**2023 Chaptered Legislation**

In California, the Legislature operates on a biennial session; the two-year session is based on a legislative calendar. 2023 is the first of the two-year session where both the Assembly and Senate meet from January until mid-September and then recess until January 2024.

Usually, after receiving a bill from both the Senate and Assembly, the Governor has 12 days to either sign or veto a bill once. If the Governor fails to take any action, the bill becomes law without signature. However, at the end of each year of the legislative session, the Governor is allowed 30 days to consider bills passed by the adjournment deadline of the Legislature.

From mid-September until mid-October, the Governor is allowed to consider bills whether to sign or veto bills passed by both the Assembly and Senate. A Governor’s veto can be overridden by a two-thirds vote in both houses. Bills signed by the Governor typically become law and go into effect January 1 of following the year in which the bill was passed unless otherwise noted.

Our mission statement here at the State Independent Living Council (SILC) is to create policy and systems change for independent living. SILC staff and members can educate and provide technical, factual, and non-partisan information to legislators. Additionally, the SILC’s Communication and Collaboration Committee monitors and reports on bills that have the potential to impact people with disabilities. According to the U.S. Census Bureau, over four million Californians have a disability. This year, the SILC monitored roughly 50 bills, of which 22 were chaptered. We have created a short summary below of some of the most impactful and important bills from our watchlist.

* [AB 12](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB12) (Haney) **Tenancy: Security Deposit.** Beginning July 1, 2024, this bill prevents tenants from having to pay more than one month's rent as a security deposit for rental property. People with disabilities are the most likely population to experience homelessness, be rent-burdened, or unable to afford housing, and face the highest rates of housing discrimination. This bill helps in removing a huge barrier to housing access and affordability.
* [AB 48](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB48) (Cecilia Aguiar-Curry) **Nursing Facility Resident Informed Consent Protection Act of 2023.** This bill creates the "Nursing Facility Resident Informed Consent Protection Act of 2023" which requires a prescriber, prior to prescribing a psychotherapeutic drug for a resident of a skilled nursing facility or intermediate care facility, to personally examine and obtain informed, written consent of the resident or the resident’s representative. According to the California Advocates for Nursing Home Reform (CANHR), following a number of studies showing severe side effects, including death, the United States Food and Drug Administration issued public health advisories that the treatment of dementia with antipsychotic medications is not advised. Antipsychotics are associated with increased stroke, heart attack, pneumonia, decreased cognitive abilities, and a host of

other serious conditions. This bill gives nursing home residents and their families the tools to decide if a medication is right for them.

* [AB 87](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB87) (Quirk-Silva) **Pupils: Section 504 plans: meetings and team meetings.** This bill allows a parent, guardian, or the local educational agency (a school district, county office of education, charter school, or any other educational entity) to record the proceedings of any meetings held pursuant to Section 504 of the federal Rehabilitation Act of 1973. Existing California law allows parents, guardians, and local educational agencies to make audio recordings of individualized education program (IEP) team meetings. Allowing parents, guardians, and local school districts to record 504 Plan meetings is important as these meetings affect the rights of qualified students with disabilities. The right to record not only creates a record of these meetings but can also give parents and guardians more time to process and seek educational resources and assistance.
* [AB 248](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB248) (Mathis) **Individuals with disabilities: The Dignity for All Act.** This bill requires the state to replace the terms "handicap", "mentally retarded persons", "mentally retarded children", and "retardation" and instead use these terms: “individuals with intellectual, developmental, or severe disabilities” or “Californians/persons with disabilities” throughout California law. In 2010, Congress passed "Rosa's Law," which removed reference to the word "retarded" and replaced it with "individual with intellectual disability" on the federal level. This bill replaces outdated and offensive language with terms that are inclusive, person-first, and reflect modern ideals, values, and terminology.
* [AB 339](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB339) (Irwin) **Qualified ABLE Program: age limit.** As of January 1, 2026, this bill revises the definition of “eligible individual” under the California Qualified Achieving a Better Life Experience Program (CalABLE Program) by increasing the age limit for when an eligible individual’s blindness or disability occurs to 46 years of age which is consistent with federal law. Additionally, this bill allows for more inclusivity for people who develop disabilities in their later years to secure and utilize the protections of the CalABLE program.
* [AB 447](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB447) (Arambula) **Public postsecondary education: students with disabilities: inclusive college programs.** This bill, subject to an appropriation, allows the California State University and the University of California, to establish and maintain inclusive college programs for students with intellectual and developmental disabilities at four-year public postsecondary educational institutions. These programs have the potential to provide equitable and inclusive support, socialization, education, and independent living skills to help better prepare students with intellectual and developmental disabilities after high school.
* [AB 545](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB545) (Pellerin) **Elections: access for voters with disabilities.** This bill modifies election procedures to assist voters with disabilities. Specifically, this bill: 1) requires an elections official to furnish each polling place with handheld magnifying glasses and a signature guide card to assist people signing their names on the roster; 2) allows a voter with a disability to vote by regular ballot outside any polling place (“curbside voting”); and 3) removes the requirement for voters with disabilities to swear under oath if they need assistance completing a ballot. This bill also specifies that a voter with a disability may vote by regular ballot outside of a polling place by bringing a regular ballot outside to the voter if the county cannot bring the ballot marking device outside of the polling place. Ensuring the voting process is accessible to voters with disabilities allows for an inclusive and equitable voting experience for all.
* [AB 557](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB557) (Hart) **Open meetings: local agencies: teleconferences.** This bill eliminates the sunset date indefinitely on provisions of law that allow local agencies to use teleconferencing without complying with specified Ralph. M Brown Act requirements (i.e., teleconferencing requirements which include posting agendas at each teleconference location, identifying each teleconference location in the notice and agenda, making each teleconference location accessible to the public, and requiring at least a quorum of the legislative body to participate from within the local agency's jurisdiction) during a proclaimed state of emergency. Allowing remote meetings during a state of emergency provides flexibility for the logical agencies to continue to be accessible to the public while also providing essential services to their residents and community.
* [AB 857](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB857) (Ortega) **Vocational services: formerly incarcerated persons.** Upon release, the Department of Corrections and Rehabilitation is required to provide each inmate with informational written materials regarding vocational rehabilitation services and independent living programs offered by the Department of Rehabilitation and an enrollment form for these vocational rehabilitation services. This bill also updates the definition of vocational rehabilitation services to now include services to formerly incarcerated persons with disabilities. Offering these services to formerly incarcerated people with disabilities can help support integration back into society, reduce rates of recidivism, and promote rehabilitation.
* [AB 979](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB979) (Alvarez) **Long-term care: family councils.** This bill expands upon the rights of family councils in skilled nursing facilities, intermediate care facilities, and residential care facilities for the elderly by allowing the formation of family councils as well as allowing residents, family members, and family council members to meet independently with outside organizations during nonworking hours without limitation of facility policies on family councils. Additionally, this bill allows family councils to meet virtually or at an offsite location and requires facilities to provide written responses to requests or concerns raised by the family councils and have detailed rationales for any action or inaction taken in response to those requests or concerns. This bill modernizes existing family council laws to ensure the needs and concerns of long-term care residents are being addressed.
* [AB 1340](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB1340) (Garcia) **School accountability: pupils with exceptional needs.** This bill, contingent upon an appropriation for these purposes, requires the California Department of Education to, on or before January 1, 2025, include a report on its Internet website that allows the public to view statewide-level four- and five-year cohort graduation rates for students with disabilities, disaggregated by the identified disability or disabilities. Currently, the California Department of Education groups all students with disabilities together. By collecting and providing data on individual disabilities, school districts can ensure that they are providing the necessary resources that are tailored to their students with disabilities.
* [AB 1620](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB1620) (Zbur) **Costa-Hawkins Rental Housing Act: permanent disabilities: comparable or smaller units.** This bill allows a jurisdiction with rent control to require an owner of a rent-controlled unit to allow a tenant with a permanent physical disability related to mobility to relocate to an available comparable or smaller unit located on an accessible floor of the property and retain the same rental rate if certain conditions are met. Specifically, this bill allows a tenant to move to an available comparable or smaller unit if: (1) the move is determined to be necessary to accommodate the tenant’s physical disability related to mobility; (2) there is no operational elevator that serves the floor of the tenant’s current dwelling or unit; and (3) the tenant provides the owner a written request to move into an available comparable or smaller unit located on an accessible floor of the property before the unit becomes available. People with disabilities disproportionately experience poverty, homelessness, and housing discrimination. By providing, people with physical disabilities who are living in rent-controlled apartments opportunities to relocate to accessible floors and retain their same rental rates it preserves existing affordable housing and keeps residents in California housed.
* [SB 323](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB323) (Portantino) **Comprehensive school safety plans: individualized safety plans.** This bill requires that a school’s comprehensive school safety plan address accommodations to ensure appropriate modifications for pupils with disabilities and requires these plans to be annually evaluated. Additionally, the bill authorizes parents, guardians, school employees, or the student to bring concerns about the student’s ability to access disaster safety procedures outlined in the school safety plan to the principal. Students with disabilities have different needs when responding to an emergency which must be addressed prior to an emergency for their safety.
* [SB 411](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB411) (Portantino) **Open Meetings: teleconferences: neighborhood councils.** This bill authorizes a neighborhood council, until January 1, 2026, to use alternate teleconferencing provisions related to notice, agenda, and public participation if the city council has adopted an authorizing resolution and two-thirds of the eligible legislative body votes to use the alternate teleconferencing provisions. The bill defines “legislative body” to mean a neighborhood council that is an advisory body to promote more citizen participation in government and make government more responsive to local needs that are established under the charter of a city with a population of more than 3,000,000 people that is subject to the Ralph M. Brown Act. The city of Los Angeles serves over 3,000,000 people and has almost 100 neighborhood councils due to the city's large size and diverse communities. This bill ensures that the City of Los Angeles' Neighborhood Councils will continue to serve their constituents by allowing their council members to meet remotely until January 1, 2026.
* [SB 544](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB544) (Laird) **Bagley-Keene Open Meeting Act: teleconferencing.** Beginning January 1, 2024, this bill allows for flexibility for remote meetings for state boards and commissions by removing requirements to notify the public of all teleconference locations, post agendas at each location, and make those locations accessible to the public. This bill promotes equity and public participation by removing barriers to Californians who experience challenges attending physical meetings including people with disabilities, caretakers, seniors, low-income individuals, and those living in rural or different areas of the state.