

Submissions to the CSG Shared State Legislation Committee should be sent to staff at least eight weeks in advance of the next scheduled SSL committee meeting in order to be considered for that meeting's docket. Submissions received after this deadline will be held for a later meeting. The status of any item on this docket is listed as reported by the submitting state's legislative website or by telephone from state legislative service agencies and legislative libraries. **Abstracts of the legislation on CSG SSL dockets and in CSG SSL volumes are usually compiled from bill digests and state legislative staff analyses.**

CSG COMMITTEE ON
SHARED STATE LEGISLATION

2020 CYCLE
DOCKET BOOK B

July 19, 2019
Big Sky, Montana

This docket and referenced legislation may be downloaded from www.csg.org/ssl.

SSL PROCESS

With the goal of sharing innovations in state policy, the CSG Shared State Legislation (SSL) Committee identifies, curates and disseminates state legislation on topics of major interest to state leaders. Committee members include two state legislators and one state legislative staff person appointed from each member jurisdiction. No private-sector entities are permitted to serve on the CSG SSL Committee.

CSG SSL Committee members meet several times a year to consider legislation. The items chosen by the committee are published online at www.csg.org/ssl after every meeting and are then compiled into an annual CSG Shared State Legislation volume. The volumes are usually published in conjunction with the start of each year's state legislative sessions.

The consideration or dissemination of such legislation by the CSG SSL Committee does not constitute an endorsement nor will CSG advocate for the enactment of any such legislation in any member jurisdictions.

CSG SSL Committee members, other state officials, and their staff, CSG Associates and CSG staff may submit legislation directly to the committee. The committee also considers legislation from other sources, but only when that legislation is submitted through a state official. Other sources include public interest groups and members of the corporate community who are not CSG Associates.

It takes many bills or laws to fill the dockets of a one year-long SSL cycle. Items should be submitted to CSG at least eight weeks in advance to be considered for placement on the docket of a scheduled SSL meeting. Items submitted after that date are typically held for a later meeting.

Committee members prefer to consider legislation that has been enacted into law by at least one state. Legislation that addresses a single, specific topic is preferable to omnibus legislation that addresses a general topic or references many disparate parts of a state code. Occasionally, committee members will consider and adopt uniform or "model" legislation or an interstate compact. In this case, the committee strongly prefers to examine state legislation that enacts the uniform or model law, or interstate compact. **The CSG SSL Committee does not draft or create "model" legislation.**

In order to facilitate the selection and review process on any submitted legislation, it is particularly helpful to include information on the status of the legislation, an enumeration of other states with similar provisions, and any summaries or analyses of the legislation.

Legislation and accompanying materials may be submitted to the CSG Shared State Legislation Program, The Council of State Governments, 1776 Avenue of the States, Lexington, Kentucky 40511, (859) 244-8000, fax (859) 244-8001, or ssl@csg.org.

SSL CRITERIA

(1) Does this bill:

- a) Address a current state issue of national or regional significance;
- b) Provide a benefit to bill drafters; and
- c) Provide a clear, innovative and practical structure and approach?

(2) Did this legislation become law?

The word “Act” as used herein refers to both proposed and enacted legislation. Attempts are made to ensure that items presented to the CSG SSL Committee are the most recent versions. However, interested parties should contact the originating state for the ultimate disposition of any docket entry in question, including substitute bills and amendments. Furthermore, the SSL Committee does not guarantee that entries presented on its dockets or in a *CSG Shared State Legislation* volume represent the exact versions of those items as enacted into law, if applicable.

PRESENTATION OF DOCKET ENTRIES

Docket ID#
Title
State/source
Bill/Act

Summary: [These are typically excerpted from bill digests, committee summaries, and related materials which are contained in or accompany the legislation.]

Status: [Action taken on item in source state.]

Comment: [Contains references to other bills or information about the entry and issues the members should consider in referring the entry for publication in SSL. Space may also be used to note reaction to an item, instructions to staff, etc.]

Disposition of Entry: [Action taken on item by the SSL Committee.]

SSL Committee Meeting: Year A or B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff

*Item was deferred from the previous SSL cycle

SSL DOCKET CATEGORIES – 2020B and later

1. Agriculture
2. Commerce and Labor
3. Education
4. Energy
5. Environment
6. Government
7. Health
8. Justice
9. Technology
10. Transportation

**2020 SSL CYCLE
Docket 40B**

ITEM NO. TITLE OF ITEM UNDER CONSIDERATION SOURCE
(*) Indicates item is carried over from previous SSL cycle.

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01-40B-01 Modifies Provisions Relating to Agriculture
[SB 627](#)

Summary:

This bill prohibits misrepresenting a product as meat that is not derived from harvested production livestock or poultry.

Status: Enacted and effective on August 28, 2018.

Comments: From [NPR](#) (August 29, 2018)

Do most consumers know that imitation meat products like "ground beef style" veggie burgers don't actually contain beef? Lawmakers in Missouri say maybe not.

The state enacted a law Tuesday requiring that only products that come from slaughtered, once-breathing animals can be marketed as meat. Specifically, the law defines meat as something "derived from harvested production livestock or poultry." The law's proponents say it protects consumers by letting them know exactly what's in their product.

Under the law, plant-based products can't be labeled with descriptors such as "ground beef style" without incurring financial penalties or up to a year's worth of jail time. The measure had received overwhelming bipartisan support, and then-Gov. Eric Greitens signed it into law on June 1, his last day in office.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

01-40B-02 Socially Disadvantaged Farmers
[HB 4234](#)

Summary:

This bill ensure socially disadvantaged farmers and ranchers are included in food and agriculture laws.

Status: Signed by the governor on August 23, 2018.

Comments: From [The Pew Charitable Trusts](#) (April 1, 2019)

...Black farmers have long been discriminated against by lending institutions like the USDA. And with a limited population of growers, land, resources and sometimes access to the information networks that enable farmers to move quickly, they could be left behind again with hemp.

...At least two states — Illinois and California — have enacted a Farmer Equity Act in recent years to ensure socially disadvantaged farmers and ranchers are included in food and agriculture laws. States with programs to support minority-owned businesses, new and beginning farmers and other targeted groups, could potentially apply to commercial industrial hemp producers unless there are restrictions in place to exclude hemp production, according to the National Conference of State Legislatures...

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

02-40B-01 Modify Short-term, Small, and Mortgage Loan Laws
[HB 123](#)

Summary:

This bill caps the interest rate on lenders, the minimum duration of the loan is 91 days. If less than 91 days, total monthly repayment limit of 6 percent of monthly income.

Status: Enacted on October 29, 2018.

Comments: From [The Pew Charitable Trusts](#) (January 17, 2019)

For years, Ohio had the most expensive payday loans in the nation – lenders charged Ohio consumers up to four times more than they charged in other states. Borrowers who signed up for two weeks of credit were saddled with long-term high-cost debt.

Thanks to a bipartisan coalition, the state passed legislation in 2018 balancing the needs of borrowers and lenders. As other states grapple with how to appropriately govern the marketplace for small loans, Ohio’s approach holds promise for the 12 million Americans who use payday loans each year.

In this video, explore how unaffordable payday loans negatively affected the lives of Ohioans—and how the state passed landmark reforms that ensured access to affordable lower-cost credit and saved families more than \$75 million each year.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

02-40B-02 Continuing Education; Sexual Harassment Prevention Training
[HB 4953](#)

Summary:

Requires that any profession requiring continuing education shall include one hour of sexual harassment training.

Status: Enacted and will be effective January 1, 2020.

Comments: From the [Herscher Pilot](#) (December 31, 2018)

Sexual Harassment Training (HB 4953/PA 100- 0762): Provides that for professions that have continuing education requirements, the required continuing education hours shall include at least one hour of sexual harassment prevention training for license renewals occurring on or after January 1, 2020.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

02-40B-03 New Jersey Secure Choice Savings Program (Auto-IRA)
[A4134](#)

Summary:

Establishes a retirement savings program in the form of an automatic enrollment payroll deduction IRA for certain workers. The bill also establishes a standard 3 percent contribution level.

Status: Signed by the governor on March 28, 2019.

Comments: From [Investment News](#) (February 28, 2019)

...New Jersey's state Assembly passed a bill this week that would create the New Jersey Secure Choice Savings Program, an automatic-enrollment, payroll-deduction, individual retirement program, following a similar action in the state Senate last week. The bill is now on the desk of governor Phil Murphy, who is expected to sign it into law...

...New Jersey's auto-IRA program would be similar to others in California, Connecticut, Maryland, Illinois, Oregon, and Seattle, Wash. These programs require private-sector employers of a certain size to offer a retirement plan to their employees, whether a 401(k)-type plan or a state-facilitated auto-IRA. Employees would be automatically enrolled into the IRA program, whose record keeping and investment management functions are farmed out to private companies.

Programs in Oregon and Illinois are [currently enrolling employees](#), and California's is in a pilot phase.

New Jersey's program would require employers with 25 or more workers to participate. Workers would be automatically enrolled at a 3% contribution rate, but could opt out of the plan or change the rate...

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

02-40B-04 Green Mountain Secure Retirement Plan (MEP)
[S 135](#)

Summary:

Passed as part of an employment growth incentive program. The provision adopts and implements a voluntary Multiple Employer Plan (MEP) where employees contribute directly from their paychecks. The MEP is voluntary, and when a company chooses to participate, all of its workers are automatically enrolled. The MEP is administered by an oversight committee, which will include a member from the small business community and will design an "investment menu" with options for different investment goals. To be eligible for the MEP, employers must have 50 employees or fewer and cannot have an employee-sponsored retirement program already.

Status: Signed by the governor on June 8, 2017.

Comments: From [Plan Sponsor](#) (July 13, 2017)

Vermont Governor Phil Scott has signed an infrastructure bill that includes a provision directing the state to study and implement the Green Mountain Secure Retirement Plan, a voluntary retirement program for businesses with 50 or fewer employees.

According to text of the bill, the Green Mountain Secure Retirement Plan will be a multiple employer plan (MEP) that automatically enrolls employees while giving them the choice to opt out. The plan will be funded by employee contributions, with an option for future voluntary employer contributions.

A committee has been set up to develop recommendations for the design, creation and implementation of the plan, and has been tasked with reporting to the State General Assembly on or before January 15, 2018.

The bill says the state will implement the MEP on or before January 15, 2019. In a statement, Vermont State Treasurer Beth Pearce said, "Every Vermonter deserves an opportunity for a lifetime of financial wellbeing. The passage of this bill will allow the State to make substantive steps towards implementing a voluntary retirement program for Vermonters who currently lack access to employer-sponsored retirement plans. This program will broaden the opportunity for more Vermonters to be better prepared for retirement and in doing so strengthen the economic vitality of our State."

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

02-40B-05 Occupational Licensure Revisions
[HB 226](#)

Summary:

Modifies the Division of Occupational and Professional Licensing (DOPL). The bill defines "competency-based licensing requirement" as (A) a practical assessment of knowledge and skills that clearly demonstrate a person is prepared to engage in an occupation or profession regulated by this title, and which the director determines is at least as effective as a time-based licensing requirement at demonstrating proficiency and protecting the health and safety of the public, and (B) "Competency-based licensing requirement" may include any combination of training, experience, testing, or observation. This bill also allows the director of DOPL to implement competency-based licensing requirements under certain circumstances.

Status: Signed by the governor on March 22, 2019.

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

02-40B-06 Occupational Licensing; Reciprocity
[HB 2569](#)

Summary:

Specifies that a military spouse who accompanies an active duty member of the U.S. Armed Forces to a military installation in Arizona must be issued a license or certificate without an exam. This does not apply to licenses that require fingerprints for a background check. A license issued in this manner is only valid in Arizona and does not make a person eligible to be a part of an interstate compact.

Status: Signed by the governor on April 10, 2019.

Comments: From the [Office of the Governor](#) (April 4, 2019)

The Arizona Senate today passed with bipartisan support HB 2569, legislation to remove barriers to work for those who move here. Sponsored by Representative Warren Petersen, the bill would make Arizona the first state in the nation to allow for such broad recognition of out-of-state licenses and was a priority the governor acknowledged in his State of the State address.

With bipartisan passage in both the House and Senate the bill now heads to the governor's desk for signature.

"We've heard too many stories of licensed, experienced professionals denied the opportunity to work upon moving to Arizona," said Governor Ducey. "With this first-in-the-nation reform, Arizonans who have recently moved here will be able to put their skills to work faster and without all the red tape. I thank Representative Petersen for his leadership and for sponsoring the bill and members of the House and Senate for their bipartisan support."

"For qualified professionals who move to our state looking to work, let's get government out of the way and let them get to work. I'm proud to have introduced this important legislation to help put Arizonans to work and I thank my colleagues for their support to pass this bill," said Representative Petersen. "We look forward to Governor Ducey's signature on this bill."

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

02-40B-07 Collective Bargaining Freedom Act
[SB 1474](#)

Summary:

Bipartisan legislation that protects the right of employers, employees, and their labor organizations to collectively bargain and ensuring that the State of Illinois complies with the National Labor Relations Act.

Status: Signed by the governor on April 12, 2019.

Comments: From the [Office of the Governor](#) (April 12, 2019)

Making good on his promise to put Springfield back on the side of working families, Gov. JB Pritzker signed the Collective Bargaining Freedom Act (SB 1474), protecting the right of employers, employees, and their labor organizations to collectively bargain and ensuring that the State of Illinois complies with the National Labor Relations Act.

In 2015, the Village of Lincolnshire passed a so-called right-to-work ordinance that has since been stuck down by the U.S. District Court in January 2017 and U.S. Appeals Court in September 2018, respectively. The bipartisan legislation was passed in the House with a vote of 101-8-0 and the Senate concurred with a vote of 51-0-0.

The following are the governor's remarks as prepared for delivery:

Thank you to Senator Ram Villivalam and Representative Yednock for your leadership on this bill. And thank you to the overwhelming bipartisan majority of legislators who joined together to vote for this legislation.

Thank you to our hard-working labor leaders and members for their advocacy here. And I also want to acknowledge Mike Kleinik, our acting Director of the Department of Labor, who is working hard every day to make sure we live up to our obligation to working families.

This legislation makes it abundantly clear that we are turning the page here in Illinois. No longer will we be divided by false choices and misplaced blame. This is a time when we can and will take bipartisan action to lift up working families.

The collective bargaining Freedom Act ensures that Illinois and all of its communities will never be a Right to Work state.

From the start, Right to Work was an idea cooked up by radical forces to lower wages, slash benefits, and hurt our working families.

Right to Work has always meant right to work for less money and there is just no place for that in Illinois.

This is a state where workers have the right to come together and negotiate a better deal. This is a state that listens when workers raise their voice for fair wages, good benefits, and safe working conditions. This is a state where working families can thrive.

Since day one of my administration, I have focused on living up to our promise to put Springfield back on the side of working families.

I signed an executive order restoring project labor agreements, I signed another fighting wage theft and day labor exploitations, and I signed legislation enforcing prevailing wage.

In February, we moved forward with historic legislation to raise the minimum wage to \$15 an hour.

After nearly a decade, 1.4 million Illinoisans will soon be taking home more money to their families after a hard day's work.

And just this week, we introduced language for a constitutional amendment to bring a fair tax to Illinois.

As I've said, it is wrong that I would pay the same tax rate as someone earning \$100,000 - or someone earning \$30,000. It's time for the wealthy to pay more and the middle class and those striving to get there to pay less. That's what the fair tax will do.

Under this plan, anyone making \$250,000 or less will pay the same or less, while only 3% of the people in our state pay more.

It's no secret that we face real fiscal challenges in the state of Illinois. But I will never be a governor who seeks to balance our budget on the backs of working families. I will be a governor who puts middle class families first.

I want this administration to be judged by the work we do to lift up working families and help every single Illinoisan thrive.

We're taking another step in that direction with today's legislation - a law that not only is the right thing to do, but that will also ensure that the state of Illinois is following the National Labor Relations Act.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

02-40B-08 An Act to Regulate Telecommunications Service Providers and Third-Party Spoofing Providers
[SB 514](#)

Summary:

Raises the penalty for spoofing (falsifying a robocaller's information, such as using a local phone number prefix or a personal name, that is displayed on caller identification to disguise their identity and increase the likelihood the recipient will answer the call) from a Class B misdemeanor to a Class D felony, which is punishable by up to six years in prison and a fine of up to \$10,000. The bill also puts the onus on telecommunication companies to implement preventative measures to stop the illegal practice by requiring an annual report to the Arkansas Public Service Commission detailing the steps taken to identify and block the robocall perpetrators.

Status: Signed by the governor on April 3, 2019.

Comments: From the [Arkansas Democrat Gazette](#) (March 26, 2019)

Robocallers and spammers who "spoof" -- display a familiar-looking number to trick phone owners into answering -- would be charged with a felony under a bill that unanimously passed in the Senate on Monday.

Senate Bill 514 -- sponsored by Sen. Jonathan Dismang, R-Searcy, and Rep. Clint Penzo, R-Springdale -- was initiated by Arkansas Attorney General Leslie Rutledge.

"I am thrilled that the Senate passed the bill unanimously and look forward to a similar vote in the House," Rutledge said in an emailed statement. "We must work together regardless of political party to solve problems affecting all Arkansans."

SB514 would raise the penalty for spoofing from a Class B misdemeanor to a Class D felony, which is punishable by up to six years in prison and a fine up to \$10,000.

Spoofing is when a caller falsifies information, such as using a local phone number prefix or a personal name, that is displayed on caller identification to disguise their identity and increase the likelihood that the recipient will answer the call, according to the Federal Communications Commission website. The tactic is often used by those with fraudulent motives as a way to get personal financial information, the website said.

The response in the Senate was jovial as Dismang presented the bill. Laughter broke out on the Senate floor when President Pro Tempore Jim Hendren, R-Sulphur Springs, asked if it was "true that this is the most popular bill of the session?"

Sen. Mark Johnson, D-Little Rock, said his wife told him not to come home if he didn't vote for the bill.

Johnson then asked Dismang how out-of-state or out-of-country scammers could be reached for prosecution.

"A problem for the attorney general's office is — and you guys have probably experienced it if you've made a phone call in — is that it's impossible to trace those back at this point," Dismang said. "We're hoping that with the utilization of new technologies, we'll be able to do some of those tracebacks and actually prosecute those individuals making those phone calls."

Rutledge said in a Feb. 10 guest column in the *Arkansas Democrat-Gazette* that "the sheer volume of spoofed robocalls originating out of country turns efforts to identify the source into a perpetual game of whack-a-mole as different phone numbers are continuously used."

SB514 would also put the onus on telecommunication companies to implement preventative measures to stop the illegal practice by requiring an annual report to the Arkansas Public Service Commission detailing the steps taken to identify and block the robocall perpetrators.

"The PSC would then take all that information, compile it then, hopefully, one of the outcomes will be best practices that can later on can be adopted here in the state," Dismang said.

Dale Ingram, spokesman for AT&T, declined to comment when asked about the possible impact of the bill.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

02-40B-09 An Act to Amend the Indiana Code Concerning Professions and Occupations
[SB 158](#)

Summary:

Relating to scleral tattooing. Defines "scleral tattooing." Prohibits the act of performing or offering to perform scleral tattooing. Provides an exception for the act of a licensed health care professional when the act is performed in the scope of the health care professional's practice

Status: Effective on July 1, 2018.

Comments: From the [Associated Press via RTV6](#) (March 13, 2018)

INDIANAPOLIS (AP) — Indiana Gov. Eric Holcomb has signed a bill into law that effectively bans the practice of eyeball tattooing.

The measure signed Tuesday will take effect at the beginning of July and was sponsored by Republican Indianapolis Sen. John Ruckelshaus. He proposed it after a flurry of news reports last fall about a Canadian model who had major complications from getting her eyes tattooed purple.

Tattooists will be prohibited under the law from coloring the whites of an individual's eyes. An exception would be made for procedures done by licensed health care professionals. The bill imposes a fine of up to \$10,000 per violation.

Oklahoma is the only other state with a similar law.

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

02-40B-10 An Act Relating to Data Brokers and Consumer Protection
[H 764](#)

Summary:

Adopts consumer protection provisions relating to data brokers, including creating a new set of definitions, requiring annual registration, requiring a data security program, and requiring further study of related issues by the Attorney General.

Status: Enacted without the governor's signature on May 22, 2018.

Comments: From [Gizmodo](#) (May 27, 2018)

Earlier this week, Vermont became the first state in the nation to enact a law that will regulate data brokers that buy and sell personal information in an attempt to add a new layer of accountability to the massive, data-trading companies that often operate without much oversight.

As TechCrunch noted, under the guidelines of the bill—which passed into law Tuesday without the signature of Republican Governor Phil Scott—data brokers will have to pay a \$100 annual fee to register with the state, and will have to comply with new rules meant to protect Vermonters from suffering at the hands of another data breach like the one that befell Equifax last year and exposed the data of 145 million (and counting) Americans.

Once data brokers register with the state, they will find themselves exposed to new scrutiny. Vermont will require the brokers to better inform consumers on the data they collect and provide clear instructions for opting out when that option is available. It will also establish new security standards that the companies will be expected to live up to. When data brokers fail to meet those standards or suffer from a breach, they will be required to notify authorities of the incident—something they have inexplicably not been required to do in the past. State regulators will also be able to keep tabs on the companies and if they catch them using data for criminal purposes such as fraud, the state can take action against them.

(In 2015, a data broker was discovered to be collecting financial information from payday loan applicants and selling it to scammers who stole money from the borrowers by debiting their bank accounts and charging their credit cards, so having a mechanism to punish that type of behavior is pretty important.)

Vermont lawmakers snuck in a little benefit for its residents that will remove the \$10 fee required to freeze credit reports and \$5 fee required to lift the freeze. Those will be eliminated, and credit reporting bureaus like Equifax, Experian, and Transunion will have to allow Vermonters to control their accounts without charging.

The law also takes a very broad approach to defining data broker, which could open up a number of companies that make their bones in the data trade to new examinations of their business practices:

“Data broker” means a business, or unit or units of a business, separately or together, that knowingly collects and sells or licenses to third parties the brokered personal information of a consumer with whom the business does not have a direct relationship. Vermont Attorney General TJ Donovan lent his support to the law, saying in a statement that it “slashes fees, helps stop fraudsters, and promotes transparency.” According to Donovan, it will save residents of the state money as well as give them “information and tools to help them keep their personal information secure.”

Governor Scott did share that excitement about the bill and warned lawmakers that he may veto it because it imposed a new fee on data brokers, which he apparently felt violated his pledge not to impose new taxes or costs on Vermonters. (The bill saves citizens of Vermont money by waiving credit freeze fees and requires companies to pay to register within the state, but whatever.) Scott allowed the bill to pass into law but did not lend his signature to it.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

02-40B-11 Barbering Pilot Program; Allows Hairstylists to Work While Waiting for a License
[A 3443](#)

Summary:

Creates a three-year pilot program in Passaic County to allow experienced barbers and hairstylists to work while waiting for a New Jersey license.

Status: Approved by the governor on January 31, 2019.

Comments: From [Parsippany Focus](#) (February 1, 2019)

PARSIPPANY — A bill sponsored by Assemblywoman BettyLou DeCroce creating a three-year pilot program in Passaic County to allow experienced barbers and hairstylists to work while waiting for a New Jersey license is now law.

“It’s unreasonable to prevent experienced professionals from earning a living just because they come from out of state or another country,” said DeCroce (R-Morris). “As long as they meet state standards they should be able to pursue their livelihood. This pilot program will show us if we should implement such a law statewide.”

The bill (A3443) is in response to concerns expressed by Passaic Mayor Hector Lora who said local immigrant barbers are not allowed to work while waiting for a state license, according to an article in the Bergen Record.

Prior to the new law, experienced barbers and hairstylists licensed in another state or another country had to apply for a license from the New Jersey Board of Cosmetology and pay a \$100 application fee and a \$39 written exam fee. Board approval can take up to six months. If the licensing standards of the home state or country did not meet state standards, experienced barbers had to take courses costing \$12,000.

The state Board of Cosmetology and Hairstyling will evaluate the program and make recommendations to the governor and Legislature.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

02-40B-12 An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law
[SB 69](#)

Summary:

By expressly allowing a corporation to have its records “administered by or on [its] behalf” (rather than “maintained by the corporation,” as previously required by the statute), the newly enacted legislation recognizes that a stock ledger does not need to be administered directly by an individual, i.e., a corporate officer or a transfer agent, and therefore enables the use of blockchain technology for the creation and administration of corporate records.

Status: Signed by the governor on July 21, 2017 and effective on August 1, 2017.

Comments: From [Morrison Foerster](#) (July 27, 2017)

On July 21, 2017, following last June’s announcement that the Delaware House of Representatives had passed (with near unanimity) blockchain-related provisions proposing to amend several sections of the Delaware General Corporation Law (DGCL), the Delaware Governor officially signed the legislation into law.

The newly enacted legislation provides, among other things, specific statutory authority for Delaware corporations to use “distributed electronic networks or databases,” aka distributed ledgers or blockchain technology, for the creation and maintenance of corporate records, including the corporations’ stock ledger.

1. The Use of Blockchain Technology for the Creation and Administration of Corporate Records

Section 219(c) of the DGCL provides that a stock ledger of a Delaware corporation is the only evidence of the identity of stockholders of the corporation who are entitled to inspect the list of stockholders and to vote at meetings.

Until now, under current recordkeeping practice, the stock ledger of a corporation could only be created and maintained by a corporate secretary or a corporation’s transfer agent. Often, a stock ledger consists of a capitalization table, i.e., electronically encoded data on a computer program like Microsoft Excel, which is producible in printed form.

Whenever a corporation issues new shares or whenever shares are transferred among stockholders, the individuals in charge of a corporation’s records must update the stock ledger. However, manually recording an issuance or a transfer of shares is a time-consuming task which is also, by definition, susceptible to human error and uncertainty.

Section 224 of the DGCL used to authorize a corporation to “maintain” its stock ledger on, by means of, or in the form of any “information storage device” or “method” subject to specified requirements. However, Section 224 of the DGCL did not specifically allow that such information storage device or method might include the use of distributed ledgers or blockchain technology. The newly enacted legislation clarifies the statutory requirements for the form of corporate records under Delaware law.

As amended, Section 219(c) defines “stock ledger” as “one or more records administered by or on behalf of the corporation in which the names of all of the corporation’s stockholders of record, the address and number of shares registered in the name of each such stockholder, and all issuances and transfers of stock of the corporation are recorded in accordance with Section 224 of the DGCL”.

By expressly allowing a corporation to have its records “administered by or on [its] behalf” (rather than “maintained by the corporation,” as previously required by the statute), the newly enacted legislation recognizes that a stock ledger does not need to be administered directly by an individual, i.e., a corporate officer or a transfer agent, and therefore enables the use of blockchain technology for the creation and administration of corporate records.

In addition, Section 224 of the DGCL, as amended, includes specific language recognizing the use of blockchain technology as a permissible method for creating and administering corporate records.

Section 224 of the DGCL, as amended, provides that any records “administered by or on behalf of the corporation [...]” may be kept on, by means of, or in the form of, any information storage device or method, “or one or more electronic networks or databases (including one or more distributed electronic networks or databases), provided that the records so kept can be converted into clearly legible paper form within a reasonable time and, with respect to the stock ledger, that the records so kept”: (i) can be used to prepare the list of stockholders specified in Sections 219 (stockholder meetings) and 220 (inspection of books and records) of the DGCL; (ii) record the information specified in Sections 156 (partly paid shares), 159 (collateral transfer), 217(a) (voting rights of fiduciaries, pledgors and joint owners of stock), and 218 (voting trusts and other voting agreements) of the DGCL; and (iii) record transfers of stock as governed by Article 8 of the Delaware Uniform Commercial Code.

According to Section 224 of the DGCL, as amended, when records are kept in such manner, a clearly legible paper form “prepared” from or by means of the “information storage device”, “method, or one or more electronic networks or databases (including one or more distributed electronic networks or databases)” shall be valid and admissible in evidence, and accepted for all other purposes, to the same extent as an original paper record of the same information would have been, provided that the paper form accurately portrays the record.

2. The Use of Blockchain Technology for the Electronic Transmission of Stockholders' Communications

In conjunction with the newly enacted fundamental changes in the way that Delaware corporations can create and administer their corporate records, amendments to Sections 151, 202, and 364 of the DGCL were enacted to clarify that the written notices required by those sections may be given by "electronic transmission" through the use of blockchain technology.

In particular, Section 232 of the DGCL was amended to clarify that the definition of "electronic transmission" for purposes of the DGCL includes "the use of, or participation in, one or more electronic networks or databases (including one or more distributed electronic networks or databases) that creates a record that may be retained, retrieved and reviewed by a recipient thereof, and that may be directly reproduced in paper form by such a recipient through an automated process."

In addition, Sections 151(f), 202(a), and 364 of the DGCL were amended to explicitly permit delivery of certain notices by electronic transmission (including via a distributed ledger) to a holder of uncertificated shares. As a result, notices by electronic transmission under Delaware law could be given by means of a distributed ledger.

The newly enacted legislation puts the State of Delaware, once again, at the forefront of corporate law by welcoming and accommodating groundbreaking and innovative technologies like blockchain, and by doing so, it may facilitate the modernization of our equity infrastructure, which is still centered on the 1970s policy of share immobilization through a depository system and centralized ledgers.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

02-40B-13 Empower Independent Contractors Act
[HB 1095](#)

Summary:

Creates the Empower Independent Contractors Act. The Act reforms the definition of “employment” under the Employment Security Act to further define classification as an employee or an independent contractor under state law. According to the Act, services are employment if the services are performed by an individual in an employer-employee relationship using the 20-factor “common-law” test used by the Internal Revenue Service in Revenue Ruling 87-41, 1987-1 C.B. 296.

Status: Sent to the governor for signature on May 7, 2019.

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

02-40B-14 Workers' Compensation Benefits
[A09006](#)

Summary:

This bill provides employees with wages during time away from their job in order to bond with a child, care for a close relative with a serious health condition, or to help relieve family pressures when someone is called to active military service.

Status: Signed by the governor on April 4, 2016 as part of a budget bill.

Comments: From the Office of the Governor (February 22, 2017)

Governor Andrew M. Cuomo today announced that the state has filed regulations for the implementation of New York's paid family leave program, the most comprehensive paid family leave program in the nation. The new regulations provide guidance to employers, insurance carriers and employees about their rights and responsibilities under the law. New York's Paid Family Leave Law will provide for 12 weeks of paid leave when fully phased-in for employees who seek to take care for a new child, a close relative with a serious health condition or relieve the pressures created when a family member is called to active military service.

The Governor launched a new helpline (844) 337-6303 and a new website to answer questions and provide New Yorkers with more information about the new program. The state also issued a Request for Information to solicit information from potential vendors and develop a leave plan for state employees. The new policy will be phased in over a four-year period, beginning on January 1, 2018.

"New York enacted the strongest paid family leave plan in the nation to ensure that no one has to choose between losing a job and missing the birth of a child or being able to spend time with a loved one in their final days," Governor Cuomo said. "This program is about restoring basic dignity for hardworking men and women and I am proud that New York is continuing to lead the country forward in the march toward economic justice."

Paid Family Leave Regulations

Beginning January 1, 2018, the state's paid family leave program will provide employees with wage replacement during time away from their job in order to bond with a child, care for a close relative with a serious health condition, or to help relieve family pressures when someone is called to active military service. Employees are also entitled to be reinstated to their job when their leave ends, as well as the continuation of their health insurance.

The regulations filed today provide regulatory guidance to employers, insurance carriers, and employees to clarify their rights and responsibilities under the program so

that they can plan accordingly when the new law goes into effect. The regulations also address eligibility, coverage, the phase-in schedule of the new program, and more information on how employees, employers, and insurance carriers will interact to pay out benefits. The full Workers Compensation Board regulations are available [here](#). DFS regulations for insurance companies are available [here](#).

Eligibility: To be eligible for paid family leave, employees must have been employed full-time for 26 weeks or part-time for 175 days by a covered employer, at the time they apply for benefits.

Employees eligible for paid family leave include:

- New parents during the first 12 months following the birth or adoption of a child;
- Employees caring for a sick child, parent, or grandparent;
- Employees with a spouse, child, domestic partner or parent who has been notified of an order of active military duty;
- Non-citizens who are covered by an employer for the mandatory 26-week period.

To be eligible, employees must present certification from a health care provider treating the family member. For adoption and foster care of child, documentation is also required.

When fully phased-in, employees will be eligible to receive 67 percent of their salary during their 12 weeks of leave. If their weekly earnings are greater than the state average weekly wage, their earnings during their leave period will be capped at 67 percent of the state average weekly wage level.

New York State’s paid family leave program marks a pivotal step in the pursuit of equality and dignity in both the workplace and the home. New York’s paid family leave policy serves as a model for other states and the nation.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

02-40B-15 Employee Substance Abuse Treatment
[HB 1007](#)

Summary:

The legislation permits (does not require) employers to offer employees who fail drug screenings an opportunity to retain employment if they participate in drug education and addiction treatment programs. If the employee stays in the treatment program and if the employee tests negative they can keep their job. In addition, if the employer complies with the requirements in the legislation, the employer is not liable for a civil action alleging negligent hiring for a negligent action by the employee as a result of the employee's drug addiction in the scope of employment. Further, the employer's participation in a drug education or addiction treatment program is not admissible as evidence in a civil action.

Status: Signed by the governor on March 22, 2018.

Comments: From SEED

This Indiana law was referred to in a recent speech by Secretary of Labor Acosta.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

02-40B-16 Workforce Development Board
[AB 2915](#)

Summary:

Under the legislation, the Unemployment Insurance Code is amended by directing the California Workforce Development Board to assist the Governor in the development of strategies to support the use of career pathways for the purpose of providing individuals, including low-skilled adults, youth, and individuals with barriers to employment, and including individuals with disabilities, with workforce investment activities, education, and supportive services to enter or retain employment. To the extent permissible under state and federal laws, these policies and strategies should support linkages between kindergarten and grades 1 to 12, inclusive, and community college educational systems in order to help secure educational and career advancement. These policies and strategies may be implemented using a sector strategies framework and should ultimately lead to placement in a job providing economic security or job placement in an entry-level job that has a well-articulated career pathway or career ladder to a job providing economic security.

Status: Signed by the governor on September 23, 2018.

Comments: From SEED

Establishes public policy for the State that includes a strategic framework that provides for a well-articulated career pathway or career ladder to a job providing economic security.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

03-40B-01 STEM Career Awareness Program
[HB 3](#)

Summary:

Expands STEM and computer science opportunities for K-12 students through new programs, academic standards and funding mechanisms.

Status: Approved by the governor on October 31, 2018.

Comments: From the [News Tribune](#) (October 31, 2018)

The next steps after Gov. Mike Parson signed a bill Tuesday to expand science, technology, engineering and math opportunities will be to clarify whether the Missouri K-12 education department has spending authority over one of the established programs, and train teachers in computer science academics.

Parson signed House Bill 3 into law Tuesday at ceremonies in St. Louis and Poplar Bluff, after he called a special legislative session this fall in part to get the bill passed — after he had vetoed an earlier Senate version that had been passed with broad support. Rep. Travis Fitzwater, R-Holts Summit, sponsored House Bill 3 and spearheaded earlier versions of the bill.

"If we want to see long-term economic prosperity for our state, it's critical that we develop a well-trained workforce that is ready and willing to fill jobs in the fastest growing fields of science, technology, engineering and mathematics," Fitzwater said in a news release from the governor's office.

His bill expands STEM and computer science opportunities for K-12 students through new programs, academic standards and funding mechanisms:

A "STEM Career Awareness Program" for middle school students — Missouri's Department of Elementary and Secondary Education has until Jan. 1, 2019, to solicit proposals for the online program's provider, and must select a provider by March 1. A state treasury fund set up for the program will collect appropriations from state government, as well as public and private donations.

DESE has until July 1, 2019, to develop a high school graduation policy that will allow students to substitute one unit of science, math or practical arts academic credit for a computer science course. Practical arts refers to courses such as agriculture or business.

DESE shall also convene a work group to develop "rigorous academic performance standards" for computer science for K-12 students, and the State Board of Education shall adopt and implement computer science standards for the 2019-20 school year.

Also, before July 1, DESE shall develop a way for teachers who demonstrate enough knowledge in computer science to receive a special computer science endorsement on his or her license.

Another state treasury fund called the "Computer Science Education Fund" for state appropriations and donations will support teacher professional development programs for computer science through grants.

The most recent fiscal note on House Bill 3 shows the Oversight Division of the Committee on Legislative Research was not sure whether DESE had the authority to pay for the online STEM Career Awareness Program.

An appropriation bill had allowed for \$250,000 of general state revenue to be spent, pursuant to House Bill 1623 and Senate Bill 894 — the earlier versions of the content of House Bill 3. House Bill 1623 did not pass in the spring legislative session, though, and Senate Bill 894 is the version that Parson had vetoed, so it's not immediately clear if the earlier bills' spending power transferred over to the new House Bill 3.

Fitzwater and Nancy Bowles, DESE's communications coordinator, said DESE has sent a letter to the governor's office, asking for clarification on the issue. Bowles confirmed the letter was sent recently, if not Tuesday.

Bowles said DESE is working with the Office of Administration on a proposal solicitation document, adding "They are reportedly close to having the (document) ready to submit in time to meet the Jan. 1 deadline" for the online program.

Fitzwater said that beyond securing mechanisms for funding, once DESE has computer science academic standards in place, it will be important to get teachers trained. There are not any specific goals or timelines in the bill about progress markers, such as how many school districts might be desired to have a certain percent of students to have taken computer science by graduation by a certain date, but Fitzwater said, "As soon as possible, we'd (like to) have the broadest access possible." Bowles said the change in high school graduation policy to allow for students to take a computer science credit would be a simple process — "DESE will simply update the graduation handbook."

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

03-40B-02 Mental Health Education
[HB 1604](#)

Summary:

Requires the inclusion of mental health education as part of physical and health education in public elementary, middle and high schools.

Status: Approved by the governor on March 19, 2018.

Comments: From [Multibriefs: Exclusive](#) (January 2, 2019)

The Centers for Disease Control and Prevention reported that more than 47,000 Americans killed themselves in 2017. The suicide rate has climbed 33 percent in the last two decades and lowered U.S. life expectancy. Suicide is now considered a public health emergency; it is the 10th leading cause of death in the U.S.

Additionally, a Vanderbilt University study reported that between 2007 and 2014 suicides among preteens have doubled in number, while hospital admissions for students between 5-17 years of age with suicidal thoughts increased. Experts state that an overwhelming majority of our youth who commit suicide, over 90 percent, suffer from depression or other diagnosable forms of mental illness. Students who have some kind of mental illness are less likely to succeed in school as well. With such ominous statistics staring us in the face, it is high time we have straight talk with our children about mental health.

New York and Virginia have become the first states to mandate that schools include mental health education in their curriculums. It is a step in the right direction, and other states should follow suit.

...Virginia's law, enacted in fall, mandates mental health education for the first two years of high school. Even though it does not address younger children, it is still touching the crucial time in the lives of teenagers.

According to Mental Health America, 11 percent of youth ages 12 to 17 reported experiencing at least one major depressive episode in 2017. These new education requirements will open up a dialogue about mental health and hopefully combat the stigma around the topic.

In both states, the boards of education will work in tandem with mental health experts to incorporate core concepts into the mental health curriculum. The updated education standards will show students how mental health is related to substance abuse and other negative coping behaviors.

It is important to know and recognize the multiple dimensions of health, which include not just mental health but its relation to physical well-being.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

03-40B-03 Concerning Education Training; Mental Health Awareness
[HB 4658](#)

Summary:

Requires in service training of administrators (rather than school guidance counselors, teachers, school social workers, and other school personnel) who work with K-12 to identify signs of mental illness and suicidal behavior in youths.

Status: Effective January 1, 2019.

Comments: From the [Mendota Reporter](#) (December 26, 2018)

Mental Health Awareness (HB 4658/PA 100- 0903): Requires licensed school personnel and administrators who work with grades K-12 to be trained, once every two years, to identify the warning signs of mental illness and suicidal behavior in youth and be taught appropriate intervention and referral techniques.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

03-40B-04 School Meal Programs
[HF 2467](#)

Summary:

Prevents schools from drawing attention to students with outstanding meal account debts.

Status: Enacted on April 17, 2018.

Comments: From the [Des Moines Register](#) (April 17, 2018)

Iowa school children could not be publicly shamed or stigmatized if they don't have money to pay for lunches under a bill signed into law Tuesday by Gov. Kim Reynolds.

House File 2467 requires school districts to provide information twice annually to all parents and guardians regarding the application process for free and reduced meals, and additionally if a student owes lunch debt for five or more meals.

This legislation also encourages school districts to provide a reimbursable meal to any student requesting it; and it makes provisions prohibiting schools from publicly identifying students with lunch debt.

In addition, the bill allows school districts to create an unpaid student meals account into which they may deposit moneys received from outside sources to pay student meal debt. It also requires the Iowa Department of Education to work with school districts on creating a model of best practices.

Legislative analysts estimated that full-price breakfasts cost \$1.50 per meal; full-price lunches cost \$2.75 per meal. However, these costs will vary by school district.

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

03-40B-05 An Act Assisting Students Without Legal Immigration Status with the Cost of College
[SB 4](#)

Summary:

Makes undocumented immigrants eligible for financial aid at state-run colleges and universities. First state in the East Coast to do this, which provides undocumented students with the same access to student loans, grants, and scholarships that are available to U.S. citizen and lawful permanent resident students.

Status: Signed by the governor on April 27, 2018

Comments: From the [Office of the Governor](#) (April 27, 2018)

Gov. Dannel P. Malloy today signed into law legislation allowing undocumented students who attend Connecticut public colleges and universities the opportunity to qualify for the state's system of financial aid. Previously, state law denied access to the financial aid system for these students, despite the fact that they were required to pay into it through their existing tuition.

When he signed the bill, the governor explained that changing the law is not only the fair thing to do, but it also better prepares the state to compete in the global economy by ensuring that Connecticut's workforce remains among the best educated and most skilled in the country.

"In Connecticut, we pride ourselves on not only our commitment to education but also our history of compassion, fairness, and equality," Malloy said. "The bottom line of what we are doing here is not controversial – it allows students who are already attending our colleges and universities and already paying into our financial aid system with the ability to access that very system for which they are currently ineligible through no fault of their own. We are talking about young people whose dream is to seek higher education, work here and contribute to our state's economy. Connecticut's workforce is second-to-none, and by increasing access to post-secondary education we are telling employers and businesses across our globe that we have the labor force to fill the jobs of tomorrow."

The legislation is Senate Bill 4, An Act Assisting Students Without Legal Immigration Status with the Cost of College. It passed both the House and the Senate with broad, bipartisan support. It took effect immediately upon receiving the Governor's signature.

"Dreamers should absolutely be able to participate in the financial aid system that they contribute to – it's a matter of basic fairness, and it's an important part of building an educated workforce," Lt. Governor Nancy Wyman said. "We are a nation built by immigrants just like the Dreamers. Men and women who are informed and engaged in

our communities, who work hard, and who love this nation. Connecticut proudly ensures these young people who have called the U.S. home for most of their lives have the same opportunity to build a strong future as everyone else.”

State tax dollars are not used for the financial aid system – it is funded through a need and merit-based pool that students attending the schools are required to pay into through their tuition. Federal Pell grants and state aid provided through the Roberta Willis Scholarship will still be unavailable to this group of students.

The legislation builds upon a law that Malloy signed in 2011 (and expanded in 2015) permitting undocumented students who were raised and educated in Connecticut with the ability to pay in-state tuition rates for the state’s colleges and universities. Those rates are extended only to those who have completed at least two years of high school within the state, where they also must have graduated or earned an equivalent diploma.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

03-40B-06 An Act to Amend Title 14 of the Delaware Code Relating to School Funding Transparency
[SB 172](#)

Summary:

Establish a statewide approach for districts and charter schools for reporting expenditures at the school level and the school's share of central office expenditures so per-pupil expenditure data is consistent and comparable across the state. It will improve accessibility and transparency of important school finance information, allowing parents to know what their school is spending on and how it's supporting students; board members and school leaders can make better, data-driven decisions; and schools and districts can learn from each other.

Status: Signed by the governor on August 29, 2018

Comments: From [WGMD](#) (August 29, 2018)

Delaware parents, taxpayers, and lawmakers will have an easier time understanding local school spending under legislation signed into law today by Gov. John Carney.

Senate Bill 172 creates a framework of uniform, statewide reporting standards for building-level expenditures in Delaware's public and charter schools, which the bill's prime sponsor says could be the difference between good and bad education policy.

"This bill isn't just about data," said Sen. David Sokola, D-Newark, who chairs the Senate Education Committee. "It's about closing the achievement gap; it's about student success; it's about equal opportunity; and it's about good policy. Everyone believes in transparency, but the devil's always in the details. For a legislator, data can be the difference between solving problems and flying blind, but all the data in the world is useless if nobody can understand it. Adding consistency and context to our spending reports equips everyone – legislators, parents, and taxpayers alike – to understand how we're investing in our schools and what our students need."

The federal Every Student Succeeds Act (ESSA) requires states to report per-pupil expenditures at the school level. While reliable spending data is already available at the district level, Delaware's school-level spending data is considerably murkier.

Any two Delaware schools might use completely different expense codes and formatting, which complicates efforts to compare school spending, to measure the impact of spending on student growth, or to identify inequities.

These discrepancies stifle transparency, obscure information on the equity and quality of Delaware's education system, and obstruct policymakers and budget officials from making more strategic investments in education.

"We have a duty to keep improving the access and quality of education for Delaware's kids, and increasing transparency for education funding will help us in decision-making and policy implementation," said House sponsor Rep. Earl Jaques, D-Glasgow, who chairs the House Education Committee. "Now with Governor Carney's signature, this comprehensive information will be accessible to parents, taxpayers and schools so Delawareans can clearly see how we spend our education dollars."

SB 172 specifically requires the Department of Education to: work with stakeholders like parents, business leaders, and school board members to develop a statewide approach for public and charter schools to report their school-level expenditures, as well as each school's share of central office expenditures; accompany per-pupil expenditure data with information that provides context on differences in funding (e.g., student outcomes and demographics); and provide optional training to improve understanding of expenditure data.

"Current statewide funding and accounting systems make meaningful comparisons between schools and districts extremely challenging," said Norma Ivonne Antongiorgi, a board member of Academia Alonso Charter School. "However, there is hope for progress. SB 172 will require transparency and consistency in financial reporting to provide equitable funding for all Delaware schools."

Importantly, SB 172 is non-punitive legislation and does not dictate school budgets or penalize schools for comparatively high spending or low performance. The legislation takes effect today.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

03-40B-07 High Needs Educator Student Loan Payment Program
[HB 346](#)

Summary:

The legislation would improve educational outcomes for students by working to retain educators of critical importance to students. Under this program, educators who work in certification areas in which Delaware has a shortage and educators working in Delaware's highest need schools, are eligible for student loan repayments.

Status: Signed by the governor on September 5, 2018

Comments: From the [Delaware Department of Education](#) (September 5, 2018)

Governor John Carney on Wednesday signed House Substitute 1 for House Bill 346 into law at McKean High School surrounded by school administrators, advocates, teachers and members of the General Assembly. This legislation offers up to \$10,000 in student loan relief for educators in high-needs schools and subject areas.

"This legislation will help us recruit and retain educators into high-needs schools and subject areas, and help support educators who serve Delaware's most vulnerable students," said Governor Carney. "Thank you to Representative Bentz, Senator Townsend, the Delaware State Education Association, and members of the General Assembly of both parties for their efforts on this piece of legislation. It is my honor to sign it into law to help ensure every Delaware child gets the high-quality education they deserve."

The legislation will provide up to \$2,000 of student loan assistance annually to educators who qualify. Educators may qualify for up to five years of assistance. Governor Carney called for passage of this legislation in his 2018 State of the State Address.

"Novice teachers are often challenged by hefty college loan debt, which in turn can make other career options that initially pay higher salaries more attractive. This bill offers an important support to attract and retain educators in the schools and subjects where we need them the most," said Dr. Susan Bunting, Secretary of the Delaware Department of Education.

"Dedicated teachers who serve some of our highest-need schools and students deserve recognition for their commitment to future generations," said Representative David Bentz, prime sponsor of the legislation. "They are helping students succeed by providing extra assistance and working closely with them. Their commitment to their students is the cornerstone of our educational system. Forgiving some of their loan debt is a small way of showing our commitment to those teachers and the students they

educate. By doing this, we will hopefully encourage them to continue their hard work with their students.”

“Teaching is a public service, a professional challenge, and oftentimes a financial sacrifice,” said Senator Bryan Townsend. “Teachers are the most important investment we can make in the classroom, and the ones who want to work in our highest-need schools shouldn’t have to choose between helping kids tap into their potential and paying their student loans. We owe a lot more to our teachers, but helping them with the albatross of student loan debt is a good start.”

“We are so excited for this bill to be signed today. This student loan forgiveness program will help educators of all ages who have student debt and work in our high-needs subject areas and high needs schools,” said Mike Matthews, President of the Delaware State Education Association. “It’s another great way to incentivize this work while helping to attract and retain quality educators in Delaware.”

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

03-40B-08 Heat Preparedness Training for Coaches
[HB 1024](#)

Summary:

Heat preparedness training for coaches. Provides that head coaches and assistant coaches who coach interscholastic sports or intramural sports must complete a certified coaching education course that includes content for prevention of or response to heat related medical issues that may arise from a student athlete's training.

Status: Signed by the governor on March 8, 2018; effective July 1, 2018.

Comments: From [WVLT](#) (June 19, 2018)

Starting July 1, a new law in Indiana helps coaches learn to spot and be prepared for heat exhaustion.

The law is just one part of many safety-related measures with past laws including training for concussions and cardiac arrests. The heat preparedness course already is being offered by the Indiana High School Athletics Association. Many coaches have already completed the required training.

Fishers High School tennis coach Dave Hefferen said 35 years of coaching has helped him figure out when a player might need to cool down. He believes the new requirement is a good idea.

"Especially your younger coaches that think they're being tough by making the kids work in this stuff," Hefferen said. "And I want them to work in this stuff, but I don't want to be calling 911."

Hamilton Southeastern High School assistant baseball coach, Kory Seitz, also agrees with the requirement. He believes in order to spot early warning signs of heat-related illnesses, both coaches and players need plenty of open communication.

"If they're not feeling right, get light-headed, we've got plenty of water out here for them," Seitz said. "Making sure we're getting in the shade when we can. So try to take those breaks more often."

Both coaches agree that times are different, and that it's more important to be smart and stay hydrated and cool.

"I don't think it's a mark of machoism anymore," Hefferen said. "I think if you don't take care of it, it's more a mark of stupidity as a coach. You'd better watch what you're doing."

"We know that if you're thirsty, you're already dehydrated," Seitz said. "So you need to keep the fluids coming in."

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Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

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 - next SSL cycle
- Reject

Comments/Note to staff:

03-40B-09 Tennessee Reconnect Grant
[HB 531](#)

Summary:

Legislation will expand the Tennessee Promise program that launched in 2014. The 2014 bill made tuition and fees free for recent high school graduates enrolled in a community college or technical school. Now, adults who don't already have an associate's or bachelor's degree can go for free starting in the 2018 fall semester.

Status: Signed by the governor on May 24, 2017.

Comments: From [CNN](#) (May 11, 2017)

Lawmakers approved legislation Wednesday that will expand the Tennessee Promise program that launched in 2014. It made tuition and fees free for recent high school graduates enrolled in a community college or technical school. Now, adults who don't already have an associate's or bachelor's degree can go for free, too, starting in the 2018 fall semester.

Governor Bill Haslam is expected to sign the bill into law. He proposed the legislation in his State of the State address earlier this year. It's a cornerstone of his initiative to increase the number of residents with a college education to 55% by 2025. Last year, less than 39% of residents had gone to college.

"If we want to have jobs ready for Tennesseans, we have to make sure that Tennesseans are ready for jobs, and there is no smarter investment than increasing access to high-quality education," Haslam said in a statement.

To be eligible, students must have been a state resident for at least a year before applying, maintain a 2.0 GPA, enroll in enough classes to be a part-time student, and complete the Free Application for Federal Student Aid.

Expanding the free-tuition program will cost about \$10 million once fully implemented. But it will be funded by the state's lottery account, just like the rest of Tennessee Promise.

Students will save about \$3,700 a year, which is the average cost of tuition and fees at Tennessee's 13 community colleges. If they already receive a need-based Pell Grant from the federal government, Tennessee will cover any remaining cost.

Since Haslam, a Republican, pushed for the Tennessee Promise program in 2014, the idea of tuition-free college has gained some traction. Oregon has made community

college free for recent high school grads and GED recipients, too. San Francisco will make community college free for all residents starting this fall.

In April, New York made tuition free at two- and four-year colleges for students whose families earn no more than \$125,000 a year. Lawmakers in Rhode Island are also considering a proposal to make two years of college tuition-free.

More than 33,000 students have benefited from the Tennessee Promise program in its first two years, raising enrollment among first-time freshmen by 30%, according to the governor's office. The first group of eligible students are graduating this year.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

03-40B-10 Computer Science Education
[SB 267](#)

Summary:

Requires the State Board of Education to adopt a policy detailing the appropriate level of computer science instruction for students at each educational level. It also requires the Department of Education to develop and offer appropriate professional development opportunities to teachers providing computer science instruction.

Status: Approved by the governor on February 19, 2019.

Comments: From the [Office of the Governor](#) (February 28, 2019)

Gov. Jim Justice held a ceremonial bill signing today for Senate Bill 267 at Cranberry-Prosperity Elementary School in Beckley, WV. The new law makes West Virginia the first state in the nation to require that students have access to computer science education before graduating high school.

“I’ve said all along that we need to make education our centerpiece here in West Virginia,” Gov. Justice said. “For a long time, our state was 50th in just about everything. That’s why I’m so proud that we’re the first state to make sure all of our students get a top-notch education in a subject as important as computer science. This will help us attract even more technology companies to our state and encourage our brightest young minds to build their careers right here at home.”

Signing SB 267 into law accomplishes one of the goals Gov. Justice highlighted during his 2019 State of the State address. In that speech, he called for West Virginia to become the first state to offer computer science education in every school within the state. The bill passed unanimously in the Legislature.

West Virginia Superintendent of Schools, Dr. Steven Paine, emphasized the importance of such training for students.

“I commend Governor Justice for endorsing a bill to ensure all West Virginia students graduate with a knowledge of computer science,” Paine said. “We collectively recognize that computer science is fundamental for students’ success in future careers and receiving this instruction will assist them in the transition to industry credentialing and college degrees.”

The bill requires the State Board of Education to adopt a policy detailing the appropriate level of computer science instruction for students at each educational level. It also requires the Department of Education to develop and offer appropriate professional development opportunities to teachers providing computer science instruction.

Gov. Justice's support for this bill follows his education agenda in the Mountain State since he took office.

Today's ceremonial signing coincided with the state's celebration of Digital Learning Day — a national event highlighting instructional technology and innovative teachers. Gov. Justice presented a proclamation at the ceremony proclaiming today Digital Learning Day in West Virginia and classrooms across West Virginia participated in the annual celebration to illustrate best technology practices that enhance teaching and learning. Students statewide participated in a creative and diverse range of activities that highlight various technology tools, applications and teaching approaches used throughout West Virginia classrooms and around the country.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

03-40B-11 Requiring LGBTQ History to be Taught
[S 1569](#)

Summary:

Requires boards of education to include instruction, and adopt instructional materials, that accurately portray political, economic, and social contributions of persons with disabilities and lesbian, gay, bisexual, and transgender people.

Status: Approved by the governor on January 31, 2019.

Comments: From [Huffington Post](#) (January 31, 2019)

New Jersey Gov. Phil Murphy (D) signed into law new legislation Thursday that requires students be taught the societal contributions of notable LGBTQ people throughout history, a move civil rights groups say will further equality in schools across the state.

“It’s critical that our classrooms highlight the achievements of LGBTQ people throughout history,” Christian Fuscarino, the executive director of the group Garden State Equality, said in a statement. “Our youth deserve to see how diverse American history truly is — and how they can be a part of it one day, too.”

The new law mandates the state’s boards of education to “provide instruction on the political, economic, and social contributions of persons with disabilities and lesbian, gay, bisexual, and transgender people in an appropriate place in the curriculum of middle school and high school students.” The new policies will first apply to the 2020-2021 school year.

“Governor Murphy was honored to sign legislation requiring New Jersey school districts to teach about the rich contributions and accomplishments of our LGBTQ community and those with disabilities,” his spokesperson, Christine Lee, said in a statement to HuffPost. “The Governor believes that ensuring students learn about diverse histories will help build more tolerant communities and strengthen educational outcomes.”

The state is the second in the country to enact such legislation after California did the same in 2012. The Golden State passed a law called the FAIR Act that mandated better representation of the LGBT community and other minority groups in schools and added additional frameworks in 2016.

The legislation has already been hailed by lawmakers and civil rights groups.

“It is my hope that with this legislation signed into law we can foster new generations of students that understand the importance of tolerance and equality,” Assemblywoman

Valerie Vainieri Huttie (D), a member of the New Jersey Legislature and primary sponsor of the bill, wrote on Twitter.

Aaron Potenza, the policy director for Garden State Equality and a former educator, said the law would encourage inclusivity and send a signal to LGBT students across the state.

“As a former educator and someone who did their doctoral work in the history of sexuality, this bill is particularly close to my heart,” Potenza said in a statement. “I know the importance of this history to American history as well as the impact of representation for LGBTQ identified students.”

Murphy has signed other bills to protect members of the LGBT community in recent years. In July, the governor enacted a law to allow the sex designation on birth and death certificates to be altered.

“New Jersey will continue to stand with our LGBTQ residents in the continued pursuit of similar rights nationwide,” Murphy said at the time.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

03-40B-12 Armed First Responder in Schools - Possession of a Concealed Weapon
[HB 1332](#)

Summary:

This bill allows schools that either do not have a school resource officer or are located far from law enforcement to work with the North Dakota Department of Public Instruction to develop a plan for an "armed first responder." The bill outlines specifically who qualifies to be an armed first responder.

Status: Signed by the governor on April 10, 2019.

Comments: From [The Bismarck Tribune](#) (April 11, 2019)

Gov. Doug Burgum on Wednesday signed a bill allowing mostly rural schools in North Dakota to develop a plan for an "armed first responder."

Former Burleigh County Sheriff and current Rep. Pat Heinert, R-Bismarck, brought House Bill 1332 after a similar bill failed in the 2017 session.

The bill essentially allows schools without a school resource officer or at great distance from law enforcement to develop a plan with the North Dakota Department of Public Instruction for an "armed first responder," who may not be anyone with direct supervision of students. The bill also outlines training.

The Senate amended the bill to make a school's safety plan a confidential record. The House concurred 75-15 on the amended bill.

Heinert and other lawmakers stressed the bill is not a mandate but an option for schools, mostly rural ones. Opponents of the bill questioned how the person designated to carry a gun may act in a crisis.

The bill takes effect Aug. 1.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

03-40B-13 An Act to Create and Operate a Going Pro Talent Program
[SB 946](#)

Summary:

The Marshall Plan for Talent appropriates \$100 million for a talent investment fund to improve worker skills. Nearly \$59 million is set aside for schools to improve their education and training programs, including competency-based learning programs related to high-demand, high-wage careers; improvements in vocational and career education; and new school-business partnerships.

Status: Enacted on June 28, 2018.

Comments: From the [Detroit Free Press](#) (August 28, 2018)

To help address the growing shortage of Professional Trade workers in a wide range of industries throughout the state, Gov. Rick Snyder in June signed into law the Marshall Plan for Talent, a \$100 million workforce development initiative that aims to close Michigan's talent gap and prepare young people for the high-paying, high-demand jobs of the future that may not require a four-year college degree.

Named after the Marshall Plan that rebuilt Europe after World War II, the initiative is intended to fundamentally restructure Michigan's education and talent development system.

Under a key part of the multipronged plan, education and business leaders will be able to apply for more than \$59 million in innovation grants to create and develop classes and programs — or fill gaps in existing classes — that prepare students for high-demand, high-wage careers in Michigan.

“The Marshall Plan for Talent is a conduit for collaborations and innovations that will revolutionize Michigan's education and talent development system,” said Roger Curtis, director of the Talent and Economic Development Department of Michigan, which brings the state's job creation and economic development efforts under one umbrella. “Now that Michigan has this essential talent development tool, it's time to get to work in revolutionizing our dated education and talent development system, so we can compete in the 21st-century global economy.”

Other components of the plan include offering grants to school districts to buy equipment on which students can learn the skills for high-demand jobs and supplying scholarships and stipends toward the completion of certifications in high-demand fields for low-income Michigan residents. The Marshall Plan funding complements the more than \$225 million in existing talent development efforts in the state.

Educators applaud the plan's focus on partnerships and collaboration.

"I think it's a really good strategy," said Rose Bellanca, president of Washtenaw Community College. "I'm pleased to see that what it's doing is combining business and industry with education. For too long, they've been separate entities. The connection of preparing students for the world of work has not always been there."

State's future vitality at stake

The Marshall Plan aims to help students find opportunities in numerous fields, including information technology and computer science, manufacturing, health care and other business and Professional Trades careers.

"These fields are all expected to see massive growth within the next few years, and considering the pool of available employees as it is now, the state of Michigan will not have enough skilled workers to fill them," Curtis said.

In fact, projections indicate the state will have more than 811,000 high-demand career openings through 2024, the Michigan Department of Technology, Management & Budget's Bureau of Labor Market Information and Strategic Initiatives projects. The jobs will offer annual average salaries topping \$60,000.

Whatever their station in life, all Michiganders stand to benefit from Marshall Plan successes, Bellanca said. Skilled workers help fuel healthy economies that in turn create robust and vital communities where people want to live, she added.

"It's about economic development," she said. "If you don't have a skilled workforce, you aren't going to attract businesses to your region, and you won't have people who want to live there and support those businesses. Those are things that everybody should care about."

The Marshall Plan could help galvanize partnership-based programs that are already in place or under development throughout the state, Bellanca said.

For example, based on feedback it sought from area employers, Washtenaw Community College in recent years has developed or enhanced programs designed to produce work-ready graduates in areas such as advanced manufacturing, information technology and health care.

Among the more popular offerings are the Sterile Processing Technician Certificate program, whose graduates process and sterilize hospital supplies, and the Welding and Fabrication Principles Certificate program.

"It's hard to keep students in the welding program because employers hire them away after only a few classes," Bellanca said.

A demand for welders also brought together Owosso High School's Career and Technical Education Department, Baker College of Owosso and Crest Marine, a local manufacturer of pontoons.

Crest this spring donated a pontoon that the school district raffled to raise money to send two Owosso students to Baker's welding program and otherwise benefit the CTE program.

"I think what's huge about the Marshall Plan is that it's promoting these types of partnerships," Krueger said.

Beyond securing funding to establish programs and classes that prepare students for careers in the high-demand, high-wage fields, educators also must overcome misperceptions that persist about the type of work.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

03-40B-14 An Act Relating to School Safety and Declaring an Emergency
[SB 1](#)

Summary:

Authorizes the establishment of the Center for School Safety. The center's mission shall be to serve as the central point for data analysis; research; dissemination of information about successful school safety and school security programs, best practices, training standards, research results, and new programs; and, in collaboration with the Department of Education and others, to provide technical assistance for safe schools. The bill creates the position of School Security Marshal, who will evaluate school security and report their findings annually to the Center for School Safety, the Legislative Research Commission, and the KY Board of Education. Additionally, the bill requires the development and implementation of a school safety coordinator program.

Status: Signed by governor on March 11, 2019.

Comments: From the [Associated Press](#) (February 28, 2019)

Kentucky lawmakers gave final approval Thursday to a school safety bill intended to boost police protection and counseling in response to a shooting more than a year ago that killed two students at a western Kentucky high school.

The bill sets new goals, including seeking police officers in every school and at least one counselor for every 250 students. But it comes with no money, so school districts won't be able to comply right away. But Republican budget leaders in both chambers have vowed to provide the money next year, despite not knowing how much it might cost or where the money will come from.

"I have full faith and confidence in this chamber and the chamber down the hall that we will make this a top priority as we come back into next session to deal with the funding mechanism," said Republican Sen. Sen. Max Wise, the bill's lead sponsor...

...The legislation is in response to the Jan. 23, 2018, shooting at Marshall County High School in western Kentucky. Two 15-year-old students, Bailey Holt and Preston Cope, were killed. More than a dozen others were injured...

...Since the shooting in Marshall County, the school district has installed eight metal detectors at the high school plus two each for the districts' two middle schools, Lovett said. The district hired four additional school resource officers and two mental health counselors. They also banned backpacks at the high school and middle schools...

...The Marshall County school shooting happened just a few weeks before a gunman killed 17 students at Marjory Stoneman Douglas High School in Parkland, Florida. That

shooting prompted a public outcry for gun control, with students from the Florida school leading the charge...

...A bipartisan special committee of Kentucky lawmakers spent nearly a year discussing potential school safety legislation with stakeholders. They settled on the legislation that focuses heavily on training school officials for how to plan for and respond to mass shootings.

The legislation created new positions, including a state school security marshal, and ordered school districts to designate school safety coordinators. And it sets a goal of each school district having at least one counselor for every 250 students by 2021.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

03-40B-15 Special Immigrant Visa In-State Tuition and Financial Aid Eligibility
[AB 343](#)

Summary:

Expands access to higher education for individuals with refugee and Special Immigrant Visa status by extending in-state tuition and eligibility for state-administered California Community Colleges Board of Governors fee waivers. This bill ensures that these students are able to pursue their educational goals, invest in long-term career advancement, and rebuild their lives in the United States.

Status: Signed by governor on October 5, 2017.

Comments: (No link provided)

During U.S. missions in Afghanistan and Iraq, many Afghani and Iraqi nationals were employees or contractors for the U.S. government. The service they provided (and in the case of Afghanistan, continue to provide) as translators, interpreters, advisors and in other roles is invaluable.

Because of their service and affiliation with the U.S. government, many of these individuals experience serious ongoing threats to their lives and the lives of their loved ones. As a result, Congress has enacted several provisions to allow certain of these Afghani and Iraqi nationals to receive special immigrant status and become lawful permanent residents of the U.S. Through the end of Federal Fiscal Year 2018, more than 79,000 individuals benefitted from the Special Immigration Visa (SIV) program. In recent years, a large number of refugees and SIV recipients have come to California.

There are especially high concentrations of these populations in the counties of Monterey, San Diego, and Sacramento. Many of these individuals come to the U.S. with professional backgrounds, higher education diplomas, and credentials that require recertification. The high cost of education is one of the main barriers encountered by refugees and SIV recipients on their path to integration into American society. Across the public education system in California, tuition and fees vary depending on resident status.

At the University of California, annual tuition and fees are \$12,294 for resident students and \$38,976 for nonresident students. At the California State University, full-time resident students pay \$5,472 and nonresident students pay the full-time resident tuition plus an additional \$254 per unit. At California Community Colleges, resident students pay \$46 per unit and nonresidents pay a statewide average of \$234 per unit.

There are certain classes of nonresident students who are exempt from out-of-state tuition rates. This bill extends this exemption to refugees and SIV recipients from the

time they arrive to the U.S. Refugees and SIV recipients resettled to Colorado faced similar challenges and barriers to education. Previously, in-state tuition rates could only be accessed after a year of residency.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

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- Defer consideration:
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 - next SSL cycle
- Reject

Comments/Note to staff:

03-40B-16* Student Loans
[SB 1351](#)

Summary:

Creates the Student Loan Servicing Rights Act; provides a student loan bill of rights that includes provisions concerning payment processing, fees, billing statements, payment histories, specialized assistance for student loan borrowers, disclosures related to discharge and cancellation, income-driven repayment plan certifications, information to be provided to private education loan borrowers, cosigner releases, requirements related to the transfer of servicing, and requests for assistance.

Status: Governor's veto overridden on November 7, 2017 and became law on November 8, 2017; Effective December 31, 2018.

Comments: From [Inside Higher Ed](#) (November 9, 2017)

A student loan bill of rights will be going into effect in Illinois after the state's House of Representatives voted Tuesday night to override a veto by Governor Bruce Rauner.

The Illinois Student Loan Bill of Rights, which was drafted by the state's attorney general, is an attempt to prevent borrowers from being misled or ignored by the companies that service their loans. It will require loan servicers to properly process payments. It will also require servicers to inform borrowers that loans can be forgiven because of disabilities or problems with the college they attended, and to provide specialists who explain to borrowers all of their repayment options, like income-driven repayment plans.

Lawmakers voted 98-16 to overturn the governor's veto. The bill will go into effect at the end of December 2018, according to the state's attorney general, Democrat Lisa Madigan.

Madigan's office drafted the bill after receiving complaints that loan servicers did not tell borrowers about affordable repayment plans and that they did not follow payment instructions. She has also investigated and sued student loan servicer Navient.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

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- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

03-40B-17 Delaware Advance Scholarship Program
[HB 326](#)

Summary:

This Act creates the Delaware Advance Scholarship Program (“Program”). The goal of this Act is to encourage Delaware students with intellectual disabilities to pursue studies for a comprehensive certificate or degree at a Delaware institution of higher education in order to promote economic self-sufficiency.

Status: Signed by the governor on July 11, 2018.

Comments: From SEED

This Act will result in an economic benefit to the State in the form of a more diverse, well-prepared workforce that is less reliant on government support. This Act follows the Higher Education Opportunities Act of 2008, which authorizes comprehensive transition and post-secondary programs as a pathway to higher education for students with intellectual disabilities.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

04-40B-01 Promoting Renewable Natural Gas
[HB 2580](#)

Summary:

Biogas is currently collected at landfills, waste water treatment plants and some agricultural operations, where it is either burned to generate electricity or simply flared. HB 2580 will encourage renewable natural gas (RNG) expansion through tax incentives and a suite of other tools including an inventory of potential RNG supply and associated costs; voluntary gas quality standards for injecting RNG into the natural gas system, and additional policy recommendations to promote RNG development.

Status: Signed by the governor on March 22, 2018.

Comments: From [The Coalition for Renewable Natural Gas](#) (March 22, 2018)

Today, Governor Jay Inslee signed into law a bill designed to result in the increased development and use of renewable natural gas in Washington.

“This bill will help in our fight against climate change by reducing highly-polluting methane emissions and displacing fossil fuels with low-carbon, renewable sources of biogas,” said Gov. Inslee. “As we transition to a clean-energy future, this will help us promote production of renewable natural gas from landfills, wastewater treatment plants, food processing, and agriculture, while also helping create jobs and promote rural economic development across our state.”

Renewable natural gas (RNG, biomethane or upgraded biogas) is produced from biogas, which is emitted during the natural decomposition of organic materials in renewable waste streams. RNG is a domestic, sustainable product that is increasingly being used to substitute for geologic natural gas to produce renewable electricity, heat and ultra-low carbon transportation fuel.

“By supporting renewable natural gas project development, Washington’s leaders are supporting the creation of clean energy sector jobs, improved air quality and public health,” said Johannes Escudero, CEO of the Coalition for Renewable Natural Gas (RNG Coalition). “Methane mitigation, carbon sequestration and decarbonization of our existing natural gas infrastructure occur with each new RNG project.”

“Governor Inslee and Department of Commerce were pleased to request this bill, which received near unanimous, bipartisan support from the Legislature,” said Peter Moulton, Energy Policy Section Manager, Washington Department of Commerce. “We look forward to working with interested stakeholders to advance RNG production and use, especially by public facilities and fleets.”

To spur development of RNG in Washington, the bill will:

- Require the Washington State University Extension Energy Program and the Department of Commerce, in consultation with the Utilities and Transportation Commission, to submit recommendations on how to promote the sustainable development of RNG to the Governor and the energy committees of the Legislature by September 1, 2018;
- Require the Department of Commerce, in consultation with natural gas utilities and other state agencies, to explore the development of voluntary gas quality standards for the injection of RNG into the state's natural gas pipeline system; and
- Reinstate and expand incentives in order to stimulate investment in biogas capture and conditioning, compression, nutrient recovery, and use of RNG for heating, electricity generation and transportation fuel.

"The region's natural gas utilities have received renewable natural gas onto their systems for years," said Dan Kirschner, Executive Director of Northwest Gas Association. "This measure promises to stimulate more RNG production in Washington State, allowing natural gas consumers there to make productive use of a resource that would otherwise be discarded."

Washington is currently home to two of the nation's approximately 70 operational renewable natural gas facilities. RNG is produced from organic municipal solid waste in the Cedar Hills Landfill, and from wastewater at the King County South Treatment Plant. One additional RNG project is under construction at the Roosevelt Landfill, and two more projects are likely to begin construction in the coming year: one in Tacoma, and one in the Yakima Valley.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

04-40B-02 California Cooling Act
[SB 1013](#)

Summary:

First statewide law to authorize financial incentives for low-GWP refrigeration systems that include natural refrigerants. It directs the California Air Resources Board (CARB) to establish the incentive program to increase adoption of replacement technologies in the supermarket and industrial sectors by overcoming the first-cost hurdle. The legislation also preserves deadlines that the U.S. Environmental Protection Agency established in 2016 for businesses to transition from hydrofluorocarbons (HFCs) – the fastest growing source of greenhouse gas emissions in California – to alternative refrigerants. HFCs are among the world’s most powerful and fastest growing climate pollutants. They are used in refrigeration, air conditioning, foams, aerosols, and other applications.

Status: Approved by the governor on September 13, 2018.

Comments: From the [Natural Resources Defense Council](#) (September 5, 2018)

In another act of climate leadership, the California Legislature last week passed SB 1013, the California Cooling Act, to help cut the state’s harmful emissions of the climate-changing super pollutants called hydrofluorocarbons (HFCs). State Senator Ricardo Lara wrote this landmark bill and led the way to passage. Governor Jerry Brown is expected to sign it into law soon.

HFCs are among the world’s most powerful and fastest growing climate pollutants. They are used in refrigeration, air conditioning, foams, aerosols, and other applications. Pound for pound, HFCs have hundreds to thousands of times the heat-trapping power of carbon dioxide. And because they have a short atmospheric lifetime, they pack their powerful climate wallop into the years just ahead of us.

SB 1013 helps cement California’s leadership in phasing down emissions of HFCs. It supplements existing authority under which the California Air Resources Board has adopted initial rules to stop cut HFC use in applications where safer alternatives are available. The new law also initiates an incentives program to encourage businesses’ early adoption of climate-friendly cooling systems, an especially important part of transforming the cooling market away from harmful HFCs.

The California Cooling Act adopts into state law a set of HFC use limits originally adopted by the Environmental Protection Agency and coming into effect (depending on the use) between 2016 and 2025. These federal rules enjoyed broad support from both industry and environmental organizations. The Trump administration initially defended these rules against a lawsuit by two industry outliers. But after a conservative panel of

the Court of Appeals in Washington unexpectedly dealt the rules a setback, the Trump EPA signaled its intent to roll them back.

...California's adopting those rules will avoid statewide HFC emissions equivalent to 4.1 million metric tons of carbon dioxide in 2030, or about 15 percent of California's total expected HFC emissions in that year. Adopting the rules also lays the groundwork for making even deeper HFC cuts, which the Air Resources Board has already begun planning.

And California's leadership sets the model for other states to follow. If a number of leading states adopt these regulations, the manufacturers of air conditioning and refrigeration equipment and many other products will transition from HFCs to safer alternatives nationwide.

The California Cooling Act's incentives program, if fully funded, will help speed up the transition to greener alternatives and drive market transformation in California and across the nation. The Air Resources Board expects these incentives to contribute to HFC emissions cuts of up to 30 percent in 2030. Cooling systems installed in the next few years will exist far into the future because these are large purchases that can last 15-20 years, so change is needed now.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

04-40B-03 Energy Transition Act
[SB 489](#)

Summary:

This bill calls for generating 80 percent of the state's electricity from renewable energy sources by 2040. It would increase renewable energy development statewide, fully decarbonize the power sector by midcentury, support affected coal workers and communities, and ensure that long-lived electricity investments are necessary and cost-effective.

Status: Signed by the governor on March 22, 2019.

Comments: From [NPR](#) (March 13, 2019)

New Mexico, a poor but fossil fuel-rich state, is aiming to make itself a national leader in the fight against climate change.

Lawmakers passed ambitious legislation this week that will reshape the state's energy sector by mandating that the state's publicly regulated utilities get all of their electricity from carbon-free sources like solar and wind by 2045.

California and Hawaii are the only other states with 100 percent carbon-free goals on the books, though a handful of other states are currently considering similar targets.

Gov. Michelle Lujan Grisham, who has actively championed the legislation — going as far as to pour coffee for lawmakers before a committee hearing on the bill — is expected to sign it into law this week.

Lujan Grisham made a splash soon after taking office by ordering the withdrawal of National Guard troops at the Southern border. She has made it clear that she wants to challenge the Trump administration's climate policies — or lack thereof.

"This is a state that is not in climate denial," she says. "We are clear that we have basically a decade to begin to turn things around and New Mexico needs [to] and will do its part."

But the legislation and push toward renewable energy sources comes at an interesting time in New Mexico.

Record-breaking oil production

Just hours before the state's legislature passed the bill, the state Oil Conservation Division released new numbers showing that New Mexico produced a record 246 million barrels of oil last year. Most of which was exported.

The record-breaking production, largely on federal lands, is being driven by an explosion of oil and gas development in the southeast corner of the state, and it's providing a windfall to the state's typically lean budget.

In the immediate aftermath of the passage of the state's Energy Transition Act, environmental advocates were hesitant to do anything but celebrate what they lauded as a historic moment. Still, there are lingering concerns about the climate impact of all that fossil fuel development in the Enchantment State.

Tom Singer, the senior policy advisor at the Western Environmental Law Center, says that if all of that oil and gas pulled from New Mexico is burned, it would release roughly as much greenhouse gases as twenty coal plants a year.

And there's a lot of oil yet to be produced.

The U.S. Geological Survey recently identified the Permian Basin, in southeast New Mexico and West Texas, as the largest continuous oil and gas resource in the U.S.

It contains an estimated 46.3 billion barrels of oil and 281 trillion cubic feet of natural gas.

"We really can't meet the [world's] greenhouse gas climate goals that we have to meet and develop all of that oil and gas," says Denise Fort, a professor emeritus at the University of New Mexico and longtime environmental lawyer.

The concurrent developments — an unprecedented oil boom and the state's landmark energy legislation — make for a "complicated moment," Fort says, with broad ramifications. "And I think a lot of people within this state are thinking about this without a very strong sense of what we should do about it."

Moving away from fossil fuels

Nobody doubts that the energy legislation will significantly reduce greenhouse gas emissions within the state of New Mexico.

The state currently gets more than half of its in-state electricity from coal.

By directing the state's electrical providers to move to 100 percent carbon-free energy sources in the next 25 years, with checkpoints along the way — 50 percent by 2030, 80 percent by 2040 — coal won't be a viable option much longer.

That would likely have been true even without the legislation, says Rep. Nathan Small, one of the bill's sponsors.

"Natural gas is out-competing coal across the country and, of course, we're no different here in New Mexico," he says.

Those market forces, as well as lawsuits and regulation, have led to a steady decline in coal production across the country and in the Four Corners region of northwestern New Mexico, where the San Juan Generating Station, a major coal-fired power plant, may close as soon as 2022.

Parts of the legislation though, Small says, ensures that the region doesn't get left behind in the transition.

It earmarks tens of millions of dollars for the clean-up of the coal-fired power plant — a point of conflict for some detractors of the bill — provides funding to help the community and affected workers, and it ensures that some of the new renewable energy development happens in the same region.

Some are looking to natural gas development as a bridge fuel, but to truly get to 100 percent carbon-free, the state is going to have to phase out gas-fired power as well.

That means massive investments are going to need to be made in renewable energy sources like solar and wind. Critics worry about the cost and storage, but from a supply angle, the potential is there: New Mexico's solar energy resources are among the best in the country, Small says, and the state is in the top 15 states for wind power.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

04-40B-04 Protect Public Welfare Oil and Gas Operations
[SB 181](#)

Summary:

Enhances local governments' ability to protect public health, safety, and welfare and the environment by clarifying, reinforcing, and establishing their regulatory authority over the surface impacts of oil and gas development.

Status: Signed by the governor on April 16, 2019.

Comments: From [CNBC](#) (March 4, 2019)

Colorado drillers are gearing up for a fight after Democratic lawmakers proposed overhauling the state's oil and gas commission and reforming regulations that could create new roadblocks to fossil fuel development.

Two of the state's top Democrats introduced the legislation late Friday. They are calling Senate Bill 181 — Protect Public Welfare Oil and Gas Operations — “the most meaningful changes to oil and gas regulations Colorado has seen in over 60 years.”

The move comes just months after the Colorado oil and gas industry celebrated the defeat of new restrictions on drilling in a referendum in November.

The legislation could curtail drilling in one of the nation's top oil and natural gas producing states, where advanced technology like hydraulic fracturing has sparked a production boom over the last decade. That could affect Colorado-focused frackers and larger drillers with a footprint in the state, like Anadarko Petroleum and Noble Energy.

The bill would give cities and counties more influence over regulation, including inspecting oil and gas facilities and imposing fines over spills. It would also change the mission of the Colorado Oil and Gas Conservation Commission from fostering the development of the state's fossil fuels to regulating the industry.

The lawmakers also propose overhauling the powerful commission's makeup, cutting the number of members required to have industry experience from three to one. They would require at least one member of the commission to have training in several fields, including wildlife and environmental protection, soil conservation and public health.

Another measure would raise the threshold for the number of mineral rights holders that would need to give their approval before drillers can tap a shared pool of oil and gas, making it potentially more difficult to develop some reserves.

“Colorado’s communities simply cannot afford to wait any longer,” said Colorado State Majority Leader Steve Fenberg, who co-sponsored the bill with House Speaker KC Becker.

“These common-sense reforms will ensure the industry operates in an accountable and cooperative manner,” Fenberg said in a statement.

The Colorado Petroleum Council and Colorado Oil and Gas Association accused the lawmakers of dropping legislation late Friday and rushing a Senate committee hearing Tuesday. The industry groups urged lawmakers to push back the hearing.

“Senate Bill 181 would impact the livelihoods of Coloradans across the state, including many who live in rural areas and may not be able to make it to the Capitol to testify on such short notice,” they said.

The groups successfully lobbied against last year’s Proposition 112, which would have prohibited oil and gas drilling within about half a mile of homes, schools, businesses and water sources.

Despite the win, Democrats took control of the state Senate in November, giving the party control of both houses of the state legislature and the governor’s mansion.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

04-40B-05 Maryland Energy Innovation Institute
[SB 313](#)

Summary:

Authorized \$7.5 million in state funding for the Maryland Energy Innovation Institute, an initiative that is designed to catalyze clean energy research programs at academic institutions in the state and attract and develop private investment in clean energy innovation and commercialization. The institute will seek to bolster economic jobs in the clean energy industry sector in Maryland, and also promote the deployment of clean energy technology throughout the state.

Status: Approved by the governor on May 4, 2017.

Comments: From the [Office of the Governor](#) (May 4, 2017)

...Economic Development – Maryland Energy Innovation Institute creates the Maryland Energy Innovation Institute (MEII) through a collaboration between the University of Maryland Energy Research Center (UMERC) and the Maryland Clean Energy Center (MCEC). MEII will develop, attract private investment, and commercialize clean energy innovations, and will be funded through an investment of \$7.5 million, or \$1.5 million per year for five years.

“This is the perfect means to bring together expertise in science, government and industry to bring value to the State of Maryland,” said University of Maryland Provost Mary Ann Rankin.

“The Maryland Energy Innovation Institute will provide the critical infrastructure to enable these breakthroughs to become commercially viable companies benefiting both the economy and the environment of the State of Maryland,” added Dr. Eric Wachsman, University of Maryland professor and director of the Institute...

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

05-40B-01 Colorado River Drought Contingency Plan
[SJR 1001](#)

Summary:

The resolution approves a seven-state drought plan where all states have agreed to draw less water from the Colorado River to stop Lake Mead water levels from receding further. The Colorado River serves 40 million people in the West.

Status: Signed by the governor on January 31, 2019.

Comments: From [azfamily.com](#) (January 31, 2019)

Arizona will join a drought plan for the Colorado River, narrowly meeting a federal deadline that threatened to blow up a compromise years in the making for the seven states that draw water from the constrained river.

The Arizona House and Senate overwhelmingly supported the legislation and Gov. Doug Ducey promptly signed it, delivering the final puzzle piece needed to avoid potentially more severe cutbacks imposed by the federal government.

The river serves 40 million people in Wyoming, Colorado, Utah, New Mexico, Arizona, Nevada and California.

U.S. Bureau of Reclamation director Brenda Burman set a Jan. 31 deadline for all parties to agree to voluntary cutbacks.

Arizona was the only state that required legislative approval to join the agreement in which states would take less water from the river in hopes of keeping major reservoirs from reaching catastrophically low levels.

“We inherited as human beings a pristine land with pristine water, and we messed it up as human beings ourselves,” said Sen. Jamescita Peshlakai, a Democrat who represents the Navajo reservation in northeastern Arizona and voted to join the drought plan. “It is incumbent for us to safeguard, protect what we have left.”

The nightmare scenario for Arizona, California, Nevada and Mexico — which draw from Lake Mead — is a phenomenon called “dead pool,” in which the level of the lake’s surface falls below the gates that let water out. To avoid it, the agreement calls for an escalating array of cutbacks as the lake level drops.

Arizona has junior rights to river water and would be hit first and hardest if Lake Mead on its border with Nevada drops to shortage levels. Most residents will not see an impact from cutbacks, which will primarily hit farmers in Pinal County — between

Phoenix and Tucson — who have the lowest-priority access to Colorado River water and stand to lose the most.

The Arizona legislation is the product of months of negotiations between major water users in the state, who agreed to reduce their take in exchange for cash or access to groundwater in the future. The farmers, who reluctantly supported the agreement, said it would require them to fallow as much as 40 percent of the county's farmland.

"We know nothing is perfect, but this is pretty darn good," said Senate President Karen Fann, a Republican from Prescott.

Arizona water officials say joining the agreement is critical to the state's water future.

"The drought is real, and there's less water in the river," Dennis Patch, chairman of the Colorado River Indian Tribes, told lawmakers this week. "We can see it. We must all take a realistic view of this river and realize it does not have as much water as it used to."

Opposition came from a handful of Democrats who said the deal didn't do enough to rein in the state's water consumption. Sen. Juan Mendez characterized the deal as a giveaway to interest groups that promotes unsustainable water policy, ignores climate change and doesn't address the fact that Arizona will have less water in the future.

If Arizona were serious about the drought, Mendez said, "we would be entertaining an honest assessment of whether we can continue to base our state's economy on continuous growth and on welfare for water intensive uses." Mendez, a Tempe Democrat, was one of only a handful of lawmakers to vote against the measures.

Arizona agreed in the 1960s to take the lowest-priority position for Colorado River water in exchange for votes from California members of Congress to build the Central Arizona Project. The massive canal system moves Colorado River water to the desert of central and southern Arizona.

The bargain provided drinking water for fast-growing Phoenix and Tucson and for farmers. But in drought, it means Arizona is hit first and hardest if the river can't deliver a full allotment of water.

Arizona lawmakers backed two measures. One allows Arizona to join the multi-state agreement. The other includes a variety of measures to help Pinal County farmers. Those include \$9 million for the farmers to drill wells, dig ditches and build other infrastructure needed for them to change from the river to groundwater.

Tucson would get more groundwater credits for treated wastewater, allowing the city to pump more in the future in exchange for providing water to Pinal farmers.

The drought plan requires Arizona to find a way to reduce its use of Colorado River water by up to 700,000 acre-feet — more than twice Nevada’s yearly allocation under the drought plan. An acre-foot is enough for one to two households a year.

Colorado, Wyoming, Utah and New Mexico had their plans done in December.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

05-40B-02 An Act to Amend Chapter 2 of Title 25 of the Official Code of Georgia Annotate; Relating to Regulation of Fire and Other Hazards
[HB 458](#)

Summary:

A bill to be entitled an Act to amend Chapter 2 of Title 25 of the Official Code of Georgia Annotated, relating to regulation of fire and other hazards to persons and property generally, so as to prohibit the use of class B fire-fighting foam for testing purposes if such foam contains a certain class of fluorinated organic chemicals; to provide for definitions; to provide for exceptions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Status: Signed by the governor on May 7, 2019.

Comments: From the [National Law Review](#) (April 15, 2019)

In the final hours of the 2019 Georgia legislative session, the House agreed to the Senate's revision to the firefighting foam regulation bill, House Bill 458, with an almost unanimous vote of 159 to 1.

The final version of this legislation goes beyond the original HB 458 by prohibiting prospectively (on and after January 1, 2020) the discharge or other use of firefighting foam that contains PFAS chemicals. The law is still focused on "Class B" firefighting foam used to extinguish flammable liquid fires (like at airports, refineries, etc.), and defines "PFAS chemicals" to include those fluorinated organic chemicals that contain at least one fully fluorinated carbon atom.

However, the fire code amendments now prohibit any fire department or other state or local entity from discharging or otherwise using Class B firefighting foam that contains PFAS chemicals, with two exceptions:

Use of such firefighting foams in response to an emergency fire occurrence.

For training or testing purposes at an engineered facility built to contain releases into the environment. The original proposed bill was focused solely on training exercises utilizing firefighting foam with PFAS chemicals.

The legislation is now expected to be signed into law by Governor Brian Kemp.

Staff Note:**Disposition of Entry:**

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

05-40B-03 An Act Relating to the Use of Gasification and Pyrolysis Facilities for the Conversion of Certain Recoverable Waste Materials
[SF 534](#)

Summary:

This act amends section 455B.301, Code 2019 to include the following definitions: Gasification, gasification facility, post-use polymer, pyrolysis, pyrolysis facility, recoverable feedstock, sanitary disposal project, solid waste, and waste conversion technologies. This act also adds section 455B.305B explaining that the preprocessed and postprocessed post-use polymers and recoverable feedstocks stored at pyrolysis and/or gasification facilities are the property of the facility in which it is stored. If the facility is terminated, the polymers and feedstocks must be disposed of or sold within 60 days.

Status: Signed by the governor on April 8, 2019.

Comments: From [Plastics Recycling Update](#) (April 10, 2019)

Lawmakers in Iowa and Tennessee recently passed legislation that eases regulation for gasification and pyrolysis facilities that handle recovered polymers.

The similar bills – SF 534 in Iowa and SB 923 in Tennessee – define gasification and pyrolysis as activities distinct from solid waste processing. The pieces of legislation in both states also categorize feedstocks for those processes separate from solid waste.

Such distinctions are important because they would allow operators that use those methods to be regulated more akin to manufacturers than solid waste facilities.

Similar legislation has previously passed in Florida (2017), Georgia (2018) and Wisconsin (2018).

“Iowa and Tennessee become the most recent states to create a welcoming environment for businesses to convert more post-use plastics into valuable raw materials, thereby keeping more of our plastic resources out of landfills,” Craig Cookson, senior director of recycling and recovery at the American Chemistry Council’s Plastics Division, said in a statement.

The Iowa legislation, which had been opposed by the Iowa Recycling Association, passed the state Senate by a vote of 45-3 on March 13 and passed the House of

Representatives by a vote of 90-6 on March 28. Iowa Gov. Kim Reynolds signed the bill into law on April 8.

In Tennessee, meanwhile, the bill passed the Senate 31-0 on March 28 and the House 75-16 on April 8. It is now on the desk of Gov. Bill Lee.

Pyrolysis and gasification methods heat materials in oxygen-deficient environments to produce chemical feedstocks, fuels and other products.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

06-40B-01 An Act Regulating and Insuring Short-Term Rentals
[H 4841](#)

Summary:

Requires short-term rentals to register with the state, carry a minimum of \$1 million in insurance and pay a 5 percent tax to the state. The law also allows local municipalities to assess an additional 6 percent tax and creates a state-run affordable housing fund, which will funnel money from another 3 percent tax on property owners with two or more short-term rentals in the same municipality.

Status: Signed by the governor on December 28, 2018.

Comments: From [Governing](#) (February 1, 2019)

Airbnb, the largest player in the short-term rental market, is facing pushback from governments worried about how the service is limiting tax revenues and affordable housing stock, and turning residential property into commercial enterprises with little government oversight.

Massachusetts recently became the first state to pass sweeping regulations on short-term home rentals, with a law signed by Republican Gov. Charlie Baker in late December. As is the case when local governments have passed rules for this emerging industry, Airbnb has threatened to fight the state's legislation in court.

The law, set to take effect in July, requires short-term rentals to register with the state, carry a minimum of \$1 million in insurance and pay a 5 percent tax to the state. The law also allows local municipalities to assess an additional 6 percent tax and creates a state-run affordable housing fund, which will funnel money from another 3 percent tax on property owners with two or more short-term rentals in the same municipality.

The sponsor of the Massachusetts bill, state Rep. Aaron Michlewitz, pushed for the measure after he began to see short-term rentals saturating his neighborhood in Boston's North End.

"People were buying properties and turning those properties into short-term hotels," Michlewitz says.

At first, he wanted to push for an outright ban on all short-term rentals in his neighborhood. "But as I have learned about it, I have grown to understand the demand and need for this type of lodging," he says.

Massachusetts may have the first statewide short-term rental regulations, but it's a debate that cities and states are having around the country.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

06-40B-02 Anti-Sexual Harassment Policies for State & Local Government
[HB 524](#)

Summary:

Requires state and local government agencies to enact anti-sexual harassment policies that include a process for handling complaints, a ban against retaliation when someone files a complaint and mandatory prevention training each year.

Status: Signed by the governor on May 17, 2018.

Comments: From the [Associated Press](#) (May 10, 2018)

Louisiana will enact its first government-wide policy against sexual harassment, under a measure given final passage by lawmakers after the secretary of state and a top aide to the governor resigned amid sexual misconduct allegations.

Rep. Barbara Carpenter, the Baton Rouge Democrat who sponsored the bill, asked female lawmakers to surround her Wednesday as the House sent the proposal to Gov. John Bel Edwards with a 98-0 vote. The Democratic governor supports the measure and is expected to sign it into law.

The bill will require state and local government agencies to enact anti-sexual-harassment policies that include a process for handling complaints, a ban against retaliation when someone files a complaint and mandatory prevention training each year. The requirements will take effect Jan. 1, though agencies are encouraged to enact them sooner.

Agency heads will have to compile annual reports, due Feb. 1 of each year, documenting the number of employees who have completed the training requirements, the number of sexual harassment complaints received over the last year and the number of complaints that resulted in disciplinary action. The records are required to be available to the public.

Female lawmakers called for a review of state policies against sexual misconduct after accusations across the nation spurred by the #MeToo movement unseated people in positions of power.

Louisiana has let government agencies cobble together their own standards, but hasn't required anti-sexual harassment policies to be enacted or set any parameters for them. The state's civil service department says most state agencies have established their own internal policies.

Approval of Carpenter's legislation came the day after Tom Schedler left office as Louisiana's secretary of state amid allegations he sexually harassed an employee and punished her when she rebuffed his advances. Schedler's spokeswoman said the pair had a consensual sexual relationship. The woman's lawyer denies that. Schedler's chief assistant, Kyle Ardoin, started working Wednesday in the interim role as the state's chief elections official until a successor is selected in a fall election.

Months earlier, Johnny Anderson resigned as Edwards' deputy chief of staff after a woman accused Anderson of sexually harassing her when they worked together in the governor's office. Anderson denied wrongdoing.

A legislative audit released in April shows Louisiana has spent more than \$5 million on 82 lawsuits involving sexual harassment claims since 2009. That includes payments to people who filed claims as well as lawyers' costs. Louisiana recently paid \$85,000 to settle the misconduct claims against Anderson.

Beyond the lawsuits, Legislative Auditor Daryl Purpera's office said executive branch agencies reported 330 internal complaints involving sexual harassment from 2013 through 2017. The attorney general's office told auditors that it doesn't track such complaints.

The most significant disagreement that emerged during the bill debate was over whether to keep certain details of sexual-misconduct investigations shielded from public view. Those public records exemptions didn't make it into the final version of the measure heading to the governor.

A separate anti-harassment proposal that would have banned employers from requiring their workers to sign contracts that keep them from filing sexual misconduct lawsuits in civil court failed to win support and was jettisoned in the House.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

06-40B-03 Internet Sales Tax Collection
[HB 1019](#)

Summary:

Offers out-of-state retailers the option of collecting and remitting sales tax in Oklahoma or providing the state with a list of its Oklahoma customers' names, dates of purchase and sales totals.

Status: Signed by the governor on April 10, 2018.

Comments: From [Tulsa World](#) (June 22, 2018)

Oklahoma and its local communities are positioned to scoop up more sales tax revenue from online retailers, supported by a U.S. Supreme Court decision Wednesday and state legislation set to take effect July 1.

The nation's high court in a 5-4 decision reversed precedent established in two prior cases, the most recent of which was in 1992 before the internet boom. The Wednesday opinion concluded it's "unsound and incorrect" to allow businesses without a "physical presence" in a state to forego collecting sales tax from online purchases made by people in that respective state.

State and local governments are analyzing the specific ramifications. But there's little question the decision generally paves the way for states, counties and municipalities to collect sales tax revenue from remote retailers that sell goods online in states in which they have no brick-and-mortar building.

Gov. Mary Fallin applauded the decision but in its wake still urged the U.S. Congress to "level the field" for small businesses by "implementing a fair system for online sales tax" for retailers in Oklahoma and across the nation.

"We have to help our local communities keep local businesses healthy so that cities and towns can fund core services," Fallin said in a prepared statement.

Paula Ross, spokeswoman for the Oklahoma Tax Commission, said the agency has worked the past several years with remote sellers to collect Oklahoma sales and use taxes.

The legislation to become law July 1 offers out-of-state retailers the option of collecting and remitting sales tax in Oklahoma or providing the state with a list of its Oklahoma customers' names, dates of purchase and sales totals.

Ross said without the pending state law sales-tax collection is difficult to enforce because compliance is voluntary. Under current law, she said, Oklahoma residents are supposed to pay sales tax on out-of-state online purchases on income tax or web forms, but “we recognize most people don’t do that.”

Ross thinks the Supreme Court decision and state legislation will work in lockstep to bring in a safe estimate of tens of millions of dollars more in sales tax for the state and local communities. She said the system will be more equitable, with less of a tax burden across the board on businesses if they all pay their fair share.

“Most businesses will probably work with complying and collecting the tax,” Ross said.

Mike Neal, president and CEO of the Tulsa Regional Chamber, issued a prepared statement supportive of the court decision that will create a “stronger, more resilient economy for Oklahoma.”

“Oklahomans spend almost \$3 billion online annually. That has meant about \$300 million in lost revenue every year, including \$160 million for the state, \$112 million for cities and \$24 million for counties,” Neal said. “The internet has evolved in ways few expected, and this ruling was long overdue. It will eliminate the unfair disparity between locally owned retailers and their online competitors. Clearing this hurdle puts Oklahoma in a position to collect much-needed new revenue to fund core government services.”

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

06-40B-04 Elections and Petitions for Constitutional Amendments,
Initiatives and Referendums
[HB 6595](#)

Summary:

States that no more than 15 percent of the signatures used to determine the validity of an initiative petition can come from a single congressional district.

Status: Signed by the governor on December 28, 2018.

Comments: From the [Daily News](#) (January 8, 2019)

In early December, standing within the halls of Michigan's State Capitol, Rep. Jim Lower, R-Cedar Lake, found himself surrounded by a pool of reporters.

Legislation he had proposed had passed the Michigan House of Representatives in a 60-49 vote, and deemed controversial by some, questions flew in from every direction.

Reaching the conclusion of his first term in office, the freshman representative knew his legislation — House Bill 6595 (now Public Act 608 of 2018) — which aimed at revising the rules of ballot-measure petition-gathering, would be viewed as a hasty act during a lame-duck session that came shortly after a November election that saw several ballot measures come to pass.

But the bill would go on to pass the Michigan Senate in a 26-12 vote, eventually followed by a signature from Gov. Rick Snyder during his final days in office, signing it into law.

The bill marked one of 10 of the 22 bills Lower proposed within the two-year first term he has served that was passed out of the House and signed into law, marking a track record he hopes to carry into his second term.

According to Lower, bills such as HB 6595, though met with criticism being introduced late in the legislative session on Dec. 6, set an example that he's not afraid to put his ideas forward and receive criticism in the process.

"That bill, it adds a lot more transparency, a lot more buy-in on a statewide basis for ballot initiatives on the front end and also a lot more accountability for people circulating petitions," he said. "I think these are things that are good for our area, and the state as a whole."

Lower said he began pursuing the legislation during his own campaigning for re-election this past summer and fall when he went door-to-door and spoke with constituents directly.

Rep. Jim Lower, R-Cedar Lake, surrounded by reporters, answers questions in December regarding controversial legislation focused on revising the rules of ballot-measure petition-gathering, following the legislation's passage out of the House on Dec. 6. — Submitted photo

According to Lower, he was met with questions regarding three proposals on the Nov. 6 ballot — questions he couldn't answer based on the information that would be available to voters on their ballot come election day.

"The most common question that I got was, they wanted to know what these ballot initiatives did, and who was behind them," he said. "Why not make that information more readily available? That's where this initiative came from, realizing that there was just such a lack of information out there."

Lower's legislation will require that no more than 15 percent of the signatures gathered for a ballot initiative be from any one of the 14 congressional districts in the state, whereas previous law had no geographic requirements on where signatures could come from.

Opponents of the legislation, essentially every Democratic member of the Legislature, criticized the law, stating it would result in thousands of signatures potentially being thrown out of populated areas once the 15 percent threshold is reached.

Other provisions of the bill require that petition circulators clearly identify if they are being paid or are volunteers and sets a seven-day deadline for people who want to file an appeal of a Board of Canvassers decision to the state Supreme Court.

"Every person in a democracy counts," Rep. Yousef Rabhi, D-Ann Arbor, told The Detroit Free Press in December. "What this bill does, is say 'Sorry people of the state of Michigan, you don't matter.' Because when you collect one more signature above the 15 percent threshold, that person's vote is silenced."

"This bill creates hurdles, and the intent is to make it as hard as possible to get questions on the ballot," Rep. Martin Howrylak, R-Troy, added.

But Lower disagrees.

"That criticism is just not factual," he said. "The Congressional districts are all the same size — the 4th is the exact same size as the 14th — for people who say, this congressional district has fewer people in it, that's not true. That would be unconstitutional."

Lower added that any idea that he was reacting to any of the three specific ballot measures is false.

“There was one that I really agreed with and voted for — the prevailing wage initiative — there’s been a lot of ballot measures over the years that I’ve agreed with, and a lot that I’ve disagreed with,” he said.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

06-40B-05 Government Severance Pay Act
[SB 3604](#)

Summary:

This law eliminates severance packages for employees who have been fired for misconduct. It also limits government-paid severance packages to an amount no greater than 20 weeks of compensation.

Status: Signed by the governor on August 14, 2018

Comments: From [Illinois Policy](#) (August 16, 2018)

Failed public officials will no longer be rewarded with six-figure parting gifts subsidized by Illinois taxpayers.

Gov. Bruce Rauner signed into law Senate Bill 3604 Aug. 14, creating the Government Severance Pay Act, which mandates specific provisions in government employment contracts that limit the capacity for excessive severance packages, commonly known as “golden parachutes.”

SB 3604, filed April 10 by state Sen. Tom Cullerton, D-Villa Park, caps severance payouts at the equivalent of 20 weeks of employee compensation. The bill also re-establishes government severance packages as a privilege – rather than an entitlement – mandating that government worker contracts include provisions that revoke severance packages altogether for employees terminated due to misconduct. The law becomes effective Jan. 1, 2019.

Lawmakers previously ventured to curtail golden parachutes with the passage of Senate Bill 2159. The bill, filed by state Sen. Bill Cunningham, D-Chicago, required greater transparency in severance pay negotiations for public university officials, and further capped their payouts at one year’s compensation. Gov. Bruce Rauner signed SB 2159 into law July 2016.

University officials have been among the most generously compensated in the face of career-ending scandal. The Better Government Association illustrated as much in a report released in October 2017, cataloguing a number of big severance payouts. University officials comprised seven of the nine Illinois officials listed in the report.

The College of DuPage board of trustees issued one of the largest severance packages for a government employee in Illinois history, according to the Chicago Tribune. During his tenure, President Robert Breuder hid more than \$95 million in public expenditures, \$243,300 of which was used to purchase liquor. The item was misleadingly labeled

“instructional supplies” on ledger lines. In turn, trustees purchased Breuder’s early retirement for nearly \$763,000 in severance pay.

More recently, Chicago’s water reclamation district awarded nearly \$100,000 in severance pay and six months of health benefits to former executive director David St. Pierre under ambiguous circumstances. St. Pierre resigned from his position following an investigation by the district board, the contents of which have remained undisclosed to the public.

Most Illinoisans, meanwhile, have experienced a fiscal climate sharply different from that of golden parachute recipients. Indeed, the same environment that has delivered six-figure payouts and premature retirements to public officials, has pushed a top-heavy tax burden onto the backs of Illinois taxpayers.

While more can be done in the way of bringing relief to taxpayers and curbing abuse of taxpayer dollars, the governor’s signing of SB 3604 should be welcomed as a significant taxpayer victory.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

06-40B-06 Whistleblower Pilot Program
[SB 1559](#)

Summary:

Directs directors of certain state agencies to develop pilot program to provide optional procedure for employees to anonymously disclose certain information.

Status: Signed by the governor on April 3, 2018.

Comments: From the [Stateman Journal](#) (December 31, 2018)

...Whistleblower protection:

Anonymous whistleblowers will have more protections in four state agencies, under Senate Bill 1559 passed in 2018.

The new law starts a two-year pilot project that allows whistleblowers to anonymously report concerns. The pilot project is limited to four state agencies: Oregon Health Authority, Oregon Department of Transportation, Department of Human Services and Department of Environmental Quality.

As part of the effort, the Oregon Bureau of Labor and Industries will need to prepare an online manual of uniform standards and procedures to protect whistleblowers — government employees who raise concerns about waste, incompetence and wrongdoing in their agencies...

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

06-40B-07 Relating to Residential Tenancies; and Declaring an
Emergency
[SB 608](#)

Summary:

This bill is the first state enacted rent control bill in the United States. Limits rent increases for residential tenancies to one per year. Limits maximum annual rent increase to 7 percent above annual change in consumer price index.

Status: Signed by the governor on February 28, 2019.

Comments: From [The Oregonian](#) (February 28, 2019)

Oregon Gov. Kate Brown signed into law a first-in-the-nation rent control bill Thursday and called on the Legislature to turn its attention to funding new housing initiatives.

Because of an emergency clause, Senate Bill 608's rent control and eviction protections go into effect immediately.

"This bill is a critical tool for stabilizing the rental market throughout the state of Oregon," Brown said. "It will provide immediate relief to renters struggling to keep up with the rising rents in a tight rental market.

The law caps annual rent increases to 7 percent plus inflation throughout the state, which amounts to a limit of just over 10 percent this year. Annual increases in the Consumer Price Index, a measure of inflation, for Western states has ranged from just under 1 percent to 3.6 percent over the past five years.

The rent increase restrictions exempt new construction for 15 years, and landlords may raise rent without any cap if renters leave of their own accord. Subsidized rent also is exempt.

The bill also requires most landlords to cite a cause, such as failure to pay rent or other lease violation, when evicting renters after the first year of tenancy.

Some "landlord-based" for-cause evictions are allowed, including the landlord moving in or a major renovation. In those cases, landlords are required to provide 90 days' notice and pay one month's rent to the tenant, though landlords with four or fewer units would be exempt from the payment.

The bill passed quickly through the House and Senate amid a Democratic supermajority and with only perfunctory opposition from landlord groups, who viewed it as a better

alternative to removing the state's ban on local rent control policies. The new law keeps the ban in place.

That's also tempered excitement from tenant groups, who say the cap still allows rent increases that could impose a significant financial hardship for renting families.

Brown said lawmakers and the Oregon Housing and Community Services Department should report back on how the bill is working during the 2021 legislative session, including its impact on the rental housing supply.

Meanwhile, she said the Legislature should approve \$400 million in housing-related budget requests for affordable housing development, rental assistance and homelessness prevention.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

06-40B-08 Division of Community Property: Pet Animals
[AB 2274](#)

Summary:

In a divorce proceeding a judge can take into consideration the well-being of a companion animal in deciding sole/joint ownership. Only two other states, Illinois and Alaska, have passed similar statutes.

Status: Approved by the governor on September 27, 2018.

Comments: From the [Office of Assemblymember Bill Quirk](#) (September 27, 2018)

Earlier this year, Assemblymember Bill Quirk (D-Hayward) introduced a bill, AB 2274, to give judges more direction about how to handle pet custody disputes in divorce proceedings. His bill will require judges to consider an animal's interests in divorce proceedings and allow joint ownership of a companion animal.

"There is nothing in statute directing judges to treat a pet differently from any other type of property we own. However, as a proud parent of a rescued dog, I know that owners view their pets as more than just property. They are part of our family, and their care needs to be a consideration during divorce proceedings," explained Assemblymember Quirk.

Assemblymember Quirk and his wife adopted Luna, a Maltese Shih Tzu mix, from a Bay Area rescue over two years ago. He has also worked with the Hayward Animal Shelter on an annual adoption and spay and neuter campaign in which he has personally donated over \$2,000 in vouchers to help families spay and neuter their pets.

A 2014 survey by the American Academy of Matrimonial Lawyers showed a 22 percent increase in pet custody hearings in court. This is a growing trend. Many divorce attorneys point out that often a spouse attempts to use the animal as a bargaining chip. Additionally, in a 2015 case involving the custody of Sage, the dog, the California appellate court concluded Sage was community property. Possession was granted on the fact that neither individual "established the dog was their separate property."

"We appreciate Assemblymember Bill Quirk's leadership on AB 2274 and thank the Governor for his signature on the bill," said Brandy Kuentzel, General Counsel of San Francisco SPCA. "Today more than ever, people consider their pets as part of the family, not just personal property to be divvied up like an appliance or furniture. When it comes to legal separation, it is important to consider the care of the animal."

"The signing of AB 2274 makes clear that courts must view pet ownership differently than the ownership of a car, for example. By providing clearer direction, courts will

award custody on what is best for the animal. I am proud that Governor Brown, as a fellow pet owner, agrees that we need to alter our view of pet safety and animal welfare,” said Assemblymember Quirk upon learning his bill was signed.

AB 2274 goes into effect January 1, 2019.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

06-40B-09 Relative to the Work Requirement for the Child Care
Scholarship Program
[SB 570](#)

Summary:

This bill includes parents completing mental health or substance abuse treatment programs among those eligible for the state's child care scholarships.

Status: Signed by the governor on June 25, 2018.

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

06-40B-10 Birth-to-Three for All DC Act of 2018
[L 22-179](#)

Summary:

This act requires the Department of Health, in collaboration with the deputy mayor for health and human services, to expand and coordinate health care for pregnant women, new mothers, infants and toddlers under age 3 through the Healthy Steps Pediatric Primary Care Program.

Status: Effective October 30, 2018.

Comments: From the [Office of Councilmember Robert White](#) (June 26, 2018)

Today, Councilmember Robert White celebrated the final Council vote on the Birth-to-Three for All DC Act of 2018, a major victory for early childhood education. The bill includes the provisions from Councilmember White's BEGIn Act, which was inspired by his daughter, Madison.

Specifically, the bill increases the available city funding for early childhood development providers, improves the pay system for child development educators, and creates new government positions to help providers obtain or renew a child development facility license. The bill also strengthens pre- and post-natal support for District mothers.

By age three, 85% of a child's core brain has developed. Deficits in cognitive development for children in poverty are apparent by age two, making infant and toddler programs one of the most critical investments the District can make. Dr. James J. Heckman, a Nobel Prize winning economist, conducted groundbreaking research that found investments in early childhood education can help address poor health, crime, school dropout rates, and poverty. Councilmember White believes that significant investments in early childhood education is the biggest step we can take to close our persistent and stubborn academic achievement gap.

White said, "As a father, I learned first-hand how expensive and difficult it is to find high-quality early education programs and decided to make it one of my top priorities while on the Council." White added that he is excited to see the increasing momentum locally and nationally for the most critical missing piece of our education system, early childhood development.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

06-40B-11 Short Term Rentals
[HB 1035](#)

Summary:

This bill protects the ability of owners to offer short-term rentals and prohibits cities from banning rentals of a primary residence, while allowing them to impose fees or taxes.

Status: Signed by the governor on March 18, 2018.

Comments: From the [South Bend Tribune](#) (March 6, 2018)

Legislation limiting regulation of short-term rentals by local governments was approved Tuesday by Indiana lawmakers and is on its way to Gov. Eric Holcomb's desk.

The bill's passage likely marks the bookend of a yearlong debate over balancing property owners' rights and neighbors' concerns as businesses like Airbnb continue to grow in the state.

"This legislation reflects the perfect balance of individual property rights and government oversight," said the bill's sponsor, Republican Rep. Matt Lehman. "I look forward to the governor signing this bill into law and making a national statement that Indiana is open for business."

The measure would guarantee homeowners the ability to rent out their primary residence on online platforms like Airbnb, HomeAway and VRBO. In those instances, the authority of cities and counties would be sharply curtailed.

For example, the Indianapolis suburb of Carmel, which has some of the state's highest average incomes, adopted strict rules this year limiting the ability of residents to list their primary homes on short-term rental websites and completely banned renting out secondary homes.

The measure was intended to discourage homeowners from using the service, with supporters of such rules arguing that short-term rentals could cause safety concerns, noises and other violations.

Under the bill, the city would be prohibited from enforcing much of their ordinance. But Carmel could still regulate secondary properties, including setting restrictive zoning standards and requiring a city permit.

However, other cities — unlike Carmel — which passed ordinances regulating short-term rentals before the end of 2017 would be grandfathered in and permitted to continue enforcement.

The bill is significantly scaled back from last year's proposal that would have dramatically cut down regulations on short-term rentals. That effort fell one vote short of passage in the House.

This year, Lehman compromised and the House voted 73-19 Tuesday to give the measure final passage.

If Holcomb signs the bill, Indiana will become the fourth state — following Florida, Idaho and Arizona — to protect short-term rentals under state law, said The Travel Technology Association, a Virginia-based advocacy group.

"Indianapolis is Airbnb's top trending U.S. city," said Laura Spanjian, Airbnb Midwest policy director, in a statement. She added that their presence has boosted tourism industry in South Bend, Bloomington, Fort Wayne and Evansville.

It is uncertain that whether the governor will sign the bill into law.

"This bill is not a part of the governor's legislative agenda," said Stephanie Wilson, spokeswoman for Holcomb. "He will review all bills that arrive on his desk carefully before making a decision."

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-01 Drug Take Back Act
[SB 9100](#)

Summary:

Requires pharmaceutical manufacturers to finance and manage the safe collection and disposal of unused medications. Requires pharmacies with ten or more U.S. locations to participate as drug collection sites to help ensure convenient access for residents. New York is the fourth state to require manufacturers to fund and safely manage drug take-back, preceded by Massachusetts, Vermont, and Washington, along with 22 local governments throughout the U.S.

Status: Signed by the governor on July 10, 2018

Comments: From the [Product Stewardship Institute](#) (July 10, 2018)

Today, New York Governor Andrew Cuomo signed the Drug Take-Back Act, which requires pharmaceutical manufacturers to finance and manage the safe collection and disposal of unused medications. The law, sponsored by Senator Hannon and Assemblywoman Gunther, requires pharmacies with ten or more U.S. locations to participate as drug collection sites to help ensure convenient access for residents. The law takes effect in 180 days. Program implementation will begin in mid-2019.

Unused medications accumulate in the home, where they are accessible to potential abusers and a danger to seniors, children, and pets. When improperly disposed down the drain or in the trash, unused drugs contaminate New York waterways and harm aquatic organisms. New York is the fourth state to require manufacturers to fund and safely manage drug take-back, preceded by Massachusetts, Vermont, and Washington, along with 22 local governments throughout the U.S.

The new law designates the New York State Department of Health (DOH) to oversee the program. The DOH has authority to develop regulations for effective implementation. Notably, the legislation gives pharmacies and other collectors the option to use kiosks, mail-back, or "other" approved systems. Kiosks are the most convenient and cost-effective collection method and can be required by the DOH.

The New York State Department of Environmental Conservation (DEC) recently released a comprehensive assessment that identified the need for a statewide manufacturer-funded program for consumers to safely dispose medications. The DEC is also conducting a two-year drug take-back pilot program with 246 retail pharmacies, hospitals, and long-term care facilities. The success of the pilot demonstrates that drug take-back is both possible and indispensable.

The Product Stewardship Institute (PSI), a national nonprofit, raised early awareness about the need for safe drug disposal and advised officials on the legislation and state pilot take-back program. "Passage of this law will remove a significant financial and management burden on government and place much of it on drug companies who put these products on the market," said Scott Cassel, Chief Executive Officer and Founder of PSI. "We now need to ensure that the program is effectively implemented so unwanted medications are taken out of homes and kept out of waterways."

Product stewardship experts from the New York Product Stewardship Council (NYPSC) rallied local and regional governments to support the bill and provided recommendations that ultimately improved it. "More than 2,000 people in New York State die annually from opioid overdose -- most commonly from prescription pain relievers," said Andrew Radin, NYPSC Chair and Recycling Director for Onondaga County Resource Recovery Agency. "The passage of this law is a vital step forward to protect our families and communities."

Citizens Campaign for the Environment (CCE) worked closely with NYPSC and PSI to lead the lobbying effort for the Drug Take-Back Act's passage. CCE's skillful and timely grassroots organizing brought together a diverse coalition to support the bill. "This landmark legislation provides safe, easy and free drug disposal options for the public. Safe disposal of unwanted drugs means cleaner, safer drinking water. Our summer ice tea should have lemon and honey, not trace amounts of Lipitor and antibiotics" said Brian Smith, Associate Executive Director of CCE. "We applaud the Governor and the state legislature for taking urgent action to protect our water and wildlife."

Many local governments throughout New York currently host annual one-day drug collection events. The permanent statewide program will enable residents to safely dispose drugs throughout the year. Stephen Acquario, Executive Director of the New York State Association of Counties, noted, "Counties support this statewide solution to stem the tide of the opioid epidemic and keep pharmaceuticals out of our water supplies without passing undue costs on to taxpayers."

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-02 Wholesale Importation of Prescription Drugs Act
[S 175](#)

Summary:

First-in-the-nation law that would facilitate the state's importation of prescription drugs wholesale from Canada. It represents the state's effort to tackle head-on the issue of constantly climbing drug prices. The legislation creates a wholesale importation program to purchase high-cost drugs through authorized wholesalers, who will purchase the drugs in Canada and make them available to Vermonters through an existing supply chain that includes local pharmacies.

Status: Signed by the governor on May 16, 2018.

Comments: From [Kaiser Health News](#) (May 18, 2018)

This week, Vermont passed a first-in-the-nation law that would facilitate the state's importation of prescription drugs wholesale from Canada. It represents the state's effort to tackle head-on the issue of constantly climbing drug prices.

Other states, including Louisiana and Utah, have debated similar legislation and are watching Vermont's progress closely.

After all, the issue of drug importation polls well across the political spectrum and has been endorsed by politicians ranging from candidate Donald Trump, before he became president, to liberal firebrand Sen. Bernie Sanders (I-Vt.).

So how much impact might a state law like this actually have?

Trump has since stepped back from his campaign position, and the White House did not include drug importation in its proposal last week to bring down drug prices.

And cautions abound that importation may not actually save that much money as questions swirl about whether the policy undermines drug safety standards.

Kaiser Health News breaks down the challenges that lie ahead for importation champions, and what it shows about the future of the drug pricing fight.

States need federal approval to launch any kind of importation program.

Just having a law like Vermont's on the books is not enough to legalize importation. The next step is for the state to craft a proposal outlining how its initiative would save money

without jeopardizing public health. The proposal, in turn, is then subject to approval by the federal Department of Health and Human Services.

HHS has had yea-or-nay power over state importation programs since at least 2003, because of a provision included in the law creating Medicare Part D. But it's never actually approved such a plan. And — despite mounting political pressure — there's little reason to think it will do so now.

In the past weeks, HHS Secretary Alex Azar has come out strongly against importation, calling it a “gimmick” that wouldn't meaningfully bring down prices.

He also has argued that the U.S. government cannot adequately certify the safety of imported drugs.

HHS declined to comment beyond Azar's public remarks.

Importation backers — including the National Academy for State Health Policy (NASHP), which helped craft Vermont's bill and has worked with state lawmakers — hope he'll reverse these positions. But few are optimistic that this will happen.

“I don't expect that Vermont alone will be able to bring sufficient pressure to bear on Secretary Azar to convince him to change his mind,” said Rachel Sachs, an associate law professor at Washington University in St. Louis, who tracks drug-pricing laws.

A state's importation program would also require buy-in from Canadian wholesalers. What's in it for them?

Perhaps not much. Canadian wholesalers might stand to lose financially.

After all, pharmaceutical companies that market drugs in the United States might limit how much they sell to companies that have supply chains across the border. They could also raise their Canadian list prices.

“Almost inevitably, Canadians would cease getting better prices,” said Michael Law, a pharmaceutical policy expert and associate professor at the University of British Columbia's Center for Health Services and Policy Research. “If I were a [Canadian] company, I wouldn't want that to occur — and [drugmakers] could take steps to limit the supply coming north. ... It probably results in [Canadians] getting higher prices.”

Trish Riley, NASHP's executive director, dismissed this concern, saying some Canadian wholesalers have indicated interest in contracting with Vermont.

Vermont would still have to prove to HHS that its proposal would yield “substantial” savings. This won't be easy.

In fact, some analysts suggest savings would be limited to a narrow slice of the market.

Importation could bring down the price of some generics and off-patent drugs by increasing competition, suggested Ameet Sarpatwari, a lawyer and epidemiologist at Harvard Medical School who studies drug pricing.

Many generic drugs have also seen substantial price hikes in recent years — but curbing these costs is only part of the equation.

“It’s not a panacea for the drug-pricing reform or high drug prices as a whole,” Sarpatwari said.

Branded drugs, which drive much of the American problem with prescription price tags, are distributed by a single company and, therefore, that company has greater control over supply and pricing pressure.

Drug safety looms over the debate.

The worry, according to critics, is that American regulators can’t effectively determine whether imported drugs meet the same safety standards as those sold directly in the United States. A year ago, a bipartisan group of former Food and Drug Administration commissioners made that very argument in a letter to Congress.

Azar has argued this same point, as has the influential pharmaceutical industry, represented by the Pharmaceutical Research and Manufacturers of America.

“Lawmakers cannot guarantee the authenticity and safety of prescription medicines when they bypass the FDA approval process,” said Caitlin Carroll, a PhRMA spokeswoman, in a statement released on Vermont’s law.

This position, though, draws skepticism.

In cases of drug shortages or public health emergencies, the United States has imported drugs. And many Canadian and American drugs are made and approved under similar standards, Law noted.

“In terms of general safety, it is kind of nonsense. ... We share plants,” he said. “The idea that Canadian drugs are somehow unsafe is a red herring.”

An argument in favor of plans like Vermont’s focuses on the idea that because the state would import drugs wholesale — rather than enabling individuals to shop internationally — it would be able to address concerns about safety or quality, Riley said.

Plus, Sarpatwari suggested, the government has resources to track drugs that come from Canada, especially if a drug were recalled or ultimately found to have problems.

“Our technology is catching up with our ability to do effective monitoring,” he said. “Particularly when it’s coming from a well-regulated country, I think there is less fear over safety.”

States have been leading the charge on addressing the drug price issue, but their efforts reach only so far.

The federal government has taken little action to curb rising drug prices — though HHS now says it plans to change that.

So far, state legislatures have been pushing for laws to penalize price gouging, promote price transparency or limit what the state will pay.

But state initiatives often require federal permission.

Vermont’s law, which is arguably meaningless without HHS’ say-so, is just one example.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-03 Healing Arts Licensees: Probation Status: Disclosure
[SB 1448](#)

Summary:

SB 1448, the Patient Right to Know Act, would require a doctor on probation for causing patient harm in one of four categories – sexual misconduct with a patient, overprescribing, criminal conviction or drug and alcohol use – to disclose that fact to his or her patient before an appointment.

Status: Signed by the governor on September 19, 2018.

Comments: From [PR Newswire](#) (August 31, 2018)

California would be the first state in the nation to mandate doctors tell their patients when they are disciplined for sexual assault or other patient harm under legislation that passed the Assembly today. The bill returns to the Senate, which already approved it in May, for a concurrence vote today before heading to Governor Brown.

SB 1448, the Patient Right to Know Act authored by Senator Jerry Hill (D-San Mateo), would require a doctor on probation for causing patient harm in one of four categories – sexual misconduct with a patient, overprescribing, criminal conviction or drug and alcohol use – to disclose that fact to his or her patient before an appointment. This was the third year Senator Hill proposed legislation to lift the veil of secrecy that prevents patients from learning of doctors' misconduct.

"There is never an excuse for secrecy about physician sexual assault, drug use or other devastating patient harm. The Patient Right to Know Act will finally begin giving patients the information they deserve and need to keep themselves safe," said Carmen Balber, executive director of Consumer Watchdog. "It took the public outcry for accountability in the face of the USC and Olympic team doctor abuse scandals, and the #MeToo movement, to overcome years of intransigence from the doctors' lobby that stood in the way of greater transparency."

The Medical Board of California places approximately 124 doctors on probation every year. A study by the California Research Bureau found that doctors who engage in misconduct are 30 percent more likely to reoffend.

Dozens of survivors of physician sexual assault, including Olympic and Michigan State University athletes abused by team doctor Larry Nassar, and current and former USC students who reported abuse by gynecologist George Tyndall, travelled to Sacramento this year to urge lawmakers to end the culture of secrecy that allows sexual misconduct and other patient harm to continue without consequences. View the Olympians'

testimony here: <http://sd13.senate.ca.gov/multimedia/news-conference-senate-bill-1448-patients-right-know-act-2018>

California law already recognizes patients' right to know about physician discipline by mandating that information be disclosed online, however the online system is notoriously difficult to use.

"Placing the burden on the public to know about an obscure state government website, have the internet, speak English, find a doctor's records, then wade through and decipher legal documents about the doctor's history of misconduct, is the same as sealing those disciplinary records to the public. That's why disclosure before a patient's appointment, as required by SB 1448, is so critical to patient safety. Patients will never learn otherwise," said Balber.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-04 Alternatives to Opioids Act
[SB 0336](#)

Summary:

Allows patients that receive or are qualified to receive opioid prescriptions access to medical marijuana as an alternative to prescription opioid medications such as OxyContin, Percocet and Vicodin.

Status: Signed by the governor on August 28, 2018.

Comments: From [Illinois Policy](#) (February 5, 2019)

The Opioid Alternative Pilot Program launched Jan. 31, with registration open through the Illinois Department of Public Health, or IDPH. The pilot program is part of the Alternative to Opioids Act, which former Gov. Bruce Rauner signed into law in August 2018, with the aim of combating the opioid epidemic.

The pilot program will allow patients that receive or are qualified to receive opioid prescriptions access to medical marijuana as an alternative to prescription opioid medications such as OxyContin, Percocet and Vicodin.

The pilot program comes amid a nationwide epidemic of fatal opioid-related drug overdoses. Of the 70,200 drug overdose deaths that occurred nationwide in 2017, opioids caused 47,600, according to the National Institute on Drug Abuse. There were six times more opioid deaths that year than in 1999.

Opioid-related overdose deaths in Illinois increased to 15.3 per 100,000 persons in 2016 from 3.9 per 100,000 persons in 1999.

The Alternative to Opioids Act also lifted restrictions included in Illinois' original medical marijuana law, the Compassionate Use of Medical Cannabis Pilot Program Act, which took effect January 2014. That law required providers to fingerprint and perform criminal background checks on all applicants. In fiscal year 2017, IDPH denied 635 qualifying patients, some solely on the basis of failed background checks. The Alternative to Opioids Act eliminated the fingerprint and background check requirements.

"There is not a singular answer to the [opioid] crisis ... it's a piece of an answer," state Rep. Kelly Cassidy, D-Chicago, chief co-sponsor of the bill, said of the pilot program in an appearance on "Chicago Tonight." "But the minute we passed this bill, New York state introduced a version of it. We were the first in the country to contemplate short-term access as a way to prevent addiction."

Tashena Altman, who has had Sickle Cell disease since childhood, told ABC 7 Chicago (WLS-TV) that she has lived in severe pain for most of her life, but fears addiction and other side effects of prescribed opioids. Altman was one of the first patients to purchase medical marijuana through the pilot program, with hopes of better controlling her pain.

Marijuana has been shown to alleviate severe pain and other symptoms of chronic medical conditions. A 2016 study published in the Journal of Pain Research found medical cannabis users in Michigan saw an “improvement in quality of life, better side effect profile, and decreased opioid use.” The study found a 64 percent drop in the use of opioids among patients treated with medical marijuana.

Another study published in the Harm Reduction Journal in 2017 concurred, reporting that “the growing body of research supporting the medical use of cannabis as an adjunct or substitute for opioids” lends support to policies that offer such treatment alternatives.

Midwest Cannabis Education Conference co-founder Melissa Hallbeck, who appeared alongside Cassidy on “Chicago Tonight,” found herself addicted to Norco and sleeping pills while undergoing pain treatment. “Years ago, I started on painkillers after I had multiple surgeries,” Hallbeck said. “[I] got my cannabis card from day one and found myself weaning myself off of opioids because of it.”

The Alternative to Opioids Act followed another measure that signaled the state’s growing openness to cannabis – the Industrial Hemp Act, which lifted restrictions on the industrial production of hemp. Rauner signed the Act into law in August 2018.

While Illinois’ medical marijuana program is set to expire in July 2020, many lawmakers in Springfield are mobilizing to legalize marijuana statewide with the backing of Gov. J.B. Pritzker. For now, those who need it most will begin to receive access to opioid alternatives through the pilot program.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-05 Opioid Antagonists
[HB 12](#)

Summary:

Currently one of the broadest opioid overdose reversal drug bills in the U.S. It makes the opioid-overdose-reversing drug available from any licensed or registered health care professional, to be given to anyone with “a valid reason” to possess it.

Status: Signed by the governor on February 14, 2019; Effective July 1, 2019.

Comments: From the [Office of the Governor](#) (February 14, 2019)

Governor Brad Little signed House Bill 12 into law today during a bill signing ceremony to highlight the benefits of a medication called naloxone in saving the lives of people experiencing opioid overdose. He also reminded Idahoans of his forthcoming executive order to address opioid addiction in Idaho.

“My administration is fully committed to fighting the scourge of opioid abuse head on,” Governor Little said. “We look forward to coordinating with all public and private entities to reverse this epidemic.”

There were 116 known opioid overdose deaths in Idaho in 2017, up from 44 just more than a decade ago – a 163 percent increase.

If an individual has an opioid overdose, a quick administration of naloxone can reverse the overdose and bring the patient back to life. A study found when access to naloxone is enhanced there is a nine to 11 percent decrease in opioid-related deaths.

House Bill 12 gives Idaho one of the broadest naloxone access laws in the United States, and it avoids the red tape some other states have placed around the drug. In 2015, Idaho passed a law to ease access to naloxone, and House Bill 12 expands upon this successful foundation.

The bill’s sponsor, Representative Fred Wood (R-Burley), as well as Senator David Nelson (D-Moscow) and Office of Drug Policy Administrator Melinda Smyser joined Governor Little during the signing ceremony.

“We have an opioid problem here in Idaho. While we figure out a way to combat this growing addiction, we need to let our neighbors know that there is help at their fingertips if they have a loved one in need. This could be the first step to helping someone into recovery,” Representative Wood said.

“I was excited to sponsor this piece of legislation on the Senate floor. This bill saves the lives of moms, dads, brothers and sisters. We give Idahoans the chance to seek treatment and focus on recovery,” Senator Nelson said.

Governor Little also reminded Idahoans of his forthcoming executive order on substance abuse. He mentioned his plans for the executive order in his State of the State and Budget Address in January. The executive order will formalize an existing opioid plan, direct future resources to and broaden efforts to combat opioid addiction and create non-offender programs for substance abuse.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-06 Worker's Comp Extension for First Responder
Post-Traumatic Stress Injuries (PTSI)
[SB 1028](#)

Summary:

This bill identifies Post Traumatic Stress Disorder (PTSD) otherwise known as Post Traumatic Stress Injury (PTSI) as an occupational injury that affects Idaho's First Responders. Under current law, a mental injury must be accompanied by a physical injury. This changes current statute that if a First Responder has clear and convincing evidence of a physiological injury, the treatment would be handled through worker's compensation. The provision of this act shall be null, void, and of no force and effect on and after July 1, 2023.

Status: Signed by the governor on March 12, 2019.

Comments: From the [Idaho State Journal](#) (January 25, 2019)

Legislation that would change Idaho's workers' compensation laws to allow first responders to file claims for post-traumatic stress injuries was introduced Thursday in a Senate committee.

House Minority Leader Mat Erpelding, D-Boise, presented the measure Thursday afternoon to the Idaho Senate Commerce & Human Resources Committee, which voted unanimously to introduce it. That clears the way for a full committee hearing on the bill, which is co-sponsored by Senate Majority Leader Chuck Winder, R-Boise.

In Idaho, first responders can receive compensation for a work-related mental injury — such as a diagnosis of post-traumatic stress injuries — only if it is accompanied by a physical injury. Throughout the state, first responders must pay out of pocket for their own treatment and use their vacation time if it requires time away from work, if their injury isn't physical.

The legislation would change that. As Erpelding told the committee — and the full room dotted with a few uniformed police officers and Boise Police Chief Bill Bones — if a first responder could demonstrate “clear and convincing evidence of a mental injury” related to their work, they could receive compensation for the treatment.

Erpelding said clear and convincing evidence is “far greater than 50 plus 1 percent,” and is closer to “beyond a shadow of a doubt.”

Erpelding said while municipalities might see a slight increase in workers' compensation costs as first responders file claims, predicting the exact cost is difficult. For that reason,

he said, the legislation includes a clause allowing it to sunset in four years, in case there is an unexpected surfeit of claims and costs.

Sen. Steven Thayne, R-Emmett, asked Erpelding what treatment for first responders might look like on the ground.

“The current treatment of PTSD is to do everything possible to keep the employee in the working environment,” Erpelding said. “What that does is it keeps the employee working and it helps them to process some of the problems they’re having with previous experiences.”

He added a patient typically requires between 15 and 20 therapeutic appointments to see change.

It’s not the first time such legislation has been introduced in Idaho. In the 1990s, lawmakers debated a similar bill, and among those who supported it was Boise Fire Chief Dennis Doan. The legislation, however, died amid fiscal concerns and opposition from the Idaho Association of Commerce and Industry, Doan previously told the Idaho Press.

The current bill would apply to public employees, including volunteer first responders, and lists police officers, firefighters, emergency medical service providers, and emergency communications officers.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-07 First Responder Crisis Intervention
[S 2633](#)

Summary:

Law requires departments to have crisis intervention services to prevent PTSD in first responders who are dealing with psychological trauma.

Status: Signed by the governor on December 28, 2018.

Comments: From firerescue1.com (January 17, 2019)

A bill that ensures first responders' access to mental health services after a traumatic event was signed into law.

WWLP reported that Gov. Charlie Baker signed Senate Bill 2633, which requires departments to have crisis intervention services to prevent PTSD in first responders who are dealing with psychological trauma.

"In our agency, we have a peer support group consisting of three officers who keep things confidential," Amherst Police Chief Scott Livingstone said. "That would be where they would start within our agency. So we have the protocols in place that would help those officers get the ball rolling and get the assistance they need."

The bill will ensure that first responders will not be penalized for confiding in their peers about their experiences.

"Providing law enforcement officers with the ability to confidentially seek guidance from their peers will help them cope with the events they experience in the line of duty," Baker said, according to the *Millbury-Sutton Chronicle*. "We are thankful for the Legislature and law enforcement for their advocacy on this bill to increase support for services and reduce stigma around mental health issues."

Senator Michael Moore said he hopes the bill will "encourage greater participation."

"Police officers, firefighters, and paramedics work every day under demanding circumstances, and responding to critical incidents can have a direct, negative impact on the mental health of first responders," he said. "Confidentiality is an essential piece of comprehensive mental health services, and this bill will encourage greater participation and improved mental health for these brave men and women."

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-08 Medical Aid in Dying for the Terminally Ill Act
[A 1504](#)

Summary:

This bill permits a qualified terminally ill patient to self-administer medication to end life in humane and dignified manner. "Qualified terminally ill patient" means a capable adult who is a resident of New Jersey and has satisfied the requirements to obtain a prescription for medication.

Status: Signed by the governor on April 12, 2019.

Comments: From [Governing](#) (March 29, 2019)

On Friday, New Jersey Gov. Phil Murphy signed a bill to legalize physician-assisted suicide.

"Allowing terminally ill and dying residents the dignity to make end-of-life decisions according to their own consciences is the right thing to do. I look forward to signing this legislation into law," he said in a statement after the legislature passed the bill last month.

Seven other states and the District of Columbia allow patients to request a prescription for life-ending medication when they're expected to live less than a year and are in pain.

New Jersey's legislation will apply to people with a prognosis of six months or less. A patient must ask their doctor three times -- once orally and twice in writing. The written request has to be witnessed by two people, and one of them can't be a family member or a will beneficiary.

Oregon was the first to legalize what's also known as "aid in dying" or "death with dignity," in 1997. In the two decades since, the policy has slowly gained support. But last month, a bill died in the Maryland state Senate, one vote shy of passage. Days before that, an aid-in-dying effort failed in Connecticut.

In addition to New Jersey, New York could legalize death with dignity this year. A bill to do so is currently in committee.

Connecticut state Rep. Jonathan Steinberg, a Democrat, became interested in the policy when a constituent of his was indicted for helping his father die because he was in so much pain at the end of his life.

“It was an eye-opener. I had no idea of the magnitude of the problem. The world of palliative and hospice care has improved in the past couple of years, but there remains a percentage of people where this is simply insufficient,” says Steinberg.

If Steinberg's bill had reached Democratic Gov. Ned Lamont's desk, there is reason to believe he would have signed it.

In Maryland, which has a significant Catholic population, the church lobbied against assisted suicide. In Connecticut, the biggest opposition came from disability advocates.

“Many of us with severe and obvious disabilities tend to be thought of, prematurely, by medical practitioners as having reached a final stage where death might be expected in the near future,” said Cathy Ludlum, co-founder of Second Thoughts Connecticut, in a public hearing on the legislation.

Connecticut's bill was modeled after the Oregon law, which Steinberg refers to as the “gold standard.” The legislation would have required a prognosis of less than six months, consent from two doctors and opportunities to rescind the request at any time. (Maryland's also required a patient to be alone with their physician at the time of one of the requests.)

In an interview with *Governing*, Maryland state Del. Shane Pendergrass quoted a woman -- who has since passed away -- who once testified in support of aid in dying. She said “we're all one bad death away from supporting this.”

“One of our delegates co-sponsored this legislation because when his mother passed away, he had to experience a bad death,” said Pendergrass.

While the Maryland legislation is dead, the governor's stance on assisted suicide appears to be evolving. Republican Larry Hogan spoke against aid in dying as a candidate in 2014, but more recently, he said he would consider it more closely and that the policy is “one that I really wrestle with from a personal basis.”

Still, the movement faces court battles and legislative hurdles.

Last May, a court overturned California's End of Life Option Act, which was signed into law in 2016. The law was reinstated when an appeals court stayed the ruling, but the long-term future of the law is uncertain. And in 2018, 21 states introduced aid-in-dying bills, but only Hawaii signed one into law.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-09 Out-of-Network Consumer Protection, Transparency, Cost Containment and Accountability Act
[A 2039](#)

Summary:

This bill is designed to protect consumers against surprise medical bills from out-of-network providers.

Status: Signed by the governor on June 1, 2018.

Comments: From the [Office of the Governor](#) (June 1, 2018)

Protecting consumers against surprise bills for out-of-network health services, Governor Phil Murphy today signed Assembly Bill No. 2039, which makes changes to several elements of New Jersey's health care delivery system. These improvements include transparency and enhanced consumer protections, the creation of an arbitration system and cost containments for out-of-network services.

"Today, we're closing the loophole and reigning in excessive out-of-network costs to prevent residents from receiving that 'big surprise' in their mailbox," said Governor Murphy. "At the same time, we're making health care more affordable by ensuring these costs are not transferred to consumers through increased health premiums."

It is estimated that approximately 168,000 New Jerseyans receive out-of-network bills each year, totaling \$420 million. In many instances, out-of-network bills are shifted to health insurers, who then pass along their costs to an estimated five million residents who pay up to \$956 million more per year more for their commercial insurance premiums.

"No one likes to be blindsided. But that's what's been happening to residents who did not know they were getting out-of-network medical care until they received a bill in the mail," said Assembly Speaker Craig Coughlin. "Residents should have the final say over what health care services make the most sense for them financially, and now thanks to this law, they will. This is about transparency, keeping health care affordable and protecting the rights of healthcare consumers. Health care is expensive. Residents have a right to know what they are financially responsible for ahead of time; not afterwards when they have no recourse. This law will help provide that."

"Families in New Jersey who unknowingly received out-of-network medical care had no other option but to pay up. This stops today. This law will give families the opportunity to make informed choices about their medical care before they agree to it, and protects them in emergency situations when their choice is taken away. It took years to get to

this point, but we finally got it done,” said Senator Joe Vitale. “This provides the transparency that’s been lacking in the health care industry and creates the necessary safeguards when inadvertent situations occur. Residents will now be able to make knowledgeable healthcare decisions when it matters. With this law, unanticipated health care charges will be a thing of the past.

“Better Choices, Better Care NJ thanks Governor Murphy, Speaker Coughlin and Senator Vitale for their leadership on this issue,” said NJ spokesman Chris Donnelly. “Surprise medical billing was a problem that for far too long had gone unresolved in New Jersey. This law will finally take action to help fix this costly issue.”

Assembly Bill No. 2039 makes the following changes:

Disclosure and Transparency: For non-emergency patients, the bill requires health care facilities and professionals to provide additional information before the patient receives services. These include the in or out-of-network status of the providers, as well as a disclaimer regarding the responsibility of the patient to pay any additional out-of-network fees. The bill also requires that the providers supply each patient, upon request, an estimate of fees, and requires facilities to establish public postings regarding standard charges. Health insurance carriers are also required to provide written notice of changes to their network, to provide detailed information regarding out-of-network services, and to maintain a telephone hotline to address questions.

Out-of-Network Billing: The bill also introduced changes to provider billing practices for out-of-network services administered on an “emergency or urgent basis.” In part, these changes restrict the amount a provider may charge in excess of a deductible, copayment, or coinsurance amount applicable to in-network services pursuant to the covered person’s health benefits plan.

Arbitration: The bill creates an arbitration process to resolve out of network billing disputes. Where insurance carriers and providers cannot agree on an acceptable reimbursement for services, an arbitrator would choose between one of two final offers submitted by the parties.

The legislation takes effect 90 days following enactment.

Sponsors of the legislation include: Assembly Speaker Craig Coughlin and Assembly members Gary S. Schaer and Pamela R. Lampitt, as well as Senator Joseph Vitale.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-10 Invisible Reinsurance Pool for the Individual Health Insurance Market
[HB 1106](#)

Summary:

Upon approval of a 1332 waiver, HB 1106 will be finalized. HB 1106 establishes a reinsurance program for North Dakota. The signed bill provides excellent definitions for future programs.

Status: Signed by the governor on April 18, 2019.

Comments: From the [Insurance Journal](#) (April 22, 2019)

North Dakota Gov. Doug Burgum has signed a bill that allows for establishing a reinsurance pool for the individual health insurance market in that state.

House Bill 1106, backed by the North Dakota Department of Insurance, was passed unanimously by the state House of Representative and received only one negative vote in the Senate.

HB 1106 outlines a plan developed by the department proposing the creation of a reinsurance mechanism called “invisible” reinsurance. The approach of invisible reinsurance allows enrollees to remain in the individual market with their current plan and carrier, while a portion of their claims are reimbursed by the reinsurance pool. The enrollee would not be aware that their claim is being paid via the reinsurance pool meaning there would be no effect on the enrollee as the task of ceding claims to the reinsurance pool is completed on the back end of the process and is without consequence to the enrollee.

The reinsurance program would cover 75% of paid claims per individual between \$100,000 and \$1,000,000 for 2020 and 2021.

A study conducted by the department in 2018 shows that the invisible reinsurance pool would reduce premiums and provide a low-cost alternative for healthier individuals. This would result in more individuals with health insurance, a more stable individual market and protection for health insurance companies from unpredictable high cost claims. This would also result in companies being more willing to participate in the North Dakota individual insurance market.

The reinsurance pool would be funded by a combination of federal funds and assessments. The assessments would be placed on insurance companies selling in North Dakota’s health insurance market.

With the passage of HB 1106, the department will now finalize a 1332 waiver under the Affordable Care Act and seek approval from the federal government to implement this reinsurance program. Final approval is expected by the end of Sept. 2019.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-11 An Act Relating to Insurance (Prescription Medication Synchronization)
[HB 1824](#)

Summary:

This bill requires health benefit plans to provide for the synchronization of prescription drug refills and prorate cost-sharing charges for prescription drugs under certain circumstances. This bill also prohibits proration of dispensing fees and requires that dispensing fees be based on the number of prescriptions filled or refilled.

Status: Signed by the governor on May 1, 2017.

Comments: From [NPE](#) (May 31, 2017)

On May 1, 2017, Gov. Fallin signed HB 1824 into law. This law requires plans that provide prescription drug benefits to provide synchronization of prescription drug refills at least once per year if certain conditions are met. Synchronization involves coordinating the medication refills of a patient that is taking two or more medications such that the medications are refilled on the same schedule. While plans can prorate daily cost-sharing rates for synchronized medications, they can't prorate dispensing fees, which must be based on the number of prescriptions filled.

This law becomes effective on Nov. 1, 2017.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-12 Health Plans; Calculation of Enrollee's Contribution
[HB 2515](#)

Summary:

Requires any carrier issuing a health plan in the Commonwealth to count any payments made by another person on the enrollee's behalf, as well as payments made by the enrollee, when calculating the enrollee's overall contribution to any out-of-pocket maximum or any cost-sharing requirement under the carrier's health plan.

Status: Signed by the governor on March 21, 2019.

Comments: From [CBS 19 News](#) (March 27, 2019)

A new state law will protect patients in Virginia from an insurance practice that may undermine a patient's access to care.

Governor Ralph Northam signed the bill into law on Tuesday.

It will combat a tactic called copay accumulator adjustments, and Virginia is the first state in the United States to enact this kind of law.

The Fair Health Care VA coalition says, as the cost of health care increases, manufacturers have implemented copay assistance programs that help defray the cost of care through copay cards or coupons.

But now insurance companies have created copay accumulator adjustment programs that potentially aim to deny patients benefits by refusing to count the value of the copay assistance toward the patient's deductible.

The coalition says this is causing patients to face unexpected out-of-pocket costs before they can get the care they need.

“As out-of-pocket costs continue to rise, Virginia patients already face enough barrier to accessing the health care coverage that they need. Copay assistance programs are a critical resource, particularly for patients whose health care costs could bankrupt their families or force them to live without the care they need,” said Dr. Bruce A. Silverman, a nephrologist and advocate for Fair Health Care VA. “Patients should not be denied one of the key benefits of copay assistance programs, particularly since insurers are already getting the value of negotiated drug price discounts while withholding these benefits from patients.”

Under the new state law, any payments made toward a patient's cost of care, including out-of-pocket and copay assistance, will count toward the overall out-of-pocket maximum payment or deductible.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-13 Consumer Protection Relating to Medical Devices &
Pharmaceuticals
[SB 0352](#)

Summary:

As enacted, makes an unfair or deceptive act or practice certain legal advertisements for claims related to medical devices and pharmaceuticals, and the unauthorized use or distribution of protected health information; creates penalties for violations; authorizes attorney general to enforce the provisions of the act. - Amends TCA Title 16; Title 23. SB 352 also ensures that patient's personal protected health information is handled appropriately and only disclosed third parties with the full knowledge of the patient in the context of attorney marketing.

Status: Signed by the governor on April 9, 2019.

Comments: From the [Tennessean](#) (April 11, 2019)

The health of many Tennesseans is being put at risk by misleading television advertisements regarding so-called "dangerous" medicines or medical devices.

Physicians are concerned about these ads and want legislators to take action to protect patients.

With enactment of a new law passed by the General Assembly, Tennessee is at the forefront nationwide in requiring truth in advertising to guarantee the health and safety of our citizens.

Anyone who watches television, listens to the radio or uses social media has seen "bad drug" ads. Unlike commercials for pharmaceuticals, these spots are only lightly regulated and frequently contain disingenuous or inaccurate information. They are designed to scare people who have used the medicine in question.

They work well – too well. Many people become worried about the medications they are taking and give them up without consulting their doctors. That can be a tragic mistake. Ending a prescription regimen without seeking competent medical advice is dangerous. It can lead to a recurrence of symptoms or the emergence of new ones. Patients may end up back in their doctor's office or in the emergency room.

The problem is getting worse. Drug-injury lawsuit advertisements have increased by 60% in the last 10 years, with law firms and aggregators annually spending roughly \$150 million on them. It has become a big business that has a negative impact on far too many people dealing with serious medical conditions.

One 2018 study of 500 medical providers and 800 patients found that one-fourth of patients who saw attorney advertising for their medication stopped taking it. As a physician, this greatly concerns me, and I am proud that the General Assembly took decisive action before more Tennesseans were put in jeopardy.

The new law tightens regulations

I was proud to sponsor SB352 in the Senate to require truth in advertising and patient protections in Tennessee. The law requires advertisers to warn patients that stopping any prescribed medication regimen without their doctor's consent is dangerous.

It stops the mislabeling of ads as public service announcements or the use of inaccurate language such as "recall," "medical alert", or "health alert."

Finally, the law tightens regulations to ensure patients are not led to believe the ads are affiliated with the U.S. Food and Drug Administration or other government agencies, and that any personal medical information they do give to advertisers is not misused.

I am grateful that my fellow legislators at the General Assembly passed these protections with overwhelming support for the health and welfare of the citizens of Tennessee. Yet again, Tennessee is leading the nation, this time in the fight to protect patient health.

Sen. Richard Briggs practices cardiothoracic surgery in Knoxville, is past president of the Knoxville Academy of Medicine and sits on the Board of Trustees of the Tennessee Medical Association. He represents the 7th state Senate district in Knox County.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-14 Pharmacy Benefits Manager Licensing
[SB 1852](#)

Summary:

Requires any person operating in the state as a Pharmacy Benefits Manager (PBM) to be licensed by the state's insurance department prior to operating. It sets the licensure fee at \$100, with a \$50 biennial renewal fee. There is a 60-day timeframe within which a material change in the information provided for licensure must be filed.

Status: Signed by the governor on April 27, 2018.

Comments:

Health Insurance Providers contract with pharmacy benefit managers (PBMs) to provide services that may include Mail-service pharmacy, specialty pharmacy, disease management and adherence initiatives, claims processing, formulary management, pharmacy networks, and price, discount and rebate negotiations with drug manufacturers and drugstores. Through their negotiations with drug manufacturers, health insurance providers and their PBM partners serve as consumers' bargaining power, working to negotiate with drug makers to lower drug costs. Health Insurance Providers pay PBMs for their services in three general ways: (1) an Administrative Fee per each drug dispensed (i.e. "spread pricing"); (2) Administrative Fees for each service provided (i.e., per member per month or monthly service charge); and (3) Shared Savings (portion of rebate) where the PBM keeps part of the rebates/discounts that are negotiated with drug manufacturers.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-15 Opioid Overdose Education
[HB 370](#)

Summary:

Requires dispensing and prescribing of naloxone for those diagnosed with opioid use disorder (OUD) upon discharge from a corrections facility. This bill also requires every opioid treatment center operating a federally certified program to dispense methadone or other narcotic replacement to provide opioid overdose education to every patient, along with two doses of naloxone.

Status: Signed by the governor on April 6, 2017.

Comments: From [STAT](#) (April 6, 2017)

New Mexico on Thursday became the first U.S. state to require all local and state law enforcement agencies to provide officers with antidote kits as the state works to curb deaths from opioid and heroin overdoses.

Surrounded by advocates and parents who had lost children to overdoses, Gov. Susana Martinez signed legislation that was approved unanimously by lawmakers during their recent session.

The former prosecutor and two-term Republican governor said she has seen firsthand what drug abuse can do to families and communities.

“We’re making progress but it’s never enough,” she said. “We have to keep working hard at this problem and reducing the number of overdoses. Signing this bill is an important step to fight the scourge of drug abuse and overdose fatalities.”

New Mexico has been working for years to curb what has only recently been identified by the highest levels of the federal government as a national epidemic.

The state was the first in 2001 to increase access to the overdose-reversal drug naloxone and a few years later it led the way to release people from legal liability when they assist in overdose situations.

New Mexico also was the first state to allow pharmacists to dispense naloxone without a prescription in an effort to expand access to the life-saving drug.

Other measures enacted by New Mexico in recent years include requiring all licensed clinicians to undergo extra training for prescribing painkillers and the creation of a system to track prescriptions for pain medication so addicts cannot obtain new prescriptions from unsuspecting doctors.

Martinez said the comprehensive approach is starting to show results.

In 2014, New Mexico had one of the highest overdose death rates in the nation, second only to West Virginia. More recent health statistics show the state is now ranked 44th.

According to the Centers for Disease Control and Prevention, opioids were involved in more than 33,000 deaths nationally in 2015.

“This doesn’t discriminate,” said state Rep. Sarah Maestas Barnes, the Albuquerque Republican who sponsored the legislation with Democratic colleagues.

“Every community, every county, every ethnicity, every socio-economic status, everybody is affected by this epidemic and that’s why this bill is critically important,” she said after the signing ceremony.

Advocates call the legislation cutting-edge, saying it targets those who are most at risk.

Joanna Katzman, a neurologist and director of the University of New Mexico Pain Center, was instrumental in helping craft the legislation after years of working on the problem.

She said expanding access to anti-overdose medication saves lives and increases recovery opportunities for addicts.

Aside from outfitting first-responders with anti-overdose kits, the legislation requires federally certified addiction treatment centers to provide patients with education plus two doses of naloxone and a prescription for the antidote.

The state’s prisons and jails will be required to do the same for at-risk inmates upon their release as long as funding and supplies are available.

While the bill does not include any new funding, public safety officials said each police force in New Mexico receives annual state funding per officer to help with training, equipment and supplies.

A portion of that can be used to purchase naloxone kits, which cost roughly \$70 each.

Grant funding will also be sought to fully implement expanded access, Barnes said.

In New Mexico’s largest city, law enforcement is already gearing up. Albuquerque city councilors recently voted to equip at least half of the city’s police vehicles with naloxone by the fall and the rest by the end of this year.

In northern New Mexico, which has some of the highest overdose rates, Santa Fe County deputies began carrying naloxone in 2015. State police officers in at-risk areas also carry the drug and more will have access by the end of the year.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-16 An Act to Amend the Public Health Law and Insurance Law in Relation to Prostate Cancer
[S 6882](#)

Summary:

The legislation provides men access to early detection for prostate cancer by providing men ages 50 and over, and men 40 and over with a family history, screening without having to pay a deductible or copay.

Status: Signed by the governor on November 5, 2018.

Comments: From [ZERO](#)

ZERO CEO Statement on Senate Bill S6882

ZERO applauds the New York State Legislature for its passage of Senate Bill S6882/A08683. The legislation provides men access to early detection for prostate cancer by providing men ages 50 and over, and men 40 and over with a family history, screening without having to pay a deductible or copay.

“Early detection of prostate cancer saves lives. Enabling men to understand their risk and ‘know their numbers’ free from cost-sharing will bring us closer to ending this disease,” said Jamie Bearse, President and CEO of ZERO – The End of Prostate Cancer. “This is especially important among high-risk populations such as African Americans, veterans, and those with a family history.”

ZERO appreciates the leadership of State Senator Tedisco, State Representative Gottfried, and Governor Cuomo.

When caught early, the five-year survival rate of prostate cancer is nearly 100 percent. ZERO encourages other state legislatures to follow New York’s lead to enable all men to have access to early detection for prostate cancer.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-17 Lead Exposure: Child Day Care Facilities: Family
Day Care Homes
[AB 2370](#)

Summary:

The act requires that, as a condition of licensure and in addition to any other required training, at least one director or teacher at each day care center, and each family day care home licensee who provides care, have at least 15 hours of health and safety training, covering specified components, including a preventive health practices course or courses on recognition, management, and prevention of infectious diseases and prevention of childhood injuries...This bill would require a licensed child day care center that is located in a building that was constructed before January 1, 2010, to have its drinking water tested for lead contamination levels on a specified schedule and to notify parents or legal guardians of children enrolled in the day care center of the requirement to test the drinking water and the results of the test. If a licensed child day care center is notified that it has elevated lead levels, the bill would require the day care center to immediately make inoperable and cease using the affected fountains and faucets and obtain a potable source for water for children and staff.

Status: Signed by the governor on September 22, 2018; Effective in 2020.

Comments: From [EdSource](#) (October 4, 2018)

A law signed by Gov. Jerry Brown will expand California's requirement to test water in schools for lead to day care centers and pre-schools that serve nearly 600,000 children.

The law marks the first time California's day care centers have been required to test for lead in water. Only two other states require both K-12 schools and day care centers to do such testing. The testing requirement goes into effect in 2020 to give state regulators time to come up with rules to implement the law.

...Brown signed the law on Sept. 22 after it passed with near-unanimous support in the Legislature. It requires day care centers licensed by the Department of Social Services — which includes more than 10,000 preschools, employer-sponsored child care centers, infant centers and centers for school-age children — to conduct lead testing between January of 2020 and the end of 2022. The law applies to both privately and publicly funded facilities.

It excludes the state's nearly 30,000 smaller family day care homes, which serve about 300,000 children, from its testing requirement, as well as centers built since 2010.

A similar law mandating lead testing in K-12 schools went into effect in January. An EdSource investigation found that the K-12 law's requirements for lead testing and

repairs have serious gaps, however, which pediatricians and other critics said could leave children vulnerable to lead exposure.

The new law requires day care centers to shut down any water outlet that tests with “elevated lead levels” and take action to provide potable water for children and staff. Crucially, though, it doesn’t specify what constitutes an “elevated lead level.”

The state and federal “action level” for lead in tap water is over 15 parts per billion. California’s school testing law uses that level as its threshold for requiring schools to shut down and repair water outlets.

But the 15 parts per billion standard has nothing to do with what is healthy or safe for children, according to the American Academy of Pediatrics, which represents 64,000 pediatricians and other physicians who work with children. The academy has called for lead limits to be lowered to 1 part per billion. The federal limit for lead in bottled water is 5 parts per billion.

It will be up to the two state agencies charged with writing regulations for the law — the State Water Resources Control Board and the Department of Social Services — to determine the lead limit, said Kurt Souza, an assistant deputy director of the board’s Division of Drinking Water...

...The day care center testing law gives state regulators until January of 2021 to come up with their regulations. Souza said the water board and Department of Social Services have not yet begun meeting to discuss the regulations, but plan to do so soon.

The bill’s lead author, Assemblyman Chris Holden, D-Pasadena, said he expects the agencies to have draft regulations finished by the time testing starts in 2020.

Holden noted that there previously was no requirement for day care centers to test their water for lead, which can limit children’s brain development and put them at increased risk for behavioral problems. Children who are 6 and younger “are the most susceptible to the effects of lead,” according to the Environmental Protection Agency...

...In addition to its testing rules, the law mandates that at least one teacher or director at every licensed day care center receive training on the danger of lead exposure, as well as childhood injuries and infectious diseases. It also requires centers to provide parents and guardians with information about the risks of lead exposure, recommendations for blood lead testing and options for free or discounted blood lead tests.

Day care centers will be required to re-test their water outlets every five years, whereas schools must only conduct one round of testing. Day care centers will also be required to notify parents of all lead test results; while the K-12 law encourages schools to share all testing results, they are required to directly notify parents only if lead levels over 15 parts per billion are found. Like the K-12 law, though, the day care center testing mandate does not specify how parents should be notified of test results.

The law directs the water board to post day care centers' lead test results to its website, which the board already does for K-12 schools.

Another key difference from the K-12 law: Day care centers will have to foot the bill for their lead testing, as well as repairs. The K-12 law built on state regulations that required local water utilities to test school water at no cost to the district, though schools must pay for repairs. The law for day care centers requires the water board to distribute grants to help fund that work and the latest state budget included \$5 million to fund lead testing and repairs at child care centers...

...California is one of eight states to require testing at day care centers and one of seven states, plus the District of Columbia, to require testing at schools. Illinois and New Jersey are the only other states that require testing at both.

Illinois' day care center testing law uses a lead limit of 2 parts per billion, whereas the other six states with similar laws for day care centers rely on the 15 parts per billion standard, according to an analysis from the Environmental Defense Fund...

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-18 Immunization Registry
[HB 213](#)

Summary:

Requires the Department of Health to conduct a communicable disease prevention and control program that must include; programs for the prevention and control of tuberculosis, HIV/AIDS, STD's, and any other communicable diseases of public health significance. The department also must develop programs for the prevention and control of vaccine-preventable diseases, including programs to immunize school children, and develop a centralized electronic database and registry of immunizations. The Health Department will automatically include all children born in the state by using birth records, unless parents refuse to include the child by signing an opt-out form. The bill also revises school-entry health requirements to require students to have a certificate of immunization on file with the department's immunization registry.

Status: Engrossed and enrolled on May 1, 2019; Effective January 1, 2021.

Comments:**Staff Note:****Disposition of Entry:**

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-19 Regulation; Kratom Products
[HB 2550](#)

Summary:

Regulates the sale of products containing kratom, a plant that can have mind-altering effects.

Status: Signed by the governor on April 30, 2019.

Comments: From the [Office of the Governor](#) (April 30, 2019)

Dear Secretary Hobbs:

Today I signed HB 2550 regulation; kratom products. I signed this bill because it takes a small but important step of prohibiting the sale of kratom to minors, but let me be clear – my signature on this bill should not be viewed as an endorsement of its consumption by adults.

The US Food and Drug Administration (FDA) has expressed concern about the presence of opioid compounds in kratom and has issued a public health advisory urging consumers to avoid it. The US Center for Disease Control (CDC) has identified over 150 deaths involving kratom, and the federal Drug Enforcement Administration (DEA) has also expressed its concerns.

To date, there have been no peer reviewed studies to show that kratom is a safe or effective product. In fact, there is ample evidence to suggest that this product is potentially addictive, dangerous, and in some cases deadly.

I will be writing to our federal partner agencies and strongly urging them to take a closer look at this product and promptly issue appropriate regulations. Several states and cities have already acted, and it is time the federal government takes action as well.

Sincerely,

Douglas A. Ducey
Governor
State of Arizona

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-20 Substance Use Disorder Payment and Coverage
[HB 1007](#)

Summary:

Requires health plans to provide coverage for a five-day supply of at least one FDA approved drug for the treatment of opioid dependence -- without prior authorization and for an initial request within a 12-month period. The bill requires contracts between carriers and providers to state that a carrier cannot take an adverse action against a provider or subject a provider to financial incentives/disincentives based solely on a patient satisfaction survey or another method of obtaining patient feedback relating to the patient's satisfaction with pain treatment. The legislation classifies requests for authorization of medication-assisted treatment (MAT) for substance use disorders as "urgent" prior authorization requests. The state must establish rules for its Medicaid program that standardize utilization management authority timelines for the nonpharmaceutical components of MAT for substance use disorders. The bill authorizes the payment of enhanced dispensing fees for the administration of injectable antagonist medications for MAT for substance abuse disorders if the pharmacy has entered into a collaborative pharmacy practice agreement with one or more physicians.

Status: Signed by the governor on May 21, 2018.

Comments: From [AHIP](#)

Medication-Assisted Treatment (MAT) is the use of FDA-approved medications in combination with counseling and behavioral therapies, to treat substance use disorders, such as opioid use disorder (OUD), which are chronic conditions requiring ongoing care. The three medications commonly used to treat opioid addiction include methadone, naltrexone, and buprenorphine.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-21 AN ACT to amend Tennessee Code Annotated, Title 33; Title 53; Title 63 and Title 68, Relative to Drugs.
[HB 1360](#)

Summary:

As introduced, requires a prescriber to also prescribe naloxone when prescribing opioids or benzodiazepines to a patient.

Status: Signed by the governor on May 8, 2019.

Comments: From [PBS](#) (May 1, 2019)

It's increasingly likely that someone you know has the opioid overdose rescue drug naloxone in their pocket or medicine cabinet. In fact, a new mobile app, NaloxoFind, will tell you whether anyone nearby is carrying the lifesaving drug.

In the last five years, at least 46 states and the District of Columbia enacted so-called good Samaritan laws, allowing private citizens to administer the overdose-reversal medication without legal liability. And all but four states — Connecticut, Idaho, Nebraska and Oregon — have called on pharmacies to provide the easy-to-administer medication to anyone who wants it without a prescription, according to the Network for Public Health Law.

But a handful of states are going even further by requiring doctors to give or at least offer a prescription for the overdose rescue drug to patients taking high doses of opioid painkillers.

New naloxone co-prescribing laws in Arizona, California, Florida, Ohio, New Mexico, Rhode Island, Vermont, Virginia and Washington state also call on doctors to discuss the dangers of overdose with these high-risk patients. Tennessee lawmakers this year passed a similar bill, which is awaiting the governor's signature.

Patients are free to decide whether to fill the naloxone prescription. But pain doctors who endorse the initiative say that even if patients don't fill their prescriptions for naloxone, the offer of a rescue drug underscores the dangers of long-term opioid use and creates a "teachable moment."

"By offering a naloxone prescription to a patient, the physician is saying 'I'm so concerned this medication might kill you that you need an antidote in the house, so a family member can rescue you.' That gets their attention," said Andrew Kolodny, co-director of the Opioid Policy Research Collaborative at Brandeis University and director of Physicians for Responsible Opioid Prescribing, an organization that promotes safe painkiller prescribing.

Legal experts say these new laws — which have been endorsed by the federal government as well as the medical community — are likely to spread.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-22 Promoting Immunity Against Vaccine Preventable Diseases
[HB 1638](#)

Summary:

A child is prohibited from attending a school or licensed day care center unless one of the following is presented prior to the child's first day: (1) proof of full immunization; (2) proof of the initiation and compliance with a schedule of immunization; or (3) a certificate of exemption. Full immunization includes vaccines for chickenpox, diphtheria, measles, German measles, haemophilus influenza type B disease, hepatitis B, mumps, pneumococcal disease, polio, tetanus, and whooping cough. Removes the philosophical or personal objection exemption for the measles, mumps, and rubella vaccine. Allows proof of disease immunity through laboratory evidence or history of disease to substitute for immunization. Requires employees and volunteers at child day care centers to receive the measles, mumps, and rubella vaccine, provide proof of immunity from the measles, or provide a certification that the vaccine is not medically advisable.

Status: Signed by the governor on May 10, 2019.

Comments: From [The Seattle Times](#) (March 6, 2019)

As health officials monitor an outbreak concentrated in southwest Washington, the state House approved a measure that would remove parents' ability to claim a personal or philosophical exemption to vaccinating their school-age children for measles.

The vote comes in the midst of an outbreak that has sickened at least 71 people — mostly children age 10 and younger. As of Wednesday, Clark County Public Health said that they were investigating an additional three suspected cases.

The Democratic-led chamber passed the bill on a 57-40 vote late Tuesday night and it now heads to the Senate, which is expected to vote in the coming days on its own bill, which is broader. While the House bill removes the philosophical exemption for just the combined measles, mumps and rubella vaccine, the Senate measure seeks to remove such exemptions for any required school vaccinations.

The measure is sponsored by a lawmaker from that region, Republican Rep. Paul Harris of Vancouver, who said that the measure "will make our communities safer."

Harris said that while most of his caucus didn't agree with the bill, he pointed to the nearly three dozen states — including those with Republican leadership — that currently don't have the option of the philosophical exemption.

“This is a bipartisan issue,” he said during debate. Joining Harris in voting for the measure were fellow Republican Reps. Drew Stokesbary and Mary Dye. Two Democrats voted against it, Reps. Steve Kirby and Brian Blake.

Republicans initially introduced more than three dozen floor amendments, but withdrew most of them before the late night vote after majority Democrats agreed to accept a few of them, including one that exempts a child from the requirement if a parent or legal guardian presents a written certification that a biological parent or sibling has immune system problems or adverse reactions to a particular vaccine.

Republican Rep. Norma Smith of Clinton said that most of the communication she’s gotten from voters in her district was in opposition to the bill.

“Please recognize that this is a complex issue and that we need to respect the decisions made by families,” she said during floor debate. “For us to take an action which doesn’t allow them to have a voice, I believe is wrong.”

It’s unclear which measure Washington lawmakers will ultimately move forward with if the Senate passes its measure before next week’s deadline to get policy bills voted out of the chamber of origin. The 105-day legislative session ends April 28.

Washington is among 17 states that allow some type of non-medical vaccine exemption for “personal, moral or other beliefs,” according to the National Conference of State Legislatures.

In addition, medical and religious exemptions exist for attendance at the state’s public or private schools or licensed day-care centers.

Unless an exemption is claimed, children are required to be vaccinated against or show proof of acquired immunity for nearly a dozen diseases — including polio, whooping cough and mumps — before they can attend school or child care centers.

Four percent of Washington secondary school students have non-medical vaccine exemptions, the state Department of Health said. Of those, 3.7 percent of the exemptions are personal, and the rest are religious.

In Clark County — an area just north of Portland, Oregon, where all but one of the Washington cases are concentrated and where two suspected cases are being investigated — 6.7 percent of kindergartners had a non-medical exemption for the 2017-18 school year, health officials said.

Last Friday, Oregon announced a new case of the highly contagious disease unrelated to the ongoing outbreak in Washington state.

An unvaccinated Illinois resident who spent time overseas visited Portland International Airport and various locations in Salem, Oregon, while contagious with measles, the

Oregon Health Authority said. Potential exposure locations include a Red Robin restaurant and a trampoline fun park in Salem, officials said.

Before Friday, Multnomah County —home to Portland — had identified four people with measles and one who could have measles. Those cases were thought to be connected to the outbreak in southwest Washington.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-23* Prescription Drug Pricing
[SB 282](#)

Summary:

Creates and defines the term "excess consumer cost burden" as the amount an enrollee pays that is greater than the amount the enrollee's issuer pays or would pay absent cost sharing, after accounting for an estimate of at least fifty percent of future rebate payments for the enrollee's actual point of sale prescription drug claim. Requires issuers to disclose to current and prospective enrollees if they may be subject to excess consumer cost burden and make available to the insurance commissioner information on percentage of rebates that was made available to enrollees at the point of sale. Includes confidentiality provisions to prevent disclosure of individual and proprietary rebate information.

Status: Signed by the governor on May 31, 2018.

Comments: From [The Times-Picayune](#) (June 4, 2018):

Gov. John Bel Edwards has signed two pieces of legislation aimed at regulating drug pricing and providing more transparency in how prices are set.

Sen. Fred Mills, a pharmacist and author of SB 282 and SB 283, said in a phone interview that he hopes the laws "will bring a lot of transparency for patients" by requiring pharmaceutical benefit managers, also known as PBMs, to share more information about how they operate in Louisiana.

PBMs are companies that act as a middleman between insurers, pharmacies, and drug manufacturers. They help manage how much insurers pay for prescription drugs, how much pharmacies are reimbursed for the cost of the drug, and what drugs are available on formularies, the lists of medications covered by a specific insurance plan.

They also negotiate price rebates from drug makers to insurers, usually in exchange for lower co-pays on certain -- usually brand name -- medications. Consumers are more likely to purchase the brand name drug with the lower co-pay, benefitting the drug maker. PBMs often keep a portion of the rebate for themselves.

However, rebates don't typically get passed on to the consumer.

Those rebates can add up quickly, amounting to millions of dollars. Altarum, a health systems research and consulting firm, estimates health insurers nationwide received an estimated \$86 billion in rebates in 2016 alone. That analysis included both public and private insurers.

The practice is legal, but Mills explained the role PBMs play in negotiating prices makes it difficult for consumers to know where the rebates are going and how drug prices are being regulated.

Moving forward, Louisiana's Department of Insurance will be required to publish information about PBMs operating in Louisiana, including the formularies they manage and any changes made to that list. Starting June 1, 2020, PBMs will also be required to disclose an annual report that shares the percentage of any rebates received from drug manufacturers for formulary drugs.

Additionally, health insurance issuers will be required to let enrollees know when they are being charged more for a prescription drug than the issuer itself pays. That includes cases where the insurance issuer is getting a return after a rebate payment on prescription drug.

"I think this will bring a lot more transparency for the consumer," Mills said. "Basically, it demands that rebates are disclosed and could give the consumer the opportunity to negotiate a better deal for their prescriptions."

Mills' bills were two of at least 83 targeting PBMs that were introduced by state lawmakers nationwide this year, according to the National Academy for State Health Policy. The group reports some of those bills sought to outlaw so-called "gag clauses," which prevent pharmacists from telling consumers when there are cheaper prescription drug alternatives available. Some of the bills, similar to the Louisiana laws, require more disclosures about the dealings between PBMs, health insurers and pharmacies.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-24* Pharmacy Benefit Managers
[SB 283](#)

Summary:

Requires a Pharmacy Benefit Manager (PBM) to submit an annual transparency report to the Commissioner of Insurance with the following information to be published on the Department's website with the health benefit plan's formulary and timely notification of any changes: aggregate amount of all rebates the PBM received from pharmaceutical manufacturers; aggregate administrative fees that the PBM received; aggregate rebates that the PBM received from pharmaceutical manufacturers and did not pass through to the health benefit plan or health insurance issuer; and the highest, lowest and mean aggregate retained rebate percentage. Requires drug manufacturers to notify the Commissioner of Insurance of a price increase of fifty percent or more for a drug with a wholesale acquisition cost of more than one hundred dollars within 30 days of the increase. Protects and exempts all proprietary information from public records requests.

Status: Signed by the governor on May 20, 2018.

Comments: From [The Times-Picayune](#) (June 4, 2018):

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Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-25* Coverage for Infertility
[S 0821](#)

Summary:

This bill would mandate insurance coverage for medically necessary expenses for standard fertility preservation services when a medical treatment may directly or indirectly cause iatrogenic infertility. "Iatrogenic infertility" means an impairment of fertility as a result of surgery, radiation, chemotherapy, or other medical treatment affecting the reproductive organs or processes.

Status: Signed by the governor on July 05, 2017.

Comments: From [EurekaAlert!](#) (July 31, 2017)

Rhode Island has become the first state to pass a law explicitly requiring coverage for fertility preservation prior to gonadotoxic medical therapy, treatment that could directly or indirectly cause infertility.

Clinicians from the Fertility Center and Program in Women's Oncology/Breast Health Center at Women & Infants Hospital of Rhode Island, a Care New England hospital, initiated the legislative process, co-wrote the bill, and along with patients testified on behalf of its passage at hearings at both the Rhode Island House of Representatives and Senate. This law explicitly mandates fertility preservation coverage prior to medical treatment that could render a patient infertile, setting a new precedent nationwide. On July 5, Governor Gina Raimondo signed into law legislation 2017-S 0821A, 2017-H 6170A that was sponsored by Senate Majority Whip Maryellen Goodwin (D-Dist. 1, Providence) and Representative Patricia A. Serpa (D-Dist. 27, West Warwick, Coventry, Warwick).

Legislation aimed at providing fertility preservation coverage was passed in Connecticut in June, which revises the definition of infertility to include "medically necessary" treatments. The Rhode Island law provides a separate definition, which explicitly mandates fertility preservation coverage prior to gonadotoxic therapies.

Richard J. Paulson, MD, president of the American Society for Reproductive Medicine (ASRM), shared, "ASRM applauds its colleagues in Rhode Island and lawmakers in the state for working together toward the enactment of a new precedent-setting law explicitly requiring insurance coverage for fertility preservation for patients needing medical treatments which are likely to cause infertility. It is our goal that other states will follow the direction of Rhode Island and Connecticut in recognizing the need for insurance to cover these treatments for oncology patients and others who should not have to choose between their own health and their ability to have children."

"If infertility is a risk of the treatment a patient needs, fertility preservation is a medical need that should also be covered by insurance. It's not acceptable that a person who is already coping with cancer and its treatment, for example, should also be dealt the blow of being potentially robbed of the ability to have children when there is a way to protect them. Insurers should be covering fertility preservation in this situation because it is necessary to protect patients from losing a very precious biological ability," said Senator Goodwin (D-Dist. 1, Providence).

Said Representative Serpa (D-Dist. 27, West Warwick, Coventry, Warwick), "This will affect only a handful of patients in Rhode Island each year, but for those that it does, the stakes are high. On one hand, better cancer detection means that more people are getting the treatment the need in earlier stages, including young people whose cancer might have previously gone undetected for a long time. On the other hand, when someone young undergoes treatment, they shouldn't have to sacrifice their ability to have children someday in the future, nor should they be faced with a choice of either accepting that loss or trying to pay for fertility preservation themselves. Fertility is part of health, and it should be covered as part of their treatment."

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

07-40B-26* Public Health – Community Health Workers – Maryland Advisory Committee and Certification
[SB 163](#)

Summary:

Establishing the State Community Health Worker Advisory Committee to advise the Maryland Department of Health on matters relating to the certification and training of community health workers; requiring the Department to adopt regulations for accrediting certain training programs; requiring that certain written materials be in the preferred language of Advisory Committee members, as necessary; providing that, subject to an exception, a certified community health worker training program must be approved before operating in the State; etc.

Status: Signed by the governor on May 8, 2018.

Comments: From [Modern Healthcare](#) (October 22, 2016)

Maryland has the only all-payer hospital-rate regulation system in the country under a decade sold Medicare waiver. Since 1977, the state's Health Services Cost Review Commission has set the prices hospitals charge patients, regardless of their insurance coverage.

The state has also been an outlier for another reason: its readmission rates. Historically, they were high compared to the rest of the country. In 2010, when 18.6% of Medicare patients in the U.S. were hospitalized again within 30 days of discharge, Maryland's rate was 2.7 percentage points higher. In 2014, the Maryland commission and the CMS Innovation Center required Maryland hospitals to close that gap by 2018.

At the University of Maryland St. Joseph Medical Center, a 232-bed hospital in Towson, a quarter of high-risk patients were hospitalized again within 30 days. So the hospital began deploying community health workers tasked with helping these patients address pressing nonclinical issues after they leave the hospital.

“You cannot underestimate the importance of addressing the psycho-social needs of patients upon discharge,” said Dr. Gail Cunningham, St. Joseph's chief medical officer. “The best medical plan in the world is going to fail if some of the patient's basic needs aren't met.”

In its first 16 months, readmission rates for patients enrolled in the program dropped by 60%. In May, about 10% of St Joseph's high-risk patients were readmitted within 30 days, compared with 25% when the hospital launched the program in February 2015 in partnership with medical staffing company Maxim Healthcare. To identify patients who

are highly likely to be readmitted, a nurse practitioner interviews patients before discharge and verifies their risk level.

Then, the nurse practitioner sets up a care plan with a registered nurse outside the hospital as well as a community health worker to figure out how to address the patient's needs. Within two days of discharge, the registered nurse goes to the home to ensure that the patient doesn't have other unmet needs. They perform clinical assessments too.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

08-40B-01 Civil Forfeiture
[SB 99](#)

Summary:

Amends civil forfeiture to criminal code. Requires a criminal conviction to seize assets. Enacts new reporting requirements for seizures and forfeitures.

Status: Signed by the governor on March 13, 2018.

Comments: From the [New Hampshire Union Leader](#) (November 29, 2018)

On Wednesday, the U.S. Supreme Court heard arguments in a case that could restrict the controversial practice, known as civil forfeiture, even further.

The 2016 New Hampshire law prohibited civil forfeiture in the majority of cases until the owner of the property was actually convicted of a crime. But lawyers in the Supreme Court case, *Timbs v. Indiana*, argued that even in cases where police have obtained a conviction, it may be unconstitutional to seize the person's money and property.

In certain cases, such seizures are equivalent to excessive additional fines on top of the criminal sentence and therefore violate the Eighth Amendment, said Sam Gedge, an attorney for the nonprofit Institute for Justice, which is representing Tyson Timbs in the case.

The court must decide whether the Eighth Amendment's prohibition against excessive fines applies to state governments as well as the federal government. It is one of the last areas of the Bill of Rights for which the court has not explicitly recognized an application to states.

"It's kind of a vital safety check on the most excessive forfeitures," Gedge said. "Our position has never been that if you convict somebody criminally you can never forfeit their property ... our position is that it's possible to excessively fine people by taking too much of their property."

Civil forfeiture has been a rare area of bipartisan agreement in recent years, with both liberal and conservative groups arguing that the seizures violate due process rights and encourage police to take property — such as cars, homes, or cash — and ask questions later.

But police say it is a vital tool to dissuade drug dealers.

"Oftentimes, this personal property is paid for with the proceeds of unlawful, illegal drug transactions and no one should profit from the unlawful sale of drugs," said Londonderry

police Lt. Patrick Cheetham, the past president of the New Hampshire Police Association, who has testified before the state Legislature on the importance of civil forfeiture.

“Here in New Hampshire, we’re facing a continued opioid and fentanyl crisis,” he added. “And as a deterrent to those who would sell these deadly drugs — whether it be through their home, their vehicle, or other means — this is one other tool that law enforcement uses to dissuade killers who are selling deadly drugs.”

The Supreme Court case centers around the seizure of Timbs’ \$42,000 Land Rover.

In 2015, Timbs, of Indiana, pleaded guilty to selling drugs to undercover police officers. He was sentenced to a year of house arrest, five years probation, and roughly \$1,200 in fines as part of the criminal case.

But Indiana police also seized his car through a civil forfeiture.

The maximum possible fine for Timbs’ crime, under Indiana law, would have been \$10,000. Seizing the Land Rover effectively imposed a fine four-times the maximum allowed by law, his lawyers argued.

Gedge was optimistic after Wednesday’s arguments in Washington, D.C., and reports from national media outlets that were in the courtroom strongly suggested that the justices were ready to apply the Eighth Amendment’s protections to state governments

New Hampshire civil liberties advocates would welcome the changes that would mean for civil forfeiture.

“Anything that further restricts the abuse of civil asset forfeiture is a good thing,” said state Rep. Michael Sylvia, R-Belmont. “I’d prefer to see the federal government scale back the program.”

Sylvia has sponsored several bills in recent years that would restrict local law enforcement’s ability to work around the state forfeiture law by partnering with a federal agency to pursue the forfeiture in federal court.

The federal forfeiture program, known as equitable sharing, allows local law enforcement to retain 80 percent of the profits from seized property and it does not require that the owner be convicted of a crime first.

“That just seems, to us, like a significant due process problem,” said Gilles Bissonnette, legal director for the ACLU of New Hampshire. “If the government believes that the property has some nexus to the criminal activity, the government should have to prove it. That doesn’t happen in the federal system.”

State law requires a conviction and police may only keep 45 percent of the proceeds from civil forfeiture.

New Hampshire police are limited in what they can spend that money on. It primarily goes to drug investigations and, in some cases, outreach and prevention programs.

“Not every crime gets solved, that doesn’t mean the crime didn’t occur,” said Tuftonboro police Chief Andrew Shagoury, president of the New Hampshire Association of Chiefs of Police.

“I understand that people have concerns ... but what programs are funded by that money are going to go back on taxpayers if not funded by the criminals.”

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

08-40B-02 Peace Officers: Release of Records
[SB 1421](#)

Summary:

Effective January 1, 2019, SB 1421 amends Government Code Section 832.7 to generally require disclosure of records and information relating to the following types of incidents in response to a request under the CPRA: discharge of a firearm at a person, use of force that results in death or great bodily injury, a sustained finding about any peace officer or custodial officer engaging in sexual assault involving a member of the public, and a sustained finding of dishonesty by a peace officer or custodial officer.

Status: Signed by the governor on September 30, 2018.

Comments: From the [California Public Agency Labor & Employment Blog](#) (January 2, 2019)

On September 30, 2018, Governor Edmund G. Brown, Jr. signed two significant pieces of legislation, Senate Bill 1421 and Assembly Bill 748, that will require major changes in how law enforcement agencies respond to requests for peace officer personnel records. We described this legislation in detail in a previous Special Bulletin.

In short, these two statutes will allow members of the public to obtain certain peace officer personnel records that were previously available only through the Pitchess procedure by making a request under the California Public Records Act (“CPRA”) request.

Effective January 1, 2019, SB 1421 amends Government Code Section 832.7 to generally require disclosure of records and information relating to the following types of incidents in response to a request under the CPRA:

- Records relating to the report, investigation, or findings of an incident involving the discharge of a firearm at a person by a peace officer or custodial officer.
- Records relating to the report, investigation or findings of an incident in which the use of force by a peace officer or custodial officer against a person results in death or great bodily injury.
- Records relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency that a peace officer or custodial officer engaged in sexual assault involving a member of the public. “Sexual assault” is defined for the purposes of section 832.7 as the commission or attempted initiation of a sexual act with a member of the public by means of force, threat, coercion, extortion, offer of leniency or any other official favor, or under the color

of authority. The propositioning for or commission of any sexual act while on duty is considered a sexual assault.

- Records relating to an incident in which a sustained finding of dishonesty by a peace officer or custodial officer directly relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting of, or investigation of misconduct by, another peace officer or custodial officer, including but not limited to, any sustained finding of perjury, false statements, filing false reports, destruction of evidence or falsifying or concealing of evidence.

AB 748 requires agencies, effective July 1, 2019, to produce video and audio recordings of “critical incidents,” defined as an incident involving the discharge of a firearm at a person by a peace officer or custodial officer, or an incident in which the use of force by a peace officer or custodial officer against a person resulted in death or great bodily injury, in response to CPRA requests.

These statutes have different timelines for production of records, and different circumstances under which production of records can be delayed or records can be withheld. Further, agencies may wish to evaluate their document retention policies in light of these new disclosure requirements. Agencies should work closely with trusted legal counsel to ensure compliance with both statutes.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

08-40B-03 Peace Officers: Video and Audio Recordings: Disclosure
[AB 748](#)

Summary:

Requires agencies, effective July 1, 2019, to produce video and audio recordings of “critical incidents,” defined as an incident involving the discharge of a firearm at a person by a peace officer or custodial officer, or an incident in which the use of force by a peace officer or custodial officer against a person resulted in death or great bodily injury, in response to CPRA requests.

Status: Signed by the governor on September 30, 2018.

Comments: From the [California Public Agency Labor & Employment Blog](#) (January 2, 2019)

On September 30, 2018, Governor Edmund G. Brown, Jr. signed two significant pieces of legislation, Senate Bill 1421 and Assembly Bill 748, that will require major changes in how law enforcement agencies respond to requests for peace officer personnel records. We described this legislation in detail in a previous Special Bulletin.

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- Records relating to the report, investigation or findings of an incident in which the use of force by a peace officer or custodial officer against a person results in death or great bodily injury.
- Records relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency that a peace officer or custodial officer engaged in sexual assault involving a member of the public. “Sexual assault” is defined for the purposes of section 832.7 as the commission or attempted initiation of a sexual act with a member of the public by means of force, threat, coercion, extortion, offer of leniency or any other official favor, or under the color

of authority. The propositioning for or commission of any sexual act while on duty is considered a sexual assault.

- Records relating to an incident in which a sustained finding of dishonesty by a peace officer or custodial officer directly relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting of, or investigation of misconduct by, another peace officer or custodial officer, including but not limited to, any sustained finding of perjury, false statements, filing false reports, destruction of evidence or falsifying or concealing of evidence.

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These statutes have different timelines for production of records, and different circumstances under which production of records can be delayed or records can be withheld. Further, agencies may wish to evaluate their document retention policies in light of these new disclosure requirements. Agencies should work closely with trusted legal counsel to ensure compliance with both statutes.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

08-40B-04 Establishing a Sexual Assault Victim Bill of Rights
[A 8401C](#)

Summary:

Provides for the establishment of a sexual assault victim bill of rights by the department of health, in consultation with the division of criminal justice services and department of law. Legislation to provide survivors with knowledge of their rights to care and treatment. Ensures survivors are informed of DNA test results and notified before sexual assault evidence kits are destroyed.

Status: Signed by the governor on December 21, 2018.

Comments: From the [Office of the Governor](#) (December 21, 2018)

Governor Andrew M. Cuomo today signed legislation (A.8401-C/S.8977) to establish a sexual assault survivors' bill of rights. The new law requires the Department of Health, in consultation with the Division of Criminal Justice Services, the Office of Victim Services, and other stakeholders, to establish a sexual assault survivors' bill of rights for purposes of informing survivors of their rights under state law. Notifying victims of their legal rights will help ensure survivors request and receive the information they need to navigate complicated medical and criminal justice systems.

...The bill of rights includes the right to:

- Consult with a rape crisis or victim assistance organization;
- Appropriate health care services at no cost; and
- Receive updates on their sexual offense evidence kit and the status of their case.

The bill requires all law enforcement agencies to adopt policies that help them communicate effectively with survivors and it creates a Victim's Right to Notice, which enables a survivor to request information on their sexual offense evidence kit from the police agency or prosecutorial agency with jurisdiction over the crime.

The Governor's action today will create greater transparency and accountability within the medical and criminal justice processes, and help ensure all sexual assault survivors are treated with dignity, compassion and respect. The Sexual Assault Victim Bill of Rights will immediately be authorized and directed to be completed on or before the date the legislation takes effect, which is in 180 days...

...Amanda Nguyen, Founder and CEO of Rise and 2019 Nobel Peace Prize nominee said, "New York is leading the charge and standing as an example of survivors' protections in other states across the country. The Rise team and I are grateful for Governor Cuomo's leadership in signing this important bill into law and standing with the

6.8 million sexual assault survivors in New York. We, further, appreciate the leadership and support of Assemblymember Simotas and Senator Hannon introducing this critical legislation and their commitment to helping this movement spread."

Ilse Knecht, Joyful Heart Policy and Advocacy Director, said, "The Joyful Heart Foundation is grateful to sponsors Assemblymember Aravella Simotas and Senator Kemp Hannon for their leadership on this important bill, and to Governor Cuomo for signing this necessary victims' rights bill into law. Codifying these rights ensures that survivors all throughout our state, from Brooklyn to Buffalo, will have information about the status and location of their rape kit, information which our research has shown can be imperative for survivors' healing. We are committed to ongoing collaboration with the Governor, legislature, statewide officials, advocates, and our long-time partners, without whom this effort would not have been possible, to ensure that survivors are given every opportunity for justice."

Selena Bennett-Chambers, Policy Director at the New York State Coalition Against Sexual Assault, said, "We applaud Governor Cuomo and the New York State legislature for enacting this bill into law. Recent reports of survivors of sexual violence being improperly billed by several hospitals for forensic rape examinations support the need for this law. In addition, providing survivors of sexual violence with the right to receive information regarding the status of their kits from a designee of a police or prosecutorial agency, who is trained in trauma and victim response, is a huge step in the right direction. Survivors of sexual violence should be supported in knowing their rights and their rights must be upheld."

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

08-40B-05 Declare Police Body Camera Recordings Not to be Public Records
[HB 425](#)

Summary:

Provides that a record created by a body camera worn by a peace officer or a dashboard camera used by a peace officer is a public record, subject to certain exceptions.

Status: Signed by the governor on January 7, 2019; Effective April 8, 2019.

Comments: From [WOSU](#) (January 8, 2019)

Columbus mayor Andrew Ginther is praising Governor Kasich for signing off on a bill to stipulate when police body camera footage becomes public record.

Kasich signed the bill on Monday, nearly two weeks after it cleared the Ohio House and Senate unanimously.

The new law states body camera video is public record unless it is a confidential investigatory record, which means video was taken within a private home or business, or includes a sex crime victim.

“This bipartisan approach was crafted with input from a broad range of interests, including faith leaders, the Ohio Attorney General’s Office, Columbus City Attorney’s Office, police officers, technology experts, criminal defense attorneys, the Ohio Newspaper Association, law professors, the American Civil Liberties Union, and County Prosecutor’s Offices,” Ginther said in an emailed statement on Monday.

Ohio News Media Association president Dennis Hetzel recently told WOSU that it strikes the balance between transparency and privacy.

“What some other states have done that we’ve really been quite opposed to would be basically making them open only at the discretion of law enforcement,” Hetzel said. “That’s not gonna preserve transparency and accountability, no matter how well-intentioned the authorities may be.”

The new law does not require police agencies to use body cameras, and does not specify when body cameras must be activated.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

08-40B-06 Eliminating Penalties for Marijuana Possession by Adults
[H 511](#)

Summary:

Removes civil and criminal penalties for possession of one ounce of marijuana and two and four immature plants by adults 21 years of older. Personal cultivation may only occur on property lawfully in the possession of the cultivator or with written consent of the property owner and in an enclosure that is screened from public view with secure limited access.

Status: Signed by the governor on January 22, 2018.

Comments: From the [Burlington Free Press](#) (January 22, 2018)

As of July 1, Vermont removed all state penalties for adults who possess small amounts of marijuana.

Gov. Phil Scott signed Act 86 into law in January, in private, and asked the Legislature to turn its attention to "more significant issues faced by Vermonters in their daily lives."

Many Vermonters have questions about how the law works, regardless of whether they hope to use marijuana after legalization.

The Burlington Free Press reviewed the law and interviewed lawyers who have closely followed its progress to compile answers to some of the most common questions.

When does marijuana become legal in Vermont?

The law takes effect July 1.

Who is allowed to possess and grow marijuana in Vermont?

Adults who are at least 21 years old.

What are the possession limits under the law?

Adults over 21 are allowed to have up to one ounce of marijuana. If people choose to grow their own marijuana, they will be allowed two mature marijuana plants and four immature marijuana plants per housing unit.

A few notes on the plants:

* The plants must be in a secure enclosure that is screened from public view.

* Marijuana harvested from plants doesn't count toward the one-ounce limit as long as it's stored on-site, in an indoor place, and "reasonable precautions are taken to prevent unauthorized access to the marijuana."

Can people still get arrested for marijuana crimes?

Yes. People who are convicted of possessing more than one ounce of marijuana, or more than two mature and four immature plants, can be imprisoned up to six months and fined \$500 unless they participate in a court diversion program. On a second offense, penalties rise to two years and \$2,000.

People will start facing three years in prison and a \$10,000 fine if convicted of having two ounces of marijuana, and the penalties continue to rise for greater amounts.

Anyone who gives marijuana to a person under 21 years old, or enables their consumption of marijuana, can be imprisoned up to two years and fined \$2,000. Those penalties rise to five years and \$10,000 if the underage person causes death or serious injury while driving after they have received the marijuana. Anyone injured as a result can sue for damages.

There are separate penalties for underage Vermonters, depending on the age of the offender and the recipient. For example: Under the law, a 20-year-old person who dispenses marijuana to a 17-year-old person can be imprisoned for up to five years.

It is a misdemeanor crime to use marijuana in a car with a child, with penalties starting at \$500 and two points on a driver's license.

And keep in mind: Marijuana is still illegal under federal law. The U.S. Attorney's Office in Vermont has discretion to decide how aggressively to prosecute marijuana cases.

How does this affect the medical marijuana program?

Act 86 doesn't include any mention of the medical marijuana program, so there's no direct impact on the more than 5,000 Vermont patients registered to use marijuana for symptom relief.

Vermont has two separate sets of marijuana rules — one for the general public, and one for patients.

The medical program law limits patients to 2 ounces of "usable" marijuana, with no exceptions for harvested marijuana.

A patient, with his or her caregiver, can have up to two mature marijuana plants and seven immature plants, cultivated in a locked indoor facility. Members of the general public can have fewer immature plants, but they are allowed to plant cannabis outdoors, with some conditions.

In light of the new legalization law, the Marijuana for Symptom Relief Oversight Committee asked lawmakers to take another look at medical marijuana rules and remove any "undue burdens."

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

08-40B-07 Criminal Procedure – Firearms – Transfer
[HB 1646](#)

Summary:

Requiring a state's attorney to serve a written notice on a certain defendant, defendant's counsel, and the court prior to trial or the acceptance of a guilty plea or the equivalent; requiring a court to inform, verbally or in writing, a defendant convicted of a certain offense that the defendant is prohibited from possessing certain firearms and is ordered to transfer certain firearms in accordance with the Act; authorizing the court to issue a search warrant based on probable cause that certain weapons have not been surrendered; etc.

Status: Signed by the governor on April 24, 2018.

Comments: From [Moms Demand Action](#) (April 10, 2018)

The Maryland chapter of Moms Demand Action for Gun Sense in America, part of Everytown for Gun Safety, today praised Maryland lawmakers for passing a series of gun violence prevention bills before the session ended last night. These bills include:

HB 1302, Gun Violence Restraining Order (GVRO) legislation would make it possible for families and law enforcement to petition courts for an order to temporarily restrict a person's access to firearms to prevent them from harming themselves or others. This is commonly referred to as a Red Flag policy.

HB 1646, legislation that would require convicted domestic abusers to surrender guns to law enforcement or a firearms dealer. These dangerous abusers are already prohibited from possessing guns under Maryland law. However, due to a dangerous gap in the law, they were not required to surrender the guns they already owned once convicted. This life-saving bill closes that loophole and requires surrender by all prohibited abusers.

HB 888, legislation that would prohibit bump stocks and other conversion devices. This bill makes it illegal to own, manufacture or sell bump stocks, trigger cranks and other firearm conversion devices that effectively allow semi-automatic firearms to mimic the firing speeds of machine guns.

All three pieces of legislation now go to Governor Hogan's desk and he has previously indicated support for all three gun violence prevention bills.

STATEMENT FROM DOROTHY PAUGH, VOLUNTEER WITH THE MARYLAND CHAPTER OF MOMS DEMAND ACTION FOR GUN SENSE IN AMERICA AND MEMBER OF THE EVERYTOWN SURVIVOR NETWORK:

“As someone whose father and son died by firearm suicide, I know how many individuals are lost to society and how much heartache their families endure when a loved one dies unnecessarily. These bills will empower family members to act if they notice warning signs in a loved one and also protect them when an abuser has a gun in the home. Thanks to Delegates Geraldine Valentino-Smith, Kathleen Dumais, Senator Bobby Zirkin and all the Maryland lawmakers who put the public’s safety first last night.”

STATEMENT FROM DANIELLE VEITH, VOLUNTEER LEADER WITH THE MARYLAND CHAPTER OF MOMS DEMAND ACTION FOR GUN SENSE IN AMERICA:

“These bills will save lives and we appreciate lawmakers working late into the night to get these passed. We urge Governor Hogan to sign these bills quickly in order to help keep all Maryland families safe from gun violence.”

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

08-40B-08 Deputy Zackari Parrish III Violence Prevention Act
[HB 19-1177](#)

Summary:

The bill creates the ability for a family or household member or a law enforcement officer to petition the court for a temporary extreme risk protection order (ERPO) beginning January 1, 2020. The petitioner must establish by a preponderance of the evidence that a person poses a significant risk to self or others by having a firearm in his or her custody or control or by possessing, purchasing, or receiving a firearm.

Status: Signed by the governor on April 12, 2019.

Comments: From [Moms Demand Action](#) (April 12, 2019)

The Colorado chapter of Moms Demand Action for Gun Sense in America, part of Everytown for Gun Safety, today applauded Governor Jared Polis for signing HB19-1177, legislation that will empower family members and law enforcement officers to ask a judge to temporarily suspend a person's access to guns if there is documented evidence that the person poses a serious risk to themselves or others.

"So many shootings are slow-motion tragedies — a long trail of warning signs leading up to one terrible moment," said John Feinblatt, President of Everytown for Gun Safety. "We applaud Governor Polis for standing firm in the face of gun lobby fear-mongering and signing legislation that will allow family members and law enforcement to step in before it's too late."

"This victory is the direct result of Coloradans standing up for our safety and showing that together, we are stronger than the gun lobby's scare tactics," said Shannon Watts, founder of Moms Demand Action for Gun Sense in America. "Moms Demand Action volunteers helped flip the Colorado senate to be a gun-sense majority in November, and they turned out to make sure lawmakers did the right thing and voted for this common-sense proposal that protects our families. We know these laws are effective in keeping guns out of the hands of people in crisis, which is why they're gaining traction across the U.S."

"Today's signing was a long time coming," said Karin Asensio, volunteer leader with the Colorado chapter of Moms Demand Action for Gun Sense in America. "Coloradoans are all too familiar with the devastation of gun violence, from shootings that make national headlines to the overwhelming number that never do. For years we've gone to our statehouse, urging our lawmakers to enact policies that will save lives, and they have responded with action. We thank our lawmakers for standing up for gun safety, and we're grateful to Governor Polis for signing this bill into law."

HB19-1177 was passed with overwhelming support from Coloradoans. According to polling released by Everytown for Gun Safety Action Fund, the vast majority of respondents — including 78 percent of gun owners — support the concept of Extreme Risk Protection Order laws.

Extreme Risk Protection Order legislation, also known as Red Flag laws, gained traction in the wake of the Parkland shooting, where 14 students and three staff members were shot and killed. Colorado is the fifteenth state, not including the District of Columbia, to enact Extreme Risk Protection Order legislation. Red Flag laws have been shown to be especially effective in reducing the risk of firearm suicide by temporarily removing guns from dangerous situations.

The bill was sponsored by newly elected Representative Tom Sullivan (D-Aurora), whose son Alex was shot and killed in the Aurora theater shooting in 2012. Representative Sullivan was an active volunteer with Moms Demand Action for Gun Sense in America and is a member of the Everytown Survivor Network. During the 2018 election, Representative Sullivan was endorsed by the Everytown for Gun Safety Action Fund and Moms Demand Action volunteers turned out in force to support him.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

08-40B-09 An Act to Amend the Civil Practice Law and Rules and the Penal Law, in Relation to Possessing or Attempting to Purchase or Possess Firearms
[S 2451](#)

Summary:

Establishes extreme risk protection orders as a court-issued order of protection prohibiting a person from purchasing, possessing or attempting to purchase or possess a firearm, rifle or shotgun.

Status: Signed by the governor on February 25, 2019.

Comments: From [Moms Demand Action](#) (February 25, 2019)

Today the New York chapter of Moms Demand Action for Gun Sense in America, part of Everytown for Gun Safety, released the following statement praising Governor Cuomo for signing a Red Flag bill into law.

“We are thrilled that New York now has a red flag law and confident that this common-sense policy will save lives,” said Erin DaCosta, volunteer leader with the New York chapter of Moms Demand Action for Gun Sense in America. “We are grateful to Governor Cuomo and our legislators for their commitment to making New Yorkers safer and all of their hard work to bring this long-awaited law to fruition.”

This Red Flag law empowers families, law enforcement officers and school administrators to petition for a court-issued Extreme Risk Protection Order, which temporarily restricts a person’s access to firearms when they pose a significant risk of harming themselves or others. These orders help prevent mass shootings and firearm suicides by empowering those who recognize signs of danger to intervene, before warning signs escalate into gun violence tragedies.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

08-40B-10* An Act Relating to Criminal Justice; Requiring the Department of Corrections to Include Information in its Annual Report on Inmate Admission Based on Offense Type and Recidivism Rate
[SB 1392](#)

Summary:

Requires Florida's Department of Corrections to include information in its annual report on inmate admission based on offense type and recidivism rate; encouraging local communities and public or private educational institutions to implement pre-arrest diversion programs for certain offenders; requiring each pretrial release program to include in its annual report the types of criminal charges of defendants accepted into a pretrial release program, the number of defendants accepted into a pretrial release program who paid a bail or bond, the number of defendants accepted into a pretrial release program with no prior criminal conviction, and the number of defendants for whom a pretrial risk assessment tool was used or was not, etc.

Status: Signed by the governor on March 30, 2018.

Comments: From the [Sarasota Herald-Tribune](#) (March 30, 2018)

TALLAHASSEE – Gov. Rick Scott signed into law Friday legislation requiring sweeping, New courthouse data collection, which supporters say will home in on rampant racial disparities in sentencing exposed by reporting in the Sarasota Herald-Tribune.

The legislation (CS/SB 1392) cleared the Legislature in the closing minutes of the 2018 session. Scott signed the measure without comment, but Senate President Joe Negron earlier said the legislation was a critical step toward equalizing justice in Florida.

“It’s important at all times to be evaluating our criminal justice system to make sure that There aren’t biases and prejudices and other things that we don’t want to happen,” Negron said. “And the best way to determine that is to get actual information and data and research to make sure that we’re treating everyone fairly regardless of their racial background, their education, income.”

The new law will create a uniform databank containing information on arrest and bail proceedings and criminal sentencing, and will be searchable by the public through the Florida Department of Law Enforcement website.

It follows two years of reporting by the Herald-Tribune on racial bias in criminal sentencing that resulted in two series: “Bias on the Bench,” published in December 2016, and “One War. Two Races,” published last year.

Those series found Florida’s criminal justice system is stacked against blacks. With bias

especially evident in drug crimes, the paper’s analysis found that black offenders averaged far more time in prison than white offenders with comparable histories under state sentencing guidelines.

To read the Herald-Tribune’s “Bias on the Bench” series, go to heraldtribune.com/bias. To reach “One War. Two Races,” go to heraltribune.com/drugs

The data collected will include such basic information on offenders as age and race. A goal of the databank, available next January, will be to let the public track defendant’s experience in the system from start to finish, and compare it with others.

Building the database will require court clerks, state attorneys, public defenders, jail administrators and the Florida Department of Corrections to collect about 150 different data elements and transmit that information weekly to the FDLE.

House Speaker Richard Corcoran, R-Land O’Lakes, had labeled the legislation a priority of the House.

Corcoran said that once the database is publicly available, it will “throw back the curtain” And undo “all the institutional biases in the judicial system,” giving Florida the most Transparent sentencing system in the nation.

A similar bill to reform data collection was first proposed last year by Sen. Audrey Gibson, D Jacksonville. But the bill died in the Senate Judiciary Committee last year.

In a statement after the bill passed this month, Rep. Chris Sprowls, R-Palm Harbor, a former prosecutor who championed the bill, said in a statement, “The ability to look at qualitative information about our criminal justice system will not only bring transparency, it will guide our future decision making.”

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

09-40B-01 Vermont Broadband Internet Privacy Act
[S 289](#)

Summary:

Would enact the Vermont Broadband Internet Privacy Act, providing for the protection of consumers and promoting an open internet in Vermont.

Status: Signed by the governor on May 22, 2018.

Comments: From vtdigger.org (April 22, 2018)

Vermont's attorney general would be instructed to determine whether internet service providers in the state follow net neutrality standards, under an amended bill passed by the House.

That version of legislation passed by the Senate, S.289, also would require the Attorney General's Office to make that information available to consumers by posting it on a website.

The measure also calls for a joint study by that office and the Department of Public Service to determine whether Vermont should put net neutrality rules for internet providers in place in the future.

S.289's passage in the House marks the latest effort by lawmakers and state officials to address net neutrality in Vermont after the FCC decided last December to roll back Obama-era regulations restricting internet companies from prioritizing certain web traffic.

This month, an executive order addressing the subject that was issued by Gov. Phil Scott in February went into effect. It requires internet companies that do business with the state to abide by net neutrality principles.

The order prevents providers who obtain state contracts from blocking content, engaging in paid prioritization of internet services or acting to "throttle, impair or degrade lawful Internet traffic on the basis of Internet content, application, or service."

While the House's version of S.289 could give consumers the ability to make informed decisions when choosing internet providers and encourage the state to consider future regulations, the legislation transforms the Senate's original proposal.

Like Scott's executive order, the version of S.289 the Senate passed in February would require internet service providers to certify compliance with net-neutrality provisions as a precondition for winning state contracts.

But the Senate's bill was stricter than the executive order and did not include a provision allowing state agencies to request a waiver if they believe bypassing the rules is in the state's interest.

Critics have called the waiver provision a "loophole" for internet companies. But John Quinn, the state's chief information officer and secretary of the Agency of Digital Services, has said it's in place to ensure that state agencies in rural areas with few internet providers don't lose service.

Rep. Selene Colburn, P-Burlington, said she favors the Senate's S.289 proposal over the House's redraft.

"I do not think I'll be able to support this proposal of amendment because I feel that we're losing an opportunity to move forward in a more timely way on a really critical issue of equitable access to information in our state," she said on the House floor Wednesday.

"I think what the Senate sent to us offers an opportunity to take further action now without waiting an additional year."

Rep. Laura Sibilila, I-Dover, a member of the House Committee on Energy and Technology, which rewrote the bill, said the committee felt having a waiver provision in place was important to assure that state infrastructures in rural areas don't lose internet.

Sibilila was a co-sponsor of another net neutrality bill that offered even more sweeping regulations than the Senate's. Her proposal, H.680, would require any internet providers who want to do business in Vermont to apply to the Public Utility Commission for net neutrality certification.

But Sibilila said she feels lawmakers need more information about whether internet providers are actually changing their practices in the wake of the rollback and how those practices affect Vermonters before they put something like H.680 in place.

"Why can't we take a few extra months to assess this landscape, which is incredibly dynamic right now?" she said in an interview.

She said she'd be quick to endorse the tough regulations if providers start changing the quality of internet service they deliver Vermonters.

"If in fact providers are going to take advantage of this, let's sharpen 680 even more," she said.

The FCC's December order will start to take effect on April 23.

Rep. Stephen Carr, D-Brandon, chair of the House Committee on Energy and Technology, said most internet service providers are saying that they will continue to abide by net neutrality principles despite the FCC's rollback.

"Theoretically ... there won't be a change because of the fact that they said they've been net neutral anyways," he said in an interview.

Sibilia said she's heard that Vermont could soon face a legal challenge over its position on net neutrality.

"I have been assured by a number of providers that the state is probably going to be sued over the governor's executive order," Sibilia said.

Vermont has taken its own legal action on the issue: in January, Attorney General TJ Donovan joined a coalition of 21 other state attorneys general in a suit to block the FCC's rollback of the rules.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

09-40B-02 Relating to Information Privacy
[SB 327](#)

Summary:

This bill, beginning on January 1, 2020, would require a manufacturer of a connected device, as those terms are defined, to equip the device with a reasonable security feature or features that are appropriate to the nature and function of the device, appropriate to the information it may collect, contain, or transmit, and designed to protect the device and any information contained therein from unauthorized access, destruction, use, modification, or disclosure, as specified.

Status: Signed by the governor on September 28, 2018; Effective January 1, 2020.

Comments: From [The Verge](#) (September 28, 2018)

California Governor Jerry Brown has signed a cybersecurity law covering “smart” devices, making California the first state with such a law. The bill, SB-327, was introduced last year and passed the state senate in late August.

Starting on January 1st, 2020, any manufacturer of a device that connects “directly or indirectly” to the internet must equip it with “reasonable” security features, designed to prevent unauthorized access, modification, or information disclosure. If it can be accessed outside a local area network with a password, it needs to either come with a unique password for each device, or force users to set their own password the first time they connect. That means no more generic default credentials for a hacker to guess.

The bill has been praised as a good first step by some and criticized by others for its vagueness. Cybersecurity expert Robert Graham has been one of its harshest critics. He’s argued that it gets security issues backwards by focusing on adding “good” features instead of removing bad ones that open devices up to attacks. He praised the password requirement, but said it doesn’t cover the whole range of authentication systems that “may or may not be called passwords,” which could still let manufacturers leave the kind of security holes that allowed the devastating Mirai botnet to spread in 2016.

But others, including Harvard University fellow Bruce Schneier, have said that it’s a good start. “It probably doesn’t go far enough — but that’s no reason not to pass it,” he told The Washington Post. While the rule is only state-wide, any device-makers who sell products in California would pass the benefits on to customers elsewhere.

Several Internet of Things-related bills have been introduced in Congress, but none have made it to a vote. The IoT Cybersecurity Improvement Act of 2017 would set minimum security standards for connected devices purchased by the government, but

not electronics in general. Taking a separate track, the IoT Consumer TIPS Act of 2017 would direct the Federal Trade Commission to develop educational resources for consumers around connected devices, and the SMART IoT Act would require the Department of Commerce to conduct a study on the state of the industry.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

09-40B-03 Property Technology Sandbox
[HB 2673](#)

Summary:

This bill creates a regulatory sandbox for property technology companies to test innovative products or services in the real estate industry. It promotes the development of disruptive technologies affecting the transfer and management of both commercial and residential property.

Status: Signed by the governor on March 21, 2019.

Comments: From [KTAR News](#) (March 22, 2019)

Arizona Gov. Doug Ducey signed a bill at a technology conference on Wednesday that he says will advance innovation in the state.

HB 2673 creates a “property technology sandbox,” which allows businesses to test new products or services within the real estate industry, according to a press release.

Ducey signed the bill at the Arizona Tech Innovation Summit, which was expected to draw around 550 attendees and included speeches from billionaire entrepreneur Mark Cuban and U.S. Sen. Kyrsten Sinema of Arizona.

“PropTech is changing the way we rent, sell, buy, develop and manage property,” Ducey said in the release.

“With this forward-thinking legislation, PropTech companies will have a place to develop and test their products — while benefiting and protecting consumers. With this bill, Arizona continues to send the message loud and clear that our state is the best place to develop cutting-edge technologies.”

“As a small business owner, I know what it takes to get a business off the ground — and more government isn’t the answer,” state Rep. Jeff Weninger, the bill’s sponsor, said in the release.

“This legislation gets government out of the way and sends a signal that Arizona will continue to take the lead in fostering innovation across all sectors, including the real estate industry.”

Ducey has signed similar legislation before — in 2018, he allowed for the creation of a “financial technology sandbox.”

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

09-40B-04 Requiring Companies to Provide Information about Data Privacy
[AB 375](#)

Summary:

Grants consumers the right to know what information companies are collecting about them, why they are collecting that data and with whom they are sharing it; gives consumers the right to tell companies to delete their information as well as to not sell or share their data. Businesses must still give consumers who opt out the same quality of service.

Status: Signed by the governor on June 28, 2018.

Comments: From [The New York Times](#) (June 28, 2018)

California has passed a digital privacy law granting consumers more control over and insight into the spread of their personal information online, creating one of the most significant regulations overseeing the data-collection practices of technology companies in the United States.

The bill raced through the State Legislature without opposition on Thursday and was signed into law by Gov. Jerry Brown, just hours before a deadline to pull from the November ballot an initiative seeking even tougher oversight over technology companies.

The new law grants consumers the right to know what information companies are collecting about them, why they are collecting that data and with whom they are sharing it. It gives consumers the right to tell companies to delete their information as well as to not sell or share their data. Businesses must still give consumers who opt out the same quality of service.

It also makes it more difficult to share or sell data on children younger than 16.

The legislation, which goes into effect in January 2020, makes it easier for consumers to sue companies after a data breach. And it gives the state's attorney general more authority to fine companies that don't adhere to the new regulations.

The California law is not as expansive as Europe's General Data Protection Regulation, or G.D.P.R., a new set of laws restricting how tech companies collect, store and use personal data.

But Aleecia M. McDonald, an incoming assistant professor at Carnegie Mellon University who specializes in privacy policy, said California's privacy measure was one

of the most comprehensive in the United States, since most existing laws — and there are not many — do little to limit what companies can do with consumer information.

“It’s a step forward, and it should be appreciated as a step forward when it’s been a long time since there were any steps,” Ms. McDonald said.

The legislation is modeled closely on the ballot initiative, which a real estate developer, Alastair Mactaggart, spent \$3 million and secured more than 600,000 signatures to get certified. With the ballot proposal hanging over legislators’ heads, the push for an alternative gained grudging support.

If the bill had failed to pass before the deadline, the proponents of the ballot initiative would have taken their case straight to voters in November, they said.

The state’s technology and business lobbies were opposed to the measure that was passed on Thursday, but they didn’t try to derail it because they thought the ballot initiative was worse.

Even legislators who voted for the bill complained that they had little choice because a ballot measure would provide less flexibility to make changes in the future. And some privacy advocates said the bill did not go as far as the ballot initiative in allowing individuals to sue for not complying.

... “This is a huge step forward to people all across the country dealing with this very challenging issue,” State Senator Bob Hertzberg, a Democrat and a co-author of the bill, said at a news conference after it was signed...

...Legislators said they expected to pass “cleanup bills” to make any fixes to the law in the 18 months before it takes effect. Some privacy advocates are worried that lobbyists for business and technology groups will use that time to water it down.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

09-40B-05 An Act to Amend and Reenact Sections 54-59-01 and 54-59-05 of the North Dakota Century Code, Relating to Cybersecurity
[SB 2110](#)

Summary:

This bill makes North Dakota the first state to authorize a central, shared service approach to cybersecurity strategy across all aspects of state government including state, local, legislative, judicial, K-12 education and higher education.

Status: Signed by the governor on April 12, 2019.

Comments: From the Office of the Governor (April 12, 2019)

Gov. Doug Burgum on Thursday signed Senate Bill 2110, a milestone that makes North Dakota the first state to authorize a central, shared service approach to cybersecurity strategy across all aspects of state government including state, local, legislative, judicial, K-12 education and higher education.

“This important investment in 21st century critical infrastructure recognizes the increasingly digital world in which we live and the growing nature of cybersecurity threats,” Burgum said. “A unified approach to cybersecurity strengthens our ability to protect the state network’s 252,000 daily users and more than 400 entities from cyberattacks.”

“The collaborative effort on this legislation clearly reflects a whole-of-government approach by North Dakota’s leaders, enabling the state to effectively address millions of monthly attacks and identify potential gaps in cybersecurity,” said Chief Information Officer Shawn Riley.

North Dakota is also pursuing a comprehensive, statewide approach to computer science and cybersecurity education, with a goal of “Every Student. Every School. Cyber Educated” as part of its “K-20W Initiative.” Efforts include new Computer Science and Cybersecurity standards recently adopted by the Department of Public Instruction and legislative authority to the State Superintendent to credential trained instructors to teach these standards.

In addition, North Dakota State University has a new cybersecurity education focus in its Ph.D. program, and Bismarck State College was recently designated as a Center of Academic Excellence in Cyber Defense by the National Security Agency and Department of Homeland Security. The two federal organizations stated that BSC’s ability to meet the increasing demands of program criteria will serve the nation well in contributing to the protection of the National Information Infrastructure. The programs at

NDSU and BSC create greater career opportunities for students in a highly competitive global economy.

“The jobs of today and tomorrow involve significant emphasis on technology skills, and providing training and resources for our students and workforce in computer science and cybersecurity will also benefit us as a state as we continue to lead the nation in our cybersecurity approach,” Burgum said.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

Technology

Utah

09-40B-06 State Agency Web Design Guidelines
[HB 284](#)

Summary:

This bill modifies the Department of Technology Services code related to purposes of the Department of Technology Services. This bill enacts a provision that authorizes the Department of Technology Services to coordinate with executive branch agencies to provide basic agency website standards that address common website design and navigation standards including accessibility.

Status: Signed by the governor on March 22, 2019.

Comments:

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

10-40B-01 Mississippi Infrastructure Modernization Act
[HB 1](#)

Summary:

Funds infrastructure by diverting 35 percent of use tax revenue (a 7 percent tax on retail items purchased out of state via the internet) from the state to local governments; calls for issuance of \$300 million in bonds to be paid off using a portion of the casino gambling tax set aside for transportation; diverts an estimated \$5 million to \$15 million from sports betting annually to transportation.

Status: Signed by the governor on August 29, 2018.

Comments: From [Mississippi Today](#) (August 27, 2018)

House leaders called it historic legislation that was sent to Gov. Phil Bryant Monday to divert state funds to local governments for their infrastructure needs.

The proposal, which originated in the 2017 session in the state House, was part of the special session the governor has called to deal with infrastructure issues – both on the state and local government levels. Lawmakers continue to work on a lottery proposal that would be counted on to help raise revenue for the state’s transportation needs.

The governor is expected to soon sign into law the infrastructure legislation, which passed through both chambers by overwhelming margins. The House voted Monday by a 111-4 margin to concur in the changes made to the bill in the Senate and send it to the governor without further work.

“Passage of the bill is historic,” said House Speaker Philip Gunn, R-Clinton. He said the bill provides “a continuing stream of revenue for cities and counties from this day forward.”

That continuing stream of money comes from the diversion of the use tax. Under the bill, an estimated \$120 million will be generated annually when the bill is fully enacted in four years for city and county infrastructure woes. The bill diverts 35 percent of the use tax revenue (a 7 percent tax on retail items purchased out of state such as via the internet) from the state to local governments. In doing so the pot of money for education and other state services will be reduced.

Cities and counties will receive their first payments from the diversion in January. It will be phased in over four years with the local governments receiving one-fourth of the total each year.

The bill also calls for the issuance \$300 million in bonds – debt that will be paid off using a portion of the casino gambling tax that is currently set aside for transportation. Of that revenue, \$250 million will go for emergency transportation needs on both the state and local levels, as determined by the Mississippi Transportation Commission. The final \$50 million will be in a fund that will go for projects as determined by the Legislature.

One key Senate changes that the House accepted is that a commission, which would include representatives of city and county governments, the Mississippi Economic Council and others, would be formed to make non-binding recommendations to the Transportation Commission on how the bond revenue should be spent.

The bill also diverts from sports betting (an estimated \$5 million to \$15 million annually) to transportation.

The closure of about 500 county bridges in recent months for safety reasons helped spur the decision of the governor to call the special session that began Thursday.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

10-40B-02 Electric Scooters
[AB 2989](#)

Summary:

Permits local authorities to authorize the operation of motorized scooters on a highway with a 35 mph speed limit; allow for operation of a motorized scooter on a highway with a higher speed limit if the scooter is operated within a Class IV bikeway; specifies existing maximum 15 mph speed limit for operation of a motorized scooter applies regardless of a higher speed limit applicable to the highway; requires the operator of a motorized scooter to wear a helmet if under 18.

Status: Signed by the governor on September 19, 2018.

Comments: From [Curbed](#) (September 21, 2018)

Governor Jerry Brown signed a bill Wednesday changing several regulations about the electric scooters purveyed by SF-based startups like Bird and Spin and doing away with some others, including allowing adults to scoot sans helmet.

The bill, AB 2989, would have once permitted scooter use on sidewalks as well, but the final version did away with that element.

In part, the legislation reads:

This bill would permit a local authority to authorize the operation of a motorized scooter on a highway with a speed limit of up to 35 miles per hour and would additionally allow for operation of a motorized scooter on a highway with a higher speed limit if the motorized scooter is operated within a Class IV bikeway.

[...] The bill would require the operator of a motorized scooter to wear a helmet only if the operator is under 18 years of age.

Simple observation reveals that few e-scooter users in SF bothered with the helmets anyway, so presumably even fewer will notice the rule change.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

10-40B-03 Sustainability of Rural Colorado
[SB 17-267](#)

Summary:

Directs the State Treasurer to execute lease-purchase agreements on existing state facilities, which function as sales of state property to private investors who are required to immediately lease the buildings back to the state; the majority of revenue from the sales (\$1.88 billion) is required to be spent on transportation projects selected by the Transportation Commission.

Status: Signed by the governor on May 30, 2017.

Comments: From [The Gazette](#) (November 27, 2018)

While voters dismissed two ballot measures this month intended to fund billions of dollars in transportation projects, the Colorado Department of Transportation did get a \$545 million boost in its funding Sept. 26, on top of \$500 million in the 2018 legislative session. And they're ready to spend it.

It's how that \$545 million got funded that is worth looking at.

It started with Senate Bill 17-267, which converted the hospital provider fee to an enterprise. The law, signed by Gov. John Hickenlooper in June 2017, freed up \$500 million under the spending cap set by the Taxpayer's Bill of Rights and saved Colorado hospitals, including a dozen rural ones, from a budget cut.

But the omnibus bill also allowed the state to raise up to \$500 million through a "lease-purchase" of state buildings. The buildings are in effect sold and then leased back to the state. The money raised is then repaid over 20 years.

Then, the state architect, state treasurer and Office of State Planning Budgeting came up with a list of 25 buildings that could be sold to raise the money.

On Monday, the Joint Budget Committee reviewed how that transaction was set up with JBC Principal Analyst Steve Allen. And Allen told the committee he was surprised by what he found.

The state's building inventory is valued at \$12.6 billion, based on a December 2017 report from the state architect. That covers 2,355 buildings across 40 state agencies and public colleges and universities, totaling 48.4 million gross square feet. About 55 percent of that is in buildings on public college and university campuses. But higher education was left untouched in the list of buildings put up for sale.

Allen explained the first borrowing took place in September 2018 and the revenue received was more than what was anticipated, at around \$545 million instead of \$500 million.

Allen said that there was more property put up than anticipated, too. The additional revenue, which SB 267 allows for, is because those buying the securities tied to the lease-purchase arrangement believed the buildings are worth more than the stated replacement value.

Allen also said he was surprised by some of what the state put up for sale: A dozen buildings owned by the Department of Corrections.

“I wasn’t expecting that,” Allen told the JBC, adding: “What good is a prison in Cañon City” to someone who could take possession if the state fails to pay back the loans?

“It’s because those buildings are considered “essential state assets.”

These are bonds with really good security, Allen added. Investors say, “We take your prison if you don’t pay for it,” although there’s little chance the state won’t pay back those bonds, he said.

Under SB 267, 25 percent of the money raised has to go to highway and other transportation projects in rural Colorado, defined in the bill as counties with populations of 50,000 or less.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

10-40B-04 Office of Real Estate Economic Development and Transit-Oriented
Development
[S 2333](#)

Summary:

Requires the New Jersey Transit Corporation to establish an office of real estate economic development and transit-oriented development to assess and develop recommendations for parcels of real property in which the corporation holds a property interest in order to increase the corporation's non-fare revenue sources.

Status: Signed by the governor on November 1, 2018.

Comments: From [Real Estate NJ](#) (November 2, 2018)

Gov. Phil Murphy has signed into law a bill that requires NJ Transit to establish an office of transit-oriented development and conduct an annual inventory of its real estate holdings, potentially paving the way for new opportunities across the state.

Under the legislation, which Murphy signed on Thursday, the new office will assess its portfolio and craft annual recommendations for development opportunities on parcels in which NJ Transit holds a property interest. It was unclear Thursday as to how many parcels would meet that criteria, but the new office will compile an annual list as a step toward generating new non-fare revenue sources.

“NJ Transit is the second-largest landholder in the state, and there has never been a listing of all their properties,” said Assemblywoman Yvonne Lopez, a Middlesex County Democrat who co-sponsored the bill. “This will help us moving forward in determining how to allocate funding to ensure that there are no wasted dollars.”

Commercial real estate and mixed-use development advocates hailed the enactment of the bill.

“The timing on this new law couldn’t have been better,” said Michael McGuinness, CEO of NAIOP New Jersey. “NJ Transit is sitting on some of the most valuable real estate in the state. This bill would help identify, convert and monetize underutilized assets to the highest and best uses.”

“In turn it would catalyze the transformation of rail-served communities to places that would attract a young and talented workforce that will lead to further business investment and economic development in those towns,” he added. “It would also generate critically needed non-fare revenue and enable NJT to keep its fares down and invest in sorely needed infrastructure and improvements for the benefit and safety of its users.”

The measure calls for NJ Transit to issue a report to the governor and Legislature by Oct. 1 of each year. That report would include an inventory of each parcel in which the agency holds an interest, the appraised value of properties that have been appraised within the prior three years and the agency's reason for owning the property.

NJ Transit would also be required to detail any revenue it receives from the properties and information about any properties that it has sold during the prior year. The new office would report to the agency's executive director.

New Jersey Future, an organization focused on what's known as smart growth, celebrated the prospect of the new office.

"New Jersey Future is excited to see Governor Murphy embracing smart, compact growth around transit centers through the signing of this bill and the priorities laid out in his economic development strategic plan," said Peter Kasabach, the organization's executive director. "New Jersey is seeing substantial demand for walkable downtowns, particularly those situated near and around transit, and the creation of an office of transit-oriented development within NJ Transit will be a great resource to help meet that demand."

Assembly members Daniel Benson and Patricia Egan Jones were among the other co-sponsors, along with senators Linda Greenstein and Robert Gordon.

"The establishment of this office will provide needed structure to NJ Transit's inventory of property assets," Greenstein said. "The information and recommendations NJ Transit will receive from the office's analysis will prove valuable and assist them in efforts to strategically generate additional non-fare revenue sources moving forward."

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

10-40B-05 City and County of San Francisco: Local Tax: Transportation
Network Companies: Autonomous Vehicles
[AB 1184](#)

Summary:

AB 1184 authorizes the city and county of San Francisco to impose a tax on each ride originating in San Francisco provided by an automated vehicle, whether facilitated by a transportation network company (ridesharing app) or another person. AB 1184 requires San Francisco to use the revenues from this tax to fund “transportation operations and infrastructure” within the city.

Status: Signed by the governor on September 21, 2018.

Comments: From the [Office of Assemblymember Phil Ting](#) (August 31, 2018)

San Francisco could make significant investments to its transportation infrastructure under a proposal the state Legislature sent to the Governor today. AB 1184 by Assemblymember Phil Ting (D-San Francisco) affirms San Francisco’s authority to dedicate a tax on Transportation Network Company (TNC) rides to fund critical transportation projects. There is an estimated \$22 billion funding gap to meet city and regional transportation needs through 2045.

“As San Francisco’s economy grows, the city must be able to move its people around safely - but current funding streams can’t keep up with the need,” said Ting. “AB 1184 will allow the city to raise the revenue it needs to help fund improvements to roads, bike lanes, public transit, and more, and demonstrates that the best solutions often arise when local leaders from both the public and private sector come up with a solution together.”

“TNCs are a critical part of our transportation system,” said Senator Scott Wiener (D-San Francisco), principal co-author of the legislation. “They expand people’s ability to get around without owning a car. AB 1184 helps ensure that TNCs participate in funding our overall transit system.”

“This bill gives San Franciscans the opportunity to provide additional resources to our underfunded transit system,” said Assemblymember David Chiu (D-San Francisco), a joint author of AB 1184. “TNCs have become a part of everyday mobility and it makes sense for them to help take on our transportation challenges.”

AB 1184 stems from an agreement reached last month between Supervisor Aaron Peskin and San Francisco-based ride-hailing companies, Uber and Lyft, to tax a percentage of net-rider fares. The money could only be used for transportation operations and infrastructure. The tax would be capped at 3.25% of net-rider fares. It

drops to 1.5% for shared rides. The legislation leaves the door open for an even lower rate for rides in zero-emission vehicles.

"San Francisco is once again a national example of the progress we can make with strong state, local and private sector partnerships," said Supervisor Aaron Peskin, who has been working locally to secure sustainable funding sources for transportation. "AB 1184 affirms San Francisco's commitment to a compromise approach to funding critical transportation infrastructure, safety and operations improvements without another regressive tax. Voters have already overwhelmingly voted for a public expenditure plan that invests in Transit First infrastructure and prioritizes Vision Zero safety improvements - they just want to make sure that corporations are paying their fair share to help our city grow and keep it safe. I'm grateful for Assemblyman Ting's leadership on this bill and look forward to passing a local revenue measure in November 2019."

Governor Brown has until the end of September to consider the bills that were sent to him in the remaining days of session. If AB 1184 is signed into law, San Francisco would proceed to seek voter approval for the ride-hail tax on the November 2019 ballot.

Staff Note:

Disposition of Entry:

SSL Committee Meeting: 2020 B

- Include in Volume
- Include as a Note
- Defer consideration:
 - next SSL meeting
 - next SSL cycle
- Reject

Comments/Note to staff:

10-40B-06 City and County of San Francisco: Local Tax: Transportation
Network Companies: Autonomous Vehicles
[AB 2127](#)

Summary:

Bill would require the Energy Commission, working with the State Air Resources Board and the PUC, to prepare and biennially update a statewide assessment of the electric vehicle charging infrastructure needed to support the levels of electric vehicle adoption required for the state to meet its goals of putting at least 5 million zero-emission vehicles on California roads by 2030 and of reducing emissions of greenhouse gases to 40% below 1990 levels by 2030.

Status: Signed by the governor on September 13, 2018.

Comments: From [UPI](#) (August 28, 2018)

A bill that requires a regular review of California's electric vehicle infrastructure is a step toward a clean-energy economy, a trade group said.

By a unanimous vote, California lawmakers approved Assembly Bill 2127, as amended, that calls for a biannual update on electric vehicle charging infrastructure. The bill mandates the review to gauge progress on a state-wide effort to put at least 5 million zero-emissions vehicles on California roads by 2030.

The bill now head to California Gov. Jerry Brown for his signature.

California Assemblyman Phil Ting worked with national business group Advanced Energy Economy to craft the bill.

"This is an important step for California as it blazes the trail toward an electric transportation future," Amisha Rai, a senior California policy director for the AEE, said in an emailed statement.

The bill's passage comes as California takes on U.S. President Donald Trump over fuel economy standards. In early August, the state's attorney general said California would use every legal tool at its disposal to block Trump's efforts to weaken the standards.

The U.S. Environmental Protection Agency proposed a 37 mile per gallon average for cars and light-duty trucks by 2026. That's far less stringent than a mandate enacted under former President Barack Obama for 54.5 mpg by 2025. Under the new proposal, the EPA also confirmed plans to strip California of its authority to set its own fuel economy levels for vehicles, citing a 50-state solution in the proposal.

California's governor shamed the Trump administration for targeting efforts to control vehicle emissions he said were first introduced by then California Gov. Ronald Reagan. Using the power of the state office, Brown said he'd fight Trump's "stupidity" in every way possible.

California has one of the greener economies in the United States. It's on pace to get 33 percent of its power from renewable energy resources by 2020. The transportation sector is the largest emitter of greenhouse gases.

The U.S. Energy Information Administration reported battery-powered vehicle sales have accelerated the most for alternative vehicles, but accounted for less than 1 percent of total vehicle sales last year. Plug-in hybrids, meanwhile, saw their market share increase from 0.1 percent to 0.5 percent between 2012-17, while sales in non-plug-in hybrids declined from 3 percent to 1.9 percent.

Staff Note:

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Comments/Note to staff: