

# Senior Bills

## [AB 140](#) [\(Dickinson D\)](#) [Undue influence.](#)

**Last Amend:** 7/2/2013

**Status:** 10/8/2013-Chaptered by Secretary of State - Chapter 668, Statutes of 2013.

**Location:** 10/8/2013-A. **CHAPTERED**

**Summary:** Would change the definition of undue influence to mean excessive persuasion that causes another person to act or refrain from acting by overcoming that person's free will and results in inequity. The bill would require, in determining whether the result was produced by undue influence, the vulnerability of the victim, the influencer's apparent authority, the actions or tactics used by the influencer, and the equity of the result to be considered. The bill would specify that an inequitable result, without more, is not sufficient to prove undue influence. This bill contains other related provisions and other existing laws.

## [AB 261](#) [\(Chesbro D\)](#) [Residential care facilities for the elderly: fees and charges.](#)

**Last Amend:** 6/18/2013

**Status:** 9/9/2013-Chaptered by Secretary of State - Chapter 290, Statutes of 2013.

**Location:** 9/9/2013-A. **CHAPTERED**

**Summary:** Would prohibit a residential care facility for the elderly from requiring advance notice for terminating an admission agreement upon the death of a resident, would prohibit the accrual of any fees once all personal property of the deceased is removed from the facility, and would prohibit the facility from impeding the removal of a deceased resident's personal property, as specified. The bill would require a residential care facility for the elderly to issue a refund of any fees paid in advance, covering the time after a deceased resident's personal property has been removed, within 15 days of that property being removed. This bill contains other related provisions and other existing laws.

## [AB 381](#) [\(Chau D\)](#) [Estates and trusts: undue influence and elder abuse.](#)

**Last Amend:** 5/24/2013

**Status:** 8/13/2013-Chaptered by Secretary of State - Chapter 99, Statutes of 2013.

**Location:** 8/13/2013-A. **CHAPTERED**

**Summary:** Current law provides that a person found liable for taking, concealing, or disposing of property belonging to the estate of a decedent, conservatee, minor, or trust through the use of undue influence in bad faith, or through the commission of elder or dependent adult financial abuse, is liable for twice the value of the property. This bill would provide that a person may, in the court's discretion, be liable for reasonable attorney's fees and costs in these actions, except as specified. The bill would specifically apply these provisions to property belonging to an elder or a dependent adult. This bill contains other related provisions and other existing laws.

## [AB 477](#) [\(Chau D\)](#) [Elder and dependent adult abuse: mandated reporting.](#)

**Last Amend:** 9/3/2013

**Status:** 10/9/2013-Vetoed by the Governor

**Location:** 10/9/2013-A. **VETOED**

**Summary:** Would include notaries public in the definition of mandated reporters of suspected financial abuse of an elder or dependent adult and would require a notary public, if he or she has observed or has knowledge of suspected financial abuse in connection with providing notary services, to report the known or suspected instance of financial abuse. The bill would provide that this requirement is applicable only when the notary public knows that the victim of the suspected financial abuse is an elder or dependent adult. This bill contains other related provisions and other existing laws.

**AB 581 (Ammiano D) Care facilities: retaliation.**

**Last Amend:** 6/14/2013

**Status:** 9/9/2013-Chaptered by Secretary of State - Chapter 295, Statutes of 2013.

**Location:** 9/9/2013-A. **CHAPTERED**

**Summary:** Would prohibit a care facility licensee, or officer or employee of the licensee, from discriminating or retaliating in any manner, including, but not limited to, eviction or threat of eviction, against any person receiving the services of the facility, or against any employee of the licensee's facility, on the basis, or for the reason that, the person or employee or any other person has initiated or participated in the filing of a complaint, grievance, or a request for inspection with the State Department of Social Services or initiated or participated in the filing of a complaint, grievance, or request for investigation with the local or state ombudsman pursuant to prescribed provisions of law.

**AB 663 (Gomez D) Care facilities: training requirements.**

**Last Amend:** 4/29/2013

**Status:** 10/9/2013-Chaptered by Secretary of State - Chapter 675, Statutes of 2013.

**Location:** 10/9/2013-A. **CHAPTERED**

**Summary:** Current law requires the administrator of an adult residential care facility or an administrator of a residential care facility for the elderly to undergo training, including specified subjects, including, but not limited to, business operations and the psychosocial needs of the facility residents. Current law also requires the Office of the State Long-Term Care Ombudsman to sponsor training of ombudsman, to be completed prior to certification as an ombudsman. This bill would require the administrator and ombudsman training to include training in cultural competency and sensitivity in issues relating to the underserved aging lesbian, gay, bisexual, and transgender community.

**AB 849 (Garcia D) Protection of victims: address confidentiality.**

**Last Amend:** 5/24/2013

**Status:** 10/5/2013-Chaptered by Secretary of State - Chapter 676, Statutes of 2013.

**Location:** 10/5/2013-A. **CHAPTERED**

**Summary:** Current law authorizes victims of domestic violence, sexual assault, or stalking to complete an application in person at a community-based victims' assistance program to be approved by the Secretary of State for the purpose of enabling state and local agencies to respond to requests for public records without disclosing a program participant's residence address contained in any public record and otherwise provide for confidentiality of identity for that person, subject to specified conditions. This bill would authorize the application to be completed at a community-based assistance program that serves victims of elder or dependent adult abuse, as specified. This bill would also require the Secretary of State to conduct outreach activities to identify and recruit state and local agencies and nonprofit agencies that provide counseling and shelter services to victims, as specified.

**AB 918 (Cooley D) Emergency services: preparedness.**

**Last Amend:** 5/1/2013

**Status:** 8/28/2013-Chaptered by Secretary of State - Chapter 187, Statutes of 2013.

**Location:** 8/28/2013-A. **CHAPTERED**

**Summary:** The California Emergency Services Act sets forth the duties of the Office of Emergency Services with respect to specified emergency preparedness, mitigation, and response activities within the state. This bill would require the office, on or before July 31, 2015, to update the State Emergency Plan to include proposed best practices for local governments and nongovernmental entities to use to mobilize and evacuate people with disabilities and others with access and functional needs during an emergency or natural disaster.

**AB 1217 (Lowenthal D) Home Care Services Consumer Protection Act.**

**Last Amend:** 9/11/2013

**Status:** 10/13/2013-Chaptered by Secretary of State - Chapter 790, Statutes of 2013.

**Location:** 10/13/2013-A. **CHAPTERED**

**Summary:** Would enact the Home Care Services Consumer Protection Act, which would provide, on and after January 1, 2015, for the licensure and regulation of home care organizations, as defined, by the State Department of Social Services, and the registration of home care aides. The bill would exclude specified entities from the definition of a home care organization and would not include certain types of individuals as home care aides for the purposes of these provisions. This bill contains other related provisions and other existing laws.

**SB 129 (Wright D) Deaf and disabled telecommunications program.**

**Last Amend:** 6/5/2013

**Status:** 9/23/2013-Chaptered by Secretary of State - Chapter 332, Statutes of 2013.

**Location:** 9/23/2013-S. **CHAPTERED**

**Summary:** Current law, until January 1, 2014, requires the Public Utilities Commission to establish a surcharge, not to exceed 0.5%, that is uniformly applied to a subscriber's intrastate telephone service charges to allow providers of the equipment and service provided pursuant to the deaf and disabled programs to recover their costs. This bill would extend imposition of the surcharge until January 1, 2020. The bill would extend the reporting requirements until January 1, 2021, and would require the commission to submit the report to the Legislature on or before March 1 of each year. This bill would also require the report to include an evaluation of any modification to the program that would maximize participation and funding opportunities under similar federal programs. This bill contains other related provisions and other existing laws.

**SB 272 (Corbett D) Advertising and solicitations: government and military endorsements.**

**Last Amend:** 7/1/2013

**Status:** 10/10/2013-Chaptered by Secretary of State - Chapter 695, Statutes of 2013.

**Location:** 10/10/2013-S. **CHAPTERED**

**Summary:** Would make it unlawful for any person, firm, corporation, or association that is a nongovernmental entity to use any seal, emblem, insignia, trade or brand name, or any other term, symbol, or content that reasonably could be interpreted or construed as implying any federal, state, or local government, military veteran entity, or military or veteran service organization connection, approval, or endorsement of any product or service, including, but not limited to, any financial product, goods, or services, by any means, including, but not limited to, a mailing, electronic message, Internet Web site, periodical, or television commercial. This bill contains other related provisions and other existing laws.

**SB 510 (Jackson D) Land use: subdivisions: rental mobilehome park conversion.**

**Last Amend:** 8/19/2013

**Status:** 9/26/2013-Chaptered by Secretary of State - Chapter 373, Statutes of 2013.

**Location:** 9/26/2013-S. **CHAPTERED**

**Summary:** Current law requires that the subdivider obtain a survey of support of residents of the mobilehome park for the proposed conversion, that the results of the survey be submitted to the local agency for consideration, as specified, and that the subdivider be subject to a hearing by the legislative body or advisory agency that is authorized to approve, conditionally approve, or disapprove the map. This bill would specify that the results of the survey are to be considered by the local agency in making its decision to approve, conditionally approve, or disapprove the map. The bill would authorize the local agency to disapprove the map if it finds that the results of the survey have not demonstrated the support of at least a majority of the park's homeowners.

**SB 609 (Wolk D) Office of the State Long-Term Care Ombudsman.**

**Last Amend:** 8/7/2013

**Status:** 10/3/2013-Chaptered by Secretary of State - Chapter 521, Statutes of 2013.

**Location:** 10/3/2013-S. **CHAPTERED**

**Summary:** Current law requires the Office of the State Long-Term Care Ombudsman to solicit and receive funds, gifts, and contributions to support the operations and programs of the office. This bill would create the Long-Term Care Ombudsman Program Improvement Act Account, and require the office to deposit those funds into the account. The bill would, upon appropriation, require those funds to be used for the purpose of supporting the operations and programs of the office. This bill contains other related provisions and other existing laws.

**SB 612 (Leno D) Residential tenancy: victims of human trafficking and elder or dependent adult abuse.**

**Last Amend:** 6/12/2013

**Status:** 8/19/2013-Chaptered by Secretary of State - Chapter 130, Statutes of 2013.

**Location:** 8/19/2013-S. **CHAPTERED**

**Summary:** Would expand provisions to authorize a tenant to notify the landlord that he or she or a household member is a victim of human trafficking and the tenant intends to terminate the tenancy, as specified. Until January 1, 2016, the bill would include among the supporting documents that a tenant may attach to the notice to terminate a tenancy documentation that includes specified statements by the tenant and by a health practitioner, a domestic violence counselor, a sexual assault counselor, or a human trafficking caseworker to indicate that the tenant is seeking assistance for physical or mental injuries or abuse resulting from an act of domestic violence, sexual assault, stalking, human trafficking, or abuse of an elder or dependent adult.