

Vetoed Bills

[AB 69](#)

(Ting D) Help Homeowners Add New Housing Program: accessory dwelling unit financing.

Current Text: Vetoed: 9/28/2020 [html](#) [pdf](#)

Summary: Current law provides for the creation by local ordinance, or by ministerial approval if a local agency has not adopted an ordinance, of accessory dwelling units to allow single-family or multifamily dwelling residential use in accordance with specified standards and conditions. This bill would require the Treasurer, within 6 months of the effective date of these provisions, to develop the Help Homeowners Add New Housing Program with the purpose of assisting homeowners, as defined, in qualifying for loans to construct additional housing units on their property, including accessory dwelling units and junior accessory dwelling units. The bill would, with regard to the development of the program, require the Treasurer to consult with the California Housing Financing Agency and the Department of Housing and Community Development and would authorize the Treasurer to consult with private lenders.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 69 without my signature. This bill would establish the Help Homeowners Add New Housing Program within the State Treasurer's Office to finance the construction of Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) and would require the California Housing Finance Agency (CalHFA) to issue revenue bonds to fund the program. ADUs and JADUs are a critical tool for increasing the housing supply in California, and access to construction financing remains one of the major hurdles in unlocking their full potential. I was proud to sign three bills last year that built on the state's strongest-in-the-nation ADU streamlining laws. Access to ADU financing - especially for lower-income California homeowners - is an issue that should be addressed, but the financial structure proposed in this bill would negatively impact affordable housing production, as it could harm CalHFA's credit ratings. Therefore, I am directing the Business, Consumer Services and Housing Agency to continue departmental efforts to provide increased access to capital markets and opportunities to encourage broader adoption of ADUs and JADUs. Sincerely, Gavin Newsom

[AB 331](#)

(Medina D) Pupil instruction: high school graduation requirements: ethnic studies.

Current Text: Vetoed: 9/30/2020 [html](#) [pdf](#)

Summary: Would add the completion of a one-semester course in ethnic studies, meeting specified requirements, to the high school graduation requirements commencing with pupils graduating in the 2029-30 school year, including for pupils enrolled in a charter school. The bill would expressly authorize local educational agencies, including charter schools, to require a full-year course in ethnic studies at their discretion. The bill would require local educational agencies, including charter schools, to offer an ethnic studies course commencing with the 2025-26 school year, as specified.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 331 without my signature. This bill would require a course that incorporates ethnic studies as its primary content as a high school graduation requirement starting in the 2029-30 school year. I value the role ethnic studies plays in helping students think critically about our history and understand the experience of marginalized communities in our state. This academic discipline will help prepare our young adults to become civically engaged and participate fully in our democracy. For these reasons, I already signed AB 1460, which will mandate ethnic studies as a graduation requirement for the California State University system. I appreciate the amendments the author accepted to ensure that any ethnic studies coursework is free of bias and discrimination. I am also pleased that many more schools and districts have recently joined the hundreds of schools across our state that have adopted ethnic studies courses, and we intend to support these schools with professional development resources. This bill, however, would require ethnic studies to be taught in high school at a time when there is much uncertainty about the appropriate K-12 model curriculum for ethnic studies. I have been closely monitoring the progress of the development of the K-12 ethnic studies model curriculum. Last year, I expressed concern that the initial draft of the model curriculum was insufficiently balanced and inclusive and needed to be substantially amended. In my opinion, the latest draft, which is currently out for review, still needs revision. I am directing staff in my Administration to work with State Board of Education President Linda Darling-Hammond and State Superintendent of Public Instruction Tony Thurmond to ensure that the draft ethnic studies model curriculum achieves balance, fairness, and is inclusive of all communities. In California, we don't tolerate our diversity. We celebrate it. That should be reflected in our high school curriculum. I look forward to our model curriculum achieving these goals. Sincerely, Governor Gavin Newsom.

[AB 515](#)

(Mathis R) Medi-Cal: unrecovered payments: interest rate.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: Current law requires the Director of Health Care Services to establish administrative appeal processes to review grievances or complaints arising from the findings of an audit or examination. Under current law, if recovery of a disallowed payment has been made by the department, a provider who prevails in an appeal of that payment is entitled to interest at the rate equal to the monthly average received on investments in the Surplus Money Investment Fund, or simple interest at the rate of 7% per annum, whichever is higher. Under current law, with exceptions, interest at that same rate is assessed against any unrecovered overpayment due to the department. In the case of an assessment against any unrecovered overpayment due to the department, this bill would authorize the

department to reduce the interest rate as part of a repayment agreement entered into with the provider, after taking into account specified factors, including the importance of the provider to the health care safety net in the community and the impact of the repayment amounts on the fiscal solvency of the provider.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 515 without my signature. Assembly Bill 515 would authorize the Department of Health Care Services (DHCS) to reduce the interest rate assessed against any unrecovered overpayment to less than seven percent when a provider enters into a repayment agreement. However, AB 515 fails to distinguish between overpayments due to provider fraud and abuse and those caused by Medi-Cal policy changes or DHCS error that are not the fault of a billing provider. In addition, it does not make the option for DHCS to waive interest subject to the availability of federal funding. As written, AB 515 would make it difficult for DHCS to protect California taxpayers from fraud, abuse, or improper billing. I encourage the author to work with DHCS on future legislation that will specify the circumstances under which interest may be waived, and make those conditions subject to the availability of federal funding, in order to protect the State General Fund. Sincerely, Gavin Newsom

[AB 545](#) (Low D) Cannabis: Bureau of Cannabis Control.

Current Text: Vetoed: 9/24/2020 [html](#) [pdf](#)

Summary: The Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), among other things, consolidates the licensure and regulation of commercial medicinal and adult-use cannabis activities. MAUCRSA generally divides responsibility for the state licensure and regulation of commercial cannabis activity among the Bureau of Cannabis Control in the Department of Consumer Affairs, the Department of Food and Agriculture, and the State Department of Public Health. This bill would require the powers and duties of the bureau to be subject to review by the appropriate policy committees of the Legislature and would require the review to be performed as if MAUCRSA were scheduled to be repealed as of January 1, 2023.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 545 without my signature. AB 545 would sunset the Bureau of Cannabis Control and subject the Bureau to review by the Joint Sunset Review Committee. The Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) divides regulatory authority over commercial cannabis activity among the Bureau of Cannabis Control, the Department of Food and Agriculture and the State Department of Public Health. My Administration has proposed consolidating the regulatory authority currently divided between three state entities into one single department, which we hope to achieve next year in partnership with the Legislature. Therefore, this bill is premature, and I am returning it without my signature. Sincerely, Gavin Newsom

[AB 826](#) (Santiago D) Emergency food assistance: COVID-19.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: Current law establishes and requires the State Department of Social Services to administer the CalFood Program to provide food and funding to food banks whose primary function is to facilitate the distribution of food to low-income households, as specified. This bill would establish a program to provide emergency food assistance. The program would require, upon the appropriation of funds by the Legislature for this purpose, or upon a determination by the Governor that specified funds available to the Governor may be used for this purpose, the department to contract with a Feeding America partner state organization with the capacity to provide a food assistance benefit statewide, or another nonprofit entity that the department deems appropriate, to issue food assistance benefits in the form of a one-time use, prepaid card preloaded with \$600 for use at retailers that sell groceries.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 826 without my signature. This bill would require the California Department of Social Services to contract with a Feeding America partner state organization or other appropriate nonprofit entity to provide a food assistance benefit to those who self-attest that they are eligible for state or federal nutrition assistance or immigration legal services. It has been my firm commitment that my Administration would support all Californians during the COVID-19 crisis. To that end, my Administration has advanced efforts to provide relief that is both inclusive of and directed to undocumented Californians. As we continue to address the needs of Californians during the pandemic, it is prudent to consider the most appropriate and responsible means to offer support to those in need. Given the significant General Fund impact annually that this bill would have, I am unable to sign this measure. Sincerely, Gavin Newsom

[AB 995](#) (Garcia, Cristina D) Hazardous waste.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: Would create the Board of Environmental Safety in the California Environmental Protection Agency. The bill would provide requirements for the membership of the board and would require the board to conduct no less than 6 public meetings per year. The bill would provide for the duties of the board, which would include, among others, reviewing specified policies, processes, and programs within the hazardous waste control laws; proposing statutory, regulatory, and policy changes; and hearing and deciding appeals of hazardous waste facility permit decisions and certain financial assurance decisions. The bill would establish an office of ombudsperson in the board to receive complaints and suggestions, to evaluate complaints received, to report findings and make

recommendations to the Director of Toxic Substances Control and the board, and to render assistance.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 995 without my signature. This bill would create the Board of Environmental Safety within the California Environmental Protection Agency (CalEPA) to provide policy direction to and oversight of the Department of Toxic Substances Control (DTSC). I applaud the author's diligence in seeking to increase transparency and accountability in DTSC. However, the bill as written falls short of the goals we have previously set for needed changes to better protect public health and safety. Without necessary funding, DTSC will be unable to deliver on the promise of this legislation - cleaning up too many abandoned sites adversely impacting the health of low-income communities across our state and better protecting Californians from dangerous chemicals going forward. Understanding that governance and fiscal changes are both necessary and inextricably tied to achieving the mandates DTSC is currently responsible for, my 2020 Budget proposed a comprehensive approach to achieve a more transparent decision-making process through the creation of a board and restructured fees to adequately fund this Department. AB 995 seeks to impose changes to governance but lacks necessary fiscal reform. To accomplish comprehensive change and make progress on the more than 150,000 brownfield sites where no responsible party exists, we will need comprehensive fiscal reform to support adequate revenues. Over the last year, we were able to reach agreement with the Legislature on many of the key elements of DTSC reform. I am confident that in the upcoming legislative session we will achieve the much needed fiscal and governance reforms to better protect communities across our state. Therefore, I am returning this bill without my signature. Sincerely, Gavin Newsom

[AB 1066](#) ([Gonzalez D](#)) Unemployment compensation: benefits payable: collection.

Current Text: Vetoed: 9/24/2020 [html](#) [pdf](#)

Summary: Under current law, if an employer fails to keep and furnish to the Director of Employment Development any required records or reports necessary for a full determination, decision, or other proper disposition of a claim for unemployment benefits within a reasonable time as the director may by rule, regulation, or procedure prescribe, it is to be conclusively presumed that the claimant is entitled to the maximum total amount of benefits payable unless the director deems sufficient a lesser total amount is due and owing to the claimant. This bill would require, on and after January 1, 2021, that if an employer, within 10 days after receiving an initial notice from the director of the need to furnish over required records or reports necessary for a full determination of a claim for unemployment compensation benefits, fails to furnish those required records or reports to the director, it be conclusively presumed that the claimant is entitled to the maximum total benefits payable, unless the director determines, based on the evidence, that the claimant is entitled to a lesser amount.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 1066 without my signature. This bill would conclusively presume that a claimant is entitled to the maximum benefit amount for the purposes of unemployment insurance if an employer does not furnish requested wage information for the Employment Development Department (EDD) within 10 days after receiving notice. Current law already entitles a claimant to the maximum benefit amount if the employer does not provide documents responding to a claim within a reasonable time frame. By conclusively presuming an individual is entitled to the maximum benefit amount after 10 days, this bill will result in significant new borrowing of federal funds to the Unemployment Insurance fund, increasing interest costs borne by the state General Fund. These costs are not included in the 2020 Budget Act and will add cost pressures on state funds that are already strained because of the pandemic. Therefore, I am returning this bill without my signature. Sincerely, Gavin Newsom

[AB 1138](#) ([Gallagher R](#)) Social media: the Parent's Accountability and Child Protection Act.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: Thehe Parent's Accountability and Child Protection Act, commencing on January 1, 2020, requires a person or business that conducts business in California and that seeks to sell specified products or services to take reasonable steps, as specified, to ensure that the purchaser is of legal age at the time of purchase or delivery, including, but not limited to, verifying the age of the purchaser. This bill, on and after July 1, 2021, would prohibit a person or business that conducts business in California, and that operates a social media website or application, as defined, from allowing a person who the business actually knows is under 13 years of age to create an account with the website or application unless the website or application obtains the consent of the person's parent or guardian before creating the account using a method that includes reasonable measures to ensure that the person giving their consent is the parent or legal guardian of the person under 13 years of age. The bill would deem a business to have actual knowledge of a consumer's age if it willfully disregards the consumer's age.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 1138 without my signature. This bill would require the operator of a social media website or application to prohibit a person known to be under 13 years old from creating an account unless consent is obtained from the person's parent or guardian. As a parent of four, I understand and care deeply about the importance of protections for safe consumption of media and technology by children. Existing federal law requires operators of internet websites or online services to obtain parental or guardian consent before collecting personal information from a child known to be under 13 years old. States have the ability to enforce this law. Given its overlap with federal law, this bill would not meaningfully expand protections for children, and it may result in unnecessary confusion. As I agree with the spirit

of this bill, my Administration is open to exploring ways to build upon current law to expand safeguards for children online. Sincerely, Gavin Newsom

AB 1161 (Calderon D) Recreational water use: wave basins.

Current Text: Vetoed: 9/30/2020 [html](#) [pdf](#)

Summary: Current law provides for the regulation of recreational water use, as specified, including, but not limited to, swimming pools and wave pools. Existing law establishes applicable construction and sanitation standards for public swimming pools, and standards pertaining to their operation, maintenance, and use. This bill would similarly establish, under the supervision of the State Department of Public Health, standards for a wave basin, defined as an artificially constructed body of water within an impervious water containment structure incorporating the use of a mechanical device for generating waves with suitable characteristics for surfing. The bill would require a wave basin to be under the supervision of a wave basin operator, with specified responsibilities, and be subject to inspection by the enforcing agent, as defined.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 1161 without my signature. This bill would exempt wave basins and other artificial wave attractions from all laws and regulations governing public swimming pools and aquatic attractions, and instead, would establish its own standards for the operation and maintenance of wave basins. While I strongly support the development of new entertainment and sporting venues, this bill lacks necessary public health and safety protections. It would exempt wave basins from a number of health and safety regulations, including worker protections overseen by the Department of Industrial Relations. I encourage the Legislature to work with the Department of Industrial Relations and the Department of Public Health to ensure that regulatory changes to address emerging artificial wave technologies include appropriate safety standards and oversight. Sincerely, Governor Gavin Newsom.

AB 1299 (Salas D) Peace officers: employment.

Current Text: Vetoed: 9/30/2020 [html](#) [pdf](#)

Summary: Would require any agency that employs specified peace officers to provide a notification, as described, to the Commission on Peace Officer Standards and Training when a peace officer is terminated or, if an officer leaves the agency with a complaint, charge, or investigation of a serious nature, as defined, pending, would require the agency to complete the investigation as specified and notify the commission of its findings. The bill would require the commission to include this information in an officer's profile and make that information available to specified parties including any law enforcement agency that is conducting a preemployment background investigation of the subject of the profile. The bill would also allow a peace officer to have this information removed from their profile if a court subsequently finds that an allegation of a serious nature was improperly found to be sustained, as specified.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 1299 without my signature. This bill would require an agency that employs specified peace officers to provide a notification to the Commission on Peace Officer Standards and Training (POST) when a peace officer is terminated, or if an officer leaves the agency with a complaint, charge, or investigation of a serious nature. This bill would also require said agency to complete the investigation as specified, within one year, and notify POST of its findings. The bill would require POST to make that information available to any law enforcement agency conducting a preemployment background investigation of the subject of the profile. I agree with the intent of this legislation- officers with a history of misconduct should not be able to resign in lieu of termination and simply move to a different department without a completed investigation or file of misconduct. But this bill does not go far enough. I am concerned this bill will slow momentum for broader decertification measures in future legislative sessions. The Legislature has signal that it will continue its work on decertification, and I support the development of legislation with a broader approach. Sincerely, Governor Gavin Newsom

AB 1327 (Petrie-Norris D) Medi-Cal: reimbursement rates.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: Current law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services, including clinical laboratory or laboratory services. The Medi-Cal program is, in part, governed by, and funded pursuant to, federal Medicaid program provisions. Current law requires the department to develop, subject to federal approval, reimbursement rates for clinical or laboratory services according to specified standards, such as requiring that reimbursement to providers for those services not exceed the lowest of enumerated criteria, including 80% of the lowest maximum allowance established by the federal Medicare Program for the same or similar services. This bill would delete provisions relating to the above-specified 80% standard and would make conforming changes.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 1327 without my signature. This bill would remove the requirement that reimbursement rates for clinical lab or laboratory services in Medi-Cal shall not exceed 80 percent of the lowest maximum allowance established by the federal Medicare program for similar services. This bill would result in costs more appropriately addressed through the annual budget process. For this reason, I am unable to sign this bill. Sincerely, Gavin Newsom

AB 1457 (Cervantes D) Regional business training center network: pilot project.

Current Text: Vetoed: 9/30/2020 [html](#) [pdf](#)

Summary: Current law establishes the California Community Colleges Economic and Workforce Development Program with the purpose of, among other things, using labor market information to advise the chancellor's office and regional community college bodies on the workforce needs of the state's competitive and emerging industry sectors, and collaborating and coordinating investment with other state, regional, or local agencies involved in education and workforce training in California. Current law authorizes the governing board of any community college district to contract education programs by agreement with any public or private agency, corporation, association, or any other person or body, to provide specific educational programs or training to meet the specific needs of those bodies. This bill, upon appropriation by the Legislature, would require the Employment Training Panel to establish a pilot project to enhance the regionally focused statewide business training center network of community college contract education centers to partner with other assistance providers serving small businesses.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 1457 without my signature. This bill would require the Employment Training Panel to establish a pilot project to enhance a regional business training center network of community college contract education centers to partner with other assistance providers servicing small businesses. While I am highly supportive of training programs that lead to quality jobs and support businesses, particularly in the midst of our current economic climate, this bill does not have the dedicated funding to support the pilot program and could divert funding from other core workforce training programs. Moreover, this bill is duplicative of current planning efforts by the California Community Colleges and Workforce Development Boards to create a better integrated workforce development system. I look forward to working with these partners, and the Legislature, on achieving that shared goal. Sincerely, Governor Gavin Newsom

AB 1470 (Quirk D) Cannabis testing.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: MAUCRSA prohibits cannabis and cannabis products from being sold unless a representative sample has been tested by a licensed testing laboratory in the final form in which the cannabis or cannabis product will be consumed or used. This bill would specify that for this purpose "final form" means the unpackaged product as it will be consumed and would specify that the cannabis or cannabis product does not have to be delivered to the licensed testing laboratory in the final retail packaging to be considered in its final form.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 1470 without my signature. AB 1470 would provide that cannabis goods do not have to be in final retail packaging when being tested by laboratories to ensure compliance with current health and safety standards. This bill conflicts with current regulations promulgated by cannabis licensing authorities that prevent contaminated and unsafe products from entering the retail market. While I support reducing packaging waste, allowing products to be tested not in their final retail form could result in consumer harm and have a disproportionate impact on small operators. I have directed my Administration to consolidate the state regulatory entities that currently enforce cannabis health and safety standards to pursue all appropriate measures to ease costs and reduce unnecessary packaging. This proposal should be considered as part of that process. Sincerely, Gavin Newsom

AB 1835 (Weber D) Education finance: local control funding formula: supplemental and concentration grants.

Current Text: Vetoed: 9/30/2020 [html](#) [pdf](#)

Summary: Would require each school district, county office of education, and charter school to identify unspent supplemental and concentration grant funds by annually reconciling and reporting to the department its estimated and actual spending of those moneys. The bill would require unspent funds identified pursuant to these provisions to continue to be required to be expended to increase and improve services for unduplicated pupils, and would require each local educational agency to report the amounts of unspent funds identified in its local control and accountability plan.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 1835 without my signature. I deeply support the underlying goal of this bill - to ensure that unspent Local Control Funding Formula (LCFF) supplemental and concentration grant funds are expended on services for our most vulnerable students - and I applaud Dr. Weber for her continued leadership. However, I believe there are some fundamental flaws with the bill, and I am concerned that it cannot be implemented in a manner that is smooth or timely. There is a simpler solution that allows us to address the objectives of AB 1835 much sooner and with more transparency. Therefore, am directing the Department of Finance to propose language for your consideration as part of my budget in January. As written, AB 1835 would necessitate that the State Board of Education initiate a lengthy rulemaking process to amend the LCFF spending regulations to add definitions and make other necessary changes to clarify the requirements of the bill. This process would likely delay implementation for two school years. This bill would also impose new and unnecessary procedural requirements on schools that are and will be managing unprecedented challenges related to COVID-19. We all share the same goal, and it is critical that we act quickly to ensure that funding meant to support our state's most vulnerable students is used for that purpose. I look forward to working with

AB 1845 (Rivas, Luz D) Homelessness: Office to End Homelessness.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: Would create, within the Governor's office, the Office to End Homelessness, which would be administered by the Secretary on Homelessness appointed by the Governor. The bill would require that the office serve the Governor as the lead entity for ending homelessness in California and would task the office with coordinating homeless programs, services, data, and policies between federal, state, and local agencies, among other responsibilities. The bill would require the office to exercise various powers and duties, including, among others, making recommendations to the Governor and the Legislature regarding new state policies, programs, and actions on homelessness.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 1845 without my signature. This bill would establish the Office to End Homelessness within the Office of the Governor and realign several of the state's ongoing efforts related to homelessness. I sincerely appreciate the author's leadership on this issue and the intent of this bill, but I do not support this particular vision of organizational restructuring at this time. Homelessness has been and remains one of my top priorities, commanding the dedicated attention of a Senior Counselor on Homelessness and Housing in the Governor's office and the dedication of senior members of my Administration including multiple Agency Secretaries. Since taking office in January 2019, we have invested over \$2 billion in new, direct aid for homelessness. I am also proud of our work to implement Project Roomkey and Homekey, which help to protect homeless Californians from COVID-19 during this pandemic. These initiatives and investments demonstrate our commitment to prioritizing this vulnerable population, no matter what other challenges we confront. And they serve as a proof point of the interagency coordination we have led to develop and implement them successfully. Homelessness must not be considered in a vacuum. Our Administration has taken a demonstrably integrated approach to preventing and ending homelessness by empowering leaders in the health care and housing space to work together on coordinated solutions. Separating policy development on homelessness from that on health care or housing will lead to more fragmentation, not less. Looking at homeless spending through a separate lens, divorced from our health care and housing budgets, will lead to more duplication and inefficiency. There are certainly ways in which we can improve upon state government's collective work in this area. However, I am not convinced that the approach outlined in this bill is the best path forward. I am committed to partnering with the author and the Legislature next year to continue making progress on this critical issue. Sincerely, Gavin Newsom

AB 1906 (Salas D) Pregnant peace officers: duty assignment policy.

Current Text: Vetoed: 9/30/2020 [html](#) [pdf](#)

Summary: Would require the Department of Corrections and Rehabilitation, in consultation with the Department of Human Resources, on or before January 1, 2021, to establish a policy pursuant to which a pregnant peace officer shall be permitted to perform alternate, light duty assignments, subject to a medical certification that establishes the nature of their pregnancy-related limitations. The bill would require the policy to include specified elements.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 1906 without my signature. This bill would require the Department of Corrections and Rehabilitation (CDCR), in consultation with the Department of Human Resources, to establish a policy permitting a pregnant peace officer to perform alternate, light duty assignments, as specified, and would require the policy to include specified elements. CDCR is already implementing a policy allowing staff with medical limitations, including those related to pregnancy, to request light-duty assignments. Because his bill is duplicative of existing efforts, I am unable to sign it. Sincerely, Governor Gavin Newsom

AB 1993 (Kamlager D) Unemployment and disability insurance: benefits: in-home supportive services and waiver personal care services.

Current Text: Vetoed: 9/30/2020 [html](#) [pdf](#)

Summary: Current law provides for the payment of unemployment compensation benefits and extended benefits to eligible individuals who meet specified requirements. Current law provides definitions for "employment" for purposes of these provisions. Current federal and state law excludes services performed by a child in the employ of a parent, a parent in the employ of their child, or a person in the employ of their spouse, from the definition of "employment" for purposes of unemployment taxes and unemployment insurance benefit eligibility, as specified. This bill would provide that the definition of "employment" for the purposes of unemployment insurance coverage includes services performed by an individual in the employ of their parent, child, or spouse if that individual is providing services through the In-Home Supportive Services program or the Waiver Personal Care Services program.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 1993 without my signature. AB 1993 would amend the definition of "employment" for the purposes of unemployment insurance coverage to include services performed by an individual in the employ of their parent, child, or spouse if that individual is a provider of In-Home Supportive Services (IHSS) or Waiver Personal Care Services (WPCS). As a result, it will result in significant new borrowing of federal funds to the Unemployment Insurance fund, increasing interest costs borne by the state General Fund that

were not included in the 2020 Budget and cannot be considered in conjunction with the full home health care budget. Expanding benefits and protections for home health care workers is critical, especially in light of the COVID-19 pandemic but these expansions must be developed through the budget process when new investments can be viewed through the lens of the state's full home health care budget. Sincerely, Governor Gavin Newsom

[AB 2004](#) (Calderon D) Medical test results: verification credentials.

Current Text: Vetoed: 9/26/2020 [html](#) [pdf](#)

Summary: Would require the Government Operations Agency, on or before July 1, 2021, to appoint a working group, consisting of representatives from the public and private sectors, as specified, to explore the use of verifiable health credentials for communication of COVID-19 test results or other medical test results in this state. The bill would require the working group to report its recommendations to the Legislature on or before July 1, 2022. The bill would require the Department of Consumer Affairs to, among other things, in consultation with the working group, develop and maintain a verifiable issuer registry, as defined.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2004 without my signature. This bill would require the Government Operations Agency to establish a working group to explore the use of verifiable health credentials to communicate COVID-19 or other medical test results, and to report on best practices by July 1, 2022. I appreciate the innovative spirit of this bill. However, the California COVID-19 Testing Task Force is already able to convene stakeholders and experts to discuss innovation in testing and reporting as needed. Currently, the state has multiple ongoing efforts and investments around COVID-19 testing. As an avenue to capitalize on California's innovation economy to meet government needs, last year I established the Request for Innovative Ideas (RFI2) process as a competitive procurement approach that seeks to engage innovators, entrepreneurs, scientists, vendors, and experts to collaborate on designing leading-edge solutions. Just this month, my Administration utilized the RFI2 process to request new solutions for how to collect COVID-19 test specimens, transport them to processing labs, and deliver test results. At a time when California is facing fiscal constraints and unprecedented challenges, the millions of dollars this bill would cost would be better spent on timely solutions to meet our most pressing needs. Sincerely, Gavin Newsom

[AB 2040](#) (Bigelow R) Property tax: revenue allocations: County of Madera.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: Current property tax law reduces the amounts of ad valorem property tax revenue that would otherwise be annually allocated to the county, cities, and special districts pursuant to these general allocation requirements by requiring, for purposes of determining property tax revenue allocations in each county for the 1992–93 and 1993–94 fiscal years, that the amounts of property tax revenue deemed allocated in the prior fiscal year to the county, cities, and special districts be reduced in accordance with certain formulas. Current law provides that if it is determined by an audit that an allocation method is required to be adjusted and a reallocation is required for previous fiscal years, the cumulative reallocation or adjustment may not exceed 1% of the total amount levied at a 1% rate of the current year's original secured tax roll, and requires the county auditor to correct the allocation method, as specified. This bill, notwithstanding that reallocation or adjustment limit or any other law, would require the county auditor of the County of Madera to make an allocation adjustment for the 2005–06 through 2013–14 fiscal years in the full amount of \$5,856,457 identified in the Controller's September 2015 audit of the County of Madera for the 2005–06 through 2013–14 fiscal years, less the amount of \$1,228,734 previously reallocated in accordance with current law.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2040 without my signature. This bill would require the Madera County auditor-controller to allocate additional funds over a period of nine years to the county and cities to correct property tax allocation errors. I recognize the unique circumstances that led to this mistake and how it was exacerbated over time. However, correcting this situation must be done in a manner that does not negatively impact school funding. Therefore, I urge the Legislature to work with my Administration to resolve this issue through the budget process. Sincerely, Gavin Newsom

[AB 2046](#) (Voepel R) Family law: child support.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: Current law provides that if the person who is required to pay child support is disabled, meets certain federal eligibility requirements, and is receiving or would be eligible for certain state and federal disability payments, and the person has supplied the local child support agency with proof of eligibility or receipt of these benefits, then the order/notice to withhold income issued for the liquidation of the arrearage shall not exceed 5% of that person's total monthly disability payments, as specified. This bill would similarly prohibit the order/notice to withhold income for the liquidation of the arrearage from exceeding 5% of a person's total monthly disability compensation if the person who is required to pay child support is a disabled veteran receiving disability compensation from the United States Department of Veterans Affairs who meets specified income requirements and has supplied the local child support agency with proof of receipt of disability compensation and other income and assets.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill

2046 without my signature. This bill seeks to limit the amount of child support arrears that may be garnished via an income withholding order from a low-income disabled veteran to no more than five percent of their monthly Veterans Administration (VA) disability payments. While the intent of this bill is laudable, I am concerned that there is confusion about if and when VA disability benefits can be garnished and that adding a new state law will only increase that confusion. Federal law currently prohibits VA disability payments from several types of garnishment, including for child support enforcement, and we comply with federal law. Given this confusion, I am directing the Department of Child Support Services to make information about the existing federal law available on its website. Sincerely, Gavin Newsom

AB 2054 (Kamlager D) Emergency services: community response: grant program.

Current Text: Vetoed: 9/30/2020 [html](#) [pdf](#)

Summary: Would, until January 1, 2024, enact the Community Response Initiative to Strengthen Emergency Systems Act or the C.R.I.S.E.S. Act for the purpose of creating, implementing, and evaluating the C.R.I.S.E.S. Act Grant Pilot Program, which the act would establish. The bill would require the Office of Emergency Services to establish rules and regulations for the act with the goal of making grants to community organizations, over 3 years, for the purpose of expanding the participation of community organizations in emergency response for specified vulnerable populations. The bill would require that grantees receive a minimum award of \$250,000 per year.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2054 without my signature. This bill would establish a grant pilot program administered by the Office of Emergency Services (OES) to stimulate and support community involvement in emergency response activities that do not require a law enforcement officer. Community organizations have a critical role to play in responding to our vulnerable neighbors and community members in crisis. Many situations involving those who are unhoused, facing mental health challenges, have been exposed to violence, or are experiencing substance use issues may be better addressed with resources and pathways for long-term healing rather than a punitive approach. We must also address the reality that people of color and other marginalized members of our communities are disproportionately harmed by interactions with law enforcement, too often in instances where a badge and a gun are unnecessary. The underlying goal of this legislation is important and implementing an effective solution will help our communities. Unfortunately, OES is not the appropriate location for the pilot program proposed in this legislation. My Administration will work with the Legislature and stakeholders during the next legislative session on an implementable solution. Should a grant program be the consensus, such a pilot should be established through the State Budget process. Sincerely, Governor Gavin Newsom

AB 2092 (Rodriguez D) Emergency ambulance employees: subsidized protective gear.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: Would require an emergency ambulance provider to establish a voluntary personal protective equipment (PPE) program that allows for the purchase of subsidized multithreat body protective gear that is bullet, strike, slash, and stab resistant by an emergency ambulance employee pursuant to an employer-funded stipend, and authorize an employee to voluntarily participate in a PPE program and to wear the PPE while on duty. The bill would require a provider to inform an employee of the opportunity to purchase subsidized multithreat body protective gear through a PPE program.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2092 without my signature. This bill would require private entities providing emergency ground ambulance services to establish a voluntary program that allows employees of private ambulance providers to purchase employer-subsidized multithreat body protective gear. Existing regulations impose an affirmative obligation on employers to evaluate workplace hazards and provide PPE as appropriate at no cost to employees. This bill would hold employers responsible for only part of the multithreat body protective gear which conflicts with long-standing law requiring employers to furnish and providers safety devices and safeguards necessary to protect their employees. I support efforts to maximize the safety of all of California's life-saving EMS personnel, especially those that would prevent life-threatening injury. However, it is unclear how these provisions would effectively contribute toward that goal. Sincerely, Gavin Newsom

AB 2100 (Wood D) Medi-Cal: pharmacy benefits.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: Would require the State Department of Health Care Services to establish the Independent Prescription Drug Medical Review System (IPDMRS), commencing on January 1, 2021, which generally models specified requirements of the Knox-Keene Health Care Service Plan Act. The bill would provide that any Medi-Cal beneficiary grievance involving a disputed health care service is eligible for review under the IPDMRS, and would define "disputed health care service" as any outpatient prescription drug eligible for coverage and payment by the Medi-Cal program that has been denied, modified, or delayed by a decision of the department, or by one of its contracting fiscal intermediaries for the administration of the prescription drug benefit if that entity makes a final decision, in whole or in part, due to a finding that the service is not medically necessary.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill AB 2100 without my signature. This bill would allow the Department of Health Care Services (DHCS) to provide a disease management or similar payment to pharmacies for the costs and activities that are

associated with dispensing specialty drugs; require DHCS, commencing January 1, 2021, to establish an Independent Prescription Drug Medical Review (IPDMR) process for the Medi-Cal outpatient pharmacy fee-for-service benefit; require DHCS to allow a Medi-Cal beneficiary to continue use of a prescription drug for a minimum of 180 days if that drug is no longer covered when DHCS implements its Medi-Cal Rx proposal; and, require DHCS to include detailed and specific Medi-Cal Rx information when submitting the semi-annual budget assumptions and estimates for the Medi-Cal program. First, it is premature to consider a disease management payment for Medi-Cal specialty drugs. DHCS is processing the results of a recent survey of specialty drug acquisition costs to determine what types of services are provided in association with the dispensing of specialty drugs. Until the results of the survey have been analyzed, DHCS will not know whether reimbursement for disease management services, or other supplemental services, are medically necessary for certain beneficiaries, and under what circumstances. Second, while I am supportive of additional transparency efforts regarding the implementation of the Medi-Cal Rx program, the requirements of this bill are too prescriptive. I am instead directing DHCS to post additional information on its website regarding implementation of Medi-Cal Rx to enable the public and stakeholders to assess the transition of the Medi-Cal prescription drug benefit from managed care to fee for service. Third, while I am supportive of efforts to enhance Medi-Cal beneficiary protections, issues regarding consumer protections under Medi-Cal Rx can be addressed administratively with input from the Legislature and stakeholders, to ensure that appropriate protections and reporting requirements are in place when Medi-Cal Rx is implemented. I am directing DHCS to convene stakeholders no later than July 1, 2021, to explore options and approaches for additional public reporting of administrative hearing decisions pertaining to outpatient prescription drug benefits, which will help assess whether additional changes to the grievance and appeals process are warranted. Finally, DHCS has developed a Pharmacy Transition Policy for Medi-Cal Rx to allow Medi-Cal beneficiaries to continue receiving their existing prescription medications without having to get additional prior authorizations for 180 days after the transition begins. As we work toward a health care delivery system that provides coverage and access through a unified financing system, we must also align policies and processes across our public and private delivery systems to provide California's health care consumers with a consistent experience and minimal side effects. Such efforts should be considered as part of those conversations. Sincerely, Gavin Newsom

AB 2114 (Rodriguez D) Higher Education Employer-Employee Relations Act: procedures relating to employee termination or discipline.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: The Higher Education Employer-Employee Relations Act provides for negotiations concerning wages, hours, and other terms and conditions of employment between a higher education employer, defined as the Regents of the University of California, the Board of Directors of the Hastings College of the Law, and the Trustees of the California State University, and representatives of recognized employee organizations. This bill would require a higher education employer to provide a procedure for all medical and dental interns and residents, persons in accredited resident physician subspecialty programs, and other postgraduate medical and dental trainees in unaccredited programs to challenge a termination of employment or a disciplinary action, as defined, by the employer, after the employee has exhausted available administrative or academic grievance processes, as provided.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2114 without my signature. This bill would require certain higher education employers to provide an arbitration or hearing officer process to challenge a termination of employment or a disciplinary action for medical and dental interns and residents. The bill excludes disciplinary actions and terminations based on academic or clinical matters, making arbitration available only for matters within the scope of representation. These residents and interns represent our State's pipeline of medical professionals, and they have been on the frontlines of the COVID-19 pandemic. They deserve an opportunity to challenge a disciplinary action or termination of employment that may be wrongful and that could potentially jeopardize their professional career. However, I believe that the definition of "academic" and "clinical" in this bill is too narrow and does not fully consider the various criteria used in determining a resident's readiness to safely practice. I encourage the affected parties to agree upon a definition that both protects employees' due process rights and patient safety. Sincerely, Gavin Newsom

AB 2164 (Rivas, Robert D) Telehealth.

Current Text: Vetoed: 9/26/2020 [html](#) [pdf](#)

Summary: Current law prohibits a requirement of in-person contact between a health care provider and a Medi-Cal patient when the service may be provided by telehealth, and, for purposes of telehealth, prohibits the department from limiting the type of setting where Medi-Cal services are provided. Existing law authorizes, to the extent that federal financial participation is available, the use of health care services by store and forward under the Medi-Cal program, subject to billing and reimbursement policies developed by the department, and prohibits a requirement of in-person contact between a health care provider and a Medi-Cal patient when these services are provided by store and forward. This bill would provide that an FQHC or RHC "visit" includes an encounter between an FQHC or RHC patient and a health care provider using telehealth by synchronous interaction or asynchronous store and forward. The bill would specify that an FQHC or RHC is not precluded from establishing a patient who is located within the FQHC's or RHC's federal designated service area through synchronous interaction or asynchronous store and forward as of the date of service if

specified requirements are met.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2164 without my signature. This bill would authorize a Federally Qualified Health Center (FQHC) and Rural Health Center (RHC) to establish a relationship with a patient who is located within their service area by synchronous or asynchronous (store-and-forward) telehealth. AB 2164 would sunset 180 days after the COVID-19 Public Health Emergency has been terminated by the state of California. While I am supportive of utilizing telehealth to increase access to primary and specialty care services, the Department of Health Care Services is currently in the process of evaluating its global telehealth policy to determine what temporary flexibilities should be extended beyond the COVID-19 pandemic. Changes to FQHC and RHC telehealth is better considered within the context of a global assessment around telehealth in the state of California. Further, the cost of these changes is also more appropriately considered alongside other policy changes in the budget process next year. Sincerely, Gavin Newsom

[AB 2296](#) (Quirk D) State Water Resources Control Board: local primacy delegation: funding stabilization program.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: Would authorize the State Water Resources Control Board to delegate partial responsibility for the California Safe Drinking Water Act's administration and enforcement by means of a local primacy delegation agreement. The bill would authorize the state board, for counties that have not been delegated primary responsibility as of January 1, 2021, to offer an opportunity for the county to apply for partial or primary responsibility if the state board determines that it needs assistance in performing administrative and enforcement activities, as specified. The bill would authorize the state board to approve the application for delegation if the state board determines that the local health officer is able to sufficiently perform the administrative and enforcement activities and would specify that a local primacy agency has all of the authority over designated public water systems as is granted to the state board by the act.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2296 without my signature. This bill would authorize Local Primacy Agency (LPA) counties to elect to participate in a funding stabilization program, administered by the State Water Resources Control Board (State Water Board), to fund regulatory oversight of small public drinking water systems. The goal of stabilizing the funding that is needed to assist LPA's with providing proper regulatory oversight of small water systems is laudable and fits into the state's overarching goal of achieving clean drinking water for every Californian. However, to the extent that LPA counties choose to participate in the new funding stabilization program authorized by the bill, the State Water Board would need to raise fees to cover the costs of the program. If participation among LPAs is high, the total funding needed from the Safe Drinking Water Account to administer the funding stabilization program would almost certainly exceed the statutory funding cap and as a result the State Water Board would be unable to implement the program. For this reason, I am returning AB 2296 without my signature. Sincerely, Gavin Newsom

[AB 2342](#) (McCarty D) Parole.

Current Text: Vetoed: 9/30/2020 [html](#) [pdf](#)

Summary: Would create a program under which the length of a parolee's period of parole could be reduced through credits earned by successfully completing specified education, training, or treatment programs, or by participating in volunteer service, while adhering to the conditions of parole. The bill would make this program inapplicable to a person who is required to register as a sex offender. The bill would, if AB 1304 is enacted, additionally require this program to award credits for participation in substance abuse treatment programs, as specified.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2342 without my signature. This bill would create parole reintegration credits, which would allow persons on parole to earn credits and reduce the length of their parole term. I share the author's goal of reducing recidivism in California by incentivizing persons on parole to comply with the conditions of parole, pursue educational and vocational goals, and participate in rehabilitation programs for which they can earn credits to reduce their terms of supervision. To this end, the California Department of Corrections and Rehabilitation (CDCR) is currently in the process of implementing an amended earned discharge policy that provides an opportunity for early discharge from parole if the parolee is participating in community-based programming to address substance use disorder, education, and employment. This bill largely duplicates efforts that are currently underway at CDCR. For this reason, I am unable to sign this bill. Sincerely, Governor Gavin Newsom

[AB 2360](#) (Maienschein D) Telehealth: mental health.

Current Text: Vetoed: 9/26/2020 [html](#) [pdf](#)

Summary: Would require health care service plans and health insurers, by July 1, 2021, to provide access to a telehealth consultation program that meets specified criteria and provides providers who treat children and pregnant and certain postpartum persons with access to a mental health consultation program, as specified. The bill would require the consultation by a mental health clinician with expertise appropriate for pregnant, postpartum, and pediatric patients to be conducted by telephone or telehealth video, and to include guidance on the range of evidence-based treatment options, screening tools, and referrals. The bill would require health care service plans and insurers to

communicate information relating to the telehealth program at least twice a year in writing.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2360 without my signature. This bill would require health care service plans, including Knox-Keene licensed Medi-Cal managed care health plans, to provide access to a provider-to-provider telehealth consultation program for providers who treat children and pregnant and postpartum persons. While I appreciate the author's intent to expand mental health services for children and pregnant and postpartum persons, the bill would create costs that would be more appropriately addressed through the annual budget process. Sincerely, Gavin Newsom

AB 2387 (Grayson D) In-home supportive services: needs assessment.

Current Text: Vetoed: 9/26/2020 [html](#) [pdf](#)

Summary: Current law establishes the In-Home Supportive Services (IHSS) program, administered by the State Department of Social Services and counties, under which qualified aged, blind, and disabled persons are provided with services in order to permit them to remain in their own homes. Current law requires the county welfare department to assess each recipient's continuing monthly need for in-home supportive services at varying intervals as necessary, but at least once every 12 months, except as specified. This bill would authorize counties to perform the needs reassessment using telehealth, including video conference or telephone, if certain conditions are met, including that the recipient has had at least one in-person assessment since the initial program intake and the recipient has had at least one in-person assessment in the past 12 months.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2387 without my signature. This bill would authorize counties to perform the In-Home Supportive Services (IHSS) reassessment using telehealth, including video conference or telephone, subject to continuing federal approval, if certain conditions are met. The California Department of Social Services has permitted counties and other entities to use video conference or telephone to perform duties that would otherwise be done in-person during the COVID-19 pandemic. This bill would extend flexibilities that were made in response to a public health emergency. It is premature to make statutory changes to these policies until the Department has had the opportunity to assess their impact on consumers and alignment with overall program goals and processes. Moreover, although this bill may provide counties greater case management flexibility, it may also impede social workers' ability to directly and accurately assess IHSS recipients' abilities, limitations, living conditions, health and safety. Sincerely, Gavin Newsom

AB 2405 (Burke D) Right to safe, decent, and affordable housing.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: Would declare that it is the policy of the state that every individual has the right to safe, decent, and affordable housing, and would require the policy to consider homelessness prevention, emergency accommodations, and permanent housing, as specified. The bill would, among other things, require all relevant state agencies and departments, including, but not limited to, the Department of Housing and Community Development, the State Department of Social Services, and the Office of Emergency Services to consider that state policy when revising, adopting, or establishing policies, regulations, and grant criteria when those policies, regulations, and criteria are pertinent to advancing the guidelines listed as core components of Housing First. The bill would make these provisions operative on January 1, 2026, and would make implementation of these provisions subject to an appropriation of funds in the annual Budget Act for these purposes.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2405 without my signature. This bill would declare a state policy that every individual in California has the right to safe, decent, and affordable housing. The bill would also require state departments and agencies to consider this policy when revising or adopting policies, regulations, and grant criteria. This is a laudable goal that I share, and undoubtedly, California must continue to do more to address homelessness. Regrettably, however, I cannot support this bill considering the cost implications of such a policy, estimated at over \$10 billion annually. Moreover, I have always maintained that our efforts must come with greater accountability and better results. Although well-intentioned, this bill is duplicative of existing efforts and may ultimately force us to expend resources without commensurately creating new housing or services for people experiencing homelessness. I am committed to working with the Legislature and local government partners on a detailed strategy to improve behavioral health outcomes and increase housing opportunities for people experiencing homelessness. To make progress, we need more than policy goals. We need tangible funding strategies and legal requirements - this means challenging accepted norms and rejecting the status quo and identifying necessary revenues. Sincerely, Gavin Newsom

AB 2483 (Bauer-Kahan D) County jails: recidivism: reports.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: Would, starting on January 1, 2023, and annually thereafter until January 1, 2027, require the sheriff in each county to compile and submit specified data to the Board of State and Community Corrections on their anti-recidivism programs and success rates in reducing recidivism. The bill would require the board to annually compile a report based upon those findings and submit the report to the Legislature by a specified date.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill

2483 without my signature. This bill would require, from January 1, 2023 to January 1, 2027, the sheriff in each county to annually compile and submit the following data to the Board of State and Community Corrections: (1) data on each of the anti-recidivism programs they provide inmates in their county jail facilities; and (2) their success rates in reducing recidivism in each of those programs. Data collection on recidivism is important. Unfortunately, the broad nature of this bill leaves too much discretion to local governments to decide what is and what is not a recidivism program, and it could lead to a significant and costly mandate. For this reason, I am unable to sign this bill. Sincerely, Gavin Newsom

[AB 2746](#) (Gabriel D) Funding accountability: state funding for homelessness.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: Would require a recipient, as defined, that receives state funds for specified CalWORKs programs related to homeless assistance, the Housing and Disability Income Advocacy Program, or state funds appropriated in the Budget Act of 2019 for a Whole Person Care pilot program, to submit a report containing specified information regarding the use of state funds to the appropriate agency. The bill would require the recipient to submit that report on a form and method provided by the agency annually.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2746 without my signature. This bill would require recipients of state funding for the CalWORKs Homeless Assistance Program, the Housing and Disability Income Advocacy Program, and the Whole Person Care pilot programs to submit annual data reports regarding the use of program funds to the Department of Social Services and the Department of Health Care Services, respectively. My Administration is exploring ways to increase transparency in our homeless assistance programs and improve the efficiency in the delivery of those services to those who most need the help. This is important work, and we are dedicated to this effort. Unfortunately, the requirements of this measure are duplicative of existing requirements and would create additional, unnecessary data collection costs. For these reasons, I am unable to sign this bill. Sincerely, Gavin Newsom

[AB 3005](#) (Rivas, Robert D) Leroy Anderson Dam and Reservoir: permitting, environmental review, and public contracting.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: Would, if the Department of Fish and Wildlife determines that the Anderson Dam project, as defined, will substantially adversely affect existing fish and wildlife resources and the Santa Clara Valley Water District completes certain actions for the project, require the department within 180 days of receipt of a notification, as defined, from the district to issue a final agreement with the district that includes reasonable measures necessary to protect the affected resource, unless the department and the district agree to an extension.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 3005 without my signature. This bill would modify contracting requirements and prescribe expedited California Environmental Quality Act (CEQA) review and regulatory processes for various state agencies to facilitate projects for the Leroy Anderson Dam and Reservoir. Notwithstanding the importance of completing projects at the Anderson Dam, the bill sets unrealistic timelines for state entities to expedite deliverables. This will require staff to be diverted away from other critical projects throughout the state that are going through the CEQA process. Although the Anderson Dam projects are a key element of dam safety, it is problematic to set a precedent for a special process and timeline for one project that may undermine the quality of review by departments. Furthermore, a public works project of this magnitude will have significant environmental impacts, and therefore, review through the full CEQA process is necessary. For these reasons, I am returning Assembly Bill 3005 without my signature. Sincerely, Gavin Newsom

[AB 3053](#) (Daly D) Labor Commissioner: unpaid wage claim process.

Current Text: Vetoed: 9/24/2020 [html](#) [pdf](#)

Summary: Would, beginning July 1, 2021, require the Labor Commissioner to create an online portal on their internet website that would allow wage claimants to file unpaid wage claims, track those claims, and submit requested documents regarding those claims.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 3053 without my signature. This bill would require the Labor Commissioner to create an online portal that would allow wage claimants to file unpaid wage claims, track those claims and submit requested documents regarding those claims. This bill is aimed at reducing the backlog in administering wage claims that results in unacceptable delays. I fully support measures to improve outcomes for workers who have been denied their hard-earned wages. The Labor Commissioner's Office has already launched a low-wage industry initiative to address lasting backlogs. The goal of this initiative is to build industry-specific expertise among wage enforcement deputies dedicated to those industries. This initiative will improve outcomes for workers and help cut through the backlog of claims, through enforcement deputies and hearing officers who understand industry-specific practices and commonly alleged violations. We should allow time for these existing efforts at the Labor Commissioner's Office to show some results. Sincerely, Gavin Newsom

[AB 3164](#) (Friedman D) Fire prevention: wildland-urban interface wildfire risk model: model use guidelines.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: Would require the Department of Forestry and Fire Protection, by July 1, 2022, to develop a wildland-urban interface wildfire risk model to determine the risk for a community or parcel within a local responsibility area or state responsibility area and guidelines for the proper use of the model, as provided. The bill would require the department to establish, and consult with, an advisory workgroup, with specified members, to develop the model. The bill would require the department to update the model and guidelines when fire hazard severity zones are revised.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 3164 without my signature. This bill would require the Department of Forestry and Fire Protection (CAL FIRE) to work with stakeholders and other governmental entities to develop a wildland-urban interface wildfire (WUI) risk model based on wildfire hazard severity information and a number of other local mitigating factors to determine fire risk to individual parcels and communities. I am committed to aggressive fire prevention measures that will reliably and quickly reduce California's vulnerability to catastrophic wildfires. I commend Assemblymember Friedman for looking for creative ways to effectively study California's risk in order to advise local and state fire prevention. Data-driven decisions and leveraging technology are critical to making our communities more resilient to the threat of wildfire. However, the amount of granular information that would be needed to provide an accurate representation of risk at the parcel level would be a significant workload for the State and local jurisdictions eventually assigned to gather the necessary data. Unlike CAL FIRE's existing fire hazard severity models, fire risk is dynamic and changes based on any number of variables such as whether rain gutters have been cleared of pine needles or dried out grasses have been trimmed away from a structure. As drafted, the bill prescribes mitigation factors and does not provide adequate flexibility for CAL FIRE to determine the appropriate factors for the dynamic risk the model is meant to evaluate. I am therefore directing CAL FIRE to work with the Legislature to develop a strategy that would support the deployment of a wildfire risk model that allows for adequate discretion in the development of the model. For this reason, I am returning Assembly Bill 3164 without my signature. Sincerely, Gavin Newsom

[AB 3216](#) (Kalra D) Unemployment: rehiring and retention: state of emergency.

Current Text: Vetoed: 9/30/2020 [html](#) [pdf](#)

Summary: Would require an employer, as defined, to offer its laid-off employees specified information about job positions that become available for which the laid-off employees are qualified, and to offer positions to those laid-off employees based on a preference system, in accordance with specified timelines and procedures. The bill would define the term "laid-off employee" to mean any employee who was employed by the employer for 6 months or more in the 12 months preceding the state of emergency giving rise to the application of the bill's provisions, and whose most recent separation from active service was due to a public health directive, government shutdown order, lack of business, a reduction in force, or other economic, nondisciplinary reason related to the state of emergency, as defined.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 3216 without my signature. This bill would provide a right of recall and retention for specified employees previously laid-off due to a local, state, or federal declaration of a public health-related state of emergency. It would require specified employers to offer the same or similar jobs to laid off employees or those which the laid off employee could be trained to do, based on seniority. The bill additionally would require employers who hire an individual other than a laid-off employee to provide that laid-off employee with the name of the individual who was hired and all the reasons for that decision. It would also require successor employers in these specified industries, regardless of the existence of a state of emergency, to give preference in hiring to employees of the incumbent employer by seniority. I recognize the real problem this bill is trying to fix—to ensure that workers who have been laid off due to the COVID19 pandemic have certainty about their rehiring and job security. But, as drafted, its prescriptive provisions would take effect during any state of emergency for all layoffs, including those that may be unrelated to such emergency. Tying the bill's provisions to a state of emergency will create a confusing patchwork of requirements in different counties at different times. The bill also risks the sharing of too much personal information of hired employees. There must be more reasonable tools to effectively enforce the recall provisions. Finally, the hospitality industry and its employees have been hit hard by the economic impacts of the pandemic. I believe the requirements of this bill place too onerous a burden on employers navigating these tough challenges, and would encourage the legislature to consider other approaches to ensure workers are not left behind. Sincerely, Governor Gavin Newsom

[SB 68](#) (Galgiani D) Hazardous waste: treated wood waste.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: Current law requires each wholesaler and retailer of treated wood and treated wood-like products to conspicuously post information that contains a specified message, including a certain internet website address at which more information can be found, at or near the point of display or customer selection of treated wood and treated wood-like products, as provided. Current law requires the wood preserving industry, as defined, to, jointly and in consultation with the Department of Toxic Substances Control, make information available to generators of treated wood waste that describes how to best handle, dispose of, and otherwise manage treated wood waste. Current law repeals

these requirements on January 1, 2021. A violation of the hazardous waste control laws is a crime. This bill would extend the operation of those provisions, as recast by this bill, indefinitely. By extending a crime, the bill would impose a state-mandated local program.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 68 without my signature. This bill would eliminate the sunset on the Treated Wood Waste (TWW) program at the Department of Toxic Substance Control (DTSC) and would make various changes to that program. SB 68 creates a significant additional mandate for DTSC to perform regular inspections of generators and disposal sites for treated wood waste. The Hazardous Waste Control Account (HWCA) currently has a structural deficit and this unfunded new mandate will cost the department millions of dollars to implement, exacerbating this deficit. Moreover, it is not appropriate to eliminate the sunset date for the Treated Wood Waste program authorization, essentially exempting this hazardous waste from hazardous waste law and regulation. While the generation of this waste may have justified the allowance for alternative management standards, this waste is hazardous and poses a risk to both human health and the environment and necessitates periodic review of its statutory authorization. For these reasons, I am returning SB 68 without my signature. Sincerely, Gavin Newsom

SB 179 **(Nielsen R) Excluded employees: arbitration.**

Current Text: Vetoed: 9/25/2020 [html](#) [pdf](#)

Summary: Would enact the Excluded Employee Arbitration Act to permit an employee organization that represents an excluded employee who has filed certain grievances with the Department of Human Resources to request arbitration of the grievance if specified conditions are met. The bill would require the designation of a standing panel of arbitrators and, under specified circumstances, the provision of arbitrators from the California State Mediation and Conciliation Service within the Public Employment Relations Board.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 179 without my signature. SB 179 would allow state employee supervisors to request binding arbitration as part of the grievance process. Current law allows managers and supervisors to pursue resolution of disagreements through a four-step grievance process and pursue a claim with the State Personnel Board. SB 179 would add a costly step to this process. Expanding the right to arbitrate to state managers and supervisors will result in increased costs not contemplated in the 2020 Budget at a time when the State is facing massive cost pressures due to the COVID-19 pandemic. Therefore, I am returning SB 179 without my signature. Sincerely, Gavin Newsom

SB 182 **(Jackson D) Local government: planning and zoning: wildfires.**

Current Text: Vetoed: 9/30/2020 [html](#) [pdf](#)

Summary: Current law requires that the Office of Planning and Research, among other things, coordinate with appropriate entities, including state, regional, or local agencies, to establish a clearinghouse for climate adaptation information for use by state, regional, and local entities, as provided. This bill would require the safety element, upon the next revision of the housing element or the hazard mitigation plan, on or after June 1, 2022, whichever occurs first, to be reviewed and updated as necessary to include a comprehensive retrofit strategy to reduce the risk of property loss and damage during wildfires, as specified, and would require the planning agency to submit the adopted strategy to the Office of Planning and Research for inclusion into the above-described clearinghouse.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 182 without my signature. This bill would impose certain fire hazard planning responsibilities on local governments and would require cities and counties to make specified findings on fire standards prior to permitting development in the very high fire hazard severity zone. I strongly support strengthening land use planning requirements in order to better protect our communities from wildfire. The importance of reducing the number and impact of fires in our communities cannot be overstated. However, this bill creates inconsistencies, duplicates existing requirements, creates a loophole for regions to not comply with their housing requirements, fails to account for consequences that could increase sprawl and places significant cost burdens on the state. New state laws and policies are already directing housing to communities near transit, jobs and urban centers and away from fire risk areas, including integration into the current housing planning cycle. Additionally, the 2019-20 Budget requires the California Department of Housing and Community Development, in collaboration with the Governor's Office of Planning and Research, to develop recommendations to improve the regional housing need allocation process to promote and streamline housing development to address California's housing shortage. Wildfire resilience must become a more consistent part of land use and development decisions. However, it must be done while meeting our housing needs. For these reasons, I am returning Senate Bill 182 without my signature. Sincerely, Governor Gavin Newsom

SB 369 **(Hertzberg D) Prisoners: California Reentry Commission.**

Current Text: Vetoed: 9/30/2020 [html](#) [pdf](#)

Summary: Current law requires the Department of Corrections and Rehabilitation to establish parole reentry and assessment programs for inmates in state prison, in order to assess the inmate prior to release and to assist with the inmate's reentry into the community while on parole. Current law establishes the California Reentry and Enrichment Grant Program to provide grants to community-based programs that provide rehabilitative services to incarcerated individuals. This bill would, subject

to an appropriation by the Legislature for these purposes, establish the California Reentry Commission within the department, to be cochaired by the Secretary of the Department of Corrections and Rehabilitation and a formerly incarcerated individual to be appointed to the commission by the Governor. The bill would specify the members of the commission and require the commission to meet once every 2 months.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 369 without my signature. This bill would establish the California Reentry Commission and task it with developing a new health and safety agenda for those returning home from custody, reviewing the barriers to reentry and coordinating with other entities to establish a grant program for reentry service providers. I share the author's commitment in supporting successful re-entry for persons returning to the community from prison. That is why I launched Returning Home Well, a public-private partnership that will provide critical supports including housing, healthcare, treatment, transportation, direct assistance, and employment support for Californians returning home from prison early due to COVID-19. I also agree that there is more to do to ensure that all persons returning home are given the support that they need. I do not, however, think that creating a new commission with over 20 members and appointees is necessary to achieve this goal. I am, instead, directing the California Department of Corrections and Rehabilitation and the Council on Criminal Justice and Behavioral Health to engage with stakeholders, evaluate the barriers of reentry and determine what steps need to be taken to overcome those barriers. Sincerely, Governor Gavin Newsom

SB 555 **(Mitchell D) Jails and juvenile facilities: communications, information, and commissary services: contracts.**

Current Text: Vetoed: 9/30/2020 [html](#) [pdf](#)

Summary: Current law allows the sheriff of each county to operate a store in connection with the county jail to sell confectionary, tobacco, postage and writing materials, and toilet articles to incarcerated people in the jail. Current law allows the sheriff to fix the sale prices of the articles offered for sale at the store. Current law requires profits from the store to be deposited in the inmate welfare fund and requires the fund to be used primarily for the benefit, education, and welfare of incarcerated people. This bill would prohibit the items in the store from being offered at a price in excess of 10% above the cost paid to the vendor supplying the article.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 555 without my signature. This bill would limit the amount that a county jail can charge for items in the jail canteen and the per minute rate that can be charged for phone calls and video communications. It would also prohibit commission provisions in telephone and communications service contracts and would require such telephone and communication service contracts to be negotiated and awarded to the lowest cost provider. While I strongly support the goals of this bill - reducing the financial stress that families of those in jail face and supporting the ability of those incarcerated to remain in contact with their families - I cannot support this bill in its current form. I am concerned it will have the unintended consequence of reducing important rehabilitative and educational programming for individuals in custody. I am committed to working with the Legislature and stakeholders to address this issue in the next legislative session in a manner that mitigates impacts on programming. Sincerely, Governor Gavin Newsom

SB 559 **(Hurtado D) Department of Water Resources: federal funding: Friant-Kern Canal.**

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: Would require the Department of Water Resources to report to the Legislature, no later than March 31, 2021, on federal funding approved by the United States Congress in its 2021 Congressional Budget Resolution and related appropriations bills or otherwise provided to the Friant Water Authority or other government agency to restore the capacity of the Friant-Kern Canal, as specified. The bill would require the department to include in its report a proposal for the state to pay a share of the project cost, not to exceed 35%, and how the money will be spent.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 559 without my signature. This bill requires the Department of Water Resources (DWR) to report to the Legislature on federal funding approved to restore the capacity of the Friant-Kern Canal, with a proposal for the state to pay for a share of the project. California's major canal systems are aging and damaged by land subsidence. Local, state and federal systems all need repair. As established in the Water Resilience Portfolio, state agencies are holistically assessing the needs of all of California's water supply systems. This bill focuses on a single piece of conveyance and directs DWR to develop a proposal for the state to help fund this specific project. As we address California's water needs in the coming months and years, we need to evaluate, develop and identify solutions and funding that provides water supply and conveyance for the entirety of the state, not one project at a time. Sincerely, Gavin Newsom

SB 629 **(McGuire D) Public peace: media access.**

Current Text: Vetoed: 9/30/2020 [html](#) [pdf](#)

Summary: Would, if peace officers close the immediate area surrounding any emergency field command post or establish any other command post, police line, or rolling closure at a demonstration, march, protest, or rally where individuals are engaged primarily in constitutionally protected activity, as described, require that a duly authorized representative of any news service, online news service,

newspaper, or radio or television station or network, as described, be allowed to enter those closed areas and would prohibit a peace officer or other law enforcement officer from intentionally assaulting, interfering with, or obstructing a duly authorized representative who is gathering, receiving, or processing information for communication to the public.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 629 without my signature. This bill would allow authorized representatives of any news service, online news service, newspaper, or radio or television station or network to enter areas that have been closed by law enforcement due to a demonstration, march, protest or rally, including the immediate area surrounding any emergency field command post or any other command post. This bill would, additionally, prohibit a peace officer from intentionally assaulting, interfering with or obstructing these duly authorized representatives who are gathering, receiving or processing information for communication to the public. Media access to public gatherings - especially protests - is essential for a functioning democracy, and law enforcement should not be able to interfere with those efforts. But I am concerned that this legislation too broadly defines a "duly authorized representative of a news service, online news service, newspaper, or radio or television station or network." As written, this bill would allow any person who appears to be engaged in gathering, receiving or processing information, who produces a business card, press badge, other similar credential, or who is carrying professional broadcasting or recording equipment, to have access to a restricted law enforcement area. This could include those individuals who may pose a security risk - such as white nationalists, extreme anarchists or other fringe groups with an online presence. Law enforcement agencies should be required to ensure journalists and legal observers have the ability to exercise their right to record and observe police activities during protests and demonstrations. But doing so shouldn't inadvertently provide unfettered access to a law enforcement command center. In fact, the police reform advisors that I appointed in the wake of the nationwide protests this summer to advise me on what more California can do to protect and facilitate the right to engage in peaceful protests and demonstrations made concrete recommendations on protecting journalists and legal observers exercising their right to record and observe police activities during protests and demonstrations. I plan to implement these recommendations at the state level and am encouraging every California law enforcement agency to do the same. I also plan to work with the Legislature on providing access to journalists in a way with the Legislature on providing access to journalists in a way that addresses the security concerns and accomplishes the intent of this bill. Sincerely, Governor Gavin Newsom

[SB 741](#)

(Galgiani D) Change of gender and sex identifier.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: Current law authorizes a person to file a petition with the superior court seeking a judgment recognizing their change of gender to female, male, or nonbinary, including a person who is under 18 years of age. The judgment may include an order for a new birth certificate, and the new birth certificate is required to include the change of gender and any name change specified in the court order. Current law also authorizes a procedure for a person born in this state to obtain a new birth certificate directly from the State Registrar to reflect their change of gender to female, male, or nonbinary without a court order. Current law prohibits a new birth certificate issued under these provisions from indicating that it is not the original birth certificate and requires a local registrar or the county recorder to either forward the original birth certificate to the State Registrar or seal a cover over the birth certificate, as specified. This bill would recast these provisions relating to new birth certificates to provide for a change in gender and sex identifier and to specify that a person who was issued a birth certificate by this state, rather than a person born in this state, may obtain a new birth certificate.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 741 without my signature. This bill would allow a person, as part of a judgment recognizing a change of name and gender, to also seek an order to revise a California marriage certificate of the petitioner and/or the California birth certificates of the petitioner's children. Upon court order, this bill requires the California Department of Public Health (CDPH) or the applicable County Registrar to replace the vital record certificates with one that does not reveal that the petitioner obtained a name and gender change. I strongly support the overall policy of changing vital records to accurately reflect gender identity. Unfortunately, this bill fails to give the State Registrar, which is within CDPH, clear authority to issue a new marriage certificate. As a result, CDPH would only be able to amend the marriage certificates under other applicable amendment statutes, resulting in the original gender, and the fact that there was a change to the listed gender, visible and open to the public. I am concerned that this would shine a spotlight on any individual who has changed their gender and I believe that this runs contrary to the intent of this legislation. This is an important policy and I am committed to working with the Legislature and sponsors during the next legislative session to protect individual privacy. Sincerely, Gavin Newsom

[SB 757](#)

(Allen D) California Environmental Quality Act: environmental leadership projects: fixed guideway.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: The Jobs and Economic Improvement Through Environmental Leadership Act of 2011 (leadership act) authorizes the Governor, until January 1, 2020, to certify projects that meet certain requirements, including certain labor-related requirements, for streamlining benefits provided by the leadership act related to compliance with CEQA and streamlining of judicial review of action taken by a

public agency to require a judicial action to be resolved within 270 days of the filing of the certified record of proceedings with the court. The leadership act provides that if a lead agency fails to approve a project certified by the Governor before January 1, 2021, the certification expires and is no longer valid. The leadership act requires a lead agency to prepare the record of proceedings for the certified project concurrent with the preparation of the environmental documents. The leadership act is repealed by its own terms on January 1, 2021. This bill would additionally include projects to construct a fixed guideway, as defined, and related fixed facilities meeting certain conditions as projects that are eligible for certification by the Governor under the leadership act. The bill would provide that the certification by the Governor expires if the lead agency fails to approve the project by January 1, 2024.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 757 without my signature. This bill expands the types of environmental leadership projects eligible for streamlined judicial review through the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 (AB 900, Buchanan, Chapter 354, Statutes of 2011) to include zero-emission, public transit projects, provided the lead agency applies for the Governor's certification no later than January 1, 2023 and the project is approved no later than January 1, 2024. The provisions of this bill are contingent on the enactment of Senate Bill 995 by Senator Atkins, which did not successfully pass in the Legislature. While I support efforts to accelerate transit projects that reduce greenhouse gas emissions and reduce miles traveled, enactment of this bill is contingent on the successful statutory extension of the AB 900 statute by SB 995, which unfortunately failed passage in the Legislature. For this reason, I am returning SB 757 without my signature. Sincerely, Gavin Newsom

[SB 912](#) **(Beall D) California Fostering Connections to Success Act.**

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: On March 4, 2020, the Governor proclaimed a state of emergency to exist in California as a result of the threat of COVID-19. Executive Order No. N-53-20, signed by the Governor on April 17, 2020, and as extended by Executive Order No. N-69-20, signed by the Governor on June 15, 2020, authorizes temporary waivers of certain foster youth program requirements to ensure continuity of care in response to the COVID-19 pandemic. Under this bill, a nonminor dependent who turned 21 years of age between March 4, 2020, and June 30, 2021, inclusive, would be eligible to continue receiving extended foster care support through June 30, 2021.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 912 without my signature. During the current state of emergency related to the pandemic, the State of California has addressed the needs of many of our vulnerable populations through executive orders that immediately extended benefits and waived specified requirements to remove obstacles to provide ongoing aid. Foremost among these actions was including over \$40 million in the 2020 Budget Act to allow nonminor dependents (NMDs) who would have otherwise aged out of extended foster care access to supports and services until June 30, 2021. This bill, however, is seeking to extend court jurisdiction for all NMDs who aged out of extended foster care once the state of emergency was declared on March 4, 2020, until June 30, 2021. Further, this bill also would, for any statewide or county-by-county state of emergency declared by the Governor on or after January 1, 2021, require NMDs who turn 21 years of age while the state of emergency is in effect to continue to receive foster care support for six months from the date of the declaration. Because disasters and pandemics vary and are difficult to predict, this bill would obligate the State to a specific approach that may not always be the most prudent or effective. For these reasons, I am unable to sign this bill. Sincerely, Gavin Newsom

[SB 914](#) **(Portantino D) Firearms.**

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: Current law prohibits the purchase or receipt of a firearm by, or the sale or transfer of a firearm to, any person who does not have a firearm safety certificate, as specified. Current law also prohibits the sale or transfer of a firearm by a licensed firearm dealer to a person under 21 years of age. Current law exempts from these provisions the sale, transfer, purchase, or receipt of a firearm, other than a handgun, to or by a person without a firearm safety certificate, but in possession of a valid, unexpired hunting license, as specified. Current law also exempts the sale or transfer of a firearm, other than a handgun or semiautomatic centerfire rifle, to a person 18 years of age or older who possesses a valid, unexpired hunting license, as specified. This bill would, for purposes of these provisions, define a valid and unexpired hunting license.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 914 without my signature. This bill would, beginning July 1, 2021, require the Department of Justice (DOJ) to verify the validity of a hunting license with the Department of Fish and Wildlife for a sale or transfer of a firearm to a person under 21 years of age. DOJ does not currently have the technology to verify the validity of hunting licenses. In order to meet the requirements of this bill, it would take DOJ 30 months to complete the information technology project. During this time, they would have to redirect existing application development resources, which could affect the work currently scheduled for seven previously enacted bills impacting the firearms information technology systems. I am concerned that adding an information technology project will impede DOJ's ability to perform the work it has already been tasked. Therefore, I am returning SB 914 without my signature. Sincerely, Gavin Newsom

[SB 972](#) **(Skinner D) Corporation taxes: disclosure.**

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: Would, on or before April 1, 2021, and on and before each April 1 thereafter, require the Franchise Tax Board to compile a list of all taxpayers subject to tax under the Corporation Tax Law, with gross receipts of \$5,000,000,000 or more, as measured by gross receipts, less returns and allowances, for the taxable year reported on a return in the previous calendar year. The bill would require the list to include the name and tax liability of each taxpayer, the taxable year for which the return is filed, the total gross receipts for that taxable year, and the amount and types of credits claimed for that taxable year. The bill would require the Franchise Tax Board to provide the information to specified committees of the Legislature by May 1, 2021, and each May 1 thereafter, in a list that includes specified information.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 972 without my signature. This bill would require the Franchise Tax Board (FTB) to provide certain information about corporate tax filings to two legislative committees. This bill is unnecessary, as current law already authorizes the FTB, upon request, to disclose taxpayer data to legislative committees. The committee, its officers and employees are required to maintain the confidentiality of the information provided. I am not persuaded that enactment of this bill would provide additional value to future policy deliberations. Sincerely, Gavin Newsom

[SB 980](#) (Umberg D) Privacy: genetic testing companies.

Current Text: Vetoed: 9/25/2020 [html](#) [pdf](#)

Summary: Would establish the Genetic Information Privacy Act, which would require a direct-to-consumer genetic testing company, as defined, or any other company that collects, uses, maintains, or discloses genetic data collected or derived from a direct-to-consumer genetic testing product or service, or provided directly by a consumer, to provide a consumer with certain information regarding the company's policies and procedures for the collection, use, maintenance, and disclosure, as applicable, of genetic data, and to obtain a consumer's express consent for collection, use, or disclosure of the consumer's genetic data, as specified.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 980 without my signature. This bill would establish requirements for direct-to-consumer genetic testing companies, providing opt-in privacy rights and protections for consumers. I share the perspective that the sensitive nature of human genetic data warrants strong privacy rights and protections. However, the broad language in this bill risks unintended consequences, as the "opt-in" provisions of the bill could interfere with laboratories' mandatory requirement to report COVID-19 test outcomes to local public health departments, who report that information to the California Department of Public Health. This reporting requirement is critical to California's public health response to the COVID-19 pandemic, and we cannot afford to unintentionally impede that effort. Because I agree with the primary goal of this bill, I am directing the California Health and Human Services Agency and the Department of Public Health to work with the Legislature on a solution that achieves the privacy aims of the bill while preventing inadvertent impacts on COVID-19 testing efforts. Sincerely, Gavin Newsom

[SB 1064](#) (Skinner D) Prisons: confidential informants.

Current Text: Vetoed: 9/30/2020 [html](#) [pdf](#)

Summary: Would prohibit an employee of, or private entity under contract with, the Department of Corrections and Rehabilitation from finding any state prisoner guilty of a rules violation if that finding or decision is based on, or relies on, in whole or in part, any information from an in-custody confidential informant that is neither corroborated nor reliable. The bill would additionally prohibit an employee of, or private entity under contract with, the board from making a finding or decision about any state prisoner that is based on, or relies on, in whole or in part, uncorroborated allegations from an in-custody confidential informant that have not been found true following a disciplinary hearing at which the subject was provided notice, among other requirements. The bill would require a state prisoner to receive, 10 days before these types of proceedings, a summary notice of any information provided by an in-custody confidential informant that may be used in the decision that includes, among other things, the actual or approximate date the information was provided to the department.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 1064 without my signature. This bill would prohibit the use of confidential information from confidential in-custody informants by the California Department of Corrections and Rehabilitation (CDCR) when making decisions and findings related to rules violations, as well as by the Board of Parole Hearings (BPH) when making parole decisions, unless certain requirements are met. Ensuring adequate due process and fairness should be a top priority of our evaluative proceedings. While I support the goal of this legislation, I am concerned that the bill as written is ambiguous and overly burdensome. Embodying the values of fairness and justice in these proceedings is critical. Therefore, I am returning SB 1064 without my signature and directing CDCR and BPH to examine and improve their current processes. Sincerely, Governor Gavin Newsom

[SB 1102](#) (Monning D) Employers: Labor Commissioner: required disclosures.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: Current law requires an employer to provide an employee, at the time of hiring, a written notice including specified information in the language the employer normally uses to communicate employment-related information to the employee. Current law requires the Labor Commissioner to

prepare a template that includes the specified information mentioned above and to make the template available to employers in the manner as determined by the commissioner. This bill would require an employer to include in their written notice to all employees, specified information required in the event of a federal or state declared disaster or applicable to the county or counties in which the employee will be employed. The bill would prohibit an employer from retaliating against an employee for raising questions about the declarations' requirements or recommendations.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 1102 without my signature. SB 1102 would require an employer of H2-A employees to provide a specified notice about state and federal declared disaster information about the counties where the employees may be working. This bill would additionally require an employer to provide an H-2A employee a written notice in Spanish containing specified information relative to an H-2A employee's rights pursuant to federal and state law. SB 1102 would also amend the Labor Code to include the full language of the required notice and requires the agency to issue a template that is "substantially similar." While I applaud the intent of this bill to create accessible and easy to understand notifications, this statutory construction departs from previous H2-A notice requirements like those found in Labor Code Section 2810.5 and prevents the agency from amending the template when new laws are passed or new court decisions affect the rights and obligations of H2-A employers and workers. Therefore, I am directing my Labor and Workforce Development Agency to develop and maintain a template contemplated in this bill to make available to H2-A employers, and I am returning SB 1102 without my signature. Sincerely, Gavin Newsom

SB 1207 (Jackson D) Skilled nursing facilities: backup power system.

Current Text: Vetoed: 9/25/2020 [html](#) [pdf](#)

Summary: Would require a skilled nursing facility to have an alternative source of power to protect resident health and safety for no less than 96 hours during any type of power outage that complies with specified federal requirements, as provided.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 1207 without my signature. SB 1207 would require Skilled Nursing Facilities to have an alternative source of power for no less than 96 hours during any type of power outage. Skilled Nursing Facilities are a central part of our system of care for vulnerable individuals. As such, it is important that they have sufficient emergency backup power in the event of a power interruption. However, this bill relies on an unclear federal standard as justification. Moreover, the timeline for implementing this bill is unfeasible given the need for significant renovations that facilities would need to complete to comply with this bill. I am directing the California Department of Public Health and the Office of Statewide Health Planning and Development to convene a stakeholder group to ensure that relevant experts can fully assess alternatives and develop recommendations to appropriately address resident and staff safety in the event of a power shut-off by April 1, 2021. This approach will identify recommendations regarding an emergency power standard that protects patients and allows facilities to make necessary upgrades in a timely manner. Sincerely, Gavin Newsom

SB 1220 (Umberg D) Peace and custodial officers.

Current Text: Vetoed: 9/30/2020 [html](#) [pdf](#)

Summary: Current law provides discovery procedures for peace or custodial officer personnel records, and other records pertaining to peace or custodial officers, as specified. Current law defines a Brady list as a system, index, list, or other record containing the names of peace officers whose personnel files are likely to contain evidence of dishonesty or bias, as specified. This bill would require each prosecuting agency to maintain a Brady list. The bill would, on and after January 1, 2022, require any state or local law enforcement agency maintaining personnel records of peace officers and custodial officers to annually, to each prosecuting agency within its jurisdiction, and upon request to any prosecuting agency, provide a list of names and badge numbers of officers employed by the agency in the 5 years prior to providing the list who meet specified criteria, including, among other things, that the officer has had sustained findings for conduct of moral turpitude or group bias or that the officer is on probation for a criminal offense.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 1220 without my signature. This bill would require each prosecuting agency to maintain a Brady list, which is a list containing the names of peace officers whose personnel files are likely to contain evidence of dishonesty or bias. This bill requires state and local law enforcement agencies to annually, or upon request, provide a list of names and badge numbers of officers employed by the agency in the preceding five years who have sustained findings of certain misconduct, are facing criminal prosecution, or are on probation to specified prosecuting agencies beginning January 1, 2022. This bill would impose a significant state mandate and, because of the costs associated with this mandate, I cannot sign this bill. However, I share the author's goal of ensuring that our criminal justice system provides transparency and due process for criminal defendants. I am thereby directing the California Highway Patrol and the California Department of Corrections and Rehabilitation to develop a process in which they proactively provide information in the form of a list containing officer names and badge numbers to the 58 California district attorneys' offices in order to assist them to fulfill their prosecutorial discovery obligations. Sincerely, Governor Gavin Newsom

SB 1257 (Durazo D) Employment safety standards: household domestic services.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: The California Occupational Safety and Health Act of 1973 requires employers to comply with certain standards ensuring healthy and safe working conditions, as specified. Current law charges the Division of Occupational Safety and Health within the Department of Industrial Relations with enforcement of the act, subject to oversight by the Chief of the Division of Occupational Safety (chief). Existing law makes a violation of the act a crime. Current law defines "employment," for purposes of the act, to include the carrying on of any trade, enterprise, project, industry, business, occupation, or work, including all excavation, demolition, and construction work, or any process or operation in any way related thereto, in which any person is engaged or permitted to work for hire, except household domestic service. This bill would delete the above-described exception for household domestic service, thereby making it subject to the act.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 1257 without my signature. This bill would expand the jurisdiction of the Division of Occupational Safety and Health (Cal-OSHA) to cover household domestic service employees working in residential dwellings, with the exception of services that are publicly funded. This would in effect bring approximately 11 million homes and apartments under the regulatory jurisdiction of Cal-OSHA. I strongly share the belief of the bill's author and proponents that, like all other California workers, domestic service employees deserve protections to ensure that their workplaces are safe and healthy. That is why I was proud to sign legislation last year that extended collective bargaining rights to California's childcare workers and continue efforts through the Future of Work Commission to expand safety and opportunity for these workers. However, new laws in this area must recognize that the places where people live cannot be treated in the exact same manner as a traditional workplace or worksite from a regulatory perspective. SB 1257 would extend many employer obligations to private homeowners and renters, including the duty to create an injury prevention plan and requirement to conduct outdoor heat trainings. Many individuals to whom this law would apply to lack the expertise to comply with these regulations. The bill would also put into statute a potentially onerous and protracted "investigation by letter" procedure between Cal-OSHA and private tenants and homeowners. In short, a blanket extension of all employer obligations to private homeowners and renters is unworkable and raises significant policy concerns. My Administration, through the Labor Agency and Cal-OSHA, is committed to engaging with the author and stakeholders to carefully consider and develop solutions that protect domestic workers and the privacy of an individual's private residence. The dialogue that SB 1257 has opened up is an invaluable step in the right direction, and I look forward to an ongoing partnership with the Legislature to continue our work on this critical issue. Sincerely, Gavin Newsom

[SB 1341](#) (Hurtado D) CalWORKs.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: Under current law, when the federal government provides funds for the care of a needy relative with whom a needy child is living, aid to the child for any month includes aid to meet the need of that relative, if CalWORKs payments are made with respect to the child for that month, except as prescribed. Current law requires that the parent or parents be considered living with the needy child for a period of up to 180 consecutive days of the needy child's absence from the family assistance unit, and provides that the parents are eligible for CalWORKs services, but not for the payment of aid, if certain conditions are met, including that the child has been removed from the parents and placed in out-of-home care, and that the county has determined that the provision of services is necessary for family reunification. This bill would instead provide that those eligible parents are eligible for the payment of aid, subject to an appropriation by the Legislature for this purpose.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 1341 without my signature. This bill would authorize California Work Opportunity and Responsibility to Kids (CalWORKs) families whose children have been removed from the home and placed in out-of-home care to continue receiving monthly cash assistance while active reunification efforts are ongoing in the child welfare system. While I appreciate the author's intent to ensure that CalWORKs recipient families seeking to reunify with their children have needed resources, the bill could create significant costs, which would be more appropriately addressed through the annual budget process. Sincerely, Gavin Newsom

[SB 1351](#) (Beall D) Transportation improvement fee: revenue bonds.

Current Text: Vetoed: 9/29/2020 [html](#) [pdf](#)

Summary: Current law requires revenues in the Road Maintenance and Rehabilitation Account to be annually allocated by first making specified deductions for various specified purposes and then continuously appropriating the remaining revenues in the account 50% for allocation to the Department of Transportation for maintenance of the state highway system or for the State Highway Operation and Protection Program and 50% for apportionment to cities and counties by the Controller pursuant to a specified formula. This bill would create the Transportation Improvement Fee Subaccount in the Road Maintenance and Rehabilitation Account and would transfer the revenues from the transportation improvement fee that are deposited in the Road Maintenance and Rehabilitation Account to the subaccount. The bill would continuously appropriate the revenues in the subaccount to the department and cities and counties as part of the same appropriation made to those entities from the Road Maintenance and Rehabilitation Account.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 1351

without my signature. This bill would allow the issuance of up to \$5 billion of revenue bonds, backed by revenue from Senate Bill 1 (Beall), Chapter 5, Statutes of 2017, to accelerate transportation projects in the State Highway Operation and Protection Program. While I appreciate the Legislature's intent, the California Department of Transportation (Caltrans) has already significantly increased the number of projects going to construction through project savings and other administrative actions and does not need this tool to accelerate transportation maintenance projects. Bonding against these future revenues runs counter to the pay-as-you-go principle established by Senate Bill 1 and risks locking California into long-term debt obligations to finance maintenance repairs. Caltrans will need these revenues in the future to keep our roads and bridges safe. Sincerely, Gavin Newsom

Total Measures: 56

Total Tracking Forms: 3