



PIFC

PERSONAL INSURANCE FEDERATION  
OF CALIFORNIA

# CHAPTERED BILL REPORT

2011 LEGISLATIVE YEAR



## A LETTER TO OUR MEMBERS

---

# From the PIFC Staff

### BOARD MEMBERS

The Chaptered Bill Report is a compilation of chaptered Assembly and Senate bills that the Personal Insurance Federation of California (PIFC) has tracked during the 2011 Legislative year. The Chaptered Bill Report has been organized by bill number, beginning with those bills introduced in the Assembly and followed by those introduced in the Senate. Each bill is identified by number, author, title, chapter number, summary, section (s) amended, and a hyperlink that will allow you to view the chaptered bill itself. All statutes take effect January, 2012 unless otherwise noted. To search for bills by author or subject, please refer to the index at the end of this booklet.

If you have any questions regarding these bills, please contact one of the following representatives:

Best Regards,

Rex D. Frazier, President

[rfrazier@pifc.org](mailto:rfrazier@pifc.org)

Michael A. Gunning, Vice President

[mgunning@pifc.org](mailto:mgunning@pifc.org)

Kimberley Dellinger Dunn, General Counsel

[kdellingerdunn@pifc.org](mailto:kdellingerdunn@pifc.org)

Manolo Platin, Legislative Advocate

[mplatin@pifc.org](mailto:mplatin@pifc.org)

Hannah Strom-Martin, Legislative and Regulatory Affairs Assistant

[hstrommartin@pifc.org](mailto:hstrommartin@pifc.org)

1201 K  
STREET  
SUITE 1220  
SACRAMENTO,  
CA  
95814

### TELEPHONE:

916.442.6646

### FAX:

916.446.9548

### WEBSITE:

[www.pifc.org](http://www.pifc.org)

## ASSEMBLY BILLS

---

[AB 29](#)

AUTHOR: Perez J  
TITLE: Governor's Office of Economic Development  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 475

Creates the Governor's Office of Business Development to serve as the lead entity for economic strategy and the marketing of the state on issues relating to business development, private sector investment, and economic growth and to make recommendations on policies, programs, and action to advance statewide economic goals. Creates the Business Investment Services Program to serve employers, corporate executives, business owners, and site location consultants who are considering the state for relocation.

SECTION(S) AFFECTED:

An act to add Chapter 1.6 (commencing with Section 12096) to Part 2 of Division 3 of Title 2 of, and to repeal Article 7 (commencing with Section 65054) of Chapter 1.5 of Division 1 of Title 7 of, the Government Code, relating to economic development.

---

[AB 61](#)

AUTHOR: Jeffries  
TITLE: Neighborhood Electric Vehicles  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 170

Authorizes the County of Riverside or any city in the county to establish a Neighborhood Electric Vehicle transportation plan for a plan area that may include any applicable portion of the county or city subject to penalties in existing law. Requires the submission of the plan for review and approval. Requires a report to the Legislature if the county adopts a plan.

SECTION(S) AFFECTED:

An act to add and repeal Chapter 6.2 (commencing with Section 1962) of Division 2.5 of the Streets and Highways Code, and to amend Sections 21251 and 21260 of the Vehicle Code, relating to neighborhood electric vehicles.

---

[AB 110](#)

AUTHOR: Blumenfield  
TITLE: Courts  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 193

Relates to the report by the Judicial Council regarding different methods courts use in processing filings related to the default prove up process, as well as the revenue generated by those filings. Repeals provisions of existing law regarding the reduction of supplemental fees for filing first paper for specified civil matters due to a decrease in Trial Court funding. Establishes a fee for civil case appeal document filing. Limits the crimes for which case records must be sent to a prison or institution.

SECTION(S) AFFECTED:

An act to amend Sections 68526, 68926, 68926.1, 68926.3, 68927, and 70602.5 of the Government Code, and to amend Section 1203.01 of the Penal Code, relating to courts, and making an appropriation therefor, to take effect immediately, bill related to the budget

[AB 125](#)

AUTHOR: Assembly Insurance Committee  
TITLE: Insurance: Guaranteed Asset Protection  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 24

Defines guaranteed asset protection (GAP) insurance. Expands the contractual agreements exempt from the definition of GAP insurance, and from requiring an insurance license to sell, to include the amount owed on the vehicle at the time of an unrecovered theft or total loss, after credit for money received from the purchaser's or lessee's automobile insurer or from a 3rd-party liability insurer, and that the promise may also include a promise to waive some or all of the amount of the deductible.

SECTION(S) AFFECTED:

An act to amend Sections 1758.96 and 1758.992 of the Insurance Code, relating to insurance, and declaring the urgency thereof, to take effect immediately.

---

[AB 173](#)

AUTHOR: Gatto  
TITLE: Armenian Genocide Victims  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 70

Extends a deadline authorizing any Armenian Genocide victim, or the heir or beneficiary of that victim, who resides in this state and has a claim arising out of a insurance policy purchased or in effect between 1875 and 1923 from a defined insurer, to bring a legal action to recover on that claim in a court in this state. Provides that such claims shall not be dismissed for failure to comply with the applicable statute of limitations, provided the action is filed on or before a specified date.

SECTION(S) AFFECTED:

An act to amend Section 354.4 of the Code of Civil Procedure, relating to Armenian Genocide, and declaring the urgency thereof, to take effect immediately.

---

[AB 184](#)

AUTHOR: Swanson  
TITLE: Contractual Assessment Programs: Seismic Safety  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 28

Enacts the Seismic Safety Finance Act. Authorizes contractual assessments to finance the installation of seismic strengthening improvements that are permanently fixed to real property. Defines public agency, for purposes of financing the installation of seismic strengthening improvements, to mean a city, county, or city and county.

SECTION(S) AFFECTED:

An act to add Section 5899 to the Streets and Highways Code, relating to contractual assessment programs.

[AB 238](#)

AUTHOR: Huber  
TITLE: Motor Vehicle Conditional Sale Contracts  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 526

Amends the Rees-Levering Motor Vehicles Sales and Finance Act. Provides that a conditional sale contract shall not be made unenforceable solely for a violation of specified disclosure requirements relating to the amount financed, regarding the amount of governmental fees, including vehicle license fees, registration fees, and the state tire fees.

SECTION(S) AFFECTED:

An act to amend Sections 2983 and 2983.1 of the Civil Code, relating to motor vehicle sales, and declaring the urgency thereof, to take effect immediately.

---

[AB 240](#)

AUTHOR: Bonilla  
TITLE: Compensation Recovery Actions: Liquidated Damages  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 272

Permits an employee to recover liquidated damages during a hearing pursuant to a complaint brought before the Labor Commissioner alleging payment of less than the minimum wage fixed by an order of the Industrial Welfare Commission or by statute.

SECTION(S) AFFECTED:

An act to amend Sections 98 and 1194.2 of the Labor Code, relating to employment.

---

[AB 315](#)

AUTHOR: Solorio  
TITLE: Surplus Line Brokers  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 83

Revises and recasts the provisions governing surplus line brokers and nonadmitted insurers to make them consistent with the federal Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010. Includes the duties, responsibilities, and licensure of surplus line brokers, taxation of such insurance, and eligibility of nonadmitted insurers to do business in the state. Requires new and renewal policies, cancellations, or endorsements, and installment premiums be classified as providing the Act's purposes.

SECTION(S) AFFECTED:

An act to amend Section 2216.2 of the Business and Professions Code, to amend Sections 51003 and 51007 of the Financial Code, to amend Sections 675.5, 703, 703.1, 1620, 1760, 1760.5, 1760.7, 1761, 1763, 1763.1, 1764, 1764.1, 1764.2, 1764.3, 1765.1, 1765.2, 1765.3, 1765.4, 1766, 1768, 1774, 1775.4, 1775.5, 1779, and 1780.56 of, and to add Sections 1760.1, 1760.2, and 1765.5 to, the Insurance Code, and to amend Section 13210 of the Revenue and Taxation Code, relating to surplus line brokers, and declaring the urgency thereof, to take effect immediately.

[AB 353](#)

AUTHOR: Cedillo  
TITLE: Vehicles: Checkpoints  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 653

Requires the driver of a motor vehicle to stop and submit to a sobriety checkpoint inspection conducted by a law enforcement agency when signs and displays are posted requiring that stop. Requires the a peace officer or any other authorized person not cause the impoundment of a vehicle at such a checkpoint for a driver's license violation. Provides procedures for the return of an impounded motor vehicle to the registered owner or the owner's agent.

SECTION(S) AFFECTED:

An act to amend Section 2814.1 of, and to add Sections 2814.2 and 14602 to, the Vehicle Code, relating to vehicles.

---

[AB 520](#)

AUTHOR: Ammiano  
TITLE: Vehicles: Reckless Driving: License Suspension  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 657

Provides for the termination of a driver's license suspension, and makes that person eligible for a restricted driver's license, for a person convicted of reckless driving in satisfaction of, or substitute for, an original charge of driving-under-the-influence, if certain conditions are met. Requires the Department of Motor Vehicles to advise the person of the conditions. Requires the restricted license privilege be subject to certain restrictions, including privilege removal for device tampering.

SECTION(S) AFFECTED:

An act to amend Sections 12813, 13353.3, 13353.4, and 23575 of the Vehicle Code, relating to vehicles.

---

[AB 581](#)

AUTHOR: Perez J  
TITLE: Public Health: Food Access  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 505

Creates the state Healthy Food Financing Initiative. Requires the Department of Food and Agriculture to prepare recommendations regarding actions that need to be taken to promote food access in the state. Establishes a related council and advisory group. Creates a related fund for the purpose of expanding access to healthy foods in underserved communities and, to the extent practicable, to leverage other funding.

SECTION(S) AFFECTED:

An act to add and repeal Article 3 (commencing with Section 104660) of Chapter 2 of Part 3 of Division 103 of the Health and Safety Code, relating to public health.

[AB 592](#)

AUTHOR: Lara  
TITLE: Employee: Leave: Interference, Restraint, and Denial  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 678

Makes it an unlawful employment practice for an employer to interfere with, restrain, or deny the exercise of, the attempt to exercise, any right provided an employee to take leave to bond with a child who was born to, adopted by, or placed for foster care with the employee, to care for an employee's parent, spouse, or child who has a serious health condition, because the employee is suffering from a serious health condition, or related to pregnancy, or a related medical condition.

SECTION(S) AFFECTED:

An act to amend Sections 12945 and 12945.2 of the Government Code, relating to employment.

---

[AB 621](#)

AUTHOR: Calderon C  
TITLE: Vehicle Rental Agreements  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 531

Requires a vehicle rental company or its registered agent to accept service of a summons and complaint or other required documents against a renter who resides out of country for an accident or collision resulting from the operation of the rental vehicle in the state, if the company provides liability insurance coverage as part of, or associated with, the agreement. Requires any plaintiff who elects to serve the foreign renter by delivering the documents to the company to agree to limit his or her recovery.

SECTION(S) AFFECTED:

An act to amend, repeal, and add Section 1936 of the Civil Code, relating to vehicle rental agreements.

---

[AB 624](#)

AUTHOR: Perez J  
TITLE: State Organized Investment Network  
PIFC POSITION: Support  
STATUS: Enacted. Chapter No. 436

Amends the Personal Income Tax and the Corporation Tax laws that provide a specified investment tax credit for insurer investments made into a community development financial institution. Extends the operation of the credits. Eliminates limitations on the aggregate certified investments and certain certificate requirements. Requires the establishment of a related board. Increases the level and number of contacts among executives in the insurance industry. Recommends programmatic guidelines.

SECTION(S) AFFECTED:

An act to add and repeal Section 12939.2 of the Insurance Code, and to amend Sections 12209, 17053.57, and 23657 of the Revenue and Taxation Code, relating to insurance.

[AB 674](#)

AUTHOR: Bonilla  
TITLE: Vehicles: Registration Fees  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 205

Extends the authorization for programs, funded from the fees charged for the registration of commercial motor vehicles, that enhance the capacity of local law enforcement to provide fingerprint identification of individuals who may be involved in driving under the influence of alcohol or drugs, vehicular manslaughter, other vehicle-related crimes, and other crimes committed while operating a motor vehicle.

SECTION(S) AFFECTED:

An act to amend Section 9250.19 of the Vehicle Code, relating to vehicles, and making an appropriation therefor.

---

[AB 793](#)

AUTHOR: Eng  
TITLE: Insurance Producers: Reverse Mortgages  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 223

Prohibits an insurance broker or agent from participating in, being associated with, or employing any party that participates in, or is associated with, the originating of a reverse mortgage. Prohibits individuals transacting insurance from receiving compensation, commission, or direct incentive for providing reverse mortgage brokers with a noncasualty insurance product that is connected to or a result of the reverse mortgage.

SECTION(S) AFFECTED:

An act to add Section 785.1 to the Insurance Code, relating to insurance producers.

---

[AB 1024](#)

AUTHOR: Hueso  
TITLE: Low Cost Automobile Insurance: Sales  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 401

Authorizes a State Automobile Assigned Risk Plan certified producer to accept and process an application to purchase low-cost auto insurance policies through an Internet Web site. Requires the plan to coordinate with the Department of Insurance in order to develop a system for receiving and assigning policies issued through such sites. Requires producer contracts, by way of open bidding, to develop and maintain the Web site. Relates to applicant disclosure requirements and notification document.

SECTION(S) AFFECTED:

An act to add Sections 11629.86, 11629.87, and 11629.88 to the Insurance Code, and to amend Section 4000.38 of the Vehicle Code, relating to insurance.



[AB 1358](#)

AUTHOR: Fuentes  
TITLE: Vehicles Misdemeanor: Violations: Amnesty  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 662

Amends existing law that authorizes a county to establish a one-time amnesty program for fines and bail that were imposed for an infraction or misdemeanor violation of the Vehicle Code, with specified exceptions. Authorizes, in addition to and at the same time as that amnesty program, the court and the county to establish a one-time amnesty program that would allow a person to pay 50% of the total fine or bail for a specified misdemeanor if certain conditions are met.

SECTION(S) AFFECTED:  
An act to amend Section 42008.7 of the Vehicle Code, relating to vehicles.

---

[AB 1369](#)

AUTHOR: Gatto  
TITLE: Personal and Corporate Income Taxes: Illegal Activities  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 454

Amends the Personal Income Tax and Corporation Tax laws. Disallows a deduction for expenses attributable to income derived by a taxpayer from any criminal profiteering activity, specified illegal activities relating to drug trafficking, and insurance fraud.

SECTION(S) AFFECTED:  
An act to amend Sections 17282 and 24436.1 of, and to repeal Sections 17281 and 24436 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

---

[AB 1386](#)

AUTHOR: Bradford  
TITLE: Women, Minority and Disabled Veteran: Procurement  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 443

Relates to minority-, women-, and disabled veteran-owned business enterprises and procurement contracts for public utilities regulated by the Public Utilities Commission. Declares that the Legislature encourages each cable television corporation and direct broadcast satellite provider to voluntarily adopt a plan for increasing women, minority, and disabled veteran business enterprise procurement and to voluntarily report activity. Requires related information on the commission's Internet Web site.

SECTION(S) AFFECTED:  
An act to amend Section 8283 of the Public Utilities Code, relating to women, minority, and disabled veteran business enterprise procurement.

[AB 1403](#)

AUTHOR: Assembly Judiciary Committee  
TITLE: Civil Actions  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 409

Amends existing civil law regarding juror examination. Provides that the trial judge should allow a brief opening statement by counsel for each party prior to the commencement of the oral questioning phase of the voir dire process. Prohibits the trial judge from establishing a blanket policy time limit for voir dire. Provides that the judge in civil trials should provide the parties with both lists of prospective jurors in the order in which they will be called. Adds court interpreter fees to costs.

SECTION(S) AFFECTED:

An act to amend Sections 222.5, 662.5, and 1033.5 of the Code of Civil Procedure, relating to civil actions.

---

[AB 1407](#)

AUTHOR: Assembly Judiciary Committee  
TITLE: Liability: Social Hosts: Alcoholic Beverages  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 410

Permits a claim against a parent, guardian, or another adult for furnishing alcoholic beverages to a person whom he or she knows, or should have known, to be under 21 years of age and that furnishing the beverages may be found to be the proximate cause of resulting injuries or death. Permits a claim pursuant to these provisions to be brought by, or on behalf of, the person under 21 years of age or by a person who was harmed by the person under 21 years of age.

SECTION(S) AFFECTED:

An act to amend Section 1714 of the Civil Code, relating to liability.

---

[AB 1416](#)

AUTHOR: Assembly Insurance Committee  
TITLE: Insurance Omnibus  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 411

Relates to fire and casualty insurance brokers, changes to filed documents by insurers, an authorized workers' compensation insurer depository, the authorization for personal lines and limited lines automobile insurance broker-agents to act as insurance solicitors, the procedures governing the review and comment by insurers prior to the Insurance Commissioner publishing a report on unfair or deceptive business practices, and the membership of the automobile insurance assigned risk plan advisory committee.

SECTION(S) AFFECTED:

An act to amend Sections 33.5, 137, 713, 769.55, 769.82, 778.4, 827.8, 1625, 1625.5, 1625.55, 1627, 1635, 1649.5, 1661, 1662, 1665, 1675, 1676, 1679, 1686, 1693, 1704, 1705, 1707.51, 1707.7, 1712.5, 1725, 1728, 1729.5, 1730.5, 1730.6, 1735, 1735.5, 1747, 1749, 1749.2, 1749.33, 1749.4, 1749.8, 1749.85, 1750, 1750.5, 1751, 1751.3, 1755, 1757.2, 1758.2, 1758.3, 1758.87, 1758.98, 1765.4, 10236.1, 10785, 11623, 11691, 12815, and 12938 of, and to repeal Section 1680 of, the Insurance Code, relating to insurance.

[AB 1420](#)

AUTHOR: Assembly Governmental Organization Committee  
TITLE: Emergency Management Assistance Compact  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 413

Amends existing law that ratifies, approves, and sets forth the provisions of the Emergency Management Assistance Compact that provides for mutual assistance between states responding to emergencies and disasters. Extends the inoperative and repeal dates of those provisions.

SECTION(S) AFFECTED:

An act to amend Section 179.9 of the Government Code, relating to the Emergency Management Assistance Compact.

---

[AB 1428](#)

AUTHOR: Chesbro  
TITLE: Disaster Relief: Tsunami  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 283

Amends the Personal Income Tax and Corporation Tax laws to extend these provisions to losses sustained in the County of Mendocino as a result of the tsunami that occurred in March 2011. Authorizes a taxpayer to make an election to claim a deduction for those losses on the tax return for the preceding year.

SECTION(S) AFFECTED:

An act to add Sections 17207.7 and 24347.6 to the Revenue and Taxation Code, relating to disaster relief, and declaring the urgency thereof, to take effect immediately.

---

[ACR 38](#)

AUTHOR: Lowenthal B  
TITLE: Joint Legislative Committee on Emergency Management  
PIFC POSITION: Watch  
STATUS: Adopted. Chapter No. 31

Continues in existence the Joint Legislative Committee on Emergency Management, comprised of 7 Members of the Senate and 7 Members of the Assembly to address the state's emergency management issues, until abolished by the Legislature.

SECTION(S) AFFECTED:

Relative to the Joint Legislative Committee on Emergency Management.

---

[AJR 9](#)

AUTHOR: Cook  
TITLE: Public Alert and Warning System  
PIFC POSITION: Watch  
STATUS: Adopted. Chapter No. 41

Urges the Congress of the United States to expedite a solution to provide a public alert and warning system to alert and warn the American people in situations of war, terrorist attack, natural disaster, or other hazardous to the public safety, health, and well-being of the American people.

SECTION(S) AFFECTED:

Relative to a public alert and warning system.

## SENATE BILLS

---

[SB 89](#)

AUTHOR: Senate Budget & Fiscal Review Committee  
TITLE: Vehicle License Fee and Registration Fee  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 35

Requires the Legislature to determine and appropriate annually an amount for the use of the Department of Motor Vehicles and the Franchise Tax Board for the enforcement of the Vehicle License Fee Law. Deems, for the 2011-12 fiscal year, a specified amount of funds to be the cost of the department for the collection of the motor vehicle license fee. Relates to the ad valorem property tax on vehicles, the vehicle registration fee, money to municipalities from the vehicle license fee.

SECTION(S) AFFECTED:

An act to amend Sections 10752.2, 11001.5, 11003, and 11005 of, and to amend and repeal Sections 10752 and 10752.1 of, the Revenue and Taxation Code, to amend Section 9250 of the Vehicle Code, and to amend Section 17604 of the Welfare and Institutions Code, relating to vehicles, and making an appropriation therefor, to take effect immediately, bill related to the budget.

---

[SB 94](#)

AUTHOR: Senate Budget & Fiscal Review Committee  
TITLE: Vehicle License Fee Law: Vehicle Registration  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 21

Relates to the time period for notification that vehicle registration fees are due, the enforcement of noncompliance with commercial vehicle registration renewal requirements, the minimum time frame prior to expiration for renewal of a vehicle registration, the accompanying of vehicle registration renewal fees with an application, and special license plates and the penalty added on any late vehicle registration renewal. Appropriates funds to the Department of Motor Vehicles for administrative operations.

SECTION(S) AFFECTED:

An act to amend Sections 1661, 4000, 4601, 5902.5, and 9554 of the Vehicle Code, relating to vehicles, and making an appropriation therefor, to take effect immediately, bill related to the budget.

---

[SB 131](#)

AUTHOR: Gaines T  
TITLE: Surplus Lines Brokers: Statement of Business Transacted  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 302

Specifies that certain filing requirements apply to certain surplus line brokers. Requires that the information in a sworn statement be expanded to include certain premium information for single and multistate risks. Requires the filing to apply to a home state insured that directly procures insurance with a nonadmitted insurer. Requires that when multiple brokers are involved in placing a policy, only the one responsible for filing the report would be considered transacting business for tax purposes.

SECTION(S) AFFECTED:

An act to amend Section 1774 of the Insurance Code, relating to insurance.

[SB 209](#)

AUTHOR: Corbett  
TITLE: Common Interest Developments: Electric Vehicle Charging  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 121

Provides any covenant contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale of an interest in a common interest development that prohibits or restricts the installation or use of an electrical vehicle charging station is void and unenforceable. Authorizes an association to impose reasonable restrictions. Imposes requirements with respect to an association's approval process. Requires a liability policy that names the association as an additional insured.

SECTION(S) AFFECTED:  
An act to add Section 1353.9 to the Civil Code, relating to common interest developments.

---

[SB 221](#)

AUTHOR: Simitian  
TITLE: Small Claims Court: Jurisdiction  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 64

Increases the jurisdiction of the small claims court to \$10,000. Makes an exception. Makes a technical change by deleting a duplicate code section that contains identical provisions.

SECTION(S) AFFECTED:  
An act to amend and repeal Section 116.221 of, and to add and repeal Section 116.224 of, the Code of Civil Procedure, relating to small claims court.

---

[SB 264](#)

AUTHOR: Correa (D)  
TITLE: Recreational Activities: Skateboard Parks  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 232

Continues indefinitely the provision in existing law deeming skateboarding at a public skateboard park a hazardous recreational activity. Requires that copies of the records of injuries incurred at such park be maintained by a local public agency and all related claims and lawsuits against the public agency to be filed annually with the Assembly and Senate committees on Judiciary. Requires the maintenance of those records indefinitely.

SECTION(S) AFFECTED:  
An act to amend and repeal Section 115800 of the Health and Safety Code, relating to skateboard parks.

[SB 384](#)

AUTHOR: Evans  
TITLE: Courts: Complex Case Fees  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 419

Relates to the filing of an advisory regarding a construction-related accessibility claim against a building owner or tenant. Relates to court fees for a civil action if the case is designated as a complex case or whenever the case is determined by the court to be a complex case. Requires the payment of a single complex case fee on behalf of all plaintiffs. Authorizes a party to move for summary adjudication of a legal issue or claim for damages, other than punitive damages, under specified conditions.

SECTION(S) AFFECTED:

An act to add Section 6106.2 to the Business and Professions Code, to amend Section 55.3 of the Civil Code, to amend, repeal, and add Section 437c of the Code of Civil Procedure, and to amend Section 70616 of the Government Code, relating to civil actions.

---

[SB 459](#)

AUTHOR: Corbett  
TITLE: Employment: Independent Contractors  
PIFC POSITION: Neutral  
STATUS: Enacted. Chapter No. 706

Prohibits willful misclassification of individuals as independent contractors, charging those who have been mischaracterized as independent contractors a fee, or making deductions from wages where the acts would have violated the law if the individuals had not been mischaracterized. Provides for damages and disciplinary actions on persons and employers. Requires violator notification to the Contractor's License Board. Relates to complaints. Provides for joint and several liability in certain situations.

SECTION(S) AFFECTED:

An act to add Sections 226.8 and 2753 to the Labor Code, relating to employment.

---

[SB 596](#)

AUTHOR: Price  
TITLE: Insurance: Disclosures  
PIFC POSITION: Support  
STATUS: Enacted. Chapter No. 240

Amends an existing law that requires an insurer, upon receiving notice of a claim, to immediately provide the insured with a legible reproduction of the specified Insurance Code section detailing acts prohibited as unfair trade practices, and a written notice. Revises the written notice and requires that it be provided to the insured with a legible reproduction of only specified portions of the Insurance Code in at least 10-point type. Requires the insurer to provide a certain code provision when requested.

SECTION(S) AFFECTED:

An act to amend Sections 790.034 and 10089.2 of the Insurance Code, relating to insurance.

[SB 636](#)

AUTHOR: Corbett  
TITLE: Personal Information: Internet Disclosure Prohibition  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 200

Amends existing law authorizing victims of domestic violence or stalking and reproductive health care providers, employees, and volunteers to complete an application enabling agencies to respond to requests for public records without disclosing a residence address. Authorizes information disclosure under certain conditions. Provides civil penalties. Prohibits a person or business from displaying on the Internet participant information, or that of a provider or patient of a reproductive health facility.

SECTION(S) AFFECTED:

An act to amend Sections 6206.5, 6206.7, 6208, 6215.3, 6215.4, and 6215.7 of, and to add Sections 6208.1, 6208.2, and 6218.01 to, the Government Code, relating to personal information.

---

[SB 647](#)

AUTHOR: Senate Judiciary Committee  
TITLE: Civil Law: Omnibus Bill  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 308

Relates to small claims judgment appeals and any related levy of a deposit account or safe-deposit account, obtaining a subpoena in an out-of-state proceeding, the addition of an estate conservator to a list of persons with control of the disposition of remains, restrictions upon a person's or beneficiary's entitlement to a decedent's estate, the issuance of a summons during the objection to the probate of a will, appointment of a humane officer, and collections for court costs.

SECTION(S) AFFECTED:

An act to amend Sections 116.780, 116.820, 700.160, 2029.610, and 2029.620 of the Code of Civil Procedure, to amend Section 14502 of the Corporations Code, to amend Section 915.2 of the Government Code, to amend Section 7100 of the Health and Safety Code, to amend Sections 259, 2583, and 8250 of the Probate Code, to amend Section 19280 of the Revenue and Taxation Code, and to amend Section 903.47 of the Welfare and Institutions Code, relating to civil law.

---

[SB 684](#)

AUTHOR: Corbett  
TITLE: Workers Compensation Insurance: Dispute Resolution  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 566

Requires an insurer that intends to use a dispute resolution or arbitration agreement to resolve disputes arising out of a workers' compensation insurance policy or endorsement to disclose to the employer that the choice of law and choice of venue or forum may be a jurisdiction other than California and that the terms are negotiable. Requires the employer to sign the disclosure as evidence of receipt, when the offer of coverage is accepted. Authorizes the negotiation of terms before a dispute arises.

SECTION(S) AFFECTED:

An act to add Section 11658.5 to the Insurance Code, relating to workers' compensation insurance.

[SB 712](#)

AUTHOR: Senate Insurance Committee  
TITLE: Insurance  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 426

Makes technical, nonsubstantive changes to provisions regarding the State Compensation Insurance Fund, workers' compensation insurance, domestic fraternal benefit societies, title insurer deposits, long-term care insurer records, and unfair and deceptive acts or practices in the insurance business. Relates to workers' compensation claims bonds, the State Life and Health Insurance Guarantee Association, and property and casualty insurer statement of actuarial opinion and supporting materials.

SECTION(S) AFFECTED:

An act to amend Sections 790.03, 1063.75, 1067.17, 10234.86, 11093, 11788, 11790, 11874, and 12352 of, to amend the heading of Article 16.1 (commencing with Section 1758.6) of Chapter 5 of Part 2 of Division 1 of, and to add Sections 923.6 and 1067.19 to, the Insurance Code, and to repeal Section 16 of Chapter 334 of the Statutes of 2010, relating to insurance.

---

[SB 713](#)

AUTHOR: Calderon R  
TITLE: Insurance: Proceeds: Disclosure  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 130

Requires insurers to provide written disclosures to life insurance beneficiaries at the time a claim is made and before a retained asset account is selected or established as the payment. Requires an insurer that settles life insurance benefits through a retained asset account to provide the beneficiary with a supplemental contract that clearly discloses the rights of the beneficiary and obligations of the insurer under the contract and to provide a related statement. Relates to violation civil penalties.

SECTION(S) AFFECTED:

An act to add Article 11 (commencing with Section 10509.930) to Chapter 5 of Part 2 of Division 2 of the Insurance Code, relating to insurance.

---

[SB 720](#)

AUTHOR: Runner S  
TITLE: Vehicles: Drivers' Licenses: Military Personnel  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 154

Amends existing law requiring a state driver's license held by a person who enters the United States Armed Forces to continue in full force and effect, so long as the service continues and the person remains absent from this state. Extends that benefit to the spouse of the person who enters or is in the United States Armed Forces.

SECTION(S) AFFECTED:

An act to amend Section 12817 of the Vehicle Code, relating to vehicles.



[SB 731](#)

AUTHOR: Senate Judiciary Committee  
TITLE: Civil Actions  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 49

Amends existing law that permits a court to enter a prefiling order prohibiting a vexatious litigant from filing any new litigation without first obtaining leave of the presiding judge of the court where the litigation is proposed to be filed. Permits a vexatious litigant to file an application to vacate the prefiling order and remove his or her name from the list of vexatious litigants. Amends existing law regarding arbitration awards. Extends the period for making a request for dismissal or de novo trial.

SECTION(S) AFFECTED:

An act to amend Sections 391.7, 1141.20, and 1141.23 of, and to add Section 391.8 to, the Code of Civil Procedure, relating to civil actions.

---

[SB 859](#)

AUTHOR: Padilla  
TITLE: Vehicles: Records: Confidentiality  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 346

Relates to motor vehicles records confidentiality. Adds an exception for an electrical corporation, or a local publicly owned electric utility, if the corporation or utility, or its agent, under penalty of perjury, requests and uses the information only for the purposes of identifying where an electric vehicle is registered, and if certain conditions are met.

SECTION(S) AFFECTED:

An act to amend Section 1808.23 of the Vehicle Code, relating to vehicles.

---

[SB 869](#)

AUTHOR: Yee  
TITLE: Automotive Repair Dealers  
PIFC POSITION: Support  
STATUS: Enacted. Chapter No. 430

Amends the Automotive Repair Act. Provides that an automotive repair dealer who prepares a written estimate for repairs that includes the replacement of a deployed airbag, who fails to restore the airbag is guilty of a misdemeanor that is punishable by a specified fine, imprisonment in a country jail, or both.

SECTION(S) AFFECTED:

An act to add Section 9884.76 to the Business and Professions Code, relating to automotive repair dealers.

[SB 929](#)

AUTHOR: Evans  
TITLE: Vehicles: Child Passenger Restraints  
PIFC POSITION: Watch  
STATUS: Enacted. Chapter No. 474

Relates to the required use of child passenger restraints by children a specified ages by the operator of a limousine for hire, an authorized emergency vehicle operator, taxicab operator, parents, and legal guardians. Provides probable cause for a law enforcement officer to stop a vehicle for a related violation. Provides the age and height requirements for restraint use. Requires hospitals to disseminate restraint use requirements upon the discharge of a child. Relates to rental car company information.

SECTION(S) AFFECTED:

An act to amend Sections 27315, 27315.3, 27361, 27363, 27363.5, and 27365 of, to add Section 27360.6 to, and to repeal and add Sections 27360 and 27360.5 of, the Vehicle Code, relating to vehicles.

---

[SCR 40](#)

AUTHOR: Corbett  
TITLE: Emergency services: earthquake preparedness  
PIFC POSITION: Watch  
STATUS: Adopted. Chapter No. 27

Declares the month of April as California Earthquake Preparedness Month, and urges all Californians and government agencies to engage in education, evaluation of seismic hazards, mitigation, safety activities, and the exchange of information related to earthquake preparedness with other states and nations during the month.

SECTION(S) AFFECTED:

Relative to emergency services.

---

[SCR 56](#)

AUTHOR: Yee  
TITLE: California Firefighters Memorial Day  
PIFC POSITION: Watch  
STATUS: Adopted. Chapter No. 95

Proclaims October 1, 2011, as California Firefighters Memorial Day.

SECTION(S) AFFECTED:

Relative to California Firefighters Memorial Day.

## Bill Index by Author

(Listed by Bill Number and Title)

### A

#### **Ammiano, Tom**

AB 520: Vehicles: Reckless Driving: License Suspension, p. 17

#### **Assembly Governmental Organization Committee**

AB 1420: Emergency Management Assistance Compact, p. 22

#### **Assembly Insurance Committee**

AB 125: Insurance: Guaranteed Asset Protection, p. 14  
AB 1416: Insurance Omnibus, p. 22

#### **Assembly Judiciary Committee**

AB 1403: Civil Actions, p. 21  
AB 1407: Liability: Social Hosts: Alcoholic Beverages, p. 21

### B

#### **Blumenfield, Robert**

AB 110: Courts, p. 9

#### **Bonilla, Susan**

AB 240: Compensation Recovery Actions: Liquidated Damages, p. 15  
AB 674: Vehicles: Registration Fees, p. 18

#### **Bradford, Steven**

AB 1386: Women, Minority and Disabled Veteran: Procurement, p. 20

### C

#### **Calderon, Charles**

AB 621: Vehicle Rental Agreements, p. 18

#### **Calderon, Ronald**

SB 713: Insurance: Proceeds: Disclosure, p. 34

#### **Cedillo, Gil**

AB 353: Vehicles: Checkpoints, p. 16

#### **Chesbro, Wesley**

AB 1428: Disaster Relief: Tsunami

#### **Cook, Paul**

AJR 9: Public Alert and Warning System, p. 23

#### **Corbett, Ellen**

SB 209: Common Interest Developments: Electric Vehicle Charging, p. 30  
SB 459: Employment: Independent Contractors, p. 32  
SB 636: Personal Information: Internet Disclosure Prohibition, p. 32  
SB 684: Workers Compensation Insurance: Dispute Resolution, p. 33  
SCR 40: Emergency Services: Earthquake Preparedness, p. 36

#### **Correa, Lou**

SB 264: Recreational Activities: Skateboard Parks, p. 31

### D

### E

#### **Eng, Mike**

AB 793: Insurance Producers: Reverse Mortgages, p. 19

#### **Evans, Noreen**

SB 384: Courts: Complex Case Fees, p. 31  
SB 929: Vehicles: Child Passenger Restraints, p. 36

### F

#### **Fuentes, Felipe**

AB 1358: Vehicles Misdemeanor: Violations: Amnesty, p. 20

### G

#### **Gaines, Ted**

SB 131: Surplus Lines Brokers: Statement of Business Transacted, p. 30

#### **Gatto, Mike**

AB 173: Armenian Genocide Victims, p. 15  
AB 1369: Personal and Corporate Income Taxes: Illegal Activities, p. 20

### H

#### **Huber, Alyson**

AB 238: Motor Vehicle Conditional Safe Contracts, p. 15

#### **Hueso, Ben**

AB 1024: Low Cost Auto Insurance: Sales, p. 19

### I

### J

#### **Jeffries, Kevin**

AB 61: Neighborhood Electric Vehicles, p. 3

### K

### L

#### **Lara, Ricardo**

AB 592: Employee: Leave" Interference, Restraint, and Denial, p. 17

#### **Lowenthal, Bonnie**

ACR 38: Joint Legislative Committee on Energy Management, p. 23

### M

### N

### O

## P

### **Padilla, Alex**

SB 859: Records: Confidentiality, p. 35

### **Perez, John**

AB 29: Governor's Office of Economic Development, p. 3

AB 581: Public Health: Food Access, p. 17

AB 624: State Organized Investment Network, p. 18

### **Price, Curren**

SB 596: Insurance: Disclosures, p. 32

## Q

## R

### **Runner, Sharon**

SB 720: Vehicles: Drivers' Licenses: Military Personnel, p. 35

## S

### **Senate Budget & Fiscal Review Committee**

SB 89: Vehicle License Fee and Registration Fee, p. 28

SB 93: Health and Human Services, p. 29

SB 94: Vehicle License Fee Law: Vehicle Registration, p. 29

### **Senate Insurance Committee**

SB 712: Insurance, p. 34

### **Senate Judiciary Committee**

SB 647: Civil Law: Omnibus Bill, p. 33

SB 731: Civil Actions, p. 35

### **Simitian, Joe**

SB 221: Small Claims Court: Jurisdiction, p. 30

### **Solorio, Jose**

AB 315: Surplus Line Brokers, p. 16

### **Swanson, Sandre**

AB 184: Contractual Assessment Programs: Seismic Safety, p. 15

## T

## U

## V

## W

## X

## Y

### **Yee, Leland**

SB 869: Automotive Repair Dealers, p. 36

## Z

## Bill Index by Subject

(Listed by Bill Number and Author)

### A

#### Agents/Brokers

AB 793; Eng, p. 8

#### Auto Repair

SB 869; Yee, p. 17

### B

### C

#### Child Passenger Restraints

SB 929; Evans, p. 18

#### Civil Actions

AB 1403; Assembly Judiciary Committee  
SB 647; Senate Judiciary Committee, p. 15  
SB 731; Senate Judiciary Committee, p. 17

#### Courts

AB 110; Blumenfield  
SB 221; Simitian, p. 13  
SB 384; Evans, p. 14

### D

#### Disaster Assistance/Relief

AB 1428; Chesbro, p. 11

#### Diversity

AB 1386; Bradford; p. 9

### E

#### Earthquake

SCR 40; Corbett, p. 18

#### Electric Vehicles

AB 61; Jeffries, p. 3  
SB 209; Corbett, p. 13

#### Emergency Management

AB 1420; Assembly Governmental Organization Committee,  
p. 11  
ACR 38; Lowenthal B, p. 11  
AJR 9; Cook, p. 11

### F

#### Fire/Firefighters

SCR 56; Yee, p. 18

### G

#### Governor's Office of Economic Development

AB 29; Perez, J, p. 3

#### Guaranteed Asset Protection

AB 125; Assembly Insurance Committee, p. 4

### H

### I

#### Insurance Claims

AB 173; Gatto, p. 4

#### Insurance Code

SB 596; Price, p. 14  
SB 712; Senate Insurance Committee, p. 16

#### Insurance Omnibus

AB 1416; Assembly Insurance Committee, p. 10

### J

### K

### L

#### Labor and Employment

AB 240; Bonilla, p. 5  
AB 592; Lara, p. 7  
SB 459; Corbett, p. 14

#### Liability: Alcoholic Beverages

AB 1407; Assembly Judiciary Committee, p. 9

#### Life Insurance

SB 713; Calderon C, p. 16

#### Low Cost Auto Insurance

AB 1024; Hueso, p. 8

### M

### N

### O

### P

#### Privacy

SB 636; Corbett, p. 15  
SB 859; Padilla, p. 17

#### Public Health and Safety

AB 581; Perez J, p. 6  
SB 264; Correa, p. 13

### Q

### R

### S

#### Seismic Safety

AB 184; Swanson, p. 4

**State Organized Investment Network**

AB 624; Perez J, p. 7

**Surplus Lines**

AB 315; Solorio, p. 5

SB 131; Gaines T, p. 12

## T

**Taxes**

AB 1369; Gatto, p. 9

## U

## V

**Vehicle Checkpoints**

AB 353; Cedillo, p. 6

**Vehicle Fees**

AB 238; Huber, p. 5

AB 674; Bonilla, p. 8

SB 89; Senate Budget and Fiscal Review Committee, p. 12

SB 94; Senate Budget and Fiscal Review Committee, p. 12

**Vehicle Fines**

AB 1358; Fuentes, p. 9

**Vehicle License**

AB 520; Ammiano, p. 6

SB 720; Runner, S, p. 16

**Vehicle Rental**

AB 621; Calderon C, p. 7

## W

**Workers Compensation**

SB 684, P. 15

## X

## Y

## Z



PIFC

PERSONAL INSURANCE FEDERATION  
OF CALIFORNIA

1201K STREET, SUITE 1220  
SACRAMENTO, CA 95814  
PHONE: 916.44.6646  
FAX: 916.446.9548  
[www.pifc.org](http://www.pifc.org)

Information in this report was compiled using State Net legislative tracking services. Copyright (c) 2012 State Net. All rights reserved.