



# California Legislature

May 12, 2020

The Honorable Gavin Newsom  
Governor, State of California  
State Capitol  
Sacramento, CA 95814

Dear Governor Newsom,

We wish you and your family good health and wellness. We thank you for your dedicated, thoughtful, and measured leadership as we navigate the unprecedented pandemic that has required people to stay in their homes and has caused unparalleled health and economic challenges worldwide.

You have already taken actions to mitigate the negative health and economic consequences and burdens placed on individuals and employers, including directing emergency funding to expand California's health care infrastructure and extending the tax filing deadline until July 15, 2020. We are grateful for your efforts to balance the health of all Californians and our State's economic stability.

We respectfully request your consideration on 5 key actions designed to protect human health, allow for public participation in the regulatory process, and mitigate the economic impact of the pandemic.

- **Ensure the successful implementation of contact tracing.** California should require counties to create a work plan for contact tracers and encourage the use of contract tracing apps with only the highest level of security.
- **Provide access to RT-PCR testing, safe harbor to employers who administer tests at the workplace.** California should provide adequate access to tests, and ensure that allowances are made to test asymptomatic employees. California should grant employers safe harbor from liability that administer RT-PCR tests to their workers. Increasing testing of asymptomatic employees will accelerate re-employment, and also increase consumer confidence in businesses that institute universal testing.

- **Protect and expand existing programs that provide access to capital.** As small businesses are facing an unprecedented economic disruption due to the Coronavirus (COVID-19) outbreak, we respectfully request that you protect resources and access to capital to help businesses maintain their operations.
- **Extend active comment periods for pending rulemakings for an additional 120 days.** We respectfully request that you issue an Executive Order to extend public comment deadlines on pending regulations not urgently needed to protect public health. As you are aware, public participation is a central aspect of the regulatory system. The notice and comment process has become the primary vehicle by which the public has been afforded an opportunity to meaningfully participate in the creation of regulatory laws and make their views on new rulemakings known to State agency decision-makers. Delaying the public comment deadline allows the public to focus on reducing the spread of the virus rather than responding to non-essential rulemakings.
- **Limit threat of litigation to businesses that adhere to safety standards.** We respectfully request that you issue an Executive Order to clarify and expand liability provisions to any business that takes reasonable mitigation strategies in compliance with industry standards specified in local and state public health orders or by the Governor designed to limit exposure to COVID-19 to their workers and customers. Additionally, any business that has donated or delivered supplies during a shelter in place order should be provided a safe harbor from any liability from a customer who alleges they contracted the virus on the premises or from the essential supplies. There is existing precedent for protecting businesses from liability that does not arise from a grossly negligent or willful act under the California Emergency Services Act (Cal. Gov't Code §§8550, et seq.) as state and political subdivisions are given wide authority to perform necessary functions during a time of emergency.

We urge you to take these actions to improve individual and business participation in slowing the spread of the virus, and issue Executive Orders that thoughtfully and resourcefully respond to this pandemic. In addition, we are working to pass legislation that will guide our response over these next few months.

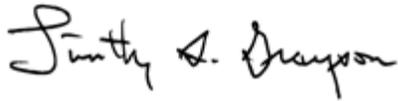
We are fortunate that California is in such a strong position to mitigate the health effect and economic impact of the crisis. We look forward to your measured responses, guided by a health first framework, and continued engagement with us in order to protect the health and economic well-being of all Californians.

Sincerely,

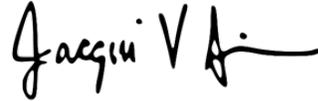


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Joaquin Arambula, AD 31



Timothy Grayson, AD 14



Jacqui Irwin, AD 44



Blanca Rubio, AD 48



Sharon Quirk-Silva, AD 65



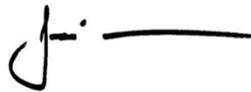
Rudy Salas, AD 32



James Ramos, AD 40



Mike Gibson, AD 64



Jose Medina, AD 61



Cottie Petrie-Norris, AD 74



Freddie Rodriguez, AD 52



Patrick O'Donnell, AD 62



Christy Smith, AD 38



Rebecca Bauer-Kahan, AD 16



Jim Wood, AD 2



Chad Mayes, AD 42



Cecilia Aguiar-Curry, AD 4