

Legislative and Political Action Committee Report

- Meeting was held on **Tuesday October 6th at 5:00 p.m.**
- Marvin Baker presented spreadsheet on LGBTQ+ legislation. Discussion followed.
- Marvin Baker will continue to maintain the meeting schedule and disperse Zoom link and invitations to Legislation & Political Action Committee meetings.
- **The next regular monthly meeting is scheduled for Thursday November 5th at 5:00 p.m.**

Legislative Terminology:

Chaptered - A legislative bill is "chaptered" by the Secretary of State once it passes through both houses of the California State Legislature and has either been signed by the Governor or has become law without the Governor's signature. The secretary of state assigns a sequential chapter number to all bills that become law.

Engrossing and Enrolling- A non-partisan unit in each house, responsible for proofreading amended measures. The unit also prepares and delivers bills to the Governor for consideration.

Engrossed bill- A legislative proposal that has been prepared in a final form for its submission to a vote of the lawmaking body after it has undergone discussion and been approved by the appropriate committees. An engrossed bill is a bill which has been amended. A bill may be engrossed many times. If a bill passes its second reading, which usually occurs with a voice vote, it is engrossed and proceeds to third reading. ... The next day it is placed on the Calendar for its third and final reading. At this point, the House determines whether the bill will pass and be sent to the Senate for its consideration.

Enrolled Bill – Whenever a bill passes both houses of the Legislature, it is ordered enrolled. An enrolled bill, which may or may not have been engrossed, is a bill that has passed both houses of the legislature in identical form and has been converted into an act for presentation to the Governor or Secretary of State. If both houses approve a bill, it then goes to the Governor.

Enrolled Bill to the Governor: The Governor has three choices. The Governor can sign the **bill** into **law**, allow it to become **law** without his or her signature, or veto it. A governor's veto can be overridden by a two-thirds vote in both houses.

LGBTQ+ Legislative Update:

1. **SB 932: COVID-19 Data Collection for LGBTQ+ Community:**
 - a. Collect & report data relating to the sexual orientation & gender identity of individuals who are diagnosed with COVID-19.
 - b. **Status: Ordered to engrossing & enrolling & presented to the Governor. Approved by Governor on 9/20/20 & chaptered.**

10/10/2020

2. **SB 145: Young People Nondiscrimination:**
 - a. Ends blatant discrimination against young people engaged in voluntary sexual activity by treating all sex acts, regardless of gender, equally under the law.
 - b. **Status: 9/11/20 Chaptered by Secretary of State & Approved by the Governor.**

3. **SB 132: Transgender Respect, Agency, & Dignity Act:**
 - a. Addresses abuse & vulnerability of transgender inmates when incarcerated & being addressed with pronouns & honorifics, not consistent with the gender identity.
 - b. **Status: 9/11/20 Approved by the Governor. Chaptered by the Secretary of State.**

4. **SB 741: Affirming Records:**
 - a. Enable transgender marriage certificates & birth certificates of their children to accurately reflect their legal name & gender, while still protecting their privacy.
 - b. **Status: 9/29/20 Vetoed by Governor. Consideration of Governor's veto pending.**
 - c. **Governor's memo:**

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

5. **SB 961: Equal Insurance HIV Act (now incorporate into SB 1255):**
 - a. **Status: Died**

6. **SB 201: Intersex Autonomy:**
 - a. Protects the rights of Intersex Californians by insuring they can provide informed consent before medically unnecessary, often irreversible & potentially harmful procedures are performed on them. It delays elective surgeries often performed on babies.
 - b. **Status: Inactive Bill.**

7. **Ab 1145: Child Abuse & Neglect Reporting Act:**
 - a. Provides that sexual assault for reporting purposes doesn't include voluntary sodomy, oral copulation, or sexual penetration, if there is no indicators of abuse, unless that conduct is between a person who is 21 years of age or older and a minor who is under 16 years of age.
 - b. **Status: 9/26/20 Enrolled and presented to Governor. Approved by Governor.**

8. **AB 1938: Prescription Drug Act:**
 - a. Provides that any entity that participates in certain publicly funded health care programs is prohibited from spending revenues from these programs on ballot measure actions that are not directly related to health care.
 - b. **Status: 3/17/20 Re-referred to committee on Appr. March 25 hearing postponed by committee.**

9. **SB 859: End the Epidemic:**
 - a. Provides Sec. of CA HHS & Chief of Office on AIDS to develop and implement a statewide masterplan on HIV, Hepatitis C, & STDs for the purpose of improving the health of people living with and vulnerable to those conditions, reducing new transmissions & ending these epidemics. Create a stakeholder advisory committee & cabinet level workshop.
 - b. **Status: March 25 hearing postponed by committee**

Current news: Supreme Court Justices Thomas and Alito lash out at the decision that cleared way for same-sex marriage. Stay tuned...

Respectfully submitted, Beverly Senkowski, Chair