



California

As of April 14, 2023

Bill descriptions taken from 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. NFIB’s letter of support can be [read here](#).
- [AB 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.
- [AB 1278 \(Rodriguez\)](#) -- This bill would allow an **injured employee** to authorize their primary treating physician to request an electronic copy of any notification that an injury is subject to an MPN [medical provider network] or that an employee is required to transfer treatment to an MPN.
- [AB 1355 \(Valencia\)](#) -- Authorizes employer to supply individuals with **electronic statements** or materials relating to claims for benefits if the individual opts into receipt of electronic statements or materials.
- [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. NFIB's letter of support can be [read here](#).

- [SB 316 \(Niello\)](#) -- This bill would reinstate a provision of law that was repealed by Proposition 47 that provides that a person who has been **convicted 3 or more times** of petty theft, grand theft, or other specified crimes and who is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 581 \(Caballero\)](#) -- The bill would prohibit a **litigation financier** from taking certain actions, including paying or offering commissions, referral fees, or other forms of consideration to a legal representative, medical provider, or any of their employees for a referral to that financier, or making false or misleading statements. 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.
- [SB 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 135 \(Haney\)](#) -- This bill would express the intent of the Legislature to enact statutory changes, relating to the **Budget Act of 2023**.
- [AB 259 \(Lee\)](#) -- This bill would, for taxable years beginning on or after January 1, 2024, and before January 1, 2026, **impose an annual tax** at a rate of 1.5% of a resident of this state's worldwide net worth in excess of \$1,000,000,000, or in excess

of \$500,000,000 in the case of a married taxpayer filing separately.

- [AB 362 \(Lee\)](#) -- This bill would require the California Department of Tax and Fee Administration to conduct or commission a study on the efficacy of a statewide **land value taxation system** as an alternative to the current appraisal methods utilized for real property taxation.
- [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 1156 \(Bonta\)](#) -- This bill would **define "injury,"** for a hospital employee who provides direct patient care in an acute care hospital, to include infectious diseases, cancer, musculoskeletal injuries, post-traumatic stress disorder, and respiratory diseases.
- [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 1359 \(Chatsworth\)](#) -- The bill would permit **accrued paid sick days** to carry over to the following year of employment for those employees, subject to certain conditions, and would prohibit a covered health care facility from limiting an employee's use of accrued paid sick days.
- [AB 1516 \(Kalra\)](#) -- This bill would require the Labor and Workforce Development Agency to convene a working group to study and evaluate topics related to the minimum wage in California. The bill would require the working group to submit to the Legislature, on or before July 1, 2024, a report that outlines recommendations for **raising the minimum wage** for all workers in California.
- [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**.
- [AB 1714 \(Wood\)](#) -- This bill would define "**public utility**" to include a corporation providing broadband service to the public or a portion of the public.
- [ACA 1 \(Aguiar-Curry\)](#) -- This measure would create **an additional exception to the 1% limit** that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements.
- [ACA 3 \(Lee\)](#) -- This measure would authorize the Legislature to impose **a tax upon all forms of personal property or wealth**, whether tangible or intangible, and would require any tax so imposed to be administered and collected by the Franchise Tax Board and the Department of Justice, as determined by the Legislature in statute.

- [ACA 11 \(Ting\)](#) -- This measure would **abolish the State Board of Equalization** and instead require the Legislature to create a state tax agency by statute for purposes of carrying out those powers, duties, and responsibilities previously vested in the State Board of Equalization by the California Constitution and by statute.
- [SB 71 \(Umberg\)](#) -- This bill would **increase the small claims court jurisdiction** over actions brought by a natural person, if the amount does not exceed \$25,000, except as specified, and would also increase the amount in controversy permitted in other specified actions within the jurisdiction of the small claims court.
- [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.
- [SB 365 \(Wiener\)](#) -- This bill would additionally prohibit a trial court from **staying proceedings** during the pendency of an appeal of an order dismissing or denying a petition to compel arbitration.
- [SB 397 \(Wahab\)](#) -- This bill would require the state board, upon appropriation by the Legislature, to establish a program to install and maintain **electric vehicle service equipment** at safety roadside rests.
- [SB 399 \(Wahab\)](#) -- This bill, except as specified, would **prohibit an employer** from requiring its employees to attend an employer-sponsored meeting or participate in any communications with the employer or its agents or representatives, the purpose of which is to communicate the employer's opinion about religious matters, political matters, or certain rights guaranteed by the United States Constitution and California Constitution, as defined.
- [SB 525 \(Durazo\)](#) -- This bill would require a health care worker **minimum wage of \$25 per hour** for hours worked in covered health care employment, as defined, subject to adjustment, as prescribed.
- [SB 553 \(Cortese\)](#) -- This bill would also authorize a collective bargaining representative of an employee, as described above, to seek a **temporary restraining order** and an order after hearing on behalf of the employee and other employees at the workplace, as described.
- [SB 616 \(Gonzalez\)](#) -- This bill would modify the employer's alternate **sick leave accrual method** to instead require that an employee have no less than 56 hours of accrued sick leave or paid time off by the 280th calendar day of employment or each

calendar year, or in each 12-month period.

- [SB 627 \(Smallwood-Cuevas\)](#) -- This bill would prohibit an employer from **closing a covered establishment** unless the employer gives a displacement notice, as prescribed, to the covered workers and their exclusive representative, if any, 60 days before the closure takes effect.
- [SB 723 \(Durazo\)](#) -- This bill would **redefine “laid-off employee”** to mean any employee who was employed by the employer for 6 months or more and whose most recent separation from active employment by the employer occurred on or after March 4, 2020, and was a result of a public health directive, government shutdown order, lack of business, reduction in force, or other economic nondisciplinary reason.
- [SB 809 \(Smallwood-Cuevas\)](#) -- This bill would require that information to also include either all laws and regulations that impose restrictions or prohibitions for **employment on the basis of a conviction**, if any, or all the specific job duties of the position for which a conviction may have a direct and adverse relationship that has the potential to result in an adverse employment action, as described.
- [SBX1-2 \(Skinner\)](#) -- The bill would require the [California Energy] commission, if the commission establishes the **maximum gross gasoline refining margin**, to establish a penalty for exceeding the maximum gross gasoline refining margin, as provided.