

California State Legislature
Partial List of LGBT-Related Bills – 2013 Session

(As of Monday, October 14, 2013)

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Pro-LGBT Equality / Inclusive Bills:

AB 16 (Speaker John A. Pérez) – Expand the categories of relationships that constitute felony domestic violence resulting in a traumatic condition to include former fiancés and fiancées, as well as current and former dating relationships.

Status: Passed the California Legislature. Approved by the Governor. Chaptered by the Secretary of State – Chapter 763, Statutes of 2013 (10/12/2013). Effective Date: Wednesday, January 1, 2014.

AB 362 (Ting) - Provide an exemption from state taxes for additional income an employer provides to an employee to make up for federal taxes the employee would otherwise pay to add a registered domestic partner or same-sex spouse (and/or their dependents) to insurance plans.

Status: Passed the California Legislature. Approved by the Governor. Chaptered by the Secretary of State - Chapter 439, Statutes of 2013 (10/01/2013). Effective Date: Tuesday, October 1, 2013.

AB 420 (Dickinson) - Remove disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, school officials, or other school personnel as a reason to suspend or recommend for expulsion, any pupil in kindergarten through grade 5.

Status: Placed in the Senate inactive file (09/04/2013 – Two-Year Bill).

AB 460 (Ammiano) - Require that the coverage for the treatment of infertility be offered and provided without discrimination on the basis of age, ancestry, color, disability, domestic partner status, gender, gender expression, gender identity, genetic information, marital status, national origin, race, religion, sex, or sexual orientation.

Status: Passed the California Legislature. Approved by the Governor. Chaptered by the Secretary of State – Chapter 644, Statutes of 2013 (10/08/2013). Effective Date: Wednesday, January 1, 2014.

AB 496 (Gordon) – Clarify that existing cultural competency training for health care providers should include discussion of LGBT issues. Also appoints a representative of the LGBT community to an existing task force on cultural competency for health care providers.

Status: Placed in the Senate inactive file (09/04/2013).

AB 663 (Gomez) – Require the training of administrators at adult residential care facilities to be a total of 40 hours and include 5 hours of training in cultural competency and sensitivity in LGBT aging issues.

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Status: Passed the California Legislature. Approved by the Governor. Chaptered by the Secretary of State – Chapter 675, Statutes of 2013 (10/09/2013). Effective Date: Wednesday, January 1, 2014.

AB 685 (Achadjian) - Provide that the spouse or domestic partner of a state-employed peace officer who has died in the line of duty may be authorized by the peace officer's department head to purchase the deceased officer's state-issued handgun.

Status: Passed the California Legislature. Approved by the Governor. Chaptered by Secretary of State - Chapter 16, Statutes of 2013 (06/24/2013). Effective Date: Wednesday, Jan. 1, 2014.

AB 868 (Ammiano) – Require LGBT sensitivity and cultural competency training for family law proceedings judicial officers, juvenile court appointed counsels, and court appointed special advocates (CASA).

Status: Passed the California Legislature. Approved by the Governor. Chaptered by the Secretary of State - Chapter 300, Statutes of 2013 (09/09/2013). Effective Date: Wednesday, Jan. 1, 2014.

AB 1121 (Atkins) – Create an optional administrative procedure for a transgender person born in California to amend gender and name on his or her birth certificate without first obtaining a court order.

Status: Passed the California Legislature. Approved by the Governor. Chaptered by the Secretary of State – Chapter 651, Statutes of 2013 (10/08/2013). Effective Date: Wednesday, January 1, 2014.

AB 1266 (Ammiano) - Clarify existing law requiring all students in K-12 schools be permitted to participate in school programs, activities, and facilities in accordance with the student's gender identity to ensure that transgender students are protected and have the same opportunities to participate and succeed as others.

Status: Approved by the Governor. Chaptered by Secretary of State - Chapter 85, Statutes of 2013 (08/12/2013). Effective Date: Wednesday, January 1, 2014.

ACR 44 (Ammiano) - Declare National Day of Silence (third Friday every April) and would encourage school districts in the state to enforce laws and policies that prohibit name calling, bullying, harassment, and discrimination against all students, teachers, and other school staff regardless of their sexual orientation and gender identity or expression.

Status: Approved by the California Legislature. Chaptered by Secretary of State - Resolution Chapter 33, Statutes of 2013 (05/09/2013).

AJR 3 (Alejo) – Specify principles for repairing the nation's broken immigration system, and would urge Congress and the President of the United States to take a comprehensive and workable approach to improving the nation's immigration system using those principles, including reunification of families headed by same-sex couples.

Status: Passed the California Legislature. Chaptered by the Secretary of State - Resolution Chapter 77, Statutes of 2013 (08/15/2013).

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AJR 19 (Pan) - Urge Congress and the President to provide appropriate veteran's benefits, including applicable spousal benefits, to our military men and women discriminated against due to their sexual orientation. AJR 19 will serve as an example for other states to follow as we continue to champion support for veterans' rights.

Status: Passed the California Legislature. Chaptered by Secretary of State - Resolution Chapter 154, Statutes of 2013 (09/27/2013).

HR 20 (Gordon) – Assembly's LGBT Pride Month Resolution.

Status: Adopted by the Assembly, 55 – 0 (06/24/2013).

SB 231 (Correa) - Establish the California Bullying Prevention Coordinating Center (Coordinating Center), to be administered by the California Department of Education (CDE).

Status: Held in Assembly Appropriations Committee and under submission (08/30/2013).

SB 274 (Leno) - Provide that a child may have a parent and child relationship, as defined by the Uniform Parentage Act, with more than two parents.

Status: Passed the California Legislature. Approved by the Governor. Chaptered by Secretary of State. Chapter 564, Statutes of 2013 (10/04/2013). Effective Date – Wednesday, January 1, 2014.

SB 280 (Ted Lieu & Lara) - State the intent of the Legislature to enact legislation that would improve data collection by state health agencies on sexual orientation and gender identity.

Status: In Senate Rules Committee.

SB 323 (Lara) – Revoke the state sales tax exemption status rewarded to nonprofit youth organizations should they violate California's nondiscrimination laws.

Status: Place in the Assembly inactive file (09/12/2013).

SB 358 (Corbett) – Include the domestic partner of a qualified member of the Armed Forces or state militia within the definition of a qualified employee for purposes of obtaining unpaid leave during a period of military conflict.

Status: Awaiting to be heard in Senate Veterans Affairs Committee (Two-Year Bill).

SB 404 (Jackson) - Add "familial status" to the list of characteristics that are prohibited bases of discrimination under the employment provisions of the Fair Employment and Housing Act.

Status: Held in Assembly Appropriations Committee and under submission (08/30/2013).

SB 716 (Lara) - Ensure that California's prisons, jails, juvenile halls and other custodial facilities operate pursuant to policies equivalent to or stronger than the federal Prison Rape Elimination Act (PREA)

Status: Held in Assembly Appropriations Committee and under submission (08/30/2013).

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SB 761 (DeSaulnier) - Prohibit employer or agent of an employer to discharge or in any other manner to discriminate against an individual because he or she has applied for, used, or indicated an intent to apply for or use, family temporary disability insurance benefits.
Status: Ordered to Senate inactive file (05/30/2013).

SR 14 (Lara) – Senate’s LGBT Pride Month Resolution.
Status: Adopted by the State Senate, 30 – 1 (06/24/2013).

SR 18 (Leno) - Urge California’s two largest pension plans, CalPERS and CalSTRS, to cease making direct future investments in Russia, and to encourage companies in which employee retirement funds are invested and that are doing business in Russia not to enable human rights violations. Call on the International Olympic Committee to seek a written guarantee from the Russian government that athletes and other visitors to the 2014 Winter Olympics in Sochi will not be prosecuted under the anti-gay laws. Urge NBC Universal to discuss the negative impact of these laws on-air during its broadcast of the games, and calls upon the President, Congress, and the Department of State to increase efforts to encourage the decriminalization of homosexuality in countries around the world.
Status: Adopted by the Senate, 30 – 1 (09/10/2013).

Health and HIV/AIDS –Related Issues:

AB 299 (Holden) - Prohibit a health plan or insurer that provides prescription drug benefits from requiring an enrollee to utilize in-network mail order pharmacy services for covered prescription drugs available at an in-network retail pharmacy.
Status: Held under submission in Assembly Appropriations Committee (05/24/2013).

AB 332 (Hall) - Require the adult film industry to adopt prescribed practices and procedures to protect employees from exposure to, and infection by, sexually transmitted diseases, including mandatory condom use, engineering and work practice controls, an exposure control plan, hepatitis B vaccinations, medical monitoring, and information and training on health and safety.
Status: Held under submission in Assembly Appropriations Committee (05/24/2013).

AB 411 (Pan) - Require all Medi-Cal managed care plans (MCPs) to analyze Healthcare Effectiveness Data and Information Set (HEDIS) measures, or their External Accountability Set (EAS) performance measure equivalent, by geographic region, primary language, race, ethnicity, and to the extent data is available, by sexual orientation and gender identity to identify disparities in medical treatment and to implement strategies to reduce disparities.
Status: Passed the California Legislature. Enrolled and presented to the Governor for approval (09/25/2013). Vetoed by the Governor (10/08/2013).

AB 446 (Mitchell) – Expand voluntary human immunodeficiency virus (HIV) testing outreach to certain patients at primary care clinics, and revises requirements for obtaining consent from, and providing information to, persons being tested for HIV infection.

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Status: Passed the California Legislature. Approved by the Governor. Chaptered by the Secretary of State - Chapter 589, Statutes of 2013 (10/05/2013). Effective Date – Wednesday, January 1, 2014.

AB 473 (Ammiano) – Provide for the comprehensive regulation of the cultivation, manufacturing, testing, transportation, distribution, and sale of medical cannabis and the enforcement of laws relating to these activities. Note: Revived in the Senate under AB 604. *Status:* Failed passage in the State Assembly (05/31/2013).

AB 506 (Mitchell) – Provide social workers with additional authority to consent to HIV testing for infants in temporary custody or who are adjudicated dependents when such testing is determined to be medically necessary and the parent or guardian cannot be reached. *Status:* Passed the California Legislature. Approved by the Governor. Chaptered by the Secretary of State - Chapter 153, Statutes of 2013 (08/26/2013). Effective Date – Wednesday, January 1, 2014.

AB 640 (Hall) – Gut-and-amend of AB 332 above. *Status:* In Senate Rules Committee.

AB 912 (Quirk-Silva) - Require a health care service plan and a health insurer to provide, on a group and individual basis, coverage for medically necessary expenses for standard fertility preservation services when a necessary medical treatment may directly or indirectly cause iatrogenic infertility to an enrollee or insured. *Status:* Passed the California Legislature. Enrolled and presented to the Governor for approval (09/20/2013). Vetoed by the Governor (10/05/2013).

AB 999 (Bonta) - Require that the California Department of Corrections and Rehabilitation (CDCR) develop a five-year plan to extend the availability of condoms in all California prisons; commencing on January 1, 2015, that no less than five prisons be incorporated into the program each year; and develop comprehensive plan including every California prison by the final year. Specify that implementation shall be contingent upon receipt of sufficient donations by CDCR. *Status:* Passed the California Legislature. Enrolled and presented to the Governor for approval (09/20/2013). Vetoed by the Governor (10/12/2013).

AB 1208 (Pan) - Revise the questions that may be included, but are optional to be answered, on the California Healthcare Eligibility, Enrollment, and Retention System (CalHEERS) application form for Medi-Cal and Covered California coverage by adding sexual orientation and gender identity. Effective January 1, 2015, make these questions, that also include other demographic data categories, mandatory to be asked, but still optional to be answered. *Status:* Passed the California Legislature. Enrolled and sent to the Governor for approval (09/26/2013). Vetoed by the Governor (10/11/2013).

SB 249 (Leno) - Allow health care providers and public health offices to share information about a patient who is HIV positive for the limited purpose of coordinating care during the

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patient's transition to a new health care option offered under the Affordable Care Act. It would also ensure that the confidentiality protection in current law for HIV blood test results is extended to all forms of HIV testing, including types that may be identified in the future.

Status: Passed the California Legislature. Approved by the Governor. Chaptered by the Secretary of State. Chapter 445, Statutes of 2013 (10/01/2013). Effective Date: Wednesday, January 1, 2014.

SB 439 (Steinberg & Leno) - Provide that a cooperative, collective or other business entity that operates within the Attorney General's "*Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use*" (guidelines) will not be subject to prosecution for marijuana possession or commerce, as specified.

Status: Awaiting to be heard in Assembly Health Committee (2-Year Bill).

Other Bills of Interest:

AB 4 (Ammiano) - Prohibit a law enforcement official from detaining an individual on the basis of a United States Immigration and Customs Enforcement hold after that individual becomes eligible for release from criminal custody.

Status: Passed the California Legislature. Approved by the Governor. Chaptered by the Secretary of State - Chapter 570, Statutes of 2013 (10/05/2013). Effective Date – Wednesday, January 1, 2014.

AB 5 (Ammiano) - Enact the Homeless Person's Bill of Rights and Fairness Act.

Status: Held under submission in Assembly Appropriations Committee (05/24/2013).

AB 336 (Ammiano) – Establish a procedure for an in-camera hearing when prosecutors seek to enter condoms as evidence in prostitution cases.

Status: Awaiting to be heard in Senate Public Safety Committee.

AB 403 (Stone) - Require businesses that sell medical sharps to establish a product stewardship plan for the end of life management of home-generated medical sharps.

Status: Passed Assembly Environmental Safety & Toxics Material Committee, 5 – 2 (04/16/2013). Referred to Assembly Appropriations Committee (Two-Year Bill).

AB 414 (Fox) - Delete the requirement that a court find that there was a preexisting relationship between the grandparent and the grandchild before granting the grandparent visitation rights.

Status: Awaiting to be heard in Assembly Judiciary Committee (Two-Year Bill).

AB 490 (Skinner) - Provide that a parent who abandoned his or her child does not inherit from the child if the child dies without a will.

Status: Passed the California Legislature. Chaptered by Secretary of State - Chapter 39, Statutes of 2013 (06/28/2013) – Effective Date: Wednesday, January 1, 2014.

AB 556 (Salas) - Add “military and veteran status” to the list of categories protected from discrimination under the Fair Employment & Housing Act (FEHA). Also provide an exemption for an inquiry by an employer regarding military or veteran status for the purpose of awarding a veteran’s preference as permitted by law.

Status: Passed the California Legislature. Approved by the Governor. Chaptered by the Secretary of State - Chapter 691, Statutes of 2013 (10/10/2013). Effective Date – Wednesday, January 1, 2014.

AB 992 (Perea) - Require a juvenile sex offender who is placed on probation or parole for committing or attempting to commit specified sex offenses to register in accordance with the Sex Offender Registration Act. Also require a juvenile sex offender who is on probation or parole in another state, transfers to this state for supervision, and was found to have committed or attempted to commit specified sex offenses in the other state, to register in accordance with the Act.

Status: Awaiting to be heard in Assembly Public Safety Committee (Two-Year Bill).

AB 1216 (Campos) – Provide that a pupil who engages in one or more acts of bullying is, at the option of his or her parent or legal guardian, subject either to suspension or expulsion or the alternatives specified in existing law or to attendance at a class designed to prevent and eradicate bullying, conducted by the school district in which the pupil is enrolled.

Status: Awaiting to be heard in Assembly Education Committee (Two-Year Bill).

AB 1283 (Bonilla) – Require the state advisory group established pursuant to the Juvenile Justice and Delinquency Prevention Act of 1974 to study the feasibility of the establishment of an Internet Web site for runaway and homeless youth that would include a directory of service providers and the rights of homeless and runaway youth.

Status: Awaiting to be heard in Assembly Human Services Committee (Two-Year Bill).

SB 115 (Hill) - Clarify that any interested party may bring an action for the purpose of determining a parent and child relationship at any time.

Status: Held for interim in Assembly Judiciary Committee (08/12/2013).

SB 292 (Corbett) - Clarify that, with respect to an employment-related sexual harassment claim made under the Fair Employment and Housing Act, sexually harassing conduct need not be motivated by sexual desire.

Status: Approved by the Governor. Chaptered by Secretary of State - Chapter 88, Statutes of 2013 (08/12/2013). Effective Date: Wednesday, January 1, 2014.

SB 501 (Corbett) - Require a social networking Internet Web site, as defined, to remove the personal identifying information, as defined, of any registered user, as defined, within 96 hours after his/her request and also requires removal of that information in that same manner regarding a user under 18 years of age upon request by the user’s parent or legal guardian.

Status: Held in Assembly Arts, E., S., T., & I.M. Committee (06/25/2013).

SB 528 (Yee) – Allow dependent children (i.e., foster youth, etc.) to consent to specified types of medical and other care, including the diagnosis and treatment of sexual assault, medical care relating to the prevention or treatment of pregnancy, treatment of infectious, contagious, and communicable diseases, mental health treatment, and treatment for alcohol and drug abuse. Add parenting minor and non-minor dependents (foster youth) to the list of families who are eligible for subsidized state and federal child care and development services, and makes other changes related to foster youth.

Status: Passed the California Legislature. Approved by the Governor. Chaptered by the Secretary of State. Chapter 338, Statutes of 2013 (09/23/2013). Effective Date – Wednesday, January 1, 2014.

SB 770 (Jackson) - Expand the scope of the family temporary disability program to include time off to care for a seriously ill grandparent, grandchild, sibling, or parent-in-law.

Status: Passed the California Legislature. Approved by the Governor. Chaptered by the Secretary of State - Chapter 350, Statutes of 2013. Effective Date – Wednesday, January 1, 2014.

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