

TO: Members, County of Santa Barbara Legislative Committee

FROM: Cliff Berg, Legislative Advocate  
Kristina Gallagher

RE: 2020 April Update

DATE: April 24, 2020

The Legislature postponed its return from April 13<sup>th</sup> to May 4<sup>th</sup> due to the COVID-19 virus. Although nothing has officially been decided, we are hearing that the Assembly plans to come back for a number of hearings and are asking their members to prioritize or limit their bills. We understand that the Speaker has given the authority to the chairs of committees to decide which bills to keep for the year, but it still hasn't been decided whether there will be a uniform approach followed by each committee.

The Rules Committee met on Friday, April 24<sup>th</sup> and all bills processed will have a May 4<sup>th</sup> amended date. They referred 299 bills to policy committees. In the following week, nearly 300 Assembly Bills will be amended, which may be heard during the first three weeks of May.

One of the major considerations for the Legislature is balancing public health and the constitutional right to attend, record and broadcast all of the legislative proceedings, and trying to find the right way to ensure participation of the public while protecting the public health. The Assembly has two hearings scheduled on the week of April 27<sup>th</sup>. The first hearing will be the Budget Subcommittee #6 on the COVID-19 Recovery and Economic Stimulus scheduled on April 27<sup>th</sup> at 10:00AM, and the other hearing which will be scheduled on April 28<sup>th</sup> at 10:00AM, will be the Budget Subcommittee #2 on COVID-19 implications for K-12 School Finances, Accountability and Safety; School Closures; and in a second part of the hearing the Committee will focus on Child Care and Essential Workers.

The Governor will be issuing a workload Budget in time for the June constitutional deadline and a final State Budget sometime in August, with a May Revision that will outline issues related to COVID-19 spending. One of the major issues that the County is looking at in the May Revision is to see if the State will be distributing the local share of the remaining CARES Act funds to counties with populations below 500,000. Since the Federal Government didn't specify that the funds should go to the counties below the 500,000 population, the Department of Finance and the Administration have been noncommittal about giving the funding to those counties, and instead expressing that they have been in collaboration with the Federal Government and hoping that the next round of stimulus is for small counties.

On April 20<sup>th</sup>, the Assembly held an informational hearing on the oversight of COVID-19 response expenditures where multiple Legislators expressed the concern over the fact that smaller jurisdictions might not get any funding unless Congress takes action. The other major concern from the Assembly was that the Administration hasn't included the Legislature in any decision-making, and although they gave the Administration flexibility in SB 89, they want to be involved in the Budget Process now that they have moved on from the initial phase of the response.

Much of our focus remains on educating the Legislature, the Administration, Department of Finance and our Delegation on the impact of Santa Barbara in terms of expenditures in response to COVID-19 and any lost revenue.

## COVID-19 Budget Related Issues

Along with the response costs that the County is seeking, we have also notified the Department of Finance and had a direct conversation with our Delegation about the revenue loss and the need of backfill for Local Sales and Transient Occupancy taxes, Proposition 172 Local Public Safety Sales Tax, and the 1991 and 2011 Realignment. The preliminary projected revenue loss totals at \$29.7 million.

Additionally, the County sent a letter to the Administration and the Department of Finance requesting additional new resources to:

- Broadly test, investigate, contract trace, isolate and support newly infected patients by our Public Health Department and partner healthcare agencies
- Prevent infection in people who are at risk for more severe COVID-19, including continued funding for homeless shelters and active State support for acquiring sites
- Adequately equip our local hospitals, public health and healthcare system to properly treat COVID-19 patients and handle surges; and with sufficient resources to implement alternate cares sites
- Obtain therapeutics as they are developed to meet demand, which will be challenging for smaller counties like Santa Barbara County that must compete with larger counties
- Assist local governments, as well as schools, businesses, child care, to support physical distancing
- Develop data systems and enhanced technology in order to assess and determine when to reinstitute measures, if necessary.

On April 23<sup>rd</sup>, CSAC issued a budget letter to the Administration outlining the primary concerns of California's counties regardless of county size, location, or current number of COVID-19 cases, including issues affecting Santa Barbara:

- *Backfill sales tax lay-away program:* Provide counties with funding to backfill revenue delays caused by the sales tax lay-away program. A portion of the sales tax directly funds critical state services under the 1991 and 2011 realignment structures, including public health, behavioral health, a number of human services programs, and public safety. Further, delaying the receipt of revenue into the next fiscal year will have dramatic impacts on realignment allocations among counties and between critical programs that could permanently complicate counties' ability to deliver services in both the budget year and future years.
- *Executive Order on property tax delinquencies:* Allow counties to consider a distressed property owner's economic hardship when determining whether the county may cancel property tax delinquencies and other charges. There is significant uncertainty among many county officials as to whether they are allowed to take economic hardship into account, given past court rulings.
- *Opt out of Teeter Plan:* County cash flow has been substantially impacted by multiple cash flow issues and COVID-19 spending necessitating temporary permission for counties that participate in the Teeter plan to opt out of the plan mid-year. The combination of fewer-than usual on-time property tax payments and a significant increase in canceled delinquency charges could have unmanageable short-term fiscal impacts for counties, without the long-term benefit on which the Teeter Plan is predicated. Allowing counties to opt out of the plan would allow the short-term impact to be shared at a manageable level among taxing entities.
- *Cash flow assistance and CRF funds:* We also seek an immediate partnership with the State to assist counties with urgent cash flow issues so that all counties can continue operating. Immediately distributing the local share of remaining Coronavirus Relief Fund to counties with populations below 500,000 would not only put them on equal footing with the larger counties, it would also provide exactly the kind of short-term cash flow assistance that will enable counties to

meet this moment. Given that counties are the level of government facing the bulk of CRF eligible expenses, the majority of the remaining funds—at least 77.5 percent, the same percent that the federal government is directly allocating to California counties—should be distributed to counties on a per capita basis. A state-county partnership to help manage cash flow issues will also likely involve state assistance to consolidate local applications for the Federal Reserve’s recently announced Municipal Liquidity Facility. We look forward to opening a dialogue about additional short-term local needs and possible solutions as the state and counties continue to respond to the pandemic.

- *Realignment revenue:* Finally, counties are very concerned about the significant estimated decline in revenues dedicated to 1991 realignment, 2011 realignment, and Proposition 172, and the effect those declines will have on the public health, human services, behavioral health, and public safety programs they fund. We would like to explore ways the state and counties might work together to provide stability for these funds and to avoid massive cuts to the programs most needed during this statewide emergency and concurrent economic downturn. Counties are committed to working with your Administration and the Legislature to determine whether the answer is direct state assistance or another creative solution. However, this need is immediate, as counties, like the state, are on the cusp of developing their spending plans, conducting public hearings, and preparing to meet their responsibility to adopt a balanced budget.

### **Executive Orders and Actions**

Governor Gavin Newsom has not only issued a number of executive orders addressing a variety of issues in response to the COVID-19 pandemic, but he is also holding press releases almost daily holding press releases and making actions on COVID-19.

#### *Executive Orders and Actions Timeline*

- April 24, Governor Gavin Newsom announced a series of initiatives to support vulnerable older Californians who are isolating at home during California’s stay at home order. California is launching a first-in-the nation meal delivery program, a partnership to make wellness check-in calls, and the expansion of Friendship Line California to help combat social isolation. These actions will support the approximately 1.2 million Californians over the age of 65 who live alone.
- April 23, Governor Gavin Newsom announced that most private student loan servicers have agreed to provide payment and other relief to borrowers, including more than 1.1 million Californians with privately held student loans. He also signed an executive order to stop debt collectors from garnishing COVID-19-related financial assistance.
- The Governor also issued an executive order that empowers schools to focus on responding to COVID19 and to provide transparency to their communities. The order extends the deadlines for local educational agencies (LEAs) to submit Local Control and Accountability Plans Given the COVID-19 pandemic, school leaders are appropriately focused on managing the immediate needs of their students and families. LEAs will publish a written report to their communities explaining how they are responding to COVID-19.
- Additional orders issued on April 23 extend flexibility to the California Department of Health Care Services (DHCS) and Medi-Cal providers on a variety of deadlines, allow fair hearings to continue for California Children’s Services, temporarily suspend requirements for in-person signatures for people to obtain certain prescription drugs covered by Medi-Cal, and will allow a 90-day extension for providers on cost reporting, change of scope of service and administrative hearings.
- The Governor also ordered a 60-day extension for customers on several Department of Motor Vehicles deadlines, allow certain posting, filing and notice requirements under the California

Environmental Quality Act (CEQA) to be satisfied through electronic means and will temporarily allow retailers, particularly grocery stores, to provide bags to consumers without charge, and to pause redemption of beverage containers in-store to mitigate the spread of COVID-19.

The order also suspends the requirement for recycling centers to hold a minimum number of hours of operation and directs the Department of Resources Recycling and Recovery (CalRecycle) to develop and issue operating guidelines.

- April 22, Governor Gavin Newsom announced plans to resume delayed health care that was deferred as hospitals prepared for COVID-19 Surge. The decision was based on progress toward preparing California's hospitals and health care delivery system for a COVID-19 surge in patients, one of California's six indicators to gradually modify state's stay-at-home order. The Governor also announced plans to add at least an additional 80 testing sites in underserved communities train up to 10,000 contact tracers.
- California Volunteers' launched the [#CaliforniansForAll](#) service initiative to connect Californians with safe volunteer opportunities and encourage those unable to physically volunteer to think creatively about ways to make a difference in their communities. (4/21/2020)
- The state secured commitments from companies, business leaders, and philanthropists to provide [Internet access](#) for hundreds of thousands of households and laptops, Chromebooks, and tablets for over 70,000 students. (4/20/2020)
- The California Public Utilities Commission is making \$30 million available to help school districts ensure that families have Internet access and computing devices for [distance learning](#). (4/20/2020)
- The California State Transportation Agency is partnering with the City of Sacramento to convert and deploy seven transit buses to be used as [super hotspots](#). (4/20/2020)
- California negotiated master agreement template with [Motel 6](#) which counties can now use to access these facilities for Project Roomkey. (4/18/2020)
- Governor Newsom issued an executive order allowing temporary waivers to certain [foster youth programs](#) to ensure continuity of care in response to COVID-19. (4/17/2020)
- Governor Newsom established a state [Task Force on Business and Jobs Recovery](#) to chart a path forward on recovery in the wake of COVID-19. (4/17/2020)
- Governor Newsom issued an [executive order](#) addressing upcoming admissions criteria for the CSU system, background checks for essential workers, and deadline extensions to real estate licenses and more. (4/17/2020)
- Governor Newsom issued an executive order increasing health and safety standards by permitting workers at [food facilities](#) to wash their hands every 30 minutes, or as needed. (4/16/2020)
- Governor Newsom issued an executive order to give two weeks of supplemental [paid sick leave](#) to certain food sector workers if they are subject to a quarantine or isolation order or medical directive. (4/16/2020)
- Philanthropic partners committed to raising a \$50 million to support [undocumented](#) Californians. (4/15/2020)
- California invested \$75 million in statewide Disaster Relief Assistance funding to provide financial support for [immigrant workers](#) affected by COVID-19. (4/15/2020)
- The Employment Development Department is implementing a [one-stop shop](#) for those applying for Pandemic Unemployment Assistance, including the self-employed and independent contractors. (4/15/2020)
- The state launched a new initiative to expand [call center](#) hours at the Employment Development Department to better assist Californians with unemployment insurance applications. (4/15/2020)
- Governor Newsom signed an executive order to address the release and reentry process at the [Division of Juvenile Justice \(DJJ\)](#) so that eligible youth serving time at DJJ can be discharged safely and expeditiously. (4/14/2020)

- Governor Newsom outlined six critical indicators California will consider before modifying the stay-at-home-order and other COVID-19 interventions. (4/14/2020)
- California invested \$42 million to protect younger Californians who are at heightened risk for abuse and mistreatment due to COVID-19. (4/13/2020)
- Governor Newsom announced the release of \$100 million to support child care services, and to support child care providers who are stepping up to serve essential infrastructure workers and vulnerable populations and their children. (4/10/2020)
- The USNS Mercy is taking non-COVID-19 patients to help decompress skilled nursing facilities in the Los Angeles area. (4/10/2020)
- California is providing stipends to certified nurse assistants, licensed vocational nurses and other critical staff at nursing homes to make sure their needs are met. (4/10/2020)
- The state created a program to provide doctors, nurses and other critical front-line health care workers access to no-cost or low-cost hotel rooms. (4/9/2020)
- California is partnering with United Airlines, which will provide free, round-trip flights for volunteer medical professionals from across California and the country who join the state's health care workforce. (4/9/2020)
- The state will begin implementing new federal benefit payments of \$600 on top of the weekly benefit received by California workers as part of the new Pandemic Additional Compensation (PAC) initiated by the CARES Act. (4/9/2020)
- Governor Newsom issued an executive order that provides additional support for older adults and vulnerable young children. (4/7/2020)
- Governor Newsom issued an executive order to help the state procure necessary medical supplies to fight COVID-19. (4/7/2020)
- California's Surgeon General released new stress management playbooks for individuals, caregivers and kids. (4/7/2020)
- California published a consolidated page of helplines and resources for those experiencing stress, anxiety or depression, facing substance abuse disorders, violence at home, or seeking to protect child welfare and address child abuse or neglect. (4/7/2020)
- California secured 4,613 additional beds to fight COVID-19 and is aggressively planning for a surge in hospitalizations in the coming weeks, aiming to add 50,000 beds to our existing hospital capacity of nearly 75,000 beds. (4/6/2020)
- The Governor created a COVID-19 Testing Task Force, a public-private collaboration that will work with stakeholders to rapidly boost testing capacity. (4/4/2020)
- California launched a new website, covid19supplies.ca.gov, to allow individuals and companies to donate, sell or offer to manufacture 13 of the most critical medical supplies including ventilators, N95 respirators and testing materials. (4/4/2020)
- Governor Newsom issued an executive order allowing health care providers to use video chats and applications to provide health services without risk of penalty. (4/3/2020)
- Governor Newsom signed an executive order expanding consumer protection against price gouging on critical items, such as food and medical supplies, during the COVID-19 crisis. (4/3/2020)
- The state is securing thousands of isolation rooms in hotels and motels through Project Roomkey, for extremely vulnerable individuals experiencing homelessness, to help flatten the curve & preserve hospital capacity. (4/3/2020)
- California is the first state in the nation to secure FEMA approval for 75 percent federal cost-share for housing vulnerable individuals experiencing homelessness. (4/3/2020)
- Governor Newsom signed an executive order that will restrict water shutoffs to homes and small businesses while the state responds to the COVID-19 pandemic. (4/2/2020)
- The state is providing \$50 million in loan guarantees for small businesses that may not be eligible for federal relief. (4/2/2020)

- California is also allowing small businesses to defer payment of sales and use taxes of up to \$50,000, for up to 12 months. (4/2/2020)
- Governor Newsom announced \$17.8 million in new state initiatives to support California workers impacted by COVID-19. The allocation will come from Workforce Innovation and Opportunity Act funds with \$7.8 million going to the Los Angeles region and \$10 million made available statewide. (4/2/2020)
- California is partnering with Google, which will be donating Chromebooks and will fund the use of 100,000 donated mobile hotspots to provide free and unlimited high-speed Internet connectivity for the remainder of the school year. (4/1/2020)
- The Governor issued an executive order expediting the use of funds to support the state's continuing efforts to protect public health and respond to the COVID-19 crisis. (4/1/2020)
- The state developed an agreement between teachers, classified employees, school boards, superintendents, and principals to work together to provide distance learning to California's students as a result of physical school closures due to mitigation efforts against the COVID-19 outbreak. (4/1/2020)
- California launched a statewide hotline (833-544-2374) and call center in partnership with 2-1-1 to connect older Californians with essential services like food and medication. (3/31/2020)
- Governor Newsom called for community members to check in on senior neighbors, friends, and family as part of the 'Stay Home. Save Lives. Check In.' (3/31/2020)
- The state is urging local non-profits and faith-based organizations to call to check in on all of the older Californians in their networks. (3/31/2020)
- In partnership with AARP, the state is sending a mailer to every older Californian with information and resources to adapt to the stay at home order. (3/31/2020)
- Governor Newsom issued an executive order to expand the health care workforce and staff at least an additional 50,000 hospital beds needed for the COVID-19 surge. (3/30/2020)
- The state launched the California Health Corps— health care professionals with an active license, public health professionals, medical retirees, medical and nursing students, or members of medical disaster response teams in California are all encouraged to join and staff the surge in COVID-19 patients. (3/30/2020)
- Governor Newsom signed an executive order providing relief to small businesses— it includes a 90-day extension in state and local taxes and extends licensing deadlines and requirements for a number of industries. (3/30/2020)
- The state secured partnerships with leading digital and media platforms, businesses and celebrities from across the state on the COVID-19 public awareness campaign. (3/29/2020)
- The Governor issued an executive order banning the enforcement of eviction orders for renters affected by COVID-19 through May 31, 2020. (3/27/2020)
- The Governor issued an executive order enabling the Chief Justice to take emergency actions for the state's courts to be able to conduct business during the COVID-19 pandemic. (3/27/2020)
- Governor Newsom secured a major financial relief package – financial institutions will provide a 90-day grace period for mortgage payments and will not negatively impact credit reports for Californians accessing payment relief. (3/25/2020)
- The Governor issued an executive order directing the California Department of Corrections and Rehabilitation to temporarily halt intake of inmates and youth into the state's 35 prisons and four youth correctional facilities. (3/24/2020)
- The state is moving to videoconferencing of all scheduled parole suitability hearings starting next month. (3/24/2020)
- California awarded \$100 million to cities, counties and continuums of care to help people experiencing homelessness during the COVID-19 pandemic. (3/23/2020)
- California State Parks is working closely with local county and public health officials to modify park operations by closing vehicular traffic at some park units to reduce the density of visitors. (3/23/2020)

- The state secured a presidential Major Disaster Declaration, which makes federal funding available to state, tribal and local governments for emergency protective measures, including direct federal assistance, and makes funding available for crisis counseling for impacted individuals. (3/22/2020)
- California requested and received Personal Protective Equipment from the Strategic National Stockpile. (3/21/2020)
- The state is leasing two hospitals to increase availability of beds for COVID-19 patients. (3/21/2020)
- California is directing more than \$42 million in emergency funding to expand California's health care infrastructure and secure equipment and services to support California's response to COVID-19. (3/21/2020)
- The Governor issued an executive order giving the state the ability to increase the health care capacity in clinics, mobile health care units and adult day health care facilities. (3/21/2020)
- California launched a partnership Neighbor-to-Neighbor campaign with NextDoor and California Volunteers to safely deploy volunteers to help the most vulnerable Californians. (3/20/2020)
- The Governor activated close to 500 members of the California National Guard to help distribute food at food banks and protect California's most vulnerable residents. (3/20/2020)
- The Governor issued an executive order to permit vote-by-mail procedures to be used in three upcoming special elections, protecting public health and safety during the COVID-19 outbreak. (3/20/2020)
- The California Department of Human Resources issued directives to departments on how to manage the state workforce to keep employees safe while continuing to provide Californians critical support and services. (3/19/2020)
- The Department of Food and Agriculture published a resource page for the agricultural sector. (3/19/2020)
- The Governor requested immediate deployment of the USNS Mercy Hospital Ship to the Port of Los Angeles to decompress the state's health care delivery system in Los Angeles. (3/19/2020)
- The state requested federal assistance to supplement California's efforts to prepare for a COVID-19 surge. (3/19/2020)
- The Governor issued a stay-at-home order to protect the health and well-being of all Californians and slow the spread of COVID-19. (3/19/2020)
- The Department of Motor Vehicles cancelled behind-the-wheel drive tests, suspended extended office hours and moved to appointment-only service for transactions requiring an in-person visit. (3/18/2020)
- California launched a consumer-friendly website and public service announcements to boost COVID-19 awareness. (3/18/2020)
- The Governor issued an executive order providing flexibility to local governments to spend their emergency homelessness funding on immediate solutions tailored to combatting COVID-19 and its impacts on the homeless population. (3/18/2020)
- The Governor directed the first allocation of the \$500 million in emergency funding recently authorized by the Legislature for COVID-19 related activities – \$150 million for local emergency homelessness actions. (3/18/2020)
- California is securing 1,309 travel trailers and hundreds of hotels rooms to provide immediate housing options for those most at risk. (3/18/2020)
- The Governor issued an executive order to ensure Californians who rely on Medi-Cal, CalFresh, CalWORKS, Cash Assistance for immigrants and in-home supportive services will not lose access due to COVID-19. (3/18/2020)
- The Governor issued an executive order to suspend standardized testing to focus on the mental and socioemotional well-being of students. (3/18/2020)
- The Governor placed the National Guard on alert to support COVID-19 community readiness. (3/17/2020)

- The state secured SBA disaster assistance for California small businesses economically impacted by COVID-19. (3/17/2020)
- The state removed barriers to make it easier for California to quickly and effectively provide care to about 13 million Medi-Cal beneficiaries and expand telehealth options. (3/17/2020)
- The Governor issued an executive order to ensure vital goods can be delivered to California retailers in a timely manner during the COVID-19 outbreak. (3/17/2020)
- The Governor requested and signed emergency legislation providing up to \$1 billion in funding to help California fight COVID-19. (3/17/2020)
- California released guidance and resources for schools to plan and implement distance learning and school meal delivery. (3/17/2020)
- State health and emergency officials directed bars and clubs to close and restaurants to open only for drive-through or pick-up/delivery. (3/17/2020)
- The state issued guidance for vulnerable Californians– older residents (65+) and those with underlying health conditions – to isolate at home. (3/16/2020)
- The Governor issued an executive order to protect the health and safety of Californians most vulnerable to COVID-19 residing at health care, residential and non-residential facilities licensed by the state. (3/16/2020)
- California Volunteers created a resource page on how Californians can safely help their communities during COVID-19. (3/16/2020)
- The Governor issued an executive order that authorizes local governments to halt evictions for renters and homeowners, slows foreclosures, and protects against utility shutoffs for Californians affected by COVID-19. (3/16/2020)
- The Department of Motor Vehicles is allowing customers to avoid coming into the DMV office for 60 days so that at-risk populations can avoid required visits and practice social distancing. (3/16/2020)
- EDD is encouraging employers who are experiencing a slowdown in their businesses or services as a result of the outbreak's impact on the economy to apply for an Unemployment Insurance work sharing program. (3/13/2020)
- In partnership with federal and local government, California managed the safe disembarkation and treatment of passengers from the Grand Princess cruise ship. (3/13/2020)
- Californians unable to work because they are caring for an ill or quarantined family member can file a Paid Family Leave. (3/13/2020)
- The California Employment Development Department (EDD) is encouraging individuals who are unable to work due to exposure to COVID-19 to file a Disability Insurance claim. (3/13/2020)
- The Franchise Tax Board is providing a 90-day extension to file California tax returns for taxpayers affected by the COVID-19 pandemic. (3/13/2020)
- Caltrans launched a statewide educational campaign on more than 700 electronic highway signs, urging all Californians to be more diligent about containing the spread of the virus. (3/13/2020)
- The Governor issued an executive order to ensure schools retain state funding even in the event of a COVID-19 physical closure. (3/13/2020)
- The Governor issued an executive order removing the waiting period for unemployment and disability insurance for Californians who lose work as a result of the COVID-19 outbreak and readying the state to commandeer hotels and medical facilities. (3/12/2020)
- The state is allowing local and state legislative bodies to hold meetings via conference calls while still meeting state transparency requirements. (3/12/2020)
- The state directed mass gatherings be postponed or cancelled to slow the spread of the virus. (3/11/2020)
- The California Business, Consumer Services and Housing Agency released guidance for homeless assistance providers in the state. (3/10/2020)
- California obtained approval to provide meal service during school closures to minimize potential exposure to COVID-19. (3/7/2020)

- California activated the State Operations Center and the Medical and Health Coordination Center to coordinate response efforts across the state. (3/6/2020)
- 24 million more Californians were made eligible for free medically necessary COVID-19 testing. (3/5/2020)
- The Governor declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of COVID-19. (3/4/2020)
- California made available some of its emergency planning reserves of 21 million N95 filtering facepiece masks for use in certain health care settings to ease shortages of personal protective equipment. (3/3/2020)
- The state secured COVID-19 test kits from the CDC to help get results sooner, identify and treat cases and trace potential exposure. (2/28/2020)
- The California Department of Public Health is coordinating with federal authorities and local health departments that have implemented screening, monitoring and, in some cases, quarantine of returning travelers. (Ongoing)
- The California Department of Public Health's state laboratory in Richmond and 21 other public health department laboratories are testing for the virus that causes COVID-19. (Ongoing)
- The state's public health experts are providing information, guidance documents, and technical support to local health departments, health care facilities, providers, schools, universities, colleges, elder care and congregate living facilities, childcare facilities and homeless shelters across California. (Ongoing)
- The state is piloting Community Based Testing Sites for high-risk individuals in partnership with Verily. (Ongoing)

### **Request to Continue Critical 1115 Federal Waiver**

On April 17<sup>th</sup>, CSAC submitted a joint letter with the County Welfare Directors Association of California (CWDA), the County Health Executives Association of California (CHEAC), the County Behavioral Health Directors Association of California (CBHDA), and the California Association of Public Hospitals and Health Systems (CAPH) to request a one-year extension to the Section 1115 and 1915(b) Medicaid waivers.

The letter stated that while the current focus must remain on the health and safety of our communities during this global pandemic, they urge to require that CMS extend expiring Section 1115 and 1915(b) Medicaid waivers for states that request it.

The letter was sent to the California congressional delegation with the purpose of garnering their support in this effort. Meanwhile, DHCS has postponed several CalAIM activities and will request an extension to both waivers from CMS.

### **COVID-19 Bills**

#### *AB 664 (Cooper) Workers' compensation: injury: communicable disease*

This bill would define "injury," for certain state and local firefighting personnel, peace officers, certain hospital employees, and certain fire and rescue services coordinators who work for the Office of Emergency Services to include being exposed to or contracting, on or after January 1, 2020, a communicable disease, including coronavirus disease 2019 (COVID-19), that is the subject of a state or local declaration of a state of emergency that is issued on or after January 1, 2020. The bill would create a conclusive presumption, as specified, that the injury arose out of and in the course of the employment. The bill would apply to injuries that occurred prior to the declaration of the state of emergency. The bill

would also exempt these provisions from the apportionment requirements. This bill would declare that it is to take effect immediately as an urgency statute. This bill was amended on April 17<sup>th</sup>, and referred to the Senate Labor, Public Employment and Retirement.

*AB 828 (Ting) Temporary moratorium on foreclosures and unlawful detainer actions: coronavirus (COVID-19)*

This bill would prohibit a person from taking any action to foreclose on a residential real property while a state or locally declared state of emergency related to the COVID-19 virus is in effect and until 15 days after the state of emergency has ended, including, but not limited to, causing or conducting the sale of the real property or causing recordation of a notice of default. This bill would require a tax collector to suspend the sale, and not attempt to sell, tax-defaulted properties while a state or locally declared state of emergency related to the COVID-19 virus is in effect and until 15 days after the state of emergency has ended. This bill was amended on April 8<sup>th</sup> and has been referred to the Senate Public Safety Committee.

*AB 1107 (Chu) Unemployment benefits: temporary additional benefits*

Under existing law, unemployment compensation benefits are based on wages paid in a base period that is calculated according to the month within which the benefit year begins. Existing law provides that a weekly unemployment compensation benefit amount may be paid to an individual whose highest wages in the quarter of their base period exceeded \$900, but a weekly benefit amount shall not exceed \$450. This bill would, until March 1, 2021, instead provide that once the temporary federal unemployment increase due to the COVID-19 outbreak has ceased, an individual's weekly benefit amount would be increased by \$600, notwithstanding the weekly benefits cap. Because this bill would expand the scope of payments from the Unemployment Disability Compensation Fund, which is continuously appropriated, it would make an appropriation. This bill was amended on April 22<sup>nd</sup> and has been referred to the Senate Labor, Public Employment and Retirement.

*AB 3216 (Kalra) Employee leave: authorization: coronavirus (COVID-19)*

This bill would make it an unlawful employment practice for an employer, as defined, to refuse to grant a request by an eligible employee to take family and medical leave due to the coronavirus (COVID-19), as specified. The bill would require a request under this provision to be made and granted in a similar manner to that provided under the CFRA. The bill would specify that an employer is not required to pay an employee for the leave taken, but would authorize an employee taking a leave to elect, or an employer to require, a substitution of the employee's accrued vacation or other time off during this period and any other paid or unpaid time off negotiated with the employer. The bill would authorize an employee, if the employee takes leave because of the employee's own diagnosis with or quarantine because of COVID-19, to elect, or the employer to require, that the employee substitute their accrued sick leave. The bill would prohibit an employee from using sick leave during a period of leave to care for a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner diagnosed with or quarantined because of COVID-19. The bill would require an employer, during any period in which an eligible employee takes leave, to maintain and pay for coverage under a group health plan, as defined, and would authorize the employer to recover the premium that the employee paid under certain circumstances. This bill was amended on March 12<sup>th</sup>, and referred to the Assembly Labor and Employment Committee. The committee hearing was postponed.

*SB 89 (Committee on Budget and Fiscal Review) Budget Act of 2019*

This bill would amend the Budget Act of 2019 by appropriating \$500,000,000 from the General Fund to be used for any purpose related to the Governor's March 4, 2020 proclamation of a state of emergency. This bill would authorize additional appropriations in increments of \$50,000,000, up to a total appropriation of \$1,000,000,000. The bill would amend the act to state the Legislature's intent that the administration work with stakeholders, including members of the Legislature and legislative staff, to develop strategies to be considered for inclusion in the Budget Act of 2020 to provide assistance related to the impacts of COVID-19. The bill would amend the act by adding an item of appropriation to the Department of Resources Recycling and Recovery. This bill was chaptered into law on March 17<sup>th</sup>.

*SB 117 (Committee on Budget and Fiscal Review) Education finance: average daily attendance and timeline waivers: protective equipment and cleaning appropriation: COVID-19*

This bill would specify that a school closure due to COVID-19 is a qualifying event for the purposes described above. The bill would waive a grantee's obligation to submit a request for pupil attendance credits, and would require a grantee to be credited with the average annual attendance it would have received had it been able to operate its entire program during the time the school was closed due to COVID-19. This bill was chaptered into law on March 17<sup>th</sup>.

*SB 915 (Leyva) Mobilehome parks: emergency relief: coronavirus (COVID-19)*

Existing law, the Mobilehome Residency Law, governs the terms and conditions of residency in mobilehome parks. Under existing law, the management of a mobilehome park may not terminate or refuse to renew a tenancy, except pursuant to certain procedures, and upon giving written notice to the homeowner of not less than 60 days. This law, among other things, defines "management" to mean the owner of a mobilehome park or an agent or representative authorized to act on the owner's behalf in connection with matters relating to a tenancy in the park. Existing law defines a "resident" as a homeowner or other person who lawfully occupies a mobilehome. This bill would prohibit the management of a mobilehome park from terminating or attempting to terminate the tenancy of a resident who is impacted by the coronavirus (COVID-19) pandemic during a declared state of emergency or local emergency related to the COVID-19 pandemic, and during a 120-day time period after the declared emergency order is lifted. The bill would also prohibit the management of a mobilehome park from issuing a 60-day notice of termination of tenancy during this timeframe. This bill was amended on April 15<sup>th</sup>, and has been referred to the Senate Housing Committee.

*SB 939 (Wiener) Emergencies: COVID-19: evictions*

This bill would prohibit the eviction of tenants of commercial real property, including businesses and non-profit organizations, during the pendency of the state of emergency proclaimed by the Governor on March 4, 2020, related to COVID-19. The bill would make it a misdemeanor, an act of unfair competition, and an unfair business practice to violate the foregoing prohibition. The bill would render void and unenforceable evictions that occurred after the proclamation of the state of emergency but before the effective date of this bill. The bill would not prohibit the continuation of evictions that lawfully began prior to the proclamation of the state of emergency, and would not preempt local ordinances prohibiting or imposing more severe penalties for the same conduct. This bill contains other existing laws. This bill was amended on March 25<sup>th</sup>, and has been referred to the Senate Rules Committee.

*SB 943 (Chang) Paid family leave: school closures: COVID-19*

Existing law establishes within the state disability insurance program a family temporary disability insurance program, also known as the Paid Family Leave program, for the provision of wage replacement benefits to workers who take time off work to care for a seriously ill family member or to bond with a minor child within one year of birth or placement, as specified. This bill would, until January 1, 2021, also authorize wage replacement benefits to workers who take time off work to care for a minor child whose school has been closed due to the COVID-19 virus outbreak. This bill contains other related provisions. This bill amended on March 26<sup>th</sup> and has been referred to the Senate Rules Committee.

*SB 1159 (Hill) Workers' compensation: COVID-19: critical workers*

Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of employment. Existing law creates a disputable presumption that specified injuries sustained in the course of employment of a specified member of law enforcement or a specified first responder arose out of and in the course of the employment. This bill would, until an unspecified date, define "injury" for a critical worker, as described, to include illness or death that results from exposure to coronavirus disease 2019 (COVID-19) under specified circumstances. The bill would create a disputable presumption, as specified, that an injury that develops or manifests itself while a critical worker is employed arose out of and in the course of the employment. This bill was amended on April 22<sup>nd</sup> and has been referred to the Senate Rules Committee.

Bills of Interest to the County

*ACA 1 (Aguiar-Curry) Local government financing: affordable housing and public infrastructure: voter approval*

ACA 1 is a constitutional amendment that would have made it easier for local governments to increase property taxes and would have asked voters to decide whether property tax increases for affordable housing and infrastructure could be approved by a 55% vote instead of two-thirds vote. ACA 1 failed to pass on the Assembly Floor with a vote of 44-20 on August 19th. As a proposed constitutional amendment, ACA 1 needed approval by two-thirds of the Assembly. The Author requested a motion to reconsider in 2019, but the bill was not taken up again.

AB 1948 (Bonta), which would reduce the cannabis excise tax rate from 15% to 11% until 2023, and would suspend the cultivation tax until 2023, was introduced on January 17, 2020. On March 9, the bill's status was Hearing for testimony only in committee.

AB 1525 (Jones-Sawyer), which would allow state regulators and local government associations (a licensing authority, or the CA Cannabis Authority) to share a cannabis licensee's information with financial institutions, was referred to the Senate Rules Committee on January 28, 2020.

Conclusion

Due to the impact of COVID-19, it is uncertain when the entire Legislature will reconvene, but the Assembly has indicated that they will be back in session on May 4<sup>th</sup> with new public safety procedures, in order to hear a limited amount of bills. The Senate has not indicated when they plan to return. The

Governor has released updates and executive orders on a daily basis regarding the COVID-19 pandemic. Large budget items, legislation, and relief packages, including those for counties, will continue to be monitored.

We look forward to discussing priorities in the Legislature and the Budget and help navigate this uncertain climate as the process goes forward this year. We will continue to work with staff and keep the committee and Board updated. As always, should you or your staff have any questions, please don't hesitate to let us know.