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SB-867 Legislative Counsel: workplace conduct services. (2017-2018)

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Date Published: 09/17/2018 09:00 PM

Senate Bill No. 867

CHAPTER 450

An act to add Section 10249 to the Government Code, relating to the Legislative Counsel Bureau, and making an appropriation therefor, to take effect immediately, bill related to the budget.

[Approved by Governor September 17, 2018. Filed with Secretary of State September 17, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

SB 867, Committee on Budget and Fiscal Review. Legislative Counsel: workplace conduct services.

Existing law establishes the Legislative Counsel Bureau and provides that the chief of the bureau is the Legislative Counsel.

This bill would require the Legislative Counsel to establish a unit within the Legislative Counsel Bureau to provide advice and investigation services to the Legislature related to workplace misconduct. The bill would require the unit to accept and investigate reports and complaints of workplace misconduct, as authorized by the Legislature. The bill would require the Legislative Counsel to employ a director of the unit, one or more investigators, and additional staff as appropriate, and would require, notwithstanding existing law, the Legislative Counsel to be granted career executive assignments, at his or her request, to fill the positions of director and investigator. The bill would require the Legislative Counsel to retain by contract a rotating panel of experts to review investigations and make recommendations to the Legislature regarding the matters under investigation.

The bill would appropriate \$1,506,000 to the Legislative Counsel Bureau for costs associated with implementation of the bill.

This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

Vote: majority Appropriation: yes Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature hereby finds and declares all of the following:

(a) After extensive public hearings, the Subcommittee on Sexual Harassment Prevention and Response of the Joint Rules Committee has identified as the primary goal in the Legislature's reform efforts in response to the "Me Too" movement the transformation of the Legislature's workplace culture to promote respect, civility, and diversity.

(b) A broad set of actions is needed to accomplish this goal.

(c) Establishing a unit in the Legislative Counsel Bureau to investigate workplace misconduct will assist these efforts by providing legislative employees and others with a single, unified structure for the reporting and investigation of workplace misconduct. Requiring the Legislative Counsel to retain by contract a panel of experts will provide assurances to the legislative community that decisions regarding workplace misconduct are informed by expert advice.

SEC. 2. Section 10249 is added to the Government Code, to read:

10249. (a) (1) The Legislative Counsel shall establish a unit within the Legislative Counsel Bureau to provide advice and investigation services to the Legislature related to workplace misconduct.

(2) The unit shall accept and investigate reports and complaints of workplace misconduct, as authorized by the Legislature.

(3) The Legislative Counsel shall employ a director of the unit, one or more investigators, and additional staff as appropriate. Notwithstanding Section 19889, but consistent with the merit principles of subdivision (b) of Section 1 of Article VII of the California Constitution, the Legislative Counsel shall be granted career executive assignments, at his or her request, to fill the positions of director and investigator.

(b) The Legislative Counsel shall retain by contract a rotating panel of experts to review investigations undertaken by the unit and make recommendations to the Legislature regarding matters under investigation.

SEC. 3. The sum of one million five hundred and six thousand dollars (\$1,506,000) is appropriated to the Legislative Counsel Bureau for costs associated with implementation of Section 10249 of the Government Code.

SEC. 4. This act is a bill providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution, has been identified as related to the budget in the Budget Bill, and shall take effect immediately.