since 2015, the current pilot program has enrolled more than 19,000 customers for digital license plates, more than 5,000 customers for vinyl license plates and less than 100 customers for e-registration. The DMV will work on regulations to govern how the requirements for the permanent program will be implemented.

### **Reform of License Suspension Law (AB 2746, Friedman)**

California state courts will stop sending notices to the DMV for license suspensions for failure to appear starting on January 1, 2023, while requiring the DMV to stop suspending licenses for failing to appear starting on January 1, 2027, to allow time to make computer programming changes.

## **Minimum Wage Increase**

California's minimum wage will increase by 50 cents to \$15.50. The state codified automatic annual minimum wage increases tied to inflation (but capped at 3.5%) in 2016.

## **Transparency of Pay Scales**

Another new law requires companies with 15 or more employees to post pay scales in job postings.

The bill also requires companies with 100 or more employees to include "the median and mean hourly rate for each combination of race, ethnicity, and sex within each job category" in pay data reports they're already required to submit to the state.

## **New Holidays**

Newsom signed several new state holidays into law in September including Genocide Remembrance Day (April 24), Juneteenth (June 19) Lunar New Year (on the second or third new moon following the winter solstice) and Native American Day (fourth Friday of September).

## **Farm Workers**

A bill expanding the rights of farm workers in California to unionize will take effect come January, but the legislature is already expected to alter the new law. Newsom expressed problems with the bill prior to signing it but agreed to sign it after unions supporting the bill promised to work with lawmakers in the next legislative session to address his concerns.

## **Fast Food Labor Council (AB257)**

There's one law that is scheduled to come into effect on Jan. 1, but efforts are underway to stop it until Californians can vote on it in 2024. Newsom signed Assembly Bill 257 on Labor Day earlier this year, which would create a council to oversee labor conditions in the fast food industry. Since then, companies like McDonald's, In-N-Out and their franchisees have been working to get a measure in front of voters to stop the council from being created. The campaign announced last week that it turned in more than 1 million signatures to the Secretary of State's office as part of the referendum process. If 623,212 of those signatures are found to be valid, the measure will likely be able to put the measure on hold until the November 2024 general election.

## **Qualified nurse practitioners and certified nurse midwives will have the ability to perform first-trimester abortions in California without the supervision of a physician. (SB 1375) builds on two existing laws:**

Assembly Bill 890, which passed in 2020, and allows nurse practitioners to practice independently. Atkins' own AB 154, which passed in 2013 and permitted nurse practitioners to conduct first-trimester abortions under a doctor's supervision. Atkins says the new measure clarifies those laws and allows for more trained nurse practitioners in high-need areas to perform surgical, or aspiration abortions, whereby suction is used to remove the contents of the uterus.

### **New penalties for hate crimes at school (AB2282)**

AB 2282, which takes effect on the first of the year, increases penalties for people who use hateful symbols as part of hate crimes — swastikas, nooses, desecrated crosses — and expands restricted locations to include K-12 schools and colleges.

### **Clean slates for some convicted people (SB731)**

People in California who have served time in prison will soon have a chance to appeal to have their criminal records sealed. SB 731 will allow people who have served time on or after Jan. 1, 2005, to automatically have their records expunged as long as they haven't been convicted of another felony in the past four years. Those with violent or serious felonies in their backgrounds won't get their records automatically sealed, but will be able to petition a court to have them sealed. Sex offenders will not be eligible.

### **Oil, gas and neighborhoods (SB1137)**

A law requiring a 1,200 foot space between oil and gas wells and community areas will go into effect on Jan. 1. Environmental groups have rallied behind the idea of SB 1137 for years, saying a buffer, or "setback zone," will keep communities farther from the impacts of leaking wells and pollution.

### **Ending the 'school-to-prison pipeline'**

One new law would task the California Department of Education with developing evidence-based best practices for restorative justice. This law is an effort to disrupt the so-called "school-to-prison" pipeline, which refers to the disproportionate use of discipline at school against students of color — particularly Black students — that puts them into the criminal justice system.

### **More Housing (AB2011) and (SB6)**

The bills, introduced by Assemblymember Buffy Wicks (D–Oakland) and Senator Anna Caballero (D–Merced), will allow for more housing to be built in commercial corridors zoned for retail and office buildings. They also guarantee high union wages for construction workers and promise an expedited building process near city centers to avoid sprawl.

### **AB 152 – COVID-19 Supplemental Paid Sick Leave (Effective Sept. 29, 2022)**

AB 152 extends through December 31, 2022, COVID-19 Supplemental Paid Sick Leave (SPSL), which would have otherwise expired on September 30, 2022, under SB 114 signed earlier by Gov. Newsom on February 9, 2022. This bill does not require employers to provide additional hours of leave beyond the amount of SPSL under SB 114. As such, to the extent an employee has used all SPSL prior to September 30, 2022, this bill does not provide for new paid leave.

Additionally, under SB 114, if an employee tests positive for COVID-19, the employer is allowed to require the employee to submit to another diagnostic test on or after the fifth day after the test and provide documentation to the employer. Under AB 152, if the second test is positive, the employer may require the employee to submit to a second test within no less than 24 hours. This bill reaffirms that the employer must make such tests

available at no cost to the employees, but that the employer may decline to provide SPSL benefits where the employee refuses to provide documentation of test results or refuses to submit to a test.

This bill further establishes the California Small Business and Nonprofit COVID-19 Relief Grant Program within the Governor's Office of Business and Economic Development (GO-Biz) to assist qualified small businesses or nonprofits that are incurring costs for SPSL. The bill requires GO-Biz to provide grants to qualified small businesses or nonprofits, as defined. The bill repeals these provisions on January 1, 2024.

**AB 551 – COVID-19 Related Disability Retirement (Effective Jan. 1, 2023)**

AB 551 extends the effective date of AB 845, which provides that if a member of certain firefighter, public safety and health care job classifications tests positive for COVID-19 and retires for disability on the basis of a COVID-19 related illness, it is presumed that the disability arose out of, or in the course of, the member's employment, unless rebutted. AB 845 would have become inoperative in January of 2023, and this bill provides an extension through January 1, 2024. This bill amends Section 7523.2 of the Government Code.

**AB 1041 – Leave: Designated Person (Effective Jan. 1, 2023)**

Under the California Family Rights Act (CFRA), an employer with five or more employees must provide eligible employees who meet specified requirements to take up to a total of 12 workweeks in any 12-month period for family care and medical leave as defined by the CFRA.

**AB 1467 – Student Safety: Sexual Assault and Domestic Violence (Effective Jan. 1, 2023)**

Existing law requires that public postsecondary governing bodies in California adopt and implement written procedures or protocols to ensure that students, faculty, and staff who are victims of sexual assault committed at specified locations receive treatment and certain information. Under existing law, these governing bodies must annually review, and update as necessary, these procedures or protocols.

AB 1467 also requires, among other things, that postsecondary school sexual assault and domestic violence counselors be independent of the campus Title IX office and that any executive orders related to discrimination, harassment, and retaliation be submitted in an annual report to the chairs of the Assembly Committee on Higher Education and the Senate Committee on Education.

**AB 1601 – Mass Layoff, Relocation or Termination of Call Center Employees (Effective Jan. 1, 2023)**

Under the federal Worker Adjustment and Retraining Notification (WARN) and the California Worker Adjustment and Retraining Notification Act (Cal/WARN), covered employers are required to comply with various obligations, including providing 60 days' notice of plant closings/terminations, relocations or mass layoffs. Cal/WARN generally applies to employers that owns or operates a covered establishment, which is a location that employs, or has employed in the preceding 12 months, 75 or more persons.

### **AB 1661 – Human Trafficking Notice (Effective Jan. 1, 2023)**

Existing law requires specified businesses and other establishments, including airports, intercity passenger rail or light rail stations, bus stations, and truck stops, to post a notice, as developed by the Department of Justice, that contains information relating to slavery and human trafficking, including information regarding specific non profit organizations that a person can call for services or support in the elimination of slavery and human trafficking. AB 1661 requires that hair, nail, electrolysis, skin care, and other related businesses or establishments post such a notice.

### **AB 1726 -- Address Confidentiality Program (Effective Jan. 1, 2023)**

Existing law creates the Safe at Home Program, which offers victims of domestic violence, sexual assault, stalking, human trafficking, or elder or dependent adult abuse, under which an adult — or a guardian on behalf of a minor or an incapacitated person — substitute mailing address to receive first class, certified, and registered mail. Under existing law, when the California Secretary of State certifies the person as a program participant, the person’s actual address is confidential. AB 1726 extends the deadline for service on program participants by 12 days and extends the deadline for defendants to respond to a complaint in an action to obtain possession or real property by five court days if service of the complaint is completed through the Safe at Home Program.

AB 1726 provides, among other things, that if a program participant or parent or guardian acting on behalf of a minor or incapacitated person relocates to a state without an address confidentiality program, then they remain enrolled and that mail be forwarded for the remainder of the term they are qualified to participate in the program.

### **AB 1747 – Disciplinary Action of Contractors (Effective Jan. 1, 2023)**

Existing law provides that a licensed contractor’s willful or deliberate disregard of various state building, labor and safety laws constitutes a cause of disciplinary action by the Contractors State License Board (CSLB). Disciplinary proceedings may result in a civil penalty not to exceed \$30,000 for specified violations.

### **AB 1751 – COVID-19: Workers’ Compensation & Critical Workers (Effective Jan. 1, 2023)**

Under existing law an “injury” for Workers’ Compensation purposes includes illness or death resulting from COVID-19 under certain circumstances. Existing law also creates a rebuttable presumption that certain employees contracted COVID-19 at work. Specifically, Labor Code section 3212.86 applies to COVID-19 illnesses contracted before July 5, 2020 if the employee tested positive for, or was diagnosed, with COVID-19 within 14 days after performing work for the employer; Labor Code section 3212.87 applies to specified police officers and firefighters; and Labor Code section 3212.88 applies during a COVID-19 “outbreak” (as defined in the statute) at an employer’s place of employment (for employers with five or more employees).

AB 1751 extends the expiration date of Labor Code sections 3212.86, 3212.87, and 3212.88 until 2024. This bill also amends section 3212.87 to include active firefighting members of a fire department at the State

Department of State Hospitals, the State Department of Developmental Services, the Military Department, and the Department of Veterans Affairs and to officers of a state hospital under the jurisdiction of the State Department of State Hospitals and the State Department of Developmental Services.

**AB 1775 -- Occupational Safety: Live Events (Effective Jan. 1, 2023)**

AB 1775 imposes certain requirements for entities that contract with entertainment events vendors as part of a production of a live event at the entity's public events venue. Under the new law, such vendors are required to certify that their employees (and any subcontractors' employees) have completed certain Occupational Safety and Health Administration training.

**AB 1788 – Civil Penalties for Actual Knowledge or Reckless Disregard for Human Trafficking in Hotels (Effective Jan. 1, 2023)**

Under existing law, hotels are required to provide at least 20 minutes of training to their staff on how to recognize human trafficking, but existing law does not create liability against a hotel for the lack of reporting a human trafficking case. AB 1788 allows civil penalties against a hotel if: (1) sex trafficking activity occurred in the hotel, a supervisory employee of the hotel knew, or acted with reckless disregard, of the activity constituting sex trafficking activity that occurred within the hotel and failed to inform the appropriate authorities within 24 hours (i.e., law enforcement, the National Human Trafficking Hotline, or another appropriate victim service organization); and/or (2) any hotel employee was acting within the scope of employment and knowingly benefited — financially or by receiving anything of value — from participating in a venture that the employee knew, or acted with reckless disregard, of the activity constituting as sex trafficking activity within the hotel.

**AB 1851 – Public Works: Prevailing Wage & Hauling (Effective Jan. 1, 2023)**

Existing law includes in the definition of “public works” under certain circumstances the hauling of refuse from a public works site to an outside disposal location. AB-1851 expands the definition of “public works” to include the on-hauling of materials used for paving, grading, and fill onto a public works site if the individual driver's work is integrated into the flow process of construction.

**AB 1949 – Bereavement Leave (Effective Jan. 1, 2023)**

AB 1949 amends the CFRA and provides that eligible employees who have been employed for at least 30 days may take up to 5 days of unpaid leave (subject to an employee's ability to use available paid time off) related to the death of a family member. Family member means a spouse or a child, parent, sibling, grandparent, grandchild, domestic partner or parent-in-law (the same definition of family member under CFRA). Under this bill, bereavement leave need not be taken in consecutive days, but the bereavement leave must be completed within three months of the date of death of the family member. Further, within 30 days of the first day of the leave, the employer may request that the employee provide documentation of the death of the family member. The employer must maintain the confidentiality of any employee requesting bereavement leave and any documentation the employee provides to the employer must be maintained as confidential and shall not be disclosed except to internal personnel or counsel, as necessary, or as required by law.

**AB 2183 – Labor Peace Compacts and Card Check Elections for Agricultural Employees (Effective Jan. 1, 2023)**

Existing law grants agricultural employees the right to form and join unions by elections held by secret ballot and conducted by the Agricultural Labor Relations Board (ALRB).

**AB 2188 – Off-Duty Use of Cannabis (Effective Jan. 1, 2024)**

AB 2188 amends the California Fair Employment and Housing Act (FEHA) to make it unlawful for an employer to discriminate on the basis of a person's use of cannabis off the job and away from the workplace or based on an employer-required drug test that found non-psychoactive cannabis metabolites in the person's hair, blood, urine, or other bodily fluids. This bill allows exceptions for pre employment drug screening that does not screen for non-psychoactive cannabis metabolites. Certain employees and applicants are also exempt, including those in the building and construction trades and those whose positions require a federal background investigation or clearance.

**AB 2243 - Occupational Safety and Health Standards: Heat Illness and Wildfire Smoke (Effective Jan. 1, 2023)**

Existing law requires employers to comply with certain safety and health standards, including a heat illness standard for the prevention of heat-related illness of employees in an outdoor place of employment. There is also an existing standard for workplace protection from wildfire smoke.

**AB 2420 - Perinatal and Infant Children Health: Extreme Heat (Effective Jan. 1, 2023)**

Under existing law, prenatal care, delivery service, postpartum care and neonatal and infant care are essential services necessary to assure maternal and infant health. Existing law requires the California Department of Public Health (CDPH) to develop and maintain a statewide community-based comprehensive perinatal services program.

**AB 2683 -- Postsecondary Education: Sexual Violence and Harassment (Effective Jan. 1, 2023)**

AB 2683 requires that each campus of the California Community Colleges and the California State University post educational and preventive information on sexual violence and sexual harassment on its campus internet website. The posting must contain certain information, including common facts and myths about the causes of sexual violence and sexual harassment; what constitutes sexual violence and sexual harassment, methods of encouraging peer support for victims and the imposition of sanctions on offenders.

**AB 2693 -- COVID-19 Exposure (Effective Jan. 1, 2023)**

Existing law requires employers to provide notice to the local public health agency in the event of a COVID-19 outbreak. AB 2693 amends existing law in Labor Code section 6409.6 and provides that employers no longer have to give notice to the local public health agency in the event of a COVID-19 outbreak. The California Department of Public Health will also no longer be required to post workplace information received from local public health departments about COVID-19 cases and outbreaks.

Existing law also requires that an employer who receives a notice of potential exposure to COVID-19, the employer is required to take specified actions within one business day of the notice of potential exposure, including providing written notice to all employees on the premises at the same worksite that they may have been exposed to COVID-19. AB 2693 revises and recasts the notification requirements and authorizes an employer to either provide written notification or prominently display a notice in all places where notices to employees concerning workplace rules or regulations are customarily posted and requires the notice to remain posted for 15 days. This bill also requires an employer to keep a log of all the dates the notice was posted, and requires the employer to allow the Labor Commissioner to access those records. This bill extends these provisions until January 1, 2024.

**AB 2766 – Expands Enforcement and Investigatory Power to City and County Attorneys for Violations of Unfair Competition Law (Effective Jan. 1, 2023)**

AB 2766 grants enforcement and investigatory power to the city attorney of any city with population of over 750,000, to the county counsel of any county (which a city within the county has a population over 750,000), or the city attorney of a city and county (collectively Investigators) when the Investigators reasonably believe there may have been a violation of the Unfair Competition Law, including any unlawful, unfair, or fraudulent business act or practice, and unfair, deceptive, untrue, or misleading advertising. This bill also provides that the Investigators may issue a subpoena as part of their investigation. Should the subpoena recipient object to the subpoena, the subpoena recipient must serve objections and meet and confer with the subpoena issuer to attempt to resolve the objections. If meet and confer attempts fail, the subpoena recipient may petition the superior court for an order quashing or modifying the subpoena.

**AB 2777 -- Sexual Assault: Statute of Limitations (Effective Jan. 1, 2023)**

Under existing law, the statute of limitations to commence a civil action for sexual assault is 10 years from the last act, attempted act or assault with the intent to commit an act of sexual assault; or within three years from the date a plaintiff discovers or reasonably should have discovered that an injury or illness resulted from those acts. The current statute of limitations applies to any action commenced on or after January 1, 2019.

AB 2777, which is also known as the Sexual Abuse and Cover Up Accountability Act, provides that actions commenced on or after January 1, 2019 and based on conduct that occurred on or after January 1, 2009, will not be time-barred, even if the 10-year statute of limitations has expired, provided that such claims are commenced by December 31, 2026. The act does not revive claims in which there has been, prior to January 1, 2023, a final decision by a court or a written settlement.

This bill also provides that where a party seeks to recover damages based on a sexual assault that was “covered up” by an entity, the action may be commenced between January 1 and December 31, 2023, even if that claim would otherwise be time-barred. For the purposes of the act, “cover up” means “a concerted effort to hide evidence relating to a sexual assault that incentivizes individuals to remain silent or prevents information

relating to a sexual assault from becoming public or being disclosed to the plaintiff, including, but not limited to, the use of nondisclosure agreements or confidentiality agreements.”

**SB 189 – DFEH Renamed to CRD (Effective July 1, 2022)**

Pursuant to SB 189, the Department of Fair Employment and Housing’s name changed to the Civil Rights Department. As stated on the CRD’s website, this change is to more accurately reflect the CRD’s powers and duties, which include enforcement of laws prohibiting hate violence, human trafficking, discrimination in business establishments, and discrimination in government-funded programs and activities, among others. The Fair Employment and Housing Council’s name has also changed, and it is now referred to as the California Civil Rights Council.

**SB 931 - Violations for Deterring Union Membership (Effective Jan. 1, 2023)**

Existing law prohibits a public employer from deterring or discouraging public employees or applicants to be public employees from becoming or remaining members of an employee organization, authorizing representation by an employee organization, or authorizing dues or fee deductions to an employee organization. Existing law generally vests jurisdiction over violations in the Public Employment Relations Board (PERB).

**SB 954 – Wages and Payroll Records for Public Works Employees (Effective Jan. 1, 2023)**

Existing law requires that contractors and subcontractors furnish the Labor Commissioner with payroll records concerning public works projects, which include construction, alteration, demolition, installation or repair work done under contract and paid for, in whole or in part, out of public funds.

**SB 1044 - Emergency Conditions in the Workplace: Employer Prohibitions (Effective Jan. 1, 2023)**

SB 1044 prohibits an employer, in the event of an emergency condition, from taking or threatening adverse action against any employee for refusing to report to, or leaving, a workplace or worksite within the affected area because the employee has a reasonable belief that the workplace or work site is unsafe. This prohibition does not apply to certain groups of employees enumerated in the text of the bill, including but not limited to first responders, employees required by law to render aid or remain on the premises in case of an emergency, and employees whose primary duties include assisting members of the public to evacuate in case of an emergency

An employee must notify their employer of the emergency condition requiring them to leave or refuse to report to the workplace or worksite (either prior to leaving or refusing to report, when feasible, or – when prior notice is not feasible – after leaving or refusing to report as soon as possible). This bill also prohibits an employer from preventing any employee from accessing the employee’s mobile device or other communications device for seeking emergency assistance, assessing the safety of the situation, or communicating with a person to confirm their safety.

The bill defines "emergency condition" to mean the existence of either of the following:

Conditions of disaster or extreme peril to the safety of persons or property at the workplace or worksite caused by natural forces or a criminal act.

An order to evacuate a workplace, a worksite, a worker's home or the school of a worker's child due to natural disaster or a criminal act. "Emergency condition" does not include a health pandemic.

### **SB 1126 – CalSavers, Retirement Savings (Effective Jan. 1, 2023)**

Under existing law – the CalSavers Retirement Savings Trust Act, administered by the CalSavers Retirement Savings Board (CalSavers Board) – employers with five or more employees that do not sponsor a retirement plan are required to participate in CalSavers and offer a payroll deposit retirement savings arrangement so that eligible employees may contribute a portion of their salary or wages to a retirement savings program account in the program.

This bill further requires eligible employers with five or more employees that do not offer a retirement savings program, to have a payroll deposit savings arrangement to allow employee participation in the program within 36 months after the CalSavers Board opens the program for enrollment. By December 31, 2025, eligible employers with one or more eligible employees that do not provide a retirement savings program, are required to have a payroll deposit savings arrangement to allow employee participation in the program.

### **SB 1138 -- Unemployment Insurance For Self-Employed Individuals (Effective Jan. 1, 2023)**

SB 1138 requires the Employment Development Department (EDD) to conduct a feasibility study that examines the idea of extending unemployment insurance benefits to self-employed individuals. The EDD will also be required to report on any actions necessary to implement such an expansion.

### **SB 1162 – Pay Transparency Law (Effective Jan. 1, 2023)**

SB 1162 requires employers with 15 or more employees to disclose pay scales for a position in any job posting and requires employers to maintain records of job titles and wage rate history for each employee for the duration of employment plus three years. It also sets new pay data reporting requirements based on protected characteristics, changes the date for submitting pay data reports and establishes significant civil penalties for non-compliance. A more detailed overview is [linked here](#).

### **SB 1334 – Meal and Rest Periods for Hospital Employees (Effective Jan. 1, 2023)**

SB 1334 extends existing meal and rest period requirements applicable to private sector employers to public sector health care employees who provide direct patient care, or support direct patient care, in a general acute care hospital, clinic, or public health setting. Public sector health care employers include the state, municipalities, and the Regents of the University of California.

As such, this bill requires public sector health care employers to provide an unpaid 30-minute meal period to covered employees who work over five hours, and an additional unpaid 30-minute meal period for employees

who work more than 10 hours in a shift. These employers must also provide a rest period based on the total hours worked daily at the rate of 10 minutes net rest time per four hours or major fraction thereof as provided by Wage Order No. 4 and Wage Order No. 5 of the Industrial Welfare Commission. This bill authorizes the covered employees to waive meal periods and provides for on-duty meal periods, as provided by existing law. An employer may be required to pay premium pay for failing to comply with the statutory meal or rest period requirements. This bill also exempts employees covered by a valid collective bargaining that addresses meal and rest periods.

### **SB 1477 - Enforcement of Judgments: Wage Garnishment (Effective Sept. 1, 2023)**

Existing law sets forth procedures for the levy of a judgment debtor's wages when required to enforce a money judgment. Existing law specifies that the maximum amount of a judgment debtor's disposable earnings for any workweek that is subject to levy shall not exceed the lesser of

25% of the individual's disposable earnings for that week.

50% of the amount by which the disposable earnings for the week exceed 40 times the state minimum hourly wage (or, the local minimum hourly wage, if greater than the state minimum hourly wage).

Existing law also specifies certain multipliers to determine the maximum amount of disposable earnings subject to levy for any pay period other than a weekly pay period.

SB 1477 modifies the formula for determining what portion of a judgment debtor's wages can be garnished in order to satisfy a judgment for persons, beginning September 1, 2023, such that the maximum amount of disposable earnings of a judgment debtor for any workweek that is subject to levy must not exceed the lesser of the following:

20% of the individual's disposable earnings for that week.

40% of the amount by which the individual's disposable earnings for that week exceed 48 times the state minimum hourly wage (or, the local minimum hourly wage, if greater than the state minimum hourly wage).

This bill also reduces the multipliers used to determine the maximum amount of earnings subject to levy for any pay period other than a weekly pay period.

// Sources: California Highway Patrol; Department of Motor Vehicles; F Drinker LLP