

CONCURRENCE IN SENATE AMENDMENTS

AB 1031 (Villapudua)

As Amended June 30, 2021

Majority vote

SUMMARY

Requires state agencies to give preference to a qualified applicant who has been a victim of human trafficking when hiring for internships and student assistant positions, and defines "human trafficking" to mean a victim of an offense described in the Penal Code Section 236.1.

Senate Amendments

Make technical and clarifying changes for these purposes.

COMMENTS

1) Background

State agencies generally must hire permanent employees under the civil service process, which includes examinations and the development of job classification lists. Once the applicant qualifies under that process, the state places the individual on a list and the applicant is eligible for that position classification in various state agencies. According to the State Personnel Board, the state establishes a preference in hiring for veterans. Specifically, veterans receive additional points on their examinations. To the extent that internships and student assistant positions do not establish permanent state employment, existing state policy has not subjected these positions to civil servant requirements and as such, individual state agencies are responsible for hiring for these positions.

The state originally adopted a limited hiring preference for internships and student assistant positions for foster youth upon the rationale that foster youth were wards of the state and the state has a specific compelling state interest in transitioning foster youth into adulthood. Recently, the Legislature extended that rationale to homeless youth and formerly incarcerated youth.

2) Please see the policy committee analysis for a full discussion of this bill.

According to the Author

"In 2019, the National Human Trafficking Hotline reported 1,507 cases of human trafficking in California, which made California one of the largest sites of human trafficking in the United States.

The author further states that, "[t]his criminal enterprise continues to grow due to many individuals are being forced into this industry due to poverty or lack of employment opportunities. Survivors of human trafficking need assistance and support when seeking employment. [This bill] will help survivors of human trafficking find employment opportunities by finding safe and permanent employment opportunities.

"Human trafficking is a form of modern slavery and a crime that continues to occur. Many trafficking individuals do not seek help due to fear or do not have the resources and support needed to seek employment opportunities that may change their lives and help them from falling

back into human trafficking. California is one of the largest sites of human trafficking in the United States. In order to help address and put an end to human trafficking, there needs to be assistance for survivors of human trafficking so that they will not fall back into that lifestyle and encourage others to do the same. "Assembly Bill 1031 will require state agencies to give additional preference to survivors of human trafficking when hiring for internships and student assistant programs, a step towards ending human trafficking."

Arguments in Support

The Child Abuse Prevention Council states that, "[a]ccording to the State of California Department of Justice, human trafficking is among the world's fastest growing criminal enterprises, estimated to be a \$150 billion-a-year global industry, with many individuals being forced into this industry due to poverty or lack of employment opportunities. Requiring state agencies to give additional preference to survivors of human trafficking when hiring for internships and student assistance positions, will help survivors of human trafficking from falling back into that lifestyle.

"[This bill] will require state agencies to give additional preference to survivors of human trafficking when hiring for internships and student assistant programs," and "... will help survivors of human trafficking."

Arguments in Opposition

None on file.

FISCAL COMMENTS

This bill was waived by the Senate Appropriations committee pursuant to Senate Rule 28.8.

VOTES:

ASM PUBLIC EMPLOYMENT AND RETIREMENT: 6-0-1

YES: Cooper, Voepel, Calderon, Cervantes, Cooley, Seyarto

ABS, ABST OR NV: O'Donnell

ASM APPROPRIATIONS: 16-0-0

YES: Lorena Gonzalez, Bigelow, Bloom, Calderon, Carrillo, Chau, Megan Dahle, Davies, Fong, Gabriel, Eduardo Garcia, Kalra, Levine, Nazarian, Quirk, Robert Rivas

ASSEMBLY FLOOR: 77-0-1

YES: Aguiar-Curry, Arambula, Bauer-Kahan, Bennett, Berman, Bigelow, Bloom, Boerner Horvath, Burke, Calderon, Carrillo, Cervantes, Chau, Chen, Chiu, Choi, Cooley, Cooper, Cunningham, Megan Dahle, Daly, Davies, Flora, Fong, Frazier, Friedman, Gabriel, Gallagher, Cristina Garcia, Eduardo Garcia, Gipson, Lorena Gonzalez, Gray, Grayson, Holden, Irwin, Jones-Sawyer, Kalra, Kiley, Lackey, Lee, Levine, Low, Maienschein, Mathis, Mayes, McCarty, Medina, Muratsuchi, Nazarian, Nguyen, O'Donnell, Patterson, Petrie-Norris, Quirk, Quirk-Silva, Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Salas, Santiago, Seyarto, Smith, Stone, Ting, Valladares, Villapudua, Voepel, Waldron, Ward, Akilah Weber, Wicks, Wood, Rendon

ABS, ABST OR NV: Mullin

SENATE FLOOR: 36-0-4

YES: Allen, Archuleta, Atkins, Bates, Becker, Borgeas, Bradford, Caballero, Cortese, Dahle, Durazo, Eggman, Glazer, Gonzalez, Grove, Hueso, Hurtado, Jones, Kamlager, Laird, Leyva, Limón, McGuire, Melendez, Min, Nielsen, Ochoa Bogh, Pan, Portantino, Roth, Rubio, Skinner, Stern, Umberg, Wiener, Wilk

ABS, ABST OR NV: Dodd, Hertzberg, Newman, Wieckowski

UPDATED

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