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**REVIEW OF SELECTED 2014
CALIFORNIA LEGISLATION**

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Foreword

Much has been written and spoken about political gridlock, particularly in our nation's capitol, Washington, D.C. And yet, the astute observer understands that much of what is accomplished legislatively on behalf of the People, is often—if not almost always—done at the state level. That has certainly been the case in California. In the last six years, California has dug itself out of the depths of a political and economic abyss. As the nation grappled with the worst economic downturn since the Great Depression, California faced mounting job losses, historic foreclosures, municipal bankruptcies, and a staggering \$42 billion State budget deficit. Although some once considered it nearly a "failed state," California has led the nation in dramatically turning around its fiscal and economic health. The Legislature has been one of the most productive in decades passing groundbreaking legislation affecting privacy and consumer protection, criminal justice, balancing business regulation, economic development, and environmental protection, climate change through smart transit and housing development, pension reform, water, and early childhood and career technical education. Even as the personal indiscretions of some legislators who faced corruption and other charges in 2014 threatened to distract from the work that needed to be done, legislators remained focused on legislating and addressing the needs of the state.

The collection of articles assembled in this issue reflect the range of that body of work. AB 2293 addresses the need to provide insurance and consumer protection as the disruptive technology of combining mobile applications and transportation services takes a foothold in the economy. SB 962 also seeks to provide important protections to mobile phone users whose devices are lost or stolen by requiring those devices to have “kill switches” installed.

AB 2643 was based upon the work of the McGeorge Legislative and Public Policy Clinic and builds upon California’s leading laws related to so called “revenge porn” to provide civil protections to victims of the unauthorized distribution of intimate images or recordings. SB 1255 expands the existing criminal elements required for the unlawful distribution of that information. Relatedly, SB 838 addressing juvenile sentencing grew out of a tragic case in which a young woman committed suicide after explicit photos of her sexual assault were posted on social media sites. The perpetrators were juveniles and their conduct was not considered serious enough under the prior law to warrant more significant punishment. Also in the area of criminal procedure, SB 1058 creates a

process by which criminal defendants who were convicted on the basis of scientific evidence that was later proven to be false—so called “junk science”—can petition for a reversal of their conviction.

As the federal government tried and failed to pass meaningful federal immigration reform leading President Barack Obama to act by executive order to provide some relief to undocumented residents, California continued to lead the nation in ensuring that its laws are more welcoming to immigrants. The Legislature enacted SB 1210 providing undocumented college students with access to a state student loan program. These students are largely ineligible for federal loan programs and often face significant gaps in financial aid. In passing SB 1174, the Legislature acted to modernize California's approach to educating English language learners by repealing provisions of the 1998 “English Only” Proposition 227. These types of actions by the Legislature stand in marked contrast to actions taken in other states recently that are far less inclusive to immigrant populations.

Following personal ethical lapses in the Legislature, political reform was also a significant topic in 2014. SB 27 was enacted to attempt to shine a light on “dark money” campaign contributions that may be filtered through a variety of entities in order to mask the true source of the funds. And SB 1441, 1442 and 1443 tackled restrictions on fundraising and other interactions between lobbyists and legislators.

These legislative successes, and indeed much of California's turn around, occurred during the legislative leadership of Senate President pro Tempore Darrell Steinberg and Assembly Speaker John Perez. Steinberg took the helm as “Pro Tem” in 2008 followed by Speaker Perez in 2010. They led with former Governor Arnold Schwarzenegger and, most significantly, current Governor Edmund “Jerry” Brown, Jr. These leaders governed during a very challenging time—some external and driven by the national and international economic downturn, some internal and fueled by personal and political indiscretions. But in all, they worked together to show what can be possible when politicians and the public focus more on policy than on politics or pettiness. Indeed, their actions and leadership garnered the support and confidence of voters who in turn passed critical reforms to the process by which the state passes its annual budget—allowing a majority vote on the spending plan and related measures—and authorized temporary increases in sales and income taxes to shore up the state's fiscal health. As a result, 2014 continued the longest streak in modern history of five straight years of on-time, balanced budgets. In recent years, voters also turned back the “anti-incumbent”

tides of the late 1980s and early 1990s by relaxing California's restrictive term limits and allowing members of the Legislature to serve 12 years in either house, a 50% increase in the years one could serve in the Senate and doubling the years one could serve in the Assembly. With the 2014 elections, most members are now serving under the longer limits, which most observers agree allows for more thoughtful, long-range approaches to solving problems.

Reflecting on his years as a Senate Leader, Steinberg observed that it may be more fun to govern during good times, but it is often more important to do so during challenging times. 2014 was the end of his and Speaker Perez's leadership and certainly an era of immense challenge and yet renewal and success. Looking ahead, an experienced Governor and more seasoned legislature will pick up where they left off. If 2014 is any indication of the kind of productivity that can be expected, then California's future is certainly a bright one.

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