



AB 5 – Summary of Pending Litigation, Legislation and Initiatives

(Updated 2/20/2020)

Litigation

- **Trucking (FAAAA Preemption)**
 - *California Trucking Association v. Becerra* (S.D. Cal.)
 - Preliminary injunction granted 1/16/2020.
 - *California v. Cal Cartage Transportation* (Los Angeles Superior Court)
 - Preempted by FAAAA (1/8/2020).
- **Uber/Postmates (Equal Protection, Due Process, Impairment of Contract)**
 - *Olson et. al v. State of California* (C.D. Cal.)
 - Preliminary injunction denied 2/10/2019.
- **Freelance Journalists (First Amendment, etc.)**
 - *American Society of Journalists and Authors v. Becerra* (C.D. Cal.)
 - Preliminary injunction hearing 3/9/2020.
- **Court Reporters (Equal Protection)**
 - *Williams, Weisberg & Weisberg v. State of California* (Sacramento Superior Court)

Legislation

- [AB 1850 \(Gonzalez\)](#) – placeholder bill
- [AB 1925 \(Obernolte\)](#) – small business exemption
- [AB 1928 \(Kiley\)](#) – repeal AB 5; replace with *Borello*
- [AB 2457 \(Melendez\)](#) – pharmacists exemption
- [AB 2458 \(Melendez\)](#) – physical therapists exemption
- [AB 2465 \(Gonzalez\)](#) - recasts barbering/cosmetology exemption
- [AB 2489 \(Choi\)](#) – franchisors/franchisees exemption
- [AB 2497 \(Bigelow\)](#) – spot bill/TNCs
- [ACA 19 \(Kiley\)](#) – replace with *Borello*
- [SB 806 \(Grove\)](#) – placeholder bill
- [SB 867 \(Bates\)](#) – newspaper delivery exemption
- [SB 868 \(Bates\)](#) – freelance journalist exemption
- [SB 875 \(Grove\)](#) – interpreters/translators exemption
- [SB 881 \(Jones\)](#) – musician exemption
- [SB 963 \(Morrell\)](#) – youth sports referees/umpires exemption
- [SB 965 \(Nielsen\)](#) – healthcare industry exemption
- [SB 966 \(Nielsen\)](#) – pharmacists exemption
- [SB 967 \(Borgeas\)](#) – franchisors/franchisees exemption

Legislation (continued)

- [SB 975 \(Dahle\)](#) – professional foresters exemption
- [SB 990 \(Moorlach\)](#) – transportation network companies exemption
- [SB 1039 \(Galgiani\)](#) – intent re: “third category of worker”

Initiative

- [“Changes Employment Classification Rules for App-Based Transportation and Delivery Drivers. Initiative Statute.”](#)
 - Cleared for circulation (must gather 623,212 signatures by 6/30/2020 to qualify for the November 2020 ballot).