

For Immediate Release – [Office of State Senator Jerry Hill](#) – Friday, December 28, 2018
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More Than a Dozen Bills by State Senator Jerry Hill Take Effect as Law in 2019

SACRAMENTO – More than a dozen bills by Senator Jerry Hill will take effect as law during the coming year with new mandates for safety, consumer protection, accountability and other requirements phasing in from January 1 to July 1.

All but one of the bills being enacted – legislation to expand a pilot program requiring repeat DUI offenders and certain first timers to install technology in their cars to prevent drunk driving – were passed and signed by the governor in 2018.

The new laws include the Patient’s Right to Know Act, which makes California the first state to require doctors to notify patients if placed on probation for serious professional misconduct involving harm to patients. Other measures tighten oversight of contractors and the balconies they build, and increase oversight of fire safety inspections at schools and apartments.

Here is a list of the major bills by Senator Hill that take effect as law in 2019:

Underage Marriage

[Senate Bill 273](#) increases safeguards to protect young people from being forced into marriage or domestic partnerships, especially those that result from or perpetuate abuse. Starting January 1, the measure expands review requirements by Family Court Services and judges when individuals younger than 18 seek a court order to marry or enter into a domestic partnership in California. Provisions that take effect March 1, 2020, require local registrars and the state to compile statistics on marriages and domestic partnerships involving minors. More details on the legislation are available [here](#).

Oversight of Contractors and Apartment Balconies

[SB 721](#) and companion bill [SB 1465](#), improve oversight of construction contractors and the balconies they build at apartments in response to the collapse of a fifth-story balcony at a Berkeley apartment building in 2015. Six young people died and seven of their friends were severely injured when the balcony, poorly sealed and weakened by dry rot, gave way. All but one of the people killed and hospitalized were visiting students and recent graduates from Ireland, which mourned the disaster as a national tragedy.

SB 721 sets requirements for periodic inspection of balconies, decks, outdoor stairs and other load-bearing elevated exterior elements that are designed for people to walk or

stand on at apartment buildings and complexes. Under the bill, 15 percent of the load-bearing, elevated exterior elements of apartment buildings with three or more units must be inspected every six years.

The Contractors State License Board helped craft SB 1465. The bill requires contractors who settle construction defect lawsuits that involve load-bearing portions of multifamily rental residential structures for a million dollars or more to report those deals to the CSLB. The reports would be confidential unless the board pursues disciplinary measures.

Architects and engineers must file similar settlement information to their licensing boards, but no such requirement exists for construction contractors. In the three years before the balcony tragedy, the general contractor that built the Berkeley apartment complex paid \$26.5 million to settle construction defect cases – information that was not known to regulators until it was discovered and disclosed by news reporters.

SB 721 and SB 1465 take effect January 1. More details on the legislation are available [here](#) and [here](#). Senator Nancy Skinner, D-Berkeley, coauthored both bills.

Requiring Evidence-Based Standards for Alcohol and Drug Rehab Facilities

[SB 823](#) is a consumer safety measure to increase oversight of a burgeoning addiction recovery industry with widely divergent methods of treatment and no current requirement for licensed facilities to use uniform, evidence-based standards of care.

The legislation requires the Department of Health Care Services to adopt the treatment criteria of the American Society of Addiction Medicine, or an equivalent evidence-based standard, as the threshold for care by licensed recovery or treatment facilities addressing adult alcoholism or drug abuse. The bill also requires that the licensees maintain the standards appropriate to their level of care.

Under SB 823, the Health Care Services Department must adopt regulations by January 1, 2023. In the meantime, the law that takes effect January 1, 2019, allows the department to “implement, interpret, or make specific” the aims of SB 823 by means of plan or provider bulletins or similar instructions until regulations are adopted. More details on SB 823 are available [here](#).

Extending Utilities’ Corporate Tax Savings to Ratepayers

[SB 1028](#) ensures that the savings enjoyed by privately owned utilities from the recent federal tax break for corporations are passed along to ratepayers. The bill provides clear direction to the California Public Utilities Commission that any changes to utilities’ taxes be adjusted for in rates so that if utilities receive tax savings, customer rates will be lowered. More details on SB 1028 are available [here](#).

Using Technology to Help Prevent Drunk Driving

Starting January 1, a pilot program operating in four counties expands statewide and will require repeat DUI offenders and first-timers involved in injury crashes to install an ignition interlock device in their vehicles. The technology, better known as an IID, measures blood alcohol concentration after an individual blows into the device and prevents a car from starting if the driver is not sober.

From July 2010 through 2018, individuals convicted of drunk driving in Alameda, Los Angeles, Sacramento or Tulare counties are required to install an IID in the cars they drive.

Under Senator Hill's SB 1046, passed by the Legislature in 2016, the pilot program expands to all 58 counties and lifts the IID requirement for first-time DUI offenders who are not involved in crash involving an injury – but at the same time provides a strong incentive for those first-timers to install an IID.

As of New Year's Day, under California's IID pilot program, people convicted of:

- A first DUI involving no injuries may choose to have an IID installed in their cars for six months and retain full driving privileges. Or, they may forgo an IID and opt for a one-year restricted license that permits them only to drive to and from work and to and from a treatment program. Judges retain discretion to require IIDs for these first offenders.
- A first DUI involving an injury results in mandatory IID installation for one year.
- A second DUI also results in mandatory IID installation for one year.
- A third DUI results in a mandatory IID installation for two years.
- A fourth DUI and subsequent convictions result in mandatory IID installation for three years.

Each year in California more than 1,000 people die in drunk driving crashes. IIDs stopped 220,792 drunk driving attempts by people with a blood alcohol concentration of .08 or higher from December 2006 to December 2017 in the state, according to Mothers Against Drunk Driving, which was instrumental in the passage of SB 1046. Across the U.S. over the same period, IIDs prevented almost 2.7 million drunk driving attempts, according to a MADD study this year.

SB 1046 requires the California Transportation Agency to conduct a study of the statewide pilot program and submit a report to the Legislature by January 1, 2025. The expanded pilot program sunsets on January 1, 2026, unless the Legislature extends or modifies it. More information about the expanded pilot program is available [here](#).

Age-Appropriate Settings for Young Adult Offenders

Effective January 1, [SB 1106](#) extends a pilot program that allows low-level, nonviolent young adult felons, who are 18 or older but under 21 and do not have a history of crime, to serve their time at juvenile halls, rather than at county jails with adults. The deferred judgment pilot program aims to improve outcomes for young adults by giving them access to services and environments that are age-appropriate.

SB 1106 extends the sunset date for the pilot program from January 1, 2020, to January 1, 2022. The bill also enables a sixth county, Ventura, to join Alameda, Butte, Napa, Nevada and Santa Clara counties as pilot program participants. The bill builds on Senator Hill's [SB 1004](#) of 2016, which authorized the pilot program. More details about SB 1106 are available [here](#).

Easing the Property Tax Burden for Nonprofits That Privately Fund Affordable Housing

[SB 1115](#) aids nonprofits and religious organizations that privately fund and provide affordable housing by raising the cap on property tax exemptions from \$10 million during a fiscal year to \$20 million. Nonprofits that provide affordable housing to low income individuals and families, but do not receive tax subsidies or grants from the state or federal government, have a cap placed on the amount of property tax that may be exempted annually. Only 75 properties in California owned by 26 nonprofits are subject to the cap. Raising it would help nonprofits like the St. Francis Center in Redwood City and the AIDS Health Foundation in Los Angeles. Both have worked for decades to provide affordable housing and services in two of the state's tightest and most expensive markets. More details about SB 1115, which takes effect January 1, are available [here](#).

Fire Inspection Accountability

[SB 1205](#) ensures that fire departments report annually to their local governing authority about compliance with state mandates for safety inspections of schools, apartments, hotels, motels and lodging houses.

The bill directs the report to be made when the local governing authority discusses its annual budget, though the local body can choose to do so at another time during the year. The legislation responds to a Bay Area News Group investigative report that revealed several fire departments are years behind in their safety investigations of schools and apartments. SB 1205 takes effect January 1. More details are available [here](#).

Prohibiting Drones Over State Prisons

[SB 1355](#) prohibits individuals from operating drones at or over a state prison, a jail or a juvenile hall, camp or ranch, starting January 1. The restrictions do not apply to employees of the facilities who operate such devices as part of their job, or to individuals who have permission from the appropriate authorities of the facilities to fly a

drone over the grounds. Violating SB 1355 would be an infraction punishable by a \$500 fine. More details on SB 1355 are available [here](#).

The TNC Access for All Act

[SB 1376](#) mandates the California Public Utilities Commission to develop regulations for transportation network companies on accessibility for people with disabilities. The bill, which takes effect January 1, requires the CPUC to engage in workshops with stakeholders, levy a fee on TNCs to help pay for wheelchair-accessible vehicles and create a program for groups to spend that fee to advance deployment of such vehicles. More details are available [here](#).

Extending Baccalaureate Degree Pilot Program at Community Colleges

[SB 1406](#) extends a pilot project that allows 15 community colleges to offer a four-year baccalaureate degree program. The changes that take effect January 1 allow the colleges to enroll students for the pilot for a few more years so that the final cohort of participants begins their four-year degree program no later than the 2022-23 academic year and completes it by June 30, 2026. The bill follows [SB 850](#), 2014 legislation introduced by then-Senator Marty Block with Senator Hill as coauthor. SB 850 authorized the pilot program and set the original cutoff date for enrollment so that participants would complete their four-year degree program by the 2022-23 academic year. More information on SB 1406 is available [here](#).

The Patient's Right to Know Act of 2018

Starting July 1, [SB 1448](#), the Patient's Right to Know Act, requires physicians who are disciplined by their regulatory board for the following four categories of misconduct to notify their patients prior to their visit:

- Sexual misconduct with a patient
- Drug abuse that can harm patients
- Criminal conviction involving harm to patients
- Inappropriate prescribing resulting in patient harm and five or more years of probation

In addition to physicians, SB 1448 applies to surgeons, osteopaths, naturopathic doctors, chiropractors, podiatrists and acupuncturists who are placed on administrative probation by regulators on or after July 1.

Currently, doctors are legally obligated to notify their insurer and their hospital or clinic about their probation status, but patients receive no notice. SB 1448 ensures that consumers are fully informed if their doctor is on probation for cases of serious professional misconduct that involved patient harm or potential patient harm.

Passage of the Patient's Right to Know of 2018 capped three years of legislative efforts by Senator Hill, patient safety advocates and survivors of doctors' abuse to change state law so that patients are given the information that physicians are already required to report to their insurers, hospitals and clinics.

The legislative push gained new momentum this year when star athletes whose testimony helped bring disgraced sports doctor and sexual predator Larry Nassar to justice lent their support to SB 1448.

Assemblymember Evan Low, D-Silicon Valley, coauthored the 2018 bill. More details about the legislation are available [here](#).

Impounding Unlicensed Limos and Chartered Buses

[SB 1474](#) enables the California Public Utilities Commission to better pursue enforcement actions against unlicensed transportation carriers. The bill that takes effect January 1, allows the CPUC to contract with the CHP or sheriff's departments to assist in impounding vehicles, such as limos and chartered buses, that are under the CPUC's jurisdiction. More details about SB 1474 are available [here](#).

Looking Ahead to 2020: New Requirements for AEDs in Renovated Buildings

Passed by the Legislature and signed by the governor this year, [SB 1397](#) will require that an automated external defibrillator be installed in certain high-occupancy buildings that are renovated, starting January 1, 2020. The emergency device better known as an AED must be installed in high-occupancy structures that undergo modifications, renovations or tenant improvements amounting to \$100,000 or more in a single calendar year.

The requirement applies to commercial, educational, institutional and factory buildings with occupancy for 200 or more people, and to residential buildings with the same occupancy range, but does not apply to the single-family or multifamily dwelling units within them.

The requirement also applies to assembly buildings, including auditoriums and theaters, with an occupancy of greater than 300 people. In assembly buildings, there is no dollar-threshold for improvements made by tenants.

Buildings that already have an AED in a common area and structures owned or operated by local government are exempt from SB 1397. More details are available [here](#).

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