

Justice reform

SB 81 (Skinner) requires sentencing judges to give great weight to a defendant's mitigating circumstances when determining whether to apply sentencing enhancements. Our penal code is wrought with numerous enhancements, which can add five, 10, 15 or more years to a prison sentence and results in grossly disparate sentences for women, people of color, and persons with mental illness. The bill now awaits Gov. Newsom's signature.

AB 256 (Kalra), The California Racial Justice for All Act. Last year, Gov. Newsom signed AB 2542, which prohibits the state from seeking or obtaining a criminal conviction, or from imposing a sentence, based on race, ethnicity, or national origin. Prior to the enactment of AB 2542, a defendant had to prove that there was intent behind the racial bias, which is very high legal burden to meet. While the protections obtained in AB 2542 are essential, they can only be applied to cases prospectively. AB 256 would make the provisions of AB 2542 retroactive. After passing the full Assembly, the bill is currently in the Senate and can be taken up next year.

SB 300 (Cortese), The Sentencing Reform Act of 2021. California law mandates a sentence of death or life without the possibility of parole for anyone convicted of "murder with special circumstances," even if the person participated in the crime but did not kill anyone, nor intended for anyone to die. SB 300 will return to judges the discretion to dismiss a special circumstance allegation if the judge determines that a sentence of 25 years-to-life – that is, life with the possibility of parole – is more appropriate and better serves the interest of justice. The bill was approved by the full Senate and can be taken up by the Assembly next year.

Policing

SB 2 (Bradford and Atkins). California is one of several states that has no protocols for decertifying bad cops. As a result, police officers who are terminated by one law enforcement agency can be hired by another agency. SB 2 creates a statewide decertification process for law enforcement officers who are convicted of a felony or found guilty of serious misconduct. The bill now goes to Gov. Newsom.

SB 16 (Skinner) Expands the use-of-force category subject to disclosure under the California Public Records Act to include a complaint alleging unreasonable or excessive force and a sustained finding that an officer failed to intervene against another officer who was using clearly unreasonable or excessive force. The bill now awaits Gov. Newsom's signature.

Health Care

In a major victory for expanding health care, California will extend eligibility for full scope Medi-Cal to all income-eligible adults ages 50 and older regardless of immigration status as the result of budget negotiations between the Legislature and the Newsom administration,

SB 17 (Pan) declares racism a public health crisis and would create the Office of Racial Equity to create a framework to address systemic and institutional racism that has resulted in poorer health outcomes and disparities in Black, Indigenous, and people of color. The bill passed the Senate and is currently in the Assembly. SB 17 will be taken up next year.

AB 1400 (Kalra), the Guaranteed Healthcare for All Act, which would create a single-payer system in California, did not receive a hearing this year. This bill has formidable contingent of progressive co-authors, and a well-organized grass roots campaign led by the California Nurses Association, is pushing to have the bill heard in the Assembly in January. AB 1400 will have to pass the full Assembly by January 31, 2022, to advance before the two-year, legislative session expires.

Environment and Environmental Justice

As California experiences its hottest summer on record, a powerful contingent of opposition from oil companies and labor unions has delayed passage of **AB 1395** (Muratsuchi and C. Garcia). The bill would codify the state's goal to achieve net-zero greenhouse gas emissions no later than 2045 and directs the California Air Resources Board (CARB) to identify strategies and policies to achieve these reductions and will require annual progress reports and independent analyses by the Legislative Analyst's Office. AB 1395 passed the full Assembly and is currently in the Senate and can be taken up next year.

SB 260 (Wiener), the Climate Corporate Accountability Act, would require all US-based corporations with over \$1 billion in gross annual revenues that do business in California to publicly disclose their full carbon footprint and to commit to science-based emissions reduction targets and report these to the Air Resources Board in a publicly accessible and actionable format. This bill was moved to the Inactive File this spring when the Legislature agreed to limit the number of bills that could be sent to the second house. It is now a two-year bill and will have to pass the full Senate by the end of January 2022 to advance next year.

SB 467 (Wiener and Limon) would prohibit the renewal and the issuance of fracking permits. The bill failed in the Senate Natural Resources and Water Committee. Reconsideration was granted, and SB 467 will have to pass the full Senate by January 31 to advance next year.

AB 1371 (Friedman). Dubbed the “Amazon bill,” AB 1371 would phase out the use of most single-use plastic films and expanded polystyrene in e-commerce packaging for online retail purchases. The bill failed on the Assembly Floor after heavy lobbying by the industry, California Chamber of Commerce, California Retailers, Western Growers Association, and others.

AB 1276 (Carrillo and Gonzalez). In response to the huge increases in food takeout and delivery due to the pandemic, AB 1276 expands the *plastic straws only upon request law* to include other single-use food accessories, other food facilities, and third-party delivery platforms - including food that is taken away, delivered, or served on-site. AB 1276 is now on the governor’s desk.

SB 343 (Allen) prohibits the use of the word “recyclable” and the use of the chasing-arrows symbol on products unless the material is truly recyclable in most California communities and is routinely sold to manufacturers to make new products. Falsely labeled, nonrecyclable products deceive consumers and can clog and jam recycling machinery. The cost of their removal is passed on to consumers. The bill now awaits Gov. Newsom’s signature.

AB 652 (Friedman) will ban harmful PFAS chemicals (Per- and polyfluoroalkyl substances) in juvenile products and **AB 1200** (Ting) would ban PFAS in plant-based food packaging. Both bills have passed the Legislature and now await the governor’s approval.

Immigration (see also “Health Care.”)

AB 937 (Carrillo), the Vision Act, protects individuals deemed eligible for release from jails and prisons from facing additional punishment, including deportation and incarceration in the immigration detention system, by prohibiting transfers to Immigration and Customs Enforcement (ICE) without a federal warrant. The bill passed the full Assembly and is currently in the Senate, where it is eligible to be taken up next year.

AB 263 (Arambula) requires private detention facilities to comply and adhere to all local and state public health orders and occupational safety and health regulations. The bill is now awaiting Gov. Newsom’s signature.