



Mid-Year Legislative Update

The California State Legislature has crossed the midway point of the 2022 Legislative Session. Legislators had until June 2nd to move legislation out of their house of origin. Bills that did not clear that hurdle must be shelved for the year. Bills that survived the “house of origin” deadline are now being heard in policy committees in the corresponding “other” house (Assembly and Senate). All remaining measures must be passed out of the legislature and to the Governor for consideration by September 14th.

SCGMA continues to be highly effective in impacting the most significant industry bills that they have taken positions on. Below is an update on the status of the high priority legislative issues we have been involved with this year.

SUPPORT

AB 1121

AUTHOR: [Haney D](#)

TITLE: Public works: ineligibility list.

SUMMARY: Requires awarding authorities to submit to the Department of Industrial Relations' electronic project registration database a list of contractors that are ineligible to bid on or be awarded a public works contract, or to perform work as a subcontractor on a public works project, pursuant to local debarment or suspension processes. Requires the list to contain the name of the contractor, the Contractors State License Board license number of the contractor, the jurisdiction where the debarment or suspension applies, and the effective period of debarment or suspension of the contractor.

STATUS: In committee: Referred to APPR suspense file.

POSITION: Support

Note: *Author accepted our suggested amendment to ensure that the locality in which the contractor has been debarred is listed with the debarment.*

SB 375

AUTHOR: [Alvarado-Gil D](#)

TITLE: Employment: employer contributions: employee withholdings: COVID-19 regulatory compliance credit.

SUMMARY: Would provide a tax credit, to employers for their costs to comply with Cal/OSHA's recently implemented COVID-19 Prevention/Non-Emergency Standard (CP/NES) regulation.

STATUS: Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/8/2023)(May be acted upon Jan 2024) - **Dead**

POSITION: Support



[SB 740](#)

AUTHOR: [Cortese](#) D

TITLE: Hazardous materials management: stationary sources: skilled and trained workforce.

SUMMARY: This bill expands the skilled and trained workforce (STW) requirements for contracted workers per SB 54 (Hancock, Chapter 795, Statutes of 2013) from applying solely to petroleum refineries to additionally apply to facilities engaged in manufacturing hydrogen, biofuels, or certain chemicals, or in capturing, sequestering, or using carbon dioxide in specified conditions.

STATUS: June 14 set for first hearing canceled at the request of author.

POSITION: Support

[SB 592](#)

AUTHOR: [Newman](#) D

TITLE: Labor standards information and enforcement.

SUMMARY: Provides that, for actions and proceedings that commence on or after January 1, 2024, any person who relies on a published opinion letter or enforcement policy, guidance, frequently asked question document, fact sheet, model policy, template, or chart (document) displayed on the DLSE website shall not be liable for costs or subject to punishment, except for restitution of unpaid wages, for a violation of a statute or regulation in a judicial or administrative proceeding if the person pleads and proves to the trier of fact that, at the time the alleged act or omission occurred, the person, acting in good faith, did all of the following: 1) Relied upon and conformed to the applicable opinion letter or document published by DLSE. 2) Provided true and correct information to DLSE in seeking an opinion letter or enforcement policy, if applicable.

STATUS: Failed Deadline pursuant to Rule 61(a)(2). (Last location was L., P.E. & R. on 2/22/2023)(May be acted upon Jan 2024)- **Dead**

POSITION: Support

[OPPOSE](#)

[AB 43](#)

AUTHOR: [Holden](#) D

TITLE: Greenhouse gas emissions: building materials: embodied carbon trading system.

SUMMARY: This bill makes a number of changes to the provisions created by AB 2446 (Holden, Chapter 352, Statutes of 2022), and expands the framework created therein by including authority for the California Air Resources Board (CARB) to establish an Embodied Carbon Trading System for building materials.

STATUS: Read second time and amended. Re-referred to Com. on APPR.

POSITION: Oppose

[AB 594](#)

AUTHOR: [Maienschein](#) D

TITLE: Labor Code: alternative enforcement.

SUMMARY: Would authorize a public prosecutor to prosecute an action, either civil or criminal, for a violation of the Labor Code or to enforce those provisions independently and without specific direction of the Division of Labor Standards Enforcement. The bill would also prohibit any individual agreement



between a worker and employer that purports to limit representative actions or to mandate private arbitration to take precedence over the public prosecutor action.

STATUS: From committee: Do pass and re-refer to Com. on JUD. (Ayes 4. Noes 1.) (June 28). Re-referred to Com. on JUD.

POSITION: **Oppose** -> **Active**

Note: *Amendments were taken at our request to clarify that "individual agreement" does not include collectively bargained agreements, ensuring that our grievance and arbitration provisions remain valid.*

AB 1100

AUTHOR: [Low](#) D

TITLE: Employment: workweek.

SUMMARY: Would establish the 32-hour Workweek Pilot Program under the administration of the Department of Industrial Relations to provide grants to employers with 5 or more employees for the purposes of administering pilot programs that provide each employee the option to work a 32-hour workweek. The bill would authorize an employer to apply for a grant from the department by submitting a specified application that includes, among other things, a 12-month plan for the implementation of a 32-hour workweek. The bill would require the department to award grants quarterly, beginning July 1, 2024, and to prioritize employers with hourly employees.

STATUS: Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & E. on 3/23/2023)(May be acted upon Jan 2024) - **Dead**

POSITION: **Oppose**

AB 1690

AUTHOR: [Kalra](#) D

TITLE: Universal health care coverage.

SUMMARY: Would state the intent of the Legislature to guarantee accessible, affordable, equitable, and high-quality health care for all Californians through a comprehensive universal single-payer health care program that benefits every resident of the state.

STATUS: Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/17/2023)(May be acted upon Jan 2024) - **Dead**

POSITION: **Oppose**

SB 365

AUTHOR: [Wiener](#) D

TITLE: Civil procedure: arbitration.

SUMMARY: Current law authorizes a party to appeal, among other things, an order dismissing or denying a petition to compel arbitration. Current law generally stays proceedings in the trial court on the judgment or order appealed from when the appeal is perfected. Originally this bill would have prohibited an appeals court from staying the trial court proceedings. As amended this bill would provide that an appeal of a denial or dismissal of a petition to compel arbitration shall not automatically stay civil legal proceedings.

STATUS: June 28 set for first hearing canceled at the request of author.

POSITION: **Oppose**



***Note:** Amendments have been taken to somewhat address our concerns by removing the “prohibition” on stays in the trial court upon appeal of a petition to compel arbitration and changing the language to provide that appeals to compel arbitration don’t “automatically” stay trial proceedings, but would still allow the appeals court to place a stay on the trial court proceedings.*

SB 423

AUTHOR: [Wiener D](#)

TITLE: Land use: streamlined housing approvals: multifamily housing developments.

SUMMARY: Eliminates the January 1, 2026 sunset date on state law that provide for ministerial approval of certain multifamily affordable housing projects that are proposed in cities and counties that have not built sufficient housing to meet their regional housing needs (SB 35 streamlining).

STATUS: Read second time and amended. Re-referred to Com. on NAT. RES.

POSITION: **Oppose** -> **Active**

***Note:** Amendments were added to the bill to require the use of a skilled and trained workforce for all subcontractors on qualified projects.*

SB 703

AUTHOR: [Niello R](#)

TITLE: Employment: work hours: flexible work schedules.

SUMMARY: Authorizes employers that are not signatory to a collective bargaining agreement, to utilize a flexible work schedule providing for workdays up to ten hours per day within a 40-hour workweek, and would allow an employer to implement this schedule without the obligation to pay overtime compensation for those additional hours in a workday

STATUS: Failed Deadline pursuant to Rule 61(a)(2). (Last location was L., P.E. & R. on 3/1/2023)(May be acted upon Jan 2024) - **Dead**

POSITION: **Oppose**

ACTIVE

AB 336

AUTHOR: [Cervantes D](#)

TITLE: Contractors: workers’ compensation insurance.

SUMMARY: Beginning July 1, 2024, requires all active licensees who have a current and valid Certificate of Workers' Compensation Insurance or Certification of Self-Insurance on file, or who are required to provide those certificates, to additionally certify on their license renewal form the three workers' compensation insurance classification codes for which the highest estimated payroll is reported on the policy.

STATUS: In committee: Referred to APPR. suspense file.

POSITION: **Active**

***Note:** Amendments were taken at our request to clarify that CSLB shall not be required to verify, investigate, or enforce the accuracy of the licensee's workers compensation classification codes.*



[AB 518](#)

AUTHOR: [Wicks D](#)

TITLE: Paid family leave: eligibility: care for designated persons.

SUMMARY: Expands the definition of "family member" for purposes of the Paid Family Leave (PFL) program to allow workers to take time off to care for a seriously ill designated person. Defines designated person to mean any individual related by blood or whose close association with the employee is the equivalent of a family relationship. Requires the designated person to be identified by the employee at the time the claim for benefits is filed.

STATUS: In committee: Hearing postponed by committee. From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on APPR.

POSITION: [Active](#)

[AB 521](#)

AUTHOR: [Bauer-Kahan D](#)

TITLE: Occupational safety and health standards: construction jobsites: toilet facilities.

SUMMARY: This bill, by December 31, 2025, requires the California Division of Occupational Safety and Health (CalOSHA) to submit a rulemaking proposal and consider requiring at least one designated toilet facility for women and nonbinary employees at jobsites that already have two or more required toilet facilities.

STATUS: Read second time. Ordered to third reading.

POSITION: [Active](#)

[AB 524](#)

AUTHOR: [Wicks D](#)

TITLE: Discrimination: family caregiver status.

SUMMARY: This bill prohibits employment discrimination on account of family caregiver status, as defined, and recognizes the opportunity to seek, obtain, and hold employment without discrimination because of family caregiver status as a civil right.

STATUS: Read second time and amended. Re-referred to Com. on L., P.E. & R. (Amended 6/29/2023)

POSITION: [Active](#)

[AB 587](#)

AUTHOR: [Rivas, Robert D](#)

TITLE: Public works: payroll records.

SUMMARY: Requires any copy of records made available for inspection by, or furnished to, a multiemployer Taft-Hartley trust fund or joint-labor management committee, to be on forms provided by the Division of Labor Standards Enforcement (DLSE) or have the same information as the forms provided by DLSE.

STATUS: Read second time. Ordered to third reading.

POSITION: [Active](#)



[AB 1204](#)

AUTHOR: [Holden](#) D

TITLE: Contractors: contracts: restrictions.

SUMMARY: Prohibits a specialty contractor from entering into a contract for the performance of work on the same single project or undertaking with more than one subcontractor in the same license classification as the specialty contractor offering the contract, unless either of the following requirements is satisfied: 1)The subcontractor employs persons who are classified as employees to perform work in that license classification on the single project or undertaking, 2) The specialty contractor is signatory to a bona fide collective bargaining agreement that covers the type of work being performed on the single project or undertaking and addresses the issue of subcontracting or subletting.

STATUS: From committee: Do pass and re-refer to Com. on L., P.E. & R. (Ayes 9. Noes 1.) (June 19). Re-referred to Com. on L., P.E. & R.

POSITION: [Active](#) -> [Support](#)

***Note:** Secured amendments to clarify that the prohibition on subcontracting to no more than one sole proprietor is between specialty subcontractors, that the prohibition only applies if sole proprietor has no employees and that the prohibition doesn't apply if the specialty subcontractor is signatory to a CBA.*

[AB 1383](#)

AUTHOR: [Ortega](#) D

TITLE: Contractors: discipline: noncompliance with child support obligations.

SUMMARY: Requires the Contractors State License Board (CSLB or board) to adopt regulations by January 1, 2025, to suspend or withhold the issuance of a license if an applicant or the qualifying individual, responsible managing officer, or responsible managing employee for the license, is not in compliance with a child support order, and requires licensees to notify CSLB within 120 days of any court ordered earnings assignment for child support.

STATUS: Failed Deadline pursuant to Rule 61(a)(2). (Last location was B.&P. on 3/9/2023)(May be acted upon Jan 2024) - **Dead**

POSITION: [Active](#)

[SB 27](#)

AUTHOR: [Durazo](#) D

TITLE: University of California: vendors.

SUMMARY: Requires University of California (UC) vendors to make payroll information available to the UC, and any union representatives signatory to the UC.

STATUS: From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (June 28). Re-referred to Com. on APPR.

POSITION: [Active](#)

***Note:** Secured amendment that exempts construction contractors signed to a valid CBA from having to comply with the bill.*



[SB 553](#)

AUTHOR: [Cortese](#) D

TITLE: Occupational safety: workplace violence: restraining orders and workplace violence prevention plan.

SUMMARY: This measure would require every employer to establish, implement, and maintain a workplace violence prevention plan that mirrors a plan developed by and for the healthcare industry, for the purpose of protecting employees and personnel who do not work in the healthcare industry from aggressive and violent behavior at the workplace. While we strongly support workplace violence prevention, construction sites generally have no similarities to hospitals, emergency rooms, or other healthcare settings in California, making it infeasible to comply with the requirements of SB 553.

STATUS: From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 8. Noes 2.) (July 5). (Amended 7/10/2023)

POSITION: [Active](#) -> [Oppose](#)

[SB 616](#)

AUTHOR: [Gonzalez](#) D

TITLE: Sick days: paid sick days accrual and use: unpaid sick leave for railroad employees.

SUMMARY: This bill increases the three days of paid sick leave currently afforded to employees under existing law to seven days. Current law excludes specified employees from its provisions, including construction employees covered by a valid collective bargaining agreement, if the agreement contains exemption language.

STATUS: From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 1.) (June 28). Re-referred to Com. on APPR.

POSITION: [Active](#)

[SB 700](#)

AUTHOR: [Bradford](#) D

TITLE: Employment discrimination: cannabis use.

SUMMARY: Would make it unlawful for an employer to request information from an applicant for employment relating to the applicant's prior use of cannabis. Does not alter the construction industry's exemption which allows construction employers to drug test employees.

STATUS: From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 2.) (July 5). Re-referred to Com. on APPR.

POSITION: [Active](#)

[SB 706](#)

AUTHOR: [Caballero](#) D

TITLE: Public contracts: progressive design-build: local agencies.

SUMMARY: This bill expands local agency progressive design-build authority from only water projects to any type of project. Under the provisions of the bill, the authorization sunsets on January 1, 2030.

STATUS: Read second time and amended. Re-referred to Com. on APPR.

POSITION: [Active](#)



NEUTRAL

SB 416

AUTHOR: [Laird D](#)

TITLE: State agencies: building and renovation projects: LEED certification.

SUMMARY: This bill requires any new building or major renovation project undertaken by a state agency to obtain the Leadership in Energy and Environmental Design (LEED) Gold or higher certification and to meet minimum rainwater management standards.

STATUS: From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (June 21). Re-referred to Com. on APPR.

POSITION: [Neutral](#)

SB 630

AUTHOR: [Dodd D](#)

TITLE: Contractors State License Board: regulation of contractors.

SUMMARY: This bill requires an applicant for a contractor's license or a license holder seeking renewal to provide the Contractors State License Board (CSLB) with a valid email address, if available.

STATUS: From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 11. Noes 0.) (June 27). Re-referred to Com. on APPR.

POSITION: [Neutral](#) -> [Support](#)