

AMENDED IN ASSEMBLY JANUARY 4, 2016

AMENDED IN ASSEMBLY APRIL 23, 2015

AMENDED IN ASSEMBLY APRIL 16, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 445**

---

---

**Introduced by Assembly Member Alejo**

February 23, 2015

---

---

An act to amend Section 400 of the Family Code, relating to marriage; add Section 1596.812 to the Health and Safety Code, relating to care facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 445, as amended, Alejo. ~~Marriage.~~ *Child day care facilities: nutrition.*

*Existing law, the California Child Day Care Facilities Act, administered by the State Department of Social Services, provides for the licensure and regulation of child day care facilities. Existing law requires childhood nutrition training for certain licensees to include information about reimbursement rates for the United States Department of Agriculture Child and Adult Care Food Program (CACFP).*

*The bill would further require the department to inform prospective and current child day care providers about CACFP by posting specified information on the department's Internet Web site, and by disseminating information by other means deemed appropriate by the department.*

~~Existing law enumerates persons who are authorized to solemnize a marriage, including any priest, minister, rabbi, or authorized person of any religious denomination.~~

~~This bill would add a tribal court judge who has been authorized by tribal ordinance to solemnize marriages.~~

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

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

1     ~~SECTION 1. Section 1596.812 is added to the Health and~~  
2     ~~Safety Code, to read:~~

3     ~~1596.812. For the purposes of improving nutrition in child day~~  
4     ~~care facilities, as defined in Section 1596.750, and increasing~~  
5     ~~providers' capacity to serve healthy foods, the department shall~~  
6     ~~inform prospective and current providers about the United States~~  
7     ~~Department of Agriculture Child and Adult Care Food Program~~  
8     ~~(CACFP) (Part 226 of Title 7 of the Code of Federal Regulations)~~  
9     ~~by posting information relating to eligibility, enrollment, and~~  
10    ~~reimbursement on the department's Internet Web site, and by~~  
11    ~~disseminating information by other means deemed appropriate by~~  
12    ~~the department. These means may include, but are not limited to,~~  
13    ~~orientation materials, during regular inspections, and through~~  
14    ~~written communications to licensees.~~

15    ~~SECTION 1. Section 400 of the Family Code is amended to~~  
16    ~~read:~~

17    ~~400. Although marriage is a personal relation arising out of a~~  
18    ~~civil, and not a religious, contract, a marriage may be solemnized~~  
19    ~~by any of the following who is 18 years of age or older:~~

20    ~~(a) A priest, minister, rabbi, or authorized person of any religious~~  
21    ~~denomination. A person authorized by this subdivision shall not~~  
22    ~~be required to solemnize a marriage that is contrary to the tenets~~  
23    ~~of his or her faith. Any refusal to solemnize a marriage under this~~  
24    ~~subdivision, either by an individual or by a religious denomination,~~  
25    ~~shall not affect the tax-exempt status of any entity.~~

26    ~~(b) A judge or retired judge, commissioner of civil marriages~~  
27    ~~or retired commissioner of civil marriages, commissioner or retired~~  
28    ~~commissioner, or assistant commissioner of a court of record in~~  
29    ~~this state.~~

30    ~~(c) A judge or magistrate who has resigned from office.~~

31    ~~(d) Any of the following judges or magistrates of the United~~  
32    ~~States:~~

- 1 ~~(1) A justice or retired justice of the United States Supreme~~
- 2 ~~Court.~~
- 3 ~~(2) A judge or retired judge of a court of appeals, a district court,~~
- 4 ~~or a court created by an act of Congress the judges of which are~~
- 5 ~~entitled to hold office during good behavior.~~
- 6 ~~(3) A judge or retired judge of a bankruptcy court or a tax court.~~
- 7 ~~(4) A United States magistrate or retired magistrate.~~
- 8 ~~(e) A legislator or constitutional officer of this state or a Member~~
- 9 ~~of Congress who represents a district within this state, while that~~
- 10 ~~person holds office.~~
- 11 ~~(f) A tribal court judge that has been authorized by tribal~~
- 12 ~~ordinance to solemnize marriages.~~