



STATE LEGISLATION COMMITTEE

Wednesday, March 10, 2021

11:00am – 1:00pm

Join online [HERE](#)

Meeting ID: 187 574 3468 / Meeting Password: JYyHu8Fr4j6

Join by Phone at 415-655-0001

(Public Comment Instructions available on page 7)

MEMBERS:

Mayor's Office (Chair) -- Edward McCaffrey
Supervisor Dean Preston -- Jen Snyder
Supervisor Connie Chan -- Ian Fregosi
Assessor's Office -- Holly Lung
City Attorney's Office -- Mary Jane Winslow
Controller's Office -- Dan Kaplan
Treasurer's Office -- Eric Manke

AGENDA

I. ROLL CALL

II. APPROVAL OF MEETING MINUTES (Action Item). Discussion and possible action to approve the minutes from the meeting of February. 17, 2021

III. STATE LOBBYIST OVERVIEW AND UPDATE (Discussion Item). The City's state lobbyist will present to the Committee an update on State legislative matters.

IV. PROPOSED LEGISLATION (Discussion and Action). Discussion and possible action item: the Committee with review and discuss state legislation affecting the City and County of San Francisco. Items are listed by Department, then by bill number.

New Business

San Francisco Municipal Transportation Agency

Presenter: Jadie Wasilco

1. AB 43 (Friedman) Traffic safety.

Recommended Position: Support

This bill would provide local jurisdictions flexibility in setting speed limits lower than the what is determined by the 85th percentile methodology, as determined by an engineering and traffic survey, on roads on the High Injury

Network, in business activity districts, and near vulnerable populations, such as senior centers.

City Administrator – Office of the County Clerk

Presenter: Tal Quetone

2. AB 583 (Chiu) Remote marriage license issuance and solemnization.

Recommended Position: Support

This bill authorizes a county clerk to issue a marriage license, solemnize, or witness a marriage ceremony using remote technology between January 1, 2022 and January 1, 2024.

Department of the Environment

Presenter: Katie Chansler

3. AB 332 (Committee on Environmental Safety and Toxic Materials) Hazardous waste: treated wood waste: management standards.

Recommended Position: Support

This bill would reinstate the California Department of Toxic Substances Control's (DTSC's) alternative management standards for treated wood waste (TWW), which regulated the handling of TWW until 12/31/2020.

4. AB 622 (Friedman) Washing machines: microfiber filtration.

Recommended Position: Support

This bill would require that, on or before January 1, 2024, all washing machines sold as new in the state of California shall contain a microfiber filtration system with a mesh size of 100 microns or smaller. This will be added as Chapter 10 to Part 15 of Division 104 of the Health and Safety Code.

5. AB 652 (Friedman) Product safety: juvenile products: chemicals: perfluoroalkyl and polyfluoroalkyl substances.

Recommended Position: Support

This bill prohibits the sale or distribution of any new, not previously owned, juvenile product that contains perfluoroalkyl and polyfluoroalkyl substances (PFAS) above a certain detectable level. It also establishes requirements for manufacturers replacing PFAS chemicals in juvenile products.

6. AB 1201 (Ting) Solid waste: plastic products: labeling: compostability and biodegradability.

Recommended Position: Support if Amended

This bill would prohibit a person from selling a plastic product that is labeled with the term "compostable," "home compostable," or "soil biodegradable" unless the product meets specified standards and satisfies specified criteria.

7. AB 1276 (Carrillo) Single-use food accessories.

Recommended Position: Support

This bill would prohibit a food facility or a third-party food delivery platform from providing single-use food accessories to consumers unless requested by the consumer, or unless necessary to protect public health and safety or safe delivery.

8. SB 244 (Archuleta) Lithium-ion batteries: illegal disposal: fire prevention.
Recommended Position: Support
This bill would require the California Department of Resources Recycling and Recovery (CalRecycle) to develop guidance for the public on proper disposal of loose lithium-ion batteries and products containing lithium-ion batteries (laptops, tablets, power tools, mobility devices like e-scooters and e-bikes, etc).
9. SB 289 (Newman) Recycling: household batteries.
Recommended Position: Support if Amended
This bill as currently written would require the California Department of Resources Recycling and Recovery (CalRecycle) to undertake a study on the disposal and recyclability of household batteries including lithium-ion batteries linked to a statewide increase in solid waste vehicle and facility fires.

Treasurer & Tax Collector

Presenter: Michelle Lau

10. SB 586 (Bradford) Criminal fees.
Recommended Position: Support
This bill would end the assessment and collection of 60 administrative fees imposed against people in the criminal legal system. SB 586 builds on Assembly Bill 1869, which abolished 23 administrative fees in the criminal system.

Department on the Status of Women

Presenter: Elizabeth Newman

11. SB 23 (Rubio) Disorderly conduct: distribution of intimate images: statute of limitations.
Recommended Position: Support
This bill extends the statute of limitations for victims of revenge porn, which involves the nonconsensual posting of private or intimate photos or videos. SB 23 would give victims up to a year after discovery to seek charges against the perpetrators.
12. SB 373 (Min) Consumer debt: economic abuse.
Recommended Position: Support
This bill will prohibit debt collectors from being able to collect from a domestic violence survivor, elder abuse survivor, or foster youth when the debt is deemed to be coerced debt and will prohibit consumer credit reporting agency from reporting debts that are a result of this abuse.

Office of Economic and Workforce Development

Presenters: Ryan Young and Amabel Akwa Asare

13. AB 628 (Garcia) Breaking Barriers to Employment Initiative.
Recommended Position: Support
This bill is a reintroduction of the Breaking Barriers to Employment Act (previously AB 1111) and has committed to asking for another \$50 million in General Funds from the State of California to go towards the program.

14. SB 61 (Hurtado) Workforce training programs: supportive services.

Recommended Position: Support

This bill would require the California Workforce Development Board (Board) to establish and administer the Lifting Families Out of Poverty Supportive Services Program, which would require the board to make \$50,000,000 in grants available to consortia, composed of combinations of local workforce development boards, community colleges, or other stakeholders, that apply for funding to provide supportive services.

Department of Public Health

Presenter: Max Gara

15. AB 32 (Aguiar-Curry) Telehealth.

Recommended Position: Support

This bill would require health care services delivered through telehealth to be reimbursed by Medi-Cal on the same basis, to the same extent, and at the same payment rate as those services are reimbursed if delivered in person. The bill would also prohibit the State Department of Health Care Services from restricting the provision and reimbursement for services furnished through telehealth.

16. SB 57 (Wiener) Controlled substances: overdose prevention program.

Recommended Position: Sponsor

This bill would allow San Francisco, along with Los Angeles County and Oakland, to open overdose prevention programs, also referred to as safe consumption sites, in its jurisdiction in order to address the significant rise of overdose deaths.

V. GENERAL PUBLIC COMMENT

Members of the public may address the Committee on items of interest that are within the Committee's subject matter jurisdiction and that do not appear on the agenda.

VI. ADJOURNMENT

Disability Access

Room 201 of City Hall is located at 1 Dr. Carlton B. Goodlett Place and is wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible Muni lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness, as well as Muni Metro stations at Van Ness and Civic Center. For more information about Muni accessible services, call 923-6142. There is accessible parking at the Civic Center Plaza garage.

Know Your Rights Under the Sunshine Ordinance

The government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Donna Hall at Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, by phone at 415-554-7724, by fax at 415-554-7854, or email the Sunshine Ordinance Taskforce Administrator at sotf@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting the Task Force, or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at www.sfgov.org/sunshine.htm.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (San Francisco Campaign and Governmental Conduct Code Sec. 2.100 –2.160) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone 415-581-2300, fax 415-581-2317, Internet website: www.sfgov.org/ethics.

Cell Phones and Pagers

The ringing and use of cell phones, pagers, and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Public Comment

Public Comment will be taken on each item on the agenda before or during consideration of that item.

Document Review

Documents that may have been provided to members of the State Legislation Committee in connection with the items on the agenda include proposed state legislation, consultant reports, correspondence and reports from City departments, and public correspondence. These may be inspected by contacting Edward McCaffrey, Manager, State and Federal Affairs, Mayor's Office at: (415) 554-6588.

Health Considerations

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.

March 10 2021, State Legislation Committee

View the meeting:

<https://ccsf.webex.com/ccsf/onstage/g.php?MTID=ecc8202409723d5c62e8c6cf7ddaee06>

NOTE: Depending on your broadband/WIFI connection, there may be a 30-second to 2-minute delay when viewing the meeting live.

PUBLIC COMMENT CALL-IN: 415-655-0001 Access code: 187 574 3468

After entering the access code, press # twice to listen to the meeting *(There is no delay when listening to the meeting using this number.)*

Information Regarding Providing Public Comment

- Each individual may comment 1 time per agenda item.
- Each individual may speak for up to 2 minutes; after which time the line is automatically silenced.
- To make public comment on a specific agenda item, dial in using the information above when the item is called.
- Dial *3 to be added to the public comment queue for this item.
- When it is your time to speak, you will hear “Your line has been unmuted.”
- Ensure you are in a quiet location.
- Before you speak, mute the sound of any equipment around you including televisions, radios, and computers. It is especially important that you **mute your computer** so there is no echo sound when you speak.
- When the Commission Secretary states, “Next Caller,” you are encouraged to state your name clearly. As soon as you speak, your 2 minute allotment will begin.
- After you speak, you will go back to listening mode. You may stay on the line to provide public comment on another item.



**STATE LEGISLATION COMMITTEE
DRAFT MINUTES**

Wednesday, February 17, 2021

11:00am – 1:00pm

Join online [HERE](#)

Meeting ID: 146 392 5862 / Meeting Password: DPdXNARs263

Join by Phone at 415-655-0001

(Public Comment Instructions available on page 6)

MEMBERS:

Mayor's Office (Chair) -- Edward McCaffrey

Supervisor Dean Preston -- Jen Snyder

Supervisor Connie Chan -- Ian Fregosi

Assessor's Office -- Holly Lung

City Attorney's Office -- Mary Jane Winslow

Controller's Office -- Dan Kaplan

Treasurer's Office -- Eric Manke

Meeting commenced at 11:07am.

AGENDA

I. ROLL CALL

Present: Edward McCaffrey, Dean Preston, Connie Chan, Holly Lung, Mary Jane Winslow, Dan Kaplan, and Eric Manke

Absent: None.

II. APPROVAL OF MEETING MINUTES (Action Item). Discussion and possible action to approve the minutes from the meeting of January 27, 2021.

No public comment.

Motion to approve: Edward McCaffrey

Seconded by: Eric Manke

Approved: 7-0

III. STATE LOBBYIST OVERVIEW AND UPDATE (Discussion Item). The City's state lobbyist will present to the Committee an update on State legislative matters.

IV. PROPOSED LEGISLATION (Discussion and Action). Discussion and possible action item: the Committee with review and discuss state legislation

affecting the City and County of San Francisco. Items are listed by Department, then by bill number.

New Business

Department of Children, Youth and Their Families

Presenter: Aliya Chisti

1. AB 288 (Bonta) California Ban on Scholarship Displacement Act of 2021.
Recommended Position: Support
This bill will prohibit displacement of student aid awards due to receipt of private scholarships for students who are eligible for the Pell Grant at institutions of higher education throughout California.

No public comment.
Motion to Support: Edward McCaffrey
Seconded by: Holly Lung
Approved: 7-0

Department on the Status of Women

Presenter: Elizabeth Newman

2. AB 123 (Lorena Gonzalez) Paid family leave: weekly benefit amount.
Recommended Position: Support
This bill would allow more Californians access to paid family leave by increasing the weekly benefit amount to 90 percent of an individual's wages up to the maximum weekly benefit amount. The vast majority of workers in California contribute to the Paid Family Leave (PFL) program through payroll deductions, however, studies have shown that many low-wage workers are unable to utilize the benefit because the amount is not enough to cover their financial needs.

No public comment.
Motion to Support: Dean Preston
Seconded by: Connie Chan
Approved: 7-0

Department of Public Health

Presenter: Max Gara

3. Proposed Legislation (Chiu): Substance Use Disorder Workforce Expansion
Recommended Position: Support
This proposed legislation from Assemblymember David Chiu aims to expand and diversify the substance use disorder (SUD) workforce by requiring the development of a statewide substance use disorder workforce needs assessment report and increasing educational and training supports for those pursuing careers in SUD-related fields.

No public comment.
Motion to Support: Edward McCaffrey
Seconded by: Mary Jane Winslow
Approved: 7-0

V. GENERAL PUBLIC COMMENT

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No Public Comment

VI. ADJOURNMENT

Meeting concluded at 11:45am.

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Date Submitted	2/26/21
Submitting Department	SFMTA
Contact Name	Jadie Wasilco
Contact Email	Jadie.wasilco@sfmta.com
Contact Phone	415-646-2714
Reviewed and approved by Department Head?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

AB 43
Asm. Friedman, AD 43, Democrat
Traffic safety

Recommended Position

- SPONSOR SUPPORT
 SUPPORT if amended OPPOSE
 OTHER & Describe

Summary

This bill would provide local jurisdictions flexibility in setting speed limits lower than the what is determined by the 85th percentile methodology, as determined by an engineering and traffic survey, on roads on the High Injury Network, in business activity districts, and near vulnerable populations, such as senior centers.

Background/Analysis

In California, speed limits are set using the “85th percentile” rule. Using the 85th percentile methodology to establish a posted speed limit is a two-step process. First, traffic engineers calculate the 85th percentile speed for a given roadway by conducting an engineering and traffic survey. Engineers select a roadway and measure the speed of free-flowing traffic with radar or lidar guns. The survey results are then analyzed, yielding the speed at which 85% of the drivers are traveling at or below.

While the 85th percentile rule is a car-centric methodology intended to maintain traffic flow, there is no evidence to suggest any correlation between traffic flow at the 85th percentile and safety. Further, data has demonstrated conclusively that faster streets

are far more dangerous for everyone, including those who drive, walk, or bike.

People decide how fast to drive based on both the street’s design and cues such as the posted speed limit and other drivers’ speeds. Researchers originally recommended using the 85th percentile approach to determine posted speeds, assuming that drivers always travel at reasonable speeds. Contrary to this assumption, when drivers see higher posted limits and see the resulting increased speed of their peers, they drive faster, too, which results in an increased speed on the street overall. This phenomenon is known as “speed creep.”

Challenge

Using the 85th percentile methodology to set speeds does not consider the context of the road. By only considering how fast 85% of drivers are traveling, this methodology does not consider if it is near a business activity district with many pedestrians or near a senior center with elderly individuals crossing the street. The 85th percentile also does not consider the rate of severe and fatal injuries that have occurred on that street. By using purely an engineering and not context specific methodology, it limits local cities’ ability to make decisions about posted speed limits based on safety.

Using the 85th percentile methodology forces speed limits to match observed driver behavior, instead of bringing driver behavior in line with safety goals and the law. Raising

speed limits to match the 85th percentile speed results in unintended consequences such as higher operating speeds, and thus a higher 85th percentile speed.

For example, LA had to raise speed limits on almost 200 miles of streets over the past few years, including on their High Injury Network, due to new speed survey results using the 85th percentile methodology.

Solution/Recommended Proposal

This bill would make changes to the California Vehicle Code that would provide local jurisdictions additional flexibility to lower speed limits in the following ways:

- Ensures that pedestrian and bicyclist safety must be considered when completing an Engineering and Traffic Survey
- Elevates the consideration of vulnerable populations, such as children, seniors, persons with disabilities and the unhoused by providing greater speed limit rounding allowance on streets that are adjacent to land uses like homeless shelters, parks, playgrounds, and healthcare facilities
- Allows cities to round down an extra 5mph on the High Injury Network
- Creates a definition for a “business activity district” in the CA Vehicle Code, and sets a prima facie speed limit of 20 or 25mph for such districts
- Expands local authority to lower speed limits near schools
- Allows an engineer to maintain existing speed limits if no major design changes have been made to a road, even if an engineering and traffic survey suggests the speed limits should be increased
- Clarifies that a local jurisdiction may set a speed limit as low as 15mph in certain areas based on an engineering and traffic survey

Departments Impacted & Why

SFMTA

Fiscal Impact

N/A

Support / Opposition

None on file yet, but unofficially we are working closely with the following cities and MPOs on this effort:

- Los Angeles
- Oakland
- San Jose
- Sacramento
- Long Beach
- San Diego
- Fresno
- MTC
- SCAG

Date Submitted	March 1, 2021
Submitting Department	Office of County Clerk - City Administrator
Contact Name	Tal Quetone
Contact Email	Tal.quetone@sfgov.org
Contact Phone	415-554-4928
Reviewed and approved by Department Head?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

AB 583
Asm. Chiu, District 17, Democrat
Remote marriage license issuance and solemnization.

- Recommended Position**
-
- SPONSOR SUPPORT
 SUPPORT if amended OPPOSE
 OTHER & Describe

Summary

This bill authorizes a county clerk to issue a marriage license, solemnize, or witness a marriage ceremony using remote technology between January 1, 2022 and January 1, 2024.

Background/Analysis

Existing law requires applicants to be in person when obtaining a marriage license from the county clerk, when parties take each other as spouses in the physical presence of the person solemnizing their marriage, and when the person solemnizing the marriage returns an endorsed marriage license to the county recorder.

Existing law authorizes a county clerk to issue a marriage license to parties to be married if they are physically unable to appear in person or a member of the Armed Forces of the United States who is stationed overseas and serving if certain documentation requirements are met and there is sufficient reasoning provided to the satisfaction of the county clerk.

Existing executive orders describe temporary procedures for obtaining a marriage license and solemnizing a marriage via videoconference.

Challenge

Under current state emergency orders and social distancing guidelines due to the coronavirus pandemic, marriage ceremonies cannot take place in person and in physical distance of the person solemnizing.

Prior to the coronavirus pandemic, marriage licenses could not be obtained via virtual technology. Currently, couples are allowed to obtain marriage licenses virtually through Governor Newsom’s executive order.

Prior to COVID-19 marriages could not marriage license virtually.

Solution/Recommended Proposal

The bill prescribes procedures and requirements for marriage license applications and issuance, and witnessing or solemnizing a marriage ceremony using remote technology and authorizes a county clerk to provide guidance relating to these matters within their jurisdiction using remote technology.

Departments Impacted & Why

No other departments impacted.

Fiscal Impact

N/A

Support / Opposition

Support:

California Association of Clerks and Election
Officials

Oppose:

N/A

Date Submitted	3/1/2021
Submitting Department	Environment
Contact Name	Christopher Lester
Contact Email	Christopher.Lester@sfgov.org
Contact Phone	415-355-3705
Reviewed and approved by Department Head?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

AB 332
Assembly Enviro. Safety and Toxic Materials Committee
Hazardous waste: treated wood waste: management standards.

Recommended Position

- SPONSOR SUPPORT
 SUPPORT if amended OPPOSE
 OTHER & Describe

Summary

This bill would reinstate the California Department of Toxic Substances Control's (DTSC's) alternative management standards for treated wood waste (TWW), which regulated the handling of TWW until 12/31/2020.

With the alternative management standards ("Standards") now expired, TWW is subject to the full set of hazardous waste regulations. These changes have significantly increased the cost and complexity of managing TWW, resulting in many solid waste collection facilities increasing fees or rejecting the waste entirely. San Francisco could be negatively impacted by: (1) increased abandonment and/or improper disposal of TWW and related cleanup costs to City departments; and (2) increased management and disposal costs for City departments that generate TWW through their own activities.

We recommend a support position for the bill, which would permanently reinstate the Standards.

Background/Analysis

Treated wood refers to dimensional lumber, wood poles, wood decking and other wood products that have been treated with preservative chemicals. Under California law, treated wood waste is considered a hazardous waste because it contains toxic chemicals which are used to preserve the wood. However, since 2007 TWW has been managed under the alternative management standards, which exempted it from many of the most stringent hazardous waste management requirements.

The original legislation authorizing the Standards included a provision to sunset the Standards if they were not reauthorized by 12/31/2020. Senate Bill 68 (2020, Galgiani) would have extended the Standards indefinitely. However, Governor Newsom vetoed SB 68 on 9/29/2020, citing additional mandated inspection and enforcement activities and associated costs that the legislation would impose on DTSC without providing commensurate funding. The Governor also referenced a need for periodic review to ensure the Standards remain appropriate and effective.

With the Standards now expired, TWW is subject to the full set of hazardous waste regulations, including disposal only in a class 1 hazardous waste landfill or out-of-state where TWW is not a designated hazardous waste. A facility near Bakersfield is currently

the only in-state option for final disposal of TWW.

These changes have significantly increased the cost and complexity of TWW management. Solid waste collection facilities have responded by increasing fees or rejecting the waste entirely.

Challenge

The expiration of the TWW Standards has significantly increased the cost and complexity of TWW management, leading many waste collection facilities to increase fees or reject the waste entirely. Without adequate, cost-effective disposal options, abandonment and/or improper disposal of TWW will likely increase, especially in neighborhoods adjacent to waste collection facilities. Impacts to San Francisco include: (1) increased incidence of TWW abandonment in neighborhoods and on City property; (2) increased costs for Public Works, Recreation and Parks, and other departments responsible for waste cleanup on streets, parks and other City property; (3) increased management and disposal costs for City departments that generate TWW such as the Port, Recreation and Parks, SFO, and others.

Solution/Recommended Proposal

As currently drafted, the bill would reinstate the expired Standards which regulated TWW management from 2007 to the end of 2020. The Standards would remain valid unless repealed. The bill would take effect immediately as an urgency statute to provide relief to consumers, businesses, and local governments.

Departments Impacted & Why

Public Works, Recreation and Parks and other departments that are responsible for waste cleanup on City property will likely incur higher costs for collecting and disposing of abandoned TWW. Abandoned TWW collected through cleanup efforts would have to be managed in accordance with hazardous waste laws, compounding the impact. Additionally, Departments that use and generate TWW such as the Port,

Recreation and Parks, SFO, and others will likely incur higher costs for management and disposal of TWW.

Note – as of 2/28/2021 Department of Environment has contacted staff at Department of Building Inspection, the Port, Public Works, Recreation and Parks, and SFO. Public Works said that they are supportive of the bill, but we did not receive feedback from the other departments.

Fiscal Impact

Passage of the bill would allow TWW to be managed under the previous Standards. This would reduce management and disposal costs for TWW generators such as contractors, homeowners, and City departments that use treated wood. It would also reduce cleanup costs incurred by Public Works, Recreation and Parks and other City departments responsible for waste cleanup to the extent that abandonment and/improper disposal of TWW is reduced by reinstating the Standards.

Support / Opposition

Bill introduced by the Assembly Committee on Environmental Safety and Toxic Materials, which includes Assembly Members Quirk (Chair), Smith (Vice Chair), Arambula, Bauer-Kahan, Megan Dahle, Cristina Garcia, Holden, and Mathis.

As discussed previously, similar legislation SB 68 (Galgiani, 2020) was vetoed by Governor Newsom. However, AB 332 does not require that DTSC conduct additional inspections, which Governor Newsom cited as a reason for vetoing SB 68.

We are not aware of any stakeholders formally in support or opposition at this time.

Date Submitted	3/1/2021
Submitting Department	Environment
Contact Name	Noelle McHenry
Contact Email	Noelle.McHenry@sfgov.org
Contact Phone	949-439-7517
Reviewed and approved by Department Head?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

AB 622
Asm. Friedman, Asm District 43, Democrat
Washing machines: microfiber filtration

Recommended Position

- SPONSOR SUPPORT
 SUPPORT if amended OPPOSE
 OTHER & Describe

Summary

On or before January 1, 2024, all washing machines sold as new in the state of California shall contain a microfiber filtration system with a mesh size of 100 microns or smaller. This will be added as Chapter 10 to Part 15 of Division 104 of the Health and Safety Code.

Background/Analysis

An estimated 4.8 and 12.7 million metric tons of mismanaged plastic waste makes its way into marine environments every year. Microplastics are pieces of plastic waste less than 5mm in size that pose a significant threat to ecosystems and public health. Microfibers are the most prevalent type of microplastic that are dispelled through frequent domestic, commercial, and industrial laundering. Clothing made with dyes and stain repellents exacerbates the dangerous effects of this pollutant. Microfibers have been found in significant quantities in stormwater runoff, treated wastewater, surface water, sediment, and prey fish in the San Francisco Bay and nearby water bodies. No significant legislation has been passed to mitigate this issue at this time.

Challenge

This bill aims to reduce the amount of synthetic microfibers released from washing machines into communal water sources and ecosystems. Washing machine one clothing manufacturers should be held responsible for the mitigation of this type of pollutant, and this bill would be a significant step in protecting California’s waters.

Solution/Recommended Proposal

AB 622 would require all new washing machines sold in the state of California to contain a microfiber filtration system of a 100 micron or smaller mesh to capture the polluting discharge of synthetic microfibers.

Departments Impacted & Why

Presently there are no departments that would potentially be impacted by this bill.

Fiscal Impact

This would not bring about any fiscal impact to the City of San Francisco, but rather a cost would be reflected in the price of washing machines sold in and after 2024.

Support / Opposition

Supported by: Cosponsor Mark Stone (D)
Opposed by: None on record

Date Submitted	3/1/2021
Submitting Department	Environment
Contact Name	Jennifer Monnet
Contact Email	Jennifer.monnet@sfgov.org
Contact Phone	(415) 355-3731
Reviewed and approved by Department Head?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

AB 652

Asm. Friedman, District 43, Democrat

Product safety: juvenile products: chemicals: perfluoroalkyl and polyfluoroalkyl substances.

Recommended Position

- | | |
|---|---|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

This bill prohibits the sale or distribution of any new, not previously owned, juvenile product that contains perfluoroalkyl and polyfluoroalkyl substances (PFAS) above a certain detectable level. It also establishes requirements for manufacturers replacing PFAS chemicals in juvenile products.

AB 652 requires manufacturers use the least toxic alternative when replacing PFAS chemicals. The bill further forbids manufacturers from replacing PFAS chemicals with any potential or known carcinogen or any known reproductive toxicant, as identified by the US EPA or listed in California's Safe Drinking Water and Toxic Enforcement Act of 1986.

Background/Analysis

Regarding chemicals in children's products: Existing law prohibits the manufacture, sale or distribution of bottles or cups containing bisphenol A when intended for children under the age of three. Existing law also prohibits the manufacture, sale or distribution of toys or child care products that contain di-(2-ethylhexyl) phthalate, dibutyl phthalate or benzyl butyl phthalate. In addition, existing

law prohibits the manufacture, sale, exchange, possession with intent to sell or exchange, or exposure or offer for sale or exchange to any retainer any toy contaminated with a specified toxic substance.

Regarding PFAS chemicals: Existing law requires a Prop 65 warning for all consumer products that contain per-fluorooctanoic acid (PFOA) or perfluorooctane sulfonate (PFOS) chemicals, two of the most studied and pervasive types of PFAS chemicals.

Challenge

PFAS chemicals are widely used to make fabrics and foams resistant to water, grease and stains. This makes them very attractive for use in juvenile products that are prone to soiling. However, most of the 5,000 PFAS chemicals on the market have not been tested for health or environmental impact.

Humans ingest PFAS chemicals by inhaling dust, eating or drinking food or water that contain PFAS. PFAS chemicals can remain in the human body for years after exposure and even longer in the environment. Studies have shown that PFAS chemicals may cause developmental effects in infants, affect the immune system and lower vaccine response, and have links to kidney and testicular cancer and thyroid problems, among others. Two popular PFAS chemicals, PFOA and

PFOS, are known to cause reproductive toxicity and carry Prop 65 warnings.

Babies and children are particularly prone to ingesting PFAS chemicals due to their close contact with treated surfaces. Their rapid development and smaller size also put babies and children at higher risk of negative health impacts from these chemicals.

Solution/Recommended Proposal

Bill 652 aims to reduce babies' exposure to PFAS chemicals by eliminating their use in key areas of exposure, namely seating and sleeping products, playmats and other products designed for use by infants and children under 12 years of age.

Bill 652 also seeks to avoid toxic replacements for these PFAS chemicals by forbidding manufacturers from using any potential or known carcinogen or any known reproductive toxicant, as identified by the US EPA or listed in California's Safe Drinking Water and Toxic Enforcement Act of 1986.

Departments Impacted & Why

No departments will be impacted by this legislation.

Fiscal Impact

There will be no fiscal impact of Bill 652 on the City and County of San Francisco or the Department of Environment.

Support / Opposition

No record of support or opposition.

Date Submitted	3/1/21
Submitting Department	Environment
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Reviewed and approved by Department Head?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

AB 1201
Asm., Ting, Asm District 19, Democrat
Solid waste: plastic products: labeling: compostability and
biodegradability.

Recommended Position

- | | |
|--|----------------------------------|
| <input type="checkbox"/> SPONSOR | <input type="checkbox"/> SUPPORT |
| <input checked="" type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

This bill would prohibit a person from selling a plastic product that is labeled with the term “compostable,” “home compostable,” or “soil biodegradable” unless the product meets specified standards and satisfies specified criteria. These criteria are 1) ASTM standards for compostability, 2) 3rd party certification of those standards, 3) allowable organic input under the National Organic Program (NOP) of the USDA, 4) not include intentionally added perfluorinated compounds, and 5) labeled to clearly distinguishable from noncompostable products. The bill would authorize the Department of Resources Recycling and Recovery (CalRecycle) to adopt regulations to ensure that plastic products labeled “compostable” or “home compostable” are clearly distinguishable from noncompostable products upon quick inspection by consumers and facilities.

Background/Analysis

CalRecycle requires plastic packaging containers sold in this state to meet various criteria including 1) under SB 1335 that requires foodware used by or at state facilities be listed by CalRecycle as

recyclable or compostable, and 2) under AB 2287 where CalRecycle provides guidelines on labeling products that meet compostability requirements. In addition, under SB 1383 CalRecycle has adopted regulations effective January 1, 2022 that requires all jurisdictions to implement mandatory composting programs (as San Francisco has already done) and the use of compostable foodware and bags can have a significant impact on the ability to achieve this mandate.

Challenge

Composting facilities, including those serving San Francisco, face the challenge of receiving a range of plastic foodware and bags that can be difficult to identify if they are compostable and meet adequate standards. Facilities are required to remove as much noncompostable plastics as possible to reduce plastic contamination in compost. Also, for facilities to be able to market their compost as an acceptable organic input, they must also remove compostable plastics as none of these products are currently accepted as an organic input under the National Organic Program. All these challenges impact the marketability of compost and thereby San Francisco’s ability to meet its zero waste and climate goals and for the state to meet its organics recovery mandate under SB 1383.

Solution/Recommended Proposal

To ensure resilience of San Francisco's and the state's composting programs the proposed labeling criteria are needed to be established to address the above challenges. However, an adequate timeline needs to be provided for compostable products to be able to meet these criteria. Many products currently meet criteria 1, 2, and 4, which we already require in San Francisco, while some (e.g., many bags and some cups) meet the 5th criteria, but none meet the 3rd criteria that requires allowable as organic input. Criteria 1, 2, 4 and 5 could likely be met within 2 years, while the 3rd criteria will require several years longer. Therefore, the bill should be amended to provide an adequate time and pathway to meet the criteria, especially for products to be able to achieve the allowable organic input under the NOP. This adequate time and pathway could be addressed by requiring CalRecycle to provide this through adopting regulations.

Departments Impacted & Why

Department of Environment is currently implementing & enforcing the requirements of what is accepted in composting.

Fiscal Impact

No anticipated fiscal impact to the City's operations or departments.

Support / Opposition

None currently listed.

Date Submitted	3/1/2021
Submitting Department	Environment
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Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

AB 1276
Asm. Carrillo, District 51, Democrat
Single-use food accessories.

Recommended Position

- SPONSOR** **SUPPORT**
 SUPPORT if amended **OPPOSE**
 OTHER & Describe

Summary

This bill would prohibit a food facility or a third-party food delivery platform from providing single-use food accessories to consumers unless requested by the consumer, or unless necessary to protect public health and safety or safe delivery.

Background/Analysis

Current state law prohibits full-service restaurants from providing single-use plastic straws unless requested by the customer.

Related SF law includes Ordinance 294-18 Single-Use Food Ware Plastics, Toxics, and Litter Reduction sponsored by Supervisor Tang in 2018. This ordinance current requires all food vendors to either offer single-use food ware accessories in self-service area or upon confirmation by the customer. Delivery companies are included among affected food vendors.

Third-party delivery companies do not consistently offer a sufficient opt-in function on their platforms to allow for compliance in SF. This bill has the potential to leverage state-wide pressure upon delivery companies to comply and provide consistency that food vendors prefer.

Challenge

Food vendors who work with third-party delivery companies do not currently have a method for soliciting feedback from customers about which single-use accessories they require with their order consistently across platforms to comply with SF's current requirement. SF's ordinance does not have language requiring this step.

Solution/Recommended Proposal

The proposed bill requires third-party delivery platforms to provide an option for food vendors to customize its menu and list accessories available, facilitating the opt-in option by customers. If a food vendor does not customize, the platform would be required to post a statement that the vendor does not provide single-use accessories.

Departments Impacted & Why

Department of Environment is currently implementing & enforcing the requirements. The state law would lend leverage to local requirements.

Fiscal Impact

No anticipated fiscal impact to the City's operations or departments. Potential savings by food vendors on single-use accessories.

Support / Opposition

None currently listed.

Date Submitted	3/1/2021
Submitting Department	Environment
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Reviewed and approved by Department Head?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

SB 244
Sen. Archuleta, District 32, Democrat
Lithium-ion batteries: illegal disposal: fire prevention

Recommended Position

- SPONSOR SUPPORT
 SUPPORT if amended OPPOSE
 OTHER & Describe

Summary

This bill would require the California Department of Resources Recycling and Recovery (CalRecycle) to develop guidance for the public on proper disposal of loose lithium-ion batteries and products containing lithium-ion batteries (laptops, tablets, power tools, mobility devices like e-scooters and e-bikes, etc). The bill would also require the California Department of Forestry and Fire Protection to develop a model protocol and training on best practices for the detection, handling, and suppression of fires that originate from discarded lithium-ion batteries. The bill would also require solid waste and recycling facility operators to consult with their County Fire Marshall on these best practices and to train their employees on them.

We recommend a support position for this bill to address the public safety issue of fires in solid waste and recycling containers and facilities caused by illegally discarded lithium-ion batteries. Battery fires in solid waste facilities could also impact the City's ability to process and transfer solid waste and recycleables.

Background/Analysis

Many types of batteries exhibit hazardous characteristics and are considered hazardous waste when they are discarded. Since 2006 batteries have been prohibited from being disposed of in trash or household recycling collection bins. Despite this prohibition, many batteries are improperly disposed of in this way.

Waste collection and recycling vehicle fleet operators report dramatic increases in collection vehicle fires over the past few years. Improperly disposed of lithium-ion batteries and battery-operated devices are believed to be a major cause of these fires. Transfer station and recycling facilities in California and across the country also report a significant increase in the incidence of fires which are also linked to lithium-ion batteries and battery-operated devices.

Challenge

In 2016, the South Bay Waste Management Authority experienced a major fire at it's San Carlos, CA Transfer Station. The fire resulted in closure of the Transfer Station for five months and a total unexpected expense of \$7.8 million. Using on-site video cameras, the cause of the fire was traced to illegal disposal of a lithium-ion battery operated device. San Francisco could experience similar disruption and cost due to a battery-related fire at Recology's Pier 96 or Tunnel Avenue waste collection and processing facilities. Recology reports an increase in small fires at these facilities and in collection vehicles which, to

date, have been successfully managed. Seasonal drought conditions locally and throughout the State can also raise the risk of wild or urban fire resulting from even a single vehicle or facility fire.

Solution/Recommended Proposal

More must be done to better educate the public about the risks presented by the illegal disposal of lithium-ion batteries and battery-operated devices and to discourage that behavior. SB 244 will require CalRecycle to design public education materials on proper handling and disposal of Lithium Ion batteries for use by local governments. Also, solid waste and recycling service providers, including Recology, will be required to work with their local fire marshal to develop a plan to train staff on proper identification and management of fires caused by Lithium-ion batteries and battery-operated devices.

Departments Impacted & Why

The San Francisco Fire Marshall will have a one-time requirement to consult with Recology on best practices and training to identify, manage and reduce fires caused by lithium-ion batteries and battery-operated devices. Fires at solid waste and recycling facilities threaten the essential public service of waste collection and management for all San Franciscans, including City Departments. [NOTE: I have sent an email to Lt. Jonathan Baxter, the PIO and Community Affairs Mgr for SFFD regarding this bill and copied Katie].

Fiscal Impact

Minor fiscal impact to the Department of the Environment for education and public outreach on proper disposal of lithium-ion batteries and battery-operated devices based on CalRecycle materials. Impact to the Department can be met with refuse-rate related funding. Possible minor fiscal impact to the SF Fire Department for staff to consult with Recology and other solid waste-related facility operators in San Francisco.

Support / Opposition

SB 244 is supported by Californians Against Waste, the California Product Stewardship Council, and the South Bay Waste

Management Authority, who are co-sponsors of SB 289, a separate bill to establish a statewide Extended Producer Responsibility Program which will fund collection and proper disposal of lithium-ion batteries and battery-operated devices. There is no other support and no opposition known at this time.

SB 244 is a re-introduction of SB 1156 from the previous 2019-20 session which was supported by the California Waste Haulers Council, and the vast majority of California solid waste management companies (including Recology) with no opposition.

Date Submitted	3/1/2021
Submitting Department	Environment
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Reviewed and approved by Department Head?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

SB 289
Sen. Newman, District 29, Democrat
Recycling: household batteries

Recommended Position

- SPONSOR SUPPORT
 SUPPORT if amended OPPOSE
 OTHER & Describe

Summary

SB 289 as currently written would require the California Department of Resources Recycling and Recovery (CalRecycle) to undertake a study on the disposal and recyclability of household batteries including lithium-ion batteries linked to a statewide increase in solid waste vehicle and facility fires. Amendments under active consideration and shared with the Department would require manufacturers and brand owners of all types of non-vehicular batteries sold in the State to develop, finance, and implement a convenient and cost-effective program to recover and recycle batteries and products sold with embedded batteries. CalRecycle would be designated as the oversight agency for the program and directed to ensure that California consumers have convenient and free opportunities to drop off their unwanted batteries and battery-embedded products.

We recommend a support if amended position for this bill. The amendments will require a battery collection and recycling program using an Extended Producer Responsibility model in order to relieve local governments and residents from the costs of establishing and operating stand-alone

battery collection programs. These programs are required to address the public safety issue of fires in solid waste and recycling containers and facilities caused by illegally discarded batteries and to give residents convenient no-cost options to make the extra effort to recycle their household batteries.

Background/Analysis

Many types of batteries exhibit hazardous characteristics and are considered hazardous waste when they are discarded, whether by a household or a business. Since 2006 batteries have been prohibited from being disposed of in trash or household recycling collection bins. Despite this prohibition, many batteries are improperly disposed of in this way. As a result there has been a statewide increase in solid waste vehicle and facility fires linked to improperly disposed batteries which threatens public safety and the ability of local governments to provide the essential service of solid waste management. Batteries also contain valuable elements such as lithium, zinc, and nickel which can be recovered to reduce negative environmental and human health impacts from mining and production using virgin materials.

Challenge

Batteries are commonly used in everyday items, particularly electronic devices, including cell phones, tablets, laptops, power tools, and toys. According to

Call2Recycle, Californians consume approximately 46,398 tons of lithium-ion batteries each year. Total annual battery use in California is estimated at 273,210 tons. Local governments have struggled to establish and fund adequate separate collection and processing systems for discarded batteries by expanding household hazardous waste programs. Currently, there is no requirement for battery manufacturers and brand owners to share in the cost of collection and disposal of dead or unwanted batteries. Voluntary recycling programs organized by the battery industry which once provided collection and disposal at no cost to battery users have suffered from lack of participation by battery manufacturers and brand owners and now charge local governments for batteries collected through household hazardous waste programs.

Solution/Recommended Proposal

Battery manufacturers and brand owners must be required to share responsibility for the collection and recycling of the products from which they profit. This bill should be amended to require an Extended Producer Responsibility Program for collection and disposal of household batteries, similar to existing requirements for architectural paint, mercury-containing thermostats, expired medications and home-generated sharps, as well as for non-hazardous but difficult to recycle carpet and mattresses.

Departments Impacted & Why

None.

Fiscal Impact

SB 289, if amended to require an Extended Producer Responsibility Program for collection and disposal of household batteries, would reduce the City's cost for disposing of non-vehicular consumer-type batteries. However the major beneficiary would be the San Francisco Refuse Ratepayer who is currently providing for one hundred percent of the cost of separate collection and processing of household batteries through the Household Hazardous

Waste Programs operated by Recology and funded by refuse rates.

Support / Opposition

SB 289 is sponsored by Californians Against Waste, the California Product Stewardship Council, and the South Bay Waste Management Authority which suffered a catastrophic 2016 fire directly linked to improper disposal of a lithium-ion battery and cost the SBWMA \$7.8 million dollars. The Department is working closely with the sponsors to complete amendments based on previous successful Extended Producer Responsibility legislation. The Department expects the amendments will be complete before SB289's first hearing before the Environment Safety & Toxics Materials (ESTM) Committee on March 15. No other support or opposition is known at this time.

Date Submitted	2/26/2021
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Reviewed and approved by Department Head?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

SB 586
Sen. Bradford, District 35, Democrat
Criminal fees

Recommended Position

- | | |
|---|---|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

Senate Bill 586 would end the assessment and collection of 60 administrative fees imposed against people in the criminal legal system. SB 586 builds on Assembly Bill 1869, which abolished 23 administrative fees in the criminal system, was based on the successful first in the nation San Francisco fee elimination that preceded this bill, and was signed into law by the Governor in the last legislative session.

SB 586 will dramatically reduce the suffering caused by court-ordered debt and enhance the economic security of system-involved populations, ushering in an era of more just criminal justice policy that does not rely on stripping wealth from communities of color and low-income communities.

Background/Analysis

Each year, California counties place hundreds of thousands of people in the criminal legal system. Currently, California law permits counties to charge people administrative fees for diversion programs, drug and alcohol testing, civil assessments, record sealing, and even a fee for being put on a payment plan. These fees can quickly add up to thousands of dollars for a single person and pose significant barriers to

reentry. Unpaid fees can be enforced via wage garnishment, bank levy, and tax refund intercept.

For example, in criminal and traffic court, a single missed court date causes the immediate imposition of a \$300 civil assessment fee, easily doubling the amount of fines and fees owed. The fee is extremely difficult to get rid of and remains in place even if the underlying case is dismissed. Processing and other add ons often add an additional \$15 or \$20 dollars.

Last session, the Governor signed Assembly Bill 1869, which abolishes 23 administrative fees in the criminal system effective July 1, 2021.

In 2018, San Francisco became the first county in the nation to stop charging these fees to people who are exiting jail and the criminal justice system. The legislation was unanimously approved by the Board, and had the support of leaders across our city, including our Mayor, Public Defender, District Attorney, Chief of Probation, and Sheriff. Since then, Alameda County, Contra Costa County, and Los Angeles County have also eliminated local criminal administrative fees.

Challenge

After years of research on fines and fees in California, including a review of state law, county policies and practices, state and local data, and the experiences of individuals in the criminal justice system, the

Debt Free Justice California Coalition has found that these fees are unjust, high pain and low gain.

High Pain: These fees are burdensome and create financial hardship and limit employment prospects for individuals seeking to reenter their communities. The fees disproportionately harm low-income people and people of color.

Low Gain: Counties are authorized to charge administrative fees to pay for costs associated with the justice system. Yet counties net little revenue from these fees. For example, in Alameda County, the rate of collection on probation supervision fees was just four percent. Similarly, in San Francisco, the Office of the Treasurer and Tax Collector found that more than 80 percent of the fees went unpaid. Because of the high costs and low returns associated with trying to collect fees from low-income people, most of the fee revenue pays for collection activities. Further, a benefit-cost analysis by researchers at U.C. Berkeley found that fee debt can cause families to spend less on positive social goods, such as education and preventative healthcare, which imposes long term costs on families, communities, and society by prolonging and exacerbating poverty.

Solution/Recommended Proposal

SB 586 would build on AB 1869 and end the assessment and collection of 60 administrative fees that are imposed against people in the criminal legal system. Specifically, this bill would:

- Repeal the authority to collect most criminal administrative fees and make the unpaid balance of any most court-imposed costs unenforceable and uncollectible and would require any portion of a judgment imposing those costs to be vacated.
- Delete the authority of the court to impose liens on the defendant's property and make a post-trial determination of the defendant's ability to pay and to order the defendant to pay the costs of the public defender.

- Repeal the authority of the court to impose a civil assessment of up to \$300 against a defendant who fails to pay all or any portion of a fine ordered by the court.
- If the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Departments Impacted & Why

Approximately 60 fees will be eliminated by this legislation. The vast majority of these fees are collected by local courts and any revenues collected are passed on the state or cover collections costs at the court. There may be a small number of fees where funds come to City and County departments. Research is ongoing to identify if these exist.

Fiscal Impact

See above

Support / Opposition

Supported by:

A New Way of Life (co-sponsor)
All of Us or None (co-sponsor)
American Civil Liberties Union (co-sponsor)
Anti-Recidivism Coalition (co-sponsor)
East Bay Community Law Center (co-sponsor)
Ella Baker Center for Human Rights (co-sponsor)
Homeboy Industries (co-sponsor)
Insight Center for Community Economic Development (co-sponsor)
Legal Services for Prisoners with Children (co-sponsor)
PolicyLink (co-sponsor)
San Francisco Financial Justice Project (co-sponsor)
San Francisco Public Defender (co-sponsor)
Western Center on Law and Poverty (co-sponsor)
Youth Justice Coalition (co-sponsor)

Opposed by:

None on record

Date Submitted	March 1, 2021
Submitting Department	Department on the Status of Women
Contact Name	Elizabeth Newman
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Reviewed and approved by Department Head?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A

SB 23
Sen. Rubio, District 22, Democrat
Disorderly conduct: distribution of intimate images: statute of limitations

Recommended Position

- SPONSOR SUPPORT
 SUPPORT if amended OPPOSE
 OTHER & Describe

Summary

Senate Bill 23 extends the statute of limitations for victims of revenge porn, which involves the nonconsensual posting of private or intimate photos or videos. SB 23 would give victims up to a year after discovery to seek charges against the perpetrators. The Department on the Status of Women recommends supporting SB 23 as it would strengthen protections for victims by allowing survivors of revenge porn additional time to report this type of abuse.

Background/Analysis

Under existing law, a person who intentionally distributes an image or video that was intended to remain private of the intimate body parts of another or of the person depicted engaged in a sex act, is guilty of disorderly conduct, a misdemeanor. Existing law requires prosecution for this offense to be commenced within one year after the commission of the offense.

Nonconsensual pornography (NCP) has real-life effects for its victims. The Cyber Civil Rights Initiative (CCRI) reports that 1 in

8 social media users have been targets of NCP. A study conducted by CCRI found that 93% of victims suffered significant emotional distress as a result of their victimization, half experienced suicidal thoughts, and 49% stated they had been stalked or harassed online by users who saw their material.

California led the nation in 2013 when it created the misdemeanor crime of NCP. Since then, 46 states and Washington, DC have joined the movement to criminalize NCP and protect victims of this act.

Challenge

Image-based sexual abuse has become increasingly common. Releasing private, intimate images is often another tool of coercive control used by perpetrators of domestic violence. Nonconsensual pornography (NCP) is used to shame and intimidate the victim, producing long-lasting trauma in the survivor's personal and professional lives. Currently, the statute of limitations for offenses of NCP expires one year after the commission of the offense. Victims who later discover that their private, intimate images have been publicly released without their consent lack a proper path to justice.

Solution/Recommended Proposal

SB 23 gives victims, who often do not find out until much later that the images have been released, more time to seek justice. This bill would instead allow prosecution for this offense to commence within one year of the discovery of the commission of the offense, but no more than 15 years after the image was distributed.

Departments Impacted & Why

There are no anticipated impacts.

Fiscal Impact

There are no anticipated fiscal impacts.

Support/Opposition

Supported by:
None on record

Opposed by:
None on record.

Date Submitted	03/01/2021
Submitting Department	Department on the Status of Women
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Reviewed and approved by Department Head?	X YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES X NO <input type="checkbox"/> N/A

SB 373
Sen. Min, District 37, Democrat
Consumer debt: economic abuse

Recommended Position

- | | |
|---|---|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

SB 373 will prohibit debt collectors from being able to collect from a domestic violence survivor, elder abuse survivor, or foster youth when the debt is deemed to be coerced debt and will prohibit consumer credit reporting agency from reporting debts that are a result of this abuse. The bill will also provide for a comprehensive list of documentation that can be used to demonstrate that the debt was incurred as a result of economic abuse.

Background/Analysis

Financial abuse occurs in the majority of domestic violence cases and can include stealing money, credit, property, or identity from a partner. It may also include forcing a partner to file fraudulent legal financial documents or overspend on credit cards. Abusive partners can incur debt without a survivor's consent, or coerce a survivor into incurring the debt, by threats of harm. This debt and poor credit score resulting from financial abuse can have long-term consequences for survivors, creating barriers to education, housing, and employment opportunities. Research has shown that access to economic resources is the most likely predictor of whether a survivor will be able to permanently separate from their

abusive partner. More than half of domestic violence survivors report experiencing coerced and fraudulent debt, and these debts are significant. An average of \$15,936 of debt is incurred in a survivor's name without their knowledge or consent each year and at least 42% of survivors experience damaged credit as a result of these debts. Credit card companies typically require survivors to provide police reports establishing fraud before providing relief. This requirement effectively bars many survivors from seeking support as 80% report being afraid to contact the police.

In cases of elder abuse, family members and other trusted individuals can abuse a Power of Attorney and steal the person's monies, take advantage of joint bank accounts, use ATM cards and steal checks to withdraw monies from the individual's accounts, and threaten to abandon, hit or otherwise harm the individual unless their demands are met. Youth in foster care are particularly vulnerable because they may have multiple placements which give many adults access to their personal information. Further, the circumstances that lead to their being in care frequently give rise to the potential for financial abuse. A pilot project in Los Angeles worked with 104 foster youth who had 247 separate accounts reported in their names, as the result of errors or identity theft. The average account balance was \$1,811.

A 2018 survey conducted by the Identity Theft Resource Center (ITRC) and Symantec

that included youth in Santa Clara and San Diego Counties, found that 15% of foster youth surveyed were victims of identity theft. Recognizing this, state and federal law requires all credit report agencies provide free credit reports to foster youth and requires child welfare agencies to obtain and examine credit reports of all foster youth over the age of 14, and annually thereafter. Several states, including Texas and Maine, have already taken steps to address these coerced debt burdens on survivors. In 2020, California passed AB 2517 (Gloria), a first step for responding to these issues in domestic violence cases by allowing a judge to find that specific debts were incurred as a result of domestic violence.

Challenge

Survivors of domestic violence or elder abuse and foster youth are often the victim of coerced or fraudulent debt, with debts taken out in their name without their knowledge or consent. These debts damage individuals' credit and force them into years of debt repayment, reducing their economic stability and leaving them vulnerable to future abuse, poverty, and housing instability or homelessness.

Solution/Recommended Proposal

This bill will prohibit creditors and debt collectors from being able to collect from a survivor or foster youth when the debt is deemed to be coerced debt and will prohibit consumer credit reporting agency from reporting debts that are a result of this abuse. The bill will expand the allowed documentation to demonstrate that the debt was incurred as a result of economic abuse.

Departments Impacted & Why

No departments impacted.

Fiscal Impact

No fiscal impact.

Support / Opposition

Supported by:

California Partnership to End Domestic Violence
(co-sponsor)
Public Law Center (co-sponsor)
Law Foundation of Silicon Valley (co-sponsor)
Crime Survivors for Safety and Justice
FreeFrom
Women's Transitional Living Center, Inc.
Human Option

Opposed by:

None on record

Date Submitted	3/1/2021
Submitting Department	OEWD
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Reviewed and approved by Department Head?	X YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO X N/A

AB 628
Asm. Garcia, District 56, Democrat
Breaking Barriers to Employment Initiative

Recommended Position

- SPONSOR **X SUPPORT**
 SUPPORT if amended OPPOSE
 OTHER & Describe

Summary

Assembly Member Eduardo Garcia has reintroduced the Breaking Barriers to Employment Act (Better known as AB 1111) and has committed to asking for another \$50 million in General Funds from the State of California to go towards the program. As the California Workforce Association’s (of which the Workforce Investment San Francisco is a member) flagship legislation from the last several years, the vast majority of Local Workforce Development Boards submitted letters of support for the original bill in 2017, and the budget request from 2018, because it built upon key objectives in the State Plan by assisting individuals obtain the fundamental skills necessary to prepare for work in high priority industries, leverage multiple services to meet a worker's individual needs, and target people who face systemic barriers to employment .

Background/Analysis

Existing law states that the primary purpose of the initiative is to provide individuals with barriers to employment the services they need to enter, participate in, and complete

broader workforce preparation, training, and education programs aligned with regional labor market needs. Existing law establishes specific goals for people completing these programs. Existing law requires special emphasis to be given to grant applications that integrate individuals from target populations into career pathway programs aligned with regional labor market needs.

Challenge

Existing law requires special emphasis to be given to grant applications that integrate individuals from target populations into career pathway programs aligned with regional labor market needs.

Solution/Recommended Proposal

This bill would further provide that the program should strive to address racial and ethnic exclusion and inequity in the labor force and enhance racial and economic justice. The bill would provide that projects should create pipelines to quality jobs, upward mobility, and income security for workers historically excluded from quality jobs and economic prosperity.

Departments Impacted & Why

OEWD – Primary Grant Recipient - received \$500,000 for FYs 20-22 to serve (40) participants in paid training programs for medical administrative assistant and clinical medical assistant positions. Participants are

disconnected youth or individuals who are otherwise economically disadvantaged and ineligible for participation based on existing funding requirements. Participants are referred by community-based providers in neighborhoods with disproportionate poverty rates.

Fiscal Impact

\$50 million in General Funds from the State of California to go towards the program.

Support / Opposition

None on File at this Time – No Committee Analysis Available

Date Submitted	3/1/2021
Submitting Department	OEWD
Contact Name	Amabel Akwa-Asare; Ryan Young
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Contact Phone	415-412-7111
Reviewed and approved by Department Head?	X YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO X N/A

SB 61
Sen. Hurtado, District 14, Democrat
Workforce training programs: supportive services.

Recommended Position

- | | |
|---|---|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

This bill would require the California Workforce Development Board (Board) to establish and administer the Lifting Families Out of Poverty Supportive Services Program, which would require the board to make \$50,000,000 in grants available to consortia, composed of combinations of local workforce development boards, community colleges, or other stakeholders, that apply for funding to provide supportive services.

The bill would require the Board to develop criteria, policies, and guidelines for the award of supportive service grant funds to a consortium consistent with the bill. The bill would require a consortium to apply for a grant by submitting a plan with prescribed elements to the board, and would authorize the board to approve the submitted plan and award grant funds to a consortium.

Background/Analysis

The California Workforce Innovation and Opportunity Act establishes the Board as the body responsible for assisting the Governor in the development, oversight, and continuous improvement of California's workforce investment system and the alignment of the education and workforce investment

systems to the needs of the 21st century economy and workforce. That act requires the establishment of a local workforce development board in each local workforce development area of the state to assist the local chief elected official in planning, oversight, and evaluation of local workforce investment. The act requires local boards to carry out specific tasks consistent with the federal Workforce Innovation and Opportunity Act, including, to lead efforts in the local area to develop and implement career pathways within the local area by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment.

Challenge

There is a need for supportive services to address the common reasons that low-income workforce training participants do not complete workforce training programs. A lack of childcare or affordable transportation are among the primary reasons that participants do not complete their vocational training programs. Additional funding for supportive services for low-income workforce participants and an increase in coordination across the many programs aiming to support education and employment for this population are necessary to lift families out of poverty and to ensure that they can fully participate in programs that will provide them the regional market skills to sustain upward mobility.

COVID-19 has further affected the ability for all Californians to start training programs due to lack of supportive services.

Solution/Recommended Proposal

This bill would require the California Workforce Development Board to establish and administer the Lifting Families Out of Poverty Supportive Services Program. The identified funding would be authorized separately through the budget process.

Departments Impacted & Why

OEWD is likely to apply for and become a primary grant recipient for the City.

Fiscal Impact

The bill would require the CA Workforce Investment Board, upon appropriation by the Legislature for that purpose, to make \$50,000,000 in grants available to consortia, composed of combinations of local workforce development boards, community colleges, or other stakeholders, that apply for funding to provide supportive services, as defined, and are approved in accordance with the bill.

Support / Opposition

None on File at this Time – No Committee Analysis Available

Date Submitted	3/1/2021
Submitting Department	Department of Public Health
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Reviewed and approved by Department Head?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

AB 32
Asm. Aguiar-Curry, District 4, Democrat
Telehealth

Recommended Position

- | | |
|--|--|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

This bill would require health care services delivered through telehealth to be reimbursed by Medi-Cal on the same basis, to the same extent, and at the same payment rate as those services are reimbursed if delivered in person. The bill would also prohibit the State Department of Health Care Services from restricting the provision and reimbursement for services furnished through telehealth.

Background/Analysis

Existing law requires health plans and insurers to reimburse providers for services appropriately delivered through telehealth, on the same basis and to the same extent as the same service delivered through in-person care.

Existing law exempts Medi-Cal managed care plans that contract with the State Department of Health Care Services (DHCS) from these provisions, and generally exempts county organized health systems that provide services under Medi-Cal.

Throughout the COVID-19 pandemic, the use of telehealth has been expanded to now

require the State to reimburse Medi-Cal providers for services delivered through telehealth. Telehealth has proven to be an important modality for patients to stay connected with their health care provider during the pandemic. The San Francisco Department of Public Health San Francisco Health Network (SFHN) recorded 55.7% of all primary care visits between August 2020 and January 2021 as telehealth visits, and 99% of those were audio-only/telephone health visits. Patients across California have reported high satisfaction with telehealth, citing ease of connecting to health care teams, not having to take time off work or find childcare for health care appointments, nor having to find transportation for in-person visits, which in turn has decreased rates of missed appointments. Telehealth has become especially important for our Medi-Cal patients. SFHN providers have shared that telehealth has allowed them to provide critical services and care for patients who experience structural barriers to medical care. Ultimately, Medi-Cal reimbursement for telehealth is critical because it expands the way that providers can access and care for all patients.

Challenge

The expanded use of telehealth and reimbursement by Medi-Cal is temporary and will end within 90 days following the termination of the proclaimed state of emergency.

Telehealth has been widely available to individuals with health insurance in the commercial market, and existing law requires commercial health care service plans and health insurers to pay for services delivered through telehealth services on the same basis as equivalent services furnished in person.

Telehealth is an equity issue, and by exempting Medi-Cal from reimbursing providers for services delivered through telehealth at parity with services delivered in-person, low-income Californians will experience barriers accessing health care services.

Solution/Recommended Proposal

AB 32 would indefinitely extend the current telehealth flexibilities that were enacted during the COVID-19 pandemic in order to expand access and enhance delivery of health care services for Medi-Cal beneficiaries.

Specifically, the bill would:

- create payment parity between Medi-Cal managed care plans and commercial plans;
- allow for virtual enrollment for limited scope Medi-Cal programs;
- continue the provision of telehealth in Medi-Cal programs, including video and audio-only technology; and
- prohibit DHCS from restricting providers from providing or being reimbursed for health care services furnished through telehealth.
- Require DHCS to convene an advisory group to provide input and evaluate the benefits of telehealth in Medi-Cal and report their findings to the Legislature by 2025.

Departments Impacted & Why

San Francisco Department of Public Health would be positively impacted by this bill, as it would allow for the department to be reimbursed for telehealth services provided to our Medi-Cal patients.

Fiscal Impact

This bill would have financial impact for the State. An official analysis has not yet been conducted.

Support / Opposition

California Association of Public Hospitals and Health Systems (CAPH) is a co-sponsor of this bill

CHEAC Support

use and syringe disposal.¹ There are approximately 100 of these programs currently operating in over 65 cities in ten countries around the world (Switzerland, Germany, the Netherlands, Norway, Luxembourg, Spain, Denmark, France, Australia, and Canada). In addition to health and safety benefits, a recent cost-benefit analysis of potential overdose prevention programs in San Francisco found that the City would save \$3.5 million per year if one program were opened, or \$2.33 for every dollar spent on the service.²

However, under current law, San Francisco cannot open these types of programs.

Solution/Recommended Proposal

SB 57 would authorize the City and County of San Francisco, along with LA County and Oakland, to open overdose prevention programs (OPP) in its jurisdiction for persons 18 years of age or older. The bill requires that any approved OPP satisfy certain requirements including, but not limited to:

- Providing a hygienic space supervised by health care professionals, where people who use drugs can consume pre-obtained drugs;
- Providing sterile consumption supplies and provide syringe disposal services;
- Monitoring participants for potential overdose, and providing treatment as necessary to prevent fatal overdose;
- Providing access or referrals to SUD/mental health, medical, and social services; and
- Establishing a good neighbor agreement with local businesses and residences to address any neighborhood concerns.

The bill would also require the program to submit an annual report to the city with key metrics on its operations.

¹ Safe Injection Services Task Force. "Safe Injection Services Task Force Final Report." San Francisco, CA: City and County of San Francisco, September 2017. www.sfdph.org/dph/comupg/knowlcol/SISTaskForce.

Departments Impacted & Why

No other City Department would be impacted by the bill.

Fiscal Impact

Bill would not impose a direct cost to San Francisco or the State. Rather, it would allow CCSF to approve entities to operate an OPP, which may or may not be funded by the City. There would likely be a cost to DPH for this approval process. Despite these costs, as mentioned earlier, a cost-benefit analysis found that the City would save \$3.5 million per year if one safe injection program were opened, or \$2.33 for every dollar spent on the services.

Support / Opposition

Support and opposition to the bill are likely to follow positions assumed for AB 362 (2020). For that bill, the following positions were held:

Support: Professional associations (e.g. CA Society of Addiction Medicine, CA Psychiatric Association, Health Officers Association of California), local and statewide SUD and social service providers (e.g. HealthRIGHT 360), and harm reduction and civil rights advocacy organizations (e.g. Drug Policy Alliance, Harm Reduction Coalition).

Of note, CCSF has supported both AB 362 (2020) and AB 186 (2018), the previous versions of SB 57.

Oppose: Select law enforcement associations (e.g. California Narcotic Officers Assn. and State Sheriffs' Assn.)

² Irwin, Amos, Ehsan Jozaghi, Ricky N. Bluthenthal, and Alex H. Kral. "A Cost-Benefit Analysis of a Potential Supervised Injection Facility in San Francisco, California, USA." *Journal of Drug Issues* 47, no. 2 (2017): 164–184.