



STATE OF CALIFORNIA
CALIFORNIA SENIOR LEGISLATURE

1600 K Street, 4th Floor, Sacramento, CA 95814

Phone (916) 322-5630 Fax (916) 327-1859

www.4csl.org

LEGISLATIVE UPDATE
JUNE 21, 2006
CSL STATE PRIORITIES

AB 2738 Wyland Property Tax Exemptions.

Existing property tax law provides, pursuant to a specified provision of the California Constitution, for a homeowners' exemption in the amount of \$7,000 of the full value of a "dwelling," as defined. The California Constitution authorizes the Legislature to increase the amount of the exemption. Existing property tax law reduces the amount of this exemption to the lesser of \$5,600 or 80% of the full value of the dwelling, if a claimant for the exemption does not claim the exemption before a specified date.

This bill would increase, for assessment years beginning on or after January 1, 2007, pursuant to the Legislature's authority under the California Constitution, the amount of this exemption to \$27,000 for assessees that are age 62 years or older. This bill, for assessment years beginning on or after January 1, 2007, also would, for assessees age 62 years or older who do not claim the exemption before a specified date, allow an exemption of the lesser of \$21,600 or 80% of the full value of the dwelling. This bill would declare that it is to take effect immediately as an urgency statute. This bill contains other related provisions and other existing laws.

STATUS: Assembly Revenue & Taxation Committee suspense file

CSL Position: Sponsor CSL Proposal # SP 19 CSL Author: Griswold

AB 3040 La Malfa IHSS providers: fingerprint & Criminal background Check

Existing law provides for the In-Home Supportive Services (IHSS) program, under which, either through employment by the recipient, by or through contract by the county, by the creation of a public authority or pursuant to a contract with a nonprofit consortium, qualified aged, blind, and disabled persons receive services enabling them to remain in their own homes.

Existing law provides that the Department of Justice shall secure any criminal record of a person to determine whether the person has been convicted within the last 10 years of, among other offenses, any felony if an employer of the person requests the determination and submits fingerprints of the person to the Department of Justice. Under existing law, a recipient of in-home supportive services is within the definition of employer for those purposes. This bill contains other related provisions and other existing laws.

STATUS: Assembly Committee on Human Services, hearing cancel at request of author

CSL Position: Sponsor CSL Proposal #SP 17 CSL Author: Smith

SB 1249 Alquist Taxation: contributions: California Fund for Senior Citizens

Under the Personal Income Tax Law, individual taxpayers are allowed to contribute amounts in excess of their tax liability for the support of specified funds or accounts, including, among others, the California Fund for Senior Citizens. That law provides for the repeal of the contribution provisions for this account on January 1 of any calendar year that the Franchise Tax Board estimates the annual contribution amount will be less than \$250,000 for taxable years beginning in 2001, or an adjusted amount calculated from the inflation factor, based on the percentage change in the California Consumer Pride Index, multiplied by the prior year's estimated contribution amount, as described.

This bill would instead provide for the repeal of the contribution provisions for this account only when the board estimates the annual contribution amount will be less than \$250,000 for a tax-able year. This bill contains other related provisions and other existing laws.

STATUS: Assembly Revenue & Taxation Committee, June 26, 2006, 1:30 pm, Rm. 126
 Passed Senate Floor
 Passed Senate Revenue & Taxation Committee

CSL Position: Sponsor CSL Proposal # AP 24 CSL Author: Karr

SCR 85 Alquist American Stroke Month 2006

This measure would recognize May 2006 as American Stroke Month in California, and would urge all California citizens to familiarize themselves with the warning signs, symptoms, and risk factors associated with stroke.

STATUS: Resolution Chapter 55, filed with Secretary of State, May, 2006

CSL Position: Sponsor CSL Proposal # AP 6 CSL Author: Kim-Selby

Legislation Supported by CSL

AB 1928 Berg Area Agencies on Aging & Independent Living Centers: funding

Existing law designates area agencies on aging as local units on aging in California, which are financially supported by a variety of sources, including federal funding, state and local government assistance, the private sector, and individual contributions.

Existing law also provides for independent living centers, for the purpose of assisting individuals with disabilities in their attempts to live fuller and freer lives outside institutions, and achieve social and economic independence.

This bill would continuously appropriate from the Federal Trust Fund, in the absence of enactment of the annual Budget Act by July 1 of a fiscal year, (1) to the California Department of Aging, the amount of federal funds contained in the Federal Trust Fund that is necessary to pay area agencies on aging for the administration of programs under their jurisdiction and (2) to the Department of Rehabilitation, the amount of federal funds contained in the Federal Trust Fund that is necessary to pay independent living centers for the administration of programs under their jurisdiction, pending enactment of the Budget Act. This bill would declare that it is to take effect immediately as an urgency statute.

STATUS: Assembly Appropriations – suspense file
Passed Assembly Committee on Aging & Long Term Care

AB 1929 Berg & S. Horton Area agencies on aging: electronic transfer of funds

Existing law *declares* that it is *the* mission of the California Department of Aging to provide leadership to the area agencies on aging in developing systems of home- and community-based services to maintain individuals in their own homes or in the least restrictive homelike environments. Under existing law, the department distributes funds to the area agencies on aging, as the local units on aging in California, in accordance with specified criteria.

This bill would require the department, in consultation with the Controller, by August 1, 2007, to develop and implement a procedure for the electronic transfer of funds from the department to the area agencies on aging, for the programs and services administered by the area agencies on aging. This bill would declare that it is to take effect immediately as an urgency statute.

STATUS: Senate Human Services Committee, June 27, 2006, 1:30 pm, Rm. 3191
Passed Assembly Floor
Assembly Appropriations Committee
Passed Assembly Aging & LTC Committee

AB 2486 Ridley-Thomas In-home Supportive Services: Criminal background checks

Existing law provides for the In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons receive services enabling them to remain in their own homes. Existing law permits services to be provided under the IHSS program either through the employment of individual providers, a contract between the county and an entity for the provision of services, the creation by the county of a public authority, or a contract between the county and a nonprofit consortium. Under existing law, the functions of a nonprofit consortium contracting with the county, or a public authority established for this purpose, include investigating the qualifications and background of potential personnel.

This bill would authorize the investigation of potential personnel by a nonprofit consortium or public authority to include criminal background checks conducted by the Department of Justice (DOJ) or, in certain circumstances, by an investigative consumer reporting agency, upon the request of the

nonprofit consortium or public authority. The bill would prohibit a fee from being charged to a provider, potential personnel, or a recipient to cover any cost related to administering requirements with respect to an investigation, or the costs to certain entities for processing a criminal background check, under these provisions. This bill contains other law and other provisions.

STATUS: Senate Human Services Committee, June 27, 2006, 1:30 pm, Rm. 3191
Passed Assembly Floor
Passed Assembly Appropriations Committee
Passed Assembly Human Services Committee

SB 1312 Alquist Long term health care facilities: inspections

Under existing law, the State Department of Health Services regulates the licensure and operation of various health facilities, including long-term care health facilities, some of which are collectively classified as nursing homes. Existing law requires the department to conduct periodic inspections of health facilities for which a license or special permit has been issued, to insure the quality of care. Existing law exempts certain health facilities that are certified to participate in the federal Medicare and Medicaid Programs from these inspections.

Existing law, the Long-Term Care, Health, Safety and Security Act of 1973, requires the State Department of Health Services to conduct annual inspections, without notice, of long-term health care facilities, except facilities that have not had serious violations within the last 12 months, and in any case to inspect every facility at least once every 2 years, and further requires the department to vary the cycle for conducting these inspections to reduce the predictability of the inspections. This bill contains other law and other provisions.

STATUS: Passed Assembly Health
Passed Senate Floor
Passed Senate Appropriations
Passed Senate Health Committee

SB 1609 Simitian Reverse Mortgages: Annuities:

Existing state and federal law regulate the activities of financial institutions. Existing state law defines and regulates reverse mortgage loans and provides a disclosure notice that a lender must provide an applicant, which informs the applicant that a reverse mortgage is a complex financial arrangement and advises the applicant of the wisdom of seeking financial counseling before entering the agreement.

This bill would prohibit a lender from requiring the purchase of an annuity as a condition of obtaining a reverse mortgage loan. The bill would prohibit *a reverse mortgage lender or a broker arranging a reverse mortgage loan from offering an annuity to the borrower or referring the borrower to anyone for the purchase of an annuity prior to the closing of the loan or before the expiration of the borrower's right to rescind*. The bill would, among other things, require a lender to refer a prospective borrower to a housing counseling agency for counseling *as specified*, prior to accepting *a final and complete* application for a reverse mortgage *or assessing any fees*, and

would prohibit a lender from accepting a full and complete application for a reverse mortgage loan or assessing any fees without receiving certification, as specified, that the borrower had received this counseling. The bill would make changes to the disclosure notice provided to an applicant for a reverse mortgage and would require a lender to provide a specified list of independent loan counselors. This bill contains other law and provisions.

STATUS: Assembly Committee on Jud and B. & F
Passed Senate Floor
Passed Judiciary Committee

Legislative information is available on the internet by logging onto the California State Assembly, www.assembly.ca.gov or the California State Senate, www.sen.ca.gov. If you have questions about this legislative update you may contact June P. Hamilton, Legislative Liaison, at (916) 552-8056 or by email at jhamilton@seniorleg.ca.gov.

