

CRA Master List

Monday, June 06, 2022

1

[AB 1287](#) (Bauer-Kahan D) Price discrimination: gender.

Status: 5/31/2022-In committee: Hearing postponed by committee.

Location: 5/4/2022-S. JUD.

Summary: Would prohibit a person, firm, partnership, company, corporation, or business from charging a different price for any 2 goods that are substantially similar, as defined, if those goods are priced differently based on the gender of the individuals for whom the goods are marketed and intended. The bill would authorize the Attorney General to seek an injunction to enjoin and restrain the continuance of those violations, and would authorize the court, in addition to granting the injunction, to impose a civil penalty not to exceed \$10,000.

Organization	Position	Priority	Assigned
California Retailers Association	No Position	1	Margaret

[AB 2026](#) (Friedman D) Recycling: plastic packaging.

Status: 5/27/2022-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 5/27/2022-S. RLS.

Summary: Would prohibit an online retailer that sells or offers for sale and ships purchased products in or into the state from using single-use plastic shipping envelopes, cushioning, or void fill to ship or transport the products, on and after January 1, 2024, for large online retailers, as defined, and on and after January 1, 2026, for small online retailers, as defined. The bill would prohibit a manufacturer, retailer, producer, or other distributor that sells or offers for sale and ships purchased products in or into the state from using expanded or extruded polystyrene to package or transport the products. The bill would establish exemptions from these prohibitions.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose Unless Amended w/Coalition Letter	1	

[AB 2390](#) (Muratsuchi D) Theft: aggregation of amounts and diversion.

Status: 4/26/2022-In committee: Set, final hearing. Failed passage.

Location: 3/17/2022-A. PUB. S.

Summary: Would amend Proposition 47 by authorizing the aggregation of the values of the property involved in one or more cases of shoplifting or theft into a single count or charge when the case involves one or more acts of theft or shoplifting, with the sum of the value of all property or merchandise being the value considered when determining the degree of theft. By increasing the penalty for a crime, this bill would impose a state-mandated local program. This bill contains other existing laws.

Organization	Position	Priority	Assigned
California Retailers Association	Sponsor	1	

Notes: To be amended to include provisions allowing 1) for aggregation of theft-related crimes to reach \$950 threshold for grand theft; 2) establishing a felony theft diversion program.

[AB 2440](#) (Irwin D) Responsible Battery Recycling Act of 2022.

Status: 6/1/2022-Referred to Coms. on E.Q. and JUD.

Location: 6/1/2022-S. E.Q.

Summary: Would make the Rechargeable Battery Recycling Act of 2006 and the Cell Phone Recycling Act of 2004 inoperative as of September 30, 2026, and would repeal those acts as of January 1, 2027.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose w/Letter	1	Dean, Steve

[AB 2448](#) (Ting D) Civil rights: businesses: discrimination and harassment: customers: third parties.

Status: 5/26/2022-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 5/26/2022-S. RLS.

Summary: The California Fair Employment and Housing Act (FEHA) establishes the Department of Fair Employment and Housing within the Business, Consumer Services, and Housing Agency and sets forth its powers and duties relating to enforcement of civil rights laws with respect to housing and employment and to protect and safeguard the right of all persons to obtain and hold employment without discrimination based on specified characteristics or status. Existing law prohibits an employer and other specified entities from harassing an employee, an applicant, an unpaid intern or volunteer, or a person providing services pursuant to a contract, because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or veteran or military status, if the entity, or its agents or supervisors, knows or should have known of that conduct and failed to take immediate and appropriate corrective action. This bill would require a business to address the harassment, defined as words, gestures, or actions directed at a specific person without the consent of the person on account of any characteristics listed in the Unruh Civil Rights Act, of customers on its premises, including harassment by a third party, by, among other things, posting a sign provided by the department that informs customers of their rights at a business and how to report incidents of harassment.

Organization	Position	Priority	Assigned
California Retailers Association	No Position	1	

[SB 54](#)

(Allen D) Plastic Pollution Producer Responsibility Act.

Status: 5/5/2022-Referred to Com. on NAT. RES.

Location: 5/5/2022-A. NAT. RES.

Summary: Would establish the Plastic Pollution Producer Responsibility Act, which would prohibit producers of single-use, disposable packaging or single-use, disposable food service ware products from offering for sale, selling, distributing, or importing in or into the state such packaging or products that are manufactured on or after January 1, 2032, unless they are recyclable or compostable.

Organization	Position	Priority	Assigned
California Retailers Association	Neutral	1	John, Steve

[SB 301](#)

(Skinner D) Marketplaces: online marketplaces.

Status: 5/5/2022-Referred to Coms. on P. & C.P. and JUD.

Location: 5/5/2022-A. P. & C.P.

Summary: Current law requires a marketplace, as defined, to ensure that its terms and conditions regarding commercial relationships with marketplace sellers meet certain criteria, including that they are drafted in plain and intelligible language. This bill would, commencing July 1, 2023, require an online marketplace, as defined, to require a high-volume third-party seller on the online marketplace's platform, not later than 10 days after qualifying as a high-volume third-party seller on the platform, to provide to the online marketplace specified information, including certain contact information and a bank account number or, if the seller does not have a bank account, the name of the payee for payments issued by the online marketplace to the seller, as prescribed.

Organization	Position	Priority	Assigned
California Retailers Association	Support w/Letter	1	Margaret

[SB 1059](#)

(Becker D) Privacy: data brokers.

Status: 5/20/2022-Failed Deadline pursuant to Rule 61(b)(8). (Last location was S. APPR. SUSPENSE FILE on 5/16/2022)

Location: 5/20/2022-S. DEAD

Summary: Current law requires data brokers to register with, and provide certain information to, the Attorney General. Current law defines a data broker as a business that knowingly collects and sells to third parties the personal information of a consumer with whom the business does not have a direct relationship, subject to specified exceptions. Current law subjects data brokers that fail to register to injunction and liability for civil penalties, fees, and costs in an action brought by the Attorney General, with any recovery to be deposited in the Consumer Privacy Fund, as specified. Current law imposes a \$100 civil penalty for each day a data broker fails to register. This bill would include in the definition of data broker a business that knowingly collects and shares, as defined, certain personal information to third parties. The bill would transfer all authority and responsibilities under the provisions relating to data broker registration from the Attorney General to the CCPA, including by requiring data brokers to annually register with the CPPA on or before January 31. However, the bill would authorize the Attorney General to also bring an action against a data broker that fails to register.

Organization	Position	Priority	Assigned
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California Retailers Association	Oppose w/Coalition Letter	1
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SB 1215 (Newman D) Responsible Battery Recycling Act of 2022.

Status: 6/2/2022-From committee with author's amendments. Read second time and amended. Re-referred to Com. on E.S. & T.M.

Location: 5/27/2022-A. E.S. & T.M.

Summary: Would make the Rechargeable Battery Recycling Act of 2006 and the Cell Phone Recycling Act of 2004 inoperative as of September 30, 2026, and would repeal those acts as of January 1, 2027.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose w/Letter	1	Dean, Steve

2

AB 1 (Garcia, Cristina D) Lead-Acid Battery Recycling Act of 2016: dealer notice: California battery fee.

Status: 6/2/2022-Withdrawn from committee. Re-referred to Com. on APPR.

Location: 6/2/2022-S. APPR.

Summary: The Lead-Acid Battery Recycling Act of 2016, as part of the hazardous waste control laws, prohibits a person from disposing, or attempting to dispose, of a lead-acid battery at a solid waste facility or on or in any land, surface waters, watercourses, or marine waters, but authorizes a person to dispose of a lead-acid battery at certain locations. The act imposes a California battery fee on a person for specified types of replacement lead-acid batteries purchased from a dealer in the amount of \$1 until March 31, 2022, and in the amount of \$2 commencing April 1, 2022. The act requires a dealer to post a written notice or include on the purchaser's receipt for one of these lead-acid batteries specified language, including language stating that the dealer is required by law to charge a nonrefundable \$1 California battery fee. A violation of the hazardous waste control laws is a crime. This bill would revise the language required to be included in that notice or on the purchaser's receipt by increasing the stated amount of the California battery fee from \$1 to \$2.

Organization	Position	Priority	Assigned
California Retailers Association	Support w/Letter	2	

AB 847 (Quirk D) Electrically conductive balloons.

Status: 5/31/2022-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on B., P. & E.D.

Location: 5/5/2022-S. B., P. & E.D.

Summary: Current law requires a person who manufactures a balloon in this state that is constructed of electrically conductive material to permanently mark each balloon with, among other things, a statement warning consumers about the dangerous risk of fire if the balloon comes in contact with an electrical power line. Current law also imposes specified requirements on a person who sells or distributes a balloon constructed of electrically conductive material that is filled with lighter-than-air gas, including prohibiting the person from attaching the balloon to an electrically conductive object. This bill would make these provisions inoperative on September 1, 2026, and would repeal them on January 1, 2027.

Organization	Position	Priority	Assigned
California Retailers Association	Support w/Letter	2	Ryan

AB 1001 (Garcia, Cristina D) Environment: mitigation measures for air quality impacts: environmental justice.

Status: 5/23/2022-In committee: Hearing postponed by committee.

Location: 5/4/2022-S. E.Q.

Summary: The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would require mitigation measures, identified in an environmental impact report or mitigated negative declaration to mitigate the adverse effects of a project on air quality of a disadvantaged community, to include measures for avoiding, minimizing, or otherwise mitigating for the adverse effects on that community.

The bill would require mitigation measures to include measures conducted at the project site that avoid or minimize to less than significant the adverse effects on the air quality of a disadvantaged community or measures conducted in the affected disadvantaged community that directly mitigate those effects.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose w/Coalition Letter	2	

AB 1067 (Ting D) Beverage containers.

Status: 6/1/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (June 1). Re-referred to Com. on APPR.

Location: 6/1/2022-S. APPR.

Summary: The California Beverage Container Recycling and Litter Reduction Act requires dealers within a convenience zone where no recycling location has been established, or within a convenience zone that is unserved for 60 days and not exempt from convenience zone requirements, to alternatively (1) submit an affidavit to the department stating that the dealer has met specified standards for empty beverage container redemption or (2) pay \$100 per day to the department, for deposit into the continuously appropriated California Beverage Container Recycling Fund, until a recycling location is established or until the dealer meets the standards for redemption specified in the affidavit provisions. This bill would require the department to conduct a study inquiring whether the \$100 per day payment to the department provides inducement for dealers to meet the standards for redemption. The bill would require the department to submit to the Legislature a report regarding the study by July 1, 2023.

Organization	Position	Priority	Assigned
California Retailers Association	Watch	2	

AB 1597 (Waldron R) Shoplifting: increased penalties for prior crimes.

Status: 4/26/2022-In committee: Set, final hearing. Failed passage.

Location: 1/14/2022-A. PUB. S.

Summary: Current law, as amended by Proposition 47, provides that a registered sex offender or a person with a prior conviction for certain serious or violent felonies, such as a sexually violent offense, who commits petty theft, is subject to imprisonment in the county jail for up to one year or in the state prison for 16 months, or 2 or 3 years. This bill would reinstate a provision of law that was repealed by Proposition 47 that provides that a person who has been convicted 3 or more times of petty theft, grand theft, or other specified crimes and who is subsequently convicted of petty theft is subject to imprisonment in a county jail not exceeding one year or in a county jail for 18 months or 2 or 3 years.

Organization	Position	Priority	Assigned
California Retailers Association	Support if Amended	2	

Notes: Amends Proposition 47 and requires voter approval.

Allows for a felony charge after a fourth conviction for petty theft, grand theft, elder financial abuse, auto theft, burglary, carjacking, robbery or felony receiving stolen property.

Restores former PC 666 prior to Proposition 47.

AB 1599 (Kiley R) Proposition 47: repeal.

Status: 4/29/2022-Failed Deadline pursuant to Rule 61(b)(5). (Last location was PUB. S. on 1/14/2022)

Location: 4/29/2022-A. DEAD

Summary: The Safe Neighborhoods and Schools Act, enacted as an initiative statute by Proposition 47, as approved by the electors at the November 4, 2014, statewide general election, made various changes relating to theft and the possession of controlled substances, including by, among other things, generally reducing the penalty for those crimes, including reducing the penalty for possession of concentrated cannabis, establishing a procedure by which individuals convicted of those crimes prior to the passage of the act may petition for resentencing under the act, and creating the crime of shoplifting. This bill would repeal the changes and additions made by Proposition 47, except those related to reducing the penalty for possession of concentrated cannabis.

Organization	Position	Priority	Assigned
California Retailers Association	No Position	2	

Notes: Full repeal of Proposition 47, excluding cannabis-related provisions.

[AB 1601](#) (Weber, Akilah D) Call centers: protections.

Status: 5/27/2022-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 5/27/2022-S. RLS.

Summary: Would require an employer of customer service employees in a call center, as specified, that intends to relocate from this state to a foreign country to notify the Labor Commissioner at least 120 days before the relocation. The bill would authorize the Labor Commissioner to impose, in the commissioner's discretion, a civil penalty of up to \$10,000, for every day of the violation upon an employer that fails to provide this notice. The bill would deposit the civil penalties into the Labor Enforcement and Compliance Fund to be used, upon appropriation by the Legislature, for administration and enforcement of these provisions.

Organization	Position	Priority	Assigned
California	Oppose	2	
Retailers	w/Coalition		
Association	Letter		

Notes: AB 1677 (2019) CRA Opposed

Vetoed by Governor

[AB 1603](#) (Salas D) Theft: shoplifting: amount.

Status: 4/29/2022-Failed Deadline pursuant to Rule 61(b)(5). (Last location was PUB. S. on 1/3/2022)

Location: 4/29/2022-A. DEAD

Summary: Proposition 47 requires shoplifting, defined as entering a commercial establishment with the intent to commit larceny if the value of the property taken does not exceed \$950, to be punished as a misdemeanor. Under existing law, entering a commercial establishment with the intent to take property exceeding \$950 is burglary, punishable as a misdemeanor or a felony. This bill would amend Proposition 47 by reducing the threshold amount for petty theft and shoplifting from \$950 to \$400. The bill would provide that it shall become effective only when submitted to, and approved by, the voters of California.

Organization	Position	Priority	Assigned
California	Support if	2	
Retailers	Amended		
Association	w/Letter		

Notes: Reduces felony threshold for grand theft from \$950 to \$400.

[AB 1613](#) (Irwin D) Theft: jurisdiction.

Status: 5/27/2022-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 5/27/2022-S. RLS.

Summary: Would establish the jurisdiction of a criminal action brought by the Attorney General for theft, organized retail theft, or receipt of stolen property as including the county where an offense involving the theft or receipt of the stolen merchandise occurred, the county in which the merchandise was recovered, or the county where any act was done by the defendant in instigating, procuring, promoting, or aiding in the commission of the offense. The bill would also, if multiple offenses of theft or other specified crimes all involving the same defendant or defendants and the same merchandise, or the same defendant or defendants and the same scheme or substantially similar activity, occur in multiple jurisdictions, establish that any of those jurisdictions is a proper jurisdiction for all of the offenses. The bill would extend jurisdiction to all associated offenses connected together in their commission to the underlying theft offenses.

Organization	Position	Priority	Assigned
California	Support w/Letter	2	
Retailers			
Association			

Notes: Reinstates law allowing individuals charged with organized retail theft committed in multiple jurisdictions within a single jurisdiction.

Originally enacted via CRA-sponsored AB 1065 (2018). Expired in 2021.

[AB 1632](#) (Weber, Akilah D) Restroom access: medical conditions.

Status: 5/26/2022-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 5/26/2022-S. RLS.

Summary: Would, if certain conditions are met, require a place of business open to the general public for the sale of goods that has a toilet facility for its employees to allow any individual who is lawfully on the premises of that place of business to use that toilet facility during normal business hours, even if the place of business does not normally make the employee toilet facility available to the general public. A willful or grossly negligent violation of this requirement would be a civil penalty, not exceeding \$100 per violation, without creating or implying a private right of action.

Organization	Position	Priority	Assigned
California Retailers Association	Neutral as Amended	2	Ryan, Steve

[AB 1651](#) (Kalra D) Worker rights: Workplace Technology Accountability Act.

Status: 4/29/2022-Failed Deadline pursuant to Rule 61(b)(5). (Last location was P. & C.P. on 4/21/2022)

Location: 4/29/2022-A. DEAD

Summary: Current law requires state agencies to develop and implement a telecommuting plan, as specified, and to evaluate their telecommuting programs. This bill would require agencies to periodically update their plans to respond to changing technology and its impact on worker well-being.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose w/Coalition Letter	2	

[AB 1678](#) (Fong R) Department of Food and Agriculture: Blue Ribbon Commission on Port Congestion and Supply Chain Deficiencies.

Status: 5/19/2022-In committee: Held under submission.

Location: 4/27/2022-A. APPR. SUSPENSE FILE

Summary: Current law requires the Department of Food and Agriculture to promote and protect the agricultural industry of the state. This bill would require the department to establish and convene the Blue Ribbon Commission on Port Congestion and Supply Chain Deficiencies, with the Secretary of Food and Agriculture to serve as the chair and to appoint the other members of the commission. The bill would require the commission to recommend changes needed in the immediate and long-term future to mitigate the negative impacts of port congestion and supply chain deficiencies on agricultural commodities. The bill would require the commission to submit, on or before January 1, 2023, a report to the Legislature documenting its recommendations.

Organization	Position	Priority	Assigned
California Retailers Association	Support w/Coalition Letter	2	

[AB 1679](#) (Fong R) Governor's Office of Business and Economic Development: California Business Investment Services Program: Supply Chain Senior Advisor.

Status: 5/20/2022-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. APPR. SUSPENSE FILE on 5/4/2022)

Location: 5/20/2022-A. DEAD

Summary: The Economic Revitalization Act, establishes the Governor's Office of Business and Economic Development, known as "GO-Biz," under the authority of a director appointed by the Governor, within the Governor's office, to serve the Governor as the lead entity for economic strategy and the marketing of California on issues relating to business development, private sector investment, and economic growth. This bill would require the director to appoint a Supply Chain Senior Advisor within the office to be the principal advocate in the state for the interests of business and industry related to supply chain development and operation and to advise the director on legislation, administrative regulations, and other issues affecting the state's supply chain.

Organization	Position	Priority	Assigned
California Retailers Association	Support w/Coalition Letter	2	

[AB 1690](#) (Rivas, Luz D) Tobacco products: single-use electronic cigarettes.

Status: 5/27/2022-Failed Deadline pursuant to Rule 61(b)(11). (Last location was A. INACTIVE FILE on 5/16/2022)

Location: 5/27/2022-A. DEAD

Summary: Would prohibit a person or entity from selling, giving, or furnishing to another person of any age in this state a single-use electronic cigarette, as defined, except as specified. The bill would prohibit that selling, giving, or furnishing, whether conducted directly or indirectly through an in-person transaction, or by means of any public or private method of shipment or delivery to an address in this state.

Organization	Position	Priority	Assigned
California Retailers Association	Neutral w/Letter	2	

[AB 1698](#) (Maienschein D) Package Theft Act.

Status: 5/20/2022-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. APPR. SUSPENSE FILE on 3/30/2022)

Location: 5/20/2022-A. DEAD

Summary: Would, until January 1, 2026, make a person guilty of package theft, a misdemeanor, if they enter the curtilage of a home and commit theft of a package shipped through the mail or delivered by a public or private carrier. By creating a new crime, this bill would impose a state-mandated program.

Organization	Position	Priority	Assigned
California Retailers Association	Support w/Letter	2	

Notes: Modeled after organized retail theft statute.

Subjects package thieves to felony charges if 1) acting in concert with other thieves, or 2) boosting for a package theft ring and the items stolen have an aggregated value of \$950 or more.

Also allows felony charges for organizing or recruiting for a package theft ring.

CRA supported AB 1210 (Low/2019) which allowed any individual, acting alone or in concert, who enters curtilage of a home with intent to steal on two or more occasions, and steals an aggregated value of \$950 or more, would be subject to felony charge.

AB 1699 (**Maienschein D**) **Vehicles used in commission of crimes.**

Status: 4/29/2022-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 2/3/2022)

Location: 4/29/2022-A. DEAD

Summary: Would count as a point against a driver's record a conviction of organized retail theft that involved the use or acquisition of a vehicle in the commission of the crime. The bill would also count as a point against a driver's record a conviction of theft of a package from residences, as specified, that involved the use or acquisition of a vehicle in the commission of the crime.

Organization	Position	Priority	Assigned
California Retailers Association	Support w/Letter	2	

Notes: Adds a point to the driving record of any person convicted of organized retail theft or package theft.

AB 1700 (**Maienschein D**) **Theft: online marketplaces: reporting.**

Status: 5/27/2022-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 5/27/2022-S. RLS.

Summary: Would require the Attorney General to establish a reporting location on its internet website for individuals to report items found on online marketplaces, as defined, that they suspect are stolen goods, and would require the Attorney General to provide that information to the applicable local law enforcement agency and regional property crimes task force. The bill would additionally require online marketplaces to display on their electronically based or accessed platform a link to the Attorney General's online marketplace suspected stolen goods reporting location.

Organization	Position	Priority	Assigned
California Retailers Association	No Position	2	

Notes: SB 301 (Skinner), among other provisions, requires online marketplaces to provide consumers a reporting mechanism on the marketplace website itself to report suspicious behavior.

AB 1710 (**Lee D**) **Residential and outdoor light-emitting diodes (LED) fixtures.**

Status: 5/6/2022-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. PRINT on 1/26/2022)

Location: 5/6/2022-A. DEAD

Summary: The California Building Standards Law, establishes the California Building Standards Commission within the Department of General Services and sets forth its powers and duties, including approval and adoption of building standards and codification of those standards into the California Building Standards Code. This bill would state the intent of the Legislature to enact legislation relating to the regulation of residential and outdoor light-emitting diodes (LED) fixtures that create artificial light pollution at night, which causes harmful environmental and public health effects.

Organization	Position	Priority	Assigned
California Retailers Association	Watch	2	

AB 1751 (**Daly D**) **Workers' compensation: COVID-19: critical workers.**

Status: 5/27/2022-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 5/27/2022-S. RLS.

Summary: Current law defines "injury" for an employee to include illness or death resulting from the 2019 novel coronavirus disease (COVID-19) under specified circumstances, until January 1, 2023. Existing law create a disputable presumption, as specified, that the injury arose out of and in the course of the employment and is compensable, for specified dates of injury. Current law requires an employee to exhaust their paid sick leave benefits and meet specified certification requirements before receiving any temporary disability benefits or, for police officers, firefighters, and other specified employees, a leave of absence. Existing law also make a claim relating to a COVID-19 illness presumptively compensable, as described above, after 30 days or 45 days, rather than 90 days. Current law, until January 1, 2023, allows for a presumption of injury for all employees whose fellow employees at their place of employment experience specified levels of positive testing, and whose employer has 5 or more employees. This bill would extend the above-described provisions relating to COVID-19 until January 1, 2025.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose	2	

AB 1817 (Ting D) Product safety: textile articles: perfluoroalkyl and polyfluoroalkyl substances (PFAS).

Status: 6/1/2022-Referred to Com. on E.Q.

Location: 6/1/2022-S. E.Q.

Summary: Would prohibit, beginning January 1, 2025, any person from manufacturing, distributing, selling, or offering for sale in the state any textile articles that contain regulated perfluoroalkyl and polyfluoroalkyl substances or PFAS, and requires a manufacturer to use the least toxic alternative when removing regulated PFAS in textile articles to comply with these provisions. The bill would require a manufacturer of a textile article that contains regulated PFAS to provide persons that offer the product for sale or distribution in the state with a certificate of compliance stating that the textile article is in compliance with these provisions and does not contain any regulated PFAS.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose Unless Amended w/Letter	2	Steve

AB 1949 (Low D) Employees: bereavement leave.

Status: 5/27/2022-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 5/27/2022-S. RLS.

Summary: The California Family Rights Act, which is a part of the California Fair Employment and Housing Act, makes it an unlawful employment practice for an employer, as defined, to refuse to grant a request by an eligible employee to take up to 12 workweeks of unpaid protected leave during any 12-month period for family care and medical leave, as specified. This bill would additionally make it an unlawful employment practice for an employer to refuse to grant a request by an eligible employee to take up to 5 days of bereavement leave upon the death of a family member, as defined. The bill would require that leave be completed within 3 months of the date of death. The bill would require that leave be taken pursuant to any existing bereavement leave policy of the employer.

Organization	Position	Priority	Assigned
California Retailers Association	Neutral	2	

AB 1979 (Kalra D) California Deforestation-Free Procurement Act: public works projects: wood and wood products.

Status: 4/29/2022-Failed Deadline pursuant to Rule 61(b)(5). (Last location was A. & A.R. on 2/18/2022)

Location: 4/29/2022-A. DEAD

Summary: Would establish the California Deforestation-Free Procurement Act. The bill would require a contractor, as defined, and specified subcontractors, for any contract entered into, extended, or renewed on or after January 1, 2025, contracting with a state agency for the procurement of any product comprised wholly or in part of forest-risk commodities to certify that the commodities were not grown, derived, harvested, reared, or produced on land where tropical deforestation occurred on or after January 1, 2023. The bill would exempt a credit card purchase of goods of \$2,500 or less, not to exceed a total of \$7,500 of goods per contractor per year, from these certification requirements. The bill would require specified contractors to have a forest policy, as specified, and would require the contractors to make the policy and corresponding data publicly available.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose w/Coalition	2	

AB 1993 (Wicks D) Employment: COVID-19 vaccination requirements.

Status: 4/29/2022-Failed Deadline pursuant to Rule 61(b)(5). (Last location was L. & E. on 2/10/2022)

Location: 4/29/2022-A. DEAD

Summary: Would require an employer to require each person who is an employee or independent contractor, and who is eligible to receive the COVID-19 vaccine, to show proof to the employer, or an authorized agent thereof, that the person has been vaccinated against COVID-19. This bill would establish an exception from this vaccination requirement for a person who is ineligible to receive a COVID-19 vaccine due to a medical condition or disability or because of a sincerely held religious belief, as specified, and would require compliance with various other state and federal laws. The bill would require proof-of-vaccination status to be obtained in a manner that complies with federal and state privacy laws and not be retained by the employer, unless the person authorizes the employer to retain proof.

Organization	Position	Priority	Assigned
California Retailers Association	No Position	2	

AB 2019 (Petrie-Norris D) Small and disadvantaged business enterprises.

Status: 5/26/2022-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 5/26/2022-S. RLS.

Summary: Current law requires each state agency that significantly regulates or impacts small business to designate at least one person to serve as a small business liaison for the agency. Current law requires the small business liaison to be responsible for, among other things, receiving and responding to complaints received by the agency from small businesses and assisting in ensuring that the procurement and contracting processes of the entity are administered in order to meet or exceed the goal of 25% small business participation. This bill would also require the small business liaison to develop an "economic equity first" action plan and policy for the agency to provide, among other things, direction, recommendations, and strategies as to how to ensure that disadvantaged business enterprises are effectively involved and benefiting from the procurement process of the agency.

Organization	Position	Priority	Assigned
California Retailers Association	Support w/Letter	2	

AB 2059 (Carrillo D) Hazardous materials business and area plans: consumer products: recordkeeping.

Status: 5/27/2022-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 5/27/2022-S. RLS.

Summary: Current law declares that, in order to protect the public health and safety and the environment, it is necessary to establish business and area plans relating to the handling and release or threatened release of hazardous materials. Current law requires a business to establish and implement a business plan, as defined, for emergency response to a release or threatened release of a hazardous material if the business meets specified conditions at any unified program facility, as defined. Current law exempts from that requirement certain hazardous materials, including a hazardous material that is contained solely in a consumer product, handled at, and found in, a retail establishment and intended for sale to, and for the use by, the public, except in specified circumstances. Current law defines "consumer product" as a commodity that is used for personal, family, or household purposes, or that is present in the same form, concentration, and quantity as a product prepackaged for distribution to and for use by the general public. Existing law delegates to the unified program agencies the responsibility and authority to implement and enforce these requirements. This bill would expand the scope of hazardous materials subject to regulation pursuant to the hazardous waste control laws by narrowing the definition of "consumer product" to require that the commodity be present in the same form, concentration, and quantity as a product prepackaged for distribution to a consumer for personal, family, or household purposes, instead of for use by the general public, and by otherwise narrowing the exemption for consumer products from regulation of hazardous materials, as provided.

Organization	Position	Priority	Assigned
California Retailers Association		2	

Notes: Amendments narrow the definition of "consumer product," could subject retailers with very large quantities of dangerous materials to produce an emergency plan and be subject to CUPA regulation.

AB 2095 (Kalra D) Employment information: worker metrics.

Status: 5/20/2022-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. APPR. SUSPENSE

FILE on 4/27/2022)

Location: 5/20/2022-A. DEAD

Summary: Current law establishes within the Labor and Workforce Development Agency the Department of Industrial Relations, one of the purposes of which is to foster, promote, and develop the welfare of the wage earners of California, to improve their working conditions, and to advance their opportunities for profitable employment. This bill would establish a program in, and administered by, the agency and would require employers with more than 1,000 employees in California, as provided, to submit various statistics regarding those employees to the agency. The bill would require the agency to develop in a prescribed manner criteria and a scoring methodology to rank employers that would qualify as an employer eligible to be certified as a high-road employer. The bill would further require the agency to collect the worker-related statistics annually and, after collection, to assign each employer to an appropriate industry or subindustry.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose w/Coalition Letter	2	

AB 2182 (Wicks D) Discrimination: family responsibilities.

Status: 5/27/2022-Failed Deadline pursuant to Rule 61(b)(11). (Last location was A. APPR. SUSPENSE FILE on 5/11/2022)

Location: 5/27/2022-A. DEAD

Summary: The California Fair Employment and Housing Act, prohibits various forms of employment discrimination and recognizes the opportunity to seek, obtain, and hold employment without specified forms of discrimination as a civil right. The act also makes it an unlawful employment practice for an employer, among other things, to refuse to hire or employ a person because of various personal characteristics, conditions, or traits. The act specifies that nothing in the act prohibits employers from taking certain actions. This bill would prohibit employment discrimination on account of family responsibilities, as defined, and would recognize the opportunity to seek, obtain, and hold employment without discrimination because of family responsibilities as a civil right, as specified.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose w/Coalition Letter	2	

AB 2183 (Stone D) Agricultural labor relations.

Status: 6/1/2022-Referred to Coms. on L., P.E. & R. and JUD.

Location: 6/1/2022-S. L., P.E. & R.

Summary: The Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 grants agricultural employees the right to form and join labor organizations and engage in collective bargaining with respect to wages, terms of employment, and other employment conditions, and authorizes employees to elect exclusive bargaining representatives for these purposes. Current law creates the Agricultural Labor Relations Board (board) and prescribes its composition, duties, and powers. Current law authorizes the board to hold hearings and conduct investigations and requires that certain procedures be the exclusive method of redressing unfair labor practices. Under existing law, any person who willfully resists, prevents, or interferes with a member of the board or its agents or agencies in the performance of their duties is guilty of a misdemeanor. This bill would authorize a labor organization to obtain an employer's employee list from the board upon providing written notice, as specified, to the appropriate regional office of the board of an intention to organize the agricultural employees of the same employer, accompanied by proof of service of the notice upon the employer. The bill would require the regional office to inform the employer of the date and time of the filing of the notice. The bill would require an employer to submit an employee list to the regional office within 5 days from the date of filing of the notice of intention to organize and, if the employer contends that the unit named in the notice is inappropriate, the bill would require the employer to submit written arguments to support its contention.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose w/Coalition Letter	2	

AB 2188 (Quirk D) Discrimination in employment: use of cannabis.

Status: 5/27/2022-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 5/27/2022-S. RLS.

Summary: The California Fair Employment and Housing Act prohibits various forms of employment discrimination and empowers the Department of Fair Employment and Housing to investigate and prosecute complaints alleging unlawful practices. This bill would also make it unlawful for an employer to discriminate against a person in hiring, termination, or any term or condition of employment, or otherwise penalize a person, if the discrimination is based upon the person's use of cannabis off the

job and away from the workplace or upon an employer-required drug screening test that has found the person to have nonpsychoactive cannabis metabolites in their urine, hair, or bodily fluids. The bill would specify that those provisions do not apply to employees in the building and construction trades, and do not preempt state or federal laws requiring employees to be tested for controlled substances.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose w/Coalition Letter	2	

Notes: Would prohibit "metabolites" testing for marijuana use (hair) in favor of saliva test or impairment testing

[AB 2208](#) (Kalra D) Fluorescent lamps: sale and distribution: prohibition.

Status: 5/25/2022-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on E.Q.

Location: 5/18/2022-S. E.Q.

Summary: Would prohibit, on and after January 1, 2024, a compact fluorescent lamp, as defined, and, on and after January 1, 2025, a linear fluorescent lamp, as defined, from being offered for final sale, sold at final sale, or distributed in this state as a new manufactured product. The bill would exempt various lamps that meet specified criteria from that prohibition, including lamps used for image capture and projection and lamps used for disinfection.

Organization	Position	Priority	Assigned
California Retailers Association	Watch	2	

[AB 2243](#) (Garcia, Eduardo D) Occupational safety and health standards: heat illness: wildfire smoke.

Status: 5/26/2022-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 5/26/2022-S. RLS.

Summary: The Maria Isabel Vasquez Jimenez heat illness standard provides for the prevention of heat-related illness of employees in outdoor places of employment, as prescribed. There is also a current standard for workplace protection from wildfire smoke. This bill would require the Division of Occupational Safety and Health, before January 1, 2024, to submit to the standards board a rulemaking proposal to consider revising the heat illness standard to include an ultrahigh heat standard for employees in outdoor places of employment for heat in excess of 105 degrees Fahrenheit, as prescribed, and require employers to distribute copies of the Heat Illness Prevention Plan, as provided. The bill would similarly require a rulemaking proposal to consider revising the wildfire smoke standard to reduce the existing air quality index threshold for PM2.5 particulate matter at which control by respiratory protective equipment becomes mandatory. The bill would require the standards board to review the proposed changes and adopt revised standards before July 1, 2024. The bill would further require the division to consider regulations relating to protections related to acclimatization to higher temperatures and training programs for outdoor employees in directly administering first aid, as provided.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose w/Coalition Letter	2	

[AB 2247](#) (Bloom D) Perfluoroalkyl and polyfluoroalkyl substances (PFAS) and PFAS products and product components: publicly accessible reporting platform.

Status: 5/27/2022-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 5/27/2022-S. RLS.

Summary: Would require, as part of the hazardous waste control laws, the Department of Toxic Substances Control to work with the Interstate Chemicals Clearinghouse to establish, on or before January 1, 2025, a publicly accessible reporting platform to collect information about perfluoroalkyl and polyfluoroalkyl substances (PFAS) and products or product components containing intentionally added PFAS, as defined, being sold, offered for sale, distributed, or offered for promotional purposes in, or imported into, the state. The bill would require, on or before July 1, 2025, and annually thereafter, a manufacturer, as defined, of PFAS or a product or a product component containing intentionally added PFAS that is sold, offered for sale, distributed, or offered for promotional purposes in, or imported into, the state to register the PFAS or the product or product component containing intentionally added PFAS, and specified other information, on the publicly accessible reporting platform.

Organization	Position	Priority	Assigned
California Retailers Association	Watch	2	

[AB 2273](#) (Wicks D) The California Age-Appropriate Design Code Act.

Status: 5/27/2022-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 5/27/2022-S. RLS.

Summary: Would enact the California Age-Appropriate Design Code Act, which, commencing July 1, 2024, would require a business that provides an online service, product, or feature likely to be accessed by a child to comply with specified requirements, including configuring all default privacy settings offered by the online service, product, or feature to the settings that offer a high level of privacy protection offered by the business, and providing privacy information, terms of service, policies, and community standards concisely, prominently, and using clear language suited to the age of children likely to access that online service, product, or feature. The bill would prohibit a business that provides an online service, product, or feature likely to be accessed by a child from taking proscribed action, including using the personal information of a child for any reason other than the reason or reasons for which the personal information was collected.

Organization	Position	Priority	Assigned
California Retailers Association	Pending	2	

[AB 2356](#) (Rodriguez D) Theft: aggregation.

Status: 6/2/2022-Read second time. Ordered to Consent Calendar.

Location: 5/31/2022-S. CONSENT CALENDAR

Summary: The Safe Neighborhoods and Schools Act, enacted as an initiative statute by Proposition 47, as approved by the electors at the November 4, 2014, statewide general election, requires the theft of money, labor, or property to be considered petty theft, punishable as a misdemeanor, whenever the value of the property taken does not exceed \$950. Current California Supreme Court case law allows the value of property taken pursuant to distinct acts of theft to be aggregated to a single count of grand theft if motivated by one intention, one general impulse, and one plan. Current appellate case law allows the value of property from more than one victim to be aggregated if the thefts were accomplished as a result of one scheme or plan to defraud the victims and a single intent to act. This bill would specify that if the value of the money, labor, real property, or personal property taken exceeds \$950 over the course of distinct but related acts, whether committed against one or more victims, the value of the money, labor, real property, or personal property taken may properly be aggregated to charge a count of grand theft, if the acts are motivated by one intention, one general impulse, and one plan.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose	2	

Notes: Creates new standard for grand theft, similar to that of organized retail theft (PC 490.4)

Does not amend Prop 47.

[AB 2406](#) (Aguiar-Curry D) Intermodal marine terminals.

Status: 5/25/2022-Referred to Coms. on TRANS. and JUD.

Location: 5/25/2022-S. TRANS.

Summary: Current law prohibits an intermodal marine equipment provider or intermodal marine terminal operator, as defined, from imposing per diem, detention, or demurrage charges on an intermodal motor carrier relative to transactions involving cargo shipped by intermodal transport under certain circumstances, including when an intermodal marine terminal decides to divert equipment without 48 hours' notice. This bill would also prohibit an intermodal marine equipment provider from imposing those charges, or extended dwell or congestion charges, or commencing or continuing free time, as defined, on an intermodal motor carrier, beneficial cargo owner, or other intermediary relative to transactions involving cargo shipped by intermodal transport under certain circumstances. The bill would instead specify that those circumstances include when the intermodal equipment provider decides to divert equipment without notice, as described above, and also include when the intermodal motor carrier documents an unsuccessful attempt to make an appointment for either a loaded or empty container.

Organization	Position	Priority	Assigned
California Retailers Association	Support w/ Coalition Letter	2	

[AB 2543](#) (Fong R) Theft and burglary.

Status: 4/26/2022-In committee: Set, first hearing. Hearing canceled at the request of author.

Location: 3/10/2022-A. PUB. S.

Summary: The existing Safe Neighborhoods and Schools Act, enacted as an initiative statute by Proposition 47, as approved by the electors at the November 4, 2014, statewide general election,

makes the theft of property that does not exceed \$950 in value petty theft, and makes that crime punishable as a misdemeanor, with certain exceptions. The initiative statute defines shoplifting as entering a commercial establishment with the intent to commit larceny while that establishment is open during regular hours, where the value of the property that is taken or intended to be taken does not exceed \$950. The initiative statute requires that shoplifting be punished as a misdemeanor. This bill would amend Proposition 47 by authorizing acts of shoplifting that occur on 2 or more separate occasions within a 12-month period, and the aggregated value of the merchandise taken exceeds \$950, to be punished either by imprisonment in a county jail for not more than one year or by 16 months or 2 or 3 years in a county jail.

Organization	Position	Priority	Assigned
California Retailers Association	Support if Amended	2	

AB 2570 (Daly D) Unemployment insurance: Unemployment Fund.

Status: 5/19/2022-In committee: Held under submission.

Location: 5/4/2022-A. APPR. SUSPENSE FILE

Summary: The Unemployment Fund is administered by the Director of Employment Development exclusively for the purposes of carrying out the unemployment and disability insurance programs. This bill would make a one-time transfer of \$7,250,000,000 from the General Fund to the Unemployment Fund for the purpose of paying down outstanding debt in that fund. By transferring moneys from the General Fund into a continuously appropriated fund, this bill would make an appropriation. The bill would also make findings and declarations related to this appropriation.

Organization	Position	Priority	Assigned
California Retailers Association	Support w/ Coalition Letter	2	

AB 2693 (Reyes D) COVID-19: exposure.

Status: 6/1/2022-Referred to Com. on L., P.E. & R.

Location: 5/24/2022-S. L., P.E. & R.

Summary: The California Occupational Safety and Health Act of 1973 authorizes the Division of Occupational Safety and Health to prohibit the performance of an operation or process, or entry into that place of employment when, in its opinion, a place of employment, operation, or process, or any part thereof, exposes workers to the risk of infection with COVID-19, so as to constitute an imminent hazard to employees. Current law requires a notice of the prohibition to be posted in a conspicuous location at the place of employment and makes violating the prohibition or removing the notice, except as specified, a crime. Current law requires that the prohibition be issued in a manner so as not to materially interrupt the performance of critical governmental functions essential to ensuring public health and safety functions or the delivery of electrical power, renewable natural gas, or water. Current law requires that these provisions not prevent the entry or use, with the division's knowledge and permission, for the sole purpose of eliminating the dangerous conditions. This bill would extend those provisions until January 1, 2025.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose w/Coalition Letter	2	

Notes: Prefer narrowing of scope

Local pre-emption?

AB 2715 (Gray D) Organized retail theft.

Status: 4/29/2022-Failed Deadline pursuant to Rule 61(b)(5). (Last location was PUB. S. on 3/10/2022)

Location: 4/29/2022-A. DEAD

Summary: Current law, until January 1, 2026, makes it a misdemeanor to commit organized retail theft. Current law defines organized retail theft to include, among other acts, acting as an agent of another individual or group of individuals to steal merchandise from one or more merchant's premises or online marketplaces as part of an organized plan to commit theft. Under current law, acts of organized retail theft that are committed on 2 or more separate occasions within a 12-month period and that have an aggregate value that exceeds \$950 are punishable as a misdemeanor or a felony. This bill would remove the requirement that the person acting in concert with one or more person to steal merchandise from one or more merchant's premises or online marketplace have the intent to sell, exchange, or return the merchandise for value.

Organization	Position	Priority	Assigned
California Retailers Association	Support	2	

Notes: Deletes requirement that person charged under organized retail theft statute have intent to sell, exchange, or return merchandise for value.

AB 2718 (Cooper D) Crimes: theft.

Status: 4/29/2022-Failed Deadline pursuant to Rule 61(b)(5). (Last location was PUB. S. on 3/10/2022)

Location: 4/29/2022-A. DEAD

Summary: Current law, the Safe Neighborhoods and Schools Act, enacted by Proposition 47, as approved by the voters at the November 4, 2014, statewide general election, defines and prohibits an act of shoplifting and prohibits prosecution for an act of shoplifting under any other law. This bill would refine the definition of shoplifting and would specifically exclude certain offenses from prosecution as shoplifting, including, without limitation, the theft of a firearm or vehicle, identity theft, and credit card fraud. This bill contains other related provisions and other existing laws.

Organization	Position	Priority	Assigned
California Retailers Association	Support if Amended	2	

Notes: Creates the offense of "serial theft".

Provides that a person who 1) has been convicted twice previously of various theft-related crimes, and 2) commits a third or subsequent offense in amount greater than \$500, is guilty of serial theft.

AB 2777 (Wicks D) Sexual assault: statute of limitations.

Status: 5/26/2022-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 5/26/2022-S. RLS.

Summary: Would, until December 31, 2026, revive claims seeking to recover damages suffered as a result of a sexual assault that occurred on or after January 1, 2009, that would otherwise be barred solely because the statute of limitations has or had expired. The bill would additionally revive claims seeking to recover damages suffered as a result of a sexual assault or other inappropriate conduct, communication, or activity of a sexual nature when one or more entities are legally responsible for damages and the entity or their agents engaged in a cover up, as defined, and any related claims, that would otherwise be barred prior to January 1, 2023, solely because the applicable statute of limitations has or had expired, and would authorize a cause of action to proceed if already pending in court on the effective date of the bill or, if not filed by the effective date of the bill, to be commenced between January 1, 2023, and December 31, 2023. The bill would not revive claims that have been litigated to finality before January 1, 2023, and claims that have been compromised by written settlement agreements entered into before January 1, 2023. The bill would specify the required allegations to state a claim subject to revival under these provisions.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose w/Coalition Letter	2	

AB 2787 (Quirk D) Microplastics in products.

Status: 5/27/2022-Failed Deadline pursuant to Rule 61(b)(11). (Last location was A. INACTIVE FILE on 5/26/2022)

Location: 5/27/2022-A. DEAD

Summary: Current law requires the Ocean Protection Council, on or before December 31, 2024, to adopt and implement a Statewide Microplastics Strategy related to microplastic materials that pose an emerging concern for ocean health, as provided. Existing law declares the goal of the Statewide Microplastic Strategy to be the increase in the understanding of the scale and risks of microplastic materials on the marine environment and to identify proposed solutions to address the impacts of microplastic materials, to the extent feasible. Current law requires the council, on or before December 31, 2021, to submit to the Legislature the Statewide Microplastics Strategy, along with recommended policy changes, including statutory changes, that may be needed to implement the strategy. This bill would, on and after specified dates that vary based on the product, ban the sale, distribution in commerce, or offering for promotional purposes in the state of designated products, such as leave-on cosmetic products and waxes and polishes, as defined, if the products contain intentionally added microplastics, as defined, at a concentration equal to or greater than 0.01% weight by weight. The bill would exclude from this ban prescription drugs, as defined, and products consisting, in whole or in part, of specified substances or mixtures containing microplastics.

Organization	Position	Priority	Assigned
California Retailers Association	Watch	2	

AB 2840 (Reyes D) Qualifying logistics use projects.

Status: 5/27/2022-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 5/27/2022-S. RLS.

Summary: The Planning and Zoning Law sets forth various requirements relating to the review of development project permit applications and the issuance of development permits for specified classes of development projects. This bill would prohibit a local agency from approving the development or expansion of any qualifying logistics use, as defined, that is adjacent to sensitive receptors, as defined, unless the local agency imposes a minimum setback on the qualifying logistics use of 1,000 feet or imposes alternative measures that will reduce the project's impact on the public health and safety in a comparable manner, as specified. The bill would require a local agency, before approving a qualifying logistics use, to require the project applicant to develop a prescribed written construction careers agreement that requires all construction work for the qualifying logistics use project to use a skilled and trained workforce, and that requires a set percentage of jobs created by the qualifying logistics use project to go to local residents.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose w/Coalition Letter	2	

[AB 2891](#) (Low D) California Consumer Privacy Act: exemptions.

Status: 4/29/2022-Failed Deadline pursuant to Rule 61(b)(5). (Last location was P. & C.P. on 3/17/2022)

Location: 4/29/2022-A. DEAD

Summary: Current law, until January 1, 2023, exempts from certain provisions of the California Consumer Privacy Act of 2018 (CCPA) personal information reflecting a communication or a transaction between the business and a company, partnership, sole proprietorship, nonprofit, or government agency that occur solely within the context of the business conducting due diligence or providing or receiving a product or service. Current law also exempts personal information that is collected and used by a business solely within the context of having an emergency contact on file, administering specified benefits, or a person's role or former role as a job applicant to, an employee of, owner of, director of, officer of, medical staff member of, or an independent contractor of that business. This bill would extend those above-described exemptions until January 1, 2026.

Organization	Position	Priority	Assigned
California Retailers Association	Support	2	Margaret

[AB 2896](#) (Santiago D) Alcoholic beverages: delivery.

Status: 4/29/2022-Failed Deadline pursuant to Rule 61(b)(5). (Last location was G.O. on 3/24/2022)

Location: 4/29/2022-A. DEAD

Summary: The Alcoholic Beverage Control Act, which is administered by the Department of Alcoholic Beverage Control, regulates the application, issuance, and suspension of alcoholic beverage licenses. The act prohibits an off-sale licensee from delivering alcoholic beverages from an order received over the telephone or other electronic means without requiring proof of age and identity when the beverages are delivered. Unless otherwise specified, a violation of the act is a misdemeanor. This bill would impose additional conditions to be met for an alcoholic beverage to be delivered to a consumer pursuant to an order received by telephone or other electronic means, including, among other things, that the person delivering the alcoholic beverage has completed appropriate training, as specified, and makes a determination that the person taking delivery is not obviously intoxicated.

Organization	Position	Priority	Assigned
California Retailers Association	Neutral w/Letter	2	

[AB 2912](#) (Berman D) Consumer warranties.

Status: 5/25/2022-Referred to Com. on JUD.

Location: 5/25/2022-S. JUD.

Summary: The Song-Beverly Consumer Warranty Act provides that every sale of consumer goods that are sold at retail in this state are accompanied by the manufacturer's and the seller's implied warranty that the goods are merchantable, unless disclaimed in a prescribed manner. Current law does not limit the ability of a manufacturer, distributor, or retail seller to make an express warranty, except as specified. This bill would require an express warranty made by a manufacturer, distributor, or retail seller to start no earlier than the date of delivery of the good.

Organization	Position	Priority	Assigned
California Retailers Association	Pending	2	

[AB 2932](#) (Low D) Workweek: hours and overtime.

Status: 4/29/2022-Failed Deadline pursuant to Rule 61(b)(5). (Last location was L. & E. on 3/24/2022)

Location: 4/29/2022-A. DEAD

Summary: Would require that work in excess of 32 hours in a workweek be compensated at the rate of no less than 1 1/2 times the employee's regular rate of pay. The bill would require the compensation rate of pay at 32 hours to reflect the previous compensation rate of pay at 40 hours and would prohibit an employer from reducing an employee's regular rate of pay as a result of this reduced hourly workweek requirement. The bill would exempt an employer with no more than 500 employees from the above provisions. By expanding the scope of a crime, this bill would impose a state-mandated local program

Organization	Position	Priority	Assigned
California Retailers Association	Watch	2	

ACR 140 **(O'Donnell D) Freight transportation: supply chain.**

Status: 3/31/2022-Referred to Com. on J.,E.D., & E.

Location: 3/31/2022-A. J., E.D. & E.

Summary: Would declare and recognize that the state is currently suffering a supply chain crisis. The measure would urge the state's public agencies, departments, and local governments to provide all due and proper assistance to carriers, cargo owners, public seaports, terminals, workers, and facilities to facilitate the essential service of delivering goods to Californians.

Organization	Position	Priority	Assigned
California Retailers Association	Pending	2	

SB 15 **(Portantino D) Housing development: incentives: rezoning of idle retail sites.**

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was DESK on 6/1/2021) (May be acted upon Jan 2022)

Location: 7/14/2021-A. 2 YEAR

Summary: Current law establishes, among other housing programs, the Workforce Housing Reward Program, which requires the Department of Housing and Community Development to make local assistance grants to cities, counties, and cities and counties that provide land use approval to housing developments that are affordable to very low and low-income households. This bill, upon appropriation by the Legislature in the Budget Act or other act, would require the department to administer a program to provide incentives in the form of grants allocated as provided to local governments that rezone idle sites used for a big box retailer or a commercial shopping center to instead allow the development of housing, as defined.

Organization	Position	Priority	Assigned
California Retailers Association	Support	2	

SB 260 **(Wiener D) Climate Corporate Accountability Act.**

Status: 6/2/2022-From committee with author's amendments. Read second time and amended. Re-referred to Com. on NAT. RES.

Location: 5/5/2022-A. NAT. RES.

Summary: Would require the State Air Resources Board, on or before January 1, 2024, to develop and adopt regulations requiring United States partnerships, corporations, limited liability companies, and other business entities with total annual revenues in excess of \$1,000,000,000 and that do business in California, defined as "reporting entities," to publicly disclose to the Secretary of State, and verify, starting in 2025 on a date to be determined by the state board, and annually thereafter, their greenhouse gas emissions, categorized as scope 1, 2, and 3 emissions, as defined, from the prior calendar year, as provided. The bill would require reporting entities to disclose their greenhouse gas emissions in a manner that is easily understandable and accessible to residents of the state. The bill would require reporting entities to ensure that their public disclosures have been independently verified by a third-party auditor, approved by the state board, with expertise in greenhouse gas emissions accounting. The bill would require the state board, in developing these regulations, to consult with the Secretary of State, the Attorney General, other government stakeholders, stakeholders representing consumer and environmental justice interests, and reporting entities that have demonstrated leadership in full-scope greenhouse gas emissions accounting and public disclosure and greenhouse gas emissions reductions.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose w/Coalition Letter	2	

SB 846

(Dodd D) Alcoholic beverages: deliveries: off-sale retail licenses and consumer delivery service permits.

Status: 6/2/2022-Referred to Com. on G.O.

Location: 6/2/2022-A. G.O.

Summary: The Alcoholic Beverage Control Act, which is administered by the Department of Alcoholic Beverage Control, regulates the application, issuance, and suspension of alcoholic beverage licenses. The act prohibits an off-sale licensee from delivering alcoholic beverages from an order received over the telephone or other electronic means without requiring proof of age and identity when the beverages are delivered. This bill would establish a new license type for a consumer delivery service permit (Type 95) and would set an application fee of \$10,000 and an annual renewal fee of \$1,000. The bill would authorize a licensee with off-sale retail privileges, or a consumer delivery service permit holder delivering orders on their behalf, to deliver alcoholic beverages to consumers away from the licensed premises if specified requirements are met. The bill would not apply these requirements to delivery by common carrier or pursuant to specified provisions of law.

Organization	Position	Priority	Assigned
California Retailers Association	Support w/Letter	2	

SB 1013

(Atkins D) Beverage container recycling: reports: electronic submittal: wine and distilled spirits.

Status: 6/2/2022-Referred to Com. on NAT. RES.

Location: 6/2/2022-A. NAT. RES.

Summary: The California Beverage Container Recycling and Litter Reduction Act defines the term "beverage" to include certain types of products in liquid, ready-to-drink form and excludes, among other things, wine or wine from which alcohol has been removed in whole or in part, whether or not sparkling or carbonated. The act defines the term "beverage container" to mean the individual, separate bottle, can, jar, carton, or other receptacle, however denominated, in which a beverage is sold, and which is constructed of metal, glass, or plastic, or other material, or any combination of these materials. The act requires a distributor to pay a redemption payment for every beverage container sold or offered for sale in the state to the Department of Resources Recycling and Recovery, and requires the department to deposit those amounts in the California Beverage Container Recycling Fund. The act requires processors and distributors of beverage containers to report specified information to the department, in the form and manner prescribed by the department. The act imposes certain requirements on the invoice or other form of accounting of a transaction submitted by a beverage distributor of beverages to a dealer, but authorizes a distributor of beer and malt beverages or wine or distilled spirit coolers to separately identify certain information. The act requires a beverage manufacturer to clearly indicate on all beverage containers sold or offered for sale by that beverage manufacturer in the state to be labeled as specified. The act prohibits a person from offering to sell, or selling, to a consumer a beverage container that has not been labeled as required by the act. A violation of the act is a crime. This bill would explicitly authorize the department to require the information reported to the department by a processor or distributor of beverage containers to be submitted electronically.

Organization	Position	Priority	Assigned
California Retailers Association	Concerns	2	

SB 1044

(Durazo D) Employers: state of emergency or emergency condition: retaliation.

Status: 5/26/2022-In Assembly. Read first time. Held at Desk.

Location: 5/25/2022-A. DESK

Summary: Would prohibit an employer, in the event of a state of emergency or an emergency condition, as defined, from taking or threatening adverse action against any employee for refusing to report to, or leaving, a workplace within the affected area because the employee feels unsafe, except as specified. The bill would also prohibit an employer from preventing any employee, including employees of public entities, as specified, from accessing the employee's mobile device or other communications device for seeking emergency assistance, assessing the safety of the situation, or communicating with a person to confirm their safety. The bill would require an employee to notify the employer of the state of emergency or emergency condition requiring the employee to leave or refuse to report to the workplace, as specified. The bill would clarify that these provisions are not intended to apply when an official state of emergency remains in place but emergency conditions that pose an imminent and ongoing risk of harm to the workplace, the worker, or the worker's home have ceased.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose w/Coalition Letter	2	

SB 1046

(Eggman D) Solid waste: precheckout bags.

Status: 5/27/2022-Referred to Com. on NAT. RES.

Location: 5/27/2022-A. NAT. RES.

Summary: Would prohibit, on and after January 1, 2025, a store, as defined, from providing a precheckout bag to a customer if the bag is not either a compostable bag, as described, or a recycled paper bag. The bill would define a "precheckout bag" for this purpose to mean a bag provided to a customer before the customer reaches the point of sale, that is designed to protect a purchased item from damaging or contaminating other purchased items in a checkout bag, or to contain an unwrapped food item.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose	2	

SB 1104 (Gonzalez D) Governor's Office of Business and Economic Development: Office of Freight.

Status: 5/27/2022-Referred to Coms. on J.,E.D., & E. and TRANS.

Location: 5/27/2022-A. J., E.D. & E.

Summary: Would establish the Office of Freight within GO-Biz. The bill would require the office to serve as the coordinating entity to steer the growth, competitiveness, and sustainability for freight and ports across the state and to promote and assess the continued economic vitality and sustainability of the freight sector. The bill would require the office, in coordination with specified state agencies, to prepare an assessment of statewide economic growth, competitiveness, prosperity, resiliency, and sustainability for the state's freight sector. The bill would require the office to submit the assessment to the Legislature on or before December 31, 2024, and an updated assessment at least once every 5 years thereafter. The bill would require the Transportation Agency to incorporate the findings of the assessment into the state freight plan, as specified.

Organization	Position	Priority	Assigned
California Retailers Association	Support w/ Coalition Letter	2	

SB 1108 (Bates R) Shoplifting: increased penalties for prior crimes.

Status: 3/29/2022-March 29 set for first hearing. Failed passage in committee. (Ayes 1. Noes 4.) Reconsideration granted.

Location: 2/23/2022-S. PUB. S.

Summary: Would reinstate a provision of law that was repealed by Proposition 47 that provides that a person who has been convicted 3 or more times of petty theft, grand theft, or other specified crimes and who is subsequently convicted of petty theft is subject to imprisonment in a county jail not exceeding one year or in a county jail for 16 months or 2 or 3 years. The bill would also make this provision and the provision relating to a person with serious, violent, or sexual prior offenses applicable to a person whose prior or current conviction is for shoplifting.

Organization	Position	Priority	Assigned
California Retailers Association	Support if Amended	2	

Notes: Amends Proposition 47

Authorizes felony penalties for shoplifting or petty theft if a defendant has three or more prior convictions for theft-related crimes.

SB 1127 (Atkins D) Workers' compensation: liability presumptions.

Status: 5/27/2022-Referred to Com. on INS.

Location: 5/27/2022-A. INS.

Summary: Current law requires an injured employee to file a claim form with the employer. Under existing law, except for specified injuries, if liability is not rejected within 90 days after the date the claim form is filed with the employer, the injury is presumed compensable and the presumption is rebuttable only by evidence discovered subsequent to the 90-day period. This bill would reduce those 90-day time periods to 60 days for all injuries and employees and, for certain injuries or illnesses, including hernia, heart trouble, pneumonia, or tuberculosis, among others, sustained in the course of employment of a specified member of law enforcement or a specified first responder, would reduce those time periods to 30 days.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose w/Coalition Letter	2	

SB 1149 (Leyva D) Civil actions: agreements settling actions involving public health or safety.

Status: 6/2/2022-From committee with author's amendments. Read second time and amended. Re-referred to Com. on JUD.

Location: 5/27/2022-A. JUD.

Summary: Current law prohibits settlement agreements from containing provisions that prevent the disclosure of factual information related to specified claims or causes of action, such as information relating to an act of sexual harassment or an act that may be prosecuted as a felony sex offense. This bill would prohibit any provision within an agreement between the parties in an action the factual foundation for which establishes a cause of action for civil damages regarding a defective product or environmental hazard that poses a danger to public health or safety, as defined, that purports to restrict the disclosure of factual information related to the action. The bill would provide that those provisions are void as a matter of law and as against public policy and unenforceable, except as specified. The bill would establish a presumption that the disclosure of discoverable factual information relating to those actions shall not be restricted by stipulation or by order of a court or arbitral tribunal, except for specified categories of information such as medical information, personal identifying information, the amount of the settlement, current proprietary customer lists, trade secrets, or citizenship or immigration status. The bill would allow any person for whom it is reasonably foreseeable that the person would be affected by a provision, agreement, or order, to challenge the provision, agreement, or order, as specified.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose w/Coalition Letter	2	

SB 1162 (Limón D) Employment: Salaries and Wages.

Status: 5/27/2022-Referred to Coms. on L. & E. and JUD.

Location: 5/27/2022-A. L. & E.

Summary: Current law requires a private employer that has 100 or more employees and is required to file an annual Employer Information Report (EEO-1) pursuant to federal law to submit a pay data report to the Department of Fair Employment and Housing (DFEH) that contains specified employee information on or before March 31, 2021, and on or before March 31 each year thereafter. Current law prescribes the information that must be included in the pay data report, including the number of employees by race, ethnicity, and sex in specified job categories. Current law requires employers with multiple establishments to submit a report for each establishment and a consolidated report that includes all employees. Current law permits the DFEH to develop, publish on an annual basis, and publicize aggregate reports, provided that the aggregate reports are reasonably calculated to prevent the association of any data with any individual business or person. This bill would, instead, require a private employer that has 100 or more employees to submit a pay data report to DFEH. This bill would revise the timeframe in which a private employer is required to submit this information to require that it be provided on or before the second Wednesday of May 2023, and for each year thereafter on or before the second Wednesday of May.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose w/Coalition Letter	2	

Notes: CVS very concerned:

require pay scales to be included in each job posting would require “[a]n employer [to] announce, post, publish, or otherwise make known any opportunity for promotion ... to all current employees on the same calendar day and prior to making a promotion decision.” But California goes farther. The bill expressly requires that these promotional notices include the pay scale for the position.

SB 1189 (Wieckowski D) Biometric information.

Status: 5/27/2022-Failed Deadline pursuant to Rule 61(b)(11). (Last location was S. APPR. SUSPENSE FILE on 4/25/2022)

Location: 5/27/2022-S. DEAD

Summary: The California Privacy Rights Act of 2020 provides a consumer with the right to direct a business that collects sensitive personal information about the consumer to limit its use of the consumer’s sensitive personal information to certain prescribed uses, including a use that is necessary to perform the services or provide the goods reasonably expected by an average consumer who requests those goods or services. The act defines “sensitive personal information” to mean, among other things, the processing of biometric information, as defined, for the purpose of uniquely identifying a consumer. On or before September 1, 2023, this bill would require a private entity in possession of biometric information, as defined, to develop and make available to the public a written policy establishing a retention schedule and guidelines for permanently destroying the biometric information, as prescribed. The bill would require a private entity to comply with that retention schedule and those guidelines. The bill would, among other things, prohibit a private entity from disclosing biometric information unless certain criteria are met, including the disclosure completes a

financial transaction requested or authorized by the subject of the biometric information or the subject's legally authorized representative.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose w/Coalition Letter	2	Margaret

SB 1206 (Skinner D) Hydrofluorocarbon gases: sale or distribution.

Status: 6/2/2022-Referred to Com. on NAT. RES.

Location: 6/2/2022-A. NAT. RES.

Summary: Would prohibit a person from offering for sale or distribution, or otherwise entering into commerce in the state, bulk hydrofluorocarbons or bulk blends containing hydrofluorocarbons that exceed a specified global warming potential limit beginning January 1, 2025, and lower global warming potential limits beginning January 1, 2030, and January 1, 2033. The bill would specify that these provisions do not restrict the state board's authority to establish by regulation maximum allowable global warming potential levels for hydrofluorocarbons entered into commerce in the state below these maximum levels. The bill would require the State Air Resources Board to initiate a rulemaking requiring low and ultra-low global warming potential alternatives to hydrofluorocarbons in all sectors where it is practicable for entities in the sector to comply with the requirement. Because a violation of these prohibitions would be a crime, this bill would impose a state-mandated local program.

Organization	Position	Priority	Assigned
California Retailers Association	Oppose Unless Amended w/Coalition Letter	2	

SB 1256 (Wieckowski D) Waste management: disposable propane cylinders.

Status: 5/27/2022-Referred to Coms. on NAT. RES. and JUD.

Location: 5/27/2022-A. NAT. RES.

Summary: Would, on and after January 1, 2028, prohibit the sale of disposable propane cylinders, as defined, and would make the violation of this provision subject to specified civil penalties. The bill would authorize a city attorney or county counsel to impose these civil penalties, as provided.

Organization	Position	Priority	Assigned
California Retailers Association	Pending	2	

SB 1259 (Laird D) Retail installment contracts.

Status: 5/19/2022-Referred to Com. on JUD.

Location: 5/19/2022-A. JUD.

Summary: Current law requires a retail installment contract to be dated and in writing. Current law also requires the printed portion of the contract to be in eight-point type. Current law makes a violation of these provisions a crime. This bill would require the printed portion of the contract to be in 12-point font.

Organization	Position	Priority	Assigned
California Retailers Association	Pending	2	

SB 1262 (Bradford D) Courts: indexes.

Status: 6/2/2022-Referred to Com. on PUB. S.

Location: 6/2/2022-A. PUB. S.

Summary: Current law requires a clerk of the superior court to keep an index of any action or proceeding filed in the court. Current law requires a separate index for plaintiffs and defendants in civil actions and for defendants in criminal actions. This bill would require publicly accessible electronic indexes of defendants in criminal cases to permit searches and filtering of results based on a defendant's driver's license number or date of birth, or both.

Organization	Position	Priority	Assigned
California Retailers Association	Support w/ Coalition Letter	2	

SB 1338 (Umberg D) Community Assistance, Recovery, and Empowerment (CARE) Court Program.

Status: 6/2/2022-Referred to Coms. on JUD. and HEALTH.

Location: 6/2/2022-A. JUD.

Summary: Would enact the Community Assistance, Recovery, and Empowerment (CARE) Act, which

would authorize specified persons to petition a civil court to create a voluntary CARE agreement or a court-ordered CARE plan and implement services, to be provided by county behavioral health agencies, to provide behavioral health care, including stabilization medication, housing, and other enumerated services to adults who are suffering from schizophrenia spectrum and psychotic disorders and who meet other specified criteria. The bill would specify the process by which the petition is filed and reviewed, including requiring the petition to be signed under penalty of perjury, and to contain specified information, including the acts that support the petitioner's assertion that the respondent meets the CARE criteria. The bill would also specify the schedule of review hearings required if the respondent is ordered to comply with an up to one-year CARE plan by the court. The bill would make the hearings in a CARE proceeding confidential and not open to the public, thereby limiting public access to a meeting of a public body. The bill would authorize the CARE plan to be extended once, for up to one year, and prescribes the requirement for the graduation plan that is required upon leaving the CARE program.

Organization	Position	Priority	Assigned
California Retailers Association	Support w/Letter	2	

SB 1349 (Caballero D) Taxation: credits: California New Employment Credit.

Status: 5/27/2022-In Assembly. Read first time. Held at Desk.

Location: 5/26/2022-A. DESK

Summary: The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws, including, for taxable years beginning on or after January 1, 2014, and before January 1, 2026, a credit to a qualified taxpayer that hires a qualified full-time employee within a designated census tract or economic development area and that receives a tentative credit reservation for that qualified full-time employee. For purposes of that credit, various requirements relating to work within those tracts or areas are further prescribed. For purposes of that credit, a qualified full-time employee is defined as an individual who meets certain requirements, including that they are, upon commencement of employment with the qualified taxpayer, unemployed, a veteran, an ex-offender previously convicted of a felony, or a recipient of CalWORKs, general assistance, or the federal earned income credit, as those requirements are further described. Existing law requires the Franchise Tax Board to determine the aggregate tentative reservation amount and the aggregate small business tentative reservation amount for a calendar year. This bill would remove, for taxable years beginning on or after January 1, 2023, the requirement that the work performed by the qualified full-time employee be in a designated census tract or economic development area, and would make conforming and related changes to remove requirements relating to those tracts and areas.

Organization	Position	Priority	Assigned
California Retailers Association	Support w/ Coalition Letter	2	

Total Measures: 75

Total Tracking Forms: 75