



COUNTY OF SAN DIEGO

BOARD OF SUPERVISORS

1600 PACIFIC HIGHWAY, ROOM 335, SAN DIEGO, CALIFORNIA 92101-2470

AGENDA ITEM

DATE: June 2, 2020

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TO: Board of Supervisors

SUBJECT

**PROTECTING VICTIMS OF SEXUAL ASSAULT, SENIORS, AND CONSUMERS
(DISTRICTS: ALL)**

OVERVIEW

Public Safety is San Diego County's top priority. Protecting the vulnerable amongst us such as victims of sexual assault, seniors, and distressed consumers during a pandemic is of utmost importance.

Assembly Bill 1927 (Boerner Horvath) would provide sexual assault victims and witnesses with amnesty to encourage participation in a sexual assault prosecution. Current law makes it a crime to possess or use a controlled substance and for a minor to purchase and consume alcohol, which can create situations where sexual assault victims and witnesses choose not to come forward out of fear of prosecution in a separate trial.

Assembly Bill 2471 (Maienschein) would extend the time for a senior, age 65 or older, to cancel certain contracts from three business days to five. By extending the timeframe for which a senior can cancel certain contracts, this bill protects seniors by providing more time to carefully review and consult with others before moving forward with a contract.

Lastly, Senate Bill 1196 (Umberg) strengthens current law by clarifying that price gouging penalties also apply during a pandemic or epidemic disease outbreak, that all sales, including online sales, are covered by a price gouging prohibition, establishes a price measure of cost to determine price gouging, and authorizes the Governor or the Legislature to extend the duration of price gouging prohibitions past 30 days.

Today's action will put the County of San Diego on record in support of AB 1927, AB 2471, and SB 1196.

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RECOMMENDATIONS

SUPERVISOR DIANNE JACOB AND DISTRICT ATTORNEY SUMMER STEPHAN:

1. Direct the Chief Administrative Officer to draft a letter expressing this Board of Supervisors' support for Assembly Bill 1927 to San Diego County's legislative representatives in Sacramento.
2. Direct the Chief Administrative Officer to add to the County's Legislative Program support for legislation that encourages sexual assault victims and witnesses to participate in a sexual assault prosecution.
3. Direct the Chief Administrative Officer to draft a letter expressing this Board of Supervisors' support for State Assembly Bill 2471 to San Diego County's legislative representatives in Sacramento.
4. Direct the Chief Administrative Officer to add to the County's Legislative Program support for legislation that will provide seniors more time to review and cancel consumer contracts, such as home solicitation contracts, home improvement contracts and service or repair contracts.
5. Direct the Chief Administrative Officer to draft a letter expressing this Board of Supervisors' support for State Senate Bill 1196 to San Diego County's legislative representatives in Sacramento.
6. Direct the Chief Administrative Officer to add to the County's Legislative Program support for legislation that strengthens and/or extends price gouging prohibitions.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

Public Safety is San Diego County's top priority. Protecting the vulnerable amongst us such as victims of sexual assault, seniors, and distressed consumers during a pandemic is of utmost importance.

Assembly Bill 1927 (Boerner Horvath) would provide sexual assault victims and witnesses with amnesty to encourage participation in a sexual assault prosecution. Current law makes it a crime to possess or use a controlled substance and for a minor to purchase and consume alcohol, which

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can create situations where sexual assault victims and witnesses choose not to come forward out of fear of prosecution in a separate trial.

Assembly Bill 2471 (Maienschein) would extend the time for a senior, age 65 or older, to cancel certain contracts from three business days to five. Sales representatives using aggressive tactics and complex contracts have caused some seniors to mistakenly sign a contract that later causes extreme financial hardship. By extending the timeframe for which a senior can cancel certain contracts, this bill protects seniors by providing more time to carefully review and consult with others before moving forward with a contract. The types of contracts include home solicitation contracts, seminar sales contracts, home improvement contracts, service or repair contracts, and Property Assessed Clean Energy (PACE) contracts.

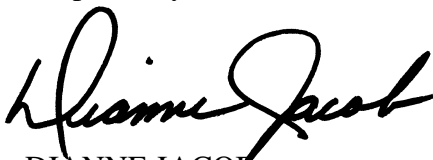
Lastly, Senate Bill (1196) Umberg) strengthens current law by clarifying that price gouging penalties also apply during a pandemic or epidemic disease outbreak, that all sales, including online sales, are covered by a price gouging prohibition, establishes a price measure of price gouging by new sellers, authorizes the Governor or the Legislature to extend the duration of price gouging prohibitions past 30 days, and changes the law to alternate felony/misdemeanor with a \$10,000 takings threshold for the felony. Existing law only covers established sellers with a loophole existing for newer sellers, such as internet sellers or newer sellers who buy a desired or wanted product, stockpile it, then sell it during an emergency for a high mark-up.

Today's action will put the County of San Diego on record in support of AB 1927, AB 2471, and SB 1196.

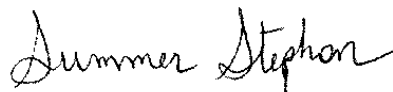
LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today's proposed action supports the Living Safely Strategic Initiative in the County of San Diego's 2020-2025 Strategic Plan by supporting Assembly Bill 1927, Assembly Bill 2471, and State Senate Bill 1196, bills that support victims of sexual assault, seniors, and consumers.

Respectfully submitted,



DIANNE JACOB
Supervisor, Second District



SUMMER STEPHAN
District Attorney

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AGENDA ITEM INFORMATION SHEET

REQUIRES FOUR VOTES: Yes No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED
 Yes No

PREVIOUS RELEVANT BOARD ACTIONS:
N/A

BOARD POLICIES APPLICABLE:
N/A

BOARD POLICY STATEMENTS:
N/A

MANDATORY COMPLIANCE:
N/A

ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):
N/A

ORIGINATING DEPARTMENT: Board of Supervisors, District 2

OTHER CONCURRENCE(S): District Attorney

CONTACT PERSON(S):

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