

ASSEMBLY BILL

No. 420

Introduced by Assembly Members Quirk-Silva and Valladares

February 4, 2021

An act relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

AB 420, as introduced, Quirk-Silva. Public health: amusement parks and COVID-19.

Existing law, the California Emergency Services Act, authorizes the Governor to declare a state of emergency during conditions of disaster or extreme peril to persons or property, including epidemics. Pursuant to this authority, on March 4, 2020, the Governor declared a state of emergency relating to the novel coronavirus 2019 (COVID-19) pandemic. On August 28, 2020, the executive branch implemented a 4-tier “Blueprint for a Safer Economy,” which identifies a county’s COVID-19 risk level for business operations on a scale from widespread risk to minimal risk. On October 20, 2020, the State Department of Public Health and the Division of Occupational Safety and Health issued a guidance document, “COVID-19 INDUSTRY GUIDANCE: Amusement Parks and Theme Parks,” which authorizes a small amusement park to operate at limited capacity when its county is in the moderate tier, and authorizes any other amusement park to operate at 25% capacity when its county is in the minimal tier.

This bill would express the intent of the Legislature that the executive branch adjust the “COVID-19 INDUSTRY GUIDANCE: Amusement Parks and Theme Parks” document and place all amusement parks, regardless of size, within the moderate risk tier, rather than the minimal risk tier. The bill would also make related findings and declarations.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) The prolonged COVID-19-related closures of California’s
4 amusement parks are having devastating impacts on tens of
5 thousands of furloughed and laid off amusement park employees,
6 the businesses and communities surrounding amusement parks,
7 and the local governments dependent on the parks.

8 (b) While dealing with the public health crisis caused by the
9 COVID-19 pandemic remains paramount, grave concerns related
10 to personal financial health, as well as physical, mental, and
11 behavioral health, have arisen as a result of the amusement park
12 closures.

13 (c) California’s amusement parks, large and small, are a vital
14 sector in California’s economy. In 2018, the International
15 Association of Amusement Parks and Attractions estimated that
16 California’s amusement parks support more than 143,000 jobs
17 statewide and provide over \$2.7 billion in annual employee
18 compensation.

19 (d) California’s amusement parks contribute heavily to the
20 economic stability of state and local governments, generating \$12.6
21 billion in direct and indirect revenue impact to the state and paying
22 approximately \$1.5 billion annually in federal, state, and local
23 taxes.

24 (e) At the beginning of the COVID-19 pandemic in March 2020,
25 California’s amusement parks voluntarily closed and immediately
26 began consulting industry and health experts to develop
27 comprehensive reopening plans consisting of reduced capacity,
28 physical distancing and face covering requirements, robust health
29 and safety protocols for employees and guests, heightened
30 sanitation processes, physical and operational modifications, and
31 enhanced signage throughout their parks.

32 (f) Amusement parks in other states and in other countries have
33 successfully reopened and currently there are no known COVID-19
34 outbreaks that have been traced back to the parks. As noted in the
35 New York Times, “At Disney World, ‘Worst Fears’ About Virus

1 Have Not Come True: Attendance has been low since the July
2 reopening, but health officials and worker unions also say safety
3 protocols have kept the coronavirus at bay.”

4 (g) Public health officials in California and in other states
5 consistently cite household gatherings, household transmissions,
6 and congregate settings as being primary sources of outbreaks, but
7 none have presented scientific evidence or data pointing to
8 amusement parks as an activity bearing a high risk of transmission.

9 (h) The executive branch released its “Blueprint for a Safer
10 Economy” on August 28, 2020, inclusive of the four-tier system
11 for counties, and subsequently released the guidance document
12 for amusement and theme parks on October 20, 2020.

13 (i) Within the Blueprint, many activities similar to amusement
14 parks, such as museums, zoos, aquariums, family entertainment
15 centers, outdoor recreation, and outdoor malls are allowed to reopen
16 in varying degrees within the first three tiers. However, the
17 executive branch placed California’s larger amusement parks in
18 Yellow – Minimal – Tier 4, indicative of minimal spread of
19 COVID-19 and characterized as the least restrictive tier under
20 which “most indoor business operations are open with
21 modifications.”

22 (j) Certain other activities with fewer controls and bearing
23 greater risk of COVID-19 transmission either lack restrictions or
24 are allowed to reopen ahead of amusement parks, such as beaches,
25 state parks, indoor malls, card rooms and racetracks, and
26 professional sporting events at stadiums with live audiences.

27 (k) Amusement parks can provide a safer environment for
28 families and individuals to spend leisure time than many other
29 places that are operating without the same degree of crowd control,
30 physical distancing, and safety protocols.

31 (l) California’s amusement parks have historically made guest
32 and employee health, safety, and satisfaction top priorities. They
33 are controlled environments operating primarily outdoors.
34 Amusement parks are in the business of moving people and can
35 do so in a way that monitors physical distancing. Exposure time
36 is limited at amusement parks, given guest movement and that an
37 amusement park is able to adjust its capacity in real time to allow
38 for appropriate distancing throughout the property.

39 (m) California state health officials are unable to provide
40 projections for counties that are home to California’s amusement

1 parks to reach Yellow – Minimal – Tier 4 and the state’s
2 amusement parks have not been provided a reasonable timeline
3 for resuming operations.

4 SEC. 2. It is the intent of the Legislature that the executive
5 branch do both of the following:

6 (a) Adjust the “COVID-19 INDUSTRY GUIDANCE:
7 Amusement Parks and Theme Parks” issued on October 20, 2020.

8 (b) Place all amusement parks, regardless of size, within
9 “Orange – Moderate – Tier 3” instead of in “Yellow – Minimal –
10 Tier 4.”

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