



LEGISLATIVE SESSION REPORT

California Legislature 2023



California's 2023 legislative Session began on December 5, 2022, and adjourned on September 14, 2023. Over the past 10 months, Sacramento has been busy with hearings, votes, and debates over hundreds of bills. This year, Governor Gavin Newsom began the 4th year of his term with a Democratically controlled legislature.

California's Legislature has a total of 120 legislators, 80 Assemblymembers and 40 State Senators. The Assembly is composed of 62 Democrats and 18 Republicans, while the Senate is composed of 32 Democrats and eight Republicans.

Before the session began, Democratic leaders announced their legislative priorities:

- Housing
- Climate change
- Economic investment
- Big oil industries
- The opioid crisis

- Healthcare
- Systemic racism
- Public transportation

Republican leaders shared their own, including: cutting government costs, tackling crime, acting on homelessness, investing in students, building water storages, and reducing wildfires.

Governor Gavin Newsom broke tradition by not delivering a State of the State address, where governors make the case for their agenda. Instead, he traveled throughout the state to share priorities. Governor Newsom's legislative priorities include SB 2, 'The Price Gouging Penalty Bill.' This bill passed on March 27, 2023, and went into effect on June 26, 2023.

KEY SESSION DATA

The data presented in this report is up-to-date as of September 15, 2023. In California, 3,036 bills were introduced during this year's legislative session. Of

those, nearly 40% (1,196) were passed by the Senate and Assembly. Governor Newsom has signed nearly 400 bills into law. He will sign many more throughout the rest of September. New laws relate to abortion, education, climate change, the LGBTQ+ community, and consumer protections.

KEY LEGISLATIVE TRENDS IN CALIFORNIA

- Gun control
- LGBTQ+ rights
- Climate change
- Abortion and reproductive healthcare
- Education
- Elections and voting rights
- Anti-discrimination
- Criminal justice reform

GUNS AND GUN VIOLENCE POLICY

Guns and gun violence were a priority for both the Executive Office and the State House. This year, Governor Newsom proposed a 28th Amendment to the United States Constitution. The proposed Amendment would enshrine the following gun safety principles into law:

- Raising the federal minimum age to purchase a firearm from 18 to 21
- Mandating universal background checks
- Instituting a reasonable waiting period for all gun purchases

- Barring civilian purchase of assault weapons

Assembly Bill 28 proposed an 11% tax on retailers for the sale of guns and ammunition in the state. The revenue from the tax would fund violence intervention programs and school safety. The bill also empowers law enforcement officials to remove guns from people prohibited from owning or possessing them. This law passed both chambers and is awaiting Governor Newsom's signature.

In 2022, the United States Supreme Court ruled against measures regulating concealed carry. Prior to the SCOTUS decision, California required that applicants state a compelling need for a concealed carry license. Senate Bill 2 seeks to maintain aspects of California's concealed-carry laws, despite the SCOTUS decision. The bill would set limits on who can possess a firearm and where they can carry it, while still being in compliance with the law. SB2 has been quite controversial. Despite this, Governor Newsom has been a major proponent of this bill. SB 2 passed both chambers and is currently awaiting the Governor's signature.

LEGISLATION IMPACTING THE LGBTQ+ COMMUNITY

Assembly Bill 957 relates to the rights of LGBTQ+ children. The bill requires judges to consider whether a parent

affirms their child's gender identity when making custody and visitation decisions. The bill is currently awaiting Governor Newsom's signature.

Assembly Bill 5 requires teachers to undergo annual training on how to support LGBTQ+ students. The bill passed both chambers and became law on September 6, 2023.

Senate Bill 760 would require schools to have at least one gender-neutral bathroom by 2026. This measure will bring educational institutions in line with California businesses and governmental offices. The bill has passed both chambers and is anticipated to be approved by Governor Newsom.

CLIMATE CHANGE POLICY

Senate Bill 253 requires major companies to publicly disclose their greenhouse gas emissions. The bill was passed by both chambers. If signed into law, 5,000 companies doing business in California will be required to report their emissions. Reports will encompass both direct emissions from operations, as well as indirect emissions from company travel and waste disposal.

ABORTION AND REPRODUCTIVE HEALTHCARE POLICY

Senate Bill 385 was passed into law in September 2023. The bill allows physicians' assistants to conduct

surgical abortions without direct supervision by a physician. It also expands surgical abortion training for physicians' assistants. The bill aims to expand access to abortion care procedures. As access to abortion is restricted in many states, California is providing increased access to reproductive healthcare. SB 385 aligns with this state-wide priority.

Since the reversal of *Roe vs. Wade*, many states have restricted or eliminated access to abortion and other forms of healthcare. Many have also begun to sanction and punish medical professionals providing abortions and gender affirming healthcare. Senate Bill 487 protects abortion providers from discrimination and legal retaliation. It allows medical providers sanctioned elsewhere to remain licensed in California, as long as the conduct that occurred in another state is considered legal in California. This bill became law on September 8th, 2023.

EDUCATION POLICY

Assembly Bill 1078, now law, addresses banned books and educational materials. It prevents school boards from banning books or educational materials related to the history Black, Latino, Asian, Native, LGBTQ+, or other marginalized groups. The law amends the education code to require that teachers instruct on the listed topics. It is a reaction to the increase in book

bans across the United States.

Senate Bill 274 is also now law in California. It bars "willful defiance" suspensions in the state, for grades 6th through 12th. Willful defiance refers to low-level behavioral issues, like talking out of turn or disrupting the classroom. Suspensions remain on students' permanent records, and, Historically, Black and brown children are disproportionately penalized for willful defiance. While teachers are able to remove children from the classroom for these behaviors, they are not able to suspend students for them.

VOTING AND ELECTIONS POLICY

Assembly Bill 421 became law on September 8, 2023. The law aims to reduce confusion for voters at the ballot box. It requires that ballot measures be easily understood. Further, it prevents ballot measures from being influenced by corporate actors. Often, corporate actors seek to make measures more difficult to understand to sway votes in their favor on certain measures.

Assembly Bill 969 is currently awaiting Governor Newsom's signature. If passed, it would ban hand-counting except in elections with 1,000 registered voters or less. It would also prevent election officials from ending contracts with voting machines, unless they already have a replacement. Fabricated confusion in recent elections has led to

a rise in conspiracy theories related to election fraud. This law was created in an effort to ensure trust and accountability in election procedures.

ANTI-DISCRIMINATION LAWS

Senate Bill 403 adds "caste" to the state's fair employment, housing, and education laws. It seeks to prohibit discrimination based on caste. The bill defines caste as a centuries-old social hierarchy system. If signed by Governor Newsom, California would become the first state in the U.S. to establish such protections.

CRIMINAL JUSTICE REFORMS

Governor Newsom has until October 14, 2023 to pass Senate Bill 58. The bill seeks to end arrests or penalties for the possession of plant-based hallucinogens by 2025. If passed, California would join Colorado and Oregon in the effort to decriminalize psychedelics.

Assembly Bill 280 seeks to end solitary confinement in California. If passed, AB 280 would be the first policy of its kind in the United States. The bill received considerable pushback, and never passed out of the Assembly. Advocates have committed to re-introducing the bill in the 2024 legislative session.

Assembly Bill 452 is currently awaiting Governor Newsom's signature. The bill



would eliminate the civil statute of limitations for child sexual abuse cases. In 2019, a law passed allowing a window during which victims of child sexual abuse may sue the institutions that enabled their abuse. The law led to a flood of lawsuits against the state and other institutions such as churches and schools. The number of lawsuits after this "window" opened led to AB 452's introduction, to prevent such a buildup moving forward.

CONCLUSION

In 2023, California remained a leader in many policy conversations taking place nationwide. With novel policy proposals, elected officials in California continue to inspire their progressive counterparts throughout the United States. As the 2024 legislative sessions kick off, it will be interesting to see what proposals from California are mirrored across the country.

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