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Summary of New California Laws: Effective January 1, 2022

Several new laws, including Proposition 12, will take effect in 2022. According to [Governor Gavin Newsom's website](#), "new laws taking effect January 1 are nation-leading protections for workers and important measures to increase the state's supply of affordable housing, create a more inclusive state, expand voter access and protect consumers and the environment from harmful chemicals." This post further examines the new laws discussed in [New California Legislative Acts](#) posted on October 2021, highlighting some, but not all, laws going into effect after January 1, 2022. Any questions should be directed to the Legal Resource Center cob-lrc@csulb.edu.

Laws

Animals

[Proposition 12](#) was approved by California voters in 2018 to improve living conditions for farm animals in California by prohibiting enclosures that restrict pigs and chickens from movement when confined. While the law is to take effect this year, [a lawsuit](#) has been filed by a coalition of California restaurants and grocery stores to block its implementation.

[AB 1282](#) by Assemblymember Richard Bloom (D-Santa Monica). The law addresses "both the shortage of animal blood for veterinary transfusion medicine and the inhumane practice of requiring blood to come from captive closed colony blood banks in California." It also permits California licensed veterinarians to operate community blood banks to produce and sell or transfer animal blood and blood products.

Business

[AB 506](#) by Assemblymember Lorena Gonzalez (D-San Diego) requires youth organization volunteers to undergo background checks and child abuse prevention training.

[SB 62](#) by Senator María Elena Durazo (D-Los Angeles) eliminates the payment of garment workers pay based on the piece rate in the garment industry to ensure garment workers are paid legal wages and other benefits.

[SB 3 \(Leno, Chapter 4, Statutes of 2016\)](#) will continue California's minimum wage rises to \$15 per hour as the final step in a six-year process. Businesses with 25 or fewer workers will have an additional year to comply and raise their minimum wage to \$14 per hour. See [California Department of Industrial Relations for schedule and applicability](#).

[SB 389](#) by Senator Bill Dodd (D-Napa) allows restaurants, bars, breweries, and wineries that sell food to continue offering to-go alcoholic beverages with food orders, building on



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state regulatory relief announced in June 2021; this law is effective until December 31, 2026; however, drinks will need to be purchased with a meal.

[AB 701](#) by Assemblymember Lorena Gonzalez (D-San Diego) establishes nation-leading transparency measures for companies to disclose warehouse production quota descriptions and prohibits the use of algorithms that disrupt fundamental worker rights. This new law will mandate Warehouse employers to disclose all rules for worker quotas and ensure rest periods are not counted against a worker's productivity

[SB 62](#) by Senator María Elena Durazo (D-Los Angeles) ends the garment industry's practice of piece-rate compensation and expands fashion brands' liability for unpaid wages.

[California Comeback Plan](#) featuring the small business relief package in the country, unprecedented direct financial and rent relief for Californians, the most significant increase in homeless housing in state history, universal Pre-K, and a historic \$15 billion climate package to advance California's nation-leading climate agenda.

[SB 65](#) by Senator Nancy Skinner (D-Berkeley) will go into effect in August 2022, helping to tackle racial and ethnic disparities in maternal health outcomes by improving research and data collection.

[AB 1003](#) by Assemblymember Lorena Gonzalez (D-San Diego) – creates a new type of grand theft to include when a company's "intentional theft of wage" of more than \$950 from any individual or \$2350 from 2 or more employees during 12 months. The theft must be intentional, through fraud and knowing that the employee's wages are due. Wages are defined to include "wages, gratuities, benefits, or other compensation." Notably, independent contracts are included in the definition of "employee" and specify that an independent contractor's hiring entity is an "employer."

[AB 1405](#) by Assemblymember Buffy Wicks (D-Oakland) requires a debt settlement company must be transparent about the potential downsides of a debt settlement program before enrolling a consumer.

[SB 331](#) by Senator Connie Leyva (D-Chino) expands current protections against secret settlements to cover settlement agreements involving all forms of harassment or discrimination.

[SB 639](#) by Senator María Elena Durazo (D-Los Angeles) phases out using the federal 14(c) certificate in California. It ultimately prohibits paying workers with disabilities less



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than the California minimum wage and transition workers to competitive, integrated employment.

[AB 390](#) Assemblymember Marc Berman (D-Menlo Park), beginning July 1, 2022, it is unlawful for the business to fail to provide a consumer with a notice containing specified information if the consumer accepted a gift or trial, lasting 31 or more days that were included in an automatic renewal offer or continuous service offer or accepted an automatic renewal offer or continuous service offer at a promotional or discounted price. The applicability of that price was more than 31 days. In these circumstances, the bill would require the notice to be provided at least three days before and at most 21 days before the expiration of the period for which the free gift or trial, or promotional or discounted price, applies.

[AB 1066](#), known as "Phase-In Overtime for Agricultural Workers Act of 2016." Effective January 1, 2022, employers of more than 25 employees must pay overtime when the employee worked over 8 hours in a day or 40 hours in a week. To comply, employers of 25 or fewer employees have until January 2, 2025.

Children

[AB 652](#) by Assemblymember Laura Friedman (D-Glendale) bans the use of toxic PFASs in products for children, such as car seats and cribs.

Criminal

[AB 3234](#) by Assemblymember Phil Ting (D-San Francisco) gives California judges the discretion to place misdemeanor offenders in pretrial diversion programs, regardless of whether the prosecutor objects to it.

[AB 1950](#) by Assemblymember Sydney Kamlager (D-Los Angeles) provides for the reduction in the length of time a defendant convicted of a misdemeanor or felony can be placed on probation. Under the new law, the longest a person can be under supervised release for misdemeanors is one year.

[SB 2](#) by Senate President pro-Tempore Toni Atkins (D-San Diego) and Senator Steven Bradford (D-Gardena) creates a system within the Commission on Peace Officer Standards and Training (POST) to investigate and revoke or suspend peace officer certification for serious misconduct. This new law prevents officers with previous misconduct records from finding employment in other areas without repercussions. Under the new law, licenses are revoked, so a problematic officer cannot simply switch departments after being fired. Additionally, "officers can also have their license pulled if they fail to intervene when they see another officer using excessive force."



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[SB 16](#) by Senator Nancy Skinner (D-Berkeley) expands public access to police misconduct records related to unreasonable or excessive force, discriminatory or prejudiced behavior, and other misconduct.

[AB 481](#) by Assemblymember David Chiu (D-San Francisco) requires law enforcement to receive permission from their local government before purchasing surplus military equipment such as certain armored vehicles and flashbang grenades.

[AB 1475](#) by Assemblymember Evan Low (D-Silicon Valley) limits the police department's use of mug shots on social media with exceptions.

[AB 48](#) by Assemblymember Lorena Gonzalez (D-San Diego) establishes California's first statewide standards regulating the use of projectile weapons and chemical agents by law enforcement for crowd control purposes.

[AB-1171](#) by Assemblymember Cristina Garcia (D- Bell Gardens) eliminated California's distinction between rape and spousal rape, making the latter carrying a possibility of only probation if the victim was married to the individual convicted of rape was married with exceptions. Under the new law, "convicted rapists must serve jail or prison time, and they must also be added to the sex offender registry."

[AB-453](#) by Assemblymember Cristina Garcia (D- Bells Garden) provides that removing a condom without a sexual partner's consent can be punished as sexual battery under California criminal code.

[AB 1057](#) by Assemblymember Cottie Petrie-Norris (D-Laguna Beach) enables law enforcement to seize ghost guns under gun violence or domestic violence restraining orders.

[SB 320](#) by Senator Susan Talamantes Eggman (D-Stockton) strengthens procedures ensuring the relinquishment of firearms.

Education

[AB101](#) by Assemblymember Jose Medina (D-Riverside), which – upon appropriation of funds by the Legislature – requires high schools to provide ethnic studies starting in the academic year 2025-26 and complete a one-semester course a high school graduation requirement was beginning with students graduating in 2029-2030.

[AB 367](#) by Assemblymember Cristina Garcia requires all public schools and colleges to stock their restrooms with free menstrual products (effective July 1, 2022).



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[AB 89](#) by Assemblymember Reggie Jones-Sawyer's (D-South Los Angeles) requires all community colleges in California to create a universal policing curriculum for peace officers. It would raise the minimum age for new peace officers from 18 to 21. The new law would also require that, in four years, all incoming officers have at least an associate's or bachelor's degree.

[AB 132](#) Committee on Budget requires each community college campus to establish a basic needs center and hire a basic needs coordinator by July 1, 2022.

Environment

[SB 343](#) by Senator Ben Allen (D-Santa Monica) prohibits a person from offering for sale, selling, distributing, or importing into the state any product or packaging using a deceptive or misleading claim about its recyclability.

[SB 1](#) by Senator Toni G. Atkins (D-San Diego) directs the California Coastal Commission to take sea-level rise into account in its planning, policies, and activities and would establish a cross-government group tasked with educating the public and advising local, regional, and state government on feasible sea level rise mitigation efforts.

[SB 552](#) by Senator Robert Hertzberg (D-Van Nuys) – Drought planning: small water suppliers: nontransient noncommunity water systems.

[SB 109](#) by Senator Bill Dodd (D-Napa) establishes, among other things, the Office of Wildfire Technology Research and Development within the Department of Forestry and Fire Protection under the direct control of the Director of the department. The bill would make the office responsible for studying, testing, and advising regarding the procurement of emerging technologies and tools to more effectively prevent and suppress wildfires throughout the state through specified activities, as provided until January 1, 2029.

[AB 818](#) by Assemblymember Richard Bloom (July 1, 2022) requires all packaging for diaper wipes, cleaning wipes, and cosmetic wipes to display clear "Do Not Flush."

Food and Cosmetics

[AB 1200](#) by Assemblymember Philip Ting (D-San Francisco) prohibits toxic PFASs in disposable food packaging.

[AB-535](#) by Assemblymember Cecilia Aguiar-Curry (D-Winters) requires sellers of olive oil marketed as being from California must include on the label the percentage of the product made from olives grown in the state.

[AB 286](#) by Assemblymember Lorena Gonzalez (D-San Diego) makes it illegal for food delivery apps to retain any portion of a tip or gratuity requiring delivery orders to give a



tip to the individual worker. The gratuity must go to the restaurant if the order is for pickup.

[SB-312](#) by Senator Connie Leyva (D-Chino) requires cosmetics manufacturers must disclose fragrance and flavor ingredients that could pose a health hazard — information the state will display through an online database.

[AB 1276](#) by Wendy Carrillo (D-Los Angeles) commencing June 2022, restaurants must provide only single-use utensils and packets or cups of condiment sauces on request.

Gender

[AB 245](#) by Assemblymember David Chiu (D-San Francisco) provides, in part, that a campus of the University of California, California State University, or California Community Colleges gives students, particularly transgender students, at state public universities the ability to have their lived names printed on their diplomas.

[AB 439](#) by Assemblymember Bauer-Kahan (D-Orinda) provides that binary option for death certificates.

[AB 1084](#) by Assemblymember Evan Low (D-Campbell) requires retail department stores with more than 500 employees located in California to have a "reasonable selection" of certain items that do not have specific gendered marketing. The bill seeks to reduce "unjustified differences in similar products" and cease gender stereotyping. Articles of clothing are not included in these laws.

Health

[SB 221](#) by Senator Scott Wiener (D-San Francisco) – Health care coverage: timely access to care.

[SB 224](#) by Senator Anthony Portantino (D-La Cañada Flintridge) – Pupil instruction: mental health education.

[SB 395](#) by Senator Anna Caballero (D-Salinas) – Excise tax: electronic cigarettes: Health Careers Opportunity Grant Program: Small and Rural Hospital Relief Program. It also provides a new tax on electronic cigarettes effective July 1 to be paid by purchasers, with all proceeds going towards public health and educational programs.

[SB 510](#) by Senator Richard Pan (D-Sacramento) – Health care coverage: coverage for COVID-19 cost-sharing.



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[AB 118](#) by Senator Sydney Kamlager (D-Los Angeles) – Department of Social Services: C.R.I.S.E.S, a grant program to support community-based alternatives to police response during 911 calls.

[AB1220](#) by Assemblymember Luz Rivas (D-Arleta) – Homelessness: California Interagency Council on Homelessness.

[AB 362](#) by Assemblymember Sharon Quirk-Silva (D-Fullerton) requires cities and counties to enforce a uniform, statewide health and safety standards at homeless shelters. Similar to standards that are mandated for residential dwellings.

[SB 742](#) by Senator Dr. Richard Pan (D-Sacramento) provides that anyone who protests at a vaccination clinic must keep a distance from any patients within 100 feet of its entrance. Failure to do so could result in a fine of \$1,000 and up to six months in jail.

[AB 133](#) Committee on Budget. For low-income residents, the expansion of Medi-Cal, California's healthcare program, will be available to all income-eligible adults age 50 and over, regardless of immigration status, effective May 1, 2022.

Housing

[SB 8](#) by Senator Nancy Skinner (D-Berkeley) extends the provisions of the Housing Crisis Act of 2019 through 2030 to accelerate the approval process for housing projects and curtail local governments' ability to downzone, among other provisions.

[SB 9](#) by Senator President pro-Tempore Toni G. Atkins (D-San Diego) facilitates the process for homeowners to build a duplex or split their current residential lot.

[SB 10](#) by Senator Scott Wiener (D-San Francisco) creates a voluntary process for local governments to implement streamlined zoning for new multi-unit housing near transit or urban infill areas.

[AB 215](#) by Assemblymember David Chiu (D-San Francisco) – Planning and Zoning Law: housing element: violations.

[AB 977](#) by Assemblymember Jesse Gabriel (D-Encino) – Homelessness program data reporting: Homeless Management Information System

Immigration

[AB 600](#) by Assemblymember Joaquin Arambula (D-Fresno) ensures that crimes targeting people due to their immigration status are considered a hate crimes.



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Military

[SB 352](#) by Senator Susan Talamantes Eggman (D-Stockton) eliminates previous limits on sexual assault or harassment charges while serving in the military.

Native Americans

[AB 338](#) by Assemblymember James C. Ramos (D-Highland) allows the placement of a monument in Capitol Park honoring Sacramento-area tribes, replacing the sculpture of missionary Junipero Serra.

[AB 855](#) by Assemblymember James C. Ramos (D-Highland) removes Columbus Day as a judicial holiday and replaces it with Native American Day in September.

Real Property

[SB 796](#) by Senator Steven Bradford (D-Gardena) authorized Los Angeles County to return Bruce's Beach property to the Bruce family nearly a century after the land was wrongfully taken from them. Since then, the California Department of Parks and Recreation has amended the property deed, removing restrictions. The Los Angeles County Board of Supervisors voted to accept the amended property deed, officially allowing the property transfer to the Bruce Family.

Voting

[AB 37](#) by Assemblymember Marc Berman (D-Menlo Park) makes permanent vote-by-mail ballot to every active registered voter.