

Rubicon Legislative Advocacy Summary 2022

*Unless otherwise noted, Rubicon supports all of these bills

Key: **Red** = bill did not proceed as we supported
Green = bill proceeded as we supported

Bills supported by Rubicon that were signed into law:

- **SB 731 (Durazo) – Criminal record relief expansion**
 - Summary: This bill has two parts: it would provide for automatic record sealing and expungement after a certain period of time has passed. A similar bill was passed in 2019 (AB 1076), but that bill was only prospective. SB 731 would be retroactive. This bill would also extend expungement to traditional prison cases.
 - Automation: DOJ will automatically expunge county jail/probation convictions after 4 years have passed since completion of probation with no new felony convictions. Includes cases from January 1, 2005 to January 1, 2022(?) Excludes serious and/or violent felonies and cases where the person must register under PC 290. Goes into effect July 1, 2023. Felonies that don't qualify for automatic expungement can still apply with a petition and the court has discretion.
 - Prison cases: Not automated – must apply with a petition and the court has discretion. All prison cases eligible after two years of completion of parole (except cases where the person must register under PC 290). Goes into effect January 1, 2023.
 - Outcome: Passed legislature; sent to Governor for signature; signed by Governor 9/29/22
- **SB 1106 (Wiener) – Fresh Start Act**
 - Summary: This bill would prohibit expungement denial due solely to outstanding restitution. Penal code sections regarding expungement have been amended to read: "When the court exercises its discretion under this section, an unfulfilled order of restitution or a restitution fine shall not be grounds for denial of a request or application for reduction."
 - Outcome: Passed legislature; sent to Governor for signature; signed by Governor 9/29/22
- **AB 1720 (Holden) – Criminal record exemptions in care facilities**
 - Summary: This bill authorizes the California Department of Social Services (CDSS) to grant a simplified criminal record exemption to an applicant seeking a license or position within various community care facilities, and removes the requirement for those applicants to sign a declaration under penalty of perjury regarding prior criminal convictions before the receipt of live scan results.

- CDSS *may* grant a simplified criminal record exemption if an individual meets all of the following criteria:
 - has not been convicted of a violent crime.
 - has not been convicted of a crime within the last five years.
 - has not been convicted of a felony within the last 10 years.
 - has five or fewer misdemeanor convictions.
 - has no more than one felony conviction.
 - has not been convicted of a crime for which the department is prohibited from granting an exemption.
- CDSS, in its discretion, can decide that an individual who is otherwise eligible for a simplified exemption under these criteria must still complete the standard exemption process if CDSS determines doing so will protect the health and safety of any person who is a client of a community care facility.
- Outcome: Passed legislature; sent to Governor for signature; signed by Governor 9/27/22
- **AB 2746 (Friedman) – Suspended driving privileges**
 - Summary: This bill will eliminate license suspensions based on failure to appear in court and reduce to an infraction the penalty for the first two violations of driving without a license.
 - Outcome: Passed legislature; sent to Governor for signature; signed by Governor 9/29/22
- **AB 1924 (Gipson) – Certificates of Rehabilitation for probation**
 - Summary: This bill would streamline the application process for a certificate of rehabilitation for people on formal probation. Currently the process for petitioning for a certificate of rehabilitation is more burdensome for people convicted of less serious offenses (those resulting in sentences of probation) than those resulting in prison sentences. A certificate of rehabilitation then allows a person to apply for a pardon from the governor.
 - Outcome: Passed legislature; sent to Governor for signature signed by Governor 9/29/22
- **SB 1655 (Jones-Sawyer) – Juneteenth as a state holiday**
 - Summary: This bill would establish Juneteenth (June 19th) as a paid state holiday.
 - Outcome: Passed legislature; sent to Governor for signature; signed by Governor 9/29/22
- **SB 1200 (Skinner) – Enforcement of judgments and debt collection**
 - Summary: This bill will reduce the statutory interest rate for personal debt collection, retire judgments after 10 years of collection opportunity, and increase time to allow property owners time to assert their rights in the event of a judgment lien.
 - Outcome: Passed legislature; sent to Governor for signature; signed by Governor 9/30/22
- **AB 256 (Kalra) – Discrimination in criminal procedure**
 - Summary: This bill will provide a mechanism for relief for those whose convictions or sentences were based upon race, ethnicity, or national origin

- Outcome: Passed legislature; sent to Governor for signature; signed by Governor 9/29/22
- **AB 2195 (Jones-Sawyer)** – Alternate Plea Act – Public nuisance instead of drug offenses
 - Summary: This bill would create an alternative plea (public nuisance) for those charged with certain drug offenses that maintains the same exposure to criminal penalties while avoiding some of the most severe collateral consequences (specifically immigration consequences)
 - Outcome: Passed legislature; sent to Governor for signature; signed by Governor 9/22/22
- **AB 1706 (Bonta)** – Resentencing cannabis crimes
 - Summary: This bill would impose a deadline of March 1, 2023 for counties to implement AB 1793, which provided for automatic sealing of cannabis criminal records
 - Outcome: Passed legislature; sent to Governor for signature; signed by Governor 9/18/22

Bills opposed by Rubicon that did not pass the Legislature:

- **AB 2543 (Fong)** – Theft and burglary – **Opposition**
 - Summary: Rubicon has *opposed* this bill. This bill would allow non-violent theft offenders to be sentenced to years in jail if the defendant has a prior theft conviction within the past twelve months and the aggregate value of the stolen property exceeds \$950.
 - Outcome: Did not pass Legislature this year
- **AB 2383 (Jones-Sawyer)** – Housing and background checks – **Opposition**
 - Summary: Rubicon has *opposed* this bill. This bill would create requirements landlords must follow when considering an applicant for rental housing who has a criminal record. However, it still permits landlords to run background checks without requiring a conditional offer be given.
 - Outcome: Did not pass Legislature this year
- **AB 1597 (Waldron)** – Increased penalties for shoplifting – **Opposition**
 - Summary: Rubicon has *opposed* this bill. This bill would set a special election to amend Prop 47 and increase penalties for shoplifting if there is a prior history of theft.
 - Outcome: Did not pass Legislature this year
- **AB 1599 (Kiley)** – Repeal of Prop 47 – **Opposition**
 - Summary: Rubicon has *opposed* this bill. This bill would repeal Proposition 47.
 - Outcome: Did not pass Legislature this year
- **AB 1603 (Salas)** – Theft, shoplifting; amount – **Opposition**
 - Summary: Rubicon has *opposed* this bill. This bill would reduce the threshold amount for grand theft which can be punished as felony from \$950 to \$400.
 - Outcome: Did not pass Legislature this year

Bills opposed by Rubicon that passed the Legislature but were vetoed by Governor

- **SB 1262 (Bradford)** – Online name searches of court indexes - **Opposition**
 - Summary: Rubicon has *opposed* this bill. This bill would make it legal for courts to keep publicly accessible electronic indexes of defendants in criminal cases, thus making it easier for background check companies to build their databases.
 - Outcome: Passed Legislature; sent to Governor for signature; vetoed by Governor

Bills supported by Rubicon that did not pass the Legislature:

- **AB 2560 (Bonta)** – Blighted housing and other property
 - Summary: This bill would promote homeownership and wealth-building for first-time homebuyers and reduce the incidence of vacant and blighted homes.
 - Outcome: Did not pass Legislature this year
- **SB 993 (Skinner)** – Compensation for victims and erroneously convicted people
 - Summary: This bill would improve access to financial resources available to survivors and exonerees and increase the amount they can receive from the California Victim Compensation Board (VCB)
 - Outcome: Did not pass Legislature this year
- **SB 1341 (Cortese)** – SOAR program for homeless students
 - Summary: This bill would provide guaranteed income of \$650 per month during the summer to homeless youth
 - Outcome: Did not pass Legislature this year
- **AB 2250 (Bonta)** – Reentry plans for incarcerated women
 - Summary: This bill would create a pilot program for women being released from prison that would create an individualized reentry program, develop professional skills, provide assistance in the form of subsidies, and focus on family reunification.
 - Outcome: Did not pass Legislature this year
- **SB 1178 (Bradford)** – Prop 47 deadline extension
 - Summary: This bill would remove the November 4, 2022 deadline to apply for Prop 47 relief.
 - Outcome: Did not pass Legislature this year
- **AB 1816 (Bryan/Kalra)** – Reentry housing and workforce development
 - Summary: This bill will provide county grants for rental assistance and services for formerly imprisoned people experiencing homelessness.
 - Outcome: Did not pass Legislature this year
- **AB 2180 (Wicks)** – Children and Incarcerated Parents and Caregivers Task Force
 - Summary: This bill would create a task force focuses on meeting the needs of system-impacted children with an incarcerated parent(s) or caregiver(s).
 - Outcome: Did not pass Legislature this year

Bills supported by Rubicon that passed the Legislature but were vetoed by Governor

- **SB 936 (Glazer)** – Cal Conservation Corps
 - Summary: This bill would establish a forestry management training center that would train formerly incarcerated individuals in forestry management.
 - Outcome: Passed legislature; sent to Governor for signature; vetoed by governor
- **SB 1304 (Kamlager)** – Increase in prison release allowance
 - Summary: This bill would increase the provision of gate money for eligible Californians to an amount that will provide support to aid in someone's reentry (either \$2590 or \$1300)
 - Outcome: Passed legislature; sent to Governor for signature; vetoed by Governor

Other important bills passed this year

- **SB 1055 (Kamlager)** – Child support for low-income families
 - Summary: This bill would prohibit the Department of Child Support Services from including in the list of those who are not in compliance with their child support order or judgment sent to the Department of Motor Vehicles, for the purpose of denying, withholding, or suspending a driver's license, the information of a support obligor whose annual household income is at or below 70% of the median income for the county in which the department or the local child enforcement agency believes the support obligor resides.
 - Outcome: Passed legislature; sent to Governor for signature; signed by Governor 9/29/22

Updated as of 11/1/22