

AMENDED IN SENATE APRIL 3, 2017

SENATE BILL

No. 18

Introduced by Senator Pan

December 5, 2016

An act to add and repeal Chapter 12.88 (commencing with Section 18987.80) of Part 6 of Division 9 of the Welfare and Institutions Code, relating to children and youth.

LEGISLATIVE COUNSEL'S DIGEST

SB 18, as amended, Pan. Bill of Rights for *the* Children and Youth ~~in California. of California: joint legislative committee.~~

Existing law provides for the care and welfare of children and youth in various contexts, including, but not limited to, child welfare services, foster care, health care, nutrition, homeless assistance, and education.

Assembly Concurrent Resolution No. 80 (Res. Ch. 101, Stats. 2009) declares the Legislature's support of a Bill of Rights for the Children and Youth of California that resolves to invest in all children and youth in order to achieve specified goals to create an optimal environment for their healthy development.

~~This bill would declare the intent of the Legislature to expand and codify the Bill of Rights for Children and Youth of California to establish a comprehensive framework that governs the rights of all children and youth in California, outlines the research-based essential needs of California's children, and establishes standards relating to the health, safety, well-being, early childhood and educational opportunities, and familial supports necessary for all children to succeed. The bill would declare the intent of the Legislature, by January 1, 2022, to enact legislation for the purpose of ensuring that the Bill of Rights for Children~~

~~and Youth of California, in its totality, is applied evenly, equitably, and appropriately to all children and youth across the state.~~

Assembly Concurrent Resolution 80 of the 2009–10 Regular Session states the Legislature’s support for a Bill of Rights for the Children and Youth of California that resolves to invest in all children and youth in order to achieve specified goals, including having safe and healthy environments.

This bill would make legislative findings and declarations relating to the needs and well-being of children and youth in California. The bill would create, until November 30, 2024, the Joint Legislative Committee on Children and Youth, with 18 members appointed by the Senate Committee on Rules and the Speaker of the Assembly, as specified. The bill would require the committee to develop “California’s Promise to its Children and Youth,” a framework 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, as specified. The bill would require the committee to consider an unspecified Senate Concurrent Resolution, the Bill of Rights for the Children and Youth of California, if it is enacted and takes effect on or before January 1, 2018, for purposes of developing the framework.

This bill would require the Senate Committee on Rules to make money available from the Senate Operating Fund, as it deems necessary, for the expenses of the committee and its members. The bill would require the committee to report to the Legislature on its activities at the close of each legislative session. The bill would require the committee, by November 30, 2020, to develop a plan to implement the framework by January 1, 2024, and to identify and propose comprehensive tax reform solutions to increase revenue predictability and ensure sufficiency of revenues adequate to support the implementation of the framework, as specified.

This bill would make the provisions relating to the committee inoperative on November 30, 2024, and would repeal them as of January 1, 2025.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Chapter 12.88 (commencing with Section*
2 *18987.80) is added to Part 6 of Division 9 of the Welfare and*
3 *Institutions Code, to read:*

4
5 *CHAPTER 12.88. COMMITTEE ON CHILDREN AND YOUTH*
6

7 *18987.80. The Legislature finds and declares all of the*
8 *following:*

9 *(a) California has the sixth largest economy in the world and*
10 *leads the country in innovation and diversity, and yet California's*
11 *children rank 47th in terms of their economic well-being.*

12 *(b) Accessible child care, early learning, quality educational*
13 *and job training opportunities, comprehensive health care, and*
14 *well-supported families are necessary to ensure the productive*
15 *potential of all Californians, yet there has been no comprehensive*
16 *effort to ensure that California's children and youth have access*
17 *to those necessities and opportunities.*

18 *(c) California's tax structure was designed during the Great*
19 *Depression and is outdated, unfair, and unreliable, with newer*
20 *economic sectors escaping tax obligations.*

21 *(d) According to the Legislative Analyst's Office, the total value*
22 *of taxable sales has grown more slowly than the economy,*
23 *necessitating higher sales tax rates to generate comparable*
24 *revenue.*

25 *(e) The increasing volatility of the state's economy, and the*
26 *stock market, has translated into greater unpredictability of state*
27 *tax revenue, presenting challenges for budget forecasts.*

28 *(f) According to the California State Library, the Legislature*
29 *considered 4,600 tax proposals in the past two decades, the vast*
30 *majority of which were directed at a single tax or group of*
31 *taxpayers rather than to achieve comprehensive reform,*
32 *demonstrating that fiscal necessity, rather than overarching policy*
33 *considerations, has prompted most recent major tax changes.*

34 *(g) It is necessary to increase revenue predictability and to*
35 *ensure sufficiency of revenues adequate to meet the needs of*
36 *California's children and youth.*

37 *18987.81. (a) The Joint Legislative Committee on Children*
38 *and Youth is hereby created.*

1 (b) The committee shall be composed of a total of 18 members,
2 as follows:

3 (1) Nine Members of the Senate, appointed by the Senate
4 Committee on Rules.

5 (2) Nine Members of the Assembly, appointed by the Speaker
6 of the Assembly.

7 (c) The committee and its members shall have and exercise all
8 of the rights, duties, and powers conferred upon investigating
9 committees and their members by the Joint Rules of the Senate
10 and the Assembly as they are adopted and amended from time to
11 time.

12 (d) The committee is authorized to act only until November 30,
13 2024, and on that date the committee's existence shall terminate.

14 18987.82. (a) The Senate Committee on Rules may make money
15 available from the Senate Operating Fund, as it deems necessary,
16 for the expenses of the committee and its members. Any expenditure
17 of money shall be made in compliance with policies set forth by
18 the Senate Committee on Rules and shall be subject to the approval
19 of the Senate Committee on Rules.

20 (b) The committee, within 15 days of authorization and
21 consistent with the normal annual appropriation process for
22 funding legislative committees, shall present its initial budget to
23 the Senate Committee on Rules for its review, comment, and
24 approval.

25 18987.83. (a) (1) The committee shall develop "California's
26 Promise to its Children and Youth," a framework for the care and
27 welfare of the state's children and youth in various contexts,
28 including, but not limited to, health care, nutrition, homeless
29 assistance, education, and foster care, to serve as an example to
30 other states by raising the standard of living for California's
31 children and youth.

32 (2) The committee shall consider Senate Concurrent Resolution
33 No. __, the Bill of Rights for the Children and Youth of California,
34 if it is enacted and takes effect on or before January 1, 2018, for
35 purposes of developing the framework described in paragraph (1).

36 (b) By November 30, 2020, in consultation with medical
37 organizations involved in child health care, educational
38 organizations and institutions, organizations in child development
39 and welfare, and applicable state agencies and commissions, the

1 *committee shall develop a plan to implement the framework by*
2 *January 1, 2024.*

3 *(c) By November 30, 2020, in consultation with experts and*
4 *organizations in tax reform, academia, research institutes,*
5 *business, labor, local government, the Franchise Tax Board, the*
6 *State Board of Equalization, and applicable state agencies and*
7 *commissions, the committee shall identify and propose*
8 *comprehensive tax reform solutions to increase revenue*
9 *predictability and ensure sufficiency of revenues adequate to*
10 *support the implementation of the framework, for presentation to*
11 *the Legislature and, if necessary, to the voters of California.*

12 *(d) At the close of each legislative session, the committee shall*
13 *submit a report to the Legislature of the committee's activities.*

14 *18987.84. This chapter shall become inoperative on November*
15 *30, 2024, and, as of January 1, 2025, is repealed.*

16 ~~SECTION 1. (a) The Legislature finds and declares that all~~
17 ~~children and youth, regardless of gender, class, race, ethnicity,~~
18 ~~national origin, culture, religion, immigration status, sexual~~
19 ~~orientation, or ability, have inherent rights that entitle them to~~
20 ~~protection, special care, and assistance, including, but not limited~~
21 ~~to, the following:~~

22 ~~(1) The right to parents, guardians, or caregivers who act in~~
23 ~~their best interest.~~

24 ~~(2) The right to form healthy attachments with adults responsible~~
25 ~~for their care and well-being.~~

26 ~~(3) The right to live in a safe and healthy environment.~~

27 ~~(4) The right to social and emotional well-being.~~

28 ~~(5) The right to opportunities to attain optimal cognitive,~~
29 ~~physical, and social development.~~

30 ~~(6) The right to appropriate, quality education and life skills~~
31 ~~leading to self-sufficiency in adulthood.~~

32 ~~(7) The right to appropriate, quality health care.~~

33 ~~(b) It is the intent of the Legislature in enacting this act to~~
34 ~~expand and codify the Bill of Rights for Children and Youth of~~
35 ~~California created by Assembly Concurrent Resolution No. 80~~
36 ~~(Res. Ch. 101, Stats. 2009), to establish a comprehensive~~
37 ~~framework that governs the rights of all children and youth in~~
38 ~~California, outlines the research-based essential needs of~~
39 ~~California's children, and establishes standards relating to the~~
40 ~~health, safety, well-being, early childhood and educational~~

1 opportunities, and familial supports necessary for all children to
2 succeed.

3 ~~SEC. 2. It is the intent of the Legislature, by January 1, 2022,~~
4 ~~to enact appropriate legislation to accomplish all of the following:~~

5 ~~(a) Develop and put forth research-based policy solutions that~~
6 ~~will ensure the Bill of Rights for Children and Youth of California,~~
7 ~~in its totality, is applied evenly, equitably, and appropriately to all~~
8 ~~children and youth across the state.~~

9 ~~(b) Determine the amount of revenue and resources necessary~~
10 ~~to ensure that the Bill of Rights for Children and Youth of~~
11 ~~California, in its totality, is applied evenly, equitably, and~~
12 ~~appropriately to all children and youth across the state.~~

13 ~~(c) Identify and obtain the revenue and resources necessary to~~
14 ~~ensure that the Bill of Rights for Children and Youth of California,~~
15 ~~in its totality, is applied evenly, equitably, and appropriately to all~~
16 ~~children and youth across the state.~~