



## 2023 Legislation

Bill Number	Bill Summary	MHAC Position	Related Documents
<a href="#">AB 599 (Ward)</a>	<p>This bill would, commencing July 1, 2025, remove having possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, vaping products, and betel from the list of acts for which a pupil, regardless of their grade of enrollment, may be suspended or recommended for expulsion for. The bill would, commencing July 1, 2025, prohibit a charter school pupil in kindergarten or any of grades 1 to 12, inclusive, from being suspended or recommended for expulsion solely on the basis of those acts.</p> <p>This bill, commencing July 1, 2025, would instead no longer require the principal or superintendent of schools to recommend the expulsion of a pupil for the unlawful possession of certain controlled substances under any circumstance.</p> <p>This bill would require the State Department of Education, on or before July 1, 2025, to develop and make available a model policy for a public health approach to addressing pupil possession and use of illicit drugs on school property, as specified. The bill would require the department to collaborate with stakeholders, including treatment providers, local educational agencies, and community-based organizations in the development of the model policy. The bill would require local educational agencies, as defined, to adopt, on or before July 1, 2025, a plan to address pupils who possess or use drugs on school property. The bill would require the plan to be youth informed youth-informed, reduce criminalization, and to include specific information on where on campus and in the community, pupils can receive education, treatment, or support for substance use. abuse. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program.</p>	COSPONSOR	<a href="#">Fact Sheet</a>
<a href="#">AB 19 (Patterson)</a>	<p>This bill would require each individual public school operated by a school district, county office of education, or charter school to maintain at least two doses of naloxone hydrochloride or another opioid antagonist for purposes of those authorizations.</p>	Support	<a href="#">Fact Sheet</a>

<a href="#">AB 289 (Holden)</a>	<p>Existing law establishes the Mental Health Services Oversight and Accountability Commission and requires counties to prepare and submit a 3-year program and expenditure plan, and annual updates, as specified, to the commission and the State Department of Health Care Services. Existing law requires the plan to be developed with specified local stakeholders.</p> <p>This bill would include youths or youth mental health organizations as a specified local stakeholder for purposes of a county developing a 3-year plan and annual updates. The bill would also require stakeholders to include sufficient participation of individuals representing diverse viewpoints, including representation from organizations specializing in working with underserved racially and ethnically diverse communities, and representatives from LGBTQ+ communities.</p>	Support	<a href="#">Fact Sheet</a>
<a href="#">AB 461 (Ramos)</a>	<p>This bill would require the governing board of each community college district and the Trustees of the California State University to provide information about the use and location of fentanyl test strips as part of established campus orientations and to notify students of the presence and location of fentanyl test strips. The bill would require the governing board of each community college district and the Trustees of the California State University to require that each campus health center stock and distribute fentanyl test strips, as specified. By imposing new duties on community college districts, the bill would constitute a state-mandated local program. The bill would request that the Regents of the University of California comply with these requirements.</p>	Support	Fact Sheet
<a href="#">AB 665 (Carrillo)</a>	<p>This bill would reconcile the Family Code with existing Health and Safety Code, by amending the family code to allow a minor who is 12 years of age or older to consent to mental health treatment if the minor, in the opinion of the attending professional person, is mature enough to participate intelligently in the services.</p>	Support	<a href="#">Fact Sheet</a>
<a href="#">AB 912 (Jones-Sawyer)</a>	<p>This bill would establish the Department of Justice Violence Reduction Grant Program to be administered by the department for the purpose of supporting evidence-based, focus-deterrence collaborative programs that conduct outreach to targeted gangs and offer supportive services to preemptively reduce and eliminate violence and gang-involvement. This bill would create a grant program under the State Department of Education to provide grants to K-12 school districts for the sole purpose of hiring social workers and mental health professionals to provide mental health services to pupils for the improvement in the health and well-being of the youth and school and community stability.</p>	Watch	<a href="#">Fact Sheet</a>
<a href="#">AB 957 (Wilson)</a>	<p>This bill would clarify that affirming a child's gender identity is in the best interest of the child in the California Family Code and remove barriers to name and gender marker changes for minors, increasing the likelihood that a gender affirming parent is given legal custody and authority to make important decisions about the child's medical care and education.</p>	Support	<a href="#">Fact Sheet</a>
<a href="#">AB 1029 (Pellerin)</a>	<p>Existing law establishes the requirements for executing a written advance health care directive that is legally sufficient to direct health care decisions. The statutory form includes a space to designate an agent</p>	Support	<a href="#">Fact Sheet</a>

	<p>to make health care decisions, as well as optional spaces to designate a first alternate agent and 2nd alternate agent.</p> <p>This bill would add an optional space on the statutory form for an individual to designate a separate mental health agent for decisions related to mental health.</p>		
<a href="#">SB 11 (Menjivar)</a>	<p>This bill would require the Trustees of the California State University to comply with various requirements on mental health counseling at CSU, including having one full-time equivalent California-licensed mental health counselor per 1,500 students enrolled at each CSU campus and developing a telehealth mental health counseling service that provides students on each CSU campus with mental health counseling 24 hours per day, 7 days per week. The bill, contingent upon appropriation by the Legislature, would establish the CSU Mental Health Professionals Act to provide incentives for CSU students to become mental health counselors in the state. The bill would define “mental health counselor” for purposes of these provisions.</p>	Support	<a href="#">Fact Sheet</a>
<a href="#">SB 43 (Eggman)</a>	<p>This bill expands the definition of “gravely disabled” to also include a condition that will result in substantial risk of serious harm to the physical or mental health of a person due to a mental health disorder or a substance use disorder. The bill defines “serious harm” for purposes of these provisions to mean significant deterioration, debilitation, or illness due to a person’s inability to carry out specified tasks, including, among other things, attend to needed personal or medical care and attend to self-protection or personal safety. The bill specifies circumstances under which substantial risk of serious harm may be evidenced, as specified. The bill would make conforming changes. To the extent that this change increases the level of service required of county mental health departments, the bill would impose a state-mandated local program.</p>	Oppose	Fact Sheet
<a href="#">SB 250 (Umberg)</a>	<p>This bill would provide that it is not a crime for a person to possess for personal use a controlled substance, controlled substance analog, or drug paraphernalia, if the person tests the controlled substance or controlled substance analog and determines that the substance is adulterated with another substance, including, but not limited to, fentanyl, and notifies law enforcement, as specified. The bill would state the intent of the Legislature.</p>	Support	<a href="#">Fact Sheet</a>
<a href="#">SB 238(Wiener)</a>	<p>This bill would require a decision by a health care service plan regarding a disputed health care service to be automatically submitted to the relevant Independent Medical Review System if the decision is to deny, modify, or delay specified mental health care services for an enrollee up to 26 years of age. The bill would specify the procedures applicable with respect to both nonurgent and urgent mental health or substance use disorder services, including, but not limited to, notification to the enrollee and provider of the submission of the decision for review, and time periods for an enrollee to cancel the independent medical review before a determination, or for the independent medical organization’s determination to be issued, as specified.</p>	Support	<a href="#">Fact Sheet</a>

	<p>The bill would require a health insurer, if specified conditions are satisfied with respect to a health care item or service to prevent, diagnose, or treat a mental health or substance use disorder for an insured up to 26 years of age, to submit an adverse benefit determination to the Independent Medical Review System on the same calendar day it makes the adverse benefit determination. The bill would require the insurer to initiate the independent medical review by submitting all records in its possession related to an initial adverse benefit determination to the department and independent medical review organization that is designated by the department to conduct the review, and to notify the insured when the independent medical review is initiated, as specified. The bill would authorize the department, as circumstances warrant, to cancel an independent medical review, either before, or as soon after a determination was issued as is reasonably possible.</p>		
<p><a href="#">SB 274 (Skinner)</a></p>	<p>This bill would remove disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties from the list of acts for which a pupil, regardless of their grade of enrollment, may be suspended or recommended for expulsion. The bill would extend the prohibition against the suspension of charter school pupils for those acts to all grades, indefinitely.</p> <p>(2) Existing law states the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.</p> <p>This bill would instead prohibit a suspension or expulsion from being imposed against a pupil based solely on the fact that they are otherwise absent from school activities.</p>	<p>Support</p>	<p><a href="#">Fact Sheet</a></p>
<p><a href="#">SB 287 (Skinner)</a></p>	<p>This bill would prohibit a social media platform, as defined, from using a design, algorithm, or feature that the platform knows, or which by the exercise of reasonable care should have known, causes child users to do any of certain things, including experience addiction to the social media platform.</p> <p>This bill would provide that a social media platform is not in violation of the bill if the social media platform instituted and maintained a program of at least quarterly audits, as defined, of its designs, algorithms, and features to detect designs, algorithms, or features that have the potential to cause or contribute to violations of the provision described above, and the social media platform corrected, within 30 days of the completion of the audit, any design, algorithm, or feature discovered by the audit to present more than a de minimis risk of violating the provision described above.</p> <p>This bill would subject a social media platform that knowingly and willfully violates these provisions to a civil penalty not to exceed \$250,000 per violation, an injunction, and an award of litigation costs and attorney's fees.</p>	<p>Support</p>	<p>Fact Sheet</p>
<p><a href="#">SB 509 (Portantino)</a></p>	<p>This bill would require the State Department of Education, on or before July 1, 2024, to identify training programs that also include instruction on how school staff can best provide referrals to special education services. The bill would provide, for purposes of the instruction on recognizing the signs and symptoms of youth behavioral health disorders, the examples of schizophrenia, bipolar disorder, major clinical</p>	<p>Support</p>	<p><a href="#">Fact Sheet</a></p>

	<p>depression, and anxiety disorders. The bill would require, on or before January 1, 2027, local educational agencies to certify to the department that 75% of each of its classified and certificated employees, who have direct contact with pupils at school, have received that youth behavioral health training, as specified. The bill would prohibit the training in youth behavioral health to be a condition of employment or hiring. By imposing training certification duties on local educational agencies, the bill would impose a state-mandated local program.</p> <p>This bill also would require a school district, county office of education, state special school, or charter school to ensure that all pupils in grades 1 to 12, inclusive, receive evidence-based, age-appropriate mental health education from instructors trained in the appropriate courses at least once in elementary school, at least once in junior high school or middle school, as applicable, and at least once in high school, as provided. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program. The bill also would make legislative findings and declarations related to the benefits of mental health education for those pupils.</p>		
<a href="#">SB 551 (Portantino)</a>	<p>This bill would require at least 20% of a mental health board’s membership to be employed by a local educational agency, and at least 20% to be an individual who is 25 years of age or younger in larger counties. In medium counties, the bill would require one member of the board to be employed by a LEA and at least one member be 25 or younger. In small counties, the bill would require counties to give a strong preference to appointing at least one member who is employed by a local LEA or a person under age 25. The bill would prohibit more than 50% of the members of a county’s mental health board from owning or operating an organization or business that financially benefits from a proposed or adopted Mental Health Services Act plan.</p>	Oppose	<a href="#">Fact Sheet</a>
<a href="#">SB 760 (Newman)</a>	<p>This bill would require, on or before January 1, 2025, each school district, county office of education, and charter school, including charter schools operating in a school district facility, maintaining any combination of classes from kindergarten to grade 12, inclusive, to provide at least one all-gender restroom for pupil use at each of its school sites. The bill would require the all-gender restroom to meet certain requirements, including that it (1) has appropriate signage identifying the bathroom facility as being open to all genders, (2) is unlocked, unobstructed, and easily accessible by any pupil without requesting access from teachers, faculty, or school staff, and (3) is stocked with menstrual products, as specified.</p>	Support	<a href="#">Fact Sheet</a>
<a href="#">SB 857 (Laird)</a>	<p>Existing law requires the State Department of Education to develop resources or, as appropriate, update existing resources for in-service training on schoolsite and community resources for the support of lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ) pupils, and strategies to increase support for LGBTQ pupils and thereby improve overall school climate. Existing law requires those resources to be designed for use in schools operated by a school district or county office of education and charter schools serving pupils in grades 7 to 12, inclusive.</p>	Support	Fact Sheet

	<p>This bill would require the Superintendent of Public Instruction, on or before July 1, 2024, to convene an advisory task force to identify the statewide needs of lesbian, gay, bisexual, transgender, queer, questioning, and plus (LGBTQ+) pupils and to assist in implementing supportive policies and initiatives to address LGBTQ+ pupil education, as provided. The bill would require advisory task force members to be selected by the Superintendent, as provided. The bill would require the advisory task force to, on or before January 1, 2026, report their findings and recommendations to the Legislature, the Superintendent, and the Governor.</p>		
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