

AMENDED IN SENATE JUNE 17, 2021

AMENDED IN ASSEMBLY MAY 24, 2021

AMENDED IN ASSEMBLY APRIL 13, 2021

AMENDED IN ASSEMBLY MARCH 23, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

**ASSEMBLY BILL**

**No. 775**

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**Introduced by Assembly Member Members Berman and  
Lorena Gonzalez  
(Coauthor: Assembly Member Arambula)**

February 16, 2021

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An act to add ~~Section 66023.5~~ *Section 85701.5* to the ~~Education Code, Government Code~~, relating to ~~public postsecondary education~~.  
*the Political Reform Act of 1974.*

LEGISLATIVE COUNSEL'S DIGEST

AB 775, as amended, Berman. ~~Public postsecondary education: basic needs of students.~~ *Contribution requirements: recurring contributions.*

*The Political Reform Act of 1974 provides for the comprehensive regulation of campaign financing, including contribution limitations and requirements.*

*This bill would require a candidate or committee to obtain affirmative consent from a person making a recurring contribution at the time of the initial contribution. This bill would also require a candidate or committee that accepts a recurring contribution to provide a receipt for each contribution, to provide information necessary to cancel the recurring contribution, and to immediately cancel a recurring contribution upon request.*

*Existing law makes a knowing or willful violation of the Political Reform Act of 1974 a misdemeanor. By creating a new crime, this bill would impose a state-mandated local program.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

*The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a  $\frac{2}{3}$  vote of each house of the Legislature and compliance with specified procedural requirements.*

*This bill would declare that it furthers the purposes of the act.*

~~(1) Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the 3 segments of public postsecondary education in this state. Existing law establishes community college districts throughout the state, and authorizes them to provide instruction to students at community college campuses.~~

~~Existing law requests campuses of the California Community Colleges to give priority for certain student housing to current and former homeless youth, as specified, and requests those campuses to develop a plan to ensure that current and former homeless youth can access housing resources during and between academic terms, including during academic and campus breaks. Existing law defines homeless youth for these purposes.~~

~~This bill would express legislative findings and declarations about the impact of basic needs insecurity on college students.~~

~~This bill would require each campus of the California Community Colleges, no later than July 1, 2022, to establish the position of Basic Needs Coordinator and designate a staff person as the Basic Needs Coordinator. The bill would require a basic needs coordinator to act as a broker in identifying, supporting, and linking students to on- and off-campus housing, food, mental health, and other basic needs services and resources, among other responsibilities. The bill would also require each campus, no later than July 1, 2022, to establish a Basic Needs Center, which would be a central location on campus where basic needs services, resources, and staff would be made available to students, as specified. The bill would require each Basic Needs Center, among other~~

duties, to help students to have the information needed to enroll in CalFresh and other relevant government benefit programs. The bill would require campuses to endeavor, to the extent feasible, to use a portion of any funds made available for basic needs support for providing funds directly to students to address urgent needs, as specified. The bill would make the implementation of these requirements contingent upon an appropriation by the Legislature in the annual Budget Act or another statute for this purpose.

This bill would further require each campus, no later than February 1, 2022, to develop a document to be made available to students online that clearly lists all on- and off-campus basic needs services and resources, as specified. The bill would require each campus to provide the document to students as a part of campus orientations in either electronic format or paper form, and to provide to faculty, and encourage the faculty to include in their syllabi, the online link to the electronic format of the document, the location of the Basic Needs Center once established, and the contact information for the coordinator once designated. The bill would also require each campus, no later than February 1, 2022, to streamline the application and intake process for on-campus basic needs services and resources, to develop and implement a plan to identify and provide outreach to students who have basic needs insecurity, and to develop a student basic needs tab that is clearly visible and easily accessible from a drop-down menu on the home page of the internet website of the campus, as specified.

This bill would require each community college campus to report specified information to the office of the Chancellor of the California Community Colleges, and would require the office to develop and submit to the Governor and the Legislature every 2 years beginning on or before May 1, 2023, a report based on the data and information reported by campuses under the bill.

Because the bill would impose new duties on community college districts, it would constitute a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: ~~majority~~<sup>2/3</sup>. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

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

1     SECTION 1. Section 85701.5 is added to the Government Code,  
2     to read:

3     85701.5. (a) A candidate or committee shall not solicit or  
4     accept a recurring contribution from a person unless the candidate  
5     or committee receives the affirmative consent of the person to make  
6     a recurring contribution at the time of the initial contribution.  
7     Passive action by the contributor, such as failing to uncheck a  
8     pre-checked box authorizing a recurring contribution, does not  
9     meet the requirement of affirmative consent under this section.

10    (b) A candidate or committee that accepts a recurring  
11    contribution described in subdivision (a) shall do all of the  
12    following:

13    (1) Provide a receipt to the contributor that clearly and  
14    conspicuously discloses all terms of the recurring contribution  
15    within three days of receipt of the initial contribution or each  
16    recurring contribution.

17    (2) Provide all necessary information to cancel the recurring  
18    contribution in each communication with the contributor that  
19    concerns the contribution.

20    (3) Immediately cancel a recurring contribution upon request  
21    of the contributor.

22    SEC. 2. No reimbursement is required by this act pursuant to  
23    Section 6 of Article XIII B of the California Constitution because  
24    the only costs that may be incurred by a local agency or school  
25    district will be incurred because this act creates a new crime or  
26    infraction, eliminates a crime or infraction, or changes the penalty  
27    for a crime or infraction, within the meaning of Section 17556 of  
28    the Government Code, or changes the definition of a crime within  
29    the meaning of Section 6 of Article XIII B of the California  
30    Constitution.

31    SEC. 3. The Legislature finds and declares that this bill furthers  
32    the purposes of the Political Reform Act of 1974 within the meaning  
33    of subdivision (a) of Section 81012 of the Government Code.

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**All matter omitted in this version of the bill appears in the bill as amended in the Assembly, May 24, 2021. (JR11)**

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