



# County of Yuba Board of Supervisors

District One ~ Andy Vasquez  
District Two ~ Mike Leahy  
District Three ~ Doug Lofton  
District Four ~ Gary Bradford  
District Five ~ Randy Fletcher

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August 28, 2020

Assemblyman James Gallagher  
State Capitol, Room 3147  
Sacramento, CA 94249

Senator Jim Nielsen  
State Capitol, Room 5064  
Sacramento, CA 95814

**RE: OPPOSE Assembly Bill 6 – Attorney General: Duties**

Dear Assemblyman Gallagher and Senator Nielsen:

On behalf of Yuba County, I wish to express our OPPOSITION to Assembly Bill 6 because it has the potential to negatively affect the rights and claims of litigating counties and cities involved in the opioid crisis litigation. Yuba County along with other counties and local jurisdictions in California took the initiative to hold manufacturers, distributors, and retailers accountable for creating the opioid crisis in America and in our community by filing and prosecuting a lawsuit against them. AB 6 negatively affects our litigation efforts to recover and retain local funds to abate the opioid crisis in our community. We are concerned with the current language of AB 6 for the following reasons:

- There is no Savings Clause that preserves the rights of litigating counties and cities.
- The bill gives power to a non-existent, future Statewide Opioid Settlement Agreement that would affect the rights of counties or cities, but the parties, terms, and provisions of such a future Agreement are non-existent at this time.
- The bill directs undefined “state funds” into the State’s General Fund to be controlled solely by the State Legislature, which would affect the counties’ and cities’ litigation rights to recover for local abatement solutions.
- Incorrectly presumes the State Attorney General may waive or release certain claims brought by the litigating counties and cities, without expressly preserving county and city rights.
- Improperly transfers legal rights from counties and cities to the State Attorney General.
- Precludes litigating counties’ and cities’ ability to amend their claims in the future.

The opioid crisis has deeply affected our community, our residents, and our local government. We filed a civil action to hold opioid manufacturers liable for local costs spent and to be spent battling the opioid crisis before the State of California took any legal action. Now, when the litigation is reaching a critical juncture, AB 6 jeopardizes our efforts to recover and retain local funds to abate this public health nuisance.

We are interested in working with the State Attorney General and the Legislature towards a statewide solution in the following weeks and months, but we OPPOSE AB 6.

Unfortunately, the litigating counties and cities did not receive the language of AB 6 until late in the day on August 27<sup>th</sup>—four days prior to end of session. The 72-hour rule has provided counties and cities less than 24 hours to meaningfully engage the Attorney General, which has foreclosed the possibility for amendments. This exclusionary, last-minute tactic only highlights the problems with the bill language and intent.

Sincerely,



*Gary Bradford*  
*Vice Chair*

Cc: California State Association of Counties  
Rural County Representatives of California