

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

SB 1032 (Reyes)
Version: April 6, 2026
Hearing Date: April 21, 2026
Fiscal: Yes
Urgency: No
ID

SUBJECT

Staffing agencies: registration

DIGEST

This bill requires staffing agencies to annually register with the Labor Commissioner (Commissioner), as specified, requires the Commissioner to post a list of registered staffing agencies on the website of the Department of Industrial Relations (DIR), prohibits a business from using the services of a staffing agency without verifying that it is registered, and provides a cause of action for a registered staffing agency against an unregistered staffing agency or a business that utilizes the services of a staffing agency without verifying its registration, as specified.

EXECUTIVE SUMMARY

Staffing agencies are third-party firms that recruit and employ workers who then work, often on a contract or temporary basis, for a company that engages the staffing agency's services. Staffing agencies are often used by companies to assist in meeting their workforce needs or finding temporary or seasonal labor. Staffing agencies employ an estimated 1,723,800 workers in California a year. Existing state law requires all employers to maintain workers' compensation insurance for their employees. While a variety of industries in which a third party hires workers who work for another company require those third parties to register, there is no universal registration requirement for staffing agencies. SB 1032 proposes to require all staffing agencies to register with the Commissioner by providing an application and proof of a current workers' compensation insurance policy for their workers, among other requirements. It also requires the Commissioner to post a list of registered staffing agencies on DIR's website, prohibits a business from using the services of a staffing agency without verifying that it is registered, and provides a cause of action for a registered staffing agency against an unregistered staffing agency or a business that utilizes the services of a staffing agency without verifying its registration, as specified.

SB 1032 is sponsored by UFCW Western States Council, and is supported by a number of staffing agencies and the Partnership Organization for Workplace Ethics and Reform. It is opposed by the California Chamber of Commerce and a number of staffing agencies. SB 1032 previously passed out of the Senate Labor, Public Employment and Retirement Committee by a vote of 3 to 1.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Establishes, within the Department of Industrial Relations (DIR), various entities including the Division of Labor Standards Enforcement (DLSE) under the direction of the Labor Commissioner (Commissioner) and empowers the Commissioner with ensuring a just day's pay in every workplace and promoting economic justice through robust enforcement of labor laws. (Lab. Code §§ 79 et seq.)
- 2) Provides that no employer may conduct any janitorial business without valid registration and requires all employers to be registered with the Commissioner, submit a written application and pay an annual registration fee, and establishes when the Commissioner should not register or renew the registration of an employer, as specified. (Lab. Code §§ 1420 et seq.)
- 3) Requires the Commissioner to issue a license to any person acting as a farm labor contractor, as specified, and establishes civil penalties for any person who violates these provisions. Prohibits the Commissioner from issuing a license to a person to act as a farm labor contractor, or renewing that license, until specified conditions are met, including a written application, a surety bond, and a license fee, as specified. (Lab. Code §§ 1682 et seq.)
- 4) Requires a talent agency, as specified, to obtain a license from the Labor Commissioner, and requires a written application, an annual license fee, a surety bond, and establishes when the Labor Commissioner may revoke or suspend a license, as specified. (Lab. Code §§ 1700 et seq.)
- 5) Prohibits a person from representing or providing specified services to any artist who is a minor, under 18 years of age, without first submitting an application to the Commissioner for a Child Performer Services Permit, as specified, including a filing fee, in an amount sufficient to reimburse the Commissioner for the costs of the permit program. (Lab. Code §§ 1706 et seq.)
- 6) Requires car wash employers to annually register with the Commissioner, as specified. Prohibits the Commissioner from approving the registration of any employer until specified conditions have been met, including a written application, a registration fee and annual fee, as specified, and a surety bond, and establishes

when the Commissioner may not register or renew the registration of an employer. (Lab. Code §§ 2054 et seq.)

- 7) Prohibits the Commissioner from permitting any person engaged in the business of garment manufacturing to register, or renew registration, unless specified conditions have been met, including a written application, registration and renewal fee, and surety bond, as specified. (Lab. Code §§ 2675 et seq.)
- 8) Requires, on and after July 1, 2016, a person acting as a foreign labor contractor to register with the Commissioner, as specified. Prohibits the Commissioner from registering a person to act as a foreign labor contractor, or renewing a registration, until specified conditions are met, including a written application, a surety bond, and a registration fee, as specified. (Bus. & Prof. Code §§ 9998 et seq.)
- 9) Requires the Director of DIR to issue and serve on an employer that has failed to provide workers' compensation, as specified, a stop order prohibiting the use of employee labor by that employer until that employer is complying with the workers' compensation requirements. Any employee so affected by a work stoppage must be paid by the employer for such time lost, not exceeding 10 days, pending compliance by the employer. Permits an employer to protest the stop order by making and filing with the director a written request for a hearing, as specified. (Lab. Code §3710.1).

This bill:

- 1) Requires the Commissioner to promulgate all regulations and rules necessary to carry out the below-described provisions.
- 2) Requires a staffing agency to register with the Commissioner before conducting any business in the state and to register annually thereafter.
- 3) Prohibits the Commissioner from permitting a staffing agency to register or renew registration until the following are met:
 - a) The staffing agency has submitted an application to the Commissioner for registration or renewal, that contains:
 - i. The names and addresses of all persons, except for bona fide employees on stated salaries, that are financially interested in the agency, as specified;
 - ii. Any open litigation, liens, fines, or taxes past due and disclosure of any current or past violations of the Labor Code;
 - iii. The financial status of the staffing agency; and
 - iv. The business affiliation of the staffing agency;

- b) The staffing agency owner signs the application and certifies under penalty of perjury that the information provided on the application and any supplementary documents or information is true and correct;
 - c) The Commissioner, upon review of the application, is satisfied as to the character, competency, and responsibility of the staffing agency;
 - d) The staffing agency has paid an initial or renewal registration fee to the Commissioner in an amount determined by the Commissioner that is sufficient to defray the costs of administering these provisions;
 - e) The staffing agency has provided the Commissioner with proof that a current workers' compensation insurance policy is in effect for the employees of the staffing agency, and that this policy identifies and names DLSE as a certificate holder; and
 - f) The staffing agency has provided the Commissioner with a surety bond in an amount determined by the Commissioner.
- 4) Specifies that, if the Commissioner finds at any time that a staffing agency does not have a current workers' compensation insurance policy for its employees, the Commissioner must:
 - a) After a hearing, deny, suspend, or revoke the staffing agency's registration; and
 - b) Notify the Director of DIR, who must then issue and serve the staffing agency with a stop order pursuant to Labor Code section 3710.1.
- 5) Requires the Commissioner to post a list of registered staffing agencies on the website of DIR that includes:
 - a) The name, address, registration number, and effective dates of registration for the staffing agency; and
 - b) The carrier for the staffing agency's current workers' compensation insurance policy for its employees.
- 6) Prohibits a business from using the services of a staffing agency without verifying that the staffing agency is registered.
- 7) Permits a registered staffing agency, in addition to other remedies permitted by law, to bring an action in superior court against an unregistered staffing agency or a business that uses the services of a staffing agency without verifying that it is registered.
- 8) Permits a court in such an action to enjoin the defendant from: engaging in any business as a staffing agency without a registration as required; or using the services of a staffing agency without verifying that the staffing agency is registered. Specifies that a registered staffing agency may seek injunctive relief without demonstrating actual harm.

- 9) Specifies that a registered staffing agency that prevails in such an action is entitled both:
- a) Damages, determined by either of the following at the election of the staffing agency: actual damages or statutory damages not to exceed \$75,000; and
 - b) Reasonable attorney's fees and costs.

COMMENTS

1. Author's statement

According to the author:

California's staffing agency system leaves workers and families exposed. Senate Bill (SB) 1032, or the Staffing Agency Fair Employment ACT (SAFE Act), would require mandatory registration, proof of workers' compensation insurance and financial capacity, and transparency for workers and businesses. This bill establishes clear oversight, real accountability, and upfront verification so staffing agencies are complying with the law before harm can occur.

California has the largest temporary staffing market in the nation, with staffing firms generating over \$41 billion in annual revenue and employing millions of workers over the course of a year. Despite this scale, California lacks a dedicated licensing and regulatory framework for temporary staffing agencies, allowing gaps in oversight that can put workers, honest businesses, and taxpayers at risk.

Other industries that place or manage third-party workers from staffing agencies, such as the garment industry, farm labor contractors, car washes, janitorial services, and talent agencies, are already subject to specific licensing or registration requirements in California. The SAFE Act would align temporary staffing agencies with this existing regulatory approach to protect workers and promote compliance. SB 1032 will strengthen protections for workers and level the playing field for responsible employers.

2. Staffing agencies

Staffing agencies are third-party firms that recruit and employ workers who then work, often on a contract or temporary basis, for a company that engages the staffing agency's services. Staffing agency arrangements may take various forms, such as where the staffing agency assigns its employees to support or supplement a client company's workforce needs, or a where the staffing agency acts as a professional employer organization and assumes the responsibility for payroll, benefits, and other human

resource functions of a business's work force.¹ Staffing agencies are often used by companies to assist in meeting their workforce needs or finding temporary or seasonal labor. Staffing agencies employ an estimated 1,723,800 workers in California a year, accounting for an annual payroll of 50.6 billion dollars.² The primary industry in which staffing agency employees work is in transportation and material moving.³

California law requires that every employer carry workers' compensation insurance to cover their employees. (Lab. Code § 3700.) Workers' compensation coverage covers work-related injuries that workers suffer while working, and is premised on the concept that workers should be protected from, and compensated for, any injury or illness they suffer in the workplace.⁴ Workers' compensation is based on a no-fault system, in which an injured employee does not need to prove that the injury or illness was the employer's or another's fault in order to receive compensation benefits. Like any other employer, a staffing agency must have workers' compensation for its employees.

3. SB 1032 requires staffing agencies in California to register with the Department of Industrial Relations

Numerous types of employers that provide workforce services to other companies in California must obtain a license or register with the Department of Industrial Relations (DIR). For example, farm labor contractors, which provide farm labor to an agricultural producer for a fee, must be licensed (Lab. Code §§ 1682 et seq.), as must companies that hire workers to provide third parties with janitorial services (Lab. Code §§ 1420 et seq.). In addition, foreign labor contractors (Bus. & Prof. Code §9998.1.5), talent agencies (Lab. Code § 1700), car washes (Lab. Code §§ 2050 et seq.), and garment manufacturers (Lab. Code §§ 2670 et seq.) must also be registered or maintain a license with DIR. These different registration and licensure regimes have various requirements and annual fees, along with an annual application. Farm labor contractors, for example, must submit a written application that includes the names and addresses of all partners in the business, a statement regarding the applicant's character and method by which they will conduct operations, a declaration consenting to the Commissioner being designated to accept service of summons in any action against the farm labor contractor, and the names and addresses of all employees during the previous year. (Lab. Code § 1684.) The Commissioner must be satisfied as to the character, competency, and responsibility of the applicant in order to issue a license. (Lab. Code § 1684(a)(2).)

¹ See American Staffing Association, "Definitions of staffing services," (accessed Apr. 8, 2026), <https://americanstaffing.net/why-join-asa-membership/definitions-of-staffing-services/>.

² American Staffing Association, *Fact Sheet: Staffing Firms Employed 1,723,800 workers in California* (2026), available at <https://americanstaffing.net/research/fact-sheets-analysis-staffing-industry-trends/staffing-statistics-by-state/>.

³ *Id.*

⁴ California Department of Insurance, *The Evolution of Workers Compensation* (Oct. 4, 2023), available at <https://www.insurance.ca.gov/01-consumers/105-type/95-guides/09-comm/WorkersCompensation.cfm>.

According to the author, while state law requires registration or licensure for third-parties who hire workers to provide labor or services for another, gaps exist in this patchwork of registration and licensure requirements for many other types of staffing agencies in the state. SB 1032 proposes to fill this gap by creating a dedicated registration framework for all other staffing agencies in the state. It requires a staffing agency to register with the Commissioner before conducting any business in the state, and requires the staffing agency to annually renew this registration. It also prohibits a business from using the services of a staffing agency without verifying that the agency is registered.

SB 1032 requires a staffing agency to submit an application to the Commissioner that contains: the names and addresses of all persons, except for employees, who are financially interested in the agency; information on any open litigation, liens, fines, or taxes past due, as well as any current or past violations of the labor code; the financial status of the staffing agency; and the business affiliations of the staffing agency. The staffing agency would be required to sign the application certifying under penalty of perjury that all of the information in the application is true. The agency would also have to pay an initial or renewal registration fee set by the Commissioner, provide proof that it maintains a workers' compensation insurance policy for its employees, and provide the Commissioner a surety bond in an amount determined by the Commissioner. If those requirements are met and the Commissioner is satisfied as to the character, competency, and responsibility of the staffing agency, the Commissioner must approve the staffing agency's registration or renewal.

As described above, the application requires a staffing agency to disclose any current or past violations of the labor code, regardless of whether those are violations for which they have been sued or held liable. The author may wish to clarify that this requirement relates only to allegations of or final judgments for violations of the labor code.

4. SB 1032 provides the Commissioner and DIR authority to take action when a staffing agency does not maintain workers' compensation

If the Commissioner finds at any time that a staffing agency does have current workers' compensation insurance for its employees after holding a hearing on the issue, the Commissioner must deny, suspend, or revoke the staffing agency's registration. The Commissioner must also notify the Director of DIR, who must issue a stop order on the staffing agency requiring them to stop working as a staffing agency.

In addition, SB 1032 requires that the Commissioner post a list of all registered staffing agencies on DIR's website. This list must include the name, address, registration number, and effective dates of the agency's registration, along with the carrier for the agency's workers' compensation insurance for its employees.

5. SB 1032 provides a cause of action against unregistered staffing agencies and businesses that utilize their services

To enforce its registration requirement, SB 1032 provides a cause of action for registered staffing agencies against an unregistered staffing agency or a business that uses the services of a staffing agency without verifying that the agency is registered. A prevailing staffing agency plaintiff would be entitled to actual damages or statutory damages of no more than \$75,000, and to reasonable attorney's fees and costs. SB 1032 also permits the suing staffing agency to seek an injunction against the violating staffing agency or business without demonstrating harm, and permits the court to enjoin either an unregistered staffing agency from engaging in business as a staffing agency or a business from using the services of a staffing agency without verifying that the staffing agency is registered.

There are two types of injunctive relief: a preliminary injunction to force the defendant to do or not do something while the case is fully adjudicated, and a permanent injunction, where a court orders a party to do or not do something as the final judgement of the case. For a preliminary injunction, the plaintiff must show: that they are likely to succeed on the merits of the case; that they likely will suffer irreparable harm if an injunction is not granted; that the balance of equities weighs in their favor; and that the injunction is in the public interest. (*Winter v. NRDC* (2008) 555 U.S. 7.) Irreparable harm may be presumed in some circumstances, including where the statute specifically authorizes injunctive relief for its violation. (*FTC v. Consumer Def., LLC* (2019) 926 F.3d 1208.) For a permanent injunction, a plaintiff must show that: they have suffered an irreparable injury; remedies available at law like monetary damages are inadequate to compensate for the injury; the balance of harms and benefits favors the plaintiff; and the injunction would not hurt the public interest. (*Weinberger v. Romero-Barcelo* (1982) 456 U.S. 305.)

SB 1032 includes specific provisions permitting injunctive relief. These provisions also permit such relief without the plaintiff demonstrating actual harm.

6. Amendments

The author has agreed to amendments that eliminate the ability of a registered staffing agent to recover reasonable attorney's fees and costs in a civil action for injunctive relief. The amendments also specify that, until December 31, 2027, a registered staffing agency pursuing such a civil action must demonstrate that the unregistered staffing agency received notice of the requirement that they be registered. Lastly, the amendments change the requirement that a business not engage the services of a staffing agency without verifying its registration to instead require that a business not engage the services of a staffing agency without registration, and makes a number of other technical changes. A mock-up of these amendments is attached at the end of this analysis.

7. Arguments in support

According to the United Food and Commercial Workers Union, which is the sponsor of SB 1032:

California has the largest temporary staffing market in the nation, with staffing firms generating over \$41 billion in annual revenue and employing millions of workers over the course of a year. Farm labor contractors, janitorial services and talent agencies are already subject to specific licensing or registration requirements in California. However, California lacks a dedicated regulatory framework for temporary staffing agencies, allowing gaps in oversight that can put workers, honest businesses, and taxpayers at risk.

The SAFE Act's provisions for mandatory registration, verified workers' compensation coverage, and a public registry of compliant agencies would provide much-needed transparency and accountability, while ensuring that staffing agencies comply with the law before harm can occur.

The lack of oversight in the temporary staffing industry has led to some bad actors taking advantage of a system that allows them to misclassify workers and harm them. SB 1032 is practical, common-sense legislation that benefits workers who are just trying to get a job to feed their families, responsible businesses, and taxpayers alike, and UFCW Western States Council is proud to sponsor it.

8. Arguments in opposition

According to ATR International, which opposes SB 1032:

Unfortunately, neither requirement in SB 1032 will address the underlying issue of workers compensation fraud and abuse. We fear that creating a separate staffing-agency registration structure adds an administrative burden for compliant firms while doing little to stop bad actors who are already operating outside the law. In addition, the bill is focused on providing proof of workers' compensation coverage but does not go far enough to ensure that the coverage is the correct insurance for the work being performed.

As the representative of the industry that this bill seeks to regulate, we would recommend that policy improve compliance with existing law and address all the abuses that are being committed by bad actors without adding unnecessary burdens on ethical staffing professionals.

CSP recommends:

- Narrowing scope on insurance compliance only. The bill should not expand into financial disclosures, tax returns, lien review, background checks, or other subjective or burdensome requirements.
- Define “staffing agency”. This should include clarity around PEOs, EORs, and similar entities so the law is applied evenly and does not create loopholes or unfair distinctions.
- Eliminate the Private Right of Action. Enforcement should sit with the Labor Commissioner and/or Department of Industrial Relations, not private attorneys or other staffing agencies. Private enforcement will create opportunistic litigation without meaningfully improving worker protection.
- Require annual proof of appropriate insurance only. Staffing firms should submit proof of both workers’ compensation and general liability coverage annually, with the governing authority named as a certificate holder and notified of cancellation or material change. Proof of insurance alone does not guarantee that the policy is written properly for the underlying risk, which is why better enforcement of existing law is a preferred solution.
- Include safe harbor protections for compliant firms.
- Consider a reasonable fee structure to be established in statute comparable to the registration of similar workforce like the Farm Labor Contractors.
- Create shared accountability for end users. Staffing agencies and their clients should be held accountable for lack of coverage or misclassification of workers. Shared accountability will be more effective to ensure compliance across the industry.
- Strengthen enforcement and awareness through existing agencies.

SUPPORT

UFCW Western States Council (sponsor)

Arena Staffing

Baran Agency

Employinsure, LLC

Partners Personnel

Partnership Organization for Workplace Ethics and Reform (P.O.W.E.R.)

Stellar Staffing

OPPOSITION

American Staffing Association

ATR International

Bolt Staffing

California Chamber of Commerce

California Staffing Professionals (CSP)

Employers Depot

Icr Staffing

People Connection
PsiNapse Technology
Quest-staffing
Royal Staffing
STAR Staffing
Talent Group LLC

RELATED LEGISLATION

Pending Legislation: None.

Prior Legislation:

AB 1978 (Gonzalez, Ch. 373, Stats. 2016) created a registration process for janitorial employers and required sexual harassment and violence prevention training for janitorial workers.

SB 477 (Steinberg, Ch. 711, Stats. 2014) established a registration and oversight process for foreign labor contractors with the Labor Commissioner.

AB 1675 (Bonilla, Ch. 857, Stats. 2012) established civil penalties for farm labor contractors who are found to have violated license requirements.

AB 1660 (Campos, Ch. 634, Stats. 2012) required people representing artists who are minors, under 18 years of age, to obtain a Child Performer Services Permit from DIR.

SB 184 (Murray, Ch. 46, Stats. 2005) increased from \$10,000 to \$50,000 the amount of the surety bond required of talent agencies before a license may be issued or renewed.

AB 1688 (Goldberg, Ch. 825, Stats. 2003), among other things, required employers of car washers to register with the Labor Commissioner and pay a specified registration fee.

AB 633 (Steinberg, Ch. 554, Stats. 1999) made changes to the garment manufacturing laws and amends the manufacturer registration and wage collection process.

PRIOR VOTES:

Senate Labor, Public Employment and Retirement Committee (Ayes 3, Noes 1)

Amended Mock-up for 2025-2026 SB-1032 (Reyes)
(Amendments may be subject to changes required by Legislative Counsel)

Mock-up based on Version Number 98 - Amended Senate 4/6/26

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Part 8.7 (commencing with Section 2200) is added to Division 2 of the Labor Code, to read:

PART 8.7. Staffing Agencies

2200. For the purposes of this part, the following definitions apply:

- (a) "Commissioner" means the Labor Commissioner.
- (b) "Director" means the Director of Industrial Relations.

2201. The commissioner shall promulgate all regulations and rules necessary to carry out the provisions of this part.

2202. A staffing agency shall register with the commissioner before conducting any business in this state and annually thereafter.

2203. The commissioner shall not permit any staffing agency to register or to renew a registration, until all of the following conditions are satisfied:

(a) (1) The staffing agency has submitted an application to the commissioner for registration or renewal of a registration that contains all of the following:

(A) The names and addresses of all persons, except bona fide employees on stated salaries, financially interested, either as partners, associates, or profit sharers, in the staffing agency together with the amount of their respective interests.

(B) Any open litigation, liens, fines, or taxes past due and disclosure of any current or past violations of this code.

(C) The financial status of the staffing agency.

(D) The business affiliations of the staffing agency.

(2) The staffing agency owner shall sign the application and certify, under penalty of perjury, that the information they have provided on the application and in any supplementary documents or information submitted by the agency in support of the application is true and correct.

(b) The commissioner, after ~~review of the application~~ investigation, is satisfied as to the character, competency, and responsibility of the staffing agency.

(c) The staffing agency has paid an initial or renewal registration fee to the commissioner in an amount determined by the commissioner sufficient to defray the costs of administering this part.

(d) The staffing agency has provided the commissioner proof that a current workers' compensation insurance policy is in effect for the employees of the staffing agency that identifies and names as a certificate holder the Division of Labor Standards Enforcement.

(e) The staffing agency has provided the commissioner a surety bond payable to the State of California in an amount determined by the commissioner.

2204. If the commissioner, at any time, finds that a staffing agency does not have a current worker's compensation insurance policy, as described in subdivision (d) of Section 2203, in effect for the employees of the staffing agency, the commissioner shall do both of the following:

(a) After a hearing, deny, suspend, or revoke registration under Section 2203.

(b) Notify the director. The director shall issue and serve on the staffing agency a stop order pursuant to Section 3710.1.

2205. On the website of the Department of Industrial Relations, the commissioner shall post a list of registered staffing agencies that includes both of the following for each registered staffing agency:

(a) The name, address, registration number, and effective dates of registration.

(b) The carrier for the current workers' compensation insurance policy that is in effect for the staffing agency's employees.

2206. A business shall not use the services of a staffing agency ~~without verifying that the staffing agency is registered~~ without a registration pursuant to this part.

2207. (a) In addition to other remedies permitted by law, a registered staffing agency under this part may bring an action in superior court against an unregistered staffing

agency or a business that uses the services of a staffing agency ~~without verifying that the staffing agency is registered~~ without a registration.

(b) A registered staffing agency may seek injunctive relief under this section without demonstrating actual harm.

(c) In an action pursuant to subdivision (a), the court may enter an order to enjoin the defendant from doing either of the following:

(1) Engaging in any business as a staffing agency without a registration as required by this part.

(2) Using the services of a staffing agency without ~~verifying that the staffing agency is registered~~ a registration.

(d) A registered staffing agency that prevails in an action brought pursuant to subdivision (a) shall be entitled to ~~both of~~ the following:

(1) Either of the following damages, at the election of the prevailing registered staffing agency:

(A) Actual damages caused by the unregistered staffing agency or a business that used the services of a staffing agency without ~~verifying that the staffing agency is registered~~ a registration.

(B) Statutory damages not to exceed seventy-five thousand dollars (\$75,000).

~~(2) Reasonable attorney's fees and costs.~~

(e) From January 1, 2027 through December 31, 2027, plaintiffs in actions brought pursuant to this section shall demonstrate that the defendant had actual notice of the requirements in this section. Notice for purposes of this section may include, but not be limited to, a certified letter to place of business, a certified letter to designated address for service of process, or other reasonable means of written notice. As of January 1, 2028, notice of the registration requirement pursuant to this section shall be presumed.

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