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## Lobby for California Families
**NOT #ForFamily NOT #ForKids**

### We ask you to OPPOSE

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**For more information, please contact:**

Christina Hildebrand  
408-835-9353

Kristie Sepulveda-Burchit  
909-232-7353

Educate.Advocate.  
educateadvocateca.com

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**MOMS ACROSS AMERICA**  
MillionMamasMovement.org

**AutismOne**  
Colorado Springs, Colorado  
March 31st 2017  
May 24-28, 2017  
autismone.org
Your Constituents ask you **Vote NO on SB18 & NOT co-author this Children’s Bill of Rights**

Unnecessary, Unconstitutional, Overreaching,
& Wasteful of California’s Time, Money, and Parental Goodwill

Are California Parents really doing such a poor job of raising their children that they need the state to intervene in every aspect of their lives? California already has tried and true programs for those parents who do need assistance for their children to get ahead. Research has already been done to identify what societal and educational factors affect the success of a child the most. Let’s not reinvent the wheel, wasting $25-40 billion of California’s already stretched budget on a law which will do more harm than good, and in the long run line the pockets of corporations rather than our children’s future.

Everyone agrees all Children and Youth have the right to health, safety, well-being, education, and the familial supports necessary for them to succeed and become productive members of society. They already have that right today, and laws already exist to address extreme cases of parental neglect or abuse. It is one thing to put laws in place to lift parents out of poverty or increase funding for our failing education system, or laws to protect children from extreme cases of parental neglect and abuse. However, it is a whole different agenda for the state to pass a law that intends to create policy that will determine what is in the best interests of children, regardless of their parent’s beliefs, culture, religion, sexual orientation, etc. which is what SB18 leaves the door open for.

It is the state’s role to allocate budgeted funding toward education and outreach programs that foster good parenting. Instead, SB18 writes a blank check to special interests groups with financial interests in establishing new policy. Legislation and funding support should improve the systems already in place.

But the real reason for SB18 is not children’s rights. It is a complete overhaul of the tax code in disguise, including, but not limited to Prop 13, sales, state and online taxation reform. Tax reform should not be cloaked in our children’s future.

Real leadership is PARTNERING with parents to continually make children a priority and invest in our youth. It is NOT legislating away their rights and choices to the highest bidder or tax reform lobbyist.

SB 18 is an **Unfunded, Unattainable, Utopian Universe, Usurping RIGHTS!**

Please VOTE NO ON SB18 and do not become a co-author.

Your diverse, vibrant, and unique constituency is counting on you to recognize that “one size fits all” rarely fits anyone, and that SB18 will do more harm than good for the children of California.
SB18 (Pan): The Bill of Rights for Children and Youth in California IS:

**UNNECESSARY** - Over 500 welfare and institutions, health and safety, education, public health, penal and family codes already exist, that currently address all aspects of SB18’s so-called rights.

**UNCONSTITUTIONAL** – Removes fundamental parental decision making. According to the US Supreme Court (Troxel v. Granville), the parent-child relationship is a fundamental covenant and the parents’ role to provide children with shelter, sustenance, protection, love, medical treatment, direct educational selection, and to cultivate a successful societal experience - not the state.

**THREATENS DIVERSITY** – Creates a one size fits all state mandated plan for all California youth. California is built on the diversity of its people and a child’s upbringing, culture, and parents are the greatest influencers of that diversity. Low income families who are LGBTQIA+, religious, immigrant, special needs, or unique in any way will have to conform to SB18’s best practices and become an institutional society.

**INTRUSIVE & OVERREACHING** - SB18 Interferes in the parent-child relationship. It is not the role of teachers, doctors, the state, or the federal government to intervene in the parent child relationship unless absolutely necessary. It is the role of teachers and the state to encourage, educate, facilitate and support parents in their parenting by providing access to excellent educational options, providing parental education programs, and making access to adequate housing, food, and medicine easily available to families with young children when they have difficulty providing it themselves. Rather than creating an environment that educates and supports healthy choices, SB18 threatens freedom in the realms of education, health, and home.

**A WASTE OF CALIFORNIA’S MONEY** - Research into what allows a child to succeed to their highest ability has already been done. Just one example: “A broad, demographically-based look at the landscape of American families,” conducted by the Pew Research Center, “reveals stark parenting divides linked less to philosophies or values, and more to economic circumstances and changing family structure.” http://www.pewsocialtrends.org/2015/12/17/parenting-in-america/

**UNFUNDED AND DEMANDING OF A TAX CODE OVERHAUL** – The real cost of SB18 will be over $25 Billion and the real agenda of SB18 is not our children’s rights but tax reform, including third rail Prop 13, sales tax, income tax, online/grey market taxation.

For our children to succeed, we ask you to focus on issues that will immediately change the lives of CA children and give low income families the support they deserve without having to wait:

- **RAISE PARENTS OUT OF POVERTY** - 22% of CA children live in poverty, the highest in the US. http://tinyurl.com/CAChildPoverty
- **IMPROVE QUALITY OF K-12 PUBLIC SCHOOLS** - CA is 42nd in per pupil spending. http://tinyurl.com/42perPupilSpending
- **ADDRESS THE “TEACHER SHORTAGE”** - California needs 100,000 new teachers in the next 10 years. http://tinyurl.com/CATeacherShortage
- **ADDRESS EARLY CHILDHOOD/DAYCARE WORKER ATTRITION** - Turnover among child care workers is 30% due to low wages and high turnover. http://tinyurl.com/ECWorkerShortage
- **OFFER EASY TO ACCESS AND USE EARLY CHILDHOOD ASSISTANCE CREDIT** – CA ranks 6th least affordable state for infant and toddler child care. http://tinyurl.com/CACheckcareUnaffordable
Editorial  A lofty - and troubling - proposed bill of rights for California kids

By The Times Editorial Board

FEBRUARY 7, 2017, 5:00 AM

Sen. Richard Pan (D-Sacramento) hasn’t submitted the official text yet of his proposed California Children’s Bill of Rights, but already the protests have begun. Largely, they come from anti-vaccine parents who vehemently opposed Pan’s SB 277, the law passed in 2015 that requires almost all children who attend school to get their routine childhood vaccinations.

Many of these parents tried to have Pan recalled after the bill passed; sad to say, they refuse to recognize that resisting vaccinations threatens the health of other Californians. They were already primed for protest when his new bill, outlining a series of rights to which all children would be entitled, came along.

In the current, preliminary wording of the bill, SB 18, these parents see a new threat: that the state will start making a slew of additional judgments about parenting decisions.

It seems pretty obvious that this isn’t remotely the intent of SB 18. Just to start, the state doesn’t have enough resources to properly look after all the truly abused and neglected children within its borders; the last thing it needs or wants is to start family visitation on thousands more.

Still, in the vague yet overly ambitious language of the bill so far, it’s possible to see the points of contention. It declares that children have a right to parents who act in their best interests. It calls for other rights that reflect “research-based essential needs.” Children also would have the right to attain “optimal cognitive, physical and social development.”
What if parents don’t want their children in preschool but the state determines that preschool is best for 3-year-olds?

The point, Pan says, is to lay out a broad framework for what the state plans to do for children. But who decides what constitutes acting in a child’s best interests? What if parents don’t want their children in preschool but the state determines that preschool is best for 3-year-olds? Then there’s the question of how many parents can actually provide “optimal” development for their children. Most parents do their best, but optimal? It’s disturbing to contemplate what that could mean and who gets to decide it.

The first people who quail at the language, though, should be state officials, especially the ones holding the purse strings. If California is going to pass laws conferring broad and almost unattainable rights for children, it could expose itself to enormous lawsuits. Cities could claim that lack of state funding for full and free universal childcare, preschool and wraparound daycare violates children’s rights under the law. Parks advocates could sue over lack of adequate green space in densely populated urban areas, because children miss out on optimal physical exercise. Your kid has an OK but less than fabulous teacher one year? That’s less than optimal, too. And so on down the road.

Pan says the wording is meant to be “aspirational,” and that’s a worthy goal. We should have big visions for California’s children, who are not doing so well right now. More than a fourth of them live in poverty — the highest rate in the nation. And it’s wise for legislators to think in terms of an overall goal with a plan for getting there, rather than using a scattershot approach.

Then, of course, there’s the state budget, a thing of very real limits. In fact, there’s a possible deficit in the coming fiscal year, Gov. Jerry Brown warns us. And before the state starts extending broad rights and pledging resources to one population, it needs to consider other vulnerable groups such as the homeless, elderly or mentally ill. Any of these groups may have as legitimate a claim on the state budget as children seeking preschool or recreational opportunities.

Supporters of the bill tend to dismiss opponents as a pack of embittered anti-vaxxers, while saying the current version is more of a vision for the bill than a final text. Perhaps the lesson is that words, however preliminary, matter. These words signal potential trouble both to individual-rights advocates and to people concerned about the realities of budgets that must meet the needs of many, not just those who get a legislator to agree to carry an aspirational bill for them.

Lawmakers should take a long-term, systematic approach to improving the situation for its children, and setting clear goals is part of that. What they shouldn’t do is confer broad, vague “rights” on a single demographic that could ultimately hurt the state’s financial situation and its residents.

Pan has a chance to redo this the right way, to heed the valid concerns being raised and craft a bill that is lofty in its vision but has its feet on the ground.
THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

(a) The Legislature finds and declares that all children and youth have the inalienable right to live in a just, safe, and supportive society; and therefore all children and youth residing in California, regardless of gender, class, race, ethnicity, national origin, culture, religion, immigration status, sexual orientation, or ability, who are under the age of 21 are entitled to the following:

(1) The right to develop a healthy attachment to a parent, legal guardian, or caregiver, and the right to an ongoing relationship with a caring and supportive adult, including:

a. the right of a child’s expectant mother to access appropriate pre-natal care, supports and parental training; and,
b. the right for a child’s parents to voluntarily access parental training and assistance, that begins during pregnancy and continues after the child’s birth; and,
c. the right for a child’s parents, including pregnant women or parents of children birth to age 5, and child victims of crimes, to access evidence-based, voluntary home visitation programs, such as comprehensive, coordinated in-home services that are offered to support positive parenting, and to improve outcomes for families including: improved maternal and child health, prevention of child injuries, child abuse and maltreatment, and reduction of emergency department visits, improvement in school readiness and achievement, reduction in crime or domestic violence, improvements in family economic self-sufficiency, and improvements in the coordination and referrals for other community resources and supports.
d. the right of a child’s parents to be paid a living wage and fair pay for fair work; and,
e. the right for a child’s parents to obtain employment opportunities that promote a healthy balance between work and life; and,
f. the right of child’s parents to take paid time off from employment to bond with, and care for, a newborn or adopted child; and,
g. the right of a child’s parents to access a reliable work schedule that allows for them to care for, or plan for the care of, the child; and,
h. the right for a child’s parents to access paid time off from employment when necessary to care for a child who is sick, ailing or when it is otherwise in the best interest of the child, including to support school-based activities; and,
i. the right to remain with a parent, legal guardian, or caregiver, except when authorities determine separation is in the best interest of the child;
j. the right to be reunited with a parent, legal guardian, or caregiver should separation occur, with priority given to keeping children with their family or with kin in a home setting, whenever it remains in the child’s best interest to do so; and,
k. the right to maintain direct contact with parents on a regular basis when a child is separated from a parent, including cases in which a parent is incarcerated or detained, whenever it remains in the child’s best interest to do so; and,
l. the right to the care and protection of the State in which the child resides if there is no parent, legal guardian, or other caregiver willing and able to assume responsibility for the care and well-being of the child, who will then adopt the responsibility for upholding the rights defined within the Bill of Rights for Children and Youth; and,

(2) The right to live in a safe and healthy environment, including:
   a. the right to live in an environmentally and physically safe and stable home; and,
   b. the right to access environmentally and physically safe, and smoke-free learning environments, including early childhood, K-12 and higher education institutions; and,
   c. the right to access to affordable, nutritious meals daily, including free or reduced cost breakfast and lunch for children and youth living in poverty; and,
   d. the right to live in neighborhoods and communities that are free of toxic substances and pollutants; and,
   e. the right to live in neighborhoods and communities that are physically safe, and well supported by highly-trained and supported law enforcement, first responders, and firefighters; and,
   f. the right to access safe and affordable modes of transportation; and,

(3) The right to social and emotional well-being, including:
   a. the right to be free from all forms of physical, psychological or sexual abuse, neglect, and exploitation in person, online, or via other technological means;
   b. the right to be free from bullying in person, online, or via other technological means; and,
   c. the right to privacy regarding personally identifiable information, excluding information that is lawfully made available to the general public from federal, state, or local government records;
   d. the right to schools, communities, and neighborhoods that are well-informed about the evidence-based consequences of toxic stress and the impact of stress on brain development; and,
   e. the right to have the child’s best interest taken into consideration with regards to decisions that affect the child; and,
f. the right to have parents, elected officials, and other adults consider the
effect that decision-making will have on a child’s care and community; and,

(4) The right to access opportunities that support cognitive, physical, and social
development, including:

a. the right to access high-quality, affordable infant and toddler care that
supports early brain and socio-emotional development, and is
available to a child’s parents in the community on the times and days
of the week necessary to support continued employment in living
wage jobs, if a parent wishes to enroll their child.

b. The right to access high-quality, affordable, inclusive, accessible
preschool or transitional kindergarten the year before a child enters
kindergarten, if a parent wishes to enroll their child.

c. the right to access safe, supportive and supervised before, after and
summer school programs that support the development of reading,
writing and critical thinking skills, provide healthy meals and snacks,
and help children take advantage of their full potential as they
navigate school, peers and their surroundings; and,

d. the right to access sports, the arts, and other extracurricular activities
that support the child’s healthy social, emotional, and physical
development; and,

e. the right to age-appropriate, non-structured play, including but not
limited to part of child care, preschool, transitional kindergarten, and
elementary school programming; and,

f. the right to a voice in matters that affect the child and the right to
participation in age-appropriate forums, including representation on
youth councils and other decision-making bodies; and,

g. the right to have appropriate legal representation and a child advocate
in legal proceedings to represent the interest of the child; and,

h. the right to rehabilitative services and a periodic review if detained or
incarcerated as a juvenile; and,

i. The right to voluntarily access effective adolescent substance abuse
treatment programs, including: screening and comprehensive
assessments to ensure understanding of the full range of issues a child
and the child’s family may need help with; comprehensive services to
address a child’s substance abuse as well as any medical, mental
health, familial, or education problems the child may need help with;
family involvement in treatment with the goal of increasing the
success of treatment through parental engagement and support;
services and therapies appropriate for children and youth to address
their different needs and capabilities; strategies or interventions to
engage and keep children and youth in treatment to support parents
and to help teenagers recognize the value of getting help for their
substance abuse problem; and access to qualified staff who have knowledge of and experience working with children and youth with substance abuse problems, and their families; and,

(5) The right to access appropriate, quality education and life skills leading to self-sufficiency in adulthood from grades pre-K through 14, including:
   a. the right to access a well-rounded, high-quality, and culturally competent education that prepares children and youth to be successful in life, college, and/or career leading to a living wage; and,
   b. the right to access the educational services and supports necessary to support and accommodate the child’s individual abilities and needs in the most inclusive environment possible, regardless of a students’ level of need or ability; and,
   c. the right to access an education that is sufficiently funded to provide the child with the tools and technology necessary for a successful learning experience, including access to broadband in the classroom setting as well as at home; and,
   d. the right to access an education that is sufficiently funded to provide the child high-quality, well-supported teachers, counselors, and trained medical staff to support educational, physical, mental, and behavioral health needs so that all children can learn; and,
   e. the right to access appropriate education and training regarding safe media and technology use, with the goal of establishing digital citizenship and media literacy as part of the state’s basic education goals and essential academic learning requirements for students in the 21st century; and,
   f. The right to access alternative educational programs, including the right to attend independent study classes, or participate in non-classroom-based programs, including home-based schooling consistent with the provisions of California Education Code sections 48222 and 48224; and,
   g. the right to access training in life skills that will prepare the child to live independently, be self-sufficient, and contribute to the child’s community; and

(6) The right to respect, fair treatment, and safety, and knowledge about their own rights, responsibilities, and protections in the workplace, including:
   a. The right to know about workplace rights, responsibilities and protections by the time they enter the workforce. This should include information about their wages as well as minimum wages; hours of work including requirements about breaks; health and safety rights; the right to workers’ compensation if injured on the job; and anti-discrimination laws; and,
   b. The right to safe and healthy early work experiences for young workers, including access to youth employment programs, summer jobs, and
internships, and well-supported employers who provide youth appropriate training, supervision, and meet all labor standards; and,
c. The right to a safe and healthy working environment, including training about all the hazards on the job, proper safety equipment to work safely, the ability to report hazards and injuries without fear of retaliation, and the ability to refuse dangerous work when proper safety precautions are not met; and,
d. The right to fair treatment, pay, and respect on the job including the right to work free from harassment, exploitation, and discrimination, regardless of religion, race, nationality, immigration status, gender, gender expression, sexual orientation, or disabilities; and,
e. The right to fair wages, and fair and predictable scheduling and breaks.
f. The right to workers’ compensation if a child or youth is hurt on the job, including medical care for the injury, and other benefits if the injury results in a permanent disability; and,
g. The right to join or help organize a union without fear of retaliation; and,
h. The right to special protections from hazardous work for workers under 18; and,

(7) The right to access appropriate, quality health care, including:

a. The right to access appropriate screening services, including:
   a. Screening services necessary to identify any potential medical problems early which are provided at intervals which meet reasonable standards of medical and dental practice, as determined by the State after consultation with recognized medical and dental organizations involved in child health care and, at such other intervals, indicated as medically necessary, to determine the existence of certain physical or mental illnesses or conditions; and, which shall at a minimum include a comprehensive health and developmental history (including assessment of both physical and mental health development); a comprehensive physical exam; laboratory tests (including lead blood level assessment appropriate for age and risk factors); and health education (including anticipatory guidance).
   b. The right to access appropriate vision services which are provided at intervals which meet reasonable standards of medical practice, as determined by the State after consultation with recognized medical organizations involved in child health care, and at such other intervals, indicated as medically necessary, to determine the existence of a suspected illness or condition; and which shall at a minimum include diagnosis and treatment for defects in vision, including eyeglasses.
c. The right to access comprehensive dental care from highly-trained providers on a preventative, ongoing, and emergency basis, including services which are provided at intervals which meet reasonable standards of dental practice, as determined by the State after consultation with recognized dental organizations involved in child health care, and, at such other intervals, indicated as medically necessary, to determine the existence of a suspected illness or condition; and which shall at a minimum include relief of pain and infections, restoration of teeth, and maintenance of dental health.

d. The right to access hearing services which are provided at intervals which meet reasonable standards of medical practice, as determined by the State after consultation with recognized medical organizations involved in child health care, and at such other intervals, indicated as medically necessary, to determine the existence of a suspected illness or condition; and which shall at a minimum include diagnosis and treatment for defects in hearing, including hearing aids.

e. The right to access behavioral, developmental, and mental health screenings, including screenings for Adverse Childhood Experience (ACE), which are provided at intervals which meet reasonable standards of medical practice, as determined by the State after consultation with medical organizations involved in child health care, and at such other intervals, indicated as medically necessary.

f. The right to access such other necessary health care, diagnostic services, treatment, and other measures including medical or remedial services (provided in a facility, a home, or other setting) recommended by a physician or other licensed practitioner of the healing arts within the scope of their practice under State law, for the maximum reduction of physical or mental disability, to correct or ameliorate defects and physical and mental illnesses and conditions discovered by the screening services described in this section to support an individual in achieving his or her best possible functional level.

g. The right to access the aforementioned screenings and services, as defined, in a public preschool, or K-12 school setting, with the consent of a parent or guardian, to the extent that the child’s local education agency employs or contracts with a physician or other licensed practitioner of the healing arts within the scope of their practice under State law to provide such screenings and services. A local education agency who elects to provide the screenings and services defined in this section is eligible to receive reimbursements for the cost of
providing the screenings and services defined in this section to the extent that such services are not already currently reimbursable under state or federal Medicaid law, at a rate to be determined by the State after consultation with recognized medical and educational organizations.

h. The Department of Health Care Services, no later than January 1, 2020, and every 12 months thereafter, develop and set annual participation goals for participation of children and youth covered under this section for early and periodic screening, diagnostic, and treatment services; and shall report to the legislature annually on the county-level rate of participation of children and youth in screening, diagnostic, and treatment services as defined.

b. The right to access comprehensive medical care from highly-trained providers on a preventative, ongoing, and emergency basis; and,

c. The right to access and receive affordable health insurance coverage for preventative, ongoing, and emergency care related to the provision of physical, medical, behavioral, mental and dental health care; and,

(b) It is the intent of the Legislature in enacting this act to expand the Bill of Rights for Children and Youth of California created by Assembly Concurrent Resolution No. 80 (Res. Ch. 101, Stats. 2009), to establish a comprehensive framework relating to the health, safety, well-being, early childhood and educational opportunities, and familial supports necessary for all children to succeed.

(c) Nothing in this section shall be interpreted to supplant any federal program or service.

(d) Nothing in this section shall be interpreted to limit a parent’s rights under state or federal law.

SEC. 2.

Whereas California has the sixth largest economy in the world, and leads the country in innovation and diversity; yet California’s children rank 47th in terms of their economic well-being; and,

Whereas accessible child care, early learning, quality educational and job training opportunities, comprehensive health care, and well-supported families are necessary to ensure the productive potential of all Californians and to ensure every child has the opportunity to; yet there has been no comprehensive effort to ensure California’s children and youth have access to such necessities and opportunities; and,
Whereas California’s tax structure was designed during the Great Depression and is outdated, unfair, and unreliable, with newer economic sectors escaping tax obligations; and,

Whereas according to the Legislative Analyst’s Office (LAO), the total value of taxable sales has grown more slowly than the economy, necessitating higher sales tax rates to generate comparable revenue; and,

Whereas the increasing volatility of the state’s economy, and the stock market, has translated into greater unpredictability of state tax revenue, presenting challenges for budget forecasts; and,

Whereas, according to the California State Library, the Legislature considered 4,600 tax proposals in the past two decades, the vast majority of which were directed at a single tax or group of taxpayers rather than to achieve comprehensive reform, demonstrating that fiscal necessity, rather than overarching policy considerations, have prompted most recent major tax changes; and,

Whereas it is necessary to increase revenue predictability and to ensure sufficiency of revenues adequate to meet the needs of California’s children and youth; therefore be it,

Resolved by the Senate of the State of California, the Assembly thereof concurring,

That a joint committee composed of nine Members of the Senate to be appointed by Senate President Pro Tempore and nine Members of the Assembly, to be appointed by the Speaker of the Assembly, that is representative of the diversity of California’s legislative districts be established; and be it further

Resolved, That the joint committee develop “California’s Promise to its Children and Youth,” a blueprint for the care and welfare of children and youth in various contexts, including, but not limited to health care, nutrition, homeless assistance, education, and foster care, and to serve as an example to other states by raising the standard of living for California’s children; and be it further

Resolved, That the joint committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members; and be it further

Resolved, That the Senate Committee on Rules may make money available from the Senate Operating Fund, as it deems necessary, for the expenses of the joint committee and its members. Any expenditure of money shall be made in compliance with policies set forth by the Senate Committee on Rules and shall be subject to the approval of the Senate
Committee on Rules; and be it further

Resolved, That the joint committee shall, within 15 days of authorization and consistent with the normal annual appropriation process for funding legislative committees, present its initial budget to the Senate Committee on Rules for its review, comment, and approval; and be it further

Resolved, That the joint committee shall by November 30, 2020, in consultation with medical organizations involved in child health care, educational organizations and institutions, organizations in child development and welfare, and applicable State agencies and commissions, develop a plan to implement the framework by January 1, 2024; and be it further

Resolved, That the joint committee shall by November 30, 2020, in consultation with experts and organizations in tax reform, academia, research institutes, business, labor, local government, the Franchise Tax Board, The Board of Equalization, and applicable State agencies and commissions, shall identify and propose comprehensive tax reform solutions that increase revenue predictability and ensure sufficiency of revenues adequate to support the implementation of California’s Promise to its Children and Youth for presentation to the State Legislature and, if necessary, to the voters of California; and be it further

Resolved, That the joint committee is authorized to act until November 30, 2024, at which time the committee’s existence shall terminate; and be it further

Resolved, That the joint committee shall submit a report at the end of each legislative session to the Legislature on its activities.