

Meeting Date: Thursday, March 26, 2020

Time: 9:31 AM – 10:09 AM

Location: Conference Call

**MINUTES**

2019/2020 County Clerk Legislative Committee Members

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| --- | --- | --- | --- |
| Candace Grubbs, Butte | X | Joani Finwall/Melissa Garcia, San Bernardino | T/T |
| Elizabeth Gutierrez, Contra Costa | T | Val Wood, San Diego | T |
| Brandon Hill, Fresno | T | Teresa Williamson, San Joaquin | X |
| Chuck Storey/Victoria Wong, Imperial | X/X | Joe Holland/Danielle Rifilato/Melinda Greene, Santa Barbara | X/X/X |
| Kammi Foote, Inyo | X | Gina Alcomendras/Louis Chiaramonte/Belinda Gamutan, Santa Clara | X/X/X |
| Portia Sanders/Monique Blakely/Jaime Pailma, Los Angeles | T/T/T | Deva Proto/Carrie Anderson/Amanda King, Sonoma | T/X/T |
| Erik Karhu, Riverside | T | David Valenzuela/Sheila Jetton, Ventura | X/T |
| Donna Allred/Andrew Graham, Sacramento | T/T |  |  |

(**T** – Teleconference; **X** – Not on call)

1. **Call to Order**

Meeting started at 9:31 AM

1. **Roll call**
2. **Also attending:**

|  |  |
| --- | --- |
| ***Attendee*** | ***County*** |
| Lisset Barajas/Jaime Parangan | Contra Costa |
| Lisa Anderson/Peter Aldana | Riverside |
| Lorelay Faussier/Daniel Sanchez | San Bernardino |
| Nicole Barber/Luis Pedraza | San Diego |
| Diane Rae | San Francisco |

1. **Approval of February 2020 Minutes**

Motion to approve: Monique Blakely, Los Angeles Second: Joani Finwall, San Bernardino. Minutes were approved.

1. **Legislative Advocate Update – Matt Siverling**

Legislature has completely shut down, with the exception of essential staff dealing only with State budget matters related to COVID-19. Since there are bills not related to COVID-19 still in motion, Matt’s recommendation is to proceed as if everything is as normal. Legislature announced that they will reconvene April 13. April 24 is the deadline to get any bill out of the House of Origin. It seems unlikely that Legislature will return April 13. The State budget must be passed before June 30, otherwise members of the Legislature will not be paid until it completed. Deadlines for filing income tax moved back to July 15. There is a proposal to move the April 10 property taxes due date without penalty and without interest to presumably a date in July.

**AB 3365 Duplicate Confidential Marriage License**

Issuance of a duplicate confidential marriage license within a year from the date of the marriage, not of the issuance. This bill would bring the confidential marriage license into congruity of the public marriage license. Committee language has been included in the bill. Matt will continue to watch this bill.

**AB 1912 Fictitious Business Names**

This bill would require a person who regularly conducts business in the state for profit under a fictitious name to file a fictitious business name statement with either the clerk of the county in which its principal place of business is located or the clerk of the County of Sacramento, as specified, no more than 40 days from the time the registrant commences to transact business. The FBN would be entered into a searchable database. Matt explained to the author that the name registered for an FBN is usable unless copyrighted.

**AB 2424 Remote Online Notary**

This is the third incarnation of this bill, previously AB 199 and AB 2368. Currently a spot bill. The author of all three bills, Ian Calderon is resigning at the end of this year. Unsure if there will be a continued support for this bill after his resignation.

**SB 741 Change of Gender**

Currently a 2-year bill in the second house. This bill would authorize a person as part of a proceeding on a petition for a judgment recognizing the change of gender, to also seek an order to revise a marriage license and certificate of the petitioner or a birth certificate of the petitioner’s child or children to include the petitioner’s change of gender. The author, Kathleen Galgiani terms out in August, so a new author will have to found if this bill does not go through.

**SB 927 Marriage Licenses: Brochures**

This bill would require the Judicial Council to prepare and annually update a brochure concerning marriage and domestic partnership rights and obligations, including property rights and spousal support obligations. Past versions of this bill were vetoed by the previous governor, Gov. Gerry Davis. Author of bill is in final Senate year.

**Emergency Marriages**

San Diego – All marriage appointments from March 23 to April 28 were cancelled on Friday, March 20. They identified an interim solution that allowed them to issue marriage licenses to couples that had appointments through April 28. The interim solution allows for licenses and ceremonies to be offered out of an outbuilding in the Waterfront Park. Appointments are now being offered to couples that had an appointment which was cancelled due to COVID-19 with the following restriction – at least one of the parties must be San Diego residents or active duty US military personnel. Couples are being asked to send in their applications early so that the applications can be completed by staff prior to the appointments. Couples only receiving their marriage licenses cannot bring any additional people with them and couples having a marriage ceremony are limited to one additional person/witness. If the couple does not comply, their appointment will be cancelled. Challenges include all services must be paid by cash or check. Also, when contacted, couples do not have an option of scheduling their appointment for a specific date, the couples are only being offered appointments for the same day or the following day.

Contra Costa is honoring ceremony appointments made before the order to shelter in place. For the first week, license appointments were being made, but that service has been stopped. There has been discussion regarding having courts adjudicating marriages without licenses. Judges do not have to honor those marriages.

Although there is a constitutional right to be married, Peter Aldana, Riverside believes that other provisions can be made during times like this and does not agree with other counties’ continued service to the public during the pandemic as a best practice. Riverside is being advised to postpone all marriage services

An All County Letter is being drafted by CDPH addressing the expiration, declaration, etc. of marriage licenses.

1. **Bill Review**

Los Angeles

SB 522 – watching

SB 741 – watching

SB 888 – watching

Riverside

AB 2165 – watching

AB 2251 – watching

Sacramento

SB 373 – watching

SB 927 – watching

Ventura

AB 289 – watching

AB 1912 – watching

AB 556 – watching

1. **Legislative Proposals**

Working on a way to issue a marriage license remotely if neither party can appear in person. Once more detail has been established, the group working on the proposal will submit the information to the Committee and Matt.

1. **CRAC - Crossover Legislation**

There is no crossover legislation at this time

1. **For the good of the order**
2. **Adjourned**

Meeting ended at 10:09 AM