



California

As of March 17, 2023

Bill descriptions taken from the first sentence of the bill. This list will be updated as NFIB announces its support or opposition to more legislation.

NFIB-Supported Legislation

- [AB 23 \(Muratsuchi\)](#) -- This bill would amend Proposition 47 by reducing the threshold amount for **petty theft and shoplifting** from \$950 to \$400.
- [AB 509 \(Fong\)](#) -- This bill would include in the definition of **“educational assistance”** a payment made by an employer on or after January 1, 2024, and before January 1, 2034, paid or incurred by the employer, whether paid to the employee or to a lender, of principal or interest on a qualified education loan, as defined, relating to interest on education loans, incurred by the employee for education of the employee.
- [Assembly Bill 778 \(Ta\)](#) -- This bill, for taxable years beginning on or after January 1, 2023, would exempt corporations incorporated in this state from the **minimum franchise tax** until the first taxable year in which the corporation has gross receipts of \$20,000. The bill would also exempt a limited partnership, limited liability partnership, and limited liability company from the annual tax until the first taxable year in which the business has gross receipts of \$20,000.
- [SB 271 \(Dodd\)](#) -- This bill would require an original manufacturer, as defined, of a powered wheelchair to provide documentation, parts, embedded software, firmware, and tools used to inspect, diagnose, maintain, and repair the wheelchair to an owner or an **independent repair provider** for the purposes of providing service on the equipment in the state, on fair and reasonable terms and costs, as defined.
- [SB 316 \(Niello\)](#) -- This bill would reinstate a provision of law that was repealed by Proposition 47 that provides that a person who has been **convicted 3 or more times** of petty theft, grand theft, or other specified crimes and who is subsequently convicted of petty theft is subject to imprisonment in a county jail not exceeding one year or in a county jail for 18 months or 2 or 3 years.
- [SB 375 \(Alvarado-Gil\)](#) -- This bill would authorize an employer to claim, for the 2023 and 2024 calendar years, a COVID-19 regulatory **compliance credit** in a specified

amount. NFIB's letter of support can be [read here](#).

- [SB 592 \(Newman\)](#) -- This bill would **prohibit the imposition of punishment** or liability for costs upon a person who has relied upon a published opinion letter or an enforcement policy, as defined, of DLSE that is displayed on the internet website of the division, except for restitution of unpaid wages, for violations of statutes or regulations in judicial or administrative proceedings if the person pleads and proves specified facts.
- [Senate Bill 703 \(Niello\)](#) -- This bill would enact the California Workplace Flexibility Act of 2023. The bill would permit an individual nonexempt employee to request an **employee-selected flexible work schedule** providing for workdays up to 10 hours per day within a 40-hour workweek and would allow the employer to implement this schedule without the obligation to pay overtime compensation for those additional hours in a workday. NFIB and its coalition's letter of support can be [read here](#).

NFIB-Opposed Legislation

- [AB 518 \(Wicks\)](#) -- This bill would expand eligibility for benefits under the **paid family leave program** to include individuals who take time off work to care for a seriously ill individual related by blood or whose association with the employee is the equivalent of a family relationship.
- [AB 524 \(Wicks\)](#) -- This bill would prohibit employment discrimination on account of family caregiver status, as defined, and would recognize the opportunity to seek, obtain, and hold employment without discrimination because of **family caregiver status as a civil right**, as specified. NFIB coalition letter of opposition can be [read here](#).
- [AB 647 \(Holden\)](#) -- This bill would instead require the **successor grocery employer** to hire from the list for 120 days after the grocery establishment is fully operational and open to the public and retain each eligible grocery worker for at least 120 days after their commencement date, except as specified.
- [AB 747 \(McCarty\)](#) -- This bill would modify the **definition of "ownership interest"** to require the partnership interest, membership interest, or capital stock to be more than a 10% interest of the total partnership interest, more than a 10% interest of the total membership interest, or more than 10% of the total shares of ownership of the entity, respectively.

- [AB 1076 \(Bauer-Kahan\)](#) -- This bill would codify existing case law by specifying that the statutory provision voiding **noncompete contracts** is to be broadly construed to void the application of any noncompete agreement in an employment context, or any noncompete clause in an employment contract, no matter how narrowly tailored, that does not satisfy specified exceptions.
- [AB 1213 \(Ortega\)](#) -- This bill would require that if a **denial of treatment** requested by a treating physician is subsequently overturned by independent medical review or by the Workers' Compensation Appeals Board, any temporary disability paid or owing from the date of the denial until the treatment is authorized would not be included in the calculation of the aggregate disability payments.
- [AB 1228 \(Holden\)](#) -- This bill would require that a **fast food restaurant franchisor** share with its fast food restaurant franchisee all civil legal responsibility and civil liability for the franchisee's violations of prescribed laws and orders or their implementing rules or regulations.
- [AB 1690 \(Kalra\)](#) -- This bill would state the intent of the Legislature to guarantee accessible, affordable, equitable, and high-quality health care for all Californians through a comprehensive **universal single-payer health care program**.
- [SB 259 \(Seyarto\)](#) -- This bill would additionally require a state agency to post on its internet website **any report**, as defined, that the state agency submits to a committee of the Legislature. NFIB and its coalition partners sent this [letter of opposition](#) to Assemblymember Alex Lee, who authored the measure.