



# CARA 21-22 Priority Legislation

updated 5/2/22

Bill #	Author	Description
SJR 11	Skinner	<p><b>CARA SPONSOR:</b> Over 6 Million Californians received Social Security benefits in 2021. As Californians continue to age, with older adults projected to comprise 25% of the state’s population by 2030, more seniors will be eligible and begin to receive Social Security benefits. Moreover, women, BIPOC, and persons with disabilities who already experience wealth inequality are at a higher risk of economic insecurity as they age. Absent immediate intervention from Congress, the Social Security Trust fund will be depleted by 2034, significantly reducing benefits in 2035 and triggering additional reductions in years following. HR 5723 (Larson), the “Social Security 2100 Act,” takes substantial steps to reduce the funding shortfall and enacts the largest equity advancement - benefit expansion - in program history. SJR 11 (Skinner) calls upon California’s congressional delegation to call for a vote, and vote in favor of, HR 5723.</p>
AB 1947	Ting	<p><b>CARA SPONSOR:</b> This bill would require every law enforcement agency to adopt policies instructing officers on how to identify, respond to and report hate crimes. These agencies will also be required to submit their crime policies, brochures, and training schedules to the Department of Justice to ensure compliance with this new law. AB 1947 will keep Californians safer by enacting stronger training and reporting policies for law enforcement officers to identify and respond to hate crimes.</p>
AB 1502	Muratsuchi	<p><b>CARA SUPPORT:</b> AB 1502 will establish long overdue reforms that will give CDPH strong authority to disqualify unfit applicants, set suitability standards for operators, require prior approval to operate a skilled nursing facility, close licensure loopholes, give the public an opportunity to comment on pending change-of-ownership applications, and sanction non-compliant operators.</p>



# CARA 21-22 Priority Legislation

updated 2/28/22

Bill #	Author	Description
AB 1130	Wood	<p><b>CARA SUPPORT:</b> This bill would establish, within OSHPD, the Office of Health Care Affordability to analyze the health care market for cost trends and drivers of spending, develop data-informed policies for lowering health care costs for consumers, set and enforce cost targets, and create a state strategy for controlling the cost of health care and ensuring affordability for consumers and purchasers.</p>
SB 260	Wiener	<p><b>CARA SUPPORT:</b> Requires major corporations who do business in California and make over \$1 billion annually to publicly disclose their full carbon footprint in a way that is understandable and accessible to the public.</p>
AB 2050	Lee	<p><b>CARA SUPPORT:</b> Prohibits Rental Property Owners with less than 5 continuous years of ownership within rent controlled jurisdictions from evicting tenants under the Ellis Act.</p>

# CARA 21-22 Priority Legislation

updated 2/28/22

## Opposition Bills

Bill #	Author	Description
SB 951	Durazo	<p><b>CARA OPPOSES UNLESS AMENDED:</b> SB 951, when fully implemented, will increase the benefit levels for both PFL (Paid Family Leave) and disabled beneficiaries to replace 90% of wages for very low wage earners and 70% for all others; however, after receiving 16 weeks of benefits, a disabled worker, whether a low or higher wage earner, would see their benefits drop to replace only 60% of their wages.</p> <p>This would mean that many thousands of disabled workers would suffer from reduced benefits at a point when they need them more than ever.</p>



# SJR 11 (Skinner) The Social Security 2100 Act: A Sacred Trust

## What is SJR 11, and why do we need it?

The California Alliance for Retired Americans (CARA), one of the state's foremost grassroots senior and disability advocacy organizations, representing over 1 million Californians, is a proud sponsor of SJR 11 (Skinner), which affirms the State Legislature's support for expanding Social Security benefits by calling upon our state's congressional delegation to call for a vote, and vote in favor of, HR 5723 (Larson) "The Social Security 2100 Act: A Sacred Trust."

We all want to be able to age with dignity, respect and independence and Social Security is integral to achieving this, being an essential source of retirement income, keeping thousands of Californians out of poverty. Protecting and expanding Social Security is imperative to help solve the burgeoning retirement security crisis facing our nation. Defined benefit pension plans are declining; the regressive system of funding social security puts the system at risk; and income disparities leave most Americans unable to save for retirement. Too many Californians are already unable to retire without a drastic drop in their standards of living. The last time Congress expanded Social Security and increased benefits was during the presidency of Richard Nixon. More recently in 1983, cuts were made by raising the eligibility age.

HR 5723 (Larson) "The Social Security 2100 Act: A Sacred Trust", will cut the projected long-range shortfall by more than half, by requiring the highest paid earners to contribute to Social Security on earnings over \$400,000 at the same rate as other workers. It will also increase Social Security's benefits by 2 percent across the board, to make up for the inadequate past COLAs; improve the COLA formula; raise the new minimum benefit to 25 percent of the poverty line; eliminate the Windfall Elimination Provision and Government Pension Offset, improve benefits for widows and widowers; end the 5 month waiting period for disability benefits; provides caregiver credits; among other changes. . It also provides a tax cut for middle-income beneficiaries, by raising the thresholds for taxation of Social Security benefits to \$35,000 (single) and \$50,000 (married).

Social Security expansion has broad support among Democrats, Republicans, and Independents. In 2021 over 65 million Americans received Social Security benefits, totaling over \$94 billion with \$8.6 billion going to 6 million Californians. Social Security expansion will strengthen the economy and create jobs as most beneficiaries spend their benefits immediately, in their local communities. This is especially true for rural communities, home to a larger percentage of seniors (one in four rural Californians received benefits in 2014).

To win social and economic justice, full civil rights, and a better, more secure life for ourselves, our families, and future generations are guiding principles of CARA. SJR11 is a step to ensuring that those with the least will be given a step-up to economic security.

## Where is SJR 11 in the legislative process?

SJR 11 was recently introduced in the Assembly and is awaiting committee assignment. We expect the bill will be assigned to the Assembly Labor and Employment Committee in early May.



# AB 1947 (Ting) The Freedom from Hate Crimes Act

## What is AB 1947, and why do we need it?

California and the United States are in the sixth year of a brutal, still-swelling wave of hate crimes, targeting people because of their race, ethnicity, disability (including disabilities caused by aging), religion, nationality (including immigration status), sexual orientation, and gender (including gender identify and gender expression). These hate crimes attack both the immediate victims and their communities, making them co-victims

The California State Auditor in 2018 found that “law enforcement has not adequately identified, reported, or responded to hate crimes.” The audit report recommended that law enforcement agencies take serious steps to correct their serious failings.

AB 1947 would carry out the auditor’s recommendations by mandating that all law enforcement agencies adopt hate crime policies that every officer in the state must know and follow. This includes:

- Recognizing suspected hate crimes by following detailed, specific protocols including real-world examples on common hate crimes.
- Immediately investigating every suspected hate crime on the scene by interviewing victims and witnesses using a structured protocol and report form.
- Supporting victims and traumatized witnesses by believing them when they say the crime was a suspected hate crime, and by referring them to needed community-based support and services.

The bill would hold law enforcement agencies accountable by requiring them to submit their hate crime policies and training schedules to the state Department of Justice to be checked for compliance with state law.

## Where is AB 1947 in the legislative process?

The bill is set for its first hearing and vote Tuesday, March 15, in the Assembly Public Safety Committee. If it passes that committee, it will go next to the Assembly Appropriations Committee.



# AB 1502 (Muratsuchi) The Skilled Nursing Facility Ownership Reform Act

## What is AB 1502, and why do we need it?

AB 1502 would require:

- (1) Those establishing, operating and/or managing a free standing Skilled Nursing Facility(SNF) to obtain a SNF license, that include its past five years Medicare and Medicaid cost reports;
- (2) The California Department of Public Health (CDPH) to post the applications;
- (3) A license to be denied for specified reasons, including committing a felony, and
- (4) A licensee to update specified information.

It would also prohibit operating a free standing SNF prior to receiving a license (squatting), authorize CDPH to assess a \$10,000 fine for material violations, and require the CDPH report to the Legislature.

California needs to ensure that SNFs are safe facilities, providing quality care for California's seniors and those with disabilities. With the population of 65 years of age and older expected to double within the next 30 years, it is urgent to fix current problems now before they get worse and to prevent other issues from becoming a problem.

Chain operators are allowed to operate without prior approval, even after being denied a license for being unfit. Two dozen chain operated facilities that were acquired in 2014 still operate without a license. Six facilities continue to operate even though they were denied licenses due to unfit conditions years ago. One chain continues to operate nine SNFs after being cited for severe neglect and abuse and denied its license in April, 2020. Another chain with a history of licensure denials, as far back as 2004, continues to operate SNFs, including one under criminal investigation for a COVID-19 outbreak, which resulted in residents dying.

Today, facilities continue to be purchased during the pandemic without these safeguards. In addition, CDPH has stated that it has no authority to intervene in a squatting SNF. Therefore, CDPH needs the authority to deny an applicant from operating without a license, disqualify unfit facilities from being licensed, establish non-compliance fines, and provide the public an opportunity to comment.

## Where is AB 1502 in the legislative process?

AB 1502 recently passed the Assembly Floor and is awaiting committee assignment in the Senate. We expect AB 1502 will be assigned to the following committees: Sen Health and Sen Appropriations.



# AB 1130(Wood) California Health Care Quality & Affordability Act

## **What is AB 1130, and why do we need it?**

The California Alliance for Retired Americans (CARA), one of the state's foremost grassroots senior and disability advocacy organizations, representing over 1 million Californians, is proud to support AB 1130 (Wood), which establishes the Office of Health Care Affordability; designed to analyze health care market cost trends and drivers with the intention to direct state policy strategy to ensure affordability, quality and equity for health care consumers.

Older adults and Seniors comprise a significant base of the health care consumer population, which is projected to expand exponentially by 2030 - surpassing 20% of the total state population - yet health care costs are dramatically outpacing wage growth and cost of living adjustments to retirement income, if any, which exacerbate health care and access disparities for all Californians in our multi-payer, for-profit, health care system. Many older adults and Seniors often live on the fringes of poverty (near, at, or below the poverty line); do not work, or are surviving on fixed incomes. Health care costs are eviscerating what's left of their financial security. Moreover, according to the Committee for a Responsible Federal Budget, the Medicare Part A trust fund will run out of its reserve by 2026; the Social Security Old-Aged and Survivors Insurance trust fund will be depleted by 2033; and the Disability Insurance trust fund by 2057. The increased cost to Medicare enrollees for the standard Part B alone is nearly 15 percent for 2022. With the expansion of Medicare privatization, insurance companies are increasing their profits, while costs continue to escalate. Seniors face less consumer choice and unwarranted health care services denials. In fact, the 2018 Office of Inspector General reported that "CMS cited 56 percent of audited contracts for making inappropriate denials." This is wrong.

AB 1130 (Wood) implements a methodical, proactive, state strategy to develop cost containment measures to control rising health care costs. The creation of the Office of Health Care Affordability, designed to gather and analyze data/trends on health care consumption and cost drivers, with the implementation of the Health Care Affordability Board to synthesize and execute these recommendations, serves as the coordinated state effort our older adults, Seniors, and all Californians urgently need to ensure we advance equity, quality and opportunity in our health care.

Affording Seniors viable resources to age with grace, dignity and independence - such as establishing a state coordinated effort to ensure health care affordability - not only represent CARA's foundational principles but we believe will deliver a more equitable, accessible, and inclusive California for our aging community; AB 1130 (Wood) codifies these aspirations into law by establishing the Office of Health Care Affordability.

## **Where is AB 1130 in the legislative process?**

AB 1130 is in the second house of the legislative process and was recently assigned to the Senate Health committee. We expect the bill to be heard in mid to late March.



# SB 260 (Wiener) Corporate Climate Accountability Act

## What is SB 260, and why do we need it?

SB 260 will require large corporations (\$1 billion or more annual revenues) doing business in California to reveal greenhouse gas emissions resulting from their operations, the activities of their electricity suppliers, and the activities of their employees and supply chains.

SB 260 will reveal corporate climate impact to the public that will, in turn, incentivize those businesses to control their emissions. Over the longer term, it will allow regulators to establish greenhouse gas emission goals for those firms.

American businesses are already doing this so it won't impose new and unattainable burdens on businesses. These large businesses can influence other businesses in their supply chains to minimize emissions as well. It applies to firms located everywhere in the USA so it will not incentivize businesses to leave California. This is a practical and useful measure that will help California to combat the grave danger posed by greenhouse gas emissions so CARA strongly supports passing it.

The America's Health Rankings United Health Foundation, Public Health Impact: Air Pollution, Annual Report 2017-2019 lists California as the "Least-healthy State in our union." The C2ES, Center For Climate And Energy Solutions, reported that in 2020, five of the six largest fires on record burned in California and Oregon. The Sacramento Bee (9/22/2020) said five of its largest wildfires in history occurred in 2020. Climate change has proven to be an increasingly crucial component in the duration and risk of wildfires. Covid-19 has exacerbated health risks resulting from wildfires, air pollution and corporate emissions, putting the growing population of individuals with respiratory and cardiovascular health concerns at a greater risk.

## Where is SB 260 in the legislative process?

SB 260 recently passed the Senate Floor and is awaiting committee assignment in the Assembly. We expect SB 260 will be assigned to the following committees: Asm Environmental Safety, Asm Judiciary and Asm Appropriations.



# AB 2050 (Lee) Ellis Act Reform: Holding Period

## What is AB 2050, and why do we need it?

The Ellis Act was originally passed (SB 505, 1985) to protect small “mom and pop” landlords who could no longer tend to their rental property and allows property owners the opportunity to get out of the rental housing business without selling their property. When the Ellis Act passed, it was expected it would not be used very often since few landlords intend to keep their buildings vacant. For over a decade after the Ellis Act’s passage, it was rarely used.

However, a series of court decisions vastly expanded the Act’s reach. Instead of requiring units to sit vacant, courts held that owners could convert the rental units to ownership. This led to speculators buying buildings and then “going out of the rental housing business” soon after. Eviction notices to long-term tenants and the permanent removal of affordable rental units followed.

Since 2001, over 27,600 units in Los Angeles have been taken off the rental market using the Ellis Act. The loss of these rent-controlled units have displaced over 60,000 Los Angeles residents. In the Bay Area, over 5,400 households in San Francisco have been forced out of their homes, while in Berkeley, 457 units have been take off the rental market. During fiscal year 2019-20 alone, 10 units have been withdrawn in San Jose using the Ellis Act.

This has been devastating for the poor, renters and low-income families, and especially Seniors (many of whom live on fixed incomes) in California, fueled by the negative trend among investor groups, corporations and other profit-driven entities snatching up buildings and emptying them, and even outbidding families trying to buy homes.

AB 2050 would prohibit a property owner from removing a building from the market pursuant to the Ellis Act in rent control jurisdictions, unless all owners in the property have held their ownership interest for at least five years. This bill would put an end to the speculator evictions loophole, while exempting small ‘mom and pop’ landlords, who may qualify for an exemption.

## Where is AB 2050 in the legislative process?

AB 2050 faces a critical deadline in Assembly Appropriations: all fiscal bills in their house of origin must pass the Appropriations Committee by May 20th. While there is no date set for a hearing for AB 2050, we expect it will be heard in the coming weeks.



# SB 951(Durazo)

## Unemployment Insurance: contribution rates: Disability Insurance: Paid Family Leave: weekly benefit amount

### **What is SB 951 , and why do we OPPOSE this bill?**

The bill creating California's State Disability Insurance program (SDI) was sponsored by Labor and signed into law in 1945 by Governor Earl Warren. It is wholly funded by worker contributions and pays wage replacement benefits to workers who are unable to work due to non-occupational illnesses and injuries.

In 2002, SB 1661 (Kuehl) sponsored by the California Labor Federation and a variety of women's rights, civil rights, and community organizations, was signed into law. It created the nation's first Paid Family Leave (PFL) program which was incorporated into the SDI program and provided the same wage replacement benefits to workers to take time off from work to bond with children or to take care of close relatives who needed care.

Both programs have seen many improvements over time. Pregnancy leave became covered by SDI in the 1970's. The maximum duration of the benefit was increased from 39 to 52 weeks in 1983. Maximum weekly benefits were increased from time to time until they were finally indexed to the State Average Weekly Wage in 1999. All the while, the maximum amount of wages on which workers' contributions to pay for the benefits was increased to fund the better benefits. It currently stands at \$146,600 and is indexed to wage growth. In 2020, SDI paid out net benefits of \$8.5 billion, \$1.5 of which was paid for PFL. A total of 924,386 workers received benefits: 655,875 disabled workers and 268,511 caregiving workers.

The original bill creating PFL envisioned up to 12 weeks of benefits to be funded jointly by worker and employer contributions. Fierce employer opposition resulted in amendments to the bill limiting the benefit duration to 6 weeks and the funding to worker only contributions. The scope of PFL coverage has been expanded over the years to include caregiving for a broader range of people. Maximum duration was increased to 8 weeks.

Wage replacement rates were increased from 55% to 70% for very low wage workers and 60% for other workers effective in January 2018. Unfortunately the bill which accomplished this, AB 908 (Gomez) sunset the higher benefit levels at the end of 2021. The sunset was extended but only to the end of this year at which time the wage replacement levels for all beneficiaries will revert to 55%.

Therefore it is imperative both for economic security of both disabled and caregiving beneficiaries of the SDI system that the sunset on the increased benefits legislated in AB 908 be removed.

SB 951, when fully implemented, will increase the benefit levels for both PFL and disabled beneficiaries to replace 90% of wages for very low wage earners and 70% for all others. But after receiving 16 weeks of benefits, a disabled worker, whether a low or higher wage earner, would see their benefits drop to replace only 60% of their wage.

This would mean that many thousands of disabled workers would suffer from reduced benefits at a point when they need them more than ever. This makes no sense in any social insurance program, especially one funded solely by worker contributions. We would never accept this sort of benefit reduction in Workers' Compensation or Unemployment Insurance benefits. We certainly cannot accept it for SDI.

The bill must be amended to give the same benefits to disabled workers for the duration of their claims as it gives to caregiving workers for the duration of theirs.

### **Where is SB 951 in the legislative process?**

SB 951 is in the first house (Senate) of the legislative process and has been assigned to the Suspense File of the Senate Appropriations committee. It is unclear if the bill will be taken up in Committee before the May 20th deadline for Fiscal Bills to advance to the Floor.