

Rubicon Legislative Advocacy Summary 2024

Key:

Green = bill signed into law that we supported

Red = bill not signed into law that we supported

Purple = bills signed into law that we did not support

Blue = bills not signed into law that we did not support

Orange = Other important bills that were signed into law

Bills Supported by Rubicon that were signed into law:

- **AB 1986 (Bryan)** - State Prison: Banned Books
 - o **Summary:** While existing law grants an incarcerated person the right to read any book subject to restrictions, this law requires the Inspector General to approve the Department of Correction and Rehabilitation's list, post a centralized list of disapproved publications on inspector general's website, require the department to notify them of changes and include changes in an annual report to the Governor and Legislature.
 - o **Outcome:** Passed the Legislature, signed by Governor 09/26/2024
- **AB 2215 (Bryan)** - Criminal Procedure: Arrests
 - o **Summary:** Existing law requires a person arrested without a warrant to be taken before a judge. This law authorizes an arresting officer to release the person from custody without seeing a judge if that person is delivered or referred to a public health or social service organization and their arrest will be deemed as detention.
 - o **Outcome:** Passed the Legislature, signed by Governor 09/29/2024
- **AB 1877 (Jackson)** - Juveniles: Sealing Records
 - o **Summary:** This bill requires the county probation officer to petition the court to seal certain records once a person has reached 18 years old, the juvenile court jurisdiction is terminated and if the person hasn't been convicted of a felony or misdemeanor. If they don't file a petition, this law requires them to

notify the person and their counsel why they haven't filed it. Additionally, the Department of Justice would review arrests monthly that didn't result in a charge, provide that list to all agencies associated with the record of arrest for review and sealing it if its eligible.

- o Outcome: Passed in Legislature, signed by Governor 09/28/2024
- **SB 1254 (Becker)** - CalFresh: Enrollment of Incarcerated Individuals
 - o **Summary:** This bill requires the State Department of Social Services to establish a CalFresh workgroup who will submit a yearly report to the Legislature. The report would have recommendations for a state reentry process incorporating the necessary resources for transitioning individuals in prison or jail to obtaining their CalFresh benefits upon reentry into their community.
 - o Outcome: Passed in Legislature, signed by Governor 09/22/2024
- **AB 2527 (Bauer-Kahan)** - Incarceration: Pregnant Persons
 - o **Summary:** This bill expands the rights of incarcerated pregnant individuals by providing them with free, clean bottled water, highly nutritious meals and prohibits them from being placed in solitary confinement during pregnancy or 12 weeks postpartum. This law changes the notification requirement from 15 days to five days if they are denied community-based programs or their choice in a support person during labor, childbirth or recovery.
 - o Outcome: Passed in Legislature, signed by Governor 09/27/2024
- **AB 2740 (Waldron)** - Incarcerated Persons: Prenatal and Postpartum Care
 - o **Summary:** Similar to AB 2527, this law requires pregnant individuals to be referred to a social worker to discuss options for parenting classes, newborn classes and visiting their baby. It requires both mother and baby to remain at the medical facility after delivery for however long the medical provider determines it's necessary for recovery and postpartum care such as bonding time, breastfeeding and pumping milk to be stored and given to the child. Additionally, it expedites the family visitation application process following delivery and requires the mother to see the newborn unless she poses a threat to them.

- o Outcome: Passed in Legislature, signed by Governor 09/27/2024
- **SB 1323 (Menjivar)** - Criminal Procedure: Competence to Stand Trial
 - o **Summary:** This bill allows an evaluation by two licensed mental health experts to determine the competency of the individual where they would submit a report to the courts who then can make a determination if neither party objects. If either party objects, then it requires a hearing. The court would determine if it's in the interest of justice to restore a person to competency if they are being charged with a felony but are found incompetent and not eligible for a pretrial diversion program. If the person is returned to court still mentally incompetent, this bill would require them to return to treatment.
 - o Outcome: Passed in Legislature, signed by Governor 09/27/2024
- **SB 1353 (Wahab)** - Youth Bill of Rights
 - o **Summary:** This bill adds to the existing youth bill of rights the right to receive adequate, appropriate and timely behavioral health services.
 - o Outcome: Passed in Legislature, signed by Governor 07/18/2024
- **SB 1069 (Menjivar)** - State Prisons: Office of the Inspector General
 - o **Summary:** This bill gives the Office of the Inspector General investigatory authority over all staff misconduct cases that involve sexual misconduct with an incarcerated person and authorizes them to monitor and investigate that complaint. Once the investigation is complete, they will need to compile and submit a report to the appropriate hiring authority.
 - o Outcome: Passed in Legislature, signed by Governor 09/30/2024
- **AB 2432 (Gabriel)** - California Victims of Crime Act
 - o **Summary:** This bill establishes the California Crime Victims Fund in the State Treasury and requires that money deposited in the fund be continuously sent to the Office of Emergency Services to support crime victim services. This bill authorizes the court to impose additional fines, known as corporate white

collar criminal enhancement, against a corporation that is convicted of a misdemeanor or felony.

- o Outcome: Passed in Legislature, signed by Governor 09/27/2024
- **AB 2483 (Ting)** - Postconviction Proceedings
 - o Summary: This bill requires the presiding judge of each county superior court to meet by March 2025 to develop a plan for fair and efficient handling of postconviction proceedings and invite representatives from the DA, public defender and any other agency. The proceedings will include a consideration of whether to appoint counsel to represent the defendant and allow the court to modify every aspect of the sentence.
 - o Outcome: Passed in Legislature, signed by Governor 09/29/2024
- **SB 1320 (Wahab)** - Mental Health and Substance Use Disorder Treatment
 - o Summary: This bill requires a plan or insurer to establish a process to reimburse providers for mental health and substance use disorder treatment services that are integrated with primary care services and provided under a contract or policy issued, amended, or renewed after July 2025.
 - o Outcome: Passed in Legislature, signed by Governor 07/15/2024
- **AB 1186 (Bonta)** - Restitution Fees
 - o Summary: This bill makes the outstanding balance of any restitution fines, including any collection fees for adults and minors, unenforceable and uncollectible 10 years after the date of an order for a restitution fine.
 - o Outcome: Passed in Legislature, signed by Governor 09/28/2024

Bills Supported by Rubicon that did not pass the Legislative:

- **SB 912 (Wiener)** - Colorimetric Field Drug Tests
 - o Summary: This bill prohibits the use of colorimetric field drug test by law enforcement to determine probable cause to arrest, by prosecutors when deciding to charge a person, or as evidence against a defendant in an arraignment or preliminary hearing and by a court for a conviction or

sentencing unless a test from a crime laboratory confirms the presence of substances in the sample.

- o Outcome: Did not pass the Legislature this year
- **AB 2882 (McCarty)** - Community Corrections Performance Incentives
 - o Summary: This law would add more members to a local Community Corrections Partnership with experience in behavioral health treatment services and someone from a Medi-Cal managed care. It would have included a plan that has quantifiable goals for improving the community corrections system.
 - o Outcome: Did not pass the Legislature this year
- **AB 2160 (McKinnor)** - California Women's Care Act
 - o Summary: This bill would make a presumption against detention and incarceration of a pregnant or postpartum defendant if the individual provides the court and DA with notice of their pregnancy or postpartum status at each stage of the proceeding. If the court decides to detain or incarcerate them, the court will need to provide specific findings on record that the public safety risk is substantial enough to outweigh the risk of incarceration.
 - o Outcome: Did not pass the Legislature this year
- **AB 2959 (Ortega)** - Incarcerated Family Support and Nutrition Act
 - o Summary: This bill would require the Department of Corrections and Rehabilitation to ensure food items sold in prison vending machines do not exceed 35% markup above the average market retail price in the community where the facility is located.
 - o Outcome: Did not pass the Legislature this year
- **AB 2833 (McKinnor)** - Evidence: Restorative Justice Communications
 - o Summary: This bill would provide that participation in, and communications made during a restorative justice process are inadmissible and not subject to discovery in civil, criminal, juvenile, administrative or other proceedings.

- o Outcome: Did not pass the Legislature this year
- **AB 2700 (Gabriel)** - Emergency Medical Services: Alternate Destinations
 - o Summary: This bill would require the state to survey and analyze the facilities in each county that can serve as an alternative destination facility to the emergency department and require a local EMS agency to annually report to the EMS authority about the development of their triage programs.
 - o Outcome: Did not pass the Legislature this year
- **AB 3021 (Kalra)** - Criminal Procedure: Interrogations
 - o Summary: This law would require a peace officer, prosecuting attorney or investigator to identify themselves before interviewing the family member of a person who has been killed or seriously injured by a peace officer. The family member would have the right to remain silent or can consult a trusted person and have that person with them before speaking to the interviewer.
 - o Outcome: Did not pass the Legislature this year
- **AB 3088 (Friedman)** - Criminal Procedure: Writ of Habeas Corpus
 - o Summary: This bill would prohibit a habeas corpus petition from being dismissed based on procedural bars of the petitioner especially if new evidence would have changed the outcome of the case.
 - o Outcome: Did not pass the Legislature this year
- **SB 950 (Skinner)** - Reentry from Incarceration: Programs and Benefits
 - o Summary: This bill would require the CDCR to work with the California Department of Aging to develop a report exploring alternatives to incarceration for individuals who are advanced in age or disabled and would qualify for a community correctional reentry center.
 - o Outcome: Did not pass the Legislature this year
- **AB 2625 (Bryan)** - Courts: Notification System

- o Summary: This bill would require each county to develop a court reminder program that allows a superior court, county defense agency or contractor, pretrial services provider, or a community-based organization to send a text to notify defendants of scheduled court appearances. It would require the arresting agency to request an individual's number to receive court notifications, pass that number to the relevant agency managing the court reminder program and dispose of their number after transmission.
 - o Outcome: Did not pass the Legislature this year

- **SB 1319 (Wahab)** - Skilled Nursing Facilities: approval to provide therapeutic behavioral health programs
 - o Summary: This bill would require a licensed skilled nursing facility who wants to provide therapeutic behavioral health programs in a separate unit of their facility to submit an application and receive approvals from multiple departments.
 - o Outcome: Did not pass the Legislature this year

- **AB 2709 (Bonta)** - Prison Visitation
 - o Summary: This bill would prohibit denying a person sentenced to imprisonment in state prison from receiving personal visits unless there is legitimate security and safety interests and would specify that conduct. This bill would prohibit the CDCR from denying or restricting in-person contact and noncontact visits, requires them to inform both the visitor and incarcerated person of their reason, provide at least 3 days of in-person visiting per week and requires the visiting areas for family visits to be used only for that purpose.
 - o Outcome: Did not pass the Legislature this year

- **SB 1133 (Becker)** - Bail
 - o Summary: This bill would require the court reviewing bail to also review whether there exists clear and convincing evidence of a risk to public safety or the victim, or risk of flight.
 - o Outcome: Did not pass the Legislature this year

- **AB 2456 (Jones-Sawyer)** - Criminal Law: Civil Compromise
 - Summary: This bill would extend civil compromise (an agreement between a defendant and a victim to dismiss criminal charges in exchange for compensation) to be available for any felony that is not violent and that does not require registration as a sex offense and remove the requirement that the underlying offense has a remedy by a civil action.
 - Outcome: Did not pass the Legislature this year

- **SB 1345 (Smallwood-Cuevas)** - Employment Discrimination: Criminal History Information
 - **Summary:** This bill would make it an unlawful for an employer to take an adverse action against an applicant based solely on criminal history information unless the employer can demonstrate that the applicant's criminal history has a direct and adverse relationship with specific duties of the job and the employer's business necessity requires the adverse action.
 - Outcome: Did not pass the Legislature this year

- **SB 1375 (Durazo)** - Workforce Development & Records: poverty-reducing labor standards: funds, programs, reporting and analysis
 - Summary: This bill would define job quality, quality jobs, and economic equity for purposes of the Workforce Innovation and Opportunity Act that establishes the Workforce Development Board as the body responsible to help the Governor with development, oversight and improvement of CA workforce investment system. This bill would provide personnel records about employees' performance including education and training records.
 - Outcome: Did not pass the Legislature this year

- **AB 2263 (Friedman)** - The California Guaranteed Income Statewide Feasibility Study Act
 - Summary: This bill would require the State Department of Social Services to contract with multiple entities for a study to provide recommendations on the feasibility of a statewide Guaranteed Income Program.
 - Outcome: Did not pass the Legislature this year

Bills Opposed by Rubicon that were signed into law:

- **SB 1414 (Grove)** - Crimes: Solicitation of a Minor
 - o **Summary:** This bill makes the solicitation of a person under 18 years old who was a victim of trafficking punishable by imprisonment in county jail for under a year and \$10,000 fine or imprisonment up to three years. Additionally, it requires a person over 18 years old who was to annually register as a sex offender for 10 years if the person soliciting was older than the minor by 10 years.
 - o **Outcome:** Passed in Legislature, signed by Governor 09/26/2024

Bills Opposed by Rubicon that did not pass the Legislature:

- **AB 1848 (Davies)** - Controlled Substances: Fentanyl
 - o **Summary:** This bill would add fentanyl to the list of controlled substances if sold by a minor. Selling fentanyl within 1000 feet of places such as playgrounds or childcare facilities is subject to an additional enhancement in state prison for up to three years.
 - o **Outcome:** Did not pass the Legislature this year
- **SB 1262 (Archuleta)** - Crimes: Supervised Release
 - o **Summary:** This bill would require the supervising county agency to also petition the court to revoke, modify or terminate post release supervision if the person violated the terms of their release for a third time and the person committed a new felony or misdemeanor.
 - o **Outcome:** Did not pass the Legislature this year
- **AB 3039 (Essayli)** - Juries: Preemptory Challenges
 - o **Summary:** This bill would allow for a juror's views related to law enforcement to be a valid basis for exercising a preemptory challenge. **Outcome:** Did not pass the Legislature this year
- **SB 1275 (Newman)** - Solicitation of Minors

- o This bill would allow for the prosecution of soliciting a minor to commit an act of prostitution when the offender *believes* the person to be a minor, even if the person is 18 years or older.
- o Outcome: Did not pass the Legislature this year

Other important bills passed this year:

- **AB 1779 (Irwin)** - Theft: Jurisdiction
 - o **Summary:** This bill will no longer limit the jurisdictional rules for theft by fraud, organized retail theft and receiving stolen property to criminal actions brought by the Attorney General. If a case is brought by an agency other than the Attorney General and multiple offenses are committed by the same person in multiple jurisdictions, this bill would allow a criminal action to be brought in any of those places with a hearing to consolidate of the offenses.
 - o Outcome: Passed in Legislature, signed by Governor 08/16/2024

- **AB 1802 (Jones-Sawyer)** - Crimes: Organized Theft
 - o **Summary:** This bill will extend the crime of organized retail theft indefinitely if a person is guilty of organized retail theft and does so with others to steal merchandise from any merchant with the intent to sell the merchandise for value. Additionally, this bill extends indefinitely the coordination between the CA Highway Patrol and the Department of Justice to convene a regional property crimes task force to identify geographic areas experiencing increased levels of property crimes and assist local law enforcement with resources.
 - o Outcome: Passed in Legislature, signed by Governor 08/16/2024

- **AB 2943 (Rivas)** - Crimes: Shoplifting
 - o **Summary:** (1) This bill expands the definition of grand theft to include multiple acts of petty theft committed against different victims or in different counties that have occurred within a 90-day period if the value of the property stolen exceeds \$950.
 - o (2) This bill expands the definition of possession of stolen property to include property stolen within the prior 2 years if the value of the property possessed exceeds \$950.

- o (3) This bill allows for warrantless arrests of shoplifting not committed within the peace officer's presence if the officer has probable cause to believe the person has committed shoplifting.
 - o Outcome: Passed in Legislature, signed by Governor 08/16/2024
- **AB 3209 (Berman)** - Crimes Theft: Retail Theft Restraining Order
 - o **Summary:** This bill authorizes a court, when sentencing a person for theft, vandalism or battery of an employee in a retail establishment to issue a criminal protective order prohibiting a person from entering the retail establishment, which includes parking lots and other franchise locations.
 - o Outcome: Passed in Legislature, signed by Governor 08/16/2024
- **SB 905 (Wiener)** - Crimes: Theft from a Vehicle
 - o **Summary:** This bill makes forcibly entering a vehicle a crime punishable by imprisonment in a county jail for up to three years. This bill would make it a crime for a person to unlawfully possess property that was acquired through acts of theft, unlawful entry or burglary of a locked vehicle if the property value exceeds \$950. For determining the value, it allows the aggregation of the value of other illegally obtained property by the person within the past 2 years and makes this crime punishable as a misdemeanor or a felony.
 - o Outcome: Passed in Legislature, signed by Governor 07/15/2024
- **SB 982 (Wahab)** - Crimes: Organized Theft
 - o **Summary:** The crime of "organized retail theft," currently due to expire in January 2026, is when a person acts with other people to steal merchandise from multiple merchants with the intent to sell the merchandise for value. This bill extends the existence of this crime indefinitely.
 - o Outcome: Passed in Legislature, signed by Governor 08/16/2024
- **SB 1416 (Newman)** - Sentencing Enhancements: Sale, Exchange, or Return of Stolen Property
 - o **Summary:** This bill creates sentencing enhancements until January 2030 for selling any property acquired through multiple acts of shoplifting, theft or

burglary from a retail business if the property value exceeds specified amounts. Additionally, this bill will make these enhancements apply to any person acting in concert with another person to violate these provisions.

- o Outcome: Passed in Legislature, signed by Governor 08/16/2024