



LEGISLATIVE SUBCOMMITTEE

Agenda

Special Meeting

May 21, 2024, 1 p.m.

Council Chamber
1200 Carlsbad Village Drive
Carlsbad, CA 92008

Welcome to the Legislative Subcommittee Meeting

We welcome your interest and involvement in the city's legislative process. This agenda includes information about topics coming before the Legislative Subcommittee and the action recommended by city staff. You can read about each topic in the staff reports, which are available on the city website.

How to watch

In Person



City Council Chamber
1200 Carlsbad Village Drive

Online



Watch the livestream at
carlsbadca.gov/watch

How to participate

If you would like to provide comments to the Legislative Subcommittee, please:

- Fill out a speaker request form, located in the foyer.
- Submit the form to the City Clerk before the item begins.
- When it's your turn, the City Clerk will call your name and invite you to the podium.
- Speakers have three minutes, unless the presiding member changes that time.
- You may not give your time to another person, but can create a group. A group must select a single speaker as long as three other members of your group are present. All forms must be submitted to the Clerk before the item begins and will only be accepted for items listed on the agenda (not for general public comment at the beginning of the meeting). Group representatives have 10 minutes unless that time is changed by the presiding officer or the City Council.
- **In writing:** Email comments to clerk@carlsbadca.gov. Comments received by 5 p.m. the day prior to the meeting will be shared with the subcommittee prior to the meeting. When e-mailing comments, please identify in the subject line the agenda item to which your comments relate. All comments received will be included as part of the official record. **Written comments will not be read out loud.**

Reasonable accommodations

Reasonable Accommodations Persons with a disability may request an agenda packet in appropriate alternative formats as required by the Americans with Disabilities Act of 1990. Reasonable accommodations and auxiliary aids will be provided to effectively allow participation in the meeting. Please contact the City Manager's Office at 442-339-2821 (voice), 711 (free relay service for TTY users), 760-720-9461 (fax) or manager@carlsbadca.gov by noon on the Monday before the meeting to make arrangements. City staff will respond to requests by 9 a.m. on Tuesday, the day of the meeting, and will seek to resolve requests before the start of the meeting in order to maximize accessibility.

CALL TO ORDER:

ROLL CALL:

PUBLIC COMMENT:

APPROVAL OF MINUTES:

Minutes of the Regular Meeting held April 9, 2024

DEPARTMENTAL REPORTS:

1. **STATE AND FEDERAL LEGISLATIVE REPORTS** – Receive updates from representatives of U.S. Congressman Mike Levin, State Senator Catherine Blakespear, and State Assemblymember Tasha Boerner, and provide feedback. (Staff contact: Jason Haber, City Manager Department)

Recommendation: Receive the updates and provide feedback.

2. **LEGISLATIVE AND ADVOCACY UPDATE** – Receive updates on federal and state legislative and budget activity and recent and ongoing advocacy efforts; discuss and provide feedback to staff, including identifying high-priority bills, advocacy positions, funding opportunities, and items for future City Council consideration. (Staff contact: Jason Haber, City Manager Department)

Recommendation: Receive the updates and provide feedback.

3. **CALIFORNIA PUBLIC UTILITIES COMMISSION UPDATE** – Receive an update on the California Public Utilities Commission’s policy and regulatory work, including a recent decision to implement income-graduated fixed charges for Californians' electric bills, as required by Assembly Bill 205 (2022), and provide feedback. (Staff contact: Jason Haber, City Manager Department)

Recommendation: Receive the update and provide feedback.

SUBCOMMITTEE MEMBER REQUESTS FOR FUTURE AGENDA ITEMS:

SUBCOMMITTEE MEMBER COMMENTS & ANNOUNCEMENTS:

ADJOURN:



LEGISLATIVE SUBCOMMITTEE

Minutes

Regular Meeting
April 9, 2024, 9 a.m.

Council Chamber
1200 Carlsbad Village Drive
Carlsbad, CA 92008

CALL TO ORDER: 9 a.m.

ROLL CALL: Burkholder, Acosta.

PUBLIC COMMENT: *Vanessa Forsythe spoke about AB 2686 (Bryan) and SB 1193 (Menjivar) and requested the city's support for these bills.*

APPROVAL OF MINUTES:

Minutes of the Regular Meeting held March 12, 2024

Motion by Subcommittee Member Burkholder, seconded by Subcommittee Member Acosta, to approve the minutes as presented. Motion carried unanimously, 2/0.

DEPARTMENTAL REPORTS:

1. **STATE AND FEDERAL LEGISLATIVE REPORTS** – Receive updates from representatives of U.S. Congressman Mike Levin, State Senator Catherine Blakespear, and State Assemblymember Tasha Boerner, and provide feedback. (Staff contact: Jason Haber, City Manager Department)

Recommendation: Receive the updates and provide feedback.

The subcommittee received informational reports from Salome Tash from Congressman Mike Levin's office, Matt Rubel from State Senator Catherine Blakespear's office, and Ross Tritt from Assemblymember Tasha Boerner's office.

Intergovernmental Affairs Director Jason Haber notified the Subcommittee of technical difficulties in broadcasting the meeting and Subcommittee Member Acosta called for a recess at 9:09 a.m. The meeting reconvened at 9:16 a.m.

The subcommittee received the reports.

2. **LEGISLATIVE AND ADVOCACY UPDATE** – Receive updates on federal and state legislative and budget activity and recent and ongoing advocacy efforts; discuss and provide feedback to staff, including identifying high-priority bills, advocacy positions, funding opportunities, and items for future City Council consideration. (Staff contact: Jason Haber, City Manager's Department)

Recommendation: Receive the updates and provide feedback.

Laura Morgan-Kessler, Partner at Carpi & Clay Government Relations, presented a report on federal lobbying efforts.

Renne Public Policy Group Director of Government Affairs Sharon Gonsalves presented a report on state lobbying efforts, including a PowerPoint presentation (on file with the City Clerk).

The subcommittee received the updates and after some discussion, Subcommittee Member Burkholder made a motion to support AB 1999 (Irwin). Subcommittee Member Acosta seconded the motion. Motion carried unanimously, 2/0.

Subcommittee Member Burkholder made a motion to support AB 2686 (Bryan). Subcommittee Member Acosta seconded the motion. Motion carried unanimously, 2/0.

Note: Subcommittee Member Burkholder's second motion was to take a support position on AB 2684, however, this motion was actually in reference to AB 2686, which was misidentified as AB 2684 in the presentation from RPPG.

Intergovernmental Affairs Director Jason Haber suggested that the Subcommittee consider taking a short break and Subcommittee Member Burkholder called for a recess at 10:17 a.m. The meeting reconvened at 10:18 am.

3. WINDSOR POINTE ADVOCACY EFFORTS – Consider a referral from the Carlsbad City Council to develop regional, state and federal advocacy strategies to advance city interests concerning the Windsor Pointe affordable housing development, including the use of No Place Like Home operating reserve funds to provide additional on-site security, funding enhanced clinical and behavioral health referral services for supportive housing projects, developing a mechanism to allow subregional housing placement prioritizations, and ensuring homeless veterans are not ineligible for placement in permanent supportive housing as a result of receiving veteran benefits that exceed maximum income limits.

Recommendation: Consider potential advocacy strategies and provide input.

Julie Ajdour expressed concerns regarding the Windsor Pointe project and No Place Like Home housing funding for the project.

Intergovernmental Affairs Director Jason Haber introduced Housing and Homeless Services Director Mandy Mills, presented a report on advocacy efforts concerning the Windsor Pointe affordable housing project, and reviewed a PowerPoint presentation (on file with the City Clerk).

Intergovernmental Affairs Director Jason Haber suggested that the Subcommittee consider taking a short break and Subcommittee Member Burkholder called for a recess at 10:24 a.m. The meeting reconvened at 10:24 am.

The subcommittee received the update and provided input to staff.

SUBCOMMITTEE MEMBER REQUESTS FOR FUTURE AGENDA ITEMS:

Subcommittee Member Burkholder requested a representative from the airport come speak to the subcommittee to discuss SB 1193. Subcommittee Member Acosta requested as a priority a presentation/guest speaker from California State Parks on sand retention/dredging in the region.

SUBCOMMITTEE MEMBERS COMMENTS & ANNOUNCEMENTS:

Subcommittee Member Acosta spoke about being very engaged with League of California Cities and how productive the Environmental Policy Committee meeting had been in March. Also, she indicated she would be attending the City Leaders Summit the following week and a League of California Cities Board meeting at the end of the summit.

ADJOURNMENT: Subcommittee Member Acosta adjourned the duly noticed meeting at 10:50 a.m.

Robin Nuschy, Minutes Clerk
Executive Assistant



LEGISLATIVE SUBCOMMITTEE
Staff Report

Meeting Date: May 21, 2024

To: Legislative Subcommittee

From: Jason Haber, Intergovernmental Affairs Director

Staff Contact: Jason Haber, Intergovernmental Affairs Director
jason.haber@carlsbadca.gov, 442-339-2958

Subject: State and Federal Legislative Reports

District: All

Recommended Action

Receive updates from representatives of U.S. Congressman Mike Levin, State Senator Catherine Blakespear and State Assemblymember Tasha Boerner, and provide feedback.

Next Steps

None.

Exhibits

None.



LEGISLATIVE SUBCOMMITTEE

Staff Report

Meeting Date: May 21, 2024

To: Legislative Subcommittee

From: Jason Haber, Intergovernmental Affairs Director

Staff Contact: Jason Haber, Intergovernmental Affairs Director
jason.haber@carlsbadca.gov, 442-339-2958

Subject: Legislative and Advocacy Update

District: All

Recommended Action

Receive updates on federal and state legislative and budget activity and recent and ongoing advocacy efforts; discuss and provide feedback to staff, including identifying high-priority bills, advocacy positions, funding opportunities, and items for future City Council consideration.

Discussion

Staff and the city's contract lobbyists – Federal: Carpi & Clay / State: Renne Public Policy Group – will present updates and overviews of federal and state legislative activity (Exhibits 1 and 2) and the priority legislation (Exhibit 3) and intergovernmental matters being tracked on behalf of the city. A summary of Governor Newsom's state budget May revision for Fiscal Year 2024-2025 is also attached (Exhibit 4).

The Subcommittee is requested to provide feedback to help city staff and the city's lobbying consultants focus the city's advocacy efforts on high-priority bills and to identify bills for future City Council consideration.

Next Steps

Staff and the city's contract lobbyists will monitor, evaluate, and engage the Legislative Subcommittee in a discussion of legislative activity and proposed measures that may impact city operations and policy priorities throughout the 2024 Legislative Session.

Exhibits

1. Carpi & Clay – Federal Update
2. Renne Public Policy Group – State Update
3. Renne Public Policy Group – Priority Legislation as of March 6, 2024
4. Renne Public Policy Group – Summary of Governor's State Budget May Revision FY 2024-25

City of Carlsbad Federal Update

May 1, 2024

FY25 Appropriations Update

Earlier this month, House Republican leadership announced that Rep. Tom Cole (R-OK) would be taking over as the new Chair of the Appropriations Committee. The previous Committee Chair Kay Granger (R-TX) announced last month her intent to step down from the leadership position effective immediately. With the appointment of the new Chair, the House Appropriations Committee has been in the process of putting together guidance from Members on the Fiscal Year (FY) 2025 appropriations process. The Committee has shared information with Members regarding programmatic and language requests and guidance related to community project requests. Over in the Senate, the Senate Appropriations Committee provided deadlines to Senators for community project request submissions, which are due to the respective subcommittees the second week of May.

Treasury Releases Updated FAQ for ARPA SLFRF

The Department of Treasury released an updated [FAQ](#) related to the [Interim Final Rule](#) for the American Rescue Plan Act State and Local Fiscal Recovery Funds (SLFRF). The updated FAQ addresses several issues including personnel costs, subrecipient obligations, revenue loss and handling excess funds. Clarifications included in the FAQ include:

- Recipients may use SLFRF funds for personnel costs for any eligible position through December 31st, 2026, that was filed prior to December 31st, 2024 – *This is a deviation from the IFR, which stated SLFRF funds may only be used to cover personnel costs for individuals responsible for reporting/compliance for SLFRF.*
- Subrecipients are NOT subject to the December 31st, 2024, obligation deadline.
- After the December 31st, 2024, obligation deadline, if a recipient has excess funds that were already obligated but not yet expended, they may reclassify funds from the original activity to another project that is eligible under Recovery Fund guidance.

EPA Releases PFAS National Primary Drinking Water Regulation

The Environmental Protection Agency (EPA) released its final [PFAS National Primary Drinking Water Regulation](#). This National Primary Drinking Water Regulation establishes the following legally enforceable Maximum Contaminant Levels (MCLs) for six per- and polyfluoroalkyl substances (PFAS) in drinking water:

Compound	Final MCLG	Final MCL (enforceable levels)
PFOA	Zero	4.0 parts per trillion (ppt) (also expressed as ng/L)
PFOS	Zero	4.0 ppt
PFHxS	10 ppt	10 ppt
PFNA	10 ppt	10 ppt
HFPO-DA (commonly known as GenX Chemicals)	10 ppt	10 ppt
Mixtures containing two or more of PFHxS, PFNA, HFPO-DA, and PFBS	1 (unitless) Hazard Index	1 (unitless) Hazard Index

The final rule is effective on June 25th.

EPA Issues Final PFOA and PFOS CERCLA Rule

EPA released a final rule to designate perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The rule addresses PFOA and PFOS contamination by enabling investigations and cleanup of the chemicals and will ensure that leaks, spills, and other releases are reported. The final rule is effective 60 days following publication in the *Federal Register*.

Supreme Court Issues Narrow Decision in Impact Fees Case

The Supreme Court issued a unanimous narrow decision in *Sheetz v. El Dorado County*, which challenged the constitutionality of legislatively enacted impact fees. A resident of El Dorado County, California challenged a traffic mitigation fee required in exchange for a development permit, arguing that the county did not make an individualized determination of the fee which violated the Fifth Amendment’s takings clause. The decision does not prevent local governments from enacting reasonable permitting conditions, including impact fees, by legislative means.

Legislative Activity

PFAS Passive Receiver Companion Bill Introduced in the House. Reps. John Curtis (R-UT) and Marie Gluesenkamp Perez (D-WA) introduced the *Water Systems PFAS Liability Protection Act* (H.R. 7499). This bill would create a CERCLA liability exemption for PFAS releases from water and wastewater systems. This is a companion bill to Sen. Lummis’ PFAS passive receivers bill in the Senate (S. 1430). The House bill was referred to the Committees on Energy and Commerce and Transportation for consideration, and the Senate bill was referred to the Committee on Environment and Public Works.

LIHWAP Reauthorization Bill Introduced in the House. A bipartisan group of House Members led by Rep. Eric Sorensen (D-IL) introduced the *Low-Income Household Water*

Assistance Program (LIHWAP) Establishment Act ([H.R. 8032](#)). This bill is the companion bill to the Senate version that was introduced by Sen. Padilla ([S. 3830](#)), which would reauthorize the LIHWAP program. LIHWAP funds subsidies to utilities to assist low-income households with paying for clean water and wastewater services. The House bill was referred to the Committees on Energy and Commerce and Transportation for consideration, and the Senate bill was referred to the Committee on Health, Education, Labor, and Pensions for consideration.

California Representatives Introduce Bill to Remove Nitrate and Arsenic from Drinking Water. Reps. Norma Torres (D-CA) and David Valadao (R-CA) introduced the *Remove Nitrate and Arsenic in Drinking Water Act* ([H.R. 7916](#)). The bill would amend the Safe Drinking Water Act to establish an annual \$15 million grant program for reducing nitrate and arsenic concentrations in drinking water supplies. The bill would also direct EPA to consider the needs of low-income and disadvantaged populations impacted by drinking water contamination. The bill was referred to the House Committee on Energy and Commerce for consideration.

Workforce Innovation and Opportunity Act Reauthorization Passes House. On April 9th, the House passed the *A Stronger Workforce for America Act* ([H.R. 6655](#)), which would amend and reauthorize the *Workforce Innovation and Opportunity Act*. The bill would authorize \$39.1 billion in funding for FY25 through FY31 with the following amounts annually:

- \$1.8 billion for the [Job Corps Program](#).
- \$1.5 billion for [Dislocated Worker Program](#).
- \$976.6 million for [Youth Formula Program](#).
- \$912.2 million for [Adult Worker Program](#).
- \$751 million for [Adult Education and Family Literacy Act Programs](#).
- \$108.2 million for the [YouthBuild Program](#).
- \$64.5 million for the workforce and labor market information system created under the [Wagner-Peyser Act](#).

The bill was sent to the Senate and referred to the Senate Committee on Health, Education, Labor, and Pensions for consideration.

Federal Funding Opportunities & Announcements

COPS Office Releases CPD – Accreditation NOFO. The Department of Justice’s (DOJ) Office of Community Oriented Policing Services (COPS) released [notices of funding opportunity](#) (NOFOs) for the availability of \$6.5 million through the Community Policing Development (CPD) – Accreditation program. This program includes three solicitations:

- **Supporting Law Enforcement Agencies Seeking Accreditation** (\$2.5 million).
- **Enhancing Existing Law Enforcement Accreditation Entities** (\$2.5 million).
- **Addressing Gaps in State and Regional Accreditation** (\$1.5 million).

There is a two-part application process with deadlines of May 21st and May 28th respectively.

COPS Office Releases COPS Hiring Program NOFO. The COPS Office released a [NOFO](#) for the availability of \$156.67 million through the FY24 COPS Hiring Program. The program provides funding to law enforcement agencies to hire and/or rehire additional career law enforcement officers to increase their community policing capacity and crime prevention efforts. There is a two-part application process with deadlines of June 6th and June 12th respectively.

COPS Office Releases School Violence Prevention NOFO. The COPS Office released a [NOFO](#) for \$73 million through the School Violence Prevention Program. The program funds state, local, and tribal government projects to improve security and safety at schools and on school grounds using evidence-based school safety programs. There is a two-part application process with deadlines of June 11th and June 17th respectively.

COPS Office Releases Anti-Methamphetamine NOFO. The COPS Office released a [NOFO](#) for \$16 million through the 2024 COPS Anti-Methamphetamine Program. The grant funds state law enforcement agencies to investigate activities related to the illicit manufacture and distribution of methamphetamine. There is a two-part application process with deadlines of June 20th and June 26th respectively.

COPS Office Releases Anti-Heroin Taskforce NOFO. The COPS Office released a [NOFO](#) for \$35 million through the Anti-Heroin Task Force Program. This competitive grant funds state law enforcement agencies to locate or investigate activities related to the distribution of heroin, fentanyl, carfentanil, and other opioids, and the illicit distribution of prescription opioids. There is a two-part application process with deadlines of June 20th and June 26th respectively.

DOT Publishes INFRA NOFO. DOT published a [NOFO](#) for \$2.7 billion through the Infrastructure for Rebuilding America (INFRA) program. The INFRA program awards competitive grants to multimodal freight and highway projects of national or regional significance to improve the safety, accessibility, efficiency, and reliability of the movement of freight and people. Eligible projects will improve safety, generate economic benefits, reduce congestion, enhance resiliency, eliminate supply chain bottlenecks, and improve critical freight movements. Applications are due May 6th.

DOT Publishes Mega NOFO. DOT published a [NOFO](#) for \$1.7 billion through the National Infrastructure Project Assistance (Mega) program. The Mega program invests in large, complex projects that are difficult to fund by other means and are likely to generate national or regional economic, mobility, or safety benefits. Eligible projects include highway, bridge, freight, port, passenger rail, and public transportation projects of national or regional significance. 50 percent of funds are available for projects above \$500 million in total cost, and 50 percent are available for projects between \$100 million and \$500 million in total cost. Applications are due May 6th.

DOT Announces Thriving Communities Program Awards. DOT [announced](#) \$23.6 million in cooperative agreements with three National Capacity Builders (TCP-N) and six Regional Capacity Builders (TCP-R). The selected TCP-N will support 52 communities in 35 states and the selected TCP-R will support a total of 60 communities in seven states.

EPA Announces National Clean Investment Fund and Clean Communities Investment Accelerator Awardees. EPA announced awardees for the \$14 billion [National Clean Investment Fund](#) and \$6 billion [Clean Communities Investment Accelerator](#) through the Greenhouse Gas Reduction Fund (GGRF). The recipients in each program will establish clean energy financing and technical assistance hubs to provide assistance and funding for low-income and disadvantaged communities to deploy distributed energy resources and develop net-zero building and zero-emission transportation projects.

EPA Announces Solar for All Grants. EPA [announced](#) \$7 billion for 60 projects in 25 states and territories through the Solar for All grant program. The grants will provide funding to develop solar programs for low-income communities to deploy distributed residential solar. The selected applicants will focus on developing local clean energy workforces to expand job opportunities.

EPA Publishes Clean Heavy-Duty Vehicles Grants NOFO. EPA published a [NOFO](#) for the availability of \$932 million for the Clean Heavy-Duty Vehicles grant program. The grants will fund project that replace existing non-zero-emission heavy-duty vehicles with zero-emission vehicles, support zero-emission vehicle infrastructure, and to train and develop workers. At least \$400 million will be used to fund projects serving communities located in an area in nonattainment with the National Ambient Air Quality Standards. The EPA will offer funding to eligible recipients to replace existing non-zero-emission Class 6 and 7 heavy-duty vehicles with eligible Class 6 and 7 zero-emission vehicles. To support zero-emission vehicle adoption and deployment, funding may also be used for:

- zero-emission vehicle refueling infrastructure;
- workforce development and training; and
- project implementation costs.
-

Applications are due by July 25th.

FAA Publishes Intent to Use AIP Entitlement Funds for FY24. FAA [announced](#) May 20th as the deadline for each airport sponsor to notify the FAA if it will use its FY24 entitlement funds to accomplish Airport Improvement Program (AIP) eligible projects. Each sponsor has previously identified to the FAA such projects through the Airports Capital Improvement Plan process. This action further announces May 20th as the deadline for an airport sponsor to submit a final grant application, based on bids, for grants that will be funded with FY24 entitlement funds only.

FAA Announces FY 2024 AIG Awards. FAA [announced](#) \$148 million in the fourth round of FY24 Airport Infrastructure Grant (AIG) awards. The grants will help fund runway,

taxiway, safety, and sustainability projects, as well as terminal, airport-transit connections, and roadway projects. In late April, FAA [announced](#) an additional \$76.1 million to projects in 22 states in FY24 AIG awards.

FAA Publishes FY23 AIP Discretionary Grant NOFO. FAA published a [NOFO](#) for \$269 million in FY23 Supplemental Discretionary AIP Grants. This is a competitive grant program under the project grant authority for Airport Improvement Program (AIP). FAA will implement the FY23 Supplemental Discretionary grants consistent with AIP sponsor and project eligibility. In addition, FY23 Supplemental Discretionary grants will align with DOT's Strategic Framework FY 2022-2026. Applications are due by May 2nd.

FEMA Announces Preparedness Grant Allocations. FEMA announced allocations for FY24 Preparedness Grant programs that assist state, local, tribal, and territorial officials in planning, preventing, and responding to acts of terrorism and disasters. The program allocations include:

- [State Homeland Security Program](#) (\$373.5 million) This grant funds the implementation of risk-driven, capabilities-based state homeland security strategies to address capability targets.
- [Urban Area Security Initiative](#) (\$553.5 million) This grant funds regional preparedness and capabilities in 41 high-threat, high-density areas.
- [Emergency Management Performance Grant Program](#) (\$319 million). This grant funds state, local, tribal, and territorial emergency management agencies in obtaining the resources required to support the National Preparedness Goal's associated mission areas.
- [Operation Stonegarden](#) (\$81 million). This grant funds cooperation and coordination among state, local, tribal, territorial, and federal law enforcement agencies to jointly enhance security along the US borders.
- [Nonprofit Security Grant Program](#) (\$274.5 million). This grant funds target hardening and other physical security enhancements for nonprofit organizations that are at high risk of a terrorist attack.
- [Port Security Grant Program](#) (\$90 million). This grant funds projects that protect critical port infrastructure from terrorism, enhance maritime domain awareness, improve port-wide maritime security risk management, and maintain or re-establish maritime security mitigation protocols that support port recovery and resiliency capabilities.
- [Transit Security Grant Program](#) (\$83.7 million). This grant funds projects by owners and operators of public transit systems to protect critical surface transportation and the public from acts of terrorism and to increase the resilience of transit infrastructure.

FHWA Announces PROTECT Grant Awards. FHWA [announced](#) \$830 million in grant awards for 80 projects through the Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT) discretionary grant program. The funds will help with projects that improve the resilience of the surface transportation system.

HUD Awards \$30 Million for FHIP. The Department of Housing and Urban Development (HUD) [announced](#) \$30 million to fair housing organizations nationwide through the Fair Housing Initiatives Program (FHIP). Grants were awarded through the Private Enforcement Initiative, the Education and Outreach Initiative, the Fair Housing Organizations Initiative, and the Education and Outreach Initiative Test Coordinator Training to support fair housing testing in local communities.

HUD Announces Foster Youth to Independence NOFO. HUD released a [NOFO](#) for \$12.7 million through the Foster Youth to Independence Initiative. Competitive grant funding is available to public housing authorities to provide housing assistance to young adults transitioning out of foster care. Applications are due June 17th.

Joint Office Publishes Communities Taking Charge Accelerator NOFO. The Joint Office of Energy and Transportation (Joint Office) issued a [NOFO](#) for \$54 million in federal funding for projects that expanding access to electrified mobility options for individuals without home charging; accelerate the transition to electrified fleets; and mature the implementation of managed charging systems to mitigate impacts and optimize usage of the grid. Eligible recipients include academic, nonprofit, for-profit, and government entities (including transit agencies) for planning, demonstration or deployment projects that drive innovation in equitable clean transportation. Before submitting a proposal for this opportunity, applicants must submit a concept paper by May 20th, and full applications are due July 16th.

OJP Publishes CBVIPI NOFO. DOJ's Office of Justice Programs (OJP) published a [NOFO](#) for up to \$2 million per applicant for the FY24 Community-Based Violence Intervention and Prevention Initiative (CBVIPI). City and county governments are eligible through Category 2 and can apply for funding to support programs that prevent or reduce violent crime in communities by supporting comprehensive, evidence-based community violence intervention and prevention programs. The Grants.gov application deadline is June 18th and the JustGrants deadline is July 2nd.

OVC Announces Anti-Trafficking Housing Assistance NOFO. DOJ's Office for Victims of Crime (OVC) released a [NOFO](#) for \$16.8 million available through the FY24 Anti-Trafficking Housing Assistance Program. The solicitation seeks applications for two purpose areas:

- **Purpose Area 1: Developing Capacity to Serve Human Trafficking Victims.** OVC expects to award \$600,000 to six recipients over 36 months beginning October 1st. The grants will support organizations that have little to no prior experience providing housing or support services to human trafficking victims.
- **Purpose Area 2: Enhancing Scope of Housing Assistance for Human Trafficking Victims.** OVC expects to award \$1.2 million to eleven recipients over 36 months beginning October 1st. The grants will support organizations with a demonstrated history of providing human trafficking victims with housing assistance or support services.

The Grants.gov application deadline is May 6th and the JustGrants deadline is May 20th.

Federal Agency Personnel & Regulatory Announcements

OMB Releases AI Guidance. The Office of Management and Budget (OMB) [released](#) new guidance on federal government use of artificial intelligence (AI). The guidelines will require agencies to verify that AI tools do not harm the rights and safety of citizens and will require annual publication of AI systems used, including risk assessments of those systems. Each agency will also be required to appointment a chief AI officer to oversee technology development.

CISA Releases CIRCIA Reporting Requirements NPRM. The Cybersecurity and Infrastructure Security Agency (CISA) released a [notice of proposed rulemaking](#) (NPRM) for Cyber Incident Reporting for Critical Infrastructure Act (CIRCIA) Reporting Requirements. CISA is requesting comments on timeframes for covered entities to report cyber incidents, ransom payments made in response to a ransomware attack, and any substantial new or different information discovered related to a previously submitted report. Comments are due June 3rd.

EPA Releases Final Rule on CWA Analysis of Effluent. EPA released a [final rule](#) titled “Clean Water Act (CWA) Methods Update Rule for the Analysis of Effluent.” This rule updates test procedures under the CWA used by industry and municipalities when analyzing the chemical, physical, and biological composition of wastewater through the National Pollutant Discharge Elimination System permit program. The rule is effective on June 17th.

EPA Releases Updated Interim Guidance on PFAS Disposal. EPA released and an [update](#) to its “Interim Guidance on the Destruction and Disposal of Perfluoroalkyl and Polyfluoroalkyl Substances and Materials Containing Perfluoroalkyl and Polyfluoroalkyl Substances.” The updated guidance provides information that managers of PFAS waste can use to evaluate the most appropriate destruction, disposal, or storage method among those currently available. The guidance also recommends that decision-makers prioritize the use of technologies with the lowest potential for environmental release.

EPA Releases GHG Standards for Heavy-Duty Vehicles Final Rule. EPA released a [final rule](#) titled “Greenhouse Gas Emissions Standards for Heavy-Duty Vehicles – Phase 3.” The new standards will phase in starting with model year 2027 vehicles and will apply to all model years beginning 2032. The rule is effective on June 21st.

EPA Announces EJ Online Clearinghouse. EPA announced the [Environmental Justice Clearinghouse](#), an online collection of environmental justice (EJ) resources. EPA is [accepting feedback](#) and the Clearinghouse will be updated on a rolling basis.

EPA Launches Permit Transparency Website. EPA launched a [new website](#) focused on providing transparency in the environmental permitting process. The new website

provides centralized information about EPA permitting programs, public facing reports and resources, Fixing America's Surface Transportation Act Title 41 (FAST-41) information, and Inflation Reduction Act funding information related to streamlining the permitting process.

FAA Announces First Airports to Receive New Runway Safety Technology. FAA [announced](#) that four airports, Austin-Bergstrom, Indianapolis, Nashville and Dallas Love Field, will be first in the nation to receive new airfield surveillance systems that will reduce the risk of runway incursions by improving air traffic controllers' situational awareness. Many more airports will receive the technology by the end of the year.

FAA Publishes Final Rule to Reduce Carbon Particle Emissions from Aircraft Engines. FAA published a [final rule](#) that adopts standards for measuring non-volatile particulate matter (nvPM) exhaust emissions from aircraft engines. With this rulemaking, the FAA implements the nvPM emissions standards adopted by the Environmental Protection Agency (EPA), allowing manufacturers to certificate engines to the new nvPM emissions standards in the United States, and fulfilling the statutory obligations of the FAA under the Clean Air Act. The rule is effective on May 24th.

FAA Publishes SMS Final Rule. FAA published a [final rule](#) updating requirements for safety management systems (SMS) and requiring certain certificate holders and commercial air tour operators to develop and implement a safety management system (SMS). This rule extends the requirement for an SMS to all certificate holders operating under the rules for commuter and on-demand operations, commercial air tour operators, production certificate holders that are holders or licensees of a type certificate for the same product, and holders of a type certificate that license out that type certificate for production. The final rule is effective on May 28th.

FCC Releases EAS Missing and Endangered Persons NPRM. The Federal Communications Commission (FCC) released a [NPRM](#) that would establish a new Emergency Alert System (EAS) event code to deliver critical information about missing and endangered persons through the radio and television. The proposed "MEP" event code would allow for coordination and issuance of "Ashanti Alerts" over public airwaves associated with persons missing or abducted from states, territories, or Tribal communities that fall outside of AMBER Alert notification criteria. Comments are due May 20th.

FEMA Seeks National Advisory Council Applicants. FEMA is [accepting applications](#) for nine discipline-specific positions and two Administrator selections to serve on the National Advisory Council (NAC). NAC advises the FEMA Administrator on all aspects of emergency management, incorporating input from and ensuring coordination with tribal, state, territorial and local governments, and non-governmental and private stakeholders. Applications are due May 12th.

FWS and NMFS Release ESA Final Rule. The Fish and Wildlife Service (FWS) and National Marine Fisheries Service (NMFS) released a [final rule](#) related to enforcement

of the Endangered Species Act (ESA). The rule clarifies, interprets, and implements provisions of the ESA related to interagency cooperation. The rule is effective on May 6th.

HUD Publishes Final Federal Flood Risk Management Standard Rule. HUD published a [final rule](#) on the Federal Flood Risk Management Standard (FFRMS). The rule will assist communities in preparing and protecting property from flood risk, heavy storms, severe weather, changes in development patterns, and erosion by ensuring that federally constructed projects are built to withstand current and future risks. The rule is effective on May 23rd.

HUD Releases Extreme Heat Quick Guide. HUD released a new guide called the [Extreme Heat Quick Guide](#). The guide provides HUD grantees and community partners with information to evaluate community vulnerability, plan for extreme heat events, and implement local heat mitigation strategies.

NOAA Announces HeatRisk Tool. NOAA announced a new map-based tool called [HeatRisk](#) to forecast the risk of heat-related impacts in specific locations over a 24-hour period.

Joint Office Publishes Public EV Charging Infrastructure Playbook. The Joint Office published the [Public Electric Vehicle \(EV\) Charging Infrastructure Playbook](#). The playbook offers interactive resources for communities, planning organizations, local and state governments, Tribal Nations, and other decision makers to help navigate important considerations when planning and deploying EV charging infrastructure. Modules can be followed in order or used as standalone resources to meet a community's unique needs.

WHD Publishes Updated Prevailing Wage Resource Book. The Department of Labor's Wage and Hour Division (WHD) updated the [Prevailing Wage Resource Book](#) (PWRB). The update incorporates changes made to the final rule, Updating the Davis-Bacon and Related Regulations that took effect on October 23rd, 2023. Contractors, contracting agencies, enforcement staff, unions, associations, and workers have long relied upon the PWRB to gain a better understanding of the labor standards on certain federal and federally funded contracts including those involving the Davis-Bacon and Related Acts (DBRA), the Service Contract Act (SCA), the Walsh-Healey Public Contracts Act (PCA), the Contract Work Hours and Safety Standards Act (CWHSSA), the Copeland "Anti-Kickback" Act, and Executive Orders impacting federal contracts. The updated PWRB discusses WHD's policies in a way that is more easily accessible to all stakeholders and provides them with a better understanding of the labor standards that apply to many federal and federally funded contracts.

##

May 2, 2024

To: Jason Haber, Intergovernmental Affairs Director
Cindie McMahon, City Attorney
City of Carlsbad

From: Sharon Gonsalves
Director of Government Affairs
Renne Public Policy Group

RE: RPPG Monthly Legislative Summary – April 2024

LEGISLATIVE UPDATE

Policy Committees Accelerate After Spring Break

April has been a bustle of legislative activity, with stacked agendas, long hearings, and a flurry of bills being amended as the more than 2,200 legislative proposals introduced between early January and the middle of February make their way through the legislative process in an effort to pass through policy committees by May 3, and then their house of origin by May 24.

However, April 26 marked the deadline for all bills that have been keyed fiscal—which means they are determined to potentially have a state fiscal impact—to be heard in a legislative policy committee. After these bills have exited policy committees, they will be sent to their respective appropriations committees (either Senate or Assembly) for fiscal analysis. Those determined to have no impact of significance may be released from committee while those determined to have a fiscal impact are placed on the Suspense File. Both appropriations committees will deliberate all fiscal measures placed on the Suspense File on May 16. If a measure passes its fiscal committee, it will then be sent to the Floor of its house of origin. From a timing and process perspective, fiscal measures can be held (meaning that they will no longer advance), advance out of committee unchanged, or advance out of committee with either technical and/or substantive amendments based on the committee’s recommendation. RPPG will send out a Suspense File memo with updates on key items of import.

Assembly Public Safety Press Conference

On April 9, a [press conference](#) on retail crime was held by the Assembly. In attendance were Assembly Speaker Robert Rivas (D, Hollister), several other members of the Assembly, Attorney General Rob Bonta, and several legislative advocates representing retailers. During the press conference, lawmakers introduced a bipartisan legislative package focused on retail crime and theft “aimed at holding those involved in retail theft accountable and keeping communities safe.” Additionally, Speaker Rivas recently made it clear that Proposition 47 will not be a target of any legislation, as the measure cannot be amended except to strengthen its provisions.

BUDGET UPDATE

Budget Subcommittees

Budget subcommittees are organized by issue area and have been hearing items from the Governor’s January proposal since its release. These hearings generally are not for vote, only for discussion, until after the release of the May revision in mid-May. Budget subcommittees in both houses have ramped up to

close out hearing all items in advance of that date so that they are prepared to vote on all remaining issues so that main Budget committees can commence their work to prepare the final product.

Budget Trailer Bill

On April 15, Governor Gavin Newsom signed [AB 106](#), which amends the Budget Acts of 2022 and 2023. This Budget Trailer Bill is the final outcome of the early action Budget agreement [announced](#) on April 4 by the Governor, Senate President pro Tem Mike McGuire (D, Geyserville), and Assembly Speaker Robert Rivas (D, Hollister). The agreement, an outline of which had been [announced](#) in March, is aimed at reducing the fiscal year 2024-25 Budget shortfall by approximately \$17.3 billion. The bill “contains a mix of \$3.6 billion in reductions (primarily to one-time funding), \$5.2 billion in revenue and borrowing, \$5.2 billion in delays and deferrals, and \$3.4 billion in shifts of costs from the General Fund to other state funds.”

Expenditure Freeze

On April 30, the Department of Finance [announced](#) that funding for “one-time resources provided in the Budget Acts of 2021, 2022, 2023” would cease immediately. **If one of these Budgets appropriated funds to your agency but you have not yet received it, please contact us and we will work with you and your legislative delegation to unlock the funds.**

Looking Forward on the Fiscal Year 2024-2025 Budget

According to Assembly Budget Director Jason Sisney, aggregate revenues in April may come in several hundred million dollars below monthly estimates, partly due to income taxes for the month falling short of previous estimates. As a result, the Governor’s May revision is almost certain to further lower revenue projections from what had been in the January proposal, though the Administration and the Legislative Analyst’s Office continue to have a gap between their respective projections, at least for now. The Governor will release his Budget revision no later than May 14. RPPG will release a May revise memo and will continue to keep you apprised of all major Budget actions. Once the updated projections and proposed expenditure plan are released, Budget subcommittees will wrap up, Budget committees of both houses will make their final votes on a Budget Bill. The Senate and Assembly must come to an agreement and send the Governor a balanced budget by June 15. However, if history is any teacher, this version has tended to be a placeholder in past years while Legislative leadership and the Governor hash out final sticking points. The Governor must sign a balanced Fiscal Year 2024-2025 Budget prior to the July 1 start of the new fiscal year. Budget Trailer Bills do not have the same deadline and we also often see Budget Bills Jr which amend and fine tune appropriations in the signed Budget Act. In odd years, this type of Budget action can be seen as late as September. However, in election years, the end of session is August 31 and after that date further Budget action would be reserved for the new session in January.

RPPG LEGISLATIVE ACTIVITY

RPPG continues to review priority bills—keeping City staff apprised of developments on legislation during our standing meetings and throughout the month as needed. RPPG continues to work hand in hand with City staff to gather client-specific information while actively engaging with lawmakers and agency officials on legislation of interest to the City.

AB 2234

Sharon Gonsalves held meetings with the author’s office and the Assembly Transportation Committee on amendments to the bill. The bill was heard on April 22, where City Manager Scott Chadwick testified in support of the bill and the bill got out of committee with a vote of 13-1. The bill will next be voted on in the Appropriations Committee.

AB 2715

Sharon Gonsalves held meetings with the author's office and the Assembly Local Government Committee on amendments to the bill. This bill was heard in the Assembly Local Government Committee on May 1. City Attorney Cindie McMahon provided lead testimony in support for the bill and the bill was voted out of committee 8-0.

RPPG Memos

RPPG sent the City analyses of [AB 2023](#) (Quirk-Silva) and [AB 1886](#) (Alvarez) on April 3.

RPPG sent the City analyses of [AB 2489](#) (Ward) and [AB 2557](#) (Ortega) on April 9.

RPPG sent the City an analysis of [AB 1893](#) (Wicks) on April 10.

RPPG sent the City an analysis of [AB 2583](#) (Berman) on April 12.

RPPG sent the City an analysis of the State Auditor's Report on Homelessness on April 22.

Update on Positioned Legislation

RPPG is closely monitoring and providing updates on bills on which the City has adopted a position.

- [AB 817 \(Pacheco\) Open meetings: teleconferencing: subsidiary body](#)
 - Status: Senate Local Government
 - City Position: Support
- [AB 1802 \(Jones-Sawyer\) Crimes: organized theft](#)
 - Status: Assembly Appropriations
 - City Position: Support
- [AB 1999 \(Irwin\) Electricity: fixed charges](#)
 - Status: Assembly Rules—not moving forward
- [AB 2234 \(Boerner\) Vehicles: electric bicycles](#)
 - Status: Assembly Appropriations
 - City Position: Sponsor
- [AB 2715 \(Boerner\) Ralph M. Brown Act: closed sessions](#)
 - Status: Assembly Floor
 - City Position: Sponsor
- [AJR 12 \(Alvarez\) Tijuana River: cross-border pollution](#)
 - Status: Senate Environmental Quality
 - City Position: Support
- [SB 689 \(Blakespear\) Local coastal program: bicycle lane: amendment](#)
 - Status: Assembly Rules awaiting assignment
 - City Position: Support
- [SB 905 \(Wiener\) Crimes: theft from a vehicle](#)
 - Status: Senate Appropriations
 - City Position: Support
- [SB 1011 \(Jones\) Encampments: penalties](#)
 - Status: Died in committee
 - City Position: Support

Priority Bills

RPPG has tagged 152 bills for the City as “priority,” which may be of potential interest, or may impact operations or priority issues, per the legislative platform. We will continue to bring bills of potential interest to staff for the City’s review in the coming weeks.

LOOKING FORWARD

- **MAY 24:** Deadline for bills to pass their house of origin
- **JUNE 15:** Legislature must pass the main budget bill
- **JUNE 30:** Governor must sign the main budget bill
- **JULY 5—AUGUST 4:** Summer Recess
- **AUGUST 31:** Last day for the Legislature to pass bills; end of the 2023-2024 legislative session
- **SEPTEMBER 30:** Last day for the Governor to sign or veto bills



City of Carlsbad: Priority Legislation as of May 14, 2024

Cannabis

AB 2850 (Rodriguez) Cannabis. (Amended 03/21/2024) [Link](#)

Existing law, the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA), approved by the voters as Proposition 64 at the November 8, 2016, statewide general election, regulates the cultivation, distribution, transport, storage, manufacturing, testing, processing, sale, and use of marijuana for nonmedical purposes by people 21 years of age and older. Under AUMA, a person 18 years of age or older who plants, cultivates, harvests, dries, or processes more than 6 living cannabis plants, or any part thereof, is guilty of a misdemeanor and may be charged with a felony if specified conditions exist, including when the offense causes substantial environmental harm to public lands or other public resources. The act additionally makes it an infraction for a person less than 21 years of age to plant, cultivate, harvest, dry, or process fewer than 6 living cannabis plants. This bill would amend AUMA to make it a felony, punishable by 16 months or 2 or 3 years in county jail, for a person over 18 years of age, but under 21 years of age to plant, cultivate, harvest, dry, or process any quantity of living cannabis plants. The bill would additionally make it a felony, punishable by 16 months or 2 or 3 years in county jail, for a person over 21 years of age to plant, cultivate, harvest, dry, or process more than 6 living cannabis plants. By increasing the penalty for a crime, this bill would impose a state-mandated local program. This bill contains other existing laws. (Based on 03/21/2024 text)

Status: 04/23/2024 - In committee: Hearing postponed by committee.

SB 512 (Bradford) Cannabis: taxation: gross receipts. (Amended 05/03/2023) [Link](#)

The Control, Regulate and Tax Adult Use of Marijuana Act (AUMA), an initiative measure, authorizes a person who obtains a state license under AUMA to engage in commercial adult-use cannabis activity pursuant to that license and applicable local ordinances. The Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), among other things, consolidates the licensure and regulation of commercial medicinal and adult-use cannabis activities. This bill, beginning January 1, 2024, would exclude from the terms “gross receipts” and “sales price” under the Sales and Use Tax Law the amount of the cannabis excise tax

imposed under the Cannabis Tax Law and the amount of any tax imposed by a city or county on the privilege of engaging in commercial cannabis activity, as specified. The bill would also prohibit a city or county from including in the definition of gross receipts, for purposes of any local tax or fee on a licensed cannabis retailer the amount of any cannabis excise tax imposed under the Cannabis Tax Law or any sales and use taxes. By imposing new requirements on local governments with respect to their taxes and fees, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 05/03/2023 text)

Status: 07/10/2023 - July 10 set for first hearing. Placed on suspense file. July 10 hearing. Held in committee and under submission.

Economic Development

AB 2922 (Garcia) Economic development: capital investment incentive programs. (Amended 04/15/2024) [Link](#)

Prior law, until January 1, 2024, authorized a county, city and county, or city to establish a capital investment incentive program, pursuant to which the county, city and county, or city was authorized to pay, upon request, a capital investment incentive amount that does not exceed the amount of property tax derived from that portion of the assessed value of a qualified manufacturing facility, as defined, that exceeds \$150,000,000 to a proponent of a qualified manufacturing facility for up to 15 years. This bill would reestablish the authorization for capital investment incentive programs until January 1, 2035. The bill would make conforming changes. This bill would declare that it is to take effect immediately as an urgency statute. The bill would make conforming changes. This bill contains other related provisions. (Based on 04/15/2024 text)

Status: 05/09/2024 - Read third time. Urgency clause adopted. Passed. Ordered to the Senate. (Ayes 65. Noes 0.). In Senate. Read first time. To Com. on RLS. for assignment.

Elections, Political Reform and Redistricting

AB 2631 (Fong, Mike) Local agencies: ethics training. (Introduced 02/14/2024) [Link](#)

Existing law requires all local agency officials to receive training in ethics, at specified intervals, if the local agency provides certain monetary payments to a member of a legislative body, as provided. Existing law requires all local agency officials who are members of specified public bodies to receive the above-described training, whether or not the member receives any type of compensation, salary, or stipend or reimbursement for actual and necessary expenses incurred in the performance of official duties. Existing law requires an entity that develops curricula to satisfy the above-described requirements to consult with the Fair Political Practices

Commission and the Attorney General regarding the sufficiency and accuracy of the proposed course content. Existing law prohibits the Fair Political Practices Commission and the Attorney General, as specified, from precluding an entity from also including local ethics policies in the curricula. This bill would, contingent upon an appropriation for these purposes, require the Fair Political Practices Commission, in consultation with the Attorney General, to create, maintain, and make available to local agency officials an ethics training course, as specified. (Based on 02/14/2024 text)

Status: 04/10/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

Notes: CalCities sponsored

Emergency Response and Disaster Preparedness

AB 2330 (Holden) Endangered species: incidental take: wildfire preparedness activities. (Amended 04/24/2024) [Link](#)

The California Endangered Species Act prohibits the taking of an endangered, threatened, or candidate species, except as specified. Under the act, the Department of Fish and Wildlife (department) may authorize the take of listed species by certain entities through permits or memorandums of understanding for specified purposes. Existing law requires the State Fire Marshal to identify areas in the state as moderate, high, and very high fire hazard severity zones based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. Existing law requires a local agency to designate, by ordinance, moderate, high, and very high fire hazard severity zones in its jurisdiction within 120 days of receiving recommendations from the State Fire Marshal, as provided. This bill would authorize a city, county, city and county, special district, or other local agency to submit to the department a locally designed plan to conduct wildfire preparedness activities on land designated as a fire hazard severity zone, as defined, that minimizes impacts to wildlife and habitat for candidate, threatened, and endangered species, and meets specified criteria. The bill would require the department to notify the local agency within 90 days of receipt of the plan if an incidental take permit or other permit is needed, or if there are other considerations, exemptions, or streamlined pathways that the wildfire preparedness activities qualify for, including, but not limited to, the State Board of Forestry and Fire Protection's California Vegetation Treatment Program. The bill would require the department to provide the local agency, in its notification, a description of the candidate, endangered, and threatened species within the plan area and reasonable measures to avoid, minimize, and fully mitigate the take of the candidate, threatened, and endangered species, as provided. The bill would require the department, commencing January 1, 2026, to annually post a summary of the plan submissions that includes specified information, including the number of incidental take permits issued, on its internet website, as specified. This bill contains other related provisions. (Based on 04/24/2024 text)

Status: 05/08/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

Notes: CalCities sponsored

Energy and Utilities

AB 1912 (Pacheco) Electricity: legislation imposing mandated programs and requirements: third-party review. (Amended 03/18/2024) [Link](#)

Existing law regulates public utilities, including electrical corporations. The California Council on Science and Technology is organized as a nonprofit corporation in response to an Assembly Concurrent Resolution in 1988. This bill would request the council to establish a program to, upon request of the Legislature, assess legislation that would establish a mandated requirement or program or otherwise affect electrical ratepayers, as specified. The bill would request the council to develop and implement conflict-of-interest provisions that would prohibit a person from participating in an analysis for which the person knows or has reasons to know that the person has a financial interest. The bill would request the council to annually inform the State Controller of the amount necessary to fund the work of the council pursuant to the bill, not to exceed \$2,000,000. The bill would require the State Controller, on June 15 of each year, to assess large electrical corporations, as defined, their proportionate share of the amount reported by the council, as provided. The bill would require the large electrical corporations to pay their proportionate shares no later than August 1 of each year. The bill would require the moneys collected to be deposited into the Electric Programs Benefit Fund, which would be created by the bill. The bill would continuously appropriate the moneys in the fund to the council to support the work of the council in providing analyses under this bill. The bill would repeal these provisions on January 1, 2030. This bill contains other related provisions. (Based on 03/18/2024 text)

Status: 05/01/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 1999 (Irwin) Electricity: fixed charges. (Amended 05/08/2024) [Link](#)

Existing law vests the Public Utilities Commission with regulatory authority over public utilities, including electrical corporations. Existing law authorizes the commission to adopt new, or expand existing, fixed charges, as defined, for the purpose of collecting a reasonable portion of the fixed costs of providing electrical service to residential customers. Under existing law, the commission may authorize fixed charges for any rate schedule applicable to a residential customer account. Existing law requires the commission, no later than July 1, 2024, to authorize a fixed charge for default residential rates. Existing law requires these fixed charges to be

established on an income-graduated basis, with no fewer than 3 income thresholds, so that low-income ratepayers in each baseline territory would realize a lower average monthly bill without making any changes in usage. This bill would prohibit modifications to the amount of the income-graduated fixed charge from exceeding changes in inflation, as provided. The bill would make the provisions authorizing the income-graduated fixed charge inoperative on July 1, 2028. The bill, commencing July 1, 2028, would instead permit the commission to authorize fixed charges that, as of January 1, 2015, do not exceed \$5 per residential customer account per month for low-income customers enrolled in the California Alternate Rates for Energy (CARE) program and that do not exceed \$10 per residential customer account per month for customers not enrolled in the CARE program. The bill would authorize these maximum allowable fixed charges to be adjusted by no more than the annual percentage increase in the Consumer Price Index for the prior calendar year, beginning January 1, 2016. This bill contains other related provisions and other existing laws. (Based on 05/08/2024 text)

Status: 05/13/2024 - Joint Rule 61 suspended. (Ayes 68. Noes 0.)

Calendar: 05/15/24 A-UTILITIES AND ENERGY 1:30 p.m. - 1021 O Street, Room 1100 PETRIE-NORRIS, COTTIE, Chair
05/16/24 A-APPROPRIATIONS Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

Notes: 3/12/24: EN tagged as pending support 4/16/24: EN sent a draft letter to the City. 5/1/24: EN removed position.

AB 2462 (Calderon) Public Utilities Commission: written reports: energy. (Amended 04/08/2024) [Link](#)

Existing law vests the Public Utilities Commission with regulatory authority over public utilities, including electrical corporations and gas corporations. Existing law requires the commission to annually prepare and submit to the Governor and Legislature a written report that contains the commission's recommendations for actions that can be undertaken during the succeeding 12 months to limit utility cost and rate increases consistent with the state's energy and environmental goals, including goals for reducing emissions of greenhouse gases, and requires the commission, in preparing the report, to require certain electrical corporations and gas corporations to study and report on measures they recommend be undertaken to limit costs and rate increases. This bill would require that the report also consider how the adoption of electrification may impact total energy costs borne by consumers, as specified, and contain recommendations that may take longer than 12 months to implement, but could lead to substantial reductions in monthly electricity bills. The bill would also expand the above-described goals to additionally include goals for encouraging beneficial electrification. This bill contains other related provisions and other existing laws. (Based on 04/08/2024 text)

Status: 04/24/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

SB 1292 (Bradford) Electricity: fixed charges: report. (Amended 04/30/2024) [Link](#)

Existing law vests the Public Utilities Commission with regulatory authority over public utilities, including electrical corporations. Existing law authorizes the commission to adopt new, or expand existing, fixed charges, as defined, for the purpose of collecting a reasonable portion of the fixed costs of providing electrical service to residential customers. Under existing law, the commission may authorize fixed charges for any rate schedule applicable to a residential customer account. Existing law requires the commission, no later than July 1, 2024, to authorize a fixed charge for default residential rates on an income-graduated basis, as specified. This bill would require the commission, on or before January 1, 2028, but no sooner than 2 years after the adoption of the income-graduated fixed charge for residential rates, to submit a report to the relevant policy committees of both houses of the Legislature on the electrical corporations' implementation of the fixed charge, as specified. The bill would prohibit the commission from authorizing a fixed charge other than the income-graduated fixed charge for default residential rates until 30 days after the report is submitted. (Based on 04/30/2024 text)

Status: 05/13/2024 - May 13 hearing: Placed on APPR suspense file.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

SB 1314 (Nguyen) Electricity: fixed charges. (Introduced 02/16/2024) [Link](#)

Existing law vests the Public Utilities Commission with regulatory authority over public utilities, including electrical corporations. Existing law authorizes the commission to adopt new, or expand existing, fixed charges, as defined, for the purpose of collecting a reasonable portion of the fixed costs of providing electrical service to residential customers. Under existing law, the commission may authorize fixed charges for any rate schedule applicable to a residential customer account. Existing law requires the commission, no later than July 1, 2024, to authorize a fixed charge for default residential rates on an income-graduated basis, as provided. Existing law requires increases to electrical rates and charges in rate design proceedings to be reasonable and subject to a reasonable phase-in schedule relative to the rates and charges in effect before January 1, 2014. This bill would repeal those provisions relating to fixed charges and rate increases. This bill contains other related provisions. (Based on 02/16/2024 text)

Status: 02/29/2024 - Referred to Com. on E., U. & C.

SB 1326 (Jones) Electricity: fixed charges. (Introduced 02/16/2024) [Link](#)

Existing law vests the Public Utilities Commission (PUC) with regulatory authority over public utilities, including electrical corporations. Existing law authorizes the commission to adopt new, or expand existing, fixed charges, as defined, for the purpose of collecting a reasonable portion of the fixed costs of providing electrical service to residential customers. Under existing law, the commission may authorize fixed charges for any rate schedule applicable to a residential customer account, and is required, no later than July 1, 2024, to authorize a fixed charge for default residential rates. Existing law requires these fixed charges to be established on an income-graduated basis, with no fewer than 3 income thresholds, so that low-income ratepayers in each baseline territory would realize a lower average monthly bill without making any changes in usage. Existing law requires the PUC to continue the California Alternative Rates for Energy (CARE) program to provide assistance to low-income electric and gas customers with

annual household incomes that are no greater than 200% of the federal poverty guideline levels, as specified. This bill would require the PUC to require each electrical corporation to offer default rates to residential customers with at least 2 usage tiers, as provided. The bill would eliminate the requirement that the fixed charges be established on an income-graduated basis as described above, repeal related findings and declarations of the Legislature, and authorize the commission to instead authorize fixed charges that, as of January 1, 2015, do not exceed \$10 per residential customer account per month for customers not enrolled in the CARE program and \$5 per residential customer account per month for customers enrolled in the CARE program. The bill would authorize the maximum allowable fixed charge to be adjusted by no more than the annual percentage increase in the Consumer Price Index for the prior calendar year, as specified. This bill contains other related provisions and other existing laws. (Based on 02/16/2024 text)

Status: 04/23/2024 - April 22 set for first hearing. Failed passage in committee. (Ayes 4. Noes 0.) Reconsideration granted.

SB 1374 (Becker) Net energy metering. (Amended 03/18/2024) [Link](#)

Existing law vests the Public Utilities Commission with regulatory authority over public utilities, including electrical corporations. Existing law requires the commission to develop a standard contract or tariff, which may include net energy metering, for eligible customer-generators, as defined, with a renewable electrical generation facility, as defined, that is a customer of a large electrical corporation. Existing law requires, in developing the standard contract or tariff for large electrical corporations, the commission to take specified actions. This bill would require, no later than July 1, 2025, the commission to ensure that any contract or tariff established by the commission pursuant to the above described provisions for renewable electrical generation facilities configured to serve either multiple customers with meters on a single property, or multiple meters of a single customer on a property or a set of contiguous properties owned, leased, or rented by the customer, meets certain requirements, including that eligible customer-generators are authorized to elect to aggregate the electrical load, as specified. This bill contains other related provisions and other existing laws. (Based on 03/18/2024 text)

Status: 05/10/2024 - Set for hearing May 16.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

Environment and Climate

AB 1567 (Garcia) Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024. (Amended 05/26/2023) [Link](#)

The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, approved by the voters as Proposition 68 at the June 5, 2018, statewide primary

election, authorizes the issuance of bonds in the amount of \$4,100,000,000 pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program. Article XVI of the California Constitution requires measures authorizing general obligation bonds to specify the single object or work to be funded by the bonds and further requires a bond act to be approved by a 2/3 vote of each house of the Legislature and a majority of the voters. This bill would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,995,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, clean energy, and workforce development programs. This bill contains other related provisions. (Based on 05/26/2023 text)

Status: 05/13/2024 - Withdrawn from committee. Re-referred to Com. on RLS.

AB 1992 (Boerner) Coastal resources: coastal development permits: blue carbon demonstration projects. (Introduced 01/30/2024) [Link](#)

Existing law, the California Coastal Act of 1976, among other things, requires anyone wishing to perform or undertake any development in the coastal zone, except as specified, in addition to obtaining any other permit required by law from any local government or from any state, regional, or local agency, to obtain a coastal development permit from the California Coastal Commission, as provided. This bill would authorize the commission to authorize blue carbon demonstration projects, as defined, in order to demonstrate and quantify the carbon sequestration potential of these projects to help inform the state's natural and working lands and climate resilience strategies. The bill would, among other things, authorize the commission to require an applicant with a project that impacts coastal wetland, subtidal, intertidal, or marine habitats or ecosystems to build or contribute to a blue carbon demonstration project. (Based on 01/30/2024 text)

Status: 04/10/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2236 (Bauer-Kahan) Solid waste: reusable grocery bags: standards: plastic film prohibition. (Amended 03/21/2024) [Link](#)

Existing law prohibits a store, as defined, from providing a single-use carryout bag, as defined, to a customer, with specified exceptions, including an exemption for bags used to contain unwrapped food. Existing law requires a reusable grocery bag sold by a store to a customer at the point of sale to be made by a certified reusable grocery bag producer and to meet specified requirements with regard to the bag's durability, material, labeling, heavy metal content, and, with regard to reusable grocery bags made from plastic film, recycled material content. Existing law prohibits a producer of reusable grocery bags made from plastic film from selling or distributing those bags unless the producer is certified by a third-party certification entity, and provides proof of that certification and a certification fee to the department, as specified. Existing law also prohibits a store from selling or distributing a recycled paper bag at the point

of sale unless the store makes that bag available for purchase for not less than \$0.10. Existing law defines “recycled paper bag,” in part, as a paper carryout bag that contains a minimum of 40% postconsumer recycled materials, except as provided, and meets other requirements. Existing law allows a retail establishment to voluntarily comply with these requirements, if the retail establishment provides the department with irrevocable notice. This bill would, commencing January 1, 2026, revise and recast those provisions to, among other things, revise the single-use carryout bag exception to include a bag provided to a customer before the customer reaches the point of sale, that is designed to protect a purchased item from damaging or contaminating other purchased items in a checkout bag, or to contain an unwrapped food item, as specified. The bill would revise the definition of “recycled paper bag” to require it be made from 100% postconsumer recycled materials, without exception. The bill would also require a reusable grocery bag sold by a store to a customer at the point of sale to meet different requirements, including that it not be made from plastic film material. The bill would repeal the provisions relating to certification of reusable grocery bags, and would repeal a provision relating to certain obsolete at-store recycling program requirements. The bill would make related conforming changes. (Based on 03/21/2024 text)

Status: 04/10/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2346 (Lee) Organic waste reduction regulations: procurement of recovered organic waste products. (Amended 04/10/2024) [Link](#)

Existing law requires the State Air Resources Board to complete, approve, and implement a comprehensive strategy to reduce emissions of short-lived climate pollutants in the state to reduce the statewide methane emissions by 40% below 2013 levels by 2030. Existing law requires the Department of Resources Recycling and Recovery, in consultation with the state board, to adopt regulations that achieve specified targets for reducing organic waste in landfills, as provided. The department’s organic waste regulations require local jurisdictions to annually procure a quantity of recovered organic waste products and to comply with their procurement targets by directly procuring recovered organic waste products for use or giveaway or by requiring, through a written agreement, that a direct service provider to the jurisdiction procure recovered organic waste products, or both. Those regulations specify the types of recovered organic waste products that a jurisdiction may procure, including compost that is produced at a compostable material handling operation or facility, or a specified digestion facility that composts onsite. Other regulations of the department require all compostable materials handling activities to obtain a facility permit from the department prior to commencing operations and meet other specified requirements, but exclude from those requirements certain activities that the regulations state do not constitute a compostable material handling operation or facility, including the composting of green material, agricultural material, food material, and vegetative food material, and the handling of compostable materials under certain conditions, as provided. This bill would authorize local jurisdictions to be credited for the procurement of recovered organic waste products through an agreement with a direct service provider, as defined, and would allow the direct service provider agreement to include the procurement of recovered organic waste products on a prospective or retrospective basis as long as the purchase of those products occurs during the year for which the local jurisdiction seeks credit. The bill would also authorize local jurisdictions to count

towards their procurement targets, compost produced and procured from specified compost operations, as defined, and, until 2030, investments made for the expansion of the capacity of compostable materials handling operations or community composting operations, as provided. (Based on 04/10/2024 text)

Status: 05/02/2024 - Read third time. Passed. Ordered to the Senate. (Ayes 73. Noes 0.) In Senate. Read first time. To Com. on RLS. for assignment.

AJR 12 (Alvarez) Tijuana River: cross-border pollution. (Amended 02/16/2024) [Link](#)

This measure would, among other things, urge the United States Congress to support President Joseph R. Biden's \$310,000,000 supplemental funding request for the United States Section of the International Boundary and Water Commission due to the ongoing impacts to public health, the environment, and the local economy caused by cross-border pollution in the Tijuana River Valley and would urge President Joseph R. Biden to declare a national emergency due to those ongoing impacts. (Based on 02/16/2024 text)

Status: 03/13/2024 - Referred to Com. on E.Q.

Position: Support

Notes: 2/14/24: EN tagged as pending support. 2/15/24: EN sent draft support letter to the City for review. 3/12/24: EN received finalized letter, tagged as support, and emailed author's office; bill is in rules. 3/14/24: EN submitted letter to Senate EQ and emailed delegation.

SB 638 (Eggman) Climate Resiliency and Flood Protection Bond Act of 2024. (Amended 06/28/2023) [Link](#)

The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, approved by the voters as Proposition 68 at the June 5, 2018, statewide primary direct election, authorizes the issuance of bonds in the amount of \$4,000,000,000 pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program. Article XVI of the California Constitution requires measures authorizing general obligation bonds to specify the single object or work to be funded by the bonds and further requires a bond act to be approved by a 2/3 vote of each house of the Legislature and a majority of the voters. This bill would enact the Climate Resiliency and Flood Protection Bond Act of 2024 which, if approved by the voters, would authorize the issuance of bonds in the amount of \$6,000,000,000 pursuant to the State General Obligation Bond Law, for flood protection and climate resiliency projects. This bill contains other related provisions. (Based on 06/28/2023 text)

Status: 07/06/2023 - July 11 hearing postponed by committee.

SB 867 (Allen) Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024. (Amended 06/22/2023) [Link](#)

The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, approved by the voters as Proposition 68 at the June 5, 2018, statewide primary election, authorizes the issuance of bonds in the amount of \$4,100,000,000 pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program. Article XVI of the California Constitution requires measures authorizing general obligation bonds to specify the single object or work to be funded by the bonds and further requires a bond act to be approved by a 2/3 vote of each house of the Legislature and a majority of the voters. This bill would enact the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,500,000,000 pursuant to the State General Obligation Bond Law to finance projects for drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, park creation and outdoor access, and clean energy programs. This bill contains other related provisions. (Based on 06/22/2023 text)

Status: 07/06/2023 - July 10 hearing postponed by committee.

SB 903 (Skinner) Environmental health: product safety: perfluoroalkyl and polyfluoroalkyl substances. (Amended 04/11/2024) [Link](#)

Existing law, commencing January 1, 2025, prohibits the manufacture, distribution, sale, or offering for sale in the state of any new, not previously used, textile articles that contain regulated perfluoroalkyl and polyfluoroalkyl substances (PFAS). Existing law, commencing January 1, 2025, prohibits the manufacture, sale, delivery, holding, or offering for sale in commerce of any cosmetic product that contains intentionally added PFAS. This bill would, beginning January 1, 2032, prohibit a person from distributing, selling, or offering for sale a product that contains intentionally added PFAS, as defined, unless the Department of Toxic Substances Control has made a determination that the use of PFAS in the product is a currently unavoidable use, the prohibition is preempted by federal law, or the product is previously used. The bill would specify the criteria and procedures for determining whether the use of PFAS in a product is a currently unavoidable use, for renewing that determination, and for revoking that determination. The bill would require the department to maintain on its internet website a list of each determination of currently unavoidable use, when each determination expires, and the products and uses that are exempt from the prohibition. The bill would impose an administrative penalty for a violation of the prohibition, as specified. The bill would establish the PFAS Penalty Account and require all administrative penalties received to be deposited into that account and, upon appropriation by the Legislature, to be used for the administration and enforcement of these provisions, as specified. This bill contains other related provisions and other existing laws. (Based on 04/11/2024 text)

Status: 05/10/2024 - Set for hearing May 16.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

SB 972 (Min) Methane emissions: organic waste: landfills. (Amended 04/15/2024) [Link](#)

Existing law requires the State Air Resources Board to approve and begin implementing a comprehensive strategy to reduce emissions of short-lived climate pollutants in the state and to achieve a reduction in specified emissions, including methane, as provided. Existing law requires the methane reduction goals to include a 75% reduction target from the 2014 level by 2025. Existing law requires the Department of Resources Recycling and Recovery, in consultation with the state board, to adopt regulations, as provided, that achieve the targets for reducing organic waste in landfills. This bill would require the department to provide procedures for local jurisdictions to request technical assistance from the department, to post those procedures on its internet website, and to provide that technical assistance, as specified. The bill would require the department to provide 2 reports to the Legislature. The bill would require the first report to be due on or before January 1, 2028, and to be on, among other things, the status of the technical assistance provided to local jurisdictions. The bill would require the 2nd report to be due on or before January 1, 2031, and to be on the state's ability to meet the targets for reducing the disposal of organic waste in landfills and any recommendations to modify the program to achieve those goals. The bill would require the department, the state board, and the California Environmental Protection Agency to hold at least 2 joint meetings per calendar year to coordinate their implementation of policies that affect those specified targets for reducing organic waste in landfills and the department's regulations adopted to achieve those goals, as specified. (Based on 04/15/2024 text)

Status: 05/13/2024 - May 13 hearing: Placed on APPR suspense file.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

Notes: CalCities sponsored

SB 1053 (Blakespear) Solid waste: reusable grocery bags: standards: plastic film prohibition. (Amended 04/18/2024) [Link](#)

Existing law prohibits a store, as defined, from providing a single-use carryout bag, as defined, to a customer, with specified exceptions, including an exemption for bags used to contain unwrapped food. Existing law requires a reusable grocery bag sold by a store to a customer at the point of sale to be made by a certified reusable grocery bag producer and to meet specified requirements with regard to the bag's durability, material, labeling, heavy metal content, and, with regard to reusable grocery bags made from plastic film, recycled material content. Existing law prohibits a producer of reusable grocery bags made from plastic film from selling or distributing those bags unless the producer is certified by a third-party certification entity, and provides proof of that certification and a certification fee to the department, as specified. Existing law also prohibits a store from selling or distributing a recycled paper bag at the point of sale unless the store makes that bag available for purchase for not less than \$0.10. Existing law defines "recycled paper bag," in part, as a paper carryout bag that contains a minimum of 40% postconsumer recycled materials, except as provided, and meets other requirements. Existing law allows a retail establishment to voluntarily comply with these requirements, if the retail establishment provides the department with irrevocable notice. This bill would, commencing January 1, 2026, revise and recast those provisions to, among other things, revise

the single-use carryout bag exception to include a bag provided to a customer before the customer reaches the point of sale that is designed to protect a purchased item from damaging or contaminating other purchased items in a checkout bag, or to contain an unwrapped food item, as specified. The bill would revise the definition of “recycled paper bag” to require it be made from 100% postconsumer recycled materials, without exception. The bill would also require a reusable grocery bag sold by a store to a customer at the point of sale to meet different requirements including that it not be made from plastic film material. The bill would also repeal the provisions relating to certification of reusable grocery bags, and would repeal a provision relating to certain obsolete at-store recycling program requirements. The bill would make related conforming changes.. The bill would make related conforming changes. (Based on 04/18/2024 text)

Status: 05/10/2024 - Set for hearing May 16.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

SB 1175 (Ochoa Bogh) Organic waste: reduction goals: local jurisdictions: waivers. (Amended 05/13/2024) [Link](#)

Existing law requires the State Air Resources Board to approve and begin implementing a comprehensive short-lived climate pollutant strategy to achieve a certain reduction in statewide emissions of methane, including a goal of a 75% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2025. Existing law requires the Department of Resources Recycling and Recovery, in consultation with the state board, to adopt regulations that achieve those targets for reducing organic waste in landfills that may include, among other things, different levels of requirements for local jurisdictions and phased timelines based upon their progress in meeting the organic waste reduction goals, and penalties to be imposed by the department for noncompliance. The department’s regulations authorize low-population and elevation waivers for a local jurisdiction, based on, among other things, a consideration of the jurisdiction’s census tracts, that exempt the jurisdiction from all or some of the department’s organic waste collection requirements. This bill would require the department to revise the regulations to require the department to consider, in addition to census tracts, alternatives to those census tracts, as provided, when deciding the geographic boundaries of a low-population or elevation waiver, as specified. The bill would prohibit the department from considering those alternatives when deciding the boundaries for those waivers until it adopts the revised regulations. This bill contains other existing laws. (Based on 05/13/2024 text)

Status: 05/13/2024 - Read third time and amended. Ordered to second reading.

Calendar: 05/16/24 #28 S-SENATE BILLS - SECOND READING FILE

SB 1193 (Menjivar) Airports: leaded aviation gasoline. (Amended 04/11/2024) [Link](#)

Existing law, the State Aeronautics Act, governs various matters relative to aviation in the state, and authorizes the Department of Transportation to adopt, administer, and enforce rules and regulations for the administration of the act. Under existing law, a violation of the State

Aeronautics Act is a crime. This bill would prohibit an airport operator or aviation retail establishment, as defined, from selling, distributing, or otherwise making available leaded aviation gasoline to consumers, consistent with a specified timeline, as provided. The bill would exempt an airport operator or aviation retail establishment from that prohibition if the board of supervisors of the county in which the point of sale occurs has made a final, written determination supported by clear and convincing evidence, after a noticed public hearing, that an unleaded aviation replacement fuel is not commercially available in the county. The bill would authorize an airport operator or aviation retail establishment to make a written request to the board of supervisors of a county to make the above determination, as provided. This bill contains other related provisions and other existing laws. (Based on 04/11/2024 text)

Status: 05/10/2024 - Set for hearing May 16.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

SB 1361 (Blakespear) California Environmental Quality Act: exemption: local agencies: contract for providing services for people experiencing homelessness.
(Amended 04/08/2024) [Link](#)

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA exempts for its requirements, among other things, actions taken by the Department of Housing and Community Development, the California Housing Finance Agency, or a local agency not acting as the lead agency to provide financial assistance or insurance for the development and construction of residential housing for persons and families of low or moderate income, as provided. This bill would additionally exempt from CEQA's requirements actions taken by a local agency to approve a contract for providing services for people experiencing homelessness, as provided. This bill contains other existing laws. (Based on 04/08/2024 text)

Status: 05/13/2024 - Referred to Coms. on NAT. RES. and H. & C.D.

Governmental Operations

AB 1725 (McCarty) Law enforcement settlements and judgments: reporting.
(Amended 01/03/2024) [Link](#)

Existing law requires each law enforcement agency to monthly furnish specified information to the Department of Justice regarding the use of force by a peace officer. This bill would require

municipalities, as defined, to annually post on their internet websites specified information relating to settlements and judgments of \$50,000 or more resulting from allegations of improper police conduct, including, among other information, amounts paid, broken down by individual settlement and judgment, information on bonds used to finance use of force settlement and judgment payments, and premiums paid for insurance against settlements or judgments resulting from allegations of improper police conduct. The bill would also require municipalities to annually post additional information pertaining to settlements and judgments, as specified, irrespective of the amount paid. By increasing requirements for local governments, this bill would impose a state-mandated local program. The bill would make legislative findings and declarations. (Based on 01/03/2024 text)

Status: 05/01/2024 - Referred to Com. on PUB S.

Calendar: 06/04/24 S-PUBLIC SAFETY 8:30 a.m. - 1021 O Street, Room 2200 WAHAB, AISHA, Chair

AB 2089 (Holden) Local government: collection of demographic data.
(Amended 04/08/2024) [Link](#)

Existing law requires the State Controller's Office, to the extent the office has completed the functionality necessary, and the Department of Human Resources, when collecting demographic data as to the ancestry or ethnic origin of Californians hired into state employment, to use additional collection categories and tabulations for specified Black or African American groups. This bill would, commencing January 1, 2026, require a city, county, or city and county, when collecting demographic data as to the ancestry or ethnic origin of employees of the city, county, or city and county, to include the additional collection categories and tabulations for specified Black or African American groups, as described above. The bill would make related findings and declarations. By imposing new duties on cities, counties, or a city and county, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 04/08/2024 text)

Status: 04/24/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2257 (Wilson) Local government: property-related water and sewer fees and assessments: remedies.
(Amended 04/23/2024) [Link](#)

The California Constitution specifies various requirements with respect to the levying of assessments and property-related fees and charges by a local agency, including notice, hearing, and protest procedures, depending on the character of the assessment, fee, or charge. Existing law, known as the Proposition 218 Omnibus Implementation Act, prescribes specific procedures and parameters for local jurisdictions to comply with these requirements. This bill would prohibit, if a local agency complies with specified procedures, a person or entity from bringing a judicial action or proceeding alleging noncompliance with the constitutional provisions for any new, increased, or extended fee or assessment, as defined, unless that person or entity has timely submitted to the local agency a written objection to that fee or assessment that specifies

the grounds for alleging noncompliance, as specified. This bill would provide that local agency responses to the timely submitted written objections shall go to the weight of the evidence supporting the agency's compliance with the substantive limitations on fees and assessments imposed by the constitutional provisions. The bill would also prohibit an independent cause of action as to the adequacy of the local agency's responses. This bill would, if the local agency complies with the specified procedures, provide that in any judicial action or proceeding to review, invalidate, challenge, set aside, rescind, void, or annul the fee or assessment for failure to comply with the procedural and substantive requirements of specified constitutional provisions in the fee or assessment setting process, the court's review is limited to a record of proceedings containing specified documents, except as otherwise provided. The bill would provide that this limitation does not preclude any civil action related to a local agency's failure to implement a fee or assessment in compliance with the manner adopted by the local agency. The bill would make related findings and declarations. This bill contains other related provisions and other existing laws. (Based on 04/23/2024 text)

Status: 05/02/2024 - Read second time. Ordered to third reading.

Position: Pending Support

Calendar: 05/16/24 #47 A-THIRD READING FILE - ASSEMBLY BILLS

Notes: 3/28/24: EN marked as pending support.

AB 2404 (Lee) State and local public employees: labor relations: strikes.
(Amended 03/21/2024) [Link](#)

The Meyers-Milias-Brown Act and the Ralph C. Dills Act regulate the labor relations of employees and employers of local public agencies and the state, respectively. The acts grant specified employees of local public agencies and the state the right to form, join, and participate in the activities of employee organizations of their choosing. This bill would provide, except as specified, that it is not unlawful or a cause for discipline or other adverse action against a public employee for that public employee to refuse to enter property that is the site of a primary strike, perform work for a public employer involved in a primary strike, or go through or work behind a primary strike line. The bill would prohibit a public employer from directing a public employee to take those actions. The bill would authorize a recognized employee organization to inform employees of these rights and encourage them to exercise those rights. The bill would also state that a provision in a public employer policy or collective bargaining agreement that purports to limit or waive the rights set forth in this provision shall be void as against public policy, except that the bill would require the parties to negotiate over the bill's provisions if the bill is in conflict with a collective bargaining agreement entered into before January 1, 2025, as prescribed. The bill would exempt certain public employees of fire departments and certain peace officers from these provisions. (Based on 03/21/2024 text)

Status: 05/08/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2421 (Low) Employer-employee relations: confidential communications.
(Introduced 02/13/2024) [Link](#)

Existing law that governs the labor relations of public employees and employers, including the Meyers-Milias-Brown Act, the Ralph C. Dills Act, provisions relating to public schools, provisions relating to higher education, and provisions relating to the the San Francisco Bay Area Rapid Transit District, prohibits employers from taking certain actions relating to employee organization, including imposing or threatening to impose reprisals on employees, discriminating or threatening to discriminate against employees, or otherwise interfering with, restraining, or coercing employees because of their exercise of their guaranteed rights. Those provisions of existing law further prohibit denying to employee organizations the rights guaranteed to them by existing law. This bill would also prohibit a local public agency employer, a state employer, a public school employer, a higher education employer, or the district from questioning any employee or employee representative regarding communications made in confidence between an employee and an employee representative in connection with representation relating to any matter within the scope of the recognized employee organization's representation. (Based on 02/13/2024 text)

Status: 04/24/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2439 (Quirk-Silva) Public works: prevailing wages: access to records.
(Amended 04/01/2024) [Link](#)

Existing law defines "public works," for the purposes of regulating public works contracts, as, among other things, construction, alteration, demolition, installation, or repair work done under contract and paid for, in whole or in part, out of public funds. Existing law requires each contractor and subcontractor on a public works project to keep accurate payroll records, showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by the contractor or subcontractor in connection with the public work. Existing law requires any copy of records made available for inspection as copies and furnished upon request to the public or any public agency to be marked or obliterated to prevent disclosure of an individual's name, address, and social security number but specifies that any copy of records made available to a Taft-Hartley trust fund for the purposes of allocating contributions to participants be marked or obliterated only to prevent disclosure of an individual's full social security number, as specified. This bill would require an owner, a developer, or the agent of an owner or developer, that, among other things, receives public funds from a public agency to perform specified public works projects, to make available upon written request from a joint labor-management committee, a multiemployer Taft-Hartley trust fund, or a specified tax-exempt organization specified public works records in their possession, including requests for bids and submitted bid documents, inspection and work logs, and funding documentation. The bill would subject an owner, a developer, the agent of an owner or developer, a contractor, and a subcontractor, for failing to comply with the provisions of this bill, to a penalty by the Labor Commissioner, as specified, and would deposit the penalties into a specified fund. (Based on 04/01/2024 text)

Status: 04/18/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (April 17). Re-referred to Com. on APPR.

AB 2455 (Gabriel) Whistleblower protection: state and local government procedures.
(Amended 04/04/2024) [Link](#)

Existing law authorizes a city, county, or city and county auditor or controller to maintain a whistleblower hotline to receive calls from persons who have information regarding fraud, waste, or abuse by local government employees, as specified. Existing law authorizes the county auditor to refer calls received on the whistleblower hotline to the appropriate government authority for review and possible investigation. During the initial review of a call, existing law requires the auditor, controller, or other appropriate governmental agency to hold in confidence information disclosed through the whistleblower hotline, as specified. Upon receiving specific information that an employee or local government has engaged in an improper activity, as defined, existing law authorizes a city or county auditor to conduct an investigative audit of the matter, as specified. This bill would expand the above-described duties and authorizations to the auditor's or controller's designee, as specified. The bill would recast information regarding fraud, waste, or abuse by local government employees as improper governmental activity, as defined, and expand its scope to include activity by a local agency, employee, or contractor or subcontractor. This bill contains other related provisions and other existing laws. (Based on 04/04/2024 text)

Status: 05/09/2024 - Read third time. Passed. Ordered to the Senate. (Ayes 65. Noes 0.) In Senate. Read first time. To Com. on RLS. for assignment.

AB 2489 (Ward) Local agencies: contracts for special services and temporary help.
(Amended 04/29/2024) [Link](#)

Existing law relating to the government of counties authorizes a county board of supervisors to contract for certain types of special services on behalf of the county, any county officer or department, or any district or court in the county. Existing law requires those special services contracts to be with persons who are specially trained, experienced, expert, and competent to perform those services. This bill would require the board or a representative, at least 10 months before beginning a procurement process to contract with persons for special services that are currently, or were in the previous 10 years, performed by employees of the county represented by an employee organization, to notify, in writing, the exclusive employee representative of the workforce affected by the contract of its determination to begin that process. The bill would provide that this 10-month notice requirement does not apply in the event of an emergency, as defined. The bill would require persons with whom the board of supervisors enter into a contract for special services to perform functions that are currently, or were in the previous 10 years, performed by employees of the county, any county officer or department, or any district or court in the county represented by an employee organization to use employees who meet or exceed the minimum qualifications and standards required of bargaining unit civil service employees who perform or performed the same job functions, as specified. The bill would also require those persons to provide information to the county sufficient to show that their employees meet the minimum qualifications and standards. The bill would specify that these provisions do not apply to contracts between governmental

entities. This bill contains other related provisions and other existing laws. (Based on 04/29/2024 text)

Status: 04/30/2024 - Re-referred to Com. on APPR.

Calendar: 05/15/24 A-APPROPRIATIONS 9:30 a.m. - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2557 (Ortega) Local agencies: contracts for special services and temporary help: performance reports. (Amended 04/25/2024) [Link](#)

Existing law relating to the government of counties authorizes a county board of supervisors to contract for certain types of special services on behalf of the county, any county officer or department, or any district or court in the county. Existing law requires those special services contracts to be with persons who are specially trained, experienced, expert, and competent to perform those services. This bill would require each person who enters into a contract for special services with the board of supervisors to submit quarterly performance reports, as prescribed, every 90 days, to the board of supervisors and the exclusive representative of the employee organization. The bill would require the board or its representative to monitor quarterly performance reports to evaluate the quality of services. The bill would require contract terms exceeding 2 years to undergo a performance audit, as prescribed, by an independent auditor approved by the board to determine whether the performance standards are being met. This bill contains other related provisions and other existing laws. (Based on 04/25/2024 text)

Status: 05/08/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2561 (McKinnor) Local public employees: vacant positions. (Amended 03/11/2024) [Link](#)

Existing law, the Meyers-Milias-Brown Act (act), authorizes local public employees, as defined, to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on matters of labor relations. The act prohibits a public agency from, among other things, imposing or threatening to impose reprisals on employees, discriminating or threatening to discriminate against employees, or otherwise interfering with specified employee rights guaranteed by the act. This bill would require each public agency with bargaining unit vacancy rates exceeding 10% for more than 90 days within the past 180 days to meet and confer with a representative of the recognized employee organization to produce, publish, and implement a plan consisting of specified components to fill all vacant positions within the subsequent 180 days. The bill would require the public agency to present this plan during a public hearing to the governing legislative body and to publish the plan on its internet website for public review for at least one year. By imposing new duties on local public agencies, the bill would impose a state-mandated local program. The bill would also include findings that changes proposed by this bill address a matter of statewide concern. (Based on 03/11/2024 text)

Status: 05/01/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2734 (Connolly) Agriculture: Cannella Environmental Farming Act of 1995.
(Introduced 02/15/2024) [Link](#)

Existing law, the Cannella Environmental Farming Act of 1995, requires the Department of Food and Agriculture to establish and oversee an environmental farming program to provide incentives to farmers whose practices promote the well-being of ecosystems, air quality, and wildlife and their habitat. The act requires the Secretary of Food and Agriculture to convene the Scientific Advisory Panel on Environmental Farming, as prescribed, for the purpose of providing advice to the secretary on the implementation of the Healthy Soils Program and the State Water Efficiency and Enhancement Program and assistance to federal, state, and local government agencies on issues relating to the impact of agricultural practices on air, water, and wildlife habitat, as specified. This bill would require the panel to consult with the California Organic Products Advisory Committee in relation to certified organic producers and the Healthy Soils Program, as specified. This bill contains other related provisions and other existing laws. (Based on 02/15/2024 text)

Status: 04/24/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2751 (Haney) Employer communications during nonworking hours.
(Amended 03/21/2024) [Link](#)

Existing law, including statutory provisions and orders of the Industrial Welfare Commission, as enforced by the Division of Labor Standards Enforcement, regulates the wages, hours, and working conditions of employees. Existing law makes it a crime for an employer to require or cause any employee to work for longer hours than those fixed or under conditions of labor prohibited by an order of the commission or to violate or refuse or neglect to comply with specified statutes on wages, hours, and working conditions or any order or ruling of the commission. This bill would require a public or private employer to establish a workplace policy that provides employees the right to disconnect from communications from the employer during nonworking hours, except as specified. The bill would define the “right to disconnect” to mean that, except for an emergency or for scheduling, as defined, an employee has the right to ignore communications from the employer during nonworking hours. The bill would require nonworking hours to be established by written agreement between an employer and employee. The bill would authorize an employee to file a complaint of a pattern of violation of the bill’s provisions with the Labor Commissioner, punishable by a specified civil penalty. (Based on 03/21/2024 text)

Status: 05/08/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2939 (Rendon) Parks: counties and cities: interpretive services.
(Introduced 02/15/2024) [Link](#)

Existing law authorizes the Department of Parks and Recreation, as a means of furthering its mission to expand access to state parks and outdoor recreation to all, and contingent upon the availability of its resources, to enter into community access agreements, as defined, with eligible entities, as defined, to provide interpretive services and visitor services, as defined, at units of the state parks system to underserved park users, as defined. This bill would require that use of local parks, as defined, by eligible entities, as defined, to provide interpretive services, as defined, to 30 or fewer participating park visitors at a time be considered an allowable public use of the local park, and would require cities, counties, and cities and counties to treat this use of the local park in the same manner as general public use of the local park, provided that no benefit is conferred by cities, counties, or cities and counties on eligible entities that is not conferred on the general public. To the extent that this bill would impose new duties on cities, counties, and cities and counties, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 02/15/2024 text)

Status: 05/09/2024 - Read second time. Ordered to Consent Calendar.

Calendar: 05/16/24 #159 A-CONSENT CALENDAR 2ND DAY-ASSEMBLY BILLS

SB 689 (Blakespear) Local coastal program: bicycle lane: amendment.
(Amended 01/03/2024) [Link](#)

The California Coastal Act of 1976 requires any person wishing to perform or undertake any development in the coastal zone, as defined, in addition to obtaining any other permit required by law from any local government or from any state, regional, or local agency, to obtain a coastal development permit, as provided. The act requires the issuance of a coastal development permit if the proposed development is in conformity with the certified local coastal program. The act provides for the certification of local coastal programs by the California Coastal Commission. This bill would provide that an application by a local government to convert an existing motorized vehicle travel lane into a dedicated bicycle lane shall not require a traffic study for the processing of either a coastal development permit or an amendment to a local coastal program. The bill would require, if a proposal to create a dedicated bicycle lane within the developed portion of an existing right-of-way requires an amendment to a local coastal program, the amendment be processed according to specified law, if the executive director of the commission makes specified determinations. (Based on 01/03/2024 text)

Status: 05/13/2024 - Referred to Coms. on NAT. RES. and TRANS.

Position: Support

Notes: 6/7/23: EN tagged as pending support -- Jason said in an email they are supporting it. No letter as of yet because it's a two year bill. 1/5/24: Jason said in an email that we should verbally support in committees the week of the 8th and that he would get back to us about a letter. 1/9/24: SG testified in support in Senate Natural Resources. 1/9/24: EN testified in support in Senate Transportation. 1/22/24: EN followed up with Jason about the support letter. 1/29/24: EN followed up with Jason about the support letter. 1/29/24: Bill is on the Senate Floor. EN received finalized letter, tagged as support, submitted to Senate, and emailed delegation.

SB 1050 (Bradford) California American Freedmen Affairs Agency: racially motivated eminent domain. (Amended 04/03/2024) [Link](#)

Existing law establishes, until January 1, 2030, the Racial Equity Commission within the Office of Planning and Research and requires the commission to develop resources, best practices, and tools for advancing racial equity by, among other things, developing a statewide Racial Equity Framework that includes methodologies and tools that can be employed to advance racial equity and address structural racism in California. This bill would require the Office of Legal Affairs, which would be established within the California American Freedmen Affairs Agency as provided by SB 1403 of the 2023–24 Regular Session, to, upon appropriation by the Legislature, review, investigate, and make certain determinations regarding applications for compensation from persons who claim they are the rightful owner, as defined, of property taken as a result of racially motivated eminent domain. The bill would define “racially motivated eminent domain” to mean when the state, county, city, city and county, district, or other political subdivision of the state acquires private property for public use and does not distribute just compensation to the owner at the time of the taking, and the taking, or the failure to provide just compensation, was due, in whole or in part, to the owner’s ethnicity or race. Upon a determination that just compensation is warranted, as provided, the bill would require the Office of Legal Affairs to certify that the rightful owner is entitled to specified compensation from the Fund for Reparations and Restorative Justice, which would be established as provided by SB 1331 of the 2023–24 Regular Session. Upon a determination that an applicant is not a rightful owner or just compensation is not warranted, the bill would require the Office of Legal Affairs to notify the applicant of its finding and provide an appeal process, as specified. The bill would make every finding, decision, determination, or other official act of the California American Freedmen Affairs Agency subject to judicial review. This bill contains other related provisions. (Based on 04/03/2024 text)

Status: 05/13/2024 - May 13 hearing: Placed on APPR suspense file.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

SB 1090 (Durazo) Unemployment insurance: disability and paid family leave: claim administration. (Amended 04/16/2024) [Link](#)

Existing unemployment compensation disability law requires workers to pay contribution rates based on, among other things, wages received in employment and benefit disbursement, for payment into the Unemployment Compensation Disability Fund, for purposes of compensating in part for the wage loss sustained by any individual who is unable to work due to the

employee's own sickness or injury, among other reasons. Existing law sets forth standards for eligibility to receive unemployment compensation disability benefits. Existing law establishes, within the above state disability insurance program, a family temporary disability insurance program, also known as the paid family leave program, for the provision of wage replacement benefits for up to 8 weeks to workers who take time off work for prescribed purposes, including to care for a seriously ill family member. Existing law requires, for purposes of unemployment compensation disability benefits, the Employment Development Department to issue the initial payment for unemployment compensation disability benefits to a monetarily eligible claimant who is otherwise determined eligible by the department within 14 days of receipt of the claimant's properly completed first disability claim. Existing law provides for purposes of the paid family leave program that eligible workers shall receive benefits generally in accordance with unemployment and disability compensation law. This bill would instead require, for purposes of unemployment compensation disability benefits, the issuance of the initial payment for those benefits within 14 days of receipt of the claimant's properly completed first disability claim or as soon as eligibility begins, whichever is later. The bill would apply the same initial payment issuance schedule applicable to unemployment compensation disability benefits to the paid family leave program and repeal the requirement that eligible workers receive benefits generally in accordance with unemployment and disability compensation law. The bill would make these changes operative when the next scheduled improvement of the Employment Development Department's integrated claims management system is implemented, or on January 1, 2028, whichever is earlier. This bill contains other related provisions and other existing laws. (Based on 04/16/2024 text)

Status: 05/10/2024 - Set for hearing May 16.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

SB 1441 (Allen) Examination of petitions: time limitations and reimbursement of costs. (Amended 04/04/2024) [Link](#)

Existing law, the California Public Records Act, requires state and local agencies to make their records available for public inspection, except as provided. Existing law generally includes in the meaning of "public records" any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. Under existing law, certain election petitions are not public records and are not open to inspection except by certain persons. Specifically, existing law authorizes, among other persons, the proponents of a petition found to be insufficient or their designated representative to examine the petition no later than 21 days after certification of the insufficiency. This bill would require the examination to conclude no later than 60 days after it commenced. The bill would also require the proponent to reimburse all costs incurred by the county elections official due to the examination within 30 days after the examination concludes. The bill would, before an examination is conducted and at the beginning of each day following, require the proponent of a petition who requests to examine a petition and a memorandum to deposit with the elections official a sum required by the elections official to cover the cost of the examination for that day. The bill would authorize the return of any money deposited in excess of the cost of the examination and provide that money not required to be refunded be deposited in the appropriate public treasury. This bill contains other related provisions and other existing laws. (Based on 04/04/2024 text)

Status: 05/13/2024 - From committee: Be ordered to second reading pursuant to Senate Rule 28.8.

Calendar: 05/16/24 #20 S-SENATE BILLS - SECOND READING FILE

Health and Human Services

SB 363 (Eggman) Facilities for inpatient and residential mental health and substance use disorder: database. (Amended 05/18/2023) [Link](#)

Existing law generally requires the State Department of Public Health to license, inspect, and regulate health facilities, defined to include, among other types of health facilities, an acute psychiatric hospital. Existing law generally requires the State Department of Social Services to license, inspect, and regulate various types of care facilities, including, among others, a community crisis home. Existing law requires the State Department of Health Care Services to license and regulate facilities that provide residential nonmedical services to adults who are recovering from problems related to alcohol, drug, or alcohol and drug misuse or abuse, and who need alcohol, drug, or alcohol and drug recovery treatment or detoxification services. This bill would require, by January 1, 2026, the State Department of Health Care Services, in consultation with the State Department of Public Health and the State Department of Social Services, and by conferring with specified stakeholders, to develop a real-time, internet-based database to collect, aggregate, and display information about beds in specified types of facilities, such as chemical dependency recovery hospitals, acute psychiatric hospitals, and mental health rehabilitation centers, among others, to identify the availability of inpatient and residential mental health or substance use disorder treatment. The bill would require the database to include a minimum of specific information, including the contact information for a facility's designated employee, the types of diagnoses or treatments for which the bed is appropriate, and the target populations served at the facility, and have the capacity to, among other things, enable searches to identify beds that are appropriate for individuals in need of inpatient or residential mental health or substance use disorder treatment. This bill contains other related provisions. (Based on 05/18/2023 text)

Status: 09/01/2023 - September 1 hearing: Held in committee and under submission.

Position: Support

Notes: 3/14/23 SG: Subcommittee approved support position 3/22/23 SG: Testified in support in Senate Health Committee 4/7/23 AB: Submitted letter of support to the Judiciary Committee and the Author. 4/7/23: EN emailed letter to delegation. 4/11/23 SG: Testified in support in Senate Judiciary Committee 4/24/23 SG: Testified in support in Senate Approps 6/6/23: EN submitted to Asm Health and emailed City, delegation, and governor's office. 6/13/23: AS testified in Asm Health.

SB 913 (Umberg) Substance use disorder treatment: facilities. (Amended 04/25/2024) [Link](#)

Existing law requires laboratories or certified outpatient treatment programs that lease, manage, or own housing that is offered to individuals using the laboratory or outpatient treatment services to maintain separate housing contracts stating that payment for the housing is the patient's responsibility and does not depend on insurance benefits. Existing law requires alcoholism or drug abuse recovery or treatment facilities to only offer discounted postdischarge housing and specified transportation services under certain conditions, including that the patient enters into a repayment plan for any subsidized rent. This bill would authorize a city attorney of a city in which the housing units are located or a county counsel or a county behavioral health agency if the housing units are located in the unincorporated area of the county, with the consent of the State Department of Health Care Services, to enforce the above provisions. This bill contains other related provisions and other existing laws. (Based on 04/25/2024 text)

Status: 05/13/2024 - May 13 hearing: Placed on APPR suspense file.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

Homelessness

AB 2338 (Jones-Sawyer) Statewide Homelessness Coordinator. (Amended 03/04/2024) [Link](#)

Existing law establishes various programs to address homelessness, including requiring the Governor to create an Interagency Council on Homelessness. Existing law requires the council to, among other things, identify mainstream resources, benefits, and services that can be accessed to prevent and end homelessness in California and promote systems integration to increase efficiency and effectiveness to address the needs of people experiencing homelessness. This bill would require the Governor to appoint a Statewide Homelessness Coordinator, within the Governor's office, to serve as the lead person for ending homelessness in California. This bill would require the coordinator to perform prescribed duties, including, among others, identifying a local leader in each relevant city, county, city and county, or other jurisdiction to serve as a liaison between the coordinator and that jurisdiction, overseeing homelessness programs, services, data, and policies between federal, state, and local agencies, coordinating the timing of release of funds and applications for funding for housing and housing-based services impacting Californians experiencing homelessness, and, in collaboration with local leaders, providing annual recommendations to the Legislature and the Governor, as specified. This bill contains other related provisions. (Based on 03/04/2024 text)

Status: 05/08/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

Housing and Land Use

AB 1176 (Zbur) General plans: Local Electrification Planning Act. (Amended 05/26/2023) [Link](#)

Existing law, the Planning and Zoning Law, requires a city or county to adopt a comprehensive general plan for the city's or county's physical development that includes various elements, including, among others, a land use element that designates the proposed general distribution and general location and extent of the uses of the land in specified categories, and a circulation element that identifies the location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities, as specified. This bill, the Local Electrification Planning Act, would require a city, county, or city and county to prepare and adopt a specified plan, or otherwise integrate a plan into the general plan, that, among other things, identifies opportunities to expand electric vehicle charging to meet the needs of the city's, county's, or city and county's current and future visitors, residents, and businesses, and includes policies and implementation measures that address the needs of disadvantaged communities, low-income households, and small businesses for investments in zero-emission technologies that directly benefit these groups, as specified. The bill would require a city, county, or city and county to adopt a specified plan, or otherwise integrate the plan into the general plan, on or after January 1, 2025, but no later than January 1, 2028. The bill would deem a plan adopted pursuant to these provisions as a regional plan for specified purposes. This bill contains other related provisions and other existing laws. (Based on 05/26/2023 text)

Status: 05/13/2024 - Withdrawn from committee. Re-referred to Com. on RLS.

AB 1657 (Wicks) The Affordable Housing Bond Act of 2024. (Amended 03/04/2024) [Link](#)

Under existing law, there are programs providing assistance for, among other things, emergency housing, multifamily housing, farmworker housing, home ownership for very low and low-income households, and downpayment assistance for first-time home buyers. Existing law also authorizes the issuance of bonds in specified amounts pursuant to the State General Obligation Bond Law and requires that proceeds from the sale of these bonds be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. This bill would enact the Affordable Housing Bond Act of 2024, which, if adopted, would authorize the issuance of bonds in the amount of \$10,000,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds would be used to finance programs to fund affordable rental housing and homeownership programs, including, among others, the Multifamily Housing Program, the CalHome Program, and the Joe Serna, Jr. Farmworker Housing Grant Program. This bill would provide for submission of the bond act to the voters at the March 5, 2024, statewide general election in accordance with specified law. This bill contains other related provisions. (Based on 03/04/2024 text)

Status: 03/04/2024 - From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on APPR.

AB 1820 (Schiavo) Housing development projects: applications: fees and exactions. (Amended 04/29/2024) [Link](#)

Existing law requires a city or county to deem an applicant for a housing development project to have submitted a preliminary application upon providing specified information about the proposed project to the city or county from which approval for the project is being sought. Existing law requires a housing development project be subject only to the ordinances, policies, and standards adopted and in effect when the preliminary application was submitted. This bill would authorize a development proponent that submits a preliminary application for a housing development project to request a preliminary fee and exaction estimate, as defined, and would require the local agency to provide the estimate within 30 business days of the submission of the preliminary application. For development fees imposed by an agency other than a city or county, the bill would require the development proponent to request the fee schedule from the agency that imposes the fee. The bill would specify that the preliminary fee and exaction estimate is for informational purposes only and does not affect the scope, amount, or time of payment of any fee or exaction, as specified. This bill contains other related provisions and other existing laws. (Based on 04/29/2024 text)

Status: 04/30/2024 - Re-referred to Com. on APPR.

Calendar: 05/15/24 A-APPROPRIATIONS 9:30 a.m. - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 1886 (Alvarez) Housing Element Law: substantial compliance: Housing Accountability Act. (Amended 04/15/2024) [Link](#)

The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. Existing law, commonly referred to as the Housing Element Law, prescribes requirements for a city's or county's preparation of, and compliance with, its housing element, and requires the Department of Housing and Community Development to review and determine whether the housing element substantially complies with the Housing Element Law, as specified. If the department finds that a draft housing element or amendment does not substantially comply with the Housing Element Law, existing law requires the legislative body of the city or county to either (A) change the draft element or amendment to substantially comply with the Housing Element Law or (B) adopt the draft housing element or amendment without changes and make specified findings as to why the draft element or amendment substantially complies with the Housing Element Law despite the findings of the department. Existing law requires a planning agency to promptly submit an adopted housing element or amendment to the department and requires the department to review the adopted housing element or amendment and report its findings to the planning agency within 60 days. This bill would require a planning agency that makes the above-described findings as to why a draft housing element or amendment substantially complies with the Housing Element Law despite the findings of the department to submit those findings to the department. The bill would require the department to review those finding in its review of an adopted housing element or amendment. The bill would create a rebuttable presumption of validity for the department's findings as to whether the adopted element or amendment substantially complies with the Housing Element Law. Because the bill would require planning agencies to submit specified findings to the department with an adopted housing element or amendment, the bill would impose a state-mandated local program. This bill would provide that a housing element or amendment is considered substantially compliant with the Housing Element Law when the local agency has adopted a housing element or amendment and the department or a court of competent jurisdiction

determines the adopted housing element or amendment to be in substantial compliance with the Housing Element Law. The bill would specify that a determination of substantial compliance continues until the department or a court of competent jurisdiction determines otherwise or the end of the applicable housing element cycle. The bill would provide that these provisions are declaratory of existing law. This bill contains other related provisions and other existing laws. (Based on 04/15/2024 text)

Status: 05/09/2024 - Read second time. Ordered to third reading.

Calendar: 05/16/24 #79 A-THIRD READING FILE - ASSEMBLY BILLS

AB 1889 (Friedman) conservation element: wildlife and habitat connectivity.
(Amended 04/15/2024) [Link](#)

Existing law, the Planning and Zoning Law, requires the legislative body of a city or county to adopt a comprehensive general plan that includes various elements, including land use, housing, and conservation elements, as specified. Existing law requires the conservation element to consider the effect of development within the jurisdiction on natural resources located on public lands. This bill would additionally require the conservation element to consider the effect of development within the jurisdiction on the movement of wildlife and habitat connectivity. The bill would require the conservation element, upon the next update of one or more elements on or after January 1, 2026, to, among other things, identify and analyze connectivity areas, permeability, and natural landscape areas within the jurisdiction, identify and analyze existing or planned wildlife passage features, and consider the impacts of development and the barriers caused by development to wildlife and habitat connectivity. The bill would authorize a city, county, or city and county to incorporate by reference into their general plan an existing plan that meets these requirements. The bill would require authorize a city, county, or city and county preparing to update its conservation element to consider incorporating appropriate standards, policies, and zoning, implementation programs, consult with specified entities, and consider relevant best available science. The bill would authorize a city, county, or city and county to consult with other appropriate entities and include the above-described required information in a separate component or section of the general plan entitled a wildlife connectivity element. The bill would include related legislative findings and declarations. By adding to the duties of county and city officials in the administering of their land use planning duties, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 04/15/2024 text)

Status: 05/09/2024 - Read second time. Ordered to third reading.

Calendar: 05/16/24 #80 A-THIRD READING FILE - ASSEMBLY BILLS

AB 1893 (Wicks) Housing Accountability Act: housing disapprovals: required local findings.
(Amended 04/30/2024) [Link](#)

The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. Existing law, commonly referred to as the Housing Element Law, prescribes requirements for a city's or county's preparation of, and compliance with, its housing element, and requires the

Department of Housing and Community Development to review and determine whether the housing element substantially complies with the Housing Element Law, as specified. Existing law, the Housing Accountability Act, among other things, prohibits a local agency from disapproving, or conditioning approval in a manner that renders infeasible, a housing development project for very low, low-, or moderate-income households unless the local agency makes written findings as to one of certain sets of conditions, as specified. Existing law defines “housing for very low, low-, or moderate-income households” for purposes of the Housing Accountability Act to mean at least 20% of the total units shall be sold or rented to lower income households or 100% of the units are sold or rented to persons and families of moderate income. This bill would revise that definition to mean at least 10% of the units are dedicated to very low income households, 100% of the units are dedicated to lower income households at an affordable rent consistent with rent limits established by the California Tax Credit Allocation Committee, 100% of the units are sold or rented to persons and families of moderate income, or the housing development consists of 10 units or fewer that is on a project site that is smaller than one acre with a minimum density of 10 units per acre. This bill contains other related provisions and other existing laws. (Based on 04/30/2024 text)

Status: 05/01/2024 - Re-referred to Com. on APPR.

Calendar: 05/15/24 A-APPROPRIATIONS 9:30 a.m. - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2023 (Quirk-Silva) Housing element: inventory of land: rebuttable presumptions. (Amended 03/21/2024) [Link](#)

The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. Existing law, commonly referred to as the Housing Element Law, prescribes requirements for a city’s or county’s preparation of, and compliance with, its housing element, and requires the Department of Housing and Community Development to review and determine whether the housing element substantially complies with the Housing Element Law, as specified. Existing law requires the housing element to include an inventory of land suitable and available for residential development. If that inventory of sites does not identify adequate sites to accommodate the need for groups of all household income levels, as provided, existing law requires that the local government rezone sites within 3 years after the date the housing element is adopted or within one year if the local government fails to adopt a housing element that the department finds to be in substantial compliance with the Housing Element Law within 120 days of the statutory deadline to adopt the housing element. This bill, for the 7th and each subsequent revision of the housing element, would require a local government to complete the rezoning of sites within one year of the statutory deadline for the adoption of the housing element or the earlier of 3 years after the date the housing element is adopted or 90 days after receipt of comments from the department, as specified, if the local government satisfies certain requirements, including submitting a draft element or draft amendment to the department for review within specified timeframes and adopting a draft element or draft amendment that the department finds to be insubstantial compliance with the Housing Element Law, as specified. This bill contains other related provisions and other existing laws. (Based on 03/21/2024 text)

Status: 05/09/2024 - Read second time. Ordered to third reading.

Calendar: 05/16/24 #82 A-THIRD READING FILE - ASSEMBLY BILLS

AB 2085 (Bauer-Kahan) Planning and zoning: permitted use: community clinic. (Amended 04/09/2024) [Link](#)

The Planning and Zoning Law, among other things, authorizes a development proponent to submit an application for a housing development that is subject to a specified streamlined, ministerial approval process not subject to a conditional use permit, if the development satisfies certain objective planning standards. The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA does not apply to the approval of ministerial projects. This bill would make a development that meets specified objective planning standards, including that, among other things, it is on a parcel that is within a zone where office, retail, health care, or parking are a principally permitted use, a permitted use and would require a local agency to review an application for that development on an administrative, nondiscretionary basis. The bill would require a local agency, within 60 calendar days of receiving an application pursuant to these provisions, to approve or deny the application subject to specified requirements, including that, among other things, if the local agency determines that the development is in conflict with any of the above-described standards, the local agency is required to provide the development proponent written documentation of which standard or standards the development conflicts with, as specified. This bill contains other related provisions and other existing laws. (Based on 04/09/2024 text)

Status: 05/08/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2199 (Berman) California Environmental Quality Act: exemption: residential or mixed-use housing projects. (Amended 04/18/2024) [Link](#)

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. Existing law, until January 1, 2025, exempts from CEQA residential or mixed-use housing projects, as defined, located in unincorporated areas of a county meeting certain requirements, except for residential or mixed-use housing projects if certain conditions exist, as specified. Existing law requires a lead agency, if the lead agency determines that a residential or mixed-use housing project qualifies for this exemption from CEQA and determines to approve or carry out the project, to file a notice of exemption with the Office of Planning and Research and the county clerk in the county in which the project is located. This bill would extend the operation of that exemption until January 1, 2035. By also extending the requirement on a lead agency to determine the applicability of the exemption and to file a notice of exemption with the office and the county clerk, this bill would impose a state-mandated local program. The bill would also make this exemption inapplicable to a residential or mixed-use housing project that may cause

substantial adverse impact to tribal cultural resources, as defined. This bill contains other related provisions and other existing laws. (Based on 04/18/2024 text)

Status: 05/09/2024 - Read third time. Passed. Ordered to the Senate. (Ayes 63. Noes 0.) In Senate. Read first time. To Com. on RLS. for assignment.

AB 2243 (Wicks) Affordable Housing and High Road Jobs Act of 2022: objective standards and affordability and site criteria. (Amended 04/18/2024) [Link](#)

Existing law, the Affordable Housing and High Road Jobs Act of 2022, until January 1, 2033, authorizes a development proponent to submit an application for an affordable housing development or a mixed-income housing development that meets specified objective standards and affordability and site criteria, including being located within a zone where office, retail, or parking are a principally permitted use. The act makes a development that meets those objective standards and affordability and site criteria a use by right and subject to one of 2 streamlined, ministerial review processes depending on, among other things, the affordability requirements applicable to the project. This bill would make various changes to the objective standards and affordability and site criteria applicable to an affordable housing development or mixed-income housing development subject to the streamlined, ministerial review process under the act. Among other changes to those objective standards, the bill would prohibit an affordable housing development subject to the act from demolishing a historic structure that was placed on a national, state, or local historic register. This bill contains other related provisions and other existing laws. (Based on 04/18/2024 text)

Status: 05/09/2024 - Read second time. Ordered to Consent Calendar.

Calendar: 05/16/24 #132 A-CONSENT CALENDAR 2ND DAY-ASSEMBLY BILLS

AB 2387 (Pellerin) Mobilehome parks: additional lots: exemption from additional fees or charges. (Amended 03/21/2024) [Link](#)

Existing law, the Mobilehome Parks Act (act), generally regulates various classifications of mobilehome and related vehicle parks, and imposes enforcement duties on the Department of Housing and Community Development and local enforcement agencies. The act authorizes any person to file an application with the governing body of a city or county for a conditional use permit for a mobilehome park. The act requires a person, before operating a mobilehome park, and each year thereafter, to obtain a valid permit from the enforcement agency in order to operate the park. The act also requires the owner of a mobilehome park to obtain a permit to create, move, shift, or alter park lot lines. This bill would authorize an owner of an existing mobilehome park that is subject to, or intends to qualify for, a valid permit to operate the park, to apply to the enforcement agency to add additional specified lots to the mobilehome park not to exceed 10% of the previously approved number of lots in the mobilehome park, if the owner has not had their permit to operate suspended. The bill would require the owner to apply to the enforcement agency for, and obtain from the enforcement agency, all required permits pursuant to the act before adding additional lots. The bill would exempt the additional lots from any business tax, local registration fee, use permit fee, or other fee, except those fees that apply to the existing lots in the park, and would prohibit the owner from reducing the size of, or

interfering with, certain existing facilities. This bill contains other related provisions and other existing laws. (Based on 03/21/2024 text)

Status: 04/10/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2430 (Alvarez) Planning and zoning: density bonuses: monitoring fees. (Amended 04/18/2024) [Link](#)

Existing law, commonly referred to as the Density Bonus Law, requires a city, county, or city and county to provide a developer that proposes a housing development within the city or county with a density bonus, waivers or reductions of development standards and parking ratios, and other incentives or concessions, as specified, if the developer agrees to construct certain types of housing, including a housing development in which 100% of the units are for lower income households, except that up to 20% of the units in the development may be for moderate-income households, as specified. This bill would prohibit a city, county, or city and county from charging a monitoring fee, as defined, on those types of housing developments if certain conditions are met, except as specified. The bill would provide that, beginning on January 1, 2025, any housing development that is currently placed in service, is subject to monitoring fees, and meets those conditions shall no longer be subject to those fees. By imposing new duties on local governments, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 04/18/2024 text)

Status: 05/09/2024 - Read second time. Ordered to Consent Calendar.

Calendar: 05/16/24 #140 A-CONSENT CALENDAR 2ND DAY-ASSEMBLY BILLS

AB 2433 (Quirk-Silva) California Private Permitting Review and Inspection Act: fees: building permits. (Amended 04/15/2024) [Link](#)

Existing law, the State Housing Law, establishes statewide construction and occupancy standards for buildings used for human habitation. Existing law authorizes the governing body of a county or city to prescribe fees for permits, certificates, or other forms or documents required or authorized under the State Housing Law, and fees to defray the cost of enforcement required by the law to be carried out by local enforcement agencies. This bill, the California Private Permitting Review and Inspection Act, would require a building department of the county or city to prepare a schedule of the above-described fees and post the schedule on the county or city's internet website if the city or county prescribes the fees. This bill contains other related provisions and other existing laws. (Based on 04/15/2024 text)

Status: 05/08/2024 - In committee: Hearing postponed by committee.

Calendar: 05/15/24 A-APPROPRIATIONS 9:30 a.m. - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2485 (Carrillo, Juan) Regional housing need: determination. (Amended 03/19/2024) [Link](#)

The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city, which includes, among other mandatory elements, a housing element. That law requires, for the 4th and subsequent revisions of the housing element, the Department of Housing and Community Development (department) to determine the existing and projected need for housing for each region, as specified. That law requires the department, in consultation with the council of governments, to determine the existing and projected need of housing for each region in a specified manner. That law requires the department's determination to be based upon population projections produced by the Department of Finance, as specified. That law also requires the department to meet and consult with the council of governments regarding the assumptions and methodologies to be used to determine each region's housing need and requires the council of governments to provide data assumptions from the council of governments' projections, as specified. That law authorizes the department to accept or reject the information provided by the council of governments and, after consultation with each council of governments, to make determinations on the council of governments' data assumptions and the methodology the department will use to determine each region's housing need. That law requires the department to provide its determinations to each council of governments, as specified. This bill would require the department to publish on its internet website the data sources, analyses, and methodology, as specified, prior to finalization of the regional determination. The bill would also require the department, for the 7th and subsequent revisions of the housing element, to assemble and convene an advisory panel that includes, among others, an expert on the data assumptions by each council of governments to advise the department on the assumptions and methodology it will use to determine each region housing need. The bill would also require the department to consult with the advisory panel before making determinations on the council of governments' data assumptions and methodology it will use to determine each region's housing need for the 7th and subsequent revisions of the housing element. The bill would also additionally require the department to publish its determination on its internet website. (Based on 03/19/2024 text)

Status: 04/25/2024 - From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 8. Noes 0.) (April 24). Re-referred to Com. on APPR.

Calendar: 05/15/24 A-APPROPRIATIONS 9:30 a.m. - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2553 (Friedman) Housing development: major transit stops: vehicular traffic impact fees. (Amended 04/15/2024) [Link](#)

Existing law, the California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA exempts from its requirements residential projects on infill sites and transit priority projects that meet certain requirements, including a requirement that the projects are located within 1/2 mile of a major transit stop.

CEQA defines “major transit stop” to include, among other locations, the intersection of 2 or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. This bill would revise the definition of “major transit stop” to increase the frequency of service interval to 20 minutes. This bill contains other related provisions and other existing laws. (Based on 04/15/2024 text)

Status: 05/02/2024 - Read third time. Passed. Ordered to the Senate. (Ayes 73. Noes 0.) In Senate. Read first time. To Com. on RLS. for assignment.

AB 2560 (Alvarez) Density Bonus Law: California Coastal Act of 1976.
(Amended 04/24/2024) [Link](#)

Existing law, referred to as the Density Bonus Law, requires a city or county to provide a developer that proposes a housing development within the city or county with a density bonus and other incentives or concessions, as specified, if the developer agrees to construct specified percentages of units for lower income households or very low income households, and meets other requirements. Existing law, the California Coastal Act of 1976 (act), regulates development, as defined, in the coastal zone, as defined, and requires a new development to comply with specified requirements. The Density Bonus Law provides that its provisions do not supersede or in any way alter or lessen the effect or application of the act, and requires that any density bonus, concessions, incentives, waivers or reductions of development standards, and parking ratios to which an applicant is entitled under the Density Bonus Law be permitted in a manner consistent with the act. This bill would provide that any density bonus, concessions, incentives, waivers or reductions of development standards, and parking ratios to which an applicant is entitled under the Density Bonus Law be permitted notwithstanding the act if the development is not located on any of specified sites. (Based on 04/24/2024 text)

Status: 04/25/2024 - Read second time. Ordered to third reading.

Calendar: 05/16/24 #23 A-THIRD READING FILE - ASSEMBLY BILLS

AB 2574 (Valencia) Alcoholism or drug abuse recovery or treatment programs and facilities: disclosures. (Amended 04/25/2024) [Link](#)

Existing law grants the sole authority in state government to the State Department of Health Care Services to certify alcohol or other drug programs and to license adult alcoholism or drug abuse recovery or treatment facilities. Existing law requires certified programs and licensed facilities to disclose specified information to the department, including ownership or a financial interest in a recovery residence, as defined, and contractual relationships with entities that provide recovery services to clients of certified programs or licensed facilities if the entity is not a part of a certified program or a licensed facility. This bill would require an organization that operates, conducts, owns, or maintains a certified program or a licensed facility to disclose to the department whether the licensee, or a general partner, director, or officer of the licensee owns or has a financial interest in a recovery residence and whether it has contractual relationships with entities that provide recovery services to clients of certified programs or licensed facilities if the entity is not a part of a certified program or a licensed facility. (Based on 04/25/2024 text)

Status: 04/29/2024 - Read second time. Ordered to third reading. Re-referred to Com. on APPR. pursuant to Joint Rule 10.5.

Calendar: 05/15/24 A-APPROPRIATIONS 9:30 a.m. - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

Notes: CalCities sponsored

AB 2583 (Berman) School zones and walk zones. (Amended 04/08/2024) [Link](#)

Existing law, the Planning and Zoning Law, requires the legislative body of a city or county to adopt a comprehensive general plan that includes various elements, including a circulation element to plan for transportation routes. This bill would require, upon any substantive revision of the circulation element on or after January 1, 2025, the legislative body of a city or county, to identify and establish school walk zones for all schools located within the scope of the general plan. The bill would define a “school walk zone” to mean all roadways and sidewalks within 1/2 mile in all directions of the boundary line of a school grounds. By placing new duties on county and city officials with respect to their land use planning, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 04/08/2024 text)

Status: 04/25/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (April 24). Re-referred to Com. on APPR.

Calendar: 05/15/24 A-APPROPRIATIONS 9:30 a.m. - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2632 (Wilson) Planning and zoning: thrift retail stores. (Amended 04/22/2024) [Link](#)

(1) Existing law, the Planning and Zoning Law, among other things, requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city and of any land outside its boundaries that relates to its planning. Existing law authorizes the legislative body, if it deems it to be in the public interest, to amend all or part of an adopted general plan, as provided. Existing law also authorizes the legislative body of any county or city, pursuant to specified procedures, to adopt ordinances that, among other things, regulate the use of buildings, structures, and land as between industry, business, residences, open space, and other purposes. This bill would prohibit a local agency, as defined, from treating a thrift retail store, as defined, differently from a nonthrift retail store engaged in the sale of new items that are similar to items sold by a thrift retail store for purposes of zoning, development standards, or permitting, except as specified. The bill would allow a local agency to require that thrift retail stores meet certain aesthetic or design standards, as prescribed. The bill would prohibit a local agency from prohibiting a thrift retail store from receiving used and donated items for sale in the store or other thrift retail stores, or reuse or recycling, or both reuse and recycling, through other means. This bill contains other related provisions and other existing laws. (Based on 04/22/2024 text)

Status: 04/23/2024 - Re-referred to Com. on APPR.

Calendar: 05/15/24 A-APPROPRIATIONS 9:30 a.m. - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2667 (Santiago) Affirmatively furthering fair housing: housing element: reporting. (Amended 04/09/2024) [Link](#)

Existing law requires a public agency to administer its programs and activities relating to housing and community development in a manner to affirmatively further fair housing, and take no action that is materially inconsistent with its obligation to affirmatively further fair housing. Existing law defines “affirmatively furthering fair housing” as taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. Existing law requires a housing element to include a program that sets forth a schedule of actions during the planning period, each with a timeline for implementation such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through, among other things, the administration of land use and development controls and the provision of regulatory concessions and incentives. Existing law requires this program to affirmatively further fair housing and consist of specified components, including a summary of fair housing issues in the jurisdiction and an assessment of the jurisdiction’s fair housing enforcement and fair housing outreach capacity. This bill would require the Department of Housing and Community Development to develop a standardized reporting format for programs and actions taken with regards to the local agency affirmatively further fair housing that enables the reporting of the assessment components described-above, as specified. The bill would require local governments to utilize the standardized reporting format for the 7th and each subsequent revision of the housing element. This bill contains other related provisions and other existing laws. (Based on 04/09/2024 text)

Status: 04/25/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (April 24). Re-referred to Com. on APPR.

Calendar: 05/15/24 A-APPROPRIATIONS 9:30 a.m. - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2675 (Low) Planning and zoning: regional housing needs: exchange of allocation. (Amended 05/06/2024) [Link](#)

The Planning and Zoning Law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city that includes, among other specified mandatory elements, a housing element. That law, for the 4th and subsequent revisions of the housing element, requires the Department of Housing and Community Development to determine the existing and projected need for housing for each region. That law further requires the appropriate council of governments, or, for cities and counties without a council of governments, the department, to adopt a final regional housing plan that allocates a share of the regional housing need to each city, county, or city and county in accordance with certain requirements. This bill would authorize a city or county, by

agreement, to transfer all or a portion of its allocation of regional housing need to another city or county. The bill would allow the transferring city to pay the transferee city or county an amount determined by that agreement, as well as a surcharge to offset the impacts and associated costs of the additional housing on the transferee city. The bill would also require the transferring city or county and the transferee city or county to report to the council of governments and the department specified information about the transfer, as provided. (Based on 05/06/2024 text)

Status: 05/07/2024 - Re-referred to Com. on RLS.

AB 2684 (Bryan) Safety element: extreme heat. (Amended 04/15/2024) [Link](#)

The Planning and Zoning Law requires the legislative body of a city or county to adopt a comprehensive, long-term general plan that includes various elements, including, among others, a safety element for the protection of the community from unreasonable risks associated with the effects of various geologic and seismic hazards, flooding, and wildland and urban fires. This bill would require a city or county, upon the next update of one or more of the elements included in the general plan on or after January 1, 2028, to review and update its safety element as necessary to address the hazard of extreme heat, as specified. The bill would authorize a city or county that has adopted an extreme heat action plan or other document that fulfills commensurate goals and objectives to use that information in the safety element, as specified, and, upon doing so, would require the city or county to summarize and incorporate into the safety element the other plan or document. The bill would also authorize a city or county to use or reference information in the Extreme Heat Action Plan and the State Hazard Mitigation Plan, as described, to comply with the above-described updating requirement. This bill contains other related provisions and other existing laws. (Based on 04/15/2024 text)

Status: 05/09/2024 - Read second time. Ordered to third reading.

Position: Pending Support

Calendar: 05/16/24 #89 A-THIRD READING FILE - ASSEMBLY BILLS

Notes: 4/3/24: S. Gonsalves requested priority tag. 4/9/24: EN tagged as pending support. 4/16/24: EN sent a draft letter to the City. 5/7/24: EN followed up with the City on the letter.

AB 2712 (Friedman) Preferential parking privileges: transit-oriented development. (Amended 05/13/2024) [Link](#)

Existing law authorizes a local authority, by ordinance or resolution, to prohibit or restrict the stopping, parking, or standing of vehicles on certain streets or highways during all or certain hours of the day. Existing law authorizes the ordinance or resolution to include a designation of certain streets upon which preferential parking privileges are given to residents and merchants adjacent to the streets for their use and the use of their guests, under which the residents and merchants may be issued permits that exempt them from the prohibition or restriction of the ordinance or resolution. Existing law prohibits a public agency from imposing any minimum automobile parking requirement on any residential, commercial, or other development project

that is located within 1/2 mile of public transit, as defined, unless the public agency makes written findings that not imposing or enforcing minimum automobile parking requirements on the development would have a substantially negative impact on, among other things, the city's, county's, or city and county's ability to meet its share of the regional housing need for low- and very low income households. This bill would, for purposes of its provisions, define "development project" to mean a residential, commercial, or other development project exempt from minimum automobile parking requirements, or subject to parking minimum reductions based on any other applicable law, located within the boundaries of the City of Los Angeles. This bill, for a development project that is located within a preferential parking area, would require the development project to be excluded from the boundaries of the preferential parking area and would prohibit the local authority, as defined, from issuing any permit to the residents, vendors, or visitors of the development project that grants preferential parking privileges. However, the bill would also authorize a local authority to issue permits to residents of the development project that is within the boundaries of a preferential parking area if the issuing the permit does not cause overcrowding in the preferential parking area for existing residents. The bill would also provide that none of the above-described provisions prohibit local authorities from issuing permits to residents of developments projects that occupy deed-restricted units intended for specified households. This bill contains other related provisions and other existing laws. (Based on 05/13/2024 text)

Status: 05/13/2024 - Read third time and amended. Ordered to third reading.

Calendar: 05/16/24 #32 A-THIRD READING FILE - ASSEMBLY BILLS

AB 2728 (Gabriel) Planning and zoning: housing development: independent institutions of higher education and religious institutions. (Amended 04/15/2024) [Link](#)

The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan that includes, among other mandatory elements, a housing element. That law requires the city's or county's planning agency, after the legislative body has adopted a general plan, to submit an annual report to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development. Existing law, the Affordable Housing on Faith and Higher Education Lands Act of 2023 (the act), requires a housing development project on certain lands owned by an independent institution of higher education or a religious institution to be a use by right if the development project satisfies specified criteria, including that a specified percentage of the development project's total units are for lower income households. This bill would require a local government to include in the annual report specified information relating to housing development projects under the act, including the number of applications submitted and the total number of building permits issued under the act. The bill would require the Department of Housing and Community Development, by July 1, 2025, to develop and publish a list of existing state grants and financial incentives in connection with the planning, construction, and operation of very low, low-, and moderate-income housing on land owned by religious institutions and independent institutions of higher education, and a set of model partnership agreements that can be used by those institutions when they partner with an affordable housing builder. This bill contains other related provisions and other existing laws. (Based on 04/15/2024 text)

Status: 04/25/2024 - From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 8. Noes 0.) (April 24). Re-referred to Com. on APPR.

Calendar: 05/15/24 A-APPROPRIATIONS 9:30 a.m. - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2729 (Patterson, Joe) Residential fees and charges. (Amended 04/25/2024) [Link](#)

Existing law prohibits a local agency that imposes fees or charges on a residential development for the construction of public improvements or facilities from requiring the payment of those fees or charges until the date of the final inspection or the date the certificate of occupancy is issued, whichever occurs first. However, under existing law, a local agency is authorized to collect utility service fees at the time an application for utility service is received, and a local agency is authorized to require payment sooner if the local agency determines that the fees or charges will be collected for public improvements or facilities for which an account has been established and funds appropriated and for which the local agency has adopted a proposed construction schedule or plan prior to final inspection or issuance of the certificate of occupancy, or if the fees or charges are to reimburse the local agency for expenditures previously made. This bill would limit the utility service fees authorized to be collected at the time an application for utility service is received to utility service fees related to capacity charge connections. The bill would delete the above-described authorization for a local agency to require payment of fees or charges prior to the date of final inspection or issuance of the certificate of occupancy, whichever occurs first, and would instead authorize a local agency to require payment of fees or charges at earlier times if any of certain circumstances are satisfied, including authorizing the local agency to require the payment of those fees and charges at the time the local agency issues a permit if the local agency determines, and provides supporting documentation to the applicant establishing, that construction for the public improvement or facility for which the fee or charge is required has commenced or will commence within 24 months of the issuance of the permit, as specified. (Based on 04/25/2024 text)

Status: 04/29/2024 - Read second time. Ordered to third reading.

Calendar: 05/16/24 #35 A-THIRD READING FILE - ASSEMBLY BILLS

AB 2881 (Lee) The Social Housing Act. (Introduced 02/15/2024) [Link](#)

Existing law establishes the Department of Housing and Community Development and sets forth its powers and duties. Existing law creates a housing authority in each county or city, which functions upon the adoption of a specified resolution by the relevant governing body. Existing law authorizes these housing authorities, within their jurisdictions, to construct, reconstruct, improve, alter, or repair all or part of any housing project. Existing law establishes various programs that provide housing assistance. This bill would enact the Social Housing Act and would create the California Housing Authority as an independent state body, the mission of which would be to ensure that social housing developments that are produced and acquired align with the goals of eliminating the gap between housing production and regional housing needs assessment targets and preserving affordable housing. The bill would prescribe a definition of social housing that would describe, in addition to housing owned by the authority,

housing owned by other entities, as specified, provided that all social housing developed or authorized by the authority would be owned by the authority. This bill would prescribe the composition of the California Housing Authority Board, which would govern the authority, and which would be composed of appointed members and members who would be elected by residents of social housing developments, as specified. The bill would set forth the powers and duties of the authority and the board. The bill would require the authority to seek to achieve revenue neutrality, as defined, and would require the authority to seek to recuperate the cost of development and operations over the life of its properties through mechanisms that maximize the number of Californians who can be housed without experiencing rent burden. This bill contains other related provisions. (Based on 02/15/2024 text)

Status: 05/08/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2904 (Quirk-Silva) Zoning ordinances: notice. (Amended 04/22/2024) [Link](#)

Existing law requires the planning commission to hold a public hearing on any zoning ordinance or an amendment to a zoning ordinance that changes any property from one zone to another. Existing law, if the proposed ordinance or amendment to a zoning ordinance affects the permitted uses of real property, requires notice of the hearing to be, among other things, mailed or delivered at least 10 days prior to the hearing to the owner of the subject real property, as specified. This bill would instead require notice of the planning commission's hearing on a proposed zoning ordinance or amendment to a zoning ordinance, if the proposed ordinance or amendment to a zoning ordinance affects the permitted uses of real property, to be published, posted, mailed, and delivered, or advertised, as applicable, at least 20 days before the hearing. (Based on 04/22/2024 text)

Status: 05/09/2024 - Read third time. Passed. Ordered to the Senate. (Ayes 65. Noes 0.) In Senate. Read first time. To Com. on RLS. for assignment.

AB 2909 (Santiago) Historical property contracts: qualified historical property: adaptive reuse. (Amended 04/18/2024) [Link](#)

Existing law authorizes an owner of any qualified historical property to contract with the legislative body of a city, county, or city and county to restrict the use of the property, as specified, in exchange for lowered assessment values. Existing law defines "qualified historical property" as privately owned property that is not exempt from property taxation and is either listed in the National Register of Historic Places or located in a registered historic district, as defined, or listed in any state, city, county, or city and county official register of historical or architecturally significant sites, places, or landmarks. Existing law establishes the Infill Infrastructure Grant Program of 2019, which requires the Department of Housing and Community Development to establish and administer a grant program to fund capital improvement projects pursuant to specified requirements. Existing law provides that capital improvement projects that may be funded under the grant program include, among other things, those related to adapted reuse, which means, when referring to building structures, retrofitting and repurposing of existing buildings that create new residential rental units, as

specified. This bill, starting January 1, 2026, and until January 1, 2036, would additionally define as “qualified historical property” a privately owned property that is not exempt from property taxation that was constructed at least 30 years prior to the year a legislative body and property owner enter into a contract to restrict the use of the property, as specified, and that is located within the City of Los Angeles on a site that satisfies certain criteria, including, among others, being in a zone where office, retail, or parking are a principally permitted use. The bill would require a contract entered into to restrict the use of that qualified historical property to require adaptive reuse of the qualified historical property, dedicate at least 3 units to live-work artist lofts, and facilitate, promote, and accommodate active transportation, as specified. The bill would also update an obsolete cross-reference. This bill contains other existing laws. (Based on 04/18/2024 text)

Status: 05/09/2024 - Read second time. Ordered to Consent Calendar.

Calendar: 05/16/24 #156 A-CONSENT CALENDAR 2ND DAY-ASSEMBLY BILLS

AB 2967 (Ting) Teacher Housing Act of 2016: nonprofit organization employees.
(Amended 04/29/2024) [Link](#)

Existing law, the Teacher Housing Act of 2016, authorizes a school district to establish and maintain programs, as provided, that address the housing needs of teachers and school district employees who face challenges in securing affordable housing. The act restricts programs established under its provisions to teachers and school district employees, with certain exceptions. The act defines the term “teacher or school district employee” for these purposes to mean any person employed by a unified school district maintaining prekindergarten, transitional kindergarten, and grades 1 to 12, inclusive, an elementary school district maintaining prekindergarten, transitional kindergarten, and grades 1 to 8, inclusive, or a high school district maintaining grades 9 to 12, inclusive, including, but not limited to, certificated and classified staff. The act creates a state policy supporting housing for teachers and school district employees and permits school districts and developers in receipt of local or state funds or tax credits designated for affordable rental housing to restrict occupancy to teachers and school district employees, as specified. This bill would expand the authority provided under the act to include programs that address the housing needs of nonprofit organization employees who face challenges in securing affordable housing. The bill would define “nonprofit organization employee” for these purposes to include employees of a nonprofit organization operating early childhood, prekindergarten, or schoolage childcare, classrooms, or programs, or expanded learning classrooms and programs, on school district property with funding from the State Department of Education, the federal Head Start program, or other public funding targeted to children from families of low and moderate income. The bill would make conforming changes to the act in this regard. The bill, for housing made available or a contract for housing entered into on or after January 1, 2025, would require a program established under these provisions to provide teachers, school district employees, and nonprofit organization employees with a right of first refusal to occupy housing acquired, constructed, rehabilitated, or preserved under the act. The bill would require teachers or school district employees to be prioritized before nonprofit organization employees. (Based on 04/29/2024 text)

Status: 05/13/2024 - Read third time. Passed. Ordered to the Senate. (Ayes 74. Noes 0.) In Senate. Read first time. To Com. on RLS. for assignment.

AB 3012 (Grayson) Development fees: fee schedule template: fee estimate tool. (Amended 04/18/2024) [Link](#)

Existing law, the Permit Streamlining Act, which is part of the Planning and Zoning Law, requires each public agency to provide a development project applicant with a list that specifies the information that will be required from any applicant for a development project. The act requires a city, county, or special district that has an internet website to make available on its internet website certain information, as applicable, including its current schedule of fees and exactions. This bill would require a city or county that has an internet website to make a fee estimate tool that the public can use to calculate an estimate of fees and exactions, as specified, for a proposed housing development project available on its internet website. The bill authorizes the city or county to choose the format of the fee estimate tool. The bill would require a city or county with a population of greater than 500,000 to meet these requirements on or before July 1, 2031. The bill would require a city or county with a population of 500,000 or less to meet these requirements on or before July 1, 2032. By requiring a city or county to include a fee estimate tool on its internet website, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 04/18/2024 text)

Status: 04/24/2024 - From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 9. Noes 0.) (April 24). Re-referred to Com. on APPR.

Calendar: 05/15/24 A-APPROPRIATIONS 9:30 a.m. - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 3057 (Wilson) California Environmental Quality Act: exemption: junior accessory dwelling units ordinances. (Amended 04/08/2024) [Link](#)

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA exempts from its requirements the adoption of an ordinance by a city or county to issue a zoning variance, special use permit, or conditional use permit for a dwelling unit to be constructed, or which is attached to or detached from, a primary residence on a parcel zoned for a single-family residence, as provided, or and the adoption of an ordinance to provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use. This bill would expand the above CEQA exemption to include the adoption of an ordinance by a city or county to provide for the creation of junior accessory dwelling units in single-family residential zones. This bill contains other existing laws. (Based on 04/08/2024 text)

Status: 05/02/2024 - Read third time. Passed. Ordered to the Senate. (Ayes 73. Noes 0.) In Senate. Read first time. To Com. on RLS. for assignment.

AB 3093 (Ward) Land use: housing element: streamlined multifamily housing. (Amended 05/06/2024) [Link](#)

The Planning and Zoning Law requires a city or county to adopt a general plan for land use development that includes, among other things, a housing element. That law defines various terms for purposes of requirements applicable to the housing element. Under existing law, a housing element is required to include specified information, including an analysis of special housing needs, such as those of the elderly, and quantification of the locality's existing and projected housing needs for all income levels, including extremely low income households, calculated as provided. This bill would define acutely low, extremely low, very low, lower, moderate, and above moderate income for purposes of requirements applicable to the housing element, and would make related changes. The bill would modify the specified information required to be included in the housing element, including by removing the calculation method for extremely low income households and by specifying acutely and extremely low income households as a special housing need. (Based on 05/06/2024 text)

Status: 05/09/2024 - Assembly Rule 56 suspended. (Pending re-refer to Com. on APPR.)

Calendar: 05/14/24 A-HOUSING AND COMMUNITY DEVELOPMENT 11:30 a.m. - State Capitol, Room 126 WARD, CHRISTOPHER, Chair
05/15/24 A-APPROPRIATIONS 9:30 a.m. - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 3122 (Kalra) Streamlined housing approvals: objective planning standards. (Introduced 02/16/2024) [Link](#)

Existing law, the Planning and Zoning Law, authorizes a development proponent to submit an application for a multifamily housing development that is subject to a streamlined, ministerial approval process, as provided, and not subject to a conditional use permit, if the development satisfies specified objective planning standards, including, among others, that the development proponent has committed to record, prior to the issuance of the first building permit, a land use restriction or covenant providing that any lower or moderate-income housing units required remain available at affordable housing costs or rent to persons and families of lower or moderate income, as specified. Existing law authorizes a development proponent to request a modification to a development that has been approved under the streamlined, ministerial approval process if that request is submitted to the local government before the issuance of the final building permit. Existing law authorizes a local government to apply objective planning standards adopted after the development application was first submitted to the requested modification if the development is revised such that (1) the total number of residential units or total square footage of construction changes by 15% or more or (2) the development is revised such that the total number of residential units or total square footage of construction changes by 5% or more and it is necessary to impose an objective standard beyond those in effect when the development application was submitted in order to mitigate or avoid a specific, adverse impact upon the public health or safety. This bill would instead authorize a local government to apply objective planning standards adopted after the development application was first submitted to the requested modification if the development is revised such that (1) the total

square footage of construction increases by 15% or more or the total number of residential units decreases by 15% or more or (2) the total square footage of construction increases by 5% or more or the total number of residential units decreases by 5% or more and it is necessary to impose an objective standard beyond those in effect when the development application was submitted in order to mitigate or avoid a specific, adverse impact upon the public health or safety. By reducing the ability of a local government to impose objective planning standards adopted after the development application was first submitted when reviewing a requested modification, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 02/16/2024 text)

Status: 05/09/2024 - Read second time. Ordered to Consent Calendar.

Calendar: 05/16/24 #167 A-CONSENT CALENDAR 2ND DAY-ASSEMBLY BILLS

AB 3177 (Carrillo, Wendy) Mitigation Fee Act: land dedications: mitigating vehicular traffic impacts. (Amended 04/30/2024) [Link](#)

Existing law, the Mitigation Fee Act, imposes various requirements with respect to the establishment, increase, or imposition of a fee by a local agency as a condition of approval of a development project. Existing law requires a local agency that imposes a fee on a housing development for the purpose of mitigating vehicular traffic impacts to set the rate for the fee to reflect a lower rate of automobile trip generation if the housing development satisfies specified characteristics, including that the housing development is located within 1/2 mile of a transit station. Existing law defines transit station for these purposes to mean a rail or light-rail station, ferry terminal, bus hub, or bus transfer station. This bill would instead require the housing development to be located within 1/2 mile of a transit priority area for purposes of a local agency setting the rate for a mitigating vehicular traffic impacts fee to reflect a lower rate of automobile trip generation. The bill would define “transit priority area” as an area within 1/2 mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program or applicable regional transportation plan. This bill contains other related provisions and other existing laws. (Based on 04/30/2024 text)

Status: 05/01/2024 - Re-referred to Com. on APPR.

Calendar: 05/15/24 A-APPROPRIATIONS 9:30 a.m. - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

SB 7 (Blakespear) Planning and zoning: annual report: housing for extremely low income households. (Amended 01/22/2024) [Link](#)

Existing law, the Planning and Zoning Law, requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. That law requires the planning agency of a city or county to provide by April 1 of each year an annual report to, among other entities, the Department of Housing and Community Development. The law requires that the annual report include, among other specified information, the number of net new units of housing, including both rental housing and for-sale housing, that have been issued a completed entitlement, building permit, or certificate of

occupancy, and the income category, by area median income, that each unit of housing satisfies, as specified. This bill would revise and recast these provisions to specify that the income category includes extremely low income households, as defined. By requiring cities and counties to include additional information in their annual reports, the bill would impose a state-mandated local program. (Based on 01/22/2024 text)

Status: 01/29/2024 - Read third time. Passed. (Ayes 32. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

SB 37 (Caballero) Older Adults and Adults with Disabilities Housing Stability Act. (Amended 01/22/2024) [Link](#)

Existing law establishes various programs to address homelessness, including requiring the Governor to create an Interagency Council on Homelessness and establishing the Homeless Emergency Aid program for the purpose of providing localities with one-time grant funds to address their immediate homelessness challenges, as specified. Existing law commits to the Department of Housing and Community Development the administration of various housing assistance programs, including provisions relating to residential hotel rehabilitation and tasks the department, in consultation with each council of governments, with the determination of each region's existing and projected housing need. This bill would, upon an appropriation by the Legislature for this express purpose, require the Department of Housing and Community Development, commencing January 1, 2025, to begin developing the Older Adults and Adults with Disabilities Housing Stability Pilot Program. The bill would require the department, in administering the program, to offer competitive grants to nonprofit community-based organizations, continuums of care, public housing authorities, and area agencies on aging, as specified, to administer a housing subsidy program for older adults and adults with disabilities who are experiencing homelessness or at risk of homelessness, as defined, in up to 5 geographic regions or counties. This bill contains other related provisions. (Based on 01/22/2024 text)

Status: 01/29/2024 - Read third time. Passed. (Ayes 36. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

SB 312 (Wiener) California Environmental Quality Act: university housing development projects: exemption. (Amended 01/11/2024) [Link](#)

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. Existing law, until January 1, 2030, exempts from CEQA a university housing development project carried out by a public university on real property owned by the public university if the project meets certain requirements, including that each building within the project is certified as Leadership in Energy and Environmental Design (LEED) Platinum or better by the United States Green Building Council. Existing law

requires the lead agency, if the university housing development project is exempt from CEQA under the above provision, to file the LEED certificate for buildings within the project and a notice determining that the construction impacts of the project have been fully mitigated with the Office of Planning and Research and the county clerk of the county in which the project is located. Existing law requires a public university or a relevant public agency with authority to issue a certificate of occupancy for a building within the project to not issue the certificate of occupancy for the building unless the lead agency receives certification of LEED Platinum or better from the United States Green Building Council for the building and the lead agency determines that the construction impacts of the project have been fully mitigated. This bill would instead require a public university to obtain LEED Platinum certification for each building within a university housing development project no later than 12 months from the issuance of the building's certificate of occupancy or its usage. The bill would prohibit a public university that has exempted a university housing development project from being eligible to exempt a subsequent university housing development project until the public university has obtained LEED Platinum certification for each building within the prior exempted university housing development project. This bill contains other existing laws. (Based on 01/11/2024 text)

Status: 05/13/2024 - Referred to Com. on NAT. RES.

SB 834 (Portantino) Vehicles: preferential parking: residential, commercial, or other development project. (Amended 02/22/2024) [Link](#)

The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for its physical development, and the development of certain lands outside its boundaries, that includes, among other mandatory elements, a land use element, and a conservation element. Existing law also authorizes the legislative body of a city or a county to adopt ordinances establishing requirements for parking, and permits variances to be granted from the parking requirements of a zoning ordinance for nonresidential development if the variance will be an incentive to the development and the variance will facilitate access to the development by patrons of public transit facilities. Existing law prohibits a public agency from imposing any minimum automobile parking requirement on any residential, commercial, or other development project, as defined, that is located within 1/2 mile of public transit, as defined. Existing law, notwithstanding the above-described prohibition, authorizes a city, county, or city and county to impose or enforce minimum automobile parking requirements on a housing development project if specified conditions are met. Existing law authorizes a local authority to authorize preferential parking for designated groups to park on specified streets if the local authority determines that use of the permits will not adversely affect parking conditions for residents and merchants in the area. This bill would prohibit a local authority from issuing any permit conferring preferential parking privileges to any residents or vendors of any developments within 1/2 mile of public transit and exempt from parking minimums. The bill would require the local authority to revise the boundaries of any such preferential parking district to exclude those developments from its boundaries. The bill would make related findings and declarations, and state that it is the intent of the Legislature to discourage car use by incentivizing development near public transit. The bill finds that reducing greenhouse gases and dependence on car use is a matter of statewide concern and not a municipal affair, and this bill applies to all cities, including charter cities. By changing the duties of local planning officials, this bill would impose a state-mandated local program. (Based on 02/22/2024 text)

Status: 02/29/2024 - Re-referred to Com. on RLS. pursuant to Assembly Rule 96.

SB 937 (Wiener) Development projects: permits and other entitlements: fees and charges.
(Amended 04/08/2024) [Link](#)

The Planning and Zoning Law requires each county and each city to adopt a comprehensive, long-term general plan for its physical development, and the development of specified land outside its boundaries, that includes, among other mandatory elements, a housing element. Existing law, the Permit Streamlining Act, among other things, requires a public agency that is the lead agency for a development project to approve or disapprove that project within specified time periods. Existing law extended by 18 months the period for the expiration, effectuation, or utilization of a housing entitlement, as defined, that was issued before, and was in effect on, March 4, 2020, and that would expire before December 31, 2021, except as specified. Existing law provides that if the state or a local agency extended the otherwise applicable time for the expiration, effectuation, or utilization of a housing entitlement for not less than 18 months, as specified, that housing entitlement would not be extended an additional 18 months pursuant to these provisions. This bill would extend by 24 months the period for the expiration, effectuation, or utilization of a housing entitlement, entitlement for a priority residential development project, as those terms are defined, that was issued before January 1, 2024, and that will expire before December 31, 2025, except as specified. The bill would toll this 24-month extension during any time that the housing entitlement is the subject of a legal challenge. By adding to the duties of local officials with respect to housing entitlements, this bill would impose a state-mandated local program. The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities. This bill contains other related provisions and other existing laws. (Based on 04/08/2024 text)

Status: 04/30/2024 - Read second time. Ordered to third reading.

Position: Neutral

Calendar: 05/16/24 #72 S-SENATE BILLS -THIRD READING FILE

Notes: 3/21/24: EN tagged as pending oppose. Sharon sent draft letter to the City for review.
 4/22/24: EN tagged as neutral, no letter was submitted.

SB 951 (Wiener) California Coastal Act of 1976: coastal zone: coastal development.
(Amended 04/03/2024) [Link](#)

Existing law requires a city or county to prepare and adopt a general plan for its jurisdiction that contains certain mandatory elements, including a housing element. Existing law requires the housing element to identify adequate sites for housing, including rental housing, factory-built housing, mobilehomes, and emergency shelters, among other things. Existing law requires the housing element to contain an assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs. Existing law requires rezoning, including adoption of minimum density and development standards, as specified, when an inventory of sites does not identify adequate sites to accommodate the need for groups of specified household income levels. This bill would additionally apply specified rezoning standards for any necessary local coastal program updates for jurisdictions located within the coastal zone. By imposing new duties on local governments with regard to the administration of housing

elements, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 04/03/2024 text)

Status: 05/10/2024 - Set for hearing May 16.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

SB 1037 (Wiener) Planning and zoning: housing element: enforcement. (Amended 04/25/2024) [Link](#)

Existing law, the Planning and Zoning Law, requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. The Planning and Zoning Law requires the Department of Housing and Community Development (HCD) to determine whether the housing element is in substantial compliance with specified provisions of that law. The Planning and Zoning Law requires HCD to notify a city, county, or city and county, and authorizes HCD to notify the office of the Attorney General, that the city, county, or city and county is in violation of state law if the local government has taken action in violation of specified provisions of law. The Planning and Zoning Law also requires, among other things, that an application for a housing development be subject to a specified streamlined, ministerial approval process if the development satisfies certain objective planning standards. This bill, in any action brought by the Attorney General, on behalf of HCD or in an independent capacity, to enforce the adoption of housing element revisions, as specified, or to enforce any state law that requires a city, county, or local agency to ministerially approve any land use decision or permitting application for a housing development project, as specified, would subject the city, county, or local agency to specified remedies, including a civil penalty of, at minimum, \$10,000 per month, and not exceeding \$50,000 per month, for each violation, as specified. The bill would require that the penalties set forth in its provisions only apply when local land use decisions or actions are arbitrary, capricious, entirely lacking in evidentiary support, contrary to established public policy, unlawful, or procedurally unfair. The bill would require these civil penalties, as specified, to be deposited into the Building Homes and Jobs Trust Fund for the sole purpose of supporting the development of affordable housing located in the affected jurisdiction, except as provided, and would require that expenditure of any penalty moneys deposited into the fund under these provisions be subject to appropriation by the Legislature. In the event a city, county, or local agency fails to pay civil penalties imposed by the court, the bill would authorize the court to require the Controller to intercept any available state and local funds and direct those funds to the Building Homes and Jobs Trust Fund to correct the jurisdiction's failure to pay, as specified. The bill would make a related statement of legislative findings and declarations. This bill contains other related provisions. (Based on 04/25/2024 text)

Status: 05/13/2024 - From committee: Be ordered to second reading pursuant to Senate Rule 28.8.

Calendar: 05/16/24 #2 S-SENATE BILLS - SECOND READING FILE

SB 1077 (Blakespear) Coastal resources: local coastal program: amendments: accessory and junior accessory dwelling units. (Amended 04/10/2024) [Link](#)

Existing law, the California Coastal Act of 1976, among other things, establishes the California Coastal Commission and provides for planning and regulation of development in the coastal zone, as defined. The act requires the commission to adopt, after public hearing, procedures for the preparation, submission, approval, appeal, certification, and amendment of a local coastal program, as provided. This bill would require, by an unspecified date, the commission to develop and provide guidance for local governments to facilitate the preparation of amendments to a local coastal program to clarify and simplify the permitting process for accessory dwelling units and junior accessory dwelling units within the coastal zone. To the extent the bill would create additional duties for a local government, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 04/10/2024 text)

Status: 05/10/2024 - Set for hearing May 16.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

SB 1092 (Blakespear) Coastal resources: multifamily housing development: coastal development permits: appeals: report. (Amended 04/03/2024) [Link](#)

The California Coastal Act of 1976, among other things, requires anyone wishing to perform or undertake any development in the coastal zone, in addition to obtaining any other permit required by law from any local government or from any state, regional, or local agency, to obtain a coastal development permit from the California Coastal Commission or a local government, as provided. The act authorizes an appeal to the commission for any action taken by a local government on coastal development permit applications, as provided. The act requires the commission to hear the appeal and establishes specified appeal procedures, as provided. This bill would require the commission, on or before January 1, 2028, to provide a report to the Legislature that provides information regarding appeals relating to multifamily housing developments, as defined, including, among other things, the percentage of coastal development permits for multifamily housing developments that are appealed, approved, and denied. (Based on 04/03/2024 text)

Status: 05/10/2024 - Set for hearing May 16.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

SB 1134 (Caballero) Surplus land. (Amended 03/18/2024) [Link](#)

Existing law provides for the disposal of land owned by a local agency that is surplus and is not necessary for the agency's use. The local agency is required to declare the land either "surplus land" or "exempt surplus land," as prescribed. Existing law sets forth procedures for the disposal of surplus land and provides that these procedures do not apply to exempt surplus land. Existing law, for prescribed surplus land parcels developed with residential units, requires minimum percentages of residential units developed on the parcel to be sold or rented at affordable housing cost or affordable rent. This bill, with regard to surplus land, would require each parcel of land to be considered a distinct unit of surplus land, with the exception of

contiguous parcels that are disposed of simultaneously to the same receiving entity or any entity working in concert with another receiving entity, which parcels the bill would require to be treated as a single unit of land. (Based on 03/18/2024 text)

Status: 05/02/2024 - Read second time. Ordered to third reading.

Calendar: 05/16/24 #91 S-SENATE BILLS -THIRD READING FILE

SB 1211 (Skinner) Land use: accessory dwelling units: ministerial approval. (Amended 04/23/2024) [Link](#)

Existing law, the Planning and Zoning Law, authorizes a local agency, by ordinance, to provide for the creation of accessory dwelling units (ADUs) in areas zoned for residential use, as specified. That law prohibits, if a local agency adopts an ordinance to create ADUs in those zones, the local agency from requiring the replacement of offstreet parking spaces if a garage, carport, or covered parking structure is demolished in conjunction with the construction of, or is converted to, an ADU. This bill would also prohibit the local agency from requiring the replacement of offstreet parking spaces if an uncovered parking space is demolished in conjunction with the construction of, or is converted to, an ADU. This bill contains other related provisions and other existing laws. (Based on 04/23/2024 text)

Status: 05/07/2024 - Read second time. Ordered to third reading.

Calendar: 05/16/24 #99 S-SENATE BILLS -THIRD READING FILE

SB 1234 (Allen) Coastal resources: local land use plan: zoning ordinances and district maps: nonsubstantive modifications. (Amended 04/23/2024) [Link](#)

The California Coastal Act of 1976 requires a land use plan of a proposed local coastal program to be submitted to the California Coastal Commission for certification. The act authorizes the commission to suggest modifications, which, if adopted and transmitted to the commission by the local government, shall cause the land use plan to be deemed certified upon confirmation of the executive director of the commission. The act requires a local government to submit to the commission the zoning ordinances, zoning district maps and, where necessary, other implementing actions that are required under the act. The act authorizes the commission to suggest modifications in the rejected zoning ordinances, zoning district maps, or other implementing actions, which, if adopted by the local government and transmitted to the commission, shall be deemed approved upon confirmation by the executive director of the commission. This bill would authorize the legislative body of a city or county to delegate to its planning director or equivalent position the authority to adopt nonsubstantive modifications to a land use plan, or a zoning ordinance, zoning district map, or other implementing action, if specified conditions are met. The required conditions would include that the legislative body adopt a policy via ordinance or resolution at a regular public meeting delegating the authority to a public official and that the policy include a definition of the scope of modifications that would qualify as nonsubstantive, as provided. (Based on 04/23/2024 text)

Status: 05/10/2024 - Set for hearing May 16.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

SB 1342 (Atkins) California Environmental Quality Act: infrastructure projects: County of San Diego. (Amended 04/08/2024) [Link](#)

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. Existing law authorizes the Governor to certify projects meeting certain requirements as infrastructure projects and provides those certified projects with certain streamlining benefits, including requiring the lead agency to prepare the record of proceedings concurrently with the environmental review process and requiring the resolution of an action or proceeding challenging the certification of an EIR for certified projects or the granting of any project approvals, to the extent feasible, within 270 days of the filing of the record of proceedings with the court, as specified. Existing law requires the lead agency, within 10 days of the certification of an infrastructure project, to provide a public notice of the certification, as provided. If a lead agency fails to approve a project certified as an infrastructure project before January 1, 2033, existing law specifies that the certification is no longer valid. This bill would include the San Vicente Energy Storage Facility project proposed by the San Diego County Water Authority and a project for the repair, rehabilitation, or replacement of the South Bay Sewage Treatment Plant in the County of San Diego, operated by the International Boundary and Water Commission, as infrastructure projects, thereby providing the above-described streamlining benefits to those 2 projects. To the extent the bill would increase the duties of a lead agency regarding projects proposed by a third party, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 04/08/2024 text)

Status: 04/30/2024 - Read second time. Ordered to third reading.

Calendar: 05/16/24 #78 S-SENATE BILLS -THIRD READING FILE

SB 1395 (Becker) Shelter crisis: Low Barrier Navigation Center: use by right: building standards. (Amended 04/18/2024) [Link](#)

Existing law authorizes a governing body of a political subdivision, as those terms are defined, to declare a shelter crisis if the governing body makes a specified finding. Upon declaration of a shelter crisis, existing law, among other things, suspends certain state and local laws, regulations, and ordinances to the extent that strict compliance would prevent, hinder, or delay the mitigation of the effects of the shelter crisis and allows a city, county, or city and county, in lieu of compliance, to adopt by ordinance reasonable local standards and procedures for the design, site development, and operation of homeless shelters and the structures and facilities therein. Existing law, among other things, exempts from the California Environmental Quality Act specified actions by a state agency or a city, county, or city and county to lease, convey, or

encumber land owned by a city, county, or city and county, or to facilitate the lease, conveyance, or encumbrance of land owned by the local government for, or to provide financial assistance to, a homeless shelter constructed or allowed by these provisions. Existing law repeals these provisions on January 1, 2026. This bill would expand the exemption from the California Environmental Quality Act described above to include action taken by a state agency or a city, county, or city and county, to approve a contract to provide services for people experiencing homelessness to a homeless shelter constructed pursuant to, or authorized by, these provisions, as specified. This bill would extend the repeal date of these provisions to January 1, 2036. The bill would make other nonsubstantive, conforming changes. This bill contains other related provisions and other existing laws. (Based on 04/18/2024 text)

Status: 05/13/2024 - Read third time. Passed. (Ayes 36. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Open Meetings and Transparency

AB 817 (Pacheco) Open meetings: teleconferencing: subsidiary body. **(Amended 01/17/2024) [Link](#)**

Existing law, the Ralph M. Brown Act, requires, with specified exceptions, each legislative body of a local agency to provide notice of the time and place for its regular meetings and an agenda containing a brief general description of each item of business to be transacted. The act also requires that all meetings of a legislative body be open and public, and that all persons be permitted to attend unless a closed session is authorized. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. Existing law authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency (emergency provisions) and, until January 1, 2026, in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met (nonemergency provisions). Existing law imposes different requirements for notice, agenda, and public participation, as prescribed, when a legislative body is using alternate teleconferencing provisions. The nonemergency provisions impose restrictions on remote participation by a member of the legislative body and require the legislative body to specific means by which the public may remotely hear and visually observe the meeting. This bill, until January 1, 2026, would authorize a subsidiary body, as defined, to use similar alternative teleconferencing provisions and would impose requirements for notice, agenda, and public participation, as prescribed. In order to use teleconferencing pursuant to this act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12

months thereafter. This bill contains other related provisions and other existing laws. (Based on 01/17/2024 text)

Status: 05/01/2024 - Referred to Coms. on L. GOV. and JUD.

Position: Support

Notes: 4/20/23: EN tagged as support and added Carlsbad to support coalition letter and submitted to the portal. 1/2/24: EN submitted coalition letter to Assembly LG and emailed delegation. 1/5/24: EN submitted coalition letter to Assembly LG and emailed delegation. 1/10/24: AS testified in support in Assembly LG. 1/23/24: EN sent Assembly coalition floor alert to all Assembly offices. 1/25/24: EN sent Assembly coalition floor alert to all Assembly offices. 1/25/24: EN emailed coalition support letter to the City.

AB 2095 (Maienschein) Publication: newspapers of general circulation.
(Amended 03/13/2024) [Link](#)

Existing law requires various types of notices to be provided in a “newspaper of general circulation,” as that term is defined, in accordance with certain prescribed publication periods and legal requirements. Existing law requires a newspaper of general circulation to meet certain criteria, including publication, a bonafide subscription list of paying subscribers, and printing and publishing at regular intervals in the state, county, or city where publication is to be given. This bill would require any public notice that is legally required to be published in a newspaper of general circulation to be published in the newspaper’s print publication, on the newspaper’s internet website or electronic newspaper available on the internet, and on a statewide internet website maintained as a repository for notices by a majority of California newspapers of general circulation, as specified. The bill would permit a newspaper that does not maintain its own internet website to satisfy these notice requirements by publishing the notice on a statewide internet website and referencing the statewide internet website in its print publication notice. The bill would provide that certain internet website operator errors or temporary outages or service interruptions resulting in an error in the legal notice published do not constitute a defect in publication, if the legal notice appears correctly in the newspaper’s print publication and satisfies all other legal notice requirements. The bill would prohibit a newspaper from charging any fee or surcharge specifically to access public notices on their internet website, except as specified. The bill would also require a state or local agency that maintains an internet website and publishes a public notice to include a reasonably accessible link on its internet website to the statewide internet website, currently capublicnotice.com, where the public notice will appear. By imposing new duties on local government agencies, the bill would create a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 03/13/2024 text)

Status: 04/10/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2302 (Addis) Open meetings: local agencies: teleconferences.
(Introduced 02/12/2024) [Link](#)

Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Existing law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in specified circumstances if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, and the legislative body complies with prescribed requirements. Existing law imposes prescribed restrictions on remote participation by a member under these alternative teleconferencing provisions, including establishing limits on the number of meetings a member may participate in solely by teleconference from a remote location, prohibiting such participation for a period of more than 3 consecutive months or 20% of the regular meetings for the local agency within a calendar year, or more than 2 meetings if the legislative body regularly meets fewer than 10 times per calendar year. This bill would revise those limits, instead prohibiting such participation for more than a specified number of meetings per year, based on how frequently the legislative body regularly meets. The bill, for the purpose of counting meetings attended by teleconference, would define a “meeting” as any number of meetings of the legislative body of a local agency that begin on the same calendar day. This bill contains other related provisions and other existing laws. (Based on 02/12/2024 text)

Status: 05/09/2024 - Read third time. Passed. Ordered to the Senate. (Ayes 63. Noes 0.) In Senate. Read first time. To Com. on RLS. for assignment.

AB 2715 (Boerner) Ralph M. Brown Act: closed sessions. (Amended 04/24/2024) [Link](#)

Existing law, the Ralph M. Brown Act, generally requires that all meetings of a legislative body of a local agency be open and public and that all persons be permitted to attend and participate. Existing law authorizes a legislative body to hold a closed session with specified individuals on, among other things, matters posing a threat to the security of essential public services, as specified. This bill would additionally authorize a legislative body to hold a closed session with other law enforcement or security personnel and to hold a closed session on a threat to critical infrastructure controls or critical infrastructure information, as defined, relating to cybersecurity. This bill contains other related provisions and other existing laws. (Based on 04/24/2024 text)

Status: 05/02/2024 - Read second time. Ordered to third reading.

Position: Sponsor

Calendar: 05/16/24 #48 A-THIRD READING FILE - ASSEMBLY BILLS

Notes: 2/14/24: EN tagged as sponsor. 2/26/24: SG sent a draft sponsor letter to the City for review. 3/12/24: EN received finalized letter, submitted to Assembly Local Government, and emailed author's office. 5/1/24: City Attorney Cindie McMahon gave primary testimony in support in Assembly Local Government.

SB 537 (Becker) Open meetings: multijurisdictional, cross-county agencies: teleconferences. (Amended 09/05/2023) [Link](#)

Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Existing law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. These circumstances include if a member shows "just cause," including for a childcare or caregiving need of a relative that requires the member to participate remotely. This bill would expand the circumstances of "just cause" to apply to the situation in which an immunocompromised child, parent, grandparent, or other specified relative requires the member to participate remotely. The bill would authorize the legislative body of a multijurisdictional, cross-county agency, as specified, to use alternate teleconferencing provisions if the eligible legislative body has adopted an authorizing resolution, as specified. The bill would also require the legislative body to provide a record of attendance of the members of the legislative body, the number of community members in attendance in the teleconference meeting, and the number of public comments on its internet website within 10 days after a teleconference meeting, as specified. The bill would require at least a quorum of members of the legislative body to participate from one or more physical locations that are open to the public and within the boundaries of the territory over which the local agency exercises jurisdiction. The bill would require a member who receives compensation for their service, as specified, on the legislative body to participate from a physical location that is open to the public. The bill would require the legislative body to identify in the agenda each member who plans to participate remotely and to include the address of the publicly accessible building from which each member will participate via teleconference. The bill would prohibit a member from participating remotely pursuant to these provisions unless the remote location is the member's office or another location in a publicly accessible building and is more than 40 miles from the in-person location of the meeting. The bill would repeal these alternative teleconferencing provisions on January 1, 2026. This bill contains other related provisions and other existing laws. (Based on 09/05/2023 text)

Status: 09/14/2023 - Ordered to inactive file on request of Assembly Member Bryan.

Notes: 9/12/23: EN tagged as pending support, City requested a request for signature letter.
9/14/23: Bill ordered to inactive file. EN removed position.

Public Safety and EMS

AB 667 (Maienschein) Firearms: gun violence restraining orders. (Amended 01/03/2024) [Link](#)

Existing law allows a court to issue a gun violence restraining order prohibiting and enjoining a named person from having custody or control of any firearms or ammunition if the person poses a significant danger of causing personal injury to themselves or another by having custody or control of a firearm or ammunition. Existing law authorizes a court to issue a gun violence restraining order to prohibit a person from purchasing or possessing a firearm or ammunition for a period of one to 5 years, subject to renewal for additional one- to 5-year periods, if the subject of the petition poses a significant danger of self-harm or harm to another in the near future by having a firearm and the order is necessary to prevent personal injury to the subject of the petition or another. Existing law makes it a crime to own or possess a firearm in violation of a gun violence restraining order. If the court finds evidence of an extreme risk of violence, including repeated and egregious instances of specified facts, and those facts existed 12 months prior to a petition being filed, this bill would require a court to issue a gun violence restraining order for 5 years. By expanding the scope of an existing crime, this bill would impose a state-mandated local program. This bill contains other existing laws. (Based on 01/03/2024 text)

Status: 05/01/2024 - Referred to Com. on PUB S.

Calendar: 05/28/24 S-PUBLIC SAFETY 9 a.m. - 1021 O Street, Room 2200 WAHAB, AISHA, Chair

AB 1772 (Ramos) Theft. (Amended 04/03/2024) [Link](#)

Existing law makes theft a crime, and distinguishes between grand theft and petty theft. Existing law makes the theft of money, labor, or property petty theft punishable as a misdemeanor, whenever the value of the property taken does not exceed \$950. Under existing law, if the value of the property taken exceeds \$950, the theft is grand theft, punishable as a misdemeanor or a felony. Existing law makes a first conviction for petty theft involving merchandise taken from a merchant's premises punishable by a mandatory fine and as a misdemeanor. This bill would require the Department of Justice to determine the number of misdemeanor convictions for a crime of theft for which the property was taken from a retail establishment during the Governor's declared state of emergency related to the COVID-19 pandemic, and to report that information to the Legislature on or before January 1, 2026. (Based on 04/03/2024 text)

Status: 04/24/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 1779 (Irwin) Theft: jurisdiction. (Amended 04/25/2024) [Link](#)

Existing law defines types of theft, including petty theft, grand theft, and shoplifting. Existing law also defines the crimes of robbery and burglary. Existing law sets forth specific rules relating to the jurisdiction for the prosecution of theft by fraud, organized retail theft, and receiving stolen property, including that the jurisdiction for prosecution includes the county where an offense involving the theft or receipt of the stolen merchandise occurred, the county in which the merchandise was recovered, or the county where any act was done by the defendant in instigating, procuring, promoting, or aiding or abetting in the commission of a theft offense or other qualifying offense. Existing law jurisdictionally limits prosecution of each of the above to criminal actions brought by the Attorney General. This bill would no longer limit the jurisdictional rules for the above crimes to criminal actions brought by the Attorney General. If a case is brought by someone other than the Attorney General and multiple offenses are committed by the same defendant in multiple jurisdictions, the bill would allow a criminal action to be brought in any of those jurisdictions subject to a hearing on consolidation of the offenses, as specified. The bill would require the prosecution to present written evidence at the hearing that all district attorneys in counties with jurisdiction over the offenses agree to the venue. The bill would require charged offenses from jurisdictions where there is not a written agreement from the district attorney to be returned to that jurisdiction. (Based on 04/25/2024 text)

Status: 04/25/2024 - Read third time and amended. Ordered to third reading.

Calendar: 05/16/24 #14 A-THIRD READING FILE - ASSEMBLY BILLS

AB 1794 (McCarty) Crimes: larceny. (Amended 04/11/2024) [Link](#)

Existing law, the Safe Neighborhoods and Schools Act, enacted as an initiative statute by Proposition 47, as approved by the electors at the November 4, 2014, statewide general election, makes the theft of money, labor, or property petty theft punishable as a misdemeanor, whenever the value of the property taken does not exceed \$950. Under existing law, if the value of the property taken exceeds \$950, the theft is grand theft, punishable as a misdemeanor or a felony. Proposition 47 requires shoplifting, defined as entering a commercial establishment with the intent to commit larceny if the value of the property taken does not exceed \$950, to be punished as a misdemeanor. Under existing law, if the value of all property taken over the course of distinct but related acts motivated by one intention, general impulse, and plan exceeds \$950, those values may be aggregated into a single charge of grand theft. This bill would clarify that those values may be aggregated even though the thefts occurred in different places or from different victims. The bill would also, declarative of existing law, provide that circumstantial evidence may be used to prove that multiple thefts were motivated by one intention, general impulse, and plan. The bill would also authorize counties to operate a program to allow retailers to submit details of alleged shoplifting, organized retail theft, or grand theft directly to the county district attorney through an online portal on the district attorney's internet website. The bill would require counties that participate in the program to conduct an evaluation and collect specified information, and to report that information to the Assembly and Senate Public Safety Committees and the Board of State and Community Corrections, as specified. This bill contains other related provisions and other existing laws. (Based on 04/11/2024 text)

Status: 04/24/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

Notes: Note: This bill is part of the Assembly's Public Safety Retail Theft Package and an intent bill.

AB 1802 (Jones-Sawyer) Crimes: organized theft. (Amended 04/01/2024) [Link](#)

Existing law, until January 1, 2026, makes a person guilty of organized retail theft, punishable as a misdemeanor or a felony, as specified, if the person acts in concert with one or more persons to steal merchandise from one or more merchant's premises or online marketplaces with the intent to sell or return the merchandise for value, acts in concert with 2 or more persons to receive, purchase, or possess merchandise knowing or believing it to have been stolen, acts as an agent of another to steal merchandise from one or more merchant's premises or online marketplaces as part of an organized plan to commit theft, or recruits, coordinates, organizes, supervises, directs, manages, or finances another to undertake acts of theft. This bill would extend the operation of the crime of organized retail theft indefinitely. By extending the operation of an existing crime, this bill would create a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 04/01/2024 text)

Status: 04/24/2024 - In committee: Set, first hearing. Referred to suspense file.

Position: Support

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

Notes: 2/22/24: EN tagged as pending support. 2/26/24: SG sent a draft support letter to the City for review. 3/12/24: EN tagged as support, submitted to Asm Public Safety Committee, and emailed delegation. 4/9/24: EN testified in support in Asm PS.

AB 1843 (Rodriguez) Emergency ambulance employees. (Amended 03/06/2024) [Link](#)

Under the Emergency Ambulance Employee Safety and Preparedness Act, an initiative measure enacted by the voters as Proposition 11 at the November 6, 2018, statewide general election, every emergency ambulance employee is entitled to employer-paid mental health services through an employee assistance program (EAP), and requires the EAP coverage to provide up to 10 mental health treatments per issue per calendar year. The act defines "issue" for purposes of those provisions to mean mental health conditions such as, among other things, stress, depression, or substance abuse. This bill would instead require an EAP to provide up to 20 mental health treatments per issue per calendar year, and would include post-traumatic stress disorder in the definition of "issue" for purposes of those provisions. The bill would also require an EAP to schedule an appointment with a mental health treatment provider within 48 hours, upon request of an emergency ambulance employee. This bill would require an emergency ambulance provider to offer to all emergency ambulance employees, upon the employee's request, peer-to-peer services to provide peer representatives who are available to come to the

aid of their fellow employees on a broad range of emotional or professional issues. The bill would require a peer support program to be implemented through a labor-management agreement negotiated separately from a collective bargaining agreement covering affected employees. This bill would specify conditions under which prescribed confidential communications between an emergency ambulance employee and a peer support team member may be disclosed. The bill would specify that an emergency ambulance employee who provides peer support services as a member of a peer support team, and the ambulance agency that employs them, shall not be liable for damages unless an act, error, or omission in performing peer support services constitutes gross negligence or intentional misconduct, except for an action for medical malpractice. This bill contains other related provisions and other existing laws. (Based on 03/06/2024 text)

Status: 04/25/2024 - Read second time. Ordered to third reading.

Calendar: 05/16/24 #27 A-THIRD READING FILE - ASSEMBLY BILLS

AB 1845 (Alanis) Crimes: Grant program for identifying, apprehending, and prosecuting resale of stolen property. (Amended 02/21/2024) [Link](#)

Existing law, as amended by the Safe Neighborhoods and Schools Act, enacted as an initiative statute by Proposition 47, as approved by voters at the November 4, 2014, statewide general election, makes it a crime to buy, receive, conceal, sell, or withhold any property that has been stolen or that has been obtained in any manner constituting theft or extortion, knowing that the property has been so obtained. Under existing law, this offense is punishable as either a misdemeanor or a felony, unless the value of the property does not exceed \$950, in which case an offense is punishable as a misdemeanor. Existing law establishes the Board of State and Community Corrections to provide statewide leadership, coordination, and technical assistance to promote effective state and local efforts and partnerships in California's adult and juvenile criminal justice system, as specified. Under existing law, the board administers several grant programs, including a mentally ill offender crime reduction grant program, a medication-assisted treatment grant program, and a violence intervention and prevention grant program. This bill would, until January 1, 2030, create the Identifying, Apprehending, and Prosecuting Resale of Stolen Property Grant Program to be administered by the board. The bill would require the board to award grants, on a competitive basis, to county district attorneys' offices and law enforcement agencies, acting jointly to investigate and prosecute receiving stolen goods crimes and criminal profiteering. The bill would require the board to prepare and submit a report to the Legislature, as specified, regarding the impact of the grant program. The bill's provisions would be operative only to the extent that funding is provided, by express reference, in the annual Budget Act or another statute. This bill contains other existing laws. (Based on 02/21/2024 text)

Status: 04/24/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 1960 (Soria) Sentencing enhancements: property loss. (Introduced 01/29/2024) [Link](#)

State law, repealed as of January 1, 2018, required a court to impose an additional term of imprisonment, as specified, on a person who takes, damages, or destroys property in the commission or attempted commission of a felony, as specified. This bill would create sentencing enhancements for taking, damaging, or destroying property in the commission or attempted commission of a felony, as specified. By adding new sentencing enhancements, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 01/29/2024 text)

Status: 04/17/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 1972 (Alanis) Regional property crimes task force. (Amended 04/11/2024) [Link](#)

Existing law authorizes the Governor to appoint and commission individuals designated by a railroad company to serve as police officers. Existing law, until January 1, 2026, requires the Department of the California Highway Patrol to coordinate with the Department of Justice to convene a regional property crimes task force to identify geographic areas experiencing increased levels of property crimes and assist local law enforcement with resources, such as personnel and equipment. This bill would require the task force to assist railroad police and would specify cargo theft as a property crime for consideration by the regional property crimes task force. (Based on 04/11/2024 text)

Status: 05/02/2024 - From Consent Calendar. Ordered to third reading.

Calendar: 05/16/24 #50 A-THIRD READING FILE - ASSEMBLY BILLS

AB 1978 (Fong, Vince) Vehicles: speed contests. (Amended 04/15/2024) [Link](#)

Existing law prohibits a person from engaging in a motor vehicle speed contest or exhibition of speed on a highway or in an offstreet parking facility. Existing law also prohibits a person from obstructing or placing a barricade or obstruction upon a highway or in an offstreet parking facility for the purpose of facilitating or aiding any motor vehicle speed contest or exhibition, as specified. This bill would authorize a peace officer to not take a person into custody for a violation of obstructing or placing a barricade or obstruction upon a highway or in an offstreet parking facility for the purpose of facilitating or aiding a motor vehicle speed contest or exhibition of speed, as specified, if the peace officer causes the removal and seizure of the vehicle used to commit that offense. This bill contains other related provisions and other existing laws. (Based on 04/15/2024 text)

Status: 05/06/2024 - From Consent Calendar. Ordered to third reading.

Calendar: 05/16/24 #69 A-THIRD READING FILE - ASSEMBLY BILLS

AB 1990 (Carrillo, Wendy) Criminal procedure: arrests: shoplifting. (Amended 04/16/2024) [Link](#)

Existing law prohibits shoplifting, defined as entering a commercial establishment with intent to commit theft while that establishment is open during regular business hours, where the value of the property that is taken or intended to be taken does not exceed \$950. Existing law requires an act that falls within this definition to be charged as shoplifting and not as burglary or theft. Under existing law, shoplifting is punishable as a misdemeanor, except when the defendant has prior convictions, as specified. Existing law authorizes a peace officer to make a warrantless arrest for a misdemeanor when the officer has probable cause to believe the person to be arrested has committed the misdemeanor in the officer's presence. Existing law also authorizes a private person to make an arrest for a misdemeanor committed in their presence, and requires the person to deliver the arrested person to a peace officer or magistrate. Existing law additionally authorizes a merchant to detain a person for a reasonable time and in a reasonable manner to determine if a person has unlawfully taken merchandise. Existing law authorizes a peace officer to make a warrantless arrest for specified misdemeanors relating to domestic violence, violation of a restraining order, and carrying a concealed firearm at an airport that did not occur in the officer's presence. This bill would authorize a peace officer to make a warrantless arrest for a misdemeanor shoplifting offense not committed in the officer's presence if the officer has probable cause to believe that person has committed shoplifting, as specified. This bill contains other related provisions and other existing laws. (Based on 04/16/2024 text)

Status: 04/17/2024 - Read second time. Ordered to third reading.

Calendar: 05/16/24 #15 A-THIRD READING FILE - ASSEMBLY BILLS

AB 2021 (Bauer-Kahan) Crimes: selling or furnishing tobacco or related products and paraphernalia to underage persons. (Amended 03/20/2024) [Link](#)

Existing law prohibits the sale or furnishing of tobacco or tobacco products or paraphernalia, as specified, to a person who is under 21 years of age. Under existing law, a violation of this prohibition is punishable by a fine of \$200 for the first offense, \$500 for the 2nd offense, and \$1,000 for the 3rd offense, either as a misdemeanor or by a civil action, as specified. This bill would create a separate fine of \$1,000 for the first offense, \$5,000 for the 2nd offense, and \$10,000 for the 3rd offense for firms, corporations, businesses, retailers, or wholesalers, who violate this prohibition. (Based on 03/20/2024 text)

Status: 05/01/2024 - Referred to Com. on PUB S.

Calendar: 05/28/24 S-PUBLIC SAFETY 9 a.m. - 1021 O Street, Room 2200 WAHAB, AISHA, Chair

AB 2042 (Jackson) Police canines: standards and training. (Amended 03/21/2024) [Link](#)

Existing law requires all law enforcement agencies to maintain a use of force policy, as specified, and requires the Commission on Peace Officer Standards and Training to implement courses of instruction for the training of law enforcement officers in the use of force. This bill would require the commission, on or before January 1, 2026, to develop standards and training guidelines, as specified, for the use of canines by law enforcement. The bill would require each law enforcement agency in California, on or before January 1, 2027, to adopt a policy for the use of canines that, at a minimum, complies with the standards developed by the commission,

and to require regular and periodic training for all canines and canine handlers that covers, at a minimum, the training guidelines developed by the commission. Because the bill would impose additional requirements on local law enforcement agencies, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 03/21/2024 text)

Status: 05/01/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2081 (Davies) Substance abuse: recovery and treatment programs.
(Amended 04/04/2024) [Link](#)

Existing law grants the State Department of Health Care Services the sole authority in state government to license adult alcoholism or drug abuse recovery or treatment facilities. The department is authorized to issue a license to specified types of facilities if certain criteria are met. Existing law requires licensees to report specified events and incidents to the department, including, among others, the death of a resident at a licensed facility. Existing law authorizes the department to investigate allegations of violations of governing law and take action upon a finding of a violation, as specified. This bill would require an operator of a licensed alcoholism or drug abuse recovery or treatment facility or certified alcohol or other drug program to include on its internet website and intake form paperwork a disclosure that an individual may check the internet website of the State Department of Health Care Services to confirm whether the facility's license or program's certification has been placed in probationary status, been subject to a temporary suspension order, been revoked, or the operator has been given a notice of operation in violation of law. The bill would require the disclosure to include a link to the department's internet website that contains the Probationary Status, Temporary Suspension Order, Revoked and Notice of Operation in Violation of Law Program List. The bill would authorize a violation of this requirement to be subject to penalty imposed by the department. (Based on 04/04/2024 text)

Status: 05/09/2024 - Read second time. Ordered to Consent Calendar.

Calendar: 05/16/24 #122 A-CONSENT CALENDAR 2ND DAY-ASSEMBLY BILLS

Notes: CalCities sponsored

AB 2814 (Low) Crimes: unlawful entry: intent to commit package theft.
(Introduced 02/15/2024) [Link](#)

Under existing law, a person who enters a house, room, apartment, or other specified structure, with intent to commit larceny or any felony, is guilty of burglary in the first or 2nd degree, as specified. Burglary in the first degree is punishable by imprisonment in the state prison for 2, 4, or 6 years, and burglary in the 2nd degree is punishable as a misdemeanor by imprisonment in a county jail not exceeding one year, or as a felony by imprisonment in a county jail for 16 months, or 2 or 3 years. This bill would prohibit a person from entering the curtilage of a home, as defined, with the intent to commit theft of a package shipped through

the mail or delivered by a public or private carrier. The bill would make a violation of that prohibition punishable as either a misdemeanor or a felony, as specified. By creating a new crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 02/15/2024 text)

Status: 04/17/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2943 (Zbur) Crimes: shoplifting. (Amended 04/11/2024) [Link](#)

Existing law divides theft into grand theft and petty theft. Existing law punishes petty theft as a misdemeanor while grand theft is punished as either a misdemeanor or a felony. Existing law lists specific types of theft which are grand theft and all other cases of theft as petty theft. Existing law authorizes a person to be charged with grand theft if the property taken exceeds \$950 over the course of distinct but related acts. This bill would clarify that those related acts include acts committed against multiple victims or in counties other than the county of the current offense. The bill would also clarify that, in determining whether acts are motivated by one intention, one general impulse, and one plan, the court may consider, but is not limited to, evidence that the acts involve the same defendant or defendants, are substantially similar in nature, or occur within a 60-day period. This bill contains other related provisions and other existing laws. (Based on 04/11/2024 text)

Status: 04/24/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 3209 (Berman) Crimes: theft: retail theft restraining orders. (Amended 04/01/2024) [Link](#)

Existing law prohibits the theft of merchandise from a retail establishment. Existing law authorizes a court, upon sentencing a person for specified offenses, including stalking and elder abuse, to issue a criminal protective order prohibiting the person from contacting any victim of their offense. This bill would authorize a court, when sentencing a person for an offense involving theft from a retail establishment, vandalism of a retail establishment, or battery of an employee of a retail establishment, to issue a criminal protective order prohibiting a person from entering the retail establishment, including any parking lots and including other franchise or chain locations of the retail establishment, as specified. The bill would also authorize a prosecuting attorney, city attorney, county counsel, or attorney representing a retail establishment to file a petition for the issuance of a criminal protective order of this type against a person who has been arrested 2 or more times for any of the offenses at the same retail establishment, as specified. The bill would make a violation of these orders punishable as a misdemeanor. By creating a new crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 04/01/2024 text)

Status: 04/17/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 3241 (Pacheco) Law enforcement: police canines. (Introduced 02/16/2024) [Link](#)

Existing law requires all law enforcement agencies to maintain a use of force policy, as specified, and requires the Commission on Peace Officer Standards and Training (POST) to implement courses of instruction for the training of law enforcement officers in the use of force. This bill would require the commission to adopt uniform, minimum guidelines regarding the use of canines by law enforcement, including legal standards established by the bill, and to certify courses of training for all law enforcement canine handlers and those law enforcement supervisors directly overseeing canine programs, as specified. The bill would require, on or before July 1, 2025, each law enforcement agency to maintain a policy for the use of canines by the agency that, at a minimum, complies with the guidelines adopted by POST, and would require law enforcement agencies to establish a training regimen that includes a course certified by the commission. Because the bill would impose additional duties on local law enforcement agencies, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 02/16/2024 text)

Status: 05/01/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

SB 21 (Umberg) Controlled substances. (Amended 05/02/2024) [Link](#)

Existing law makes it a crime to possess for sale or purchase for purpose of sale, transport, or sell, various controlled substances, including, among others, fentanyl. Existing law requires the court, when granting probation after conviction of any controlled substance offense, as specified, to order as a condition of probation that the defendant secure education or treatment from a local community agency and requires the court or probation department to refer defendants to controlled substance education or treatment programs that adhere to specified standards. Existing law permits a defendant to withdraw their plea of guilty or plea of nolo contendere and enter a plea of not guilty and authorizes a court to set aside a verdict of guilty, if the defendant has met certain requirements. This bill would require a person who is convicted of, or who pleads guilty or no contest to, the above-described crimes as they relate to fentanyl to receive a written advisory of the danger of distribution of controlled substances and that, if a person dies as a result of that action, the distributor can be charged with homicide or murder. The bill would require that the fact the advisory was given be on the record and recorded on the abstract of the conviction. This bill contains other related provisions. (Based on 05/02/2024 text)

Status: 05/02/2024 - Re-referred to Com. on RLS. pursuant to Assembly Rule 96. From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.

SB 53 (Portantino) Firearms: storage. (Amended 01/03/2024) [Link](#)

Existing law generally regulates the possession of firearms, including imposing storage requirements to prevent children from gaining access to firearms. This bill would, beginning on July 1, 2025, prohibit a person from keeping or storing a firearm in a residence owned or controlled by that person unless the firearm is stored in a locked box or safe that is listed on the Department of Justice's list of approved firearms safety devices and is properly engaged so as to render it inaccessible by any person other than the owner, as specified. The bill would make a first violation of this offense punishable as an infraction, and a second or subsequent violation punishable as a misdemeanor. The bill would exempt firearms that are permanently inoperable from these provisions. The bill would require the Department of Justice to promptly engage in a public awareness and education campaign to inform residents about these standards for storage of firearms. The bill would additionally prohibit a person convicted under these provisions from owning, purchasing, receiving, or possessing a firearm within one year of the conviction, as specified. The bill would make a violation of this provision punishable as a misdemeanor or felony. By creating a new crime, this bill would impose a state-mandated local program. This bill contains other existing laws. (Based on 01/03/2024 text)

Status: 04/29/2024 - Referred to Com. on PUB. S.

SB 905 (Wiener) Crimes: theft from a vehicle. (Amended 04/04/2024) [Link](#)

Existing law defines the crime of burglary to include entering a vehicle when the doors are locked with the intent to commit grand or petit larceny or a felony. Existing law makes the burglary of a vehicle punishable as a misdemeanor or a felony. This bill would make forcibly entering a vehicle, as defined, with the intent to commit a theft or a felony therein a crime punishable by imprisonment in a county jail for a period not to exceed one year or imprisonment in a county jail for 16 months, or 2 or 3 years. By creating a new crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 04/04/2024 text)

Status: 05/10/2024 - Set for hearing May 16.

Position: Support

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

Notes: 2/22/24: EN tagged as pending support. 2/26/24: SG sent a draft support letter to the City for review. 3/12/24: EN tagged as support, submitted to Senate PS, and emailed delegation. 4/2/24: EN me too'd in Senate PS.

SB 982 (Wahab) Crimes: organized theft. (Amended 03/05/2024) [Link](#)

Existing law, until January 1, 2026, makes a person guilty of organized retail theft, punishable as a misdemeanor or a felony, as specified, if the person acts in concert with one or more persons to steal merchandise from one or more merchant's premises or online marketplaces with the intent to sell or return the merchandise for value, acts in concert with 2 or more persons to receive, purchase, or possess merchandise knowing or believing it to have been stolen, acts as an agent of another to steal merchandise from one or more merchant's premises or online

marketplaces as part of an organized plan to commit theft, or recruits, coordinates, organizes, supervises, directs, manages, or finances another to undertake acts of theft. This bill would extend the operation of the crime of organized retail theft indefinitely. By extending the operation of an existing crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 03/05/2024 text)

Status: 05/10/2024 - Set for hearing May 16.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

SB 1144 (Skinner) Marketplaces: online marketplaces. (Amended 04/04/2024) [Link](#)

Existing law generally requires an online marketplace to require a high-volume third-party seller on the online marketplace to make certain disclosures. Existing law requires an online marketplace to suspend future sales activity of a high-volume third-party seller that is not in compliance with those information sharing requirements, as specified. Existing law imposes certain information retention and security requirements on an online marketplace and prohibits specified uses of that information. Existing law generally defines a “high-volume third-party seller,” for purposes of the above-described provisions, as a third-party seller who has entered into a certain number of consumer product sales transactions through an online marketplace for which payment is processed by the online marketplace, as specified. Existing law defines an “online marketplace,” for purposes of those provisions, as a consumer-directed, electronically accessed platform that includes features that allow for, facilitate, or enable, and are used by, a third-party seller to engage in the sale, purchase, payment, storage, shipment, or delivery of a consumer product and that has a contractual relationship with consumers governing their use of the platform to purchase consumer products. This bill would revise the types of transactions that qualify a third-party seller as a “high-volume third-party seller,” for those purposes. Specifically, the bill would remove the conditions that the transactions be made through an online marketplace and that the online marketplace process the payment and, instead, would add the condition that the transactions were made utilizing an online marketplace. The bill would also revise the definition of “online marketplace” by removing the conditions that the above-described features be used by third-party sellers, and that the platform have the above-described contractual relationship with consumers. This bill contains other related provisions and other existing laws. (Based on 04/04/2024 text)

Status: 05/10/2024 - Set for hearing May 16.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

SB 1242 (Min) Crimes: fires. (Amended 03/19/2024) [Link](#)

Existing law prohibits unlawfully causing a fire by recklessly setting fire to, burning, or causing to be burned, any structure, forest land, or property. A violation of this prohibition is punishable as either a misdemeanor or a felony. This bill would, for the purposes of sentencing for a violation of these provisions, make it a factor in aggravation that the offense was carried out within a merchant’s premises in order to facilitate organized retail theft. By increasing the

punishment for a crime, this bill would impose a state-mandated local program. (Based on 03/19/2024 text)

Status: 05/13/2024 - May 13 hearing: Placed on APPR suspense file.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

SB 1381 (McGuire) Property crimes: regional property crimes task force.
(Amended 03/20/2024) [Link](#)

Existing law, until January 1, 2026, requires the Department of the California Highway Patrol to coordinate with the Department of Justice to convene a regional property crimes task force to identify geographic areas experiencing increased levels of property crimes, including, among other property crimes, organized retail theft and vehicle burglary, and assist local law enforcement with resources, such as personnel and equipment. This bill would include the sale of stolen goods as a property crime to be considered in the identification of geographic areas experiencing increased levels of property crimes. (Based on 03/20/2024 text)

Status: 04/29/2024 - Referred to Com. on PUB. S.

SB 1416 (Newman) Sentencing enhancements: sale, exchange, or return of stolen property.
(Amended 04/16/2024) [Link](#)

Existing law defines types of theft, including petty theft, grand theft, and shoplifting. Existing law also defines the crime of burglary, which consists of entering specified buildings, places, or vehicles with the intent to commit grand or petty theft or a felony. This bill would create sentencing enhancements for selling, exchanging, or returning for value, or attempting to sell, exchange, or return for value, any property acquired through one or more acts of shoplifting, theft, or burglary from a retail business, if the property value exceeds specified amounts. The bill would additionally make these enhancements apply to any person acting in concert with another person to violate these provisions. By adding new sentencing enhancements, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 04/16/2024 text)

Status: 05/13/2024 - May 13 hearing: Placed on APPR suspense file.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

Revenue and Taxation

AB 1932 (Ward) Personal income tax: mortgage interest deduction.
(Amended 04/03/2024) [Link](#)

The Personal Income Tax Law allows various deductions in computing the income that is subject to the taxes imposed by that law, including, in modified conformity with federal income tax laws, a deduction for a limited amount of interest paid on acquisition indebtedness, as defined, with respect to a qualified residence of the taxpayer. Existing law limits the aggregate amount treated as acquisition indebtedness for these purposes to \$1,000,000, or \$500,000 in the case of a married individual filing a separate return. Existing law specifies for these purposes that a qualified residence includes the taxpayer's principal residence and one other residence selected by the taxpayer, as provided. This bill, for taxable years beginning on or after January 1, 2025, would disallow the deduction of acquisition indebtedness with respect to a qualified residence of a taxpayer other than the principal residence. This bill would require the Franchise Tax Board, in consultation with the Department of Finance, to estimate the amount of additional revenue resulting from the above-described modifications made with respect to the calculation of taxable income under the Personal Income Tax Law by this bill and to notify the Controller of that amount, as provided. The bill would establish the continuously appropriated Housing, Homeownership, and Homelessness Prevention Response Fund in the State Treasury, and would direct the Controller to transfer an amount from the General Fund to that fund equal to the above-described estimates. The bill would require the moneys be used for housing purposes, as specified. By establishing a continuously appropriated fund, this bill would make an appropriation. (Based on 04/03/2024 text)

Status: 04/23/2024 - In committee: Set, first hearing. Referred to REV. & TAX. suspense file. From committee: Do pass and re-refer to Com. on APPR. (Ayes 4. Noes 3.) (April 22). Re-referred to Com. on APPR.

Calendar: 05/15/24 A-APPROPRIATIONS 9:30 a.m. - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2274 (Dixon) Taxation: sales and use taxes: exemption: school supplies tax holiday.
(Amended 03/21/2024) [Link](#)

Existing sales and use tax laws impose taxes on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state, and provides various exemptions from the taxes imposed by those laws. This bill, on and after January 1, 2025, and before January 1, 2030, would exempt from those taxes the gross receipts from the sale of, and the storage, use, or other consumption of, qualified school supplies, as defined, purchased during the first weekend in August, beginning at 12:01 a.m. on Saturday and ending at 11:59 p.m. on Sunday. This bill contains other related provisions and other existing laws. (Based on 03/21/2024 text)

Status: 04/01/2024 - Re-referred to Com. on REV. & TAX. In committee: Set, second hearing. Hearing canceled at the request of author.

AB 2616 (Lee) Personal income tax: mortgage interest deduction.
(Introduced 02/14/2024) [Link](#)

The Personal Income Tax Law allows various deductions in computing the income that is subject to the taxes imposed by that law, including, in modified conformity with federal income tax

laws, a deduction for a limited amount of interest paid on acquisition indebtedness, as defined, with respect to a qualified residence of the taxpayer. Existing law limits the aggregate amount treated as acquisition indebtedness for these purposes to \$1,000,000, or \$500,000 in the case of a married individual filing a separate return. Existing law specifies for these purposes that a qualified residence includes the taxpayer's principal residence and one other residence selected by the taxpayer, as provided. This bill, for taxable years beginning on or after January 1, 2025, would disallow the deduction of acquisition indebtedness with respect to a qualified residence of a taxpayer other than the principal residence. This bill would require the Franchise Tax Board, in consultation with the Department of Finance, to estimate the amount of additional revenue resulting from the above-described modifications made with respect to the calculation of taxable income under the Personal Income Tax Law by this bill and to notify the Controller of that amount, as provided. This bill contains other related provisions and other existing laws. (Based on 02/14/2024 text)

Status: 02/15/2024 - From printer. May be heard in committee March 16.

AB 2854 (Irwin) Bradley-Burns Uniform Local Sales and Use Tax Law.
(Amended 04/10/2024) [Link](#)

The Bradley-Burns Uniform Local Sales and Use Tax Law (Bradley-Burns) authorizes counties and cities to impose local sales and use taxes in conformity with the Sales and Use Tax Law. Existing law, on or after January 1, 2016, prohibits a local agency from entering into any form of agreement that would result, directly or indirectly, in the payment, transfer, diversion, or rebate of Bradley-Burns local tax revenues to any person, as defined, for any purpose, if the agreement results in a reduction in the amount of Bradley-Burns local tax revenues that, in the absence of the agreement, would be received by another local agency and the retailer continues to maintain a physical presence within the territorial jurisdiction of that other local agency, with specified exceptions. This bill would require a local agency, as defined, to annually provide specified information relating to each agreement resulting in the direct or indirect payment, transfer, diversion, or rebate of Bradley-Burns local tax revenues to the California Department of Tax and Fee Administration. The bill would additionally require the local agency to publish that information on its internet website. The bill would impose monetary penalties on any local agency that fails to provide information to the department or fails to publish information to its internet website, as prescribed. By expanding the duties of local agencies, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 04/10/2024 text)

Status: 04/24/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 3005 (Wallis) Motor Vehicle Fuel Tax Law: adjustment suspension.
(Introduced 02/16/2024) [Link](#)

The Motor Vehicle Fuel Tax Law, administered by the California Department of Tax and Fee Administration, imposes a tax upon each gallon of motor vehicle fuel removed from a refinery or terminal rack in this state, entered into this state, or sold in this state, at a specified rate per

gallon. Existing law requires the department to adjust the tax on July 1 each year by a percentage amount equal to the increase in the California Consumer Price Index, as calculated by the Department of Finance. Article XIX of the California Constitution restricts the expenditure of revenues from the Motor Vehicle Fuel Tax Law, Diesel Fuel Tax Law, and other taxes imposed by the state on fuels used in motor vehicles upon public streets and highways to street and highway and certain mass transit purposes. This bill would authorize the Governor to suspend an adjustment to the motor vehicle fuel tax, as described above, scheduled on or after July 1, 2025, upon making a determination that increasing the rate would impose an undue burden on low-income and middle-class families. The bill would require the Governor to notify the Legislature of an intent to suspend the rate adjustment on or before January 10 of that year, and would require the Department of Finance to submit to the Legislature a proposal by January 10 that would maintain the same level of funding for transportation purposes as would have been generated had the scheduled adjustment not been suspended. This bill contains other related provisions and other existing laws. (Based on 02/16/2024 text)

Status: 03/11/2024 - Referred to Com. on TRANS.

ACA 18 (Wallis) Road usage charges: vote and voter approval requirements. (Introduced 02/16/2024) [Link](#)

The California Constitution requires any change in state statute that increases the tax liability of any taxpayer to be imposed by an act passed by 2/3 of the membership of each house of the Legislature, and prohibits specified taxes on real property from being so imposed. For these purposes, the California Constitution defines a “tax” as any state levy, charge, or exaction, except as described in certain exceptions. The California Constitution describes one of those exceptions as a charge imposed for entrance to or use of state property, or the purchase, rental, or lease of state property, except charges governed by a specified provision of the California Constitution. This measure, on or after its effective date, would provide that the exception described above does not include a road usage charge, as described, thereby requiring the imposition of this type of charge to be subject to the 2/3 vote requirement. This bill contains other related provisions and other existing laws. (Based on 02/16/2024 text)

Status: 02/17/2024 - From printer. May be heard in committee March 18.

SB 1072 (Padilla) Local government: Proposition 218: remedies. (Amended 04/24/2024) [Link](#)

The California Constitution sets forth various requirements for the imposition of local taxes. The California Constitution excludes from classification as a tax assessments and property-related fees imposed in accordance with provisions of the California Constitution that establish requirements for those assessments and property-related fees. Under these requirements, an assessment is prohibited from being imposed on any parcel if it exceeds the reasonable cost of the proportional special benefit conferred on that parcel, and a fee or charge imposed on any parcel or person as an incident of property ownership is prohibited from exceeding the proportional cost of the service attributable to the parcel. Existing law, known as the Proposition 218 Omnibus Implementation Act, prescribes specific procedures and parameters for local compliance with the requirements of the California Constitution for assessments and property-related fees. This bill would require a local agency, if a court determines that a fee or charge for a property-related service, as specified, violates the above-described provisions of

the California Constitution relating to fees and charges, to credit the amount of the fee or charge attributable to the violation against the amount of the revenues required to provide the property-related service, unless a refund is explicitly provided for by statute. The bill would declare that these provisions are declaratory of existing law. This bill contains other related provisions and other existing laws. (Based on 04/24/2024 text)

Status: 05/02/2024 - Read second time. Ordered to third reading.

Calendar: 05/16/24 #90 S-SENATE BILLS -THIRD READING FILE

SB 1164 (Newman) Property taxation: new construction exclusion: accessory dwelling units. (Amended 04/11/2024) [Link](#)

The California Constitution generally limits ad valorem taxes on real property to 1% of the full cash value of that property. For purposes of this limitation, “full cash value” is defined as the assessor’s valuation of real property as shown on the 1975–76 tax bill under “full cash value” or, thereafter, the appraised value of that real property when purchased, newly constructed, or a change in ownership has occurred. This bill would exclude from classification as “newly constructed” and “new construction” the construction of an accessory dwelling unit, as defined, if construction on the unit is completed on or after January 1, 2025, and before January 1, 2030, until one of specified events occurs. The bill would require the property owner to, among other things, notify the assessor that the property owner intends to claim the exclusion for an accessory dwelling unit and submit an affidavit stating that the owner shall make a good faith effort to ensure the unit will be used as residential housing for the duration the owner receives the exclusion. The bill would require the State Board of Equalization to prescribe the manner and form for claiming the exclusion. Because this bill would require an affidavit by a property owner and a higher level of service from county assessors, it would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 04/11/2024 text)

Status: 05/10/2024 - Set for hearing May 16.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

SB 1436 (Allen) California Tax Policy Oversight Board. (Amended 04/24/2024) [Link](#)

Existing law establishes the California Department of Tax and Fee Administration (CDTFA), the State Board of Equalization (BOE), and the Franchise Tax Board (FTB) to administer specified taxes. Existing law establishes in state government the Office of Tax Appeals (OTA) to conduct tax appeals hearings. This bill, until January 1, 2035, would establish in the Government Operations Agency the California Tax Policy Oversight Board, consisting of the Controller, Director of Finance, Chairperson of the State Board of Equalization, the Treasurer, and the Secretary of the Government Operations Agency, to work collaboratively with the above-described tax agencies to promote clarity and communication and to consider recommendations regarding input brought by the tax agencies, taxpayers, or other state or local entities, as specified. This bill contains other related provisions. (Based on 04/24/2024 text)

Status: 05/10/2024 - Set for hearing May 16.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

SB 1494 (Glazer) Local agencies: Sales and Use Tax: retailers. (Introduced 02/16/2024) [Link](#)

The Bradley-Burns Uniform Local Sales and Use Tax Law authorizes counties and cities to impose a local sales and use tax in accordance with that law for tangible personal property sold at retail in the city or county, or purchased for storage, use, or other consumption in the city or county. That law requires the city or county to contract with the California Department of Tax and Fee Administration for the administration of the taxes and requires the department to transmit those taxes to the city or county. That law provides that for the purpose of a local sales tax adopted pursuant to that law, all retail sales are consummated at the place of business of the retailer unless otherwise specified. Existing law prohibits a local agency, defined to mean all cities and counties, from entering into any form of agreement that would result, directly or indirectly, in the payment, transfer, diversion, or rebate of Bradley-Burns local tax revenues to any person, as defined, for any purpose, if the agreement results in a reduction in the amount of Bradley-Burns local tax revenues that, in the absence of the agreement, would be received by another local agency and the retailer continues to maintain a physical presence within the territorial jurisdiction of that other local agency, with specified exceptions. This bill would additionally prohibit, on or after January 1, 2024, a local agency from entering into, renewing, or extending any form of agreement that would result, directly or indirectly, in the payment, transfer, diversion, or rebate of Bradley-Burns local tax revenues to any retailer, as defined, in exchange for the retailer locating or continuing to maintain a place of business that serves as the place of sale, as defined, within the territorial jurisdiction of the local agency if that place of business would generate revenue, from the sale of tangible property delivered to and received by the purchaser in the territorial jurisdiction of another local agency, for the local agency under the Bradley-Burns Uniform Local Sales and Use Tax Law. The bill would make those forms of agreements existing before January 1, 2024, void and unenforceable on January 1, 2030. The bill would require a local agency to post those forms of agreements existing before January 1, 2024, on the local agency's internet website until the form of agreement expires or is made void and unenforceable by these provisions. The bill would make related findings and declarations. This bill contains other related provisions and other existing laws. (Based on 02/16/2024 text)

Status: 04/25/2024 - Read second time. Ordered to third reading.

Calendar: 05/16/24 #68 S-SENATE BILLS -THIRD READING FILE

Transportation and Public Works

AB 627 (Jackson) Drayage trucks: voucher incentive project. (Amended 01/22/2024) [Link](#)

Existing law establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The state board, in this capacity, administers the California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project under which the agency issues a limited number of vouchers to incentivize the purchase and use of zero-emission commercial vehicles. The Budget Act of 2023 appropriated funds from the Greenhouse Gas Reduction Fund to the state board for zero-emission drayage trucks to be administered through the project and, in expending those funds, requires the state board, before January 1, 2025, to limit the number and award amount levels under the project based on fleet size. This bill would require the state board to ensure that a voucher provided under the project for the purchase of a new, or the retrofit of a used, drayage truck is provided to an operator in an amount determined pursuant to a sliding scale established by the state board, based on the number of drayage trucks the operator owns. In administering the project, the bill would require the state board to prioritize the award of those vouchers to operators meeting certain criteria. The bill would also require the state board to ensure that these vouchers may be used to purchase a new drayage truck using, or to retrofit a used drayage truck to use, hydrogen fuel cell or battery electric technology as its source of propulsion. (Based on 01/22/2024 text)

Status: 05/01/2024 - Referred to Coms. on E.Q. and TRANS.

AB 637 (Jackson) Zero-emission vehicles: fleet owners: rental vehicles.
(Amended 09/06/2023) [Link](#)

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. Existing law also generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. Existing law requires the state board to adopt and implement motor vehicle emission standards, in-use performance standards, and motor vehicle fuel specifications for the control of air contaminants and sources of air pollution the state board has found to be necessary, cost effective, and technologically feasible, to carry out specified purposes, unless preempted by federal law. This bill would, if the state board requires a fleet owner to acquire zero-emission vehicles as part of its fleet, require the state board to authorize the rental of a zero-emission vehicle or vehicles for a cumulative total of 260 days in a calendar year to be deemed ownership of one zero-emission vehicle for purposes of meeting that obligation. (Based on 09/06/2023 text)

Status: 05/01/2024 - Referred to Coms. on E.Q. and TRANS.

AB 1774 (Dixon) Vehicles: electric bicycles. (Introduced 01/03/2024) [Link](#)

Existing law defines an electric bicycle as a bicycle equipped with fully operable pedals and an electric motor of less than 750 watts, and requires electric bicycles to comply with specified equipment and manufacturing requirements. Existing law prohibits a person from tampering with or modifying an electric bicycle so as to change the speed capability of the bicycle, unless they appropriately replace the label indicating the classification required, as specified. A violation of the Vehicle Code is a crime. This bill would clarify that the exception to this prohibition only applies if the bicycle continues to meet the definition of an electric bicycle. This bill would prohibit a person from selling a product or device that can modify the speed

capability of an electric bicycle such that it no longer meets the definition of an electric bicycle. Because the bill would prohibit a person from selling certain products, the violation of which would be a crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 01/03/2024 text)

Status: 05/02/2024 - Read third time. Passed. Ordered to the Senate. (Ayes 73. Noes 0.) In Senate. Read first time. To Com. on RLS. for assignment.

AB 1890 (Patterson, Joe) Public works: prevailing wage. (Introduced 01/22/2024) [Link](#)

Existing law defines the term “public works” for the purposes of requirements regarding the payment of prevailing wages, the regulation of working hours, and the securing of workers’ compensation for public works projects. Existing law requires an entity awarding a public works contract, as specified, to provide notice to the Department of Industrial Relations. Existing law requires civil penalties to be imposed on an entity that fails to provide that required notice and authorizes the Labor Commissioner to issue a citation for civil penalties to an entity that fails to provide the required notice. This bill would additionally require the awarding body to provide notice to the department if there is a change in the identity of a contractor or subcontractor performing the project or, within 30 days, if the total amount of the contract change exceeds \$10,000. By creating new notification requirements for public agencies, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 01/22/2024 text)

Status: 05/01/2024 - Referred to Com. on L., P.E. & R.

AB 2037 (Papan) Weights and measures: electric vehicle chargers. (Amended 03/14/2024) [Link](#)

Existing law regulates advertising that indicates the price of motor vehicle fuel, including electricity sold as a motor vehicle fuel. Existing law requires a county sealer to enforce the advertising requirements. Existing law makes a violation of these provisions a crime. Existing law defines “correct,” for purposes of testing and verifying the accuracy of a weighing or measuring device, as a weight or measure or a weighing, measuring, or counting instrument that meets certain tolerance and specification requirements. This bill would authorize a county sealer to test and verify as correct any electric vehicle charger operated by a public agency, as defined, that is located in the county in which the sealer has jurisdiction. The bill would require a county sealer to condemn and seize, or cause to be marked with a tag or other device with the words “out of order,” an incorrect, as defined, electronic vehicle charger operated by a public agency, as specified. The bill would authorize a county board of supervisors to charge an annual registration fee for the cost of inspecting and testing an electric vehicle charger operated by a public agency, as specified. The bill would authorize a county sealer to levy a civil penalty against a public agency, or an employee or agent thereof, that removes or obliterates a tag or device placed on an electric vehicle charger operated by a public agency, as specified. This bill contains other related provisions and other existing laws. (Based on 03/14/2024 text)

Status: 05/08/2024 - Referred to Coms. on B., P. & E. D. and JUD.

AB 2234 (Boerner) Vehicles: electric bicycles. (Amended 04/17/2024) [Link](#)

Existing law defines an electric bicycle and classifies electric bicycles into 3 classes with different restrictions. Under existing law, a “class 1 electric bicycle” is a bicycle equipped with a motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour. Under existing law, a “class 2 electric bicycle” is a bicycle equipped with a motor that may be used exclusively to propel the bicycle and is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour. Under existing law, a “class 3 electric bicycle” is a bicycle equipped with a speedometer and a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour. Existing law prohibits a person under 16 years of age from operating a class 3 electric bicycle. This bill, the San Diego Electric Bicycle Safety Pilot Program, would, until January 1, 2029, authorize a local authority within the County of San Diego, or the County of San Diego in unincorporated areas, to adopt an ordinance or resolution that would prohibit a person under 12 years of age from operating a class 1 or 2 electric bicycle. The bill would make a violation of an ordinance or resolution that is adopted for this purpose an infraction punishable by either a fine of \$25 or completion of an electric bicycle safety and training course, as specified. The bill would, if an ordinance or resolution is adopted, require the county to, by January 1, 2028, submit a report to the Legislature that includes, among other things, the total number of traffic stops initiated for a violation of the ordinance or resolution, the results of those traffic stops, and the actions taken by a peace officer during a traffic stop, as specified. The bill would require a local authority or county to administer a public information campaign for at least 30 calendar days prior to the enactment of the ordinance or resolution, as specified. The bill would require the local authority or county to only issue warning notices for the first 60 days after the passage of the ordinance or resolution. (Based on 04/17/2024 text)

Status: 04/23/2024 - Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 13. Noes 1.) (April 22). Re-referred to Com. on APPR.

Position: Sponsor

Calendar: 05/15/24 A-APPROPRIATIONS 9:30 a.m. - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

Notes: 2/8/24: EN tagged as sponsor. 3/6/24: SG sent the City a draft letter for review. 3/12/24: EN received finalized letter, submitted to Assembly Transportation, and emailed author's office. 4/22/24: City Manager Scott Chadwick gave primary testimony in support in Assembly Transportation.

AB 2290 (Friedman) Transportation: Class III bikeways: bicycle facilities: Bikeway Quick-Build Project Pilot Program. (Amended 04/01/2024) [Link](#)

Existing law establishes the Active Transportation Program in the Department of Transportation for the purpose of encouraging increased use of active modes of transportation, such as biking and walking, with specified available funds to be allocated to eligible projects by the California Transportation Commission and regional transportation agencies. Existing law requires the commission to develop guidelines and project selection criteria for the program, as provided. Existing law establishes 4 classifications of bikeways and defines a “Class III bikeway” as a bikeway that provides a right-of-way on-street or off-street, designated by signs or permanent

markings and shared with pedestrians and motorists. This bill would prohibit the allocation of Active Transportation Program funds for a project that creates a Class III bikeway unless the project is on a street with a design speed limit of 20 miles per hour or less or the project will reduce the design speed limit to 20 miles per hour or less. This bill contains other related provisions and other existing laws. (Based on 04/01/2024 text)

Status: 04/09/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 11. Noes 4.) (April 8). Re-referred to Com. on APPR.

Calendar: 05/15/24 A-APPROPRIATIONS 9:30 a.m. - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 2813 (Aguiar-Curry) Government Investment Act. (Amended 04/29/2024) [Link](#)

Existing law, known as the Proposition 218 Omnibus Implementation Act, defines various terms and prescribes procedures and parameters for local jurisdictions to comply with specified provisions of the California Constitution. The Legislature adopted Assembly Constitutional Amendment 1 (ACA 1) at the 2023–24 Regular Session of the Legislature, which, if approved by the voters, would amend and add provisions of the California Constitution to (1) create an additional exception to the 1% limit on the ad valorem tax rate on real property by authorizing a local jurisdiction to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, if the proposition proposing that tax is approved by 55% of the voters in that local jurisdiction; and (2) authorize a local jurisdiction to impose, extend, or increase a sales and use tax to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, if the proposition proposing that tax is approved by 55% of the voters in that local jurisdiction. This bill, for purposes of ACA 1, would define “affordable housing” to include rental housing, ownership housing, interim housing, and affordable housing programs such as downpayment assistance, first-time homebuyer programs, and owner-occupied affordable housing rehabilitation programs. The bill would require a local government to ensure that any project that is funded with ACA 1 bonded indebtedness or ACA 1 special taxes to have an estimated useful life of at least 15 years or 5 years if the funds are for specified public safety buildings, facilities, and equipment. This bill would specify that a parcel tax imposed pursuant to ACA 1 may include an exemption for persons who are 65 years of age or older, older whose annual income does not exceed 250% of the 2012 federal poverty guidelines, persons receiving Supplemental Security Income for a disability, or persons receiving Social Security Disability Insurance Benefits and whose yearly income does not exceed specified amounts. This bill contains other related provisions and other existing laws. (Based on 04/29/2024 text)

Status: 04/30/2024 - Re-referred to Com. on APPR.

Calendar: 05/15/24 A-APPROPRIATIONS 9:30 a.m. - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

SB 768 (Caballero) California Environmental Quality Act: State Air Resources Board: vehicle miles traveled: study. (Amended 01/11/2024) [Link](#)

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. Existing law requires the Office of Planning and Research to prepare, develop, and transmit to the Secretary of the Natural Resources Agency for certification and adoption proposed revisions to guidelines establishing criteria for determining the significance of transportation impacts of projects within transit priority areas to promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. Existing law creates the State Air Resources Board as the state agency charged with coordinating efforts to attain and maintain ambient air quality standards, to conduct research into the causes of and solution to air pollution, and to systematically attack the serious problem caused by motor vehicles, which is the major source of air pollution in many areas of the state. Existing law authorizes the state board to do those acts as may be necessary for the proper execution of the powers and duties granted to, and imposed upon, the state board. This bill would require the state board, by January 1, 2026, to conduct and submit to the Legislature a study on how vehicle miles traveled is used as a metric for measuring transportation impacts pursuant to CEQA, as specified. This bill contains other existing laws. (Based on 01/11/2024 text)

Status: 04/29/2024 - Referred to Com. on NAT. RES.

SB 915 (Cortese) Local government: autonomous vehicles. (Amended 04/11/2024) [Link](#)

Existing law authorizes an autonomous vehicle, as defined, to be operated on public roads for testing purposes by a driver who possesses the proper class of license for the type of vehicle being operated if certain requirements are met, including that the vehicle is being operated solely by employees, contractors, or other persons designated by the manufacturer. Existing law prohibits an autonomous vehicle from being operated on public roads until the manufacturer submits an application to the Department of Motor Vehicles containing certain certifications regarding safety and other technological requirements and the department approves that application pursuant to adopted regulations. Existing law, commencing January 1, 2030, and to the extent authorized by federal law, prohibits the operation of certain new autonomous vehicles that are not zero-emission vehicles, as defined. Existing law provides for the local regulation of certain types of transportation services, including taxicab companies. Existing law requires each city or county in which a taxicab company is substantially located to adopt an ordinance or resolution in regards to taxicab transportation service, that includes provisions for a permitting program for taxicab drivers. Under existing law, it is unlawful to operate a taxicab company without a valid permit to operate issued by each city or county in which the taxicab company is substantially located. This bill would authorize each city, county, or city and county in which an autonomous vehicle has received authorization by the Department of Motor Vehicles, the Public Utilities Commission, or any other applicable state agency to operate, to protect the public health, safety, and welfare by enacting an ordinance in regard to autonomous vehicle services within that jurisdiction. The bill would require each city, county, or city and county that enacts an ordinance to include certain provisions within that ordinance. These would include a policy for entry into the business of providing autonomous

vehicle services including a permitting program that includes, among other things, the establishment of reasonable vehicle caps and hours of service restrictions. This bill contains other related provisions and other existing laws. (Based on 04/11/2024 text)

Status: 05/10/2024 - Set for hearing May 16.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

Notes: Cal Cities Sponsored

SB 955 (Seyarto) Office of Planning and Research: Infrastructure Gap-Fund Program.
(Amended 04/04/2024) [Link](#)

Existing law establishes the Office of Planning and Research in the Governor's office for the purpose of serving the Governor and the Governor's cabinet as staff for long-range planning and research and constituting the comprehensive state planning agency. Existing law authorizes a local agency to finance infrastructure projects through various means, including by establishing an enhanced infrastructure financing district to finance public capital facilities or other specified projects of communitywide significance that provide significant benefits to the district or the surrounding community. This bill would require the office, upon appropriation by the Legislature, to establish the Infrastructure Gap-Fund Program to provide grants to local agencies to develop and construct infrastructure projects, as defined. The bill would authorize the office to provide funding for up to 20% of a project's total cost, subject to specified requirements, including, among other things, that the office is prohibited from awarding a grant to a local agency unless the local agency provides funding that has been raised through local taxes for at least 10% of the infrastructure project's total cost. The bill would require the office to develop guidelines to implement the program that establish the criteria by which grant applications will be evaluated and funded. The bill would make these provisions operative January 1, 2027. (Based on 04/04/2024 text)

Status: 05/10/2024 - Set for hearing May 16.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

SB 1098 (Blakespear) Passenger and freight rail: LOSSAN Rail Corridor.
(Amended 03/20/2024) [Link](#)

Existing law establishes the Department of Transportation in the Transportation Agency under the control of an executive officer known as the Director of Transportation. Existing law authorizes the Department of Transportation, subject to approval of the Secretary of Transportation, to enter into an interagency transfer agreement under which a joint powers board assumes responsibility for administering the state-funded intercity rail service in certain rail corridors, including the LOSSAN Rail Corridor. Existing law defines the LOSSAN Rail Corridor as the intercity passenger rail corridor between San Diego, Los Angeles, and San Luis Obispo. Pursuant to this authority, the department entered into an interagency transfer agreement with the LOSSAN Rail Corridor Agency to administer intercity passenger rail service in the

LOSSAN Rail Corridor. This bill would require the Secretary of Transportation to provide guidance and recommendations to, and coordination between, stakeholders as necessary to ensure the performance of the LOSSAN Rail Corridor, as specified. This bill would also require the Secretary of Transportation, in consultation with the Director of Transportation, the California Transportation Commission, the Secretary for Environmental Protection, and the Secretary of the Natural Resources Agency, to submit a report to the Legislature on or before January 1, 2026, regarding the LOSSAN Rail Corridor that includes specified information. The bill would also require the Secretary of Transportation, in coordination with stakeholders responsible for operating rail services along the LOSSAN Rail Corridor, to submit a report to the Legislature on or before January 1, 2027, and biennially thereafter, on the performance of the LOSSAN Rail Corridor, as provided. This bill contains other related provisions and other existing laws. (Based on 03/20/2024 text)

Status: 05/10/2024 - Set for hearing May 16.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

SB 1216 (Blakespear) Transportation projects: Class III bikeways: prohibition.
(Amended 04/16/2024) [Link](#)

Existing law establishes 4 classifications of bikeways and defines a “Class III bikeway” as a bikeway that provides a right-of-way on-street or off-street, designated by signs or permanent markings and shared with pedestrians and motorists. This bill would define “sharrow” as the pavement marking used to inform road users that bicyclists might occupy the travel lane. The bill would prohibit, on and after January 1, 2025, an agency responsible for the development or operation of bikeways or highways where bicycle travel is permitted from installing or restriping a Class III bikeway or a sharrow on a highway that has a posted speed limit greater than 30 miles per hour. This bill contains other related provisions and other existing laws. (Based on 04/16/2024 text)

Status: 05/07/2024 - Read second time. Ordered to third reading.

Calendar: 05/16/24 #100 S-SENATE BILLS -THIRD READING FILE

SB 1271 (Min) Electric bicycles, powered mobility devices, and storage batteries.
(Amended 04/24/2024) [Link](#)

Existing law defines an electric bicycle as a bicycle equipped with fully operable pedals and an electric motor of less than 750 watts, and classifies electric bicycles into 3 classes with different restrictions for various purposes, including the requirement that manufacturers and distributors of electric bicycles apply a label that is permanently affixed to each electric bicycle that contains, among other things, the classification number of the electric bicycle, as specified. Existing law defines “class 1 electric bicycle” as a bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour, and defines “class 3 electric bicycle” as a bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour, and equipped

with a speedometer. This bill would clarify that an electric bicycle is a bicycle equipped with fully operable pedals and an electric motor with continuous rated mechanical power of not more than 750 watts. The bill would also clarify the definitions of “class 1 electric bicycle” and “class 3 electric bicycle” by providing that the motor on a class 1 electric bicycle is not capable of exclusively propelling the bicycle nor providing assistance to reach speeds greater than 20 miles per hours and the motor on a class 3 electric bicycle is not capable of exclusively propelling the bicycle. This bill contains other existing laws. (Based on 04/24/2024 text)

Status: 05/13/2024 - From committee: Be ordered to second reading pursuant to Senate Rule 28.8.

Calendar: 05/16/24 #10 S-SENATE BILLS - SECOND READING FILE

SB 1383 (Bradford) California Advanced Services Fund: Broadband Public Housing Account. (Amended 04/09/2024) [Link](#)

Existing law requires the Public Utilities Commission to establish the Broadband Public Housing Account in the California Advanced Services Fund and makes the moneys in the account available to the commission to award grants to low-income communities to finance projects to connect broadband networks that offer free broadband service that meets or exceeds state standards for residents of low-income communities. This bill would make moneys in the account available instead for grants and loans to finance projects to connect broadband networks that offer broadband service for residents of low-income communities and would revise the requirement that the broadband service be free to require certain grantees to provide residential subscribers within low-income communities with a free or low-cost broadband internet access service plan, as provided. The bill would authorize the commission to make grants to support the deployment of network devices to address barriers to consistent deployment of broadband services in a low-income community. The bill would specify that the requirement to provide a free or low-cost broadband internet access service plan does not apply to a grantee that is awarded grants for the sole purpose of deployment network devices to improve broadband services. This bill contains other related provisions and other existing laws. (Based on 04/09/2024 text)

Status: 05/10/2024 - Set for hearing May 16.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

Notes: CalCities sponsored

Water and Wastewater

AB 305 (Villapudua) California Flood Protection Bond Act of 2024. (Amended 04/25/2023) [Link](#)

The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, approved by the voters as Proposition 68 at the June 5, 2018, statewide primary election, authorizes the issuance of bonds in the amount of \$4,000,000,000 pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program. The California Constitution requires a measure authorizing general obligation bonds to specify the single object or work to be funded by the bonds and further requires the measure to be approved by a 2/3 vote of each house of the Legislature and a majority of the voters. This bill would enact the California Flood Protection Bond Act of 2024 which, if approved by the voters, would authorize the issuance of bonds in the amount of \$4,500,000,000 pursuant to the State General Obligation Bond Law for flood protection projects, as specified. The bill would provide for the submission of these provisions to the voters at the November 5, 2024, statewide general election. (Based on 04/25/2023 text)

Status: 05/13/2024 - Withdrawn from committee. Re-referred to Com. on RLS.

AB 805 (Arambula) Sewer service: disadvantaged communities. (Amended 01/22/2024) [Link](#)

Under existing law, the State Water Resources Control Board and the 9 California regional water quality control boards regulate water quality in accordance with the Porter-Cologne Water Quality Control Act and the federal Clean Water Act. Existing law authorizes a regional board to order the provision of sewer service by a receiving sewer system, as defined, to a disadvantaged community served by an inadequate onsite sewage treatment system, as defined. This bill would authorize the state board to require a sewer service provider to contract with an administrator designated or approved by the state board for administrative, technical, operational, legal, or managerial services to assist a designated sewer system with the provision of adequate sewer service, as defined. The bill would also authorize the state board to order a designated sewer system to accept those services, including full management and control of all aspects of the designated sewer system, from an administrator. The bill would define “designated sewer system” for these purposes as a sewer system that serves a disadvantaged community and that the state board finds to be either an inadequate sewage treatment system or a sewer system that has demonstrated difficulty in maintaining technical, managerial, and financial capacity to prevent fraud and mismanagement, or a sewer system that voluntarily accepts financial assistance for the provision of adequate sewer service. The bill would require the state board to take specified actions before determining that a sewer service provider is a designated sewer system, including providing the sewer service provider an opportunity to show that it has taken steps to timely address its failure to provide adequate sewer service, conducting a public meeting, and providing an opportunity for public comment. The bill would authorize the state board to grant specified authority over the designated sewer system to the administrator, including the authority to expend money for various purposes and to set and collect sewer rates and fees, subject to approval by the state board. The bill would require the state board to work with the administrator and the communities served by the designated sewer system to develop, within the shortest practicable time, adequate technical, managerial, and financial capacity to deliver adequate sewer service so that the services of the administrator are no longer necessary. (Based on 01/22/2024 text)

Status: 05/01/2024 - Referred to Com. on E.Q.

AB 3073 (Haney) Wastewater testing: illicit substances. (Amended 03/21/2024) [Link](#)

Existing law establishes the State Department of Public Health to implement various programs throughout the state relating to public health. The department administers the CDPH Wastewater Surveillance Network Dashboard that provides an overview of wastewater surveillance of SARS-CoV-2 in California. The dashboard includes wastewater samples collected and analyzed by the department, wastewater utilities, and academic, laboratory, and other partners across the state. This bill would require the department, in consultation with participating wastewater treatment facilities, local public health agencies, and other subject matter experts, to create a pilot program to test for high-risk substances and related treatment medications in wastewater. Under the bill, the goal of the program would be to determine how wastewater data can be used by state and local public health programs to address substance abuse in California. The bill would require the department to develop a list of target substances to be analyzed during the program that may include cocaine, fentanyl, methamphetamine, xylazine, methadone, buprenorphine, and naloxone. The bill would require the department, on or before July 1, 2025, to solicit voluntary participation from local public health agencies and wastewater treatment facilities, as specified. The bill would require the department to work with the participating agencies and facilities to collect samples and to arrange for those samples to be tested by qualified laboratories. The bill would require the department, in consultation with public health agencies and subject matter experts, to analyze test results to determine possible public health interventions. This bill contains other related provisions. (Based on 03/21/2024 text)

Status: 04/24/2024 - In committee: Set, first hearing. Referred to suspense file.

Calendar: 05/16/24 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

AB 3121 (Hart) Urban retail water suppliers: written notice: conservation order: dates. (Introduced 02/16/2024) [Link](#)

Existing law authorizes the State Water Resources Control Board, on and after January 1, 2025, to issue a written notice to an urban retail water supplier that does not meet its urban water use objective. Existing law authorizes the board, on and after January 1, 2026, to issue a conservation order to an urban retail water supplier that does not meet its urban water use objective. This bill would instead provide that the date the board is authorized to issue a written notice to January 1, 2026 and a conservation order to January 1, 2027. (Based on 02/16/2024 text)

Status: 05/08/2024 - Referred to Com. on N.R. & W.

ACA 2 (Alanis) Water Resiliency Act of 2024. (Amended 03/06/2024) [Link](#)

The California Constitution declares that the general welfare requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable, and that the right to the use of water does not extend to the waste or unreasonable use, method of use, or method of diversion of water. This measure would require the Treasurer to annually transfer an amount equal to 1.5% of all state revenues from the General Fund to the California Water Resiliency Trust Fund, which the measure would create. The measure would continuously appropriate moneys in the fund to the California Water Commission for its actual costs of

implementing these provisions and for specified water infrastructure projects. The measure would require the California State Auditor to annually conduct a programmatic review and an audit of expenditures from the California Water Resiliency Trust Fund and to report those findings, as specified. The measure would authorize a project funded pursuant to these provisions to elect to be subject to a streamlined review pursuant to the California Environmental Quality Act, as specified. The measure would provide that its provisions are severable and would require the Attorney General to defend against any action challenging the validity of the measure, except as provided. (Based on 03/06/2024 text)

Status: 03/19/2024 - In committee: Set, first hearing. Hearing canceled at the request of author.

SB 1110 (Ashby) Urban retail water suppliers: informational order: conservation order. (Amended 04/24/2024) [Link](#)

Existing law authorizes the State Water Resources Control Board, on and after January 1, 2024, to issue informational orders pertaining to water production, water use, and water conservation to an urban retail water supplier that does not meet its urban water use objective, as provided. This bill would instead authorize the board to issue the informational orders on and after January 1, 2026. This bill contains other related provisions and other existing laws. (Based on 04/24/2024 text)

Status: 05/13/2024 - From committee: Be ordered to second reading pursuant to Senate Rule 28.8.

Calendar: 05/16/24 #4 S-SENATE BILLS - SECOND READING FILE

SB 1255 (Durazo) Public water systems: needs analysis. (Amended 04/01/2024) [Link](#)

The California Safe Drinking Water Act provides for the operation of public water systems and imposes on the State Water Resources Control Board various responsibilities and duties relating to the regulation of drinking water to protect public health. Existing law establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and long terms. Existing law requires the state board to annually adopt a fund expenditure plan, as provided, and requires expenditures from the fund to be consistent with the fund expenditure plan. Existing law requires the state board to base the fund expenditure plan on data and analysis drawn from a specified drinking water needs assessment. This bill would require the state board to update a needs analysis of the state's public water systems to include an assessment, as specified, of the funds necessary to provide a 20% discount for low-income households served by community water systems with fewer than 3,000 service connections and for community water systems with fewer than 3,000 service connections to meet a specified affordability threshold on or before July 1, 2026, and on or before July 1 of every 3 years thereafter. (Based on 04/01/2024 text)

Status: 05/10/2024 - Set for hearing May 16.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

SB 1330 (Archuleta) Urban retail water supplier: water use. (Amended 04/24/2024) [Link](#)

Existing law requires an urban retail water supplier to calculate its urban water use objective no later than January 1, 2024, and by January 1 every year thereafter. Existing law requires each urban retail water supplier's water use objective to be composed of the sum of specified aggregate estimates, including efficient outdoor irrigation of landscape areas with dedicated irrigation meters or equivalent technology in connection with water used by commercial water users, industrial water users, institutional water users, and large landscape water users (CII). Existing law requires an urban retail water supplier to submit reports to the Department of Water Resources, as provided, by the same dates. This bill would require the department to collect and update data for outdoor residential landscapes and CII landscapes at least once every 10 years and post the data on its internet website. The bill would authorize an urban retail water supplier to submit reports by January 1 or July 1 whether reporting is submitted on a calendar year or fiscal year basis. The bill would require, as part of the report to be submitted in 2026, each urban retail water supplier to provide a narrative that describes the water demand management measures that the supplier plans to implement to achieve its urban water use objective by January 1, 2030. This bill contains other related provisions and other existing laws. (Based on 04/24/2024 text)

Status: 05/13/2024 - May 13 hearing: Placed on APPR suspense file.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

SB 1390 (Caballero) Groundwater recharge: floodflows: diversion. (Amended 04/24/2024) [Link](#)

Existing law declares that all water within the state is the property of the people of the state, but the right to the use of the water may be acquired by appropriation in the manner provided by law. Existing law requires the appropriation to be for some useful or beneficial purpose. Existing law provides, however, that the diversion of floodflows for groundwater recharge does not require an appropriative water right if certain conditions are met, including that a local or regional agency that has adopted a local plan of flood control or has considered flood risks as part of its most recently adopted general plan has given notice, as provided, of imminent risk of flooding and inundation of lands, roads, or structures. Existing law also requires the person or entity making the diversion for groundwater recharge purposes to file with the State Water Resources Control Board a final report 15 days after the diversions cease. These requirements apply to diversions commenced before January 1, 2029. This bill would extend the operation of these requirements to diversions commenced before June 1, 2032. The bill would revise, recast, and expand the conditions that are required to be met for the diversion of floodwaters for groundwater recharge that do not require an appropriative water right. The bill would require that a local or regional agency take specified actions, including making a declaration that diversion of floodflows for groundwater recharge from a delineated stretch of waterway within its jurisdiction is in accordance with one of certain enumerated plans relating to flood control or flood risk, as specified, or a county emergency operations plan. The bill would require

diversions to cease no later than 90 days after commencing, unless they are renewed, and would authorize a local or regional agency to renew a diversion for an additional 30 days by notifying the board of its intention to continue diverting 15 days before its expiration. The bill would also require the final report to be made by an entity and contain information, if applicable, describing the forecasting models used to determine a likely imminent escape of surface water and a description of the methodology used to determine the abatement of flood conditions. The bill would require that temporary floodflow diversions be consistent with the most junior priority relative to all water rights holders in the watershed and prohibit those diversions from injuring a prior water rights holder. (Based on 04/24/2024 text)

Status: 05/13/2024 - May 13 hearing: Placed on APPR suspense file.

Calendar: 05/16/24 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

May 11, 2024

To: Jason Haber, Intergovernmental Affairs Director
Cindie McMahon, City Attorney
City of Carlsbad

From: Sharon Gonsalves
Director of Government Affairs
Renne Public Policy Group

RE: RPPG Summary of Governor Newsom's State Budget May Revise for Fiscal Year 2024-2025

The following is a topline summary of the Newsom Administration's May Revision of the fiscal year 2024-25 (FY 24-25) State Budget highlighting specific areas of interest to the City of Carlsbad. In addition to the summary below, you will also see occasional line items that have an "*RPPG Note*". These are specific line items that we have identified based on both our "Deep Dive" process as well as ongoing conversations with agency staff. These notes indicate where there may be fiscal or policy opportunities which align with the Administration's proposal. If there are other areas or line items of interest expressed by Council or department heads, please do not hesitate to reach out to our team to ask questions or to request additional information.

MAY REVISE: BUDGET UPDATE SUMMARY

On May 10, Governor Newsom held a news conference to announce the release of the Administration's revised State Budget plan for FY 24-25. The accompanying 44-page document, however, was short on detail, with the specific proposals (p. 13-20) condensed to seven pages. More information may be unveiled within the coming weeks.

The Governor, once again, demonstrated an impressive command of detail as he moved through his presentation and responded to press questions. But deficits are never easy. No matter how the issue is presented, the state's revenue expenditures are much larger than its revenues.

The Governor maintained the budget problem is \$27.6 billion (which the Legislative Analyst's Office may debate), with another \$28 billion deficit to follow in FY 25-26. He is proposing to take a two-year approach to budget solutions. Under his proposal, approximately half of the deficit would be addressed with cuts, with the remainder through reserves, delays, fund shifts, borrowing, and new efficiencies.

Policy areas the Governor continues to protect include education funding, most climate expenditures, and expanded health coverage. On touchy subjects, he stated repeatedly to the press that he is not interested in tax increases and insisted that the dispute over state impacts of recent wage increase for healthcare workers will be resolved before the budget is signed.

For cities and housing supporters there is not much here to cheer about. Additional cuts are proposed for homeless and housing programs. The Governor maintains that Proposition 1 has made more homeless funding available, and he will be unveiling the state's proposals on Tuesday. As for cuts to traditional affordable housing programs, he redirected his remarks to past funding allocations, mentioned that there

was still \$500 million for affordable housing tax credits, and acknowledged that his office was discussing various potential bond proposals, including a housing bond.

Throughout his presentation, the Governor stated that he expected to engage with Legislature on the details. RPPG will continue to gather information on these proposals and the Legislature’s reaction.

The Governor’s May Revision of the FY 24-25 Budget proposal can be found [HERE](#).

MAY REVISE BY THE NUMBERS

<p>Total Budget: \$288.1 billion (+/- 7.3% reduction in state spending in total from last year’s \$310.8 billion plan for the current year)</p>	<ul style="list-style-type: none"> • \$201 billion General Fund • \$22.8 billion in reserves • \$19.43 billion in Rainy Day fund
<p>Total Deficit: \$27.6 billion</p> <p><i>*Note: LAO projections anticipated to differ</i></p>	<ul style="list-style-type: none"> • \$7 billion increase in deficit from the January Budget proposal • Early Action Agreement taken by the Legislature in April 2024, reduced \$17.3 billion of the original \$37.9 billion January shortfall, but deficit still remains

BUDGET PROBLEM OF THE MAY REVISE

Governor’s January Budget Proposal	\$37.9 billion
Shortfall Identified in the May Revise Since Governor’s January Budget Proposal	\$7.0 billion
Early Action Budget Package (AB 106)	-\$17.3 billion
Remaining Budget Shortfall in May Revise	\$27.6 billion

TIMING AND NEXT STEPS

The Legislative Analyst’s Office (LAO), the Legislature’s non-partisan research and advisory division, will likely report a larger FY 24-25 deficit estimate. One primary reason for this is that the LAO classifies a major Proposition 98 proposal as a “policy change” needed to balance the budget, rather than a “baseline” budget policy consistent with existing law and standard practice. Assembly Budget Director Jason Sisney estimates that the LAO may report that the deficit will be closer to \$50 billion. The growing Budget deficit will set the stage for lengthy and spirited negotiations between legislative leadership, advocates, and the Administration over proposed cuts and competing priorities.

Snapshot: Timing For the State’s Budget Adoption:

- Typically, the Governor releases the Budget Summary (top-line narrative) and the Budget Detail (the charts with numbers and information that gets into the specifics) at the same time. However, this year the Governor released a redacted version of a Budget Summary and will “slow roll” the details, releasing required information by the **May 14** statutory deadline.
- Budget subcommittees of each house will close out the specific items germane to their respective policy areas. Each house’s Budget Committee will move to adopt its version of the State Budget leading into final negotiations with the Governor.
- Prior to the Democratic supermajority in both houses, the Assembly and Senate would convene a Budget conference committee to resolve differences in their respective spending plans. However,

it is now more commonplace that the Administration and legislative leadership negotiate a deal privately.

- The Legislature must vote on a balanced Budget package to send to the Governor by **June 15th** to adhere to the constitutional deadline.
- The Governor then has until **July 1** to sign the Budget deal, which is the start of the new fiscal year, and may line-item veto specific appropriations.

It is important to note that the constitutional deadline does not apply to Budget Trailer Bills (BTBs), which are bills that ‘trail’ behind the main Budget bill for purposes of augmentation. BTBs are typically germane to one specific policy category. However, it is commonplace that a general budget trailer bill also referred to as a “Budget Bill Jr” is introduced which amends many sections of the adopted budget. There can be several iterations of a Budget Bill Jr in any given budget year. Administration [Trailer Bill Language \(TBL\) proposals](#) are catalogued on the Department of Finance’s (DOF) website and can be found there prior to a BTB being released. However, the official language often looks different.

AREAS OF INTEREST TO LOCAL GOVERNMENT

While this Budget reflects nearly \$290 billion in spending, the Governor was clear that he anticipates budgetary constraints over the next coming years due to factors like the tax collection delay of 2023. We anticipate the State’s budget position to continue to constrain funding sources that flow down to locals, including grants funds and priority community funding “earmarks” through the budget process as well as the potential that the Legislature will try to create local mandated programs which are unfunded.

From the limited information released today in the very top-line summary of the Governor’s May Revise proposal, RPPG has identified the following areas of general interest to local agencies. We will continue to monitor as additional information is released and will provide updates as appropriate on further developments on funding opportunities and funding restrictions as the budget process continues to roll forward.

- 1. Housing and Homelessness/Behavioral Health**
- 2. Natural Resources**
- 3. Transportation**
- 4. Economic Development**
- 5. Public Safety**

Housing and Homelessness/Behavioral Health

Housing: Unlike other areas of the budget where funding is proposed to be delayed or deferred, the May Revise builds upon January’s \$1.2 billion in cuts to popular housing development and planning programs, with an additional \$439 million in cuts:

- Eliminating the remaining \$75 million (from the Governor’s January proposal) in 2023-24 for the Multifamily Housing Program, in addition to the \$250 million proposed at Governor’s Budget.
- Reducing \$127.5 million in 2023-24 from the Adaptive Reuse Program, which will eliminate the program.
- Eliminating the remaining \$236.5 million in 2023-24 for the Foreclosure Intervention Housing Preservation Program, in addition to the \$237.5 million proposed at Governor’s Budget, which would result in the elimination of the program.

At his press conference, the Governor mentioned that his January budget included \$500 million for affordable housing tax credits, and that the state “means business” about the housing element with local

agencies meeting their state mandated goals. He also acknowledged his office was involved in (climate, school and housing) bond discussions with legislative leaders for possible inclusion on the November ballot.

Total Combined Cuts to Housing: Between the Governor’s January budget, and May Revise, the combined cuts to state housing programs of over \$1.6 billion would be:

- \$200 million from the Infill Infrastructure Grant Program, leaving \$25 million.
- \$325 million from the Multifamily Housing Program.
- \$152.5 million from the CalHome Program.
 - RPPG Note: This reduction builds upon a prior \$50 million reduction approved as part of the 2023-24 budget, meaning a total of \$202.5 million will be removed from this program from the original \$350 million.*
- \$300 million from the Regional Early Action Planning Grants 2.0 (REAP 2.0).
- \$474 million from eliminating the remaining \$236.5 million in 2023-24 for the Foreclosure Intervention Housing Preservation Program, in addition to the \$237.5 million proposed at Governor’s Budget, which would result in the elimination of the program.
- \$300 million from the California Student Housing Revolving Loan Fund Program previously intended to be appropriated for the program for each year, and \$194 million that was appropriated in 2023–24.
- \$127.5 million in 2023-24 from the Adaptive Reuse Program, which will eliminate the program.
- \$50 million, out of \$125 million allocated, from the Veteran Housing and Homelessness Prevention Program.
- \$15 million from the Seismic Retrofitting Program for Soft Story Multifamily Housing authorized in Chapter 48, Statutes of 2022 (SB 189).
- \$13.7 million ongoing from foster youth housing navigators, thus eliminating all funding.

Such massive cuts to state housing programs will increase legislative pressure to approve a bond proposal.

Homelessness: The May Revise proposes a variety of cuts to homeless related programs, some of which—as discussed by the Governor at his press conference—could be offset by expenditures of Proposition 1 funds. The May Revise proposes to:

- Reduce \$260 million one-time in 2025-26 for Homeless Housing, Assistance and Prevention Program (HHAP) Round 5 supplemental grant funding. *This cut still maintains \$1.1 billion in funding across 2023-24 and 2024-25 proposed in the Governor’s January budget. Presumably, the other related January proposals continue to be in effect including reverting \$100.6 million in HHAP administrative set asides to General Fund savings, leaving \$51.1 million for program administration. The Administration’s final FY-2023-24 budget document states that the first half of these funds will be released in mid-2024, after regional plans have been submitted and approved, and second half released in early 2026, after the regions report on their progress in carrying out the respective actions outlined in their regional plans.*
- Eliminate \$450.7 million one-time from the last round of the Behavioral Health Continuum Infrastructure Program, while maintaining \$30 million one-time General Fund in 2024-25.
- Reduce \$132.5 million in 2024-25 and \$207.5 million in 2025-26 for the Behavioral Health Bridge Housing Program, while maintaining \$132.5 million General Fund in 2024-25 and \$117.5 million (\$90 million Mental Health Services Fund and \$27.5 million General Fund) in 2025-26.
- Reduce \$72.3 million one-time in 2023-24, \$348.6 million in 2024-25, and \$5 million in 2025-26 for school-linked health partnerships and capacity grants for higher education institutions,

behavioral health services and supports platform, evidence-based and community-defined grants, public education and change campaign, and youth suicide reporting and crisis response.

- Eliminate \$52.5 million in 2023-24 and \$300 million ongoing for state and local public health.
- Reduce \$126.6 million ongoing for the CalWORKs Mental Health and Substance Abuse Services.
- Reduce \$10.5 million in 2023-24 for competitive grants to counties to use for various purposes relating to the treatment of substance use disorders and the provision of medication-assisted treatment.
- Reduce \$4.4 million one-time in 2024-25 to eliminate funding provided to county probation departments for the temporary increase in the number of offenders released from prison to Post Release Community Supervision pursuant to Proposition 57, the Public Safety and Rehabilitation Act of 2016.
- Reducing Adult Reentry Grants \$54.1 million in 2023-24 and \$57 million one-time in outyears that was proposed to be delayed in the Governor’s Budget. The Governor’s Budget included an additional reduction of \$7.8 million in 2022-23. This program offers competitive funds to community-based organizations for reentry services to assist formerly incarcerated individuals reentering communities.

When questioned by the press on these cuts and other issues relating to addressing homeless, the Governor touched on several themes:

- The Administration is planning a major roll out on Tuesday, **May 14**, of its proposals to implement Proposition 1. He said they will be announcing in detail what they will be “daring” to do “very differently” related to mental health and homelessness.
- In response to a question over his sponsorship of housing legislation [AB 3093 (Ward)], which would require local agencies to include homeless residents in their RHNA calculations, contrasted against his proposals to cut over \$1.6 billion for housing programs, he pointed to Proposition 1, which contains \$1 billion annually for housing to address the most vulnerable, plus \$6.3 billion of new housing money, would provide “more money than ever” for homeless housing.
- In response to a question about what about homeless people who are not eligible for Prop. 1 funding because they are not suffering from mental illness or an addiction, the Governor pointed to programs like Homekey, Roomkey, BHCIP, Encampment Resolution Grants, and the state’s prior investments in homeless and housing programs.
- In response to whether the state bore any responsibility for issues identified in the recent report by the State Auditor on whether the state’s billions in homeless expenditures were actually working, the Governor avoided acknowledgement of state culpability and implied most of the problem rested with local governments. He highlighted local accountability plans and that Prop. 1 requires one single plan for all mental health homeless expenditures by July, 2026. He said that the Prop 1 plans require more transparency, auditing and oversight of local spending, and that he also supported an increased role for HCD’s Housing Accountability Unit by adding a homeless component.

Natural Resources

Natural Resources encompasses a variety of policies and programs related to climate change, parks & recreation, disaster preparedness, and the natural environment. Due to budgetary constraints, a large portion of Natural Resources funding has been proposed to be cut. The May Revise reduces overall General Fund Natural Resources funding from \$11.68 billion in FY 23-24 to \$5.41 billion in FY 24-25, representing a decrease of \$6.27 billion or 53.7%. Additionally, Environmental Protection funding decreased from \$2.33 billion in FY 23-24 to \$624 million in FY 24-25, representing a decrease of \$1.70 billion or 73.3%.

On May 10, immediately following the Governor’s Press Conference, the California Natural Resources Agency (CNRA) convened a Climate Investments Governor’s Revised 2024-25 Budget Stakeholder Briefing. CNRA highlighted that the May Revision maintains \$45 billion (83%) of the previous \$54 billion climate budget using strategies such as Cap & Trade Funds and funding shifts to the Greenhouse Gas Reduction Fund (GGRF). Federal funding from the Biden administration was also highlighted. The Governor’s Senior Advisor for Climate, Lauren Sanchez, noted that \$15.9 billion has been secured from the federal government for California’s climate budget, while the Department of Transportation Secretary, Toms Omishakin, noted that the state has received \$42.1 billion from the federal Infrastructure Investment and Jobs Act (IIJA), otherwise known as the Bipartisan Infrastructure Law (BIL). Funding from the BIL/IIJA will continue through 2026. The Administration noted that the CNRA briefing covered high-level strategies, and that more information regarding specific budget details will be released in the coming days.

The following are funding updates, shifts, reductions, and reversions identified so far that have specific impact to local entities:

- \$6.6 billion maintained for water projects; this represents 76% of the original \$8.7 billion proposed in the last three budgets.
- \$2.6 billion over 4 years maintained for wildfire resilience projects; this represents 96% of the original \$2.8 billion proposed.
- \$1.7 billion shift in 2024-25 from the General Fund to the Greenhouse Gas Reduction Fund (GGRF) for various climate programs.

RPPG Note: Over the next five years, the May Revision includes shifting \$3.6 billion from the General Fund to the GGRF, including transit programs, clean energy programs, zero-emission vehicle programs, and nature-based solutions programs.

- \$1.4 billion over 6 years maintained for nature-based solution projects; this is a reduction of the \$1.6 billion originally committed for 3 years.
- \$600 million maintained for coastal conservancy projects.
- \$500 million reduction in FY 25-26 to support water storage facilities.
- \$50 million reduction to the Outdoor Equity Grants Program.

RPPG Note: The Outdoor Equity Grants Program had \$50 million available for its most recent application window in December 2023; RPPG will continue to monitor budgetary conditions and potential impacts to the program.

- \$45 million reversion and \$20 million reduction to the Habitat Conservation Fund by accelerating the sunset date for the fund, which is currently scheduled to sunset in 2030.

RPPG Note: The next round of Habitat Conservation Fund grant funding is scheduled for July 2025. RPPG will continue to monitor budgetary conditions and potential impacts to the program.

Specific to water investments, despite years of drought leading right into years of flooding, recall that the Governor’s January Budget Proposal reduced funding for watershed climate resilience, recycled water, flood protection, PFAS treatment, and Forecast-Informed Reservoir Operations. This proposal adds nothing back and at the very least further eliminates \$500 million in FY 25-26 to support water storage facilities. Once the budget detail is released RPPG will look for further areas in water/wastewater that may be impacted given the large budget problem the State is facing.

On the potential of a Climate Bond, the Governor stated that he continues to meet with the Legislature for updates and will make a determination on what will be included on the November ballot as

conversations develop. The Governor stressed that the state recently received \$15.9 billion from the federal government to enhance California's climate budget, and that various strategies to address climate funding needs will be utilized in the coming years.

RPPG Note: RPPG is tracking bond discussions and developments closely. It is anticipated that any Climate Bond will be heavy on water investments, but likely to be a two-part bond within the realm of \$10 billion if the Governor approves the increased debt service load and pre-polling suggests the public has the desire to approve it. There is an ask by local government statewide associations for \$300-500 million to be accessible for ZEV investments should a Climate Bond move forward.

Transportation

Transportation includes transportation infrastructure, transit, road safety projects, and clean energy technologies such as zero-emission vehicles (ZEVs). Like other areas of the state government, Transportation faces reductions in the May Revise. The May Revise reduces overall General Fund transportation funding from \$1.04 billion to \$554 million, calculating to a decrease of \$487 million or 46.8%.

The following are funding updates, shifts, reductions, and reversions that have specific impact to local entities:

- \$10 billion maintained for electric vehicle (EVs) fleet transitions, purchases, equity projects, and drayage/infrastructure projects.
- \$555.1 million shift from the General Fund to the Greenhouse Gas Reduction Fund (GGRF) above what was proposed in the Governor's Budget, for a total of \$1.3 billion in proposed fund shifts for transit.
 - These fund shifts are not expected to have program impact and the May Revision maintains the Formula Transit and Intercity Rail Capital Program (\$4 billion) and the Zero Emission Transit Capital Program (\$1.1 billion) funding levels.
- \$973 million general fund reduction that will impact programs such as Highways 2 Boulevards: Reconnecting Communities Program, Transit and Intercity Rail Capital Program, Active Transportation Program, and grade separation projects.
 - \$300 million reduction in 2025-26 and \$99 million in 2026-27 for the Active Transportation Program (ATP).

RPPG Note: ATP is funded through various federal and state funds appropriated in the annual Budget Act, including: 100% of the federal Transportation Alternative Program funds (except for the federal Recreation Trail Program); \$21 million of federal Highway Safety Improvement Program funds or other federal funds; State Highway Account funds; and Road Maintenance and Rehabilitation Account (SB 1 funds).
 - \$148 million reduction from the Competitive Transit and Intercity Rail Capital Program from funding not used for awarded projects, maintaining 96% of the Competitive Transit and Intercity Rail Capital Program (\$3.5 billion of the originally planned \$3.65 billion).

Economic Development

While major economic development programs tracked by local agencies were relatively spared from cuts in January, the May Revise modifies several proposals:

- Reduces to \$50 million (from \$100 million proposed in January) the annual allocation in 2024-25 through 2026-27 of California Jobs First funds [Previously called the Community Economic Resilience Fund (CERF)]. The January budget also proposed to delay \$300 million (out of the original \$600

million appropriated) to this program designed to promote resilient, equitable, and sustainable regional economies.

- Withdraws a proposal from the January budget to allocate \$60 million to extend the California Competes grant program for one additional year.
- Revises a proposal from January to cap at \$5 million the net operating loss tax deductions for businesses with incomes of more than \$1 million for the 2025-2027 tax years, with a trigger to possibly restore it if sufficient revenues are available in the 2025-26 May Revision. Extends the carryover period for these tax deductions for three years. Proposal does not apply to Low Income Housing Tax Credits or Pass Through Entity Elective Tax Credits.

RPPG Note: The anticipated Jobs First Notice of Funding Opportunity (NOFO) is anticipated for June 2024. RPPG will continue to monitor budget conditions and potential impacts to the program.

Public Safety

The preliminary May Revise summary released by the Administration provides limited information related to city public safety interests. Several related proposals, however, are worth mentioning:

- Developing \$80.6 million in annual budget savings from the Department of Corrections and Rehabilitation by deactivating 46 housing units across 13 prisons, totaling approximately 4,600 beds.
- Reducing \$4.4 million one-time in 2024-25 to eliminate funding provided to county probation departments for the temporary increase in the number of offenders released from prison to Post Release Community Supervision pursuant to Proposition 57.
- Reducing \$54.1 million in 2023-24 and \$57 million one-time for Adult Reentry Grants in outyears that was proposed to be delayed in the Governor’s Budget.

RPPG will continue to monitor for the expanded budget detail to be released and report on any developments.

RPPG Note: Public Safety legislative packages in both the Senate and Assembly are still being negotiated, with Legislative leadership and the Administration working together to prioritize ways to address retail theft and the fentanyl crisis.

###



LEGISLATIVE SUBCOMMITTEE

Staff Report

Meeting Date: March 21, 2024

To: Legislative Subcommittee

From: Jason Haber, Intergovernmental Affairs Director

Staff Contact: Jason Haber, Intergovernmental Affairs Director
jason.haber@carlsbadca.gov, 442-339-2958

Subject: California Public Utilities Commission Update

District: All

Recommended Action

Receive an update on the California Public Utilities Commission's policy and regulatory work, including a recent decision to implement income-graduated fixed charges for Californians' electric bills, as required by Assembly Bill 205 (2022), and provide feedback.

Discussion

The California Public Utilities Commission's Local Government Liaison will provide an update on the Commission's policy and regulatory work concerning the telecommunications, energy, transportation, and water industries, including an overview of the Commission's decision to implement income-graduated fixed charges for Californians' electric bills, as required by Assembly Bill 205 (2022).

Next Steps

None.

Exhibits

1. California Public Utilities Commission Fact Sheet: What is the California Public Utilities Commission
2. California Public Utilities Commission Fact Sheet: Proceeding R.22-07-005



What is the California Public Utilities Commission?

The California Public Utilities Commission (CPUC) regulates services and utilities, protects consumers, safeguards the environment, and assures Californians' access to safe and reliable utility infrastructure and services.

To learn more about the CPUC, please contact the News & Outreach Office at outreach@cpuc.ca.gov

What Industries Does the CPUC Regulate?



Energy – Electricity and Natural Gas

The CPUC regulates investor-owned electric and natural gas utilities. The CPUC ensures the reliability and safety of electric and natural gas systems, and works to advance renewable energy and climate goals.



Transportation – Rail and Passenger Carrier Safety

The CPUC oversees the safety of railroads and rail transit systems, for-hire passenger carriers (limousines, airport shuttles, charter and scheduled bus operators) and Transportation Network Companies (Lyft, Uber).



Telecommunications

The CPUC develops and implements policies for the telephone communications and broadband markets, including ensuring fair, affordable universal access to necessary services.



Water

The CPUC is responsible for ensuring that investor-owned water utilities deliver clean, safe, and reliable water to their customers at reasonable rates.



Staying Informed:

Where Can I Find Information About CPUC Proceedings and Events?

DOCKET CARD:

www.cpuc.ca.gov/Docket

Search for documents related to CPUC proceedings.

OPEN PROCEEDINGS:

www.cpuc.ca.gov/proceedings-and-rulemaking

Monthly updates of proceedings currently open at the CPUC.

SUBSCRIPTION SERVICE:

subscribecpuc.cpuc.ca.gov

Receive email notifications when documents such as press releases are published.

SERVICE LIST:

www.cpuc.ca.gov/service-lists

Receive ongoing communication about a specific proceeding.

DAILY CALENDAR:

www.cpuc.ca.gov/DailyCalendar

Follow hearings, meetings, workshops, and how to access CPUC events remotely.

MONTHLY NEWSLETTER:

www.cpuc.ca.gov/newsletter

Subscribe to receive our newsletter by email, or read it online.

Getting Involved:

Does My Voice Matter to the CPUC?

Yes, your voice matters! We want to hear from you to help us make decisions that reflect all Californians' concerns and perspectives.

- **Comment on an Issue:** You can make comments on proceedings on the Docket Card at www.cpuc.ca.gov/Docket, where you can also read the comments of others. You can also give oral comments at Public Participation Hearings and at other CPUC meetings that have designated public comment sessions, or email us at public.advisor@cpuc.ca.gov.
- **Become a Party:** You can become a party to a CPUC proceeding to participate formally in the decision-making process.

For more information, contact the Public Advisor's Office:

 **VISIT:** www.cpuc.ca.gov/pao

 **CALL:** 866-849-8390


 **EMAIL:** public.advisor@cpuc.ca.gov

How Can the CPUC Help Me Resolve My Issues?

Our **Consumer Affairs Branch (CAB)** can help if you have a problem with your utility bill or service that you are unable to solve directly with your utility company. You can contact CAB in three different ways:

 **CALL:** 800-649-7570

 **FILE** a complaint online:
www.cpuc.ca.gov/complaints

 **WRITE** a letter to:
CPUC Consumer Affairs Branch
505 Van Ness Ave.
San Francisco, CA 94102

How Does the CPUC Work with and for Communities?



The CPUC has several programs to reach different people and groups so that we can meaningfully involve them in CPUC proceedings and decision-making.

Our **Consumer Affairs Branch** helps resolve disputes between customers and their utility company.

Our **Public Advisor's Office** provides information, advice, and assistance to individuals and groups who want to participate in CPUC proceedings.

Our **Business and Community Outreach Office** builds relationships with community organizations and local governments, working to keep them informed and involved with CPUC programs and policymaking.

Our **Small Business Program** gives small businesses opportunities to contract with the state and utility companies, and keeps them informed about important issues and policy.

Our **Supplier Diversity Program** successfully encourages utilities to spend more than 20 percent of their contracts to business owned by women, minority, lesbian, gay, bisexual and transgender (LGBT), and disabled veterans.

Our **Low Income Oversight Board** helps ensure the CPUC and utility companies serve low income customers with helpful programs and partnerships.

Our **Disadvantaged Community Advisory Group** advises the CPUC and our partners at the California Energy Commission on issues related to environmental justice and social equity.

Our **Telecommunications Access for the Deaf and Disabled Administrative Committee** advises the CPUC about the provision of telecommunications equipment and relay services for persons with functional limitations of hearing, vision, movement, manipulation, speech, cognition, and interpretation of information.



California Public Utilities Commission

Item #3

Page 3 of 7



ENERGY DIVISION FACT SHEET

May 9, 2024 | Proceeding R.22-07-005 | www.cpuc.ca.gov/R2207005

CPUC Decision Cuts Price of Electricity Under New Billing Structure and Accelerates California's Clean Energy Transition

As required by [Assembly Bill 205](#), the CPUC has cut the price of electricity for Californians, reduced electricity bills for lower income Californians and those living in parts of the state most impacted by extreme weather, and accelerated the state’s clean energy transition.

The CPUC's decision changes how large investor-owned utilities (IOUs) bill residential customers for infrastructure-related costs. All customers already pay the cost of building and maintaining the electric grid through the price they pay for the electricity they use. The CPUC's decision moves these existing fixed costs into a “flat rate” line item on bills. This change shrinks the price for a unit of electricity for all customers, making it more affordable to electrify homes and vehicles, regardless of income or where someone lives.

This billing structure does not impose any new fees—it simply reallocates how existing costs are shared among customers. It also aligns California with most other states. The new billing structure goes into effect late 2025 and early 2026.


How it Works:

Cutting the Price of Electricity for All Residential Customers

Under the new billing structure, a residential customer bill will have two parts:

Usage Rate. The usage rate is the price you pay for a unit of electricity

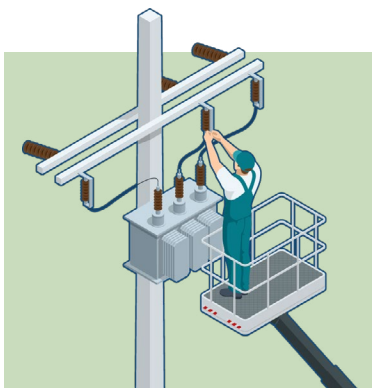
- The CPUC's decision cut the usage rate by 5 to 7 cents per kilowatt hour, making electricity cheaper.
- The usage rate will continue to vary throughout the day to encourage conservation.



After the billing adjustment, an average Fresno customer will **save \$33 over the summer months**

Flat Rate

- The CPUC's decision moves some costs currently collected in the usage rate to a separate line item called a flat rate.
- The flat rate includes the cost of infrastructure that connects all customers to the grid, such as wires and transformers that send power to and from your house so everyone can get power whenever you need it.

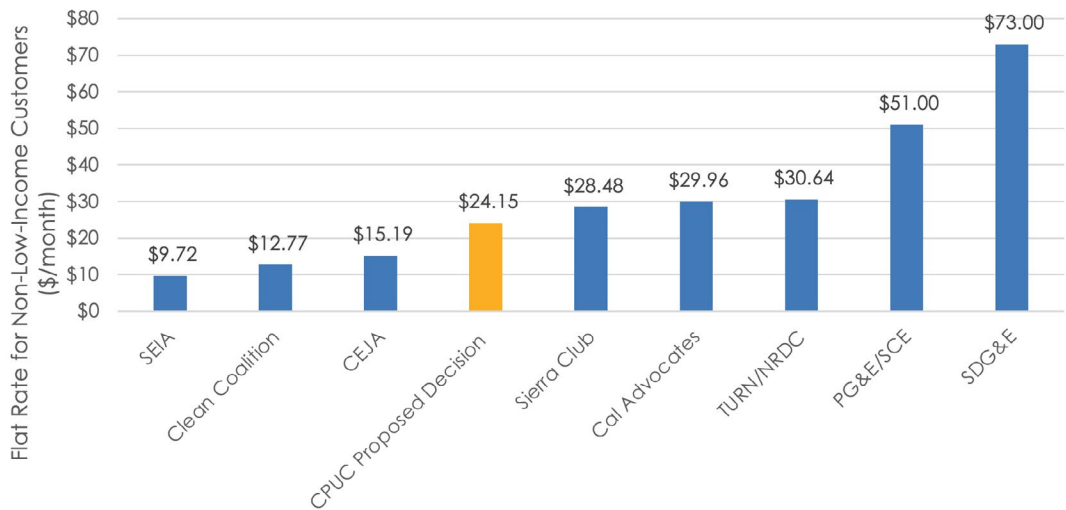




CPUC Sets Flat Rate at Lower End of Stakeholder Proposals

- CPUC reviewed proposals from a dozen stakeholders, including flat rate proposals up to \$73 per month.
- The CPUC's decision set the flat rate at \$24.15 per month, which will reduce the price of a unit of electricity by 5 to 7 cents per kilowatt-hour.

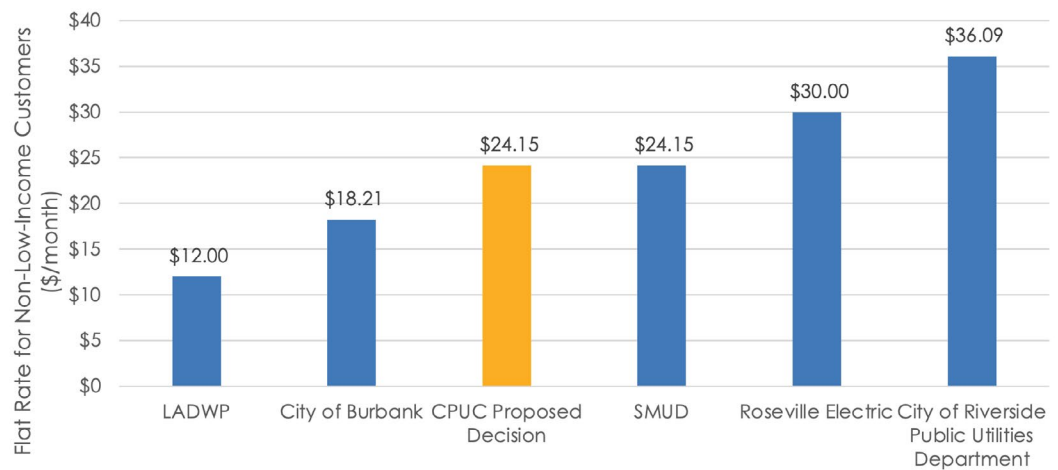
Comparison of Proposed Flat Rates



CPUC Brings California Utilities in Line with State and National Trends

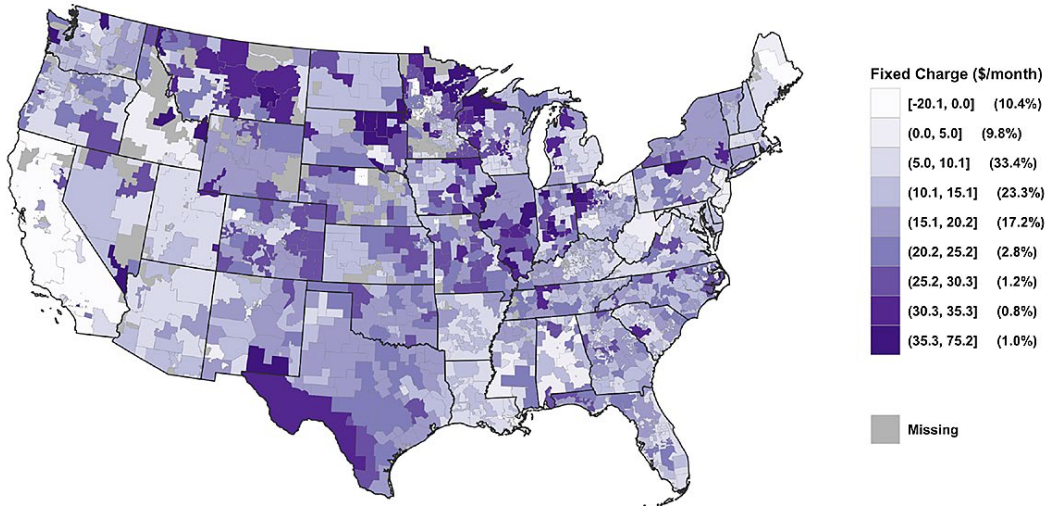
- California is one of the only states where investor-owned utilities do not have flat rates for infrastructure and maintenance costs. For example, some utilities in Texas have flat rates up to \$39 per month.
- Almost all publicly-owned utilities in California have flat rates.
- At \$24.15, the flat rate is the same amount as [SMUD's flat rate](#).

CPUC Flat Rate Compared to California Publicly-Owned Utilities






California is Currently Not Aligned with the Rest of the Nation



Source: Borenstein and Bushnell, National Bureau of Economic Research, “Do Two Electricity Pricing Wrongs Make a Right? Cost Recovery, Externalities, and Efficiency” (Rev. Sept. 2018) *Fixed charge is another term for flat rate.*

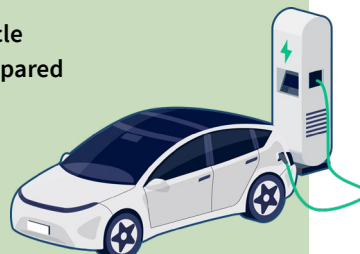
Encouraging Electrification: Going Electric Is More Affordable for All

- The CPUC's decision reduces the price PG&E, SCE, and SDG&E customers pay for each unit of electricity.
- All customers, regardless of income or location, will be better off financially if they choose to electrify their homes and/or vehicles under the new billing structure compared to today's rates.
- The decision accelerates the state's transition to 100% clean electricity.



A customer that electrifies their home and vehicle will **save on average \$28-44 a month** compared to under today's rates.

For example, a San Francisco customer that electrifies will be roughly \$32 better off each month.



Improving Affordability: Discounts for Low-Income and Affordable Housing Customers

- As directed by AB 205, on average all low-income customers will save on their monthly bills.
- Customers enrolled in the [California Alternate Rates for Energy \(CARE\)](#) low-income assistance program will benefit from a **discounted flat rate of \$6 per month**.
 - » Approximately 30 percent of IOU customers currently participate in CARE.
- Additionally, customers enrolled in the next level up of income qualified program, the [Family Electricity Rate Assistance \(FERA\)](#), as well as those residing in deed-restricted affordable housing with incomes at or below 80% of the area median income, will qualify for a **discounted flat rate of \$12 per month**.



Other Key Elements of Proposal

- **No Income Verification Required.** The CPUC's decision does not require any customer to verify their income. Existing programs like CARE and FERA already establish income eligibility through enrollment in programs like MediCal and SNAP or through a voluntary income self-attestation process followed by audits.
- **All Customers Included.** All residential customers, including those with rooftop solar, will transition to flat rates. Rooftop solar customers consistently rely on grid infrastructure. They draw electricity from the grid and send electricity back to the grid throughout the day to balance their usage with intermittent solar production. Additionally, they need grid support to meet energy needs during nighttime or when solar panels are not generating power.
- **No Profit Increase for IOUs.** The decision ensures that utilities cannot increase the costs they collect or make any profit. Instead, it redistributes costs associated with running the electrical grid in a more equitable manner on customer bills.
- **Approval for Other Utilities.** The decision also approves a flat rate for Bear Valley, Pacificorp, and Liberty utilities, agreed upon by the ratepayer advocacy group California Public Advocates, that ranges from \$23.40 to \$33.98 for residential customers.