

California State Legislature
Partial List of LGBT-Related Bills – 2015 Session

(As of Tuesday, October 13, 2015)

William Kim, 916-319-2525, william.kim@asm.ca.gov

Pro-LGBT Equality / Inclusive Bills:

AB 87 (Stone) – Jurors: peremptory challenge

This bill would also prohibit a party from using a peremptory challenge to remove a prospective juror on the basis of ethnic group identification, age, genetic information, or disability.

Status: Chaptered by Secretary of State - Chapter 115, Statutes of 2015.

AB 827 (O'Donnell) – Teachers: in-service training: lesbian, gay, bisexual, transgender, and questioning pupil services

This bill would require each school operated by a school district or county office of education and each charter school to provide in-service training every school year to teachers of pupils in grades 7 to 12, inclusive, on school site and community resources for the support of lesbian, gay, bisexual, transgender, and questioning pupils, as specified. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program.

Status: Chaptered by Secretary of State - Chapter 562, Statutes of 2015.

AB 830 (Eggman) – Civil actions: gender violence

Existing law allows a person who has been subjected to gender violence to bring a civil action for damages against any responsible party and defines gender violence for this purpose as a crime of violence motivated by the gender of the victim or a physical intrusion or invasion of a sexual nature. The Unruh Civil Rights Act prohibits discrimination based on a person's sex, race, religion, or sexual orientation, among others, and specifies that sex includes gender, which includes a person's gender identity and gender expression.

This bill would expand the definition of gender violence to include violence committed at least in part based on the sexual orientation of the victim, as specified, and would specify that gender has the same meaning as in the Unruh Civil Rights Act.

Status: Chaptered by Secretary of State - Chapter 202, Statutes of 2015.

AB 865 (Alejo) – State Energy Resources Conservation and Development Commission: grants and loans: diversity

Establishes the EmPower California Act; requires the California Energy Commission (CEC) to develop business diversity requirements as a condition for receipt of loans and grants, and requires the CEC to develop and implement various programs aimed at increasing the inclusion of women, minority, disabled veteran, and LGBT business enterprises in the CEC's procurement process.

Status: Chaptered by Secretary of State - Chapter 583, Statutes of 2015.

AB 959 (Chiu) – LGBT demographic data collection

This bill would require 4 specific state departments to collect voluntary self-identification information pertaining to sexual orientation and gender identity. This bill would require these

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state departments to report, during the regular process of reporting of demographic data, the collected data and method used to collect the data annually to the Legislature. This bill would further require these state departments to make the data available to the public in accordance with state and federal law. This bill would require these state departments to comply with these provisions no later than July 1, 2017.

Status: Chaptered by Secretary of State - Chapter 565, Statutes of 2015.

AB 960 (Chiu) – Parentage: assisted reproduction

This bill would provide that the donor of semen for use in assisted reproduction is treated as if he were not the natural parent of the child if the semen was provided to a licensed physician and surgeon or a licensed sperm bank, the donor and the woman agreed in a writing prior to conception that the donor would not be a parent, or a court finds satisfactory evidence that, prior to conception, the donor and the woman intended to conceive through artificial reproduction and both the woman and the donor intended that the donor would not be a parent.

This bill would also create a new form for assisted reproduction that would provide clarity regarding a person's intent to be a legal parent if he or she is using assisted reproduction that results in a child at the time of conception from a known sperm donor. The bill would also state that the use of this form, if signed prior to the conception of a child, is presumed to satisfy the writing requirement described above.

Status: Chaptered by Secretary of State - Chapter 566, Statutes of 2015.

SB 291 (Lara) – Office of Health Equity

Requires the Office of Statewide Health Planning and Development to prepare a Mental Health Manpower Plan for the state to assess the needs and available services to meet the mental health needs of Californians, specifically those in vulnerable communities. Expands the definition of "vulnerable communities," as specified; Requires the Department of Health Care Services to include stakeholders in vulnerable communities, as specified, in its meaningful decision making process for purposes of providing technical assistance to specified entities.

Status: Vetoed by the Governor.

SB 524 (Lara) – Private alternative therapeutic institutions for youth

This bill will establish the licensure and regulation category of "private alternative therapeutic institution for youth," defined to mean any residential facility or program operated by a private entity with a focus on serving persons 18 years of age and younger with emotional, behavioral, or mental health issues or disorders, as specified.

Status: Ordered to inactive file on request of Assembly Member Holden.

SB 703 (Leno) – Public contracts: prohibitions: discrimination

This bill would also prohibit a state agency from entering into contracts for the acquisition of goods or services of \$100,000 or more with a contractor that discriminates between employees on the basis of gender identity in the provision of benefits, as specified. The bill would require the department to maintain an easily accessible list on its Internet Web site of contracts for the acquisition of goods or services of \$100,000 or more entered into on or after January 1, 2016. By expanding the scope of a crime, this bill would impose a state-mandated local program.

Status: Chaptered by Secretary of State. Chapter 578, Statutes of 2015.

To see the full text and status of a bill, please visit the Legislative Counsel's website at

http://www.legislature.ca.gov/port_billinfo.html

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SB 731 (Leno) – Foster children: housing: gender identity

This bill would require foster children and nonminor dependents in out-of-home-care to be placed according to their gender identity, regardless of the gender or sex listed in their court or child welfare records. The bill would require the division to promulgate regulations implementing these provisions. By expanding the duties of counties relating to the placement of foster children and nonminor dependents, this bill would impose a state-mandated local program.

This bill would additionally specify that all minors and nonminors in foster care have the right to be placed in out-of-home care according to their gender identity, regardless of the gender or sex listed in their court or child welfare records.

Status: Chaptered by Secretary of State. Chapter 805, Statutes of 2015.

Health and HIV/AIDS –Related Issues:

AB 329 (Weber) – Pupil instruction: sexual health education

Makes instruction in sexual health education a requirement, revises HIV prevention education content, expands topics covered in sexual health education, requires this instruction to be inclusive of different sexual orientations, and clarifies parental consent policy.

Status: Chaptered by Secretary of State - Chapter 398, Statutes of 2015.

AB 339 (Gordon) – Health care coverage: outpatient prescription drugs

This bill would require a health care service plan contract or a health insurance policy after January 1, 2016, to provide coverage for medically necessary prescription drugs, including those for which there is not a therapeutic equivalent. The bill would require copayments, coinsurance, and other cost sharing for these drugs to be reasonable, and would require that the copayment, coinsurance not exceed 1/24 of the annual out-of-pocket limit applicable to individual coverage for a supply of up to 30 days. The bill would prohibit, except as specified, a plan contract or policy from placing prescription medications that treat a specific condition on the highest cost tiers of a drug formulary.

Status: Chaptered by Secretary of State - Chapter 619, Statutes of 2015.

AB 463 (Chiu) – Pharmaceutical Costs Transparency Act of 2015

This bill would require each manufacturer of a prescription drug, made available in California, that has a wholesale acquisition cost of \$10,000 or more annually or per course of treatment to file a report, no later than May 1 of each year, with the Office of Statewide Health Planning and Development on the costs for each qualifying drug, as specified. The bill would require the office to issue a report annually to the Legislature outlining the information submitted pursuant to this act, and the office would be required to post the report on its Internet Web site.

Status: In committee: Hearing postponed by committee.

SB 591 (Pan) – Cigarette and tobacco products taxes: California Tobacco Tax Act of 2015

This bill, beginning January 1, 2016, would impose an additional tax on the distribution of cigarettes at the rate of \$0.10 for each cigarette distributed, which would be \$2.00 per pack; would require a dealer and a wholesaler to file a return with the State Board of Equalization showing the number of cigarettes in its possession or under its control on that date, and impose a

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related floor stock tax; and would require a licensed cigarette distributor to file a return with the board and pay a cigarette indicia adjustment tax at the rate equal to the difference between the existing tax rate and the tax rate imposed by this bill for cigarette tax stamps in its possession or under its control on that date.

Status: Ordered to inactive file on request of Senator Pan.

Other Bills of Interest:

AB 46 (Lackey) – Controlled substances

This bill would make it a felony, punishable by imprisonment in the state prison for 16 months or 2 or 3 years, to possess Ketamine, GHB, or flunitrazepam with the intent to commit sexual assault.

Status: In committee: Held under submission.

AB 224 (Jones-Sawyer) – Pupils: educational liaison for foster children

This bill would require the State Department of Education to develop a standardized notice of the educational rights of foster children to post the notice on its Internet Web site, and to make copies of the notice available to educational liaison for foster children for dissemination. The bill would require an educational liaison for foster children to ensure that public notice of the educational rights of foster children developed by the department is disseminated or posted in a public area at schools where pupils that are foster children are in attendance. The bill would additionally require an educational liaison for foster children, at the time a foster child seeks enrollment in a school and by the most cost efficient and effective means possible, to provide notice of the educational rights of foster children developed by the department to the foster child and to the parent, guardian, or educational rights holder for the foster child.

Status: Chaptered by Secretary of State - Chapter 554, Statutes of 2015.

AB 517 (Gallagher) – The California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act: outside consultants: parental consent

Prohibits the participation of a student in comprehensive sexual health education or HIV/AIDS prevention education which is taught by outside consultants or through guest speakers at assemblies unless prior written permission of the student's parent or guardian has been provided.

Status: Ordered to inactive file at the request of Senator Runner.

AB 854 (Weber) – Educational services: pupils in foster care

Expands the uses of Foster Youth Services (FYS) funding to support students in all foster care placements, makes significant changes to the FYS program, and establishes a State Foster Youth Services Director in the California Department of Education (CDE).

Status: Chaptered by Secretary of State - Chapter 781, Statutes of 2015.

AB 953 (Weber) – Law enforcement: racial profiling

Modifies the definition of "racial profiling;" requires local law enforcement agencies to report specified information on traffic, public transit, and pedestrian stops to the Attorney General's office; and establishes the Racial and Identity Profiling Advisory Board (RIPA).

Status: Chaptered by Secretary of State - Chapter 466, Statutes of 2015.

To see the full text and status of a bill, please visit the Legislative Counsel's website at

http://www.legislature.ca.gov/port_billinfo.html

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AB 1067 (Gipson) – Foster children: psychotropic medication

This bill would specify that all minors and nonminors in foster care have certain additional rights relating to the administration of psychotropic medication, including, among others, to be informed of the risks and benefits of psychotropic medication.

Status: In committee: Set, first hearing. Hearing canceled at the request of author.

AB 1100 (Low and Bloom) – Ballot initiatives: filing fees

Existing law requires a fee of \$200 to be paid by the proponents when a proposed ballot initiative or referendum is submitted to the Attorney General for preparation of a circulating title and summary. This bill would increase the filing fee from \$200 to \$2,000.

Status: Chaptered by Secretary of State - Chapter 229, Statutes of 2015.

SB 137 (Hernández) – Health care coverage: provider directories

Existing law requires a health care service plan to provide a list of contracting providers within a requesting enrollee's or prospective enrollee's general geographic area. This bill would require health care service plans and insurers subject to regulation by the commissioner for services at alternative rates to make a provider directory available on its Internet Web site and to update the directory weekly. The bill would require the Department of Managed Health Care and the Department of Insurance to develop provider directory standards. By placing additional requirements on health care service plans, the violation of which is a crime, the bill would impose a state-mandated local program.

Status: Chaptered by Secretary of State. Chapter 649, Statutes of 2015.

SB 238 (Mitchell) – Foster care: psychotropic medication

This bill would require certification and training programs for group home administrators, foster parents, child welfare social workers, dependency court judges, and court appointed counsel to include training on psychotropic medication, trauma, and behavioral health, as specified, for children receiving child welfare services. This bill would require the Judicial Council to update court forms pertaining to the authorization of psychotropic medication for foster youth and ensure specified changes are made to those forms, on or before July 1, 2016.

Status: Chaptered by Secretary of State. Chapter 534, Statutes of 2015.

SB 252 (Leno) – Pupils: diploma alternatives: fees

This bill prohibits a fee from being charged to homeless youth for the high school proficiency exam and the high school equivalency tests.

Status: Chaptered by Secretary of State. Chapter 384, Statutes of 2015.

SB 608 (Liu) – Homelessness

This bill would enact the Right to Rest Act, which would afford persons experiencing homelessness the right to use public space without discrimination based on their housing status. Because the bill would require local agencies to perform additional duties, it would impose a state-mandated local program. The bill would describe basic human and civil rights that may be exercised without being subject to criminal or civil sanctions or harassment, including the right to use and to move freely in public spaces, the right to rest in public spaces and to protect oneself from the elements, the right to eat in any public space in which having food is not prohibited, the

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right to perform religious observances in public spaces, and the right to occupy a motor vehicle or a recreational vehicle legally parked or parked with the permission of the property owner, as specified.

Status: April 7 set for first hearing. Testimony taken. Further hearing to be set.

SJR 4 (Lara) – Sally Ride statue

This measure would memorialize the Congress of the United States to place a statue of Sally Ride next to the statue of former President Ronald Reagan in the Congressional collection representing California.

Status: Ordered to inactive file on request of Assembly Member Holden.

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