



JUDICIAL COUNCIL OF CALIFORNIA

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MEMORANDUM

Date

October 3, 2022

Action Requested

For Your Information

To

Hon. Tani Cantil-Sakauye
Members of the Legislation Committee
Mr. Martin Hoshino
Ms. Millicent Tidwell
Mr. John Wordlaw
Mr. Robert Oyung
Ms. Shelly Curran

Deadline

N/A

Contact

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From

Cory T. Jasperson, Director

Subject

Final status of 2022 Legislation considered by
the Legislation Committee

Following is the status report on 2022 legislation considered by the Judicial Council's Legislation Committee during the 2021–2022 legislative session. The bills are listed in numerical order by house (Assembly and Senate) and are indexed by subject matter. The second “description” column summarizes the relevant provisions of the bill—and the version of the bill—on which the Legislation Committee's position is based. This column also includes an updated summary to reflect the most current version of the bill. The “position” column tracks the council's initial position and any subsequent change to that position.

The text of all versions of a bill, committee analyses, vote information, history, and bill status can be found on the Legislature's website at: leginfo.legislature.ca.gov/faces//billSearchClient.xhtml. Position letters on legislation as well as fiscal impact statements for those bills that would have a substantial fiscal impact on the judicial branch are published on the Judicial Council's Governmental Affairs Website at: www.courts.ca.gov/position-letters.htm.

JUDICIAL COUNCIL OF CALIFORNIA
Legislation Committee Action on 2021–2022 Legislation
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Legislation Committee Action on 2022 Legislation
and Status of Bills

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 3, 2022
AB 156 (Andi Liebenbaum)	<p>AB 156 (Committee on Budget) – State government; voice writing</p> <p>As amended August 27, 2022</p> <p>Repeals language in statute prohibiting issuance of certificates by Court Reporters Board (board) for individuals who practice shorthand reporting by means of voice writing. Defines voice writing, and specifies consistent use of terms related to shorthand reporting to include voice writing. Specifies the manner in which the board shall note on certificates the manner in which the shorthand reporter was certified. Prohibits pay or benefits differential based on the method by which the license holder qualified as a certified shorthand reporter.</p>	<p>Support sections 3-9 of the bill relative to voice writing</p>	<p>Author</p>	<p>Signed into law (Stats. 2022, ch. 569)</p>
AB 256 (Sharon Reilly)	<p>AB 256 (Kalra) – Criminal procedure: discrimination</p> <p><u>As proposed to be amended</u></p> <p>Makes the Racial Justice Act (AB 2542, Stats. 2020, ch. 317) retroactive by authorizing a petition to be filed for a case in which a judgment was entered prior to January 1, 2021, as specified</p> <p>UPDATE: As amended August 11, 2022</p> <p><i>Makes the Racial Justice Act (RJA) (AB 2542, Stats. 2020, ch. 317) retroactive by authorizing a petition to be filed for a case in which a judgment was entered prior to January 1, 2021. The RJA prohibits the state from seeking a criminal conviction or sentence on the basis of race, ethnicity, or national origin, as specified, and, in a case in which judgment has not been entered prior to January 1, 2021, allows a petition to be filed alleging a violation of that prohibition. Authorizes a court that finds a violation of that prohibition to impose specified remedies.</i></p> <p><i>Among other things, AB 256 does the following, most of which are clarifying amendments to the RJA and will apply both prospectively and retroactively:</i></p> <ul style="list-style-type: none"> • <i>Clarifies the meaning of “statistical evidence Requires the court, in evaluating the totality of the evidence, to consider whether systemic and institutional racial bias, racial profiling, and historical patterns of racially biased policing and prosecution may have contributed to, or caused differences observed in, the data or impacted the availability of data overall. Requires relevant charging, conviction, and sentencing factors to be race-neutral and not influenced by implicit, systemic, or institutional bias based on race, ethnicity, or national origin.</i> • <i>Clarifies that “similarly situated” means that factors that are relevant in charging and sentencing are similar and do not require that all individuals in that comparison group are identical, and that if a defendant’s conviction history may have been impacted by racial profiling or historical patterns or racially biased policing, the court shall consider the evidence.</i> • <i>Clarifies when a judge may be disqualified by requiring, if the motion is based in whole or in part on conduct or statements by the judge, the judge to disqualify themselves from any further proceedings under this section.</i> • <i>Defines “juror” to mean a prospective or sworn juror, except as specified.</i> 	<p>Neutral as proposed to be amended</p> <p>UPDATE: <i>As amended August 11, 2022</i> <i>Neutral if amended to remove definition of juror.</i></p>	<p>American Civil Liberties Union; California Action; American Friends Service Committee; Ella Baker Center for Human Rights; California Coalition for Women Prisoners; Californians United for a Responsible Budget; Coalition for Humane Immigrant Rights (CHIRLA); Initiate Justice; League of Women Voters of California; NextGen; and Silicon Valley De-Bug.</p>	<p>Signed into law (Stats. 2022, ch. 739)</p>

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 3, 2022
AB 693 (Kate Nitta)	<p><u>AB 693 (Chau) – Proposition 65: enforcement</u></p> <p>As amended March 18, 2021 In a private action to enforce the Safe Drinking Water and Toxic Environment Act of 1986 (Health & Safety Code §§ 25249.5-25249.14) (Proposition 65), requires the same factual information sufficient to establish the basis for the certificate of merit to be served on the alleged violator at the time it is served on the Attorney General.</p> <p>Expands the types of settlements that courts must review and approve to include out-of-court settlements and adds to the list of findings a judge must make to approve any settlement a finding that neither the plaintiff nor the attorney representing the plaintiff received any compensation from the alleged violator unless that compensation is disclosed in the settlement.</p> <p>Allows a food importer or distributor facing an allegation of a Proposition 65 violation 14 days to take a number of actions to cure the violation in order to avoid filing of an enforcement action.</p>	Oppose unless amended	Asian Food Trade Association	Assembly Environmental Safety and Toxic Materials Committee Dead
AB 1127 (Sharon Reilly)	<p><u>AB 1127 (Santiago) – Serious or violent felonies: enhancements: juveniles</u></p> <p>As amended May 4, 2021 Prohibits a prior juvenile adjudication from being considered a prior serious or violent felony conviction for purposes of sentence enhancement. Provides a means of vacating a prior juvenile conviction enhancement and resentencing a defendant on any remaining counts when specified conditions apply, including when the alleged prior conviction occurred when the defendant was a juvenile and the case was adjudicated in juvenile court. Places the burden of proof on the prosecution to prove, beyond a reasonable doubt, at the hearing to determine whether the petitioner is entitled to relief, that the petitioner is ineligible for resentencing.</p> <p>Requires the court to appoint counsel to represent the petitioner if the court determines that a prima facie case has been made and the petitioner has requested counsel. Provides that the court may, in its discretion, appoint counsel for the purpose of investigating the petitioner’s eligibility for relief pursuant to this section and to represent the petitioner in attendant proceedings if the court determines that a prima facie case has not been made and the petitioner has requested counsel.</p>	Neutral if amended	George Gascon, Los Angeles County District Attorney	Inactive file. Dead

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 3, 2022
AB 1224 (Sharon Reilly)	<p><u>AB 1224 (Levine) – Sentencing: special circumstances</u></p> <p>As introduced Repeals the provision of existing law prohibiting a judge from striking a special circumstance and, instead, authorizes a judge, on the judge’s own motion or upon the application of either party, and in the furtherance of justice, to order the dismissal of a special circumstance finding or admission. Authorizes a judge to order the dismissal of a special circumstance finding or admission retroactively when the trial court judgment has become final and the sentence has been executed, or the imposition of the sentence has been suspended, including when the sentence previously pronounced was life imprisonment without the possibility of parole or the death penalty.</p> <p>Creates a presumption in favor of dismissal unless the prosecution demonstrates beyond a reasonable doubt that the defendant would commit a future violent offense.</p> <p>Requires the court, in addition to stating its reasons on the record, to set forth the reasons in an order entered upon the minutes if requested by either party or when the proceedings are not being recorded electronically or reported by a court reporter.</p>	Neutral if amended	California Public Defenders Association	<p>Assembly Appropriations Committee— Suspense file.</p> <p>Dead</p>
AB 1245 (Sharon Reilly)	<p><u>AB 1245 (Cooley) – Resentencing</u></p> <p>As amended March 11, 2021 Among other things, allows a petition for resentencing to be filed by a defendant serving time for a realigned felony.</p> <p>Establishes procedural requirements for resentencing a defendant, including, among other things, by requiring a petition for resentencing to be filed with the presiding judge of the superior court in which the defendant was originally sentenced, requiring the presiding judge or a judge appointed by the presiding judge to act on the petition within 90 days of the petition having been filed, and requiring the court to specify the reason for its judgment on the petition.</p> <p>Prohibits the court from denying a petition to recall and resentence a defendant unless there is evidence beyond a reasonable doubt that the defendant is likely to commit a future violent crime.</p>	Neutral if amended	Author	<p>Assembly Appropriations Committee— Suspense file.</p> <p>Dead</p>
AB 1277 (Kate Nitta)	<p><u>AB 1277 (Rubio, Blanca) – California Environmental Quality Act: student housing development projects: expedited judicial review</u></p> <p>As amended April 19, 2021 Adds expedited judicial review provisions for CEQA review of “student housing development projects,” as defined. Requires the Judicial Council, on or before July 1, 2022, to adopt rules of court for any action challenging the certification of an environmental impact report for a student housing development project, including any appeals, to be resolved, to the extent feasible, within 270 business days of the filing of the certified record of proceedings with the courts.</p>	Oppose unless amended	Associated Students of UC Davis	<p>Assembly Natural Resources Committee</p> <p>Dead</p>

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 3, 2022
AB 1308 (Sharon Reilly)	<u>AB 1308 (Ting) – Arrest and conviction record relief</u> As introduced Expands recently enacted law (AB 1076 (Ting), Stats. 2019, ch. 578) making individuals with arrests or convictions eligible for automatic relief if, among other criteria, the arrest or conviction occurred on or after January 1, 1973.	Oppose unless funded	Author	Senate Public Safety Committee Dead
AB 1474 (Sharon Reilly)	<u>AB 1474 (Gabriel) – Sentencing: consideration of costs</u> As introduced Among other things, requires a prosecuting attorney, at sentencing, to state on the record the estimated cost of incarceration or supervision for any proposed sentence. Requires a county probation department, if preparing a presentence report, to provide the court with specified information regarding the estimated and projected cost of incarceration or other supervision of the defendant as has been proposed in the recommended sentence. Requires the court, during sentencing, to state on the record, the estimated cost of the sentence imposed. <i>UPDATE: As proposed to be amended</i> <i>Provides that a court may, in its discretion, consider the estimated cost of the sentence as provided to the court by the prosecuting attorney or probation department, or both, as a factor when sentencing. If in choosing a sentence the court relies upon the cost of a sentence, the requires the court so include that rationale in its statement on the record, pursuant to subdivision (c) of Section 1170.</i>	Oppose UPDATE: <i>As proposed to be amended</i> <i>Remove opposition; neutral if amended</i>	Author	Senate Appropriations Committee— Suspense file. Dead.
AB 1576 (Mark Neuburger)	<u>AB 1576 (Committee on Judiciary) – Superior court: lactation rooms</u> As amended September 9, 2021 Requires superior courts to provide any court user access to a lactation room in any courthouse in which a lactation room is also provided to court employees, as specified. Requires the lactation room for court users to be located within the court facility in an area that is accessible to the public or in any location that is reasonably accessible to the public using the court facility. Except as provided, requires the lactation room for court users to meet all of the requirements imposed upon an employer with respect to providing a lactation room for employees.	Support if funded	California Employment Lawyers Association; California Work & Family Coalition; Consumer Attorneys of California; East Bay La Raza Lawyers Association; Equal Rights Advocates; Legal Aid at Work; Pinay Powerhouse; and, Contra Costa Bar Association Women Section’s	Signed into law (Stats. 2022, ch. 200)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 3, 2022
AB 1655 (Kate Nitta)	<p><u>AB 1655 (Jones-Sawyer) – State holidays: Juneteenth</u></p> <p>As amended June 15, 2022 Adds June 19, known as “Juneteenth,” as a California state holiday and judicial holiday and authorizes executive branch employees, as defined, to elect to receive eight hours of holiday credit for Juneteenth in lieu of receiving 8 hours of personal holiday credit. Requires courts to be closed as a judicial holiday.</p> <p>UPDATE: As amended August 22, 2022 <i>Adds chaptering language to include Genocide Remembrance Day and the date corresponding with the second new moon following the winter solstice, or the third new moon following the winter solstice should an intercalary month intervene, known as “Lunar New Year.” Also incorporates language defining “appointed by the President” to include the President signing into law legislation that creates a nationwide federal holiday, including the legal public holidays.</i></p>	Support	California School Employees Association	Signed into law (Stats. 2022, ch. 753)
AB 1744 (Sharon Reilly)	<p><u>AB 1744 (Levine) – Probation and mandatory supervision: flash incarceration</u></p> <p>As amended August 2, 2022 Existing law grants a court authority, when an individual is placed on probation or mandatory supervision, to obtain a waiver from the individual that allows the probation department to use “flash incarceration” to detain the individual in county jail for not more than 10 days for a violation of the conditions of that person’s probation or mandatory supervision. That authority will sunset on January 1, 2023 and AB 1744 will extend that sunset to January 1, 2028..</p>	Support	Chief Probation Officers of California	Signed into law (Stats. 2022, ch. 756)
AB 1745 (Andi Liebenbaum)	<p><u>AB 1745 (Nguyen) – Trusts: notifications</u></p> <p>As introduced Amends section 16061.8 of the Probate Code to clarify that the 120-day period in which to contest a trust only applies when a revocable trust becomes irrevocable upon the death of a settlor of the trust or because of a contingency related to the death of a settlor of the trust.</p>	Support	Trusts & Estates Section Executive Committee of California Lawyers Association	Signed into law (Stats. 2022, ch. 30)
AB 1774 (Kate Nitta)	<p><u>AB 1774 (Seyarto) – California Environmental Quality Act: water conveyance or storage projects: judicial review</u></p> <p>As introduced Among other things, requires the Judicial Council to adopt a rule of court to establish procedures that require actions or proceedings brought to attack, review, set aside, void, or annul the certification of an environmental impact report for a water conveyance or storage project or the granting of any project approvals that require the actions or proceedings, including any potential appeals to the court of appeal or the Supreme Court, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court. Defines a water conveyance or storage project as a project for the repair or expansion of an existing water conveyance or storage facility or the development and construction of a new water conveyance or storage facility.</p>	Oppose unless amended	Author	Assembly Natural Resources Committee Dead

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 3, 2022
AB 1859 (Andi Liebenbaum)	<p><u>AB 1859 (Levine) – Mental health services</u></p> <p>As introduced Requires a health care service plan or a health insurance policy issued, amended, or renewed on or after January 1, 2023, that includes coverage for mental health services to, among other things, approve the provision of mental health services for persons who are detained for 72-hour treatment and evaluation under the Lanterman-Petris-Short Act and to schedule an initial outpatient appointment for that person with a licensed mental health professional on a date that is within 48 hours of the person’s release from detention. Prohibits a noncontracting provider of covered mental health services from billing the previously described enrollee or insured more than the cost-sharing amount the enrollee or insured would pay to a contracting provider for those services.</p> <p><i>UPDATE: As amended August 18, 2022</i> <i>Adds language that states if an enrolled or insured is referred for a followup appointment for mental health services on a voluntary basis pursuant to the Lanterman-Petris-Short Act, requires the health care service plan or health insurer to process the referral as a request for an appointment and offer appointments within specified timeframes, and if an appointment is not available in network that meets the geographic and timely access standards set by law, arrange coverage to ensure the delivery of medically necessary out-of-network services, to the extent possible, to meet those geographic and timely access standards.</i></p>	No position	Author	Vetoed
AB 1935 Kate Nitta)	<p><u>AB 1935 (Grayson) – California Environmental Quality Act: redevelopment: Concord Naval Weapons Station</u></p> <p>As amended March 10, 2022 Among other things, requires the Judicial Council to adopt a rule of court to establish procedures that require actions or proceedings brought to attack, review, set aside, void, or annul the certification of an environmental impact report for the Concord Base Reuse Project or the granting of any project approvals that require the actions or proceedings, including any potential appeals to the court of appeal or the Supreme Court, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court.</p> <p>Requires the project applicant to pay the costs of the trial court and the court of appeal in hearing and deciding any such case, including payment of the costs for the appointment of a special master, in a form and manner specified by the Judicial Council in the California Rules of Court.</p> <p><i>UPDATE: As amended April 19, 2022</i> <i>Establishes special procedures under the California Environmental Quality Act (CEQA) for concurrent preparation of the administrative record, public hearings, and mediation for the “Concord Base Reuse Project” (the adoption of a specific plan for proposed redevelopment on the site of the former Concord Naval Weapons Station).</i></p>	Oppose unless amended	City of Concord	Senate Environmental Quality Committee Dead

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 3, 2022
AB 1972 (Mark Neuburger)	<p><u>AB 1972 (Ward) – Grand juries</u></p> <p>As amended May 19, 2022 Among other things, increases the grand juror fee to 70% of the county median daily income for each day’s attendance, requires the list of grand jurors selected by the court to contain each person’s gender, age, race or ethnicity, and residential ZIP Code or supervisorial district. Requires a list of certified names of impaneled persons containing each person’s gender, age, race or ethnicity, and residential ZIP Code or supervisorial district to be published and requires that version of the list to not contain the person’s name. Requires courts to annually, beginning on or before March 15, 2024 and each year thereafter, provide the Judicial Council with aggregate data of prospective regular grand jurors, any carry-over grand jurors, persons recommended by the jury commissioner, persons selected by the court, and certified impaneled grand jurors that contains the person’s gender, age, race or ethnicity, and residential ZIP Code or supervisorial district of the respective counties, as well as the name of the judge who selected each person. Additionally, requires the Judicial Council to, beginning on or before June 15, 2024 and each year thereafter, report that information to the Legislature. Finally, allows the summons for prospective jurors sent by courts to include information on how to become a juror on a grand jury.</p>	<p>Neutral</p> <p>UPDATE: <i>May 19, 2022 amendments removed problematic portions of the bill that required trial courts to release grand juror information that included individual names along with specified demographic information that is not in line with current best practices related to information privacy, amendments also removed the requirement for courts to include information on how to become a grand juror on summons for prospective trial jurors; updated neutral if amended position to just neutral.</i></p>	<p>Western Center on Law and Poverty</p>	<p>Senate Appropriations Committee— Suspense file.</p> <p>Dead</p>
AB 1981 (Mark Neuburger)	<p><u>AB 1981 (Lee) – Jury duty</u></p> <p>As amended May 19, 2022 Increases the travel reimbursement that jurors receive to include roundtrip mileage, not just travel to court as currently provided in statute. Provides jurors and prospective jurors with free access to public transportation, or alternatively, a public transit reimbursement of up to a daily maximum of twelve dollars (\$12). Additionally, the proposed pilot program, which specifically includes Alameda County, allows the branch to study the impact that increased juror per diem rates may have on jury participation.</p>	<p>Support</p>	<p>Judicial Council</p>	<p>Signed into law (Stats. 2022, ch. 326)</p>
AB 2023 (Sharon Reilly)	<p><u>AB 2023 (Bennett) – Jails: discharge plans</u></p> <p>As amended March 16, 2022 Requires the sheriff to make the release standards, release processes, and release schedules of the county jail available to a person being released following the determination to release that person. Requires the release standards to include the list of enumerated rights and the timeframe for the expedient release of a person following the determination to release that person. Requires a person incarcerated in, or recently released from, a county jail to have access to up to three free phone calls from a phone in the county jail to plan for a safe and successful release. Provides that the rights established above apply to any person being released from a county jail, as specified.</p>	<p>No position</p>	<p>California Judges Association</p>	<p>Signed into law (Stats. 2022, ch. 327)</p>

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 3, 2022
AB 2242 (Andi Liebenbaum)	<p><u>AB 2242 (Santiago) – Mental health services</u></p> <p>As amended June 13, 2022 Requires, on or before July 1, 2023, the State Department of Health Care Services to convene a stakeholder group of entities, including the County Behavioral Health Directors Association of California and the California Hospital Association, among others, to create a model care coordination plan to be followed when discharging those held under temporary holds or a conservatorship. Requires the commission to develop, implement, and oversee a public and comprehensive framework for tracking and reporting spending on mental health programs and services from all major fund sources and of program- and service-level and statewide outcome data, as specified. Requires counties to report to the commission its expenses in specific categories, including, but not limited to, inpatient care or intensive outpatient services, as well as their unspent funding from all major funding sources.</p> <p>UPDATE: As amended August 25, 2022 <i>Changes stakeholder group date to December 1, 2023, and eliminates the requirement that data be submitted to the Mental Health Act Oversight and Implementation Commission or that the commission report such data.</i></p>	No position	Author	Signed into law (Stats. 2022, ch. 867)
AB 2275 (Andi Liebenbaum)	<p><u>AB 2275 (Wood) – Mental health: involuntary commitment</u></p> <p>As amended June 13, 2022 Among other things, specifies that the 72-hour period of detention when an individual is detained pursuant to Welfare & Institutions Code (WIC) section 5150 begins at the time when the person is first detained. Requires that a certification review hearing be held within 7 days of the initial detention, when a person is certified for 14-day or 30-day intensive treatment, or has been placed on a sequence of 72-hour detentions while awaiting placement at a designated facility. Requires, among others, the Judicial Council to provide the department by specified dates of each year with the information the Department deems appropriate in a format determined by the Department.</p> <p>UPDATE: August 25, 2022 <i>Removes all reporting requirements.</i></p>	Oppose unless funded and amended	Author	Signed into law (Stats. 2022, ch. 960)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 3, 2022
AB 2313 (Kate Nitta)	<p><u>AB 2313 (Bloom) – Water: judges and adjudications</u></p> <p>As amended April 27, 2022 Among other things, requires the Judicial Council, on or before January 1, 2025, to establish a program that provides training and education to judges in technical, scientific, legal, managements, and infrastructure actions relating to water. Allows any party in an action relating to water to file a noticed motion for the case to be assigned to a judge who has participated in the training program, and requires the presiding judge of the superior court to take specified action in response to such a motion. Requires the Judicial Council to identify experts in water science or management, or research attorneys, who may be available to any judge adjudicating an action relating to water as an expert under section 730 of the Evidence Code or as a research attorney, or to consult on the contents of a document submitted by a party, and allows the council to reimburse courts for the costs of employing or contracting with such experts or attorneys.</p> <p>UPDATE: June 30, 2022 <i>Amendments removed the mandate from the training program, ensure language in the bill provides funding for its provisions, and recast the judicial appointment language to maintain individual courts’ discretion over case assignments and not inappropriately involve the Judicial Council in trial court case assignments.</i></p>	<p>Oppose unless amended</p> <p>UPDATE: <i>As proposed to be amended Removed opposition</i></p>	<p>Author</p>	<p>Senate Appropriations Committee— Suspense file.</p> <p>Dead</p>
AB 2799 (Sharon Reilly)	<p><u>AB 2799 (Jones-Sawyer) – Criminal trials: jury instructions</u></p> <p>As amended March 10, 2022 Creates a new jury instruction for a judge, upon the request of a party, to use in a criminal trial where a form of creative expression, as defined, is admitted into evidence as evidence of guilt. More specifically, requires judges to inform the jury that: “In evaluating the evidence of creative expression that has been introduced, this evidence should be viewed with caution and close scrutiny. You should not use the evidence to support a finding that the defendant has the propensity to commit a crime or as character evidence.”</p> <p>UPDATE: As amended June 6, 2022 <i>Deletes the jury instruction requirement and instead requires a court, Requires a court, in a criminal proceeding where a party seeks to admit as evidence a form of creative expression, to consider specified factors when balancing the probative value of that evidence against the substantial danger of undue prejudice. Defines “creative expression” as the expression or application of creativity or imagination in the production or arrangement of forms, sounds, words, movements, or symbols.</i></p>	<p>Oppose</p> <p>UPDATE: <i>As amended June 6, 2022 Neutral</i></p>	<p>California Attorneys for Criminal Justice, Californians for Safety and Justice</p>	<p>Signed into law (Stats. 2022, ch. 973)</p>

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 3, 2022
AB 2961 (Kate Nitta)	<p><u>AB 2961 (Committee on Judiciary) – Civil procedure: electronic filing and service</u></p> <p>As amended June 2, 2022 Cleans up and reorganizes Code of Civil Procedure section 1010.6 (CCP 1010.6) to clarify when electronic service is mandatory and when it is permissive. Cleans up terminology throughout CCP 1010.6 and removes outdated requirements. Groups all provisions relative to mandatory electronic service into one paragraph and makes explicit when mandatory electronic service applies. Groups all provisions relative to electronic service by consent of a self-represented party into one provision. Clarifies existing law as to when electronic filing and service fees must be waived. Cleans up cross-references to CCP 1010.6 in other code sections.</p>	Support	Coalition for Improving Court Access	Signed into law (Stats. 2022, ch. 215)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 3, 2022
AB 2962 (Kate Nitta)	<p><u>AB 2962 (Committee on Judiciary) – Court records: fees</u></p> <p>As amended June 13, 2022 Prohibits a court that makes public court records available in an electronic format on the court’s website from charging a fee that exceeds the court’s direct costs of duplication for users of the website to search for, download, or copy those public court records. Defines “direct costs of duplication” to mean the actual cost of producing a copy of the record in an electronic format and does not include ancillary costs, which include the cost of personnel time or database development or maintenance.</p> <p>Allows courts to charge a fee to a commercial user and requires the Judicial Council, by January 1, 2024, to develop a rule of court establishing statewide commercial user fees or a process for courts to use in developing commercial user fees. Defines a commercial user as a person or entity, or a person or entity acting on their behalf, that has viewed, downloaded, or printed at least 100 individual electronic court records during a 12-month period. Excludes entities formally organized as nonprofit corporations, including, but not limited to, nonprofit organizations providing legal services to persons whose records are obtained.</p> <p>States that the bill is not requiring courts to create, post, or reconstruct a record in an electronic format or to release an electronic record if the record’s release would jeopardize or compromise the security or integrity of the original record or any proprietary software in which it is maintained. States that the bill does not permit public access to court records that have been sealed by court order or that are confidential by law.</p> <p>UPDATE: As amended June 30, 2022 <i>Eliminates the provision that prohibits a court that makes public court records available in an electronic format on the court’s website from charging a fee that exceeds the court’s direct costs of duplication for users of the website to search for, download, or copy those public court records. Defines “direct costs of duplication” to mean the actual cost of producing a copy of the record in an electronic format and does not include ancillary costs, which include the cost of personnel time or database development or maintenance.</i></p> <p><i>Adds a provision that requires a court to make public court records that are maintained in an electronic format available to the public for inspection and copying at a courthouse during hours when the courthouse is open to the public. Requires a court to provide remote access to all public court records about civil cases, including registers of actions, calendars, and indexes, that are maintained by the court in an electronic format, as specified. Prohibits a court that provides the public with remote access to these records from charging a fee to search for, download, or copy public court records. Authorizes a court to charge a fee to a commercial user for viewing, searching, duplicating, downloading, or printing public court records in an electronic format. Requires the Judicial Council, by January 1, 2025, to develop a rule of court establishing statewide commercial user fees or a process for courts to use in developing commercial user fees.</i></p>	<p>Oppose unless amended (Note: deferred based on commitment by the author to work with staff on amendments)</p>	<p>Author</p>	<p>Senate Appropriations Committee— Suspense file.</p> <p>Dead</p>

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 3, 2022
ACA 3 (Sharon Reilly)	<p><u>ACA 3 (Kamlager) – Involuntary servitude</u></p> <p>As introduced Seeks to amend Section 6 of Article I of the California Constitution to provide that slavery and involuntary servitude are prohibited.</p> <p>UPDATE: As amended June 23, 2022 Removes involuntary servitude Section 6 of Article 1 of the California Constitution and defines slavery to include forced labor compelled by the use or threat of physical or legal coercion.</p>	No position	Ella Baker Center for Human Rights Young Women's Freedom Center	Inactive file Dead
SB 233 (Kate Nitta)	<p><u>SB 233 (Umberg) – Civil actions: appearance by telephone</u></p> <p>As amended June 16, 2022 Repeals the following obsolete statutes relating to telephonic appearances:</p> <ul style="list-style-type: none"> • Code of Civil Procedure section 367.5, which governs telephonic appearances. • Code of Civil Procedure section 367.6, which requires uniform telephonic appearance fees. • Government Code section 72010, which requires master agreements with vendors for telephonic appearances. • Government Code section 72011, which requires telephonic vendors to make payments to the Trial Court Trust Fund. 	Support	Author	Signed into law (Stats. 2022, ch. 979)
SB 262 (Sharon Reilly)	<p><u>SB 262 (Hertzberg) – Bail</u></p> <p>As amended September 2, 2021 Commencing January 1, 2023 requires courts to set bail pursuant to the statewide bail schedule adopted by the Judicial Council; requires the Judicial Council to adopt the statewide bail schedule by January 1, 2023 and annually thereafter; and provides that county bail schedules continue in operation until the council adopts the statewide bail schedules at which time, they will become inoperative.</p> <p>Requires the court to order a return of money or property paid to a bail bond licensee if the action or proceeding against the arrestee is dismissed, no charges are filed within 60 days of arrest, or the arrestee has made all court appearances during the pendency of the action or proceeding against the arrestee, as specified.</p> <p>UPDATE: As amended August 25, 2022 Removes the provisions requiring a statewide bail schedule. Deletes the provision requiring the return of money bail if an arrestee makes all court appearances. Prohibits costs relating to the conditions of release on bail from being imposed on persons released on bail or on their own recognizance.</p>	Neutral	Californians for Safety and Justice	Inactive file. Dead

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 3, 2022
SB 340 (Sharon Reilly)	<p><u>SB 340 (Stern) – Lanterman-Petris-Short Act: hearings</u></p> <p>As amended April 26, 2021 Amends Welfare and Institutions Code section 5276 of the Lanterman-Petris-Short Act (LPS Act) to permit a family member, friend, or acquaintance with personal knowledge of a person detained for evaluation and treatment under the act to make a request to testify in a judicial challenge to the person’s certification for intensive treatment under the act. Requires the request to be submitted in writing to the counsel of either party. Requires the counsel or their designee to determine whether the testimony will assist in the proceedings, and, within a reasonable time, respond to the requester, in writing, with an approval or denial. Provides that these changes to the LPS Act do not affect or alter the court’s ability to determine the admissibility of testimony.</p>	Support if amended	Author	Assembly Judiciary Committee Dead
SB 357 (Sharon Reilly)	<p><u>SB 357 (Wiener) – Crimes: loitering for the purpose of engaging in a prostitution offense</u></p> <p>As amended September 1, 2021 Among other things: (1) authorizes a person currently serving a sentence for a conviction of the repealed section pertaining to loitering for the purpose of engaging in a prostitution offense to petition the trial court for a recall or dismissal of sentence; (2) authorizes a person who has completed their sentence for a conviction of the repealed section to file an application before the trial court to have their conviction dismissed and sealed because the prior conviction is legally invalid ; (3) specifies that unless requested by the applicant, no hearing is necessary to grant or deny an application and (4) requires the Judicial Council to promulgate and make available all necessary forms to enable the filing of the petitions and applications authorized by the provisions in this bill.</p>	Neutral if amended	American Civil Liberties Union of California Asian Pacific Islander Legal Outreach; Equality California; Positive Women’s Network; St. James Infirmary; SWOP LA; and Trans Latin@ Coalition.	Signed into law (Stats. 2022, ch. 86)
SB 481 (Sharon Reilly)	<p><u>SB 481 (Durazo) – Sentencing: special circumstances</u></p> <p>As amended May 20, 2021 Allows a judge, in the furtherance of justice, to order the dismissal of a special circumstance finding or admission in cases in which the sentence is life imprisonment without the possibility of parole and creates a presumption in favor of dismissal for people who were age 25 or younger at the time of the offense and have been incarcerated for at least 15 years and established procedures for doing so.</p> <p>Requires a judge, when exercising this discretion, to consider and put great weight on the hallmark features of youth, as defined, and other specified factors.</p> <p>Requires the court, upon dismissal of a special circumstance, to offer the survivor or survivors and surviving family members information about services to address their needs as related to the crime and case process.</p>	Neutral if amended	Anti-Recidivism Coalition; Healing Dialogue and Action Human Rights Watch Post-Conviction Justice Project Young Women’s Freedom Center	Inactive file. Dead

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 3, 2022
<p>SB 516 (Sharon Reilly)</p>	<p>SB 516 (Eggman Talamantes) – Certification for intensive treatment: review hearing</p> <p>As amended June 10, 2021 Authorizes, for the purposes of a. hold for psychiatric treatment under the Lanterman-Petris-Short Act the evidence considered in a certification for an intensive treatment review hearing to include information on the person’s medical condition, as defined, and how that condition bears on certifying the person as a danger to themselves or to others or as gravely disabled. Specifies that “medical condition” does not include: (1) a condition that predominantly involves a substance use disorder; (2) exposure to potential harms resulting from the person’s personal circumstances, including, but not limited to, lack of health care insurance, poverty, or homelessness; and (3) medical information that is more than four years old.</p>	Support	The Psychiatric Physicians Alliance of California	<p>Assembly Health Committee</p> <p>Dead</p>
<p>SB 616 (Andi Liebenbaum)</p>	<p>SB 616 (Rubio) – Child custody: child abuse and safety</p> <p>As amended June 20, 2022 Creates “Piqui’s Law, the Safe Child Act” modeled after similar legislation that was enacted as part of the federal Violence Against Women Reauthorization Act of 2022. Amends section 3020 of the Family Code to emphasize that all physical and legal custody orders ensure that the health, safety, and welfare of the child and the safety of all family members “is paramount.”</p> <p>Amends section 3026 of the Family Code to expand the prohibitions on orders for family reunification services that include therapy or treatment predicated on cutting off a child from a parent with whom the child is bonded or to whom the child is attached.</p> <p>Adds section 3040.5 to the Family Code and amends sections 68553 and 68555 of the Government Code to include child custody recommending counselors, and evaluators in judicial training programs established by the Judicial Council. Requires training programs to be designed to improve the ability of judges, referees, commissioners, mediators, and others who are deemed appropriate who perform duties in family law matters, to recognize and respond to child abuse, domestic violence, and trauma in all family victims, particularly children, and make appropriate custody decisions that prioritize child safety and well-being and are culturally responsive and appropriate for diverse communities.</p> <p>Requires a minimum of 25 training hours for the orientation session, and a minimum of 20 training hours to be required every three years thereafter and must include education, using available resources, on the following:</p> <ol style="list-style-type: none"> (1) Child sexual abuse. (2) Physical abuse. (3) Emotional abuse. (4) Coercive control. (5) Implicit and explicit bias, including biases relating to parents with disabilities. (6) Trauma. (7) Long- and short-term impacts of domestic violence and child abuse on children. (8) Victim and perpetrator behavior patterns and relationship dynamics within the cycle of violence. 	Oppose	Center for Judicial Excellence	<p>Inactive file.</p> <p>Dead</p>

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 3, 2022
SB 763 (Sharon Reilly)	<p><u>SB 763 (Min) – Sentencing: members of military: trauma</u></p> <p>As introduced Allows a defendant who is currently serving a felony sentence, and who is or was a member of the United States military who may be suffering from sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health problems as a result of the defendant’s military service, to petition for recall of sentence and resentencing without regard to whether the defendant was sentenced prior to January 1, 2015.</p>	Support	Author	Senate Appropriations Committee— Suspense file. Dead
SB 782 (Sharon Reilly)	<p><u>SB 782 (Glazer) – Assisted outpatient treatment programs</u></p> <p>As amended May 5, 2021 Amends the Assisted Outpatient Treatment Demonstration Project Act of 2002 (also known as Laura’s Law) to authorize the filing of a petition to obtain assisted outpatient treatment under the existing petition procedures for a conservatee or former conservatee who would benefit from assisted outpatient treatment to reduce the risk of deteriorating mental health while living independently.</p>	Support	Author	Assembly Rules Dead
SB 848 (Kate Nitta)	<p><u>SB 848 (Umberg) – Civil actions: parties and postponements</u></p> <p>As amended June 20, 2022 Extends the July 1, 2023, sunset to January 1, 2026 for Code of Civil Procedure (CCP) section 367.75 , which authorizes in civil cases where a party has provided notice they intend to appear remotely, a party to appear remotely and the court to conduct conferences, hearings, and proceedings, in whole or in part, through the use of remote technology. Requires each superior court to report to the Judicial Council and for the Judicial Council to annually report to the Legislature data to assess the impact of technology issues or problems affecting civil remote proceedings and all purchases and leases of technology or equipment to facilitate civil remote proceedings, as specified. Eliminates the sunset for CCP 599, which provides that during the COVID-19 state of emergency and for 180 days after the end of the state of emergency, a continuance or postponement of a trial or arbitration date extends any deadlines applicable to discovery, including the exchange of expert witness information, mandatory settlement conferences, and summary judgment motions, which have not already passed as of March 19, 2020, for the same length of time as the continuance or postponement of the trial date.</p> <p>UPDATE: As amended August 15, 2022 <i>Extends the July 1, 2023, sunset of Code of Civil Procedure (CCP) section 367.75 to January 1, 2026. CCP 367.75 authorizes in civil cases where a party has provided notice they intend to appear remotely, a party to appear remotely and the court to conduct conferences, hearings, and proceedings, in whole or in part, through the use of remote technology. Requires each superior court to report to the Judicial Council, and the council to report to the Legislature, specified annual information to assess the impact of technology issues or problems affecting civil remote proceedings and all purchases and leases of technology or equipment to facilitate civil remote proceedings. Prohibits, until January 1, 2024, the use of remote technology in the following juvenile delinquency and civil commitment proceedings:</i></p> <p><i>• Juvenile court proceedings under section 601 and 602 of the Welfare and Institutions Code;</i></p>	Support	Author	Senate refused to concur in Assembly amendments. Dead

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 3, 2022
	<ul style="list-style-type: none"> • <i>Extensions of juvenile commitment under section 1800 of the Welfare and Institutions Code;</i> • <i>Proceedings involving a commitment type identified pursuant to section 4355 of Title 9 of the California Code of Regulations or any successor regulation; and</i> • <i>Proceedings related to an intellectually disabled and dangerous commitment authorized pursuant to Welfare and Institutions Code section 6500 et seq.</i> <p><i>Eliminates the sunset of CCP 599, which provides that during the COVID-19 state of emergency and for 180 days after the end of the state of emergency, a continuance or postponement of a trial or arbitration date extends any deadlines applicable to discovery, including the exchange of expert witness information, mandatory settlement conferences, and summary judgment motions, which have not already passed as of March 19, 2020, for the same length of time as the continuance or postponement of the trial date.</i></p> <p><i>UPDATE: As amended August 18, 2022</i> <i>Adds language that permits, until January 1, 2026, a court to conduct an adoption finalization hearing, in whole or in part, through the use of remote technology, without the court making specific findings and prohibits a court from requiring a party to appear through the use of remote technology.</i></p>			
SB 903 (Sharon Reilly)	<u>SB 903 (Hertzberg) – Prisons: California Rehabilitation Oversight Board</u> As amended June 15, 2022 Requires the California Rehabilitation Oversight Board (board) to examine the California Department of Correction and Rehabilitation’s (department) efforts to address the housing needs of incarcerated persons, including those who are identified as having serious mental health needs, who are released to the community as parolees. Requires the board to examine the department’s efforts to address the housing needs of incarcerated persons, including those who are identified as having serious mental health needs and are released to the community as parolees or subject to postrelease community supervision. Requires the board to include specified data on homelessness in its reports.	Support	Author	To the Governor
SB 965 (Andi Liebenbaum)	<u>SB 965 (Eggman) – Conservatorships: medical record: hearsay rule</u> As amended April 28, 2022 Adds section 5122 to the Welfare and Institutions Code to specify that for purposes of an expert witness in any proceeding relating to the appointment or reappointment of a conservator as specified, the statements of a health practitioner as defined, or a social worker as defined, included in the medical record are not hearsay. Clarifies that notwithstanding that the statements are not hearsay, nothing prevents a party from calling as a witness the author of any statement contained in the medical record, whether or not the author was relied on by the expert witness. Specifies that the court may grant a reasonable continuance if an expert witness in a proceeding relied on the medical record and the medical record has not been provided to the parties or their counsel upon request within a reasonable time before the proceeding.	No position	Author	Assembly Judiciary Committee Dead

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 3, 2022
SB 1005 (Andi Liebenbaum)	<p><u>SB 1005 (Wieckowski) – Conservatorship: partition sale of personal residence</u></p> <p>As amended May 26, 2022 Revises the provisions authorizing the sale of a conservatee’s present or former personal residence, or the sale of other real or personal property of the estate, to specifically include the power to consent and agree to partition the personal residence, and the power to bring an action for partition of the personal residence or other real or personal property of the estate. Subjects partition of the conservatee’s present or former personal residence to the same conditions as are applicable to the sale of the residence under existing law.</p>	Support	Trusts and Estates Section Executive Committee of the California Lawyers Association	Signed into law (Stats. 2022, ch. 91)
SB 1154 (Andi Liebenbaum)	<p><u>SB 1154 (Eggman) – Facilities for mental health or substance use disorder crisis: database</u></p> <p>As amended May 19, 2022 Requires the State Department of Public Health (CDPH), in consultation with the State Department of Health Care Services and the State Department of Social Services, to develop a real-time, internet-based database to collect, aggregate, and display information about beds in inpatient psychiatric facilities, crisis stabilization units, residential community mental health facilities, and licensed residential alcoholism or drug abuse recovery or treatment facilities in order to facilitate the identification and designation of facilities for the temporary treatment of individuals in mental health or substance use disorder crisis. Requires the database to be operational by January 1, 2024. Requires additional steps as specified.</p>	No position	Author	<p>Assembly Appropriations Committee— Suspense file.</p> <p>Dead</p>
SB 1209 (Sharon Reilly)	<p><u>SB 1209 (Eggman) – Sentencing: members of military: trauma</u></p> <p>As amended May 19, 2022 Allows a defendant suffering from military related trauma (sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health problems) to petition for recall of sentence and resentencing without regard to whether the defendant was sentenced prior to January 1, 2015. Excludes from resentencing any person convicted of certain violent and sexual offenses.</p>	Support	Author	Signed into law (Stats. 2022, ch. 721)
SB 1223 (Sharon Reilly)	<p><u>SB 1223 (Becker) – Criminal procedure: mental health diversion</u></p> <p>As amended August 25, 2022 Among other things, SB 1223 clarifies that the court retains discretion to order mental health diversion. Provides a court must first consider if the defendant is eligible for diversion, followed by a consideration as to whether the defendant is suitable for diversion. Provides that for any defendant who satisfies the eligibility, the court must consider whether the defendant is suitable for pretrial diversion, as specified. Provides that a defendant must be diagnosed with a mental health disorder within the past five years to be eligible for mental health diversion. Creates a presumption that a mental health disorder was a significant factor in the commission of an offense unless there is clear and convincing evidence that the mental disorder was not a motivating factor, causal factor, or contributing factor in the commission of the offense.</p>	<p>Neutral as proposed to be amended.</p> <p>Update: Neutral as Amended August 25, 2022</p>	American Civil Liberties Union	Signed into law (Stats. 2020, ch.735)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 3, 2022
SB 1227 (Andi Liebenbaum)	<p>SB 1227 (Eggman) – Involuntary commitment: intensive treatment</p> <p>As amended June 23, 2022 Amends section 5270.35 of the Welfare & Institutions Code (WIC) to add to the reasons that a person who has been certified for 30 days of intensive treatment may remain detained at the end of 30 days, specifying that the patient is still in need of intensive services and the certification for an additional 30 days has begun. Clarifies that under no circumstance shall a person be certified for more than two consecutive periods of 30 days. Requires the designated facility recommending the individual for an additional 30-day intensive treatment certification file a petition with the court for a hearing on the additional certification.</p> <p>UPDATE: As amended August 23, 2022 <i>Authorizes the professional person in charge of the facility providing intensive treatment to the person to file a petition in the superior court for the county in which the facility is located, seeking approval for up to an additional 30 days of intensive treatment. Requires the petition to be filed after 15 days of the first 30-day period, but at least 7 days before expiration of the 30 days. Requires reasonable attempts to be made by the facility to notify family members or any other person designated by the patient of the time and place of the judicial review, unless the patient requests that the information not be provided.</i></p>	No position	Author	Signed into law (Stats. 2022, ch.
SB 1238 (Andi Liebenbaum)	<p>SB 1238 (Eggman) – Behavioral health services: existing and projected needs</p> <p>As amended May 2, 2022 Requires, commencing on January 1, 2024, and at least every five years thereafter, the State Department of Health Care Services (DHCS) to conduct a review of, and produce a report regarding, the current and projected behavioral health care infrastructure and service needs in each region of the state. Requires DSH to share its report and any data received with the Mental Health Services Oversight and Accountability Commission.</p> <p>Requires, before developing the report for a region, DHCS to meet and consult with the council of governments, cities, counties, and cities and counties, regarding the assumptions and methodology to be used by DSH to determine the region’s behavioral health needs. Requires local governments to provide behavioral health service access and utilization data for the region, including the total number of beds or slots, total utilization, and unmet need, in specified service categories.</p>	No position	Author	Vetoed

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 3, 2022
SB 1274 (Kate Nitta)	<p><u>SB 1274 (McGuire) – Environmental quality: environmental leadership development projects: clean energy transmission projects: offshore wind</u></p> <p>As introduced Adds to the list of environmental leadership development projects under the Jobs and Economic Improvement Through Environmental Leadership Act of 2021 (Pub. Resources Code §§ 21178-21189.3) (Environmental Leadership Act) a clean energy transmission project that upgrades existing transmission infrastructure to bring renewable energy from an offshore wind project located within or adjacent to the County of Humboldt.</p> <p>As with all Environmental Leadership Act projects certified by the Governor for California Environmental Quality Act (CEQA) streamlining, subjects these projects to the requirement that any action or proceeding brought to attack, review, set aside, void, or annul the certification of an environmental impact report for an environmental leadership development project or the granting of any project approvals, including any potential appeals to the court of appeal or the Supreme Court, be resolved, to the extent feasible, within 270-days of the filing of the certified record of proceedings with the court. Requires project applicants to pay the costs of the trial court and the court of appeal in hearing and deciding any such case.</p>	Oppose	Author	Senate Environmental Quality Committee Dead
SB 1338 (Andi Liebenbaum)	<p><u>SB 1338 (Umberg) – Community Assistance, Recovery and Empowerment Act</u></p> <p>As amended August 25, 2022 Among other things, creates the Community Assistance, Recovery, and Empowerment Act (CARE Act) to provide a civil court-based mental health services engagement and oversight program for individuals with schizophrenia spectrum and other psychotic disorders. Specifies other court proceedings from which CARE Act participants may be referred. Specifies eligible petitioners and eligible respondents. Requires petitions to be filed and reviewed in civil court, and dictates hearings to occur within specified time frames. Requires courts to find that a respondent is eligible for CARE Act services upon a finding of clear and convincing evidence. Specifies creation of CARE Plans designed to provide stabilization and support. Authorizes courts to hold petitioners and county health and service providers accountable for delivery and provision of supports as required. Permits courts to terminate respondents from CARE Act participation under specified circumstances, creating a presumption against community-based treatment for future mental health services. Requires courts to report to the Judicial Council numbers of petitions filed, numbers of hearings on the petition, and total number of CARE Act proceedings. Requires Judicial Council to aggregate data and submit to the Department of Health Care Services (DHCS). Delays implementation of first cohort to October 1, 2023 and names Glenn, Riverside, Orange, San Diego, San Francisco, Stanislaus, and Tuolumne as first counties. Presumes all other counties launch as of December 1, 2024. Permits DHCS to issue county delays to no later than December 1, 2025.</p>	No position	Author	Signed into law (Stat. 2022, ch. 319)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 3, 2022
SB 1468 (Sharon Reilly)	<p><u>SB 1468 (Glazer) – Factual innocence</u></p> <p>As amended March 14, 2022 Requires the Department of Justice (DOJ), for persons found factually innocent, to issue to the person a certificate of innocence, annotate the person’s state summary criminal history information, and request any local, state, or federal agency or entity to which DOJ provided that criminal record information to also annotate their records, as specified</p> <p>Requires courts to order nonmonetary relief when a person is found to be factually innocent and requires the court to report a finding of factual innocence to DOJ. Additionally requires DOJ to send notice of findings of innocence to all agencies and officers that it had previously notified of the arrest or other proceedings against the person.</p> <p>UPDATE: As amended May 19, 2022 <i>Additionally requires a court, upon a finding of factual innocence, to issue two orders: (1) an order entitling the defendant to the nonmonetary relief available and specifying the number of days that the defendant was incarcerated, including in pretrial detention, solely as a result of the former conviction, the number of days that the individual was on parole or community supervision solely as a result of the former conviction, and also the number of days the defendant was required to register as a sex offender solely as a result of the former conviction and (2) upon written or oral motion of any party in the case or the court, and with notice to all parties to the case, an order that the records in the case be sealed, including any record of arrest or detention. If such an order is made, requires the court to give the defendant a copy of that order and inform the defendant that they may thereafter state they were not arrested for that charge and that they were not convicted of that charge, and that they were found innocent of that charge by the court.</i></p>	<p>Support</p> <p>UPDATE: As amended August 25, 2022 Neutral</p>	<p>California Innocence Coalition</p>	<p>Vetoed</p>

Appendix
Status of 2022 Judicial Council-Sponsored Legislation

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Sponsor	Status as of October 3, 2022
AB 1981 (Mark Neuburger)	<p><u>AB 1981 (Lee) – Jury duty</u></p> <p>As amended May 19, 2022 Increases the travel reimbursement that jurors receive to include roundtrip mileage, not just travel to court as currently provided in statute. Provides jurors and prospective jurors with free access to public transportation, or alternatively, a public transit reimbursement of up to a daily maximum of twelve dollars (\$12). Additionally, the proposed six-court pilot program, which specifically includes Alameda County, will allow the branch to study the impact that increased juror per diem rates may have on jury participation.</p>	Judicial Council	Signed into law (Stats. 2022, ch. 326)