

AMENDED IN ASSEMBLY JANUARY 9, 2014

AMENDED IN ASSEMBLY JANUARY 6, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 319**

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**Introduced by Assembly Member Campos**

February 12, 2013

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An act to add ~~Section 53121 to Article 10 (commencing with Section 53165) to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to emergency telephone systems~~ *local agencies*.

LEGISLATIVE COUNSEL'S DIGEST

AB 319, as amended, Campos. ~~Emergency telephone systems: Local agencies:~~ domestic violence.

*Existing law specifies the powers and duties common to cities, counties, and other public agencies. Existing law defines domestic violence, sexual assault, stalking, human trafficking, and abuse of an elder or dependent adult.*

*This bill would prohibit a local agency from requiring a landlord to terminate a tenancy or fail to renew a tenancy based upon an act against a tenant or a tenant's household member that constitutes domestic violence, sexual assault, stalking, human trafficking, and abuse of an elder or dependent adult or based upon the number of calls made by a person to the emergency telephone system relating to the tenant or a member of the tenant's household being a victim of an act constituting domestic violence, sexual assault, stalking, human trafficking, and abuse of an elder or dependent adult.*

~~Existing law, the Warren-911-Emergency Assistance Act, requires every local public agency within its respective jurisdiction to establish~~

and have in operation a basic emergency telephone system, as provided, or to be part of such a system.

This bill would prohibit a local or state public agency from imposing a limit or a penalty for a person using an emergency telephone system to report domestic violence, as defined.

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

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

1 SECTION 1. Article 10 (commencing with Section 53165) is  
2 added to Chapter 1 of Part 1 of Division 2 of Title 5 of the  
3 Government Code, to read:

4  
5 Article 10. Prohibition on Requiring Landlords to Terminate  
6 A Tenancy  
7

8 53165. (a) A local agency shall not require a landlord to  
9 terminate a tenancy or fail to renew a tenancy based upon an act  
10 or acts against a tenant or a tenant’s household member that  
11 constitute domestic violence as defined in Section 6211 of the  
12 Family Code, sexual assault as defined in Section 1219 of the Code  
13 of Civil Procedure, stalking as defined in Section 1708.7 or Section  
14 646.9 of the Penal Code, human trafficking as defined in Section  
15 236.1 of the Penal Code, or abuse of an elder or a dependent adult  
16 as defined in Section 15610.07 of the Welfare and Institutions  
17 Code, provided that the requirements of subdivision (a) of Section  
18 1161.3 of the Code of Civil Procedure are met.

19 (b) A local agency shall not require a landlord to terminate a  
20 tenancy or fail to renew a tenancy based upon the number of calls  
21 made by any person to the emergency telephone system relating  
22 to the tenant or a member of the tenant’s household being a victim  
23 of an act or acts that constitute domestic violence as defined in  
24 Section 6211 of the Family Code, sexual assault as defined in  
25 Section 1219 of the Code of Civil Procedure, stalking as defined  
26 in Section 1708.7 or Section 646.9 of the Penal Code, human  
27 trafficking as defined in Section 236.1 of the Penal Code, or abuse  
28 of an elder or a dependent adult as defined in Section 15610.07  
29 of the Welfare and Institutions Code, provided that the

1 *requirements of subdivision (a) of Section 1161.3 of the Code of*  
2 *Civil Procedure are met.*

3 *(c) For the purposes of this section, “tenant” means tenant,*  
4 *subtenant, lessee, or sublessee.*

5 SECTION 1. Section 53121 is added to the Government Code,  
6 to read:

7 53121. ~~(a) A public agency shall not limit the number of calls~~  
8 ~~a person may make to an emergency telephone system for reporting~~  
9 ~~domestic violence. A public agency shall not charge a penalty to~~  
10 ~~a person for making a call to report domestic violence.~~

11 ~~(b) As used in this section, “domestic violence” means domestic~~  
12 ~~violence, as defined in Section 6211 of the Family Code.~~