



College of Business, Legal Resource Center

HIGHLIGHTS OF NEW CALIFORNIA LAWS 2021

These highlights were contributed to the COB Legal Resource Center by [CapRadio](#) with modifications made therein. Please contact the COB, Legal Resource Clinic at cob-lrc@csulb.edu for more information about these and other new laws for 2021.

COVID-19

AB 685 COVID-19 Workplace Rules

Requires employers to notify workers of potential worksite COVID-19 exposures, report outbreaks to public health departments, and gives Cal/OSHA further power to enforce pandemic safety violations in the workplace. For further information, see the [Department of Industrial Relations](#).

SB 1159 COVID-19 Workers' Compensation

Creates a disputable presumption that death or illness related to COVID-19 is an occupational injury eligible for workers' compensation benefits. For further information, see the [Department of Industrial Relations](#).

Environment

SB 346 - Limit on Copper in Brake Pads

In 2010, California enacted Senate Bill (SB) 346, known as the California Motor Vehicle Brake Friction Material Law. This law prohibits the sale of automobile brake pads sold in California containing more than trace amounts of copper, certain heavy metals, and asbestos. The purpose of this law is to reduce the amount of copper and other toxic substances released from brakes from entering California's streams, rivers, and marine environment. This law bans brake pads containing more than trace amounts of heavy metals and asbestos in 2014 and then bans brake pads containing more than 5 percent copper in 2021. By 2025, that reduces to 0.5% copper by weight. The purpose of this law is to reduce the amount of copper and other toxic substances released from brakes from entering California's streams, rivers, and marine environment. On September 27, 2013, the law was amended as part of a cleanup bill (Assembly Bill 501), which added language to the Health and Safety Code section 25250.51 of the California Motor Vehicle Brake Friction Material Law. For further information, see the [Department of Toxic Substance Control](#).

Education

AB 376 - Protections for Student Loan Borrowers

This act creates a Student Loan Borrower Bill of Rights, which sets minimum standards for student loan companies and a Student Loan Ombudsman to advocate for borrowers. It also enacts special protections for military families, teachers, other public service workers, borrowers with disabilities, and older Americans. The act commences under Section 1788.100) to Part 4 of Division 3 of the Civil Code and amends Sections 28104, 28112, 28130, and 28140 of, and repeals Sections 28134 and 28136 of, the Financial Code, relating to student loans. For further information, see [Summary Highlights](#).

Health

SB 793 Flavored Tobacco Ban

This act provides a broad ban on sales of flavored tobacco products, from vape cartridges to menthol cigarettes. This bill was passed in response to a nationwide outbreak of lung injuries linked to e-cigarettes and cannabis vape products in 2019. This act adds [Article 5 \(commencing with Section 104559.5\) to Chapter 1 of Part 3 of Division 103 of the Health and Safety Code, relating to tobacco products.](#)

SB 855 Equal Insurance Coverage for Mental Health

This bill requires health plans to cover medically necessary treatment for all recognized mental health and substance abuse disorders. As it stands, Californian insurers are only required to cover treatments for nine specified mental health disorders. This act adds [Sections 1367.045 and 1374.721 to, and repeals and adds Section 1374.72 of, the Health and Safety Code, adds Section 10144.52 to, and repeals and adds Section 10144.5 of, the Insurance Code, relating to health coverage.](#)

SB 852 Generic Prescription Drugs (PAN)

This new law requires the California Health and Human Services Agency to enter partnerships to produce and distribute affordable generic prescription drugs. [This act adds Chapter 10 \(commencing with Section 127690\) to Part 2 of Division 107 of, and repeals Sections 127694 and 127695 of, the Health and Safety Code, relating to health care.](#)

AB 2276 Childhood Lead Poisoning: Screening and Prevention

The law imposes additional requirements on health care providers and the Department of Public Health under the Childhood Lead Poisoning Preventive Program to ensure that children who are most at risk of lead poisoning are tested for lead exposure. [This act amends Section 105285 of, and adds Section 105301 to, the Health and Safety Code, and adds Section 14197.08 to the Welfare and Institutions Code, relating to public health.](#)

SB 1237 Nurse-Midwives Practice without Physician Supervision

Certified nurse-midwives will be able to practice independently in California, without physician supervision commencing 2021. [This act amends Sections 650.01, 2746.2, 2746.5, 2746.51, and 2746.52, and adds Sections 2746.54 and 2746.55 to the Business and Professions Code, and amends Sections 102415, 102426, and 102430 of the Health and Safety Code, relating to healing arts.](#)

Law Enforcement

AB 1185 County Oversight of Sheriff's Offices

Allows counties to implement sheriff's review boards or an inspector general to oversee the department and launch investigations. This amendment's full text can be found at [Section 25303.7 to the Government Code, relating to counties.](#)

AB 1506 State Investigation of Police Shootings

Requires state-led investigations into police shootings of unarmed civilians and, starting in 2023, would require the state Department of Justice to review the use of force policies upon request of local law enforcement agencies. This amendment's full text can be found at [Section 12525.3 to the Government Code, relating to the Department of Justice.](#)

AB 1076 Automatically Clearing Criminal Records

Under this law, the state will automatically clear records for arrests that did not result in conviction after the statute of limitations has passed and those around probation and jail once the sentence is completed. It applies to individuals arrested or convicted after January 1, 2021. The act amends Sections 480, 480.2, and 11345.2 of the Business and Professions Code, amends Section 432.7 of the Labor Code, amends Section 11105 of, and adds Sections 851.93 and 1203.425 to the Penal Code, and amends Section 13555 of the Vehicle Code, relating to criminal records. The full text of this law can be found at [Assembly Bill No. 1076.](#)

Workplace

SB 1383 Expanded Family Leave

Workers at small businesses job are given protection if they take time to care for a family member and expand the types of eligible situations for protected leave, including domestic partners, grandparents, grandchildren, siblings, and parents-in-law. [This law amends and repeals Section 12945.6 of, and amends, repeals, and adds Section 12945.2 of, the Government Code, relating to employment.](#)

AB 2257 Worker Classification Exemptions

Exempts certain professions — such as musicians, writers, landscape architects, and a host of other professional services from AB 5, a law signed last year that required many contractors' reclassification to employees. [This act adds Article 1.5 \(commencing with Section 2775\) to Chapter 2 of Division 3 of, and repeals Section 2750.3 of, the Labor Code, and amends Sections 17020.12 and 23045.6 of, and adds Sections 18406, 21003.5, and 61001 to, the Revenue and Taxation Code, relating to employment.](#) This act took effect immediately.

AB 2992 Workplace Protections for Crime Victims

Expands the ban on employers taking action against employees who are victims of domestic violence, sexual assault, stalking, or other crimes that cause physical or mental injury when they take time off for judicial proceedings or to seek medical attention or related relief. [This act amends Sections 230 and 230.1 of the Labor Code, relating to employment.](#)

AB 979 Corporations: Boards of Directors: Underrepresented Communities.

This law requires publicly-held corporations whose principal executive office is in the state of California to include at least one director from underrepresented communities on its board by the end of 2021. [This act amends Section 301.3 of and adds Sections 301.4 and 2115.6 to the Corporations Code, relating to corporations.](#)

SB 973 Employer Pay Gap Data

Requires companies with 100 or more employees to report pay data by gender, race, and ethnicity annually. [This act to amends Section 12930 of, and to add Chapter 10 \(commencing with Section 12999\) to Part 2.8 of Division 3 of Title 2 of the Government Code, relating to employment.](#)