

Date of Hearing: August 5, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS  
Buffy Wicks, Chair  
SB 1316 (Smallwood-Cuevas) – As Amended March 25, 2026

|                   |                      |       |        |
|-------------------|----------------------|-------|--------|
| Policy Committee: | Labor and Employment | Vote: | 7 - 0  |
|                   | Judiciary            |       | 12 - 0 |

Urgency: No                      State Mandated Local Program: No                      Reimbursable: No

**SUMMARY:**

This bill makes various updates to the Labor Commissioner's (LC's) enforcement authority.

Specifically, this bill:

- 1) Authorizes the LC to renew, at any time prior to expiration, a lien created on an employer's real property to satisfy a wage order for an additional 10-year period by recording a renewal of certificate of lien or a copy of a renewed judgment.
- 2) Prohibits an employer precluded from introducing certain materials as evidence in certain administrative proceedings contesting a citation or writ proceedings from in any other way using or relying on those materials as evidence, and makes these evidence provisions applicable to an administrative proceeding contesting a citation for retaliation or discrimination complaints.
- 3) Provides that these evidentiary rules also generally apply to a contractor or subcontractor at an administrative hearing or writ proceeding contesting a civil wage and penalty assessment.

**FISCAL EFFECT:**

- 1) Minor and absorbable costs to the LC to renew expiring liens and update evidence rules. Additionally, potential cost savings of an unknown amount to the LC to the extent the LC would otherwise file a new lien against an employer and the LC's current ability to resolve a violation on behalf of an employee is delayed by procedural motions.
- 2) Similarly, potential decrease in cost pressures to the courts to the extent this bill would expedite writ proceedings. Although courts are not funded on the basis of workload, decreased pressure on court staff and the Trial Court Trust Fund may lower demand for increased court funding from the General Fund.

**COMMENTS:**

- 1) **Purpose.** According to the author:

Current labor enforcement statutes contain outdated timelines, inconsistent document production requirements, and technical gaps that can delay investigations and complicate wage recovery. These inconsistencies are often exploited by noncompliant employers to

delay proceedings or avoid accountability on procedural grounds rather than compliance with labor laws...

SB 1316 makes targeted technical and clarifying amendments to labor enforcement statutes to ensure consistent document production timelines, clarify evidentiary rules, and align lien duration and renewal authority with existing judgment lien law. These changes strengthen the [LC's] ability to enforce existing worker protections, reduce unnecessary litigation over procedural issues, and improve the timely recovery of unpaid wages without creating new penalties or expanding enforcement authority beyond current law.

This bill is supported by the California Federation of Labor Unions.

- 2) **LC Enforcement.** Among other responsibilities, the LC is tasked with adjudicating worker wages claims. Existing law requires the LC to determine whether to hear a wage claim within 30 days of receiving the claim, hold a hearing within 90 days of making that determination, and issue a decision within 15 days. In reality, however, a worker's claim generally takes two years or longer to go through the adjudicatory process.

When an employer refuses to pay a wage claim ordered by the LC, the LC may file a lien against the employer's real property, preventing the sale or transfer of the property until the judgment is paid. Existing law provides that the lien continues for 10 years from the date the lien is created unless satisfied or released. This bill allows the LC to renew the lien for additional periods of 10 years prior to the lien's expiration.

Existing law precludes an employer from refusing to cooperate with an LC investigation or proceeding by withholding properly requested documents but then attempting to introduce those same documents as evidence when appealing an adverse order. This bill further precludes the introduction of those documents in any other way, including by attempting to impeach a witness. This bill also applies these existing evidence rules and proposed updates to a public works contractor or subcontractor that has previously failed to provide evidence.

**Analysis Prepared by:** Irene Ho / APPR. / (916) 319-2081