

Slew of California laws take effect Jan. 1

By Associated Press

SACRAMENTO – California’s historic drought prompted the Legislature into action in 2014, leading lawmakers to regulate groundwater for the first time and override homeowners associations that fine members for replacing lawns with more drought-tolerant landscaping.

The most populous state also becomes the first to set a “yes means yes” standard for sex between college students and the first to ban single-use plastic bags, a law the plastic bag industry is seeking to overturn through a voter referendum.

Those are among more than 900 bills passed in 2014 by the Legislature and signed by Gov. Jerry Brown, who also vetoed 143.

Most of the laws take effect Jan. 1. That includes a bill allowing driver’s licenses for people who are in the country illegally, another that will influence the 2016 ballot by modernizing California’s century-old initiative process and others addressing everything from teacher tenure to massage parlors.

Also taking effect with the new year is a ballot initiative approved by voters in 2008 that restricts the confinement of egg-laying hens, breeding sows and veal calves.

The state’s biggest ongoing story of the year led to a series of bills designed to have a lasting effect on California’s water supply.

In the midst of a third year of drought, the Legislature and governor closed a gap in the state’s water oversight that

dated to the Gold Rush days, passing and signing bills to regulate groundwater use for the first time.

Although the drought is beginning to ease with early rain and snow, Brown's signing of SB1168, SB1319 and AB1739 by Assemblyman Roger Dickinson, D-Sacramento, and Sen. Fran Pavley, D-Agoura Hills, ends the state's pump-as-you-please policy. It also brings California's groundwater rules in line with those of other Western states.

Specifically, the bills require water districts and other local entities to develop plans to manage their groundwater and allow the state to intervene if necessary.

Brown's call on Californians to reduce water use by 20 percent led some residents to run afoul of their homeowner association rules. Lawmakers responded by approving bills that prevent associations from punishing residents who cut back on water use, allow plants to die or install drought-resistant landscaping.

"There are moments in legislative time when folks sort of rise to the occasion and we get something done on water," said Felicia Marcus, chairwoman of the State Water Resources Control Board.

She also noted that lawmakers worked together to craft a bipartisan, \$7.5 billion water bond measure that voters approved in November. It will let the state expand storage and develop water management plans.

With the new year also comes a first-in-the-nation standard for investigating sexual assaults on college campuses.

SB967, by Senate President Pro Tem Kevin de Leon, D-Los Angeles, requires "an affirmative, conscious and voluntary agreement to engage in sexual activity," meaning silence or a lack of resistance can no longer be deemed consent.

The California State University and University of California systems already adopted similar consent standards, which will now apply to all public and private post-secondary schools that receive state money for student financial aid.

The statewide plastic bag ban, SB270 by former state Sen. Alex Padilla, D-Los Angeles, will be phased in starting in July at large grocery stores and supermarkets, unless opponents force a delay while voters consider repealing it. It could be May before the secretary of state's office – headed by newly elected Padilla – determines whether the industry gathered enough valid signatures to place a referendum on the November 2016 ballot.

Proposition 2, the 2008 ballot initiative restricting the caging of certain farm animals, goes further than any other state when it is coupled with a law signed by former governor Arnold Schwarzenegger that extends the space requirements for egg-laying hens to out-of-state suppliers, said Wayne Pacelle, president and chief executive officer of The Humane Society of the United States. The measures helped trigger “a cascade of legislative and corporate reforms” nationwide, he said.

Other laws taking effect include:

- AB215 by Assemblywoman Joan Buchanan, D-Alamo, which makes it easier for school districts to fire abusive teachers. The bill gained traction as a compromise between teachers unions and some education-reform groups after a headline-grabbing case of misconduct in Los Angeles highlighted how difficult it can be to remove problem teachers. The Los Angeles Unified School District paid elementary school teacher Mark Berndt \$40,000 to drop the appeal of his dismissal after he was charged with spoon-feeding semen to his students and other lewd acts.
- SB505 by Sen. Hannah-Beth Jackson, D-Santa Barbara, which requires law enforcement agencies to develop

policies that encourage officers to search the state's database of gun purchases as part of routine welfare checks. The bill was prompted by sheriff's deputies failure to detect the danger posed by a man who weeks later embarked on a deadly rampage in May near the University of California, Santa Barbara.

- AB1147, by three Democratic lawmakers, allows local governments to revoke the license of any massage parlor that violates the law. It is intended to make it harder for massage parlors to operate as fronts for prostitution.
- AB2048 by Assemblyman Brian Dahle, R-Bieber, gives property owners in fire-prone areas a few breaks on paying the state's annual \$150 fire-prevention fee. It eliminates a requirement that the fee will increase each year based on inflation, lowers the 20 percent late payment penalty to 10 percent and permits exemptions for homes destroyed by natural disasters.
- SB926 by Sen. Jim Beall, D-San Jose, gives sex-abuse victims more time to pursue criminal charges against offenders. It raises the age ceiling from 28 to 40 for childhood sexual abuse victims to file criminal complaints.