

CCDA Legislative Status Report on Friday, April 1, 2022

[Assembly Bill 1604](#) ([Holden, Chris](#) D) The Upward Mobility Act of 2022: Boards and Commissions: Civil Service: Examinations: Classifications.

Current Text: Amended: 03/07/2022 [html](#) [pdf](#)

Status: 03/16/2022 - From committee: Do pass and re-refer to Committee on Appropriations.

Is Urgency: No

Is Fiscal: Yes

Location: 03/16/2022 – Assembly. Appropriations

Summary:

Existing law provides that it is the policy of the State of California that the composition of state boards and commissions shall be broadly reflective of the general public, including ethnic minorities and women. This bill would, except as specified, require that, on or after January 1, 2023, all state boards and commissions consisting of one or more volunteer members have at least one board member or commissioner from an underrepresented community. The bill would define the term “board member or commissioner from an underrepresented community” as an individual who self-identifies as Black, African American, Hispanic, Latino, Asian, Pacific Islander, Native American, Native Hawaiian, or Alaska Native; who self-identifies as gay, lesbian, bisexual, or transgender; who is a veteran, as defined; or who has a disability, as defined. The bill would apply these requirements only as vacancies on state boards and commissions occur. This bill contains other related provisions and other existing laws.

(Based on text date 03/07/2022)

[Assembly Bill 1733](#) ([Quirk, Bill](#) D) State Bodies: Open Meetings

Current Text: Introduced: 01/31/2022 [html](#) [pdf](#)

Status: 02/18/2022 – Referred to Committee on Governmental Organization and Committee on Business and Professions

Is Urgency: Yes

Is Fiscal: Yes

Location: 02/18/2022 – Assembly. Governmental Organization

Summary:

Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body.

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The act defines a “meeting” to include any congregation of a majority of the members of a state body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the state body to which it pertains. The act authorizes teleconferenced meetings under specified circumstances, provided that at least one member of the state body is physically present at the location specified in the notice of the meeting, and all votes taken during a teleconferenced meeting are taken by rollcall. The act provides that if the state body elects to conduct a meeting or proceeding by teleconference, the state body is required to post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the rights of any party or member of the public appearing before the state body. The act requires each teleconference location to be identified in the notice and agenda of the meeting or proceeding, and each teleconference location to be accessible to the public, and the agenda to provide an opportunity for members of the public to address the state body at each teleconference location.

This bill would specify that a “meeting” under the act, includes a meeting held entirely by teleconference. The bill would require all open meetings to be held by teleconference, would allow for use of teleconference in closed sessions, and would remove existing provisions of the act that require each teleconference location to be identified in the notice and agenda and accessible to the public. The bill would instead require the state body to provide a means by which the public may remotely hear, or hear and observe, the meeting and may remotely address the state body via two-way audio-visual platform or two-way telephonic service, as specified, and would require information to be provided in any notice to the public indicating how the public can access the meeting remotely. The bill would require the state body to provide an opportunity for members of the public to address the state body. The bill would require the state body to provide members of the public a physical location to hear, observe, and address the state body, and would authorize the members of the state body to participate in a meeting remotely or at a designated physical meeting location, and specify that physical presence at any physical meeting location is not necessary for the member to be deemed present at the meeting.

The bill would require the agenda to be posted 10 days in advance of the meeting, or as provided in accordance with the provisions applicable to a special or emergency meeting, as well as posted on the state body’s internet website and, on the day of the meeting, at any physical meeting location designated in the notice.

The bill would also provide that the notice of the meeting is required to specify the means by which a meeting may be accessed by teleconference.

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The bill would prohibit the notice and agenda from disclosing any information regarding any remote location from which a member is participating, and require members attending a meeting from a remote location to disclose whether any other individuals 18 years of age or older are present in the room, as specified. This bill contains other related provisions and other existing laws.

(Based on text date 01/31/2022).

Assembly Bill 1795 (Fong, Vince R) Open Meetings: Remote Participation.

Current Text: Introduced: 02/07/2022 [html](#) [pdf](#)

Status: 02/18/2022-Referred to Committee on Governmental Organization.

Is Urgency: No

Is Fiscal: Yes

Location: 02/18/2022 – Assembly. Governmental Organization

Summary:

Existing law, the Bagley-Keene Open Meeting Act, requires state bodies to allow all persons to attend meetings and provide an opportunity for the public to address the state body regarding any item included in its agenda, except as specified. This bill would require state bodies, subject to existing exceptions, to provide all persons the ability to participate both in-person and remotely, as defined, in any meeting and to address the body remotely.

(Based on text date 02/07/2022).

Assembly Bill 2164 (Lee, Alex D) Disability Access: Funding

Current Text: Amended: 03/23/2022 [html](#) [pdf](#)

Status: 03/24/2022-Re-referred to Committee on Appropriations.

Is Urgency: No

Is Fiscal: Yes

Location: 03/22/2022 – Assembly. Appropriations

Summary:

The federal Americans with Disabilities Act of 1990 and the California Building Standards Code require that specified buildings, structures, and facilities be accessible to, and usable by, persons with disabilities. Existing law establishes a Disability Access and Education Revolving Fund, a continuously appropriated fund, within the Division of the State Architect for purposes of increasing disability access and compliance with construction-related accessibility requirements and developing educational resources for businesses to facilitate compliance with federal and state disability laws, as specified.

This bill would expand the purpose of the fund to include providing financial assistance to small businesses for construction of physical accessibility improvements. By expanding the purpose of a continuously appropriated fund, this bill would make an appropriation. This bill contains other related provisions and other existing laws.

(Based on text date 02/15/2022).

Assembly Bill 2917 (Fong, Mike D) State Law: Disability Access

Current Text: Amended: 03/17/2022 [html](#) [pdf](#)

Status: 03/21/2022-Referred to Committee on Judiciary.

Is Urgency: No

Is Fiscal: Yes

Location: 03/17/2022 – Assembly. Judiciary.

Summary:

Existing law requires an attorney who sends or serves a complaint on the basis of one or more construction-related accessibility claims to satisfy specified requirements, including, among other things, sending a copy of the complaint and submitting information about the complaint to the California Commission on Disability Access. This bill would also require an attorney who sends or serves a complaint alleging that an internet website is not accessible to satisfy those requirements. This bill contains other related provisions and other existing laws.

(Based on text date 03/17/2022).

Assembly Bill 2962 (Committee on Judiciary) Disability Access: Construction-Related Accessibility Claims.

Current Text: Introduced: 03/08/2022 [html](#) [pdf](#)

Status: 03/17/2022-Referred to Committee on Judiciary.

Is Urgency: No

Is Fiscal: No

Location: 03/17/2022 – Assembly. Judiciary.

Summary:

Existing law, the Unruh Civil Rights Act, provides that all persons within the jurisdiction of this state, regardless of their sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, sexual orientation, citizenship, primary language, or immigration status, are entitled to full and equal accommodations, advantages, facilities, privileges, or services in all business establishments.

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Existing law provides that a violation of the right of any individual under the federal Americans with Disabilities Act of 1990 is also a violation of specified state laws.

Existing law provides that any person denied the rights provided in specific provisions of state law may recover actual and statutory damages, and allows a person with a disability or medical condition, as defined, who is aggrieved or potentially aggrieved by a violation of specific provisions of law, to bring an action to enjoin the violation. This bill would clarify, in light of the federal court of appeals' decision in *Arroyo v. Rosas* (9th Cir. 2021) 19 F.4th 1202, and other federal district court cases, that no California law related to high-frequency litigants is intended to cause federal courts to decline to exercise supplemental jurisdiction over construction-related accessibility claims.

The bill would provide that the laws related to construction-related accessibility claims, as specified, do not express a legislative intent for California courts to maintain exclusive or preferred jurisdiction over such claims, regardless of whether the claim is brought by a high-frequency litigant.

The bill would also provide that the laws related to pleading construction-related accessibility claims do not express a legislative intent that federal court should deny supplemental jurisdiction. This bill contains other existing laws.

(Based on text date 03/08/2022).

Total Measures: 6