

Meeting Date: Thursday, May 28, 2020

Time: 9:31 AM – 10:21 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 | X/X |
| Elizabeth Gutierrez, Contra Costa | T | Val Wood, San Diego | X |
| 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/T/T |
| Kammi Foote, Inyo | X | Gina Alcomendras/Louis Chiaramonte/Belinda Gamutan, Santa Clara | X/T/X |
| Portia Sanders/Monique Blakely/Jaime Pailma, Los Angeles | T/T/T | Deva Proto/Carrie Anderson/Amanda King, Sonoma | X/T/T |
| Erik Karhu, Riverside | T | David Valenzuela/Sheila Jetton, Ventura | X/X |
| 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*** |
| Rosa Padilla | Kern |
| Susan Morris | King |
| Jacqueline Luna | Madera |
| Jodi Olson | Marin |
| Scheereen Dedman | Mono |
| Frederick Garcia/ Susan McCormick/Cherie Wheeler | Placer |
| Lori Aleman/Lisa Anderson/Antoinette Garrett/Alyssa Green | Riverside |
| Nicole Barber/David Gonzalez | San Diego |

1. **Approval of April 2020 Minutes**

Motion to approve after corrections: Monique Blakely, Los Angeles, Second: Carrie Anderson, Sonoma. Minutes were approved.

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

Due to COVID-19, Legislation has shifted to a remote video conference/meeting.

The Assembly returned a little over one week before the Senate. This complicates the system which the houses work together in getting legislation passed. The Assembly is planning to adjourn for Summer recess immediately after the State budget passes from approximately June 18 through mid to late July. The Senate will adjourn after July 4 and will be the only house in session while the Assembly is in recess. Both houses are currently scheduled to reconvene at the same time, which would be optimal in getting outstanding bills passed.

There are just over two weeks remaining for the Legislature to pass the State budget before it is sent to Gov. Newsom. He will then have two weeks in which to sign or make line-item vetoes. The governor issued the January budget, then issued a May revision. The Assembly and Senate are presently working to get it balanced and approved.

**AB 3365 Family Law**

This bill provides for a “confidential marriage,” whereby two unmarried people, not minors, who have been living together as spouses, may be married. This bill would require the County Clerk to issue a duplicate confidential marriage license within one year after the date of the marriage and require the person solemnizing the marriage to return the license to the Clerk within one year of the date of the marriage. The bill is moving and has passed the Assembly Judiciary Committee on consent. Next, it will be heard Assembly Appropriations next week.

**AB 1912 Fictitious Business Names**

This bill requires 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, not later than 40 days from the time the registrant commences to transact business.

The measure would require the Secretary of State to maintain a ***searchable*** index on its internet website that meets the requirements of existing law with respect to those indices maintained by county clerks and would require a county clerk to ***timely*** provide to the Secretary of State a copy of a statement filed with the county clerk as described above, thereby imposing a state-mandated local program. This bill has been tabled for this year.

**AB 2424 Notaries Public: Disclosures**

The proposal would require a notary public that is not licensed as an attorney to disclose, prior to providing services as a notary public to any person that requests those services, that the notary public is not authorized to practice law, as defined, in the state, and of all services the notary public offers, the fee for each service, and any other applicable fees. The bill has been tabled for the year.

**SB 741 Change of Gender**

The 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 bill would authorize a spouse of the petitioner to object to a revision of the marriage license and certificate by filing a written objection and appearing at the hearing on the petition. The measure is technically still active and will be until the second house policy deadline in the Assembly which is in late July. Matt will contact author to inquire her intent with moving forward.

**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 to be available to couples at the time of application for a marriage license. This bill has been tabled for the year.

1. **Bill Review**

There has been very little movement due to the effects of COVID-19.

1. **Legislative Proposals**

In order to extend the Executive Order regarding video marriages that expires June 29, the Stay at Home Order would have to be extended as well. Only the Governor has the ability and power to extend the Executive Order. Gina Alcomendras, Santa Clara, would like to see the Committee sponsor a bill proposal that would extend the order past the June 29 date.

The bill would propose to give discretion to County Clerks whether to keep the option for remote marriages available permanently. This would minimize the amount of customers coming into or waiting in offices to make for a safer environment in light of the COVID issue.

With the assistance of the Committee, Matt can work on the proposal but doubts that the draft will be ready before June 29.

Rosa Padilla of Kern asked if there is guidance regarding continuing to issue marriage licenses through the inability to appear process. She was advised to discuss the issue with her County Counsel for their opinion.

Melinda Greene, Santa Barbara asked if the Governor lifts Stay at Home Order prior to the expiration of the Executive Order, can counties still honor video marriage appointments up until June 29. Matt will call for clarification. Contra Costa and Santa Clara counties are currently scheduling video appointments through June 29.

Motion to move forward with drafting emergency legislation to provide the option for counties to continue with remote marriages was approved.

1. **CRAC - Crossover Legislation**

AB 2424 and SB 1322 are being tracked.

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

Matt has not received an answer regarding why marriage license expiration date extension was not included in the Executive Order. He will follow up for an answer.

1. **Adjourned**

Meeting ended at 10:21 AM