



California Corporate & Securities Law

California Conflict Minerals Bill To Be Heard Today

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In this [post](#) last month, I wrote about SB 861 authored by [Senator Ellen Corbett](#). This bill would prohibit a “scrutinized company” from bidding on or submitting a proposal for a contract with a state agency. Although the bill was [amended](#) on April 7, 2011 to clarify some of the language, the author has so far declined to correct numerous embarrassing technical errors that I pointed out in this [comment letter](#) (for example, referring to the Securities and Exchange Act of 1934 and the Securities Exchange Commission).

The bill is scheduled to be heard today by the Senate [Governmental Organization Committee](#), which is chaired by [Senator Roderick Wright](#). Accordingly to the committee consultant’s [analysis](#), concerns exist whether it is premature for California to enact legislation before the Securities and Exchange Commission adopts its own conflict minerals rules. As [Broc Romanek](#) reported yesterday in this [post](#), the SEC has recently pushed back its [estimate](#) of when it will adopt its final rules to August–December.

The committee analysis note substantial support and opposition to SB 861.

Supporters include:

Action Evangelique En Prison, Democratic Republic of the Congo; Africa Faith and Justice Network; Amnesty International; California Coalition Against Sexual Assault; California Commission on the Status of Women; California National Organization for Women; Coalition for Free and Democratic Elections in Congo; Coalition to Abolish Slavery and Trafficking; Consumer Federation of California; Earth Rights International; Enough!; Falling Whistles Feminist Majority; Free the Slaves; Global Witness; Human Rights Watch; Program for Torture Victims; Responsible Sourcing Network; St. Mark Presbyterian Church, Newport Beach; Stop Genocide Now; and Union for Democracy and Social Progress.

Opponents Include:

California Chamber of Commerce; California Chapter of the American Fence Association; California Fence Contractors Association; California Manufacturers and Technology Association; California Retailers Association; Consumer Electronics Association; CTIA; Engineering Contractors Association; Flasher Barricade Association; and Marin Builders Association

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