

**CALIFORNIA STATE LEGISLATURE**  
**List of LGBTQ Related Legislation for 2015-16 Session**

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\*To view the full status, text, and summary of a bill, visit the Legislative Counsel's website at:

<http://leginfo.legislature.ca.gov/faces/billSearchClient.xhtml>

**PRO-LGBTQ EQUALITY:**

**AB 73 (Waldron) – Real property: disclosure.**

Revises specified provisions to provide that the owner of real property, his or her agent, or an agent of a transferee of real property is not required to disclose the occurrence or manner of death of an occupant, as specified, or that an occupant of the property was living with human immunodeficiency virus (HIV) or died from AIDS-related complications. Deletes the reference to AIDS from the declaration of legislative intent and instead refers to the HIV-positive status of a prior occupant in situations affecting the transfer of real property or any estate or interest in real property.

**STATUS: Chaptered.**

**AB 1732 (Ting) – Single-user restrooms.**

Commencing March 1, 2017, requires all single-user toilet facilities in any business establishment, place of public accommodation, or government agency to be identified as all-gender toilet facilities, as specified. Authorizes inspectors, building officials, or other local officials responsible for code enforcement to inspect for compliance with these provisions during any inspection.

**STATUS: Chaptered.**

**AB 1887 (Low) – State government: discrimination: travel.**

Prohibits a state agency and the Legislature from requiring any of its employees, officers, or members to travel to, or approving a request for state-funded or state-sponsored travel to, any state that, after June 26, 2015, has enacted a law that voids or repeals, or has the effect of voiding or repealing, existing state or local protections against discrimination on the basis of sexual orientation, gender identity, or gender expression or has enacted a law that authorizes or requires discrimination against same-sex couples or their families or on the basis of sexual orientation, gender identity, or gender expression, as specified, subject to certain exceptions. Requires the Attorney General to develop, maintain, and post on his or her Internet Web site a current list of states that, after June 26, 2015, have enacted such a law. Makes it the responsibility of specified state entities to consult the list in order to comply with the travel and funding restrictions imposed by the bill.

**STATUS: Chaptered.**

**AB 2349 (Chiu) – Assisted reproduction agreements for gestational carriers.**

Extends the jurisdiction of the courts under the Uniform Parentage Act to a proceeding to determine parentage of the child as to a child who is conceived pursuant to an assisted reproduction agreement for gestational carriers if certain conditions are satisfied, including if the child is born in this state, or one or more of the parties to the assisted reproduction agreement for gestational carriers resides in this state or resided in this state at the time the assisted

reproduction agreement for gestational carriers was executed. Requires an assisted reproduction agreement for gestational carriers to contain information regarding the persons from whom the gametes originated, unless donated gametes were used, in which case the agreement shall specify whether the donated gamete or gametes were eggs, sperm, or embryos, or all.

**STATUS: Chaptered.**

**SB 1005 (Jackson) – Marriage.**

Replaces references to a “husband” or “wife” with references to a “spouse,” defines “spouse” as including “registered domestic partner,” and makes other conforming and related changes.

**STATUS: Chaptered.**

**PUBLIC SAFETY:**

**AB 1675 (Mark Stone) – Juveniles: prostitution.**

Requires the probation officer, in a case in which a minor is alleged to have committed specified prostitution-related offenses, to delineate a specific program of supervision for the minor in lieu of requesting that the prosecuting attorney file a petition to have the minor declared a ward of the juvenile court. Allows these minors to participate in a program of supervision even if they have previously participated in a program of supervision. Requires the probation officer to make a report to the county child welfare agency if the officer has reason to believe the minor is the victim of abuse or neglect, as specified.

**STATUS: Held in Sen. Appropriations.**

**SB 1143 (Leno) – Juveniles: room confinement.**

Commencing January 1, 2018, places restrictions on the use of room confinement of minors or wards who are confined in a juvenile facility, as specified. Requires the placement of a minor or ward in room confinement to be conducted in accordance with specified guidelines.

**STATUS: Chaptered.**

**SB 1289 (Lara) – Law enforcement: immigration.**

Commencing on January 1, 2018, prohibits a city, county, or a city and county, or a local law enforcement agency from entering into or renewing a contract, or modifying a contract to extend the length of the contract, with a private corporation, contractor, or vendor to detain immigrants in civil immigration proceedings for profit. Requires a city, county, or city and county, or a local law enforcement agency that chooses to enter into a contract to detain immigrants in civil immigration proceedings to detain immigrants only pursuant to a contract that requires the immigration detention facility operator to adhere to specified standards. Specifies that any facility that detains an immigrant pursuant to a contract with a city, county, city and county, or a local law enforcement agency is subject to the California Public Records Act. Provides that an immigration detention facility operator, as defined, an agent thereof, or a person acting on its behalf, shall not deprive an immigrant detainee in civil immigration proceedings of specified rights, including access to an attorney or other authorized person, medical care, freedom from harm or harassment, or privacy. Prohibits an immigration detention facility from involuntarily placing a detainee in segregated housing because of his or her actual or perceived gender, gender identity, gender expression, or sexual orientation. Authorizes the Attorney General or any district attorney or city attorney to bring a civil action against an immigration detention facility, an agent thereof, or a person acting on its behalf that violates a detainee’s rights, as specified.

**STATUS: Vetoed.**

**HEALTH & HIV/AIDS:**

**AB 1763 (Gipson) – Health care coverage: colorectal cancer: screening and testing.**

Requires a health care service plan contract or a health insurance policy, except as specified, that is issued, amended, or renewed on or after January 1, 2018, to provide coverage without cost sharing for colorectal cancer screening examinations and laboratory tests, as specified. Requires the coverage to include additional colorectal cancer screening examinations as listed by the United States Preventive Services Task Force as a recommended screening strategy and at least at the frequency established pursuant to regulations issued by the federal Centers for Medicare and Medicaid Services for the Medicare program if the individual is at high risk for colorectal cancer. Prohibits a health care service plan contract or a health insurance policy from imposing cost sharing on an individual who is between 50 and 75 years of age for colonoscopies conducted for specified purposes. Provides that it does not require a plan or insurer to provide benefits for items or services delivered by an out-of-network provider and does not preclude a plan or insurer from imposing cost-sharing requirements for items or services that are delivered by an out-of-network provider.

**STATUS: Vetoed.**

**AB 2495 (Eggman) – Controlled substances.**

Authorizes state or local health departments to authorize the operation of specified adult public health or medical intervention programs intended to reduce death, disease, or injury due to the use and administration of controlled substances. Exempts a person from the criminal sanctions, as specified, while he or she is operating an adult public health or medical intervention program authorized by a state or local health department.

**STATUS: Held in Asm. Public Safety.**

**AB 2640 (Gipson) – Public health: HIV.**

Requires a medical care provider or person administering a test for HIV to provide patients who test negative for HIV infection and are determined to be at high risk for HIV infection by the medical provider or person administering the test with information about methods that prevent or reduce the risk of contracting HIV, including preexposure prophylaxis and postexposure prophylaxis, as specified.

**STATUS: Chaptered.**

**SB 547 (Liu) – Aging and long-term care services, supports, and program coordination.**

Creates the Statewide Aging and Long-Term Care Services Coordinating Council, chaired by the Secretary of California Health and Human Services, and consisting of the heads, or their designated representative, of specified departments and offices. The secretary would have specified responsibilities, including, but not limited to, leading the council in the development of a state aging and long-term care services strategic plan to address how the state will meet the needs of the aging population in the years 2020, 2025, and 2030. Requires the strategic plan to be submitted to the Secretary of the Senate, the Chief Clerk of the Assembly, and the chairs of specified policy and fiscal committees of the Legislature by July 1, 2018. Authorizes the Secretary of California Health and Human Services to accept grants or donations, real or in-kind,

to support the operation of the Statewide Aging and Long-Term Care Services Coordinating Council and the development of the state aging and long-term care services strategic plan.

**STATUS: Vetoed.**

**SB 1000 (Leyva) – Land use: general plans: safety and environmental justice.**

Requires cities and counties to address environmental justice in their general plans.

**STATUS: Chaptered.**

**SB 1408 (Allen) – Tissue donation.**

Allows for the transplantation of organs into the body of a person, as specified, when the donor of the organs is found reactive for human immunodeficiency virus (HIV), and removes penalties for organ donors who are found reactive to HIV, as specified.

**STATUS: Chaptered.**

### **EDUCATION:**

**AB 1653 (Weber) – Postsecondary education: campus climate.**

Requires the board, the trustees, and the governing body of each independent institution of higher education, as defined, and encourages each University of California campus, to each generate a report once every biennium of the legislative session, commencing with the 2017–18 Regular Session, that includes specified information related to the respective institution’s campus climate, as defined, post the report on the respective institution’s Internet Web site, and submit the report to specified state bodies. For the purposes of the board’s report, requires the board to request certain information from community college districts, and would provide that the board’s report shall be based on data available from participating community college districts. Requires the board, the trustees, and the governing body of each independent institution of higher education, and would encourage the regents, to create and review every 2 years thereafter, and, as necessary, update protocols, policies, and procedures regarding compliance with the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Violence Against Women Reauthorization Act of 2013.

**STATUS: Vetoed.**

**AB 1888 (Low) – Cal Grants: nondiscrimination.**

Requires, commencing with the 2017–18 academic year, each Cal Grant participating institution, as a condition for its voluntary participation in the Cal Grant Program, to certify to the commission in the institution’s participation agreement for the Cal Grant Program that the institution shall not subject an applicant, student, or employee of the institution to discrimination on the basis of, among other things, sex, sexual orientation, gender identity, or gender expression, and that the institution shall not have, apply for, or receive a waiver by the United States Department of Education from nondiscrimination requirements for the receipt of federal funds, except as provided. Provides that an institution that is ineligible for participation in the Cal Grant Program under these provisions is still eligible for renewal Cal Grant awards for recipients who were enrolled in the ineligible institution during the academic year immediately preceding the academic year for which the institution is ineligible and who choose to renew their Cal Grant awards to attend the ineligible institution, to the same extent as if the recipients attended an eligible institution.

**STATUS: Held in Asm. Appropriations.**

**AB 2016 (Alejo) – Pupil instruction: ethnic studies.**

Requires the Instructional Quality Commission to develop, and the state board to adopt, modify, or revise, a model curriculum in ethnic studies, and would encourage each school district and charter school that maintains any of grades 9 to 12, inclusive, that does not otherwise offer a standards-based ethnic studies curriculum to offer a course of study in ethnic studies based on the model curriculum.

**STATUS: Chaptered.**

**AB 2246 (O'Donnell) – Pupil suicide prevention policies.**

Requires the governing board or body of a local educational agency, as defined, that serves pupils in grades 7 to 12, inclusive, to, before the beginning of the 2017–18 school year, adopt a policy on pupil suicide prevention, as specified, that specifically addresses the needs of high-risk groups. Requires the State Department of Education to develop and maintain a model policy to serve as a guide for local educational agencies.

**STATUS: Chaptered.**

**SB 524 (Lara) – Private alternative boarding schools and outdoor programs.**

Defines “private alternative boarding school” and “private alternative outdoor program” for purposes of the California Community Care Facilities Act and would make those facilities subject to regulation under the act. Requires the State Department of Social Services, commencing January 1, 2018, to license private alternative boarding schools as group homes and, commencing January 1, 2019, to license private alternative outdoor programs as group homes. Imposes additional requirements on these facilities and programs, including, among others, requiring them to provide each prospective youth and his or her parent or legal guardian with an accurate written description of the programs and services to be provided and requiring their staff to receive training in specified subject areas. Establishes rights for youth admitted to a private alternative boarding school or a private alternative outdoor program. Requires the department to adopt regulations implementing licensure of private alternative boarding schools by January 1, 2018, and to adopt regulations implementing licensure of private alternative outdoor programs by January 1, 2019, and authorizes the department to adopt emergency regulations in both instances.

**STATUS: Chaptered.**

**SB 592 (Leyva) – Pupil safety: adolescent relationship abuse prevention.**

Requires school districts to provide educational programs that promote healthy relationships and prevent adolescent relationship abuse to students in grades 6 through 12. Requires the Superintendent of Public Instruction to provide information for use by schools. Requires school safety plans to include procedures and policies to prevent and respond to adolescent relationship abuse.

**STATUS: Died in Sen. Appropriations.**

**SB 1146 (Lara) – Discrimination: postsecondary education.**

Requires an institution that has an exemption from either the Equity in Higher Education Act or Title IX to make specified disclosures to the institution’s current and prospective students, faculty members, and employees, and to the Student Aid Commission, concerning the

institution's basis for having the exemption. Requires the commission to collect the information it receives and post and maintain a list on the commission's Internet Web site of all institutions with the exemption and their respective bases for having the exemption.

**STATUS: Chaptered.**

## **HOUSING & HOMELESSNESS**

### **SB 876 (Liu) – Homelessness.**

Affords persons experiencing homelessness the right to use public spaces without discrimination based on their housing status and describes basic human and civil rights that may be exercised without being subject to criminal or civil sanctions, 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, and the right to perform religious observances in public spaces, as specified. States the intent of the Legislature that these provisions be interpreted broadly so as to prohibit policies or practices that are discriminatory in either their purpose or effect. Authorizes a person whose rights have been violated pursuant to these provisions to enforce those rights in a civil action in which the court may award the prevailing plaintiff injunctive and declaratory relief, restitution, damages, statutory damages of \$1,000 per violation, and fees and costs. Requires all applicants for the United States Department of Housing and Urban Development's Continuum of Care Homeless Assistance Program to annually provide to the Department of Housing and Community Development's Division of Housing Policy Development a copy of its application for funding from the United States Department of Housing and Urban Development that includes the organization's response to the application question regarding steps that its community is taking to reduce criminalization of homelessness. Requires the Department of Housing and Community Development to compile the information regarding community actions to reduce criminalization of homelessness found in those applications and provide a report to the Assembly Housing and Community Development Committee and the Senate Transportation and Housing Committee.

**STATUS: Held in Sen. Transportation & Housing.**

## **RESOLUTIONS:**

### **AJR 45 (Chiu) – Civil Rights: the Equality Act.**

Urges the United States Congress to enact the Equality Act of 2015, which would amend the Civil Rights Act of 1964 to include protections on the basis of sexual orientation, gender identity, and sex for, among other things, employment, housing, public education, and public accommodations.

**STATUS: Chaptered.**

### **SJR 4 (Lara) – Sally Ride statute.**

Memorializes 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: Moved to the Inactive File.**

### **SJR 26 (De León) – Blood donations.**

Calls upon the President of the United States to encourage the Secretary of the United States Department of Health and Human Services to adopt policies to repeal the current discriminatory donor suitability policies of the United States Food and Drug Administration (FDA) regarding

blood donations by men who have had sex with another man and, instead, direct the FDA to develop science-based policies such as criteria based on risky behavior in lieu of sexual orientation.

**STATUS: Chaptered.**

**FLAGGED BILLS OF CONCERN:**

**SB 1457 (Morrell) – Pupil instruction: excused absences: religious or moral instruction.**

Modifies the time allowed under existing law for a student to be excused from school to receive moral and religious instruction. Specifically, this bill removes the existing cap on the number of excused absences for this purpose and replaces it with provisions that allow students in grades K-8 to attend the exercises or instruction for no more than two hours per school week and for no more than the number of hours required to complete one course for students in grades 9-12.

*Senate Floor Amendments of 5/27/16* (1) remove the bill's contents that expand the authority of school districts to authorize students to be excused from school to receive moral and religious instruction and receive elective credits for this purpose; and (2) modify the time allowed under existing law for students to be excused for religious exercises or to receive moral and religious instruction.

**STATUS: Moved to the Inactive File.**