



LEGISLATIVE SUBCOMMITTEE

Agenda

Regular Meeting

July 9, 2024, 9 a.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.
 - For non-agenda public comment, speakers must confine their remarks to matters within the Legislative Subcommittee's subject matter jurisdiction.
 - For public comment on agenda items, speakers must confine their remarks to the question or matter under consideration.
 - 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 City 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 member or the Legislative Subcommittee.
 - Failure to comply with the rules for public participation is disruptive conduct. Continuing disruptive conduct after being asked by the presiding member to cease may result in removal from the meeting.
- **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: *The Brown Act allows any member of the public to comment on items not on the agenda, provided remarks are confined to matters with the Legislative Subcommittee's subject matter agenda. Please treat others with courtesy, civility and respect.*

APPROVAL OF MINUTES:

Minutes of the Special Meeting held June 11, 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 DEPARTMENT OF FISH AND WILDLIFE UPDATE ON BATIQUITOS LAGOON DREDGING** – Receive an update from the California Department of Fish and Wildlife regarding the department's dredging and sand placement activities in and around Carlsbad and provide feedback. (Staff contact: Jason Haber, City Manager Department)

Recommendation: Receive the update and provide feedback.

4. **WINDSOR POINTE ADVOCACY EFFORTS** – Receive an update on regional, state and federal advocacy efforts concerning the Windsor Pointe affordable housing development 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:

ADJOURNMENT:



LEGISLATIVE SUBCOMMITTEE

Minutes

Special Meeting

June 11, 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: *Kathleen Steindlberger shared her concerns about items (k) and (l) from the Environmental Quality section of the 2024 Legislative Agenda under "Coastal Issues" (p. 8).*

APPROVAL OF MINUTES:

Minutes of the Regular Meeting held May 21, 2024

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

SUBCOMMITTEE COMMENTS & ANNOUNCEMENTS: None.

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 an informational report from Salome Tash representing Congressman Mike Levin's office. Francine Busby representing State Senator Catherine Blakespear's office also presented a report. Ms. Busby provided a fact sheet summarizing Senator Blakespear's active bills as of June 4, 2024 (on file with the Office of the City Clerk). Ross Tritt representing Assemblymember Tasha Boerner's office presented an informational report.

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 Department)

Recommendation: Receive the updates and provide feedback.

Carpi and Clay's Laura Morgan-Kessler presented the 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 in the Office of the City Clerk).

The subcommittee received the updates.

Motion by Subcommittee Member Burkholder, seconded by Subcommittee Member Acosta to support: AB 1774 (Dixon) Vehicles: electric bicycles, AB 2259 (Boerner) Transportation: bicycle safety handbook, AB 1794 (McCarty) Crimes: larceny, AB 2943 (Zbur and Rivas) Crimes: shoplifting, AB 3209 (Berman) Crimes: theft: retail theft restraining orders, SB 1053 (Blakespear) and AB 2236 (Bauer-Kagan) Solid waste: reusable grocery bags: standards: plastic film prohibition, AB 2761 (Hart) Product safety: plastic packaging: Reducing Toxics in Packaging Act, SB 1271 (Min) Electric bicycles, powered mobility devices, and storage batteries, and SB 1242 (Min) Crimes: fires. Motion carried unanimously, 2/0.

SUBCOMMITTEE MEMBER REQUESTS FOR FUTURE AGENDA ITEMS:

Subcommittee Member Burkholder requested a presentation on Ranked Choice Voting. Subcommittee Member Acosta requested a presentation on beaches run by California State Parks, a presentation regarding “speed bumps” being placed in Oceanside to slow down sand migration and an update on advocacy efforts related to the Windsor Pointe affordable housing development as a follow up item at the next Legislative Subcommittee meeting.

SUBCOMMITTEE MEMBERS COMMENTS & ANNOUNCEMENTS: None.

ADJOURNMENT:

Subcommittee Member Acosta adjourned the duly noticed meeting at 10:15 a.m.

Robin Nuschy, Minutes Clerk
Executive Assistant



LEGISLATIVE SUBCOMMITTEE

Staff Report

Meeting Date: July 9, 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: July 9, 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.

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.

Exhibit 2 includes references to several statewide ballot measures, including: ACA 1; ACA 10; the Homelessness, Drug Addiction, and Theft Reduction Act of 2024; the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024; and the Kindergarten Through Grade 12 Schools and Local Community College Public Education Facilities Modernization, Repair, and Safety Bond Act of 2024, which voters will decide on the November 5, 2024, ballot.

The city's legislative platform does not provide a basis for taking a position on a proposed ballot measure. The Legislative Subcommittee may refer a ballot measure to the full City Council for consideration of whether to take a position.

State law allows a public agency to adopt a position on a ballot measure as long as the position is taken at an open meeting where all voices have the opportunity to be heard. However, state law

prohibits the use of public resources to campaign for or against a ballot measure. A summary of permissible and impermissible activities is included in Exhibit 4.

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.

If the Legislative Subcommittee decides to refer any state ballot measures to the City Council, staff will work with the City Manager to place an item on a future City Council agenda for consideration.

Exhibits

1. Carpi & Clay – Federal Update
2. Renne Public Policy Group – State Update
3. Renne Public Policy Group – Priority Legislation as of July 1, 2024
4. Ballot Measure Activities & Public Resources

City of Carlsbad Federal Update

July 1, 2024

FY25 Appropriations Update

In June, the House Appropriations Committee continued consideration of Fiscal Year (FY) 2025 appropriations bills. The chart below outlines the status of each of the twelve FY25 appropriations bills in the House. The House Appropriations Committee Chair Tom Cole (R-OK) is hopeful that all twelve of the FY25 bills will move through the floor of the House prior to the August recess.

FY25 Appropriations Bills	Subcommittee Allocation (in billions)	House Subcommittee Markup Date	House Full Committee Markup Date	House Passage
Agriculture-Rural Development	\$25.873	Passed Subcommittee on 6/11	7/10	
Commerce-Justice-Science	\$78.288	Passed Subcommittee on 6/26	7/9	
Defense	\$833.053	Passed Subcommittee on 6/5	Passed Committee on 6/13 by a vote of 34-25	Passed the House on 6/28 by a vote of 217-198
Energy-Water Development	\$59.19	Passed Subcommittee on 6/28	7/9	
Financial Services	\$23.608	Passed Subcommittee on 6/5	Passed Committee on 6/13 by a vote of 33-24	
Homeland Security	\$64.805	Passed Subcommittee on 6/4	Passed Committee on 6/12 by a vote of 33-26	Passed the House on 6/28 by a vote of 212-203

Interior-Environment	\$37.739	Passed Subcommittee on 6/28	7/9	
Labor-HHS	\$186.586	Passed Subcommittee on 6/27	7/10	
Legislative Branch	\$7.125	Passed Subcommittee on 5/23	Passed Committee on 6/13 by a vote of 33-24	
MilCon-VA	\$147.520	Passed Subcommittee on 5/21	Passed Committee on 5/23 by a vote of 34-25	Passed the House on 6/5 by a vote of 209-197
State-Foreign Ops	\$51.713	Passed Subcommittee on 6/4	Passed Committee on 6/12 by a vote of 31-26	Passed the House on 6/5 by a vote of 212-200
Transportation-Housing and Urban Development	\$90.4	Passed Subcommittee on 6/27	7/10	

In the Senate, Appropriations Committee Chair Patty Murray (D-WA) announced that the committee will begin marking up FY25 appropriations bills during the week of July 8th.

DOT Announces \$1.8 Billion in RAISE Grants

The Department of Transportation (DOT) announced \$1.8 billion in grants for 148 projects in all 50 states, four territories, and the District of Columbia through the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program. The RAISE program provides local governments, including multi-jurisdictional consortiums, with funding for large freight and passenger transportation infrastructure projects that may not meet eligibility requirements for other federal funding opportunities. Funding is evenly split between urban and rural areas and a large percentage of funded projects are in historically disadvantage communities or areas of persistent poverty.

Supreme Court Overturns Chevron Doctrine

The Supreme Court has issued a 6-3 decision in *Loper Bright v. Raimondo* and *Relentless v. Commerce*, overturning a 40-year precedent set by *Chevron v. Natural Resources Defense Council*. This new ruling raises questions about longstanding regulations and the authority of federal agencies, especially in emerging fields like cryptocurrency and artificial intelligence. It places more responsibility on Congress to directly address policy issues and empowers lower-court judges to limit regulators when they overstep their

authority. The Supreme Court majority stated that the Chevron decision inappropriately shifted the power to interpret the law from the judiciary to federal agencies. Under Chevron, judges were required to defer to agencies that provided a reasonable interpretation of ambiguous statutes.

Supreme Court's *Grants Pass* Decision

On June 28th, the Supreme Court issued a 6-3 decision on *City of Grants Pass v. Johnson*. This case centered around an Oregon local government's enforcement of its anti-camping rules, and whether they are prohibited by the Eighth Amendment's protections from cruel and unusual punishment. This decision could have significant impacts to local governments dealing with homelessness and the lack of affordable housing and shelter space.

Additional Congressional Activities

Housing Unhoused Disabled Veterans Act (H.R. 8340)

This [bill](#) is introduced by Reps. Brad Sherman (D-CA) and Mike Levin (D-CA) and would exclude VA disability compensation and pension benefits from HUD's definition of income.

Water Systems PFAS Liability Protection Act (H.R. 7944)

This [bill](#) is introduced by Reps. John Curtis (R-UT) and Marie Gluesenkamp Perez (D-WA). 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](#)).

Water Conservation Rebate Tax Bill Introduced in House. Representatives Jared Huffman (D-CA) and John Curtis (R-UT) reintroduced the *Water Conservation Rebate Tax Parity Act* ([H.R. 8682](#)). The bill would amend the federal tax code so that rebates for water conservation and water runoff management improvements are not considered taxable income. The legislation was referred to the Ways and Means Committee for consideration.

House Passes Wastewater Pollution Prevention Bill. On June 11th, the House passed the *Wastewater Infrastructure Pollution Prevention and Environmental Safety (WIPPES) Act* ([H.R. 2964](#)) by a vote of 351-56. This bill would require the Federal Trade Commission to issue regulations for wipe manufacturers to label their products as non-flushable to protect against wastewater infrastructure damage. The legislation was sent to the Senate and was referred to the Commerce, Science, and Transportation Committee for consideration.

Senate Passes Fire Prevention Bill. On June 18th, the Senate passed the House-passed version of the *Fire Grants and Safety Act* ([S. 870](#)). The bill would reauthorize the U.S. Fire Administration, the Assistance to Firefighters Grants Program, and the Staffing

for Adequate Fire and Emergency Response Grant Program through FY30. The legislation now heads to President Biden for his signature.

House Democrats Introduce HUD-VASH Improvement Legislation. House Financial Services Committee Ranking Member Maxine Waters (D-CA), House Veterans' Affairs Committee Ranking Member Mark Takano (D-CA), and Economic Subcommittee Ranking Member Mike Levin (D-CA) introduced the *End Veteran Homelessness Act of 2024* ([H.R. 8560](#)). The legislation would expand Department of Housing and Urban Development VA Supportive Housing (HUD-VASH) program eligibility, allowing veterans in other federal housing programs to transfer into HUD-VASH, clear the backlog of existing housing vouchers, and improve administration of the program. The legislation was referred to the Financial Services Committee and Veterans' Affairs Committee for consideration.

CBO Releases Updated 2024-2034 Budget and Economic Outlook. The Congressional Budget Office (CBO) released an [Update to the Budget and Economic Outlook: 2024-2034](#). CBO estimates the deficit for the current fiscal year will be \$1.9 trillion, \$408 billion more than the outlook report released in February. The cumulative deficit is expected to be higher over the next decade at \$2.1 trillion, 10 percent more than the previous outlook. CBO expects an average inflation rate of 2.7 percent and an average unemployment rate of 3.9 percent over the next decade.

Federal Funding Opportunities & Announcements

EPA Awards \$9.75 Million for Coastal Water Quality Monitoring. The Environmental Protection Agency (EPA) [awarded](#) \$9.75 million in grants for coastal water quality monitoring and public notification programs through the Beaches Environmental Assessment and Coastal Health (BEACH) Act. The funding will support ongoing water quality monitoring to test beach waters for illness-causing bacteria, identify sources of pollution, and notify the public of water conditions.

FEMA Announces \$160 Million in Nonprofit Security Grants. The Federal Emergency Management Agency (FEMA) [announced](#) \$160 million in first round funding through the Nonprofit Security Grant Program. The funding will support faith-based institutions and nonprofit organizations against targeted attacks and integrate nonprofit preparedness with broader state and local preparedness efforts. Additional funding for the program was secured through the FY24 National Security Supplemental.

FHWA Publishes Wildlife Crossings Pilot Program NOFO. The Federal Highway Administration (FHWA) published a [NOFO](#) for the availability of \$145 million for the Wildlife Crossings Pilot Program. The program funds projects that reduce wildlife-vehicle collisions and improve habitat connectivity for terrestrial and aquatic species. The funding may be used for construction and non-construction projects. Applications are due September 4th.

FHWA Announces FY23 Culvert OAP Program NOFO. FHWA announced a [NOFO](#) for \$196 million through the FY23 Culvert Aquatic Organism Passage (Culvert AOC) Program under the National Culvert Removal, Replacement, and Restoration Grant Program. The program funds projects that replace, remove, or repair culverts and weirs that would meaningfully improve or restore anadromous fish passage. The funding opportunity is multi-year, with \$196 million available annually through FY26. Applications for FY23 funding are due by September 23rd. FHWA is [hosting a webinar](#) for prospective applicants on July 15th at 1:00 pm ET.

HUD and VA Announces HUD-VASH NOFO. HUD and the Department of Veterans Affairs (VA) [announced](#) \$78 million in funding for the HUD-VASH program to support 7,800 new vouchers for Public Housing Authorities (PHAs). The program supports veterans experiencing homelessness, and combines Housing Choice Voucher from HUD and case management and clinical services from the VA. PHAs must [register their interest](#) in receiving HUD-VASH vouchers by August 30th.

HUD Awards \$142 Million through GRRP. HUD [announced](#) \$142 million in grants and loans through the Green and Resilient Retrofit Program (GRRP) for 2,200 homes at properties housing low-income individuals, families, and seniors. The funding will support energy and water efficient upgrades, renewable energy resource development, and climate resiliency improvements.

NOAA Announced \$60 Million for Climate-Ready Workforce Initiative. The National Oceanic and Atmospheric Administration (NOAA) [announced](#) \$60 million in awards for nine projects under the Climate-Ready Workforce Initiative. The initiative aims to prepare and place people in jobs that will advance climate resilience and ensure coastal communities are resilient as the climate changes.

Reclamation Announces \$700 Million for Long-Term Water Conservation in the Lower Colorado River Basin. The Bureau of Reclamation (Reclamation) [announced](#) \$700 million in funding to support long-term water conservation in the Lower Colorado River Basin. Funding will support projects such as water distribution structures, advanced metering infrastructure, farm efficiency improvements, canal lining, turf removal, groundwater banking, desalination, water recycling, and water purification.

Reclamation Announces \$142.5 Million for Water Recycling and Desalination Projects. Reclamation [announced](#) \$142.5 million in funding for water recycling and desalination projects. \$85 million was awarded for planning, design, and construction of water recycling projects and the remaining \$57.5 million was awarded to desalination projects.

Reclamation Announces WaterSMART Cooperative Watershed Management Program Funding Webinar. Reclamation announced a webinar to discuss the Cooperative Watershed Management Program Phase I NOFO. The [NOFO](#) will provide grants for collaborative, grassroots watershed groups to complete development activities,

watershed restoration planning, and watershed management project design. The webinar will be held on July 2nd at 12:30 pm ET, and registration can be found [HERE](#).

USDA and DOI Announce \$2.8 Billion for LRF and LWCF Funding

The Departments of Agriculture (USDA) and Interior (DOI) [announced](#) \$2.8 billion in funding to support the National Parks and Public Lands Restoration Fund (LRF) and the Land and Water Conservation Fund (LWCF). For FY25, \$1.9 billion is allocated to the National Parks and Public Lands Restoration Fund, and \$900 million is allocated to the Land and Water Conservation Fund.

Federal Agency Personnel & Regulatory Announcements

DHS Releases Innovation, Research, and Development Strategic Plan. The Department of Homeland Security (DHS) released its [Innovation, Research, and Development Strategic Plan](#). DHS will focus on climate change technologies, adaptation and resilience, equity, critical infrastructure, and emissions reductions over the next decade.

DOE Announces Definition of Zero Emissions Building. The Department of Energy (DOE) announced a [National Definition of a Zero Emissions Building](#) to promote decarbonization in the buildings sector. The definition is intended to provide guidance to developers of new and existing commercial and residential buildings to reduce emissions and energy costs.

DOL Announces Selections for Employment Navigator and Partnership Program. The Department of Labor (DOL) [announced](#) the selection of eight partners for the Employment Navigator and Partnership Program (ENPP) with the department's Veterans' Employment and Training Service (VETS). The ENPP supports service members and their spouses as they transitioning from active duty to civilian life by providing personalized employment assistance. VETS signed three-year memorandums of understanding with organizations in California, Colorado, the District of Columbia, Florida, Idaho, Massachusetts, and New York to provide services through ENPP.

DOT Releases Policy on Reducing Negative Project Impacts in EJ Communities. DOT released a [policy statement](#) entitled *Reducing Negative Impacts of Transportation Projects on Communities with Environmental Justices Concerns (Including Disadvantaged Communities and Communities with Significant Transportation Insecurities)*. The policy statement reaffirms DOT's efforts to facilitate projects to benefit environmental justice (EJ) communities, analyze cumulative project impacts regarding public health, environment, safety, and resiliency, provide opportunities for community engagement, and other concerns regarding the delivery of transportation projects to EJ communities.

DOT Announces Justice40 Baselines for FY22 and FY23. DOT [announced](#) baselines for the Biden Administration's Justice40 initiative with a goal to deliver 40 percent of the benefits of federal funding awards to disadvantaged communities. DOT developed a

methodology for FY22 and FY23 to calculate the benefits of Justice40 projects focused on barriers to accessible, affordable, equitable, reliable, and safe transportation.

EPA Releases 2024-2027 Climate Adaptation Plan. EPA released its [2024-2027 Climate Adaptation Plan](#) detailing how the agency will incorporate climate adaptation into programs, policies, rules, enforcement activities, and operations. The plan focuses on developing a climate-ready workforce, building facility resilience, developing climate-resilient supply chains, integrating climate resilience with external funding opportunities, use of climate data and tools, and integrating climate adaptation into the rulemaking process.

EPA Releases Proposed Water System Restructuring Assessment Rule. EPA issued a [proposed rule](#) titled “Water System Restructuring Assessment Rule.” The rule would require states to evaluate water systems that repeatedly violate drinking water standards or face major financial challenges. The proposed rule would establish a new mandatory restructuring assessment authority for states and establish eligibility requirements and limitations for restructuring incentives under state-approved restructuring plans. Comments are due by July 29th.

FAA Seeks Comments on Aircraft Certification Service Draft AC. FAA published a [draft Advisory Circular](#) (AC) that guidance for the type, production, and airworthiness certification of powered lift. This AC also designates the criteria in appendix A as an acceptable means, but not the only means, of showing compliance with title 14 of the Code of Federal Regulations (14 CFR) 21.17(b) for FAA type certification of certain powered lift. Comments are due by August 12th.

FHWA Publishes Pavement Preservation Report. FHWA published a report titled “[The Pavement Preservation Program Benchmarking Report](#)” that highlights findings from a study of State DOTs’ pavement preservation practices. The study conducted a gap analysis focusing on successful implementation strategies to evaluate the effectiveness of pavement preservation processes. Key findings include the need for better monitoring and modeling of preservation performance and improved incorporation of preservation performance into treatment and project selection.

Reclamation Seeks Comments on Revisions to Categorical Exclusions. Reclamation is [requesting comments](#) on its proposed revisions of seven categorical exclusions in the agency’s implementation procedures under the National Environmental Policy Act (NEPA), covering water-related contracts, use authorizations, financial assistance, loans, and funding activities. Comments are due July 8th.

USDA, EPA, and FDA Announce National Strategy to Reduce Food Loss. USDA, in partnership with EPA and the Food and Drug Administration (FDA) announced the [National Strategy for Reducing Food Loss and Waste and Recycling Organics](#). The strategy provides guidance to government agencies, retailers, and consumers on working together to prevent the loss and waste of food, increase recycling of food and other

organic materials, reduce greenhouse gas emissions, and decrease food costs for consumers.

USDA and Reinvestment Fund Launch Food Access and Retail Expansion Fund.

USDA and the Reinvestment Fund [announced](#) the launch of the Food Access and Retail Expansion Fund (FARE Fund) through the Health Food Financing Initiative (HFFI). The FARE Fund, authorized by the American Rescue Plan Act, will promote increased access to healthy foods in communities underserved by grocery stores. A request for applications will be announced in August.

##

July 3, 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 – June 2024

LEGISLATIVE UPDATE

Key Deadlines for the Legislature

June closed out a busy several weeks for the Legislature, including the June 15 deadline to pass a Budget Act and the bulk of committee hearings leading to the July 3 deadline by which all policy committees must meet and confer on bills in their second house. Bills that are still moving are in their second house, which means that Assembly bills are being heard in the Senate and Senate bills are being heard in the Assembly.

On July 3, the Legislature will adjourn for Summer Recess and when it reconvenes on August 5, with a few exceptions, only appropriation committees may meet to determine the fate of fiscal measures. The last two weeks of session leading up to the final day of the 2023-2024 legislative session on August 31 are reserved for Floor deliberations only. June 27 also marked the last day for measures to be added to, or withdrawn from, the November 2024 ballot. However, as we detail further below, nothing is going according to schedules when it comes to this year's ballot and July 3 is the new deadline for legislative measures.

To date for this year's legislative session, more than 1,300 bills continue to make their march through the legislative process, while zero have been vetoed, 110 have been chaptered, and approximately 740 have been held.

The 12-Day Signing Rule

While the Legislature is on Summer Recess from July 4 to August 4, measures on the Governor's desk will continue to be acted upon as the Governor only has 12 days to sign or veto a bill "presented" to him during this time before it automatically becomes law (often referred to as a "pocket signature", but not often utilized). The 12-day clock begins on the date that the bill is "enrolled and presented to the Governor" and not on the date that the bill passes the Senate or Assembly. In other words, once a bill passes both houses, it is sent to enrolling and engrossing for an undetermined period of time. The bill then becomes formally enrolled once it reaches the Governor's desk. If the twelfth day falls on a weekend or holiday, the next business day is the date by which the bill must be acted upon.

This 12-day signing period is applicable to all bills received by the Governor's desk twelve or more days prior to the date that the Legislature adjourns for the first year of session. However, beginning 12 days before August 31, the Governor has 30 days to act upon a bill that has been presented to him and if not acted upon by the 30th day, it becomes law.

BALLOT MEASURES UPDATE

On June 25, CalMatters [reported](#) that Senate President Pro Tem Mike McGuire (Geyserville) had said in a statement that the Legislature was extending its June 27 deadline to add bonds to the ballot to July 3, and that the Secretary of State's Office had confirmed lawmakers could waive a portion of the California Elections Code to add measures after the statutory June 27 date.

California Business Roundtable Measure

On June 20, RPPG notified City staff via email that the California Supreme Court had removed the California Business Roundtable (CBRT) tax measure from the November 2024 ballot. More information on the removal can be found [here](#) and [here](#). The measure would have required a two-thirds vote by the Legislature for new state taxes and a two-thirds vote by the voters for new local taxes. The California Supreme Court's action represents a significant win for state and local governments.

Of note, the Legislature passed [AB 440](#) by Assemblymember Gail Pellerin (Santa Cruz) which, among other acts, moves [ACA 13](#) (Ward, Chapter 176, Statutes of 2023) to the November 2026 ballot. ACA 13 put a measure on the November 2024 ballot that, if approved by the voters, would require initiatives approved after January 1, 2024 that would impose a higher vote threshold on a state or local measure to only take effect if the affirmative votes meet or exceed the highest vote approval threshold required by the measure. ACA 13 would also provide a right for local agencies to place advisory vote measures on local ballots. The bill had been originally aimed at forcing the CBRT measure to receive a super-majority of yes votes to be approved by the voters, instead of it otherwise needing a simple majority.

Local government financing Measure

In 2023, the Legislature passed [ACA 1](#) (Aguiar-Curry, Chapter 173, Statutes of 2023). The bill put a measure on the November 2024 ballot that will reduce the existing local vote threshold requirement from two-thirds to fifty-five percent for local public infrastructure and affordable housing financing proposals using: general obligation bonds, sales and use/transaction and use taxes, or parcel taxes. If the measure is approved by voters, the reduced vote threshold would apply to local measures.

After the modest passing of Proposition 1 in March, Assemblymember Cecilia Aguiar-Curry (Winters) introduced [AB 2813](#) and [ACA 10](#), two measures related to ACA 1, in an effort to increase the likelihood of ACA 1 passing in November. AB 2813 is the statutory companion to ACA 1 and includes various provisions designed to guide its implementation. ACA 10 directs the Secretary of State to make amendments to ACA 1 including deleting all sections of the initiative authorizing the imposition of a sales and use tax and a parcel tax with a 55 percent vote. ACA 10 replaces (rather than amends) two of the sections within ACA 1 pertaining to imposing property tax increases to fund public infrastructure and affordable housing with general obligation bonded indebtedness. ACA 10 also revises both the definitions of "affordable housing" and "public infrastructure," contained in ACA 1, which creates differences between the measures. On June 27, ACA 10 passed the Legislature, while AB 2813 is currently pending on the Senate Floor.

The Homelessness, Drug Addiction, and Theft Reduction Act

On June 11, the Homelessness, Drug Addiction, and Theft Reduction Act, qualified for the November 2024 ballot. The initiative would, if approved by voters, repeal parts of Proposition 47 and increase sentences for drug and theft crimes. It is supported by the California District Attorneys Association, the California Police Chiefs Association, the California Retailers Association, and San Francisco Mayor London Breed, among others.

The Legislature had wanted to supersede the proposed Theft Reduction Act with the introduction early this year of their own package of public safety and mental health care bills with similar, but not identical, provisions. However, not having reached any agreement with the Theft Reduction Act proponents, legislative leadership announced on June 11 their plan to amend several bills in the package to become inoperable should the initiative pass the ballot. The inoperability clause was added to those bills in late June. However, the inoperability clause, which had been pushed by Assembly Speaker Robert Rivas (Hollister) and Senator McGuire, caused division in the ranks and was removed from the bills on July 1.

On June 30, three days after the official June 27 initiative deadline, [SB 1381](#) was introduced. The bill had been an agreement that Governor Newsom and legislators had come to over the weekend in an attempt to add a last-minute alternative ballot measure to the November 2024 ballot to compete with the Homelessness, Drug Addiction, and Theft Reduction Act and would have been less stringent than the Theft Reduction Act. Authored by Democratic legislators Senators Aisha Wahab (Silicon Valley) and Angelique Ashby (Sacramento) and Assemblymember Rick Zbur (Los Angeles), this bill would have amended the Safe Neighborhoods and Schools Act (Proposition 47). The bill would have placed the alternative ballot measure before voters at the November 2024 election as Proposition 2, while the Theft Reduction Act would have been lower on the ballot. The bill included a provision that would have invalidated competing measure(s) on the same ballot should it have received a higher number of affirmative votes. On July 1, the Governor and lawmakers announced more details of the alternative initiative in a [press release](#). The bill passed the Assembly Public Safety Committee on July 2 along party lines, and it was scheduled to be voted on by the Legislature on July 3 to be sent to the Governor for signature. However, late in the evening on July 2, CalMatters [reported](#) that the Governor was withdrawing the measure from legislative consideration and that lawmakers would not be putting any competing measures to the Theft Reduction Act on the November 2024 ballot. However, Governor Newsom said in his statement that he plans to sign a “a robust public safety package that expands criminal penalties, bolsters police & prosecutor tools, and cracks down on retail theft—the most significant reform in decades.”

Climate Bond

After more than five years of debate and discussion, working groups, heavy advocacy, unprecedented surplus followed by a declared Budget emergency, and a FY 24-25 nearly \$50 billion deficit, the Legislature has finally come to agreement on a climate bond. Landing on [SB 867](#) by Senator Ben Allen (Santa Monica) as its bond vehicle, over the weekend Senator McGuire announced in a [press release](#) the agreement of a \$10 billion bond measure to ask voters to fund safe drinking water and drought, flooding, wildfires and forest resilience, sea level rise, extreme heat, park creation and outdoor access, and more. Legislators were at odds over the fine print in two proposals: AB 1567 by Assemblymember Eduardo Garcia (Coachella) and SB 867. The \$10 billion compromise announced Sunday falls short of both previous proposals, as the two bills had included about \$15.9 billion and \$15.5 billion, respectively.

The proposed bond would dedicate 40 percent of the \$10 billion at minimum toward disadvantaged communities, with funds divided among eight chapters:

- \$3.8 billion for safe drinking water, drought, flood and water resilience
- \$1.5 billion for wildfire and forest resilience
- \$1.2 billion for sea level rise and coastal resilience
- \$1.2 billion for protecting biodiversity and supporting nature-based climate solutions
- \$850 million for clean air programs
- \$700 million for park creation and outdoor access

- \$450 million for extreme heat mitigation
- \$300 million for sustainable farms, ranches and working lands

The measure still needs to pass through both houses of the Legislature's new deadline of July 3 and is not fully guaranteed as some members continue to have concerns about competing priorities and fiscal impacts. However, AB 440 also requires the submission of the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024 to be placed on the November 2024 ballot. An informational hearing on the bond was held on July 2 in the Assembly Natural Resources Committee, chaired by Isaac Bryan (Los Angeles). SB 867 will pass the Legislature and be signed by the Governor by July 3.

School Facilities Bond

Senator McGuire's weekend press release also announced that lawmakers have finally come to an agreement on a bond to pay for school facility repairs. Also containing \$10 billion in funding, this bond would set aside \$8.5 billion for new construction and modernization of K-12 schools and \$1.5 billion for community colleges. Like the climate bond, a school bond was included in the Governor's Budget plan for FY 24-25. The agreement follows years of consideration and months of negotiation among lawmakers over a competing school facilities bill, which would have also included public universities. [AB 247](#) by Assemblymember Al Muratsuchi (Torrance) will be the vehicle for the Kindergarten Through Grade 12 Schools and Local Community College Public Education Facilities Modernization, Repair, and Safety Bond Act of 2024. The measure borrows less money than previously expected and excludes public universities who can raise funds other ways. AB 440 requires that this bond be placed on the November 2024 ballot.

BUDGET UPDATE

Governor Gavin Newsom signed the 2024 Budget Act, [AB 107](#), on June 26 as passed by the Legislature on June 13. However, as RPPG had previously detailed, and as expected, this bill did not reflect an agreement between the Legislature and Administration. It was [announced](#) on June 22 that the Governor the Legislature had reached an [agreement](#) on the Budget. The Governor signed the primary bills of the agreement, Budget Bills Junior [SB 108](#) and [SB 109](#), on June 29. The 17 Budget Trailer Bills that represent additional provisions of this agreement have also been passed by the Legislature and sent to the Governor for signature.

Please note that it is not uncommon for other Budget Trailer Bills to be introduced as needed, and it is possible that there may yet be further Budget action before the 2023-2024 legislative session comes to an end. The current expectation according to unofficial remarks from the Department of Finance is that an August Budget Bill Junior is not expected, but July is a long time for that to change as leadership works with impacted stakeholders over the break. Sometimes the reason for this is as simple as needing to revise printed provisional language in the trailer bills to ensure proper statutory authority for funds to be allocated, while other times revisions are politically motivated.

The final Budget agreement represents a \$297.9 billion state Budget. The deal included an agreement to increase the size of the Rainy Day Fund from 10% of the state Budget to 20%, exclude deposits into the Rainy Day Fund from the Gann Limit, create a "Projected Surplus Temporary Holding Account," where a portion of any projected surplus will be deposited and held under a future year once it is clear whether the projected surplus actually materializes.

In homelessness and behavioral health, notable changes include:

- \$1 billion for the sixth round of the Homeless Housing, Assistance, and Prevention (HHAP) Grant Program. The supplemental \$260 million from the current fifth round of funding will be cut.
- \$250 million (\$150 million in 2024-25 and \$100 million in 2025-26) for the Encampment Resolution Grant Program.
- Eliminates \$450.7 million in one-time funds from the last round of the Behavioral Health Continuum Infrastructure Program. Additional rounds will be supported by Proposition 1 bond funding.
- Mostly preserves funding across multiple programs that expand behavioral health treatment and infrastructure capacity for services to children and youth (\$7.1 billion total).

In housing, notable changes include:

- Restores \$315 million in one-time funding for the multi-family housing program
- Restores \$260 million in one-time funding to the REAP 2.0 Program, reducing the cut to \$40 million out of the original \$600 million allocation.
- \$500 million for the low-income housing tax credit, which supports affordable housing projects.

The Assembly Floor Report of this agreement can be found [here](#) and analysis of the 19-bill package [here](#). The Senate Floor Report can be found [here](#) and analyses [here](#).

ADMINISTRATION ACTIONS

On June 12, Governor Newsom issued a [press release](#) stating that he supports the [new draft regulation](#) that had been issued by Insurance Commissioner Ricardo Lara that same day. The regulations will “require that insurers that use new catastrophe modeling must write more policies in distressed areas, with larger insurance companies required to insure properties in distressed areas at a rate equal to 85% of the insurer’s statewide market share. This is part of the Commissioner’s [Sustainable Insurance Strategy](#), a package of reforms to strengthen California’s marketplace and maintain strong consumer protections.” The public comment period for the regulation closed on June 27. The Department of Insurance will review public input before issuing the full regulation for adoption before the end of the year. In May, the Governor had released “a [proposal](#) to increase the transparency and speed of rate change application approval timelines, while remaining consistent with Proposition 103’s consumer protections from excessive, inadequate, and unfairly discriminatory insurance rates.”

On June 25, Governor Newsom delivered his State of the State address in a pre-recorded video. The full text and video of the address can be found [here](#).

BIG NEWS

On June 28, the United States Supreme Court granted cities more power to arrest, cite, and fine people who sleep outside in public places—overturning six years of legal protections for homeless residents in California and other western states. Governor Newsom had filed a “friend of the court” brief calling the existing standard “as inhumane as it is unworkable.” The Governor issued a [press release](#) after the ruling, stating that: “*This decision removes the legal ambiguities that have tied the hands of local officials for years and limited their ability to deliver on common-sense measures to protect the safety and well-being of our communities.*” The Republicans agreed on this one, with Senate Minority Leader Brian Jones (San Diego) stating in a separate [press release](#) that: “*Californians should not have to tolerate the encampments that have taken over our communities.*”

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.

Legislative Subcommittee

On June 11, Sharon Gonsalves presented to the Legislative Subcommittee.

AB 2715

On June 5, Dane Hutchings provided primary testimony in the Senate Local Government Committee on behalf of the City.

On June 13, Sharon Gonsalves had a meeting on AB 2715 with the Senate Judiciary Committee.

On June 14, Sharon Gonsalves had a meeting with the First Amendment Coalition.

On June 25, Dane Hutchings provided primary testimony in the Senate Judiciary Committee on behalf of the City.

Budget Update

On June 17, RPPG sent the City an update on the main Budget bill, [AB 107](#) (Gabriel), which had been passed by the Legislature on June 13.

ACA 10

On June 19, RPPG sent the City an analysis of [ACA 10](#) (Aguiar-Curry).

Update on Positioned Legislation

RPPG is closely monitoring and providing updates on the following bills on which the City has positioned.

- [AB 817 \(Pacheco\) Open meetings: teleconferencing: subsidiary body](#)
 - Status: Died in Senate Local Government
 - City Position: Support
- [AB 1774 \(Dixon\) Vehicles: electric bicycles](#)
 - Status: Enrolled
 - City Position: Support
- [AB 1779 \(Irwin\) Theft: jurisdiction](#)
 - Status: Senate Floor
 - City Position: Support
- [AB 1794 \(McCarty\) Crimes: larceny](#)
 - Status: Senate Appropriations
 - City Position: Support
- [AB 1802 \(Jones-Sawyer\) Crimes: organized theft](#)
 - Status: Senate Floor
 - City Position: Support
- [AB 1886 \(Alvarez\) Housing Element Law: substantial compliance: Housing Accountability Act](#)
 - Status: Senate Appropriations
 - City Position: Oppose

- [AB 2081 \(Davies\) Substance abuse: recovery and treatment programs](#)
 - Status: Senate Floor
 - City Position: Support
- [AB 2234 \(Boerner\) Vehicles: electric bicycles](#)
 - Status: Senate Floor
 - City Position: Sponsor
- [AB 2236 \(Bauer-Kahan\) Solid waste: reusable grocery bags: standards: plastic film prohibition](#)
 - Status: Senate Environmental Quality
 - City Position: Support
- [AB 2257 \(Wilson\) Local government: property-related water and sewer fees and assessments: remedies](#)
 - Status: Senate Local Government
 - City Position: Support
- [AB 2259 \(Boerner\) Transportation: bicycle safety handbook](#)
 - Status: Appropriations Suspense File
 - City Position: Support
- [AB 2557 \(Ortega\) Local agencies: contracts for special services and temporary help: performance reports](#)
 - Status: Senate Labor, Public Employment, and Retirement
 - City Position: Oppose
- [AB 2560 \(Alvarez\) Density Bonus Law: California Coastal Act of 1976](#)
 - Status: Senate Appropriations
 - City Position: Oppose
- [AB 2561 \(McKinnor\) Local public employees: vacant positions](#)
 - Status: Senate Labor, Public Employment, and Retirement
 - City Position: Oppose
- [AB 2574 \(Valencia\) Alcoholism or drug abuse recovery or treatment programs and facilities: disclosures](#)
 - Status: Senate Floor
 - City Position: Support
- [AB 2684 \(Bryan\) Safety element: extreme heat](#)
 - Status: Senate Floor
 - City Position: Support
- [AB 2715 \(Boerner\) Ralph M. Brown Act: closed sessions](#)
 - Status: Senate Floor
 - City Position: Sponsor
- [AB 2729 \(Patterson, Joe\) Residential fees and charges](#)
 - Status: Senate Housing
 - City Position: Oppose
- [AB 2943 \(Zbur\) Crimes: shoplifting](#)
 - Status: Senate Floor
 - City Position: Support
- [AB 3209 \(Berman\) Crimes: theft: retail theft restraining orders](#)
 - Status: Senate Floor
 - City Position: Support
- [AB 3093 \(Ward\) Land use: housing element: streamlined multifamily housing](#)
 - Status: Senate Appropriations

- City Position: Oppose
- [AJR 12 \(Alvarez\) Tijuana River: cross-border pollution](#)
 - Status: Assembly Floor
 - City Position: Support
- [SB 689 \(Blakespear\) Local coastal program: bicycle lane: amendment](#)
 - Status: Assembly Transportation
 - City Position: Support
- [SB 905 \(Wiener\) Crimes: theft from a vehicle](#)
 - Status: Assembly Floor
 - City Position: Support
- [SB 1011 \(Jones\) Encampments: penalties](#)
 - Status: Held in Senate Public Safety
 - City Position: Support
- [SB 1037 \(Wiener\) Planning and zoning: housing element: enforcement](#)
 - Status: Assembly Appropriations
 - City Position: Oppose
- [SB 1053 \(Blakespear\) Solid waste: reusable grocery bags: standards: plastic film prohibition](#)
 - Status: Assembly Appropriations
 - City Position: Support
- [SB 1116 \(Portantino\) Unemployment insurance: trade disputes: eligibility for benefits](#)
 - Status: Assembly Insurance
 - City Position: Oppose
- [SB 1242 \(Min\) Crimes: fires](#)
 - Status: Assembly Floor
 - City Position: Support
- [SB 1271 \(Min\) Electric bicycles, powered mobility devices, and storage batteries](#)
 - Status: Assembly Appropriations
 - City Position: Support

The City has a “Watch” position on the following bills:

- [AB 2042 \(Jackson\) Police canines: guidelines](#)
 - Status: Senate Public Safety
 - City Position: Watch
- [AB 3241 \(Pacheco\) Law enforcement: police canines](#)
 - Status: Senate Public Safety
 - City Position: Watch
- [SB 1123 \(Caballero\) Planning and zoning: subdivisions: ministerial review](#)
 - Status: Assembly Appropriations
 - City Position: Watch

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

- **JULY 4—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
- **DECEMBER 2:** Organizational session
- **JANUARY 1, 2025:** Statues passed in 2024 go into effect, unless otherwise stated
- **JANUARY 6, 2025:** 2025-2026 legislative session begins



Priority Legislation July 1, 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: 06/05/2024 - In committee: Set, first hearing. Hearing canceled at the request of author.

Calendar: 07/03/24 S-LOCAL GOVERNMENT 9:30 a.m. or upon adjournment of Session - 1021 O Street, Room 2200 DURAZO, MARIA ELENA, Chair

Elections, Political Reform and Redistricting

AB 440 (Pellerin) Ballot measures. (Amended 06/30/2024) Link

Existing law requires a constitutional amendment, bond measure, or other measure submitted to the people by the Legislature to appear on the ballot of the first statewide election occurring at least 131 days after the adoption of the proposal. Pursuant to the time limit specified above, Assembly Constitutional Amendment 13 (ACA 13) of the 2023–24 Regular Session is scheduled to appear on the ballot of the statewide general election occurring on November 5, 2024. If approved by the voters, ACA 13 would provide that an initiative measure that includes one or more provisions that amend the Constitution to increase the voter approval requirement to adopt any state or local measure is approved by the voters only if the proportion of votes cast in favor of the initiative measure is equal to or greater than the highest voter approval requirement that the initiative measure would impose. ACA 13 would specify that this requirement applies to statewide initiative measures that appear on the ballot on or after January 1, 2024. ACA 13 would also expressly authorize a local governing body to hold an advisory vote for the purpose of allowing voters within the jurisdiction to voice their opinions on an issue. This bill would call a special election to be consolidated with the statewide general election scheduled for November 3, 2026, and would instead require the submission of ACA 13 to the people at that election. This bill contains other related provisions and other existing laws. (Based on 06/30/2024 text)

Status: 06/30/2024 - From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on E. & C.A.

Calendar: 07/01/24 S-ELECTIONS AND CONSTITUTIONAL AMENDMENTS 3 p.m. or Upon adjournment of Session - 1021 O Street, Room 1200 BLAKESPEAR, CATHERINE, Chair

AB 2631 (Fong, Mike) Local agencies: ethics training. (Amended 05/20/2024) 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 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 05/20/2024 text)

Status: 06/05/2024 - Referred to Com. on E. & C.A.

Calendar: 07/02/24 S-ELECTIONS AND CONSTITUTIONAL AMENDMENTS 9:30 a.m. - 1021 O Street, Room 2100 BLAKESPEAR, CATHERINE, Chair

Notes: CalCities sponsored

SB 24 (Umberg) Political Reform Act of 1974: public campaign financing. (Amended 06/26/2023) Link

Existing law, the Political Reform Act of 1974, prohibits a public officer from expending, and a candidate from accepting, public moneys for the purpose of seeking elective office. This bill would permit a public officer or candidate to expend or accept public moneys for the purpose of seeking elective office if the state or a local governmental entity established a dedicated fund for this purpose, as specified. The bill would prohibit the public moneys for this dedicated fund from being taken from public moneys that are earmarked for education, transportation, or public safety. This restriction would not apply to charter cities. This bill contains other related provisions and other existing laws. (Based on 06/26/2023 text)

Status: 06/19/2024 - June 19 set for first hearing. Placed on suspense file.

Emergency Response and Disaster Preparedness**AB 2330 (Holden) Endangered species: incidental take: wildfire preparedness activities. (Amended 07/01/2024) 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 wildfire preparedness 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. The bill would require the wildfire preparedness plan to include, among other things, a brief description of the planned wildfire preparedness activities, the approximate dates for the activities, and a description of the candidate, endangered, and threatened species within the plan area. The bill would require the department, if sufficient information is included in the wildfire preparedness plan for the department to determine if an incidental take permit is required, to notify the local agency within 90 days of receipt of the wildfire preparedness 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, guidance that includes a description of the candidate, endangered, and threatened species within the plan area and measures to avoid, minimize, and fully mitigate the take of the candidate, threatened, and endangered species, as provided. The bill would require the department, on or before July 1, 2025, to make a standard wildfire preparedness plan submission form publicly available on its internet website. The bill also would require the department, commencing January 1, 2026, to annually post on its internet website a summary of the wildfire preparedness plans submitted and include specified information in that summary. (Based on 07/01/2024 text)

Status: 06/27/2024 - From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 11. Noes 0.) (June 25). (Amended text released 7/1/2024)

Calendar: 07/01/24 #11 S-ASSEMBLY BILLS - SECOND READING FILE

Notes: CalCities sponsored

Energy and Utilities

AB 1912 (Pacheco) Electricity: legislation imposing mandated programs and requirements: third-party review. (Amended 06/13/2024) 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 by January 1, 2026, 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 assessment 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 Public Utilities Commission of the projected amount necessary to fund the work of the council pursuant to the bill, not to exceed \$2,000,000 annually. The bill would require the commission, 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 established 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

assessments under the bill. The bill would repeal these provisions on January 1, 2030. This bill contains other related provisions. (Based on 06/13/2024 text)

Status: 06/13/2024 - From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on E., U. & C.

Calendar: 07/02/24 S-ENERGY, UTILITIES AND COMMUNICATIONS 9 a.m. - 1021 O Street, Room 1200 BRADFORD, STEVEN, Chair

AB 2462 (Calderon) Public Utilities Commission: written reports: energy. (Amended 06/20/2024) 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 contain recommendations that may take longer than 12 months to implement, but could lead to substantial reductions in monthly electricity and natural gas utility bills, and considerations of how the adoption of decarbonization policies, including electrification, may impact total energy costs borne by consumers, as provided. This bill contains other related provisions and other existing laws. (Based on 06/20/2024 text)

Status: 06/20/2024 - Read second time and amended. Re-referred to Com. on APPR.

AB 2666 (Boerner) Public utilities: rate of return. (Amended 05/16/2024) Link

Existing law authorizes the Public Utilities Commission to fix the rates and charges for every public utility, including electrical and gas corporations, and requires those rates and charges to be just and reasonable. This bill would require the commission, following each general rate case test year, to review which costs, if any, each electrical corporation or gas corporation was able to reduce to achieve profits and to adjust the authorized revenue requirement in the subsequent general rate case, as appropriate, based on the actual past costs the corporation records. The bill would require the commission to establish guidelines for electrical corporations and gas corporations to calculate and report annually their actual rates of return to the commission. The bill would require the commission to adopt controls to adequately track those corporations' actual rates of return relative to their forecasted rates of return and to require those corporations to identify the cost categories where projected costs exceeded actual costs. This bill contains other related provisions and other existing laws. (Based on 05/16/2024 text)

Status: 06/05/2024 - Referred to Com. on E., U. & C.

Calendar: 07/02/24 S-ENERGY, UTILITIES AND COMMUNICATIONS 9 a.m. - 1021 O Street, Room 1200 BRADFORD, STEVEN, Chair

SB 284 (Wiener) Electricity: energization transparency and efficiency: wholesale distribution service. (Amended 06/20/2024) Link

Existing law vests the Public Utilities Commission (PUC) with regulatory jurisdiction over public utilities, including electrical corporations. This bill would require each electrical corporation to provide distribution planning data, as defined, to development project applicants, energizing entities, as defined, and public entities in a timely and efficient manner. The bill would require the PUC to require each electrical corporation to develop and make publicly available uniform technical standards and requirements for the energization of electrical load on the distribution system and information about its distribution system interconnection queue necessary for the energization of electrical load. The bill would require each electrical corporation that has filed a wholesale distribution tariff with the Federal Energy Regulatory Commission to offer service under that tariff to the state, an agency, authority, or instrumentality of the state, or a political subdivision to transmit electricity that those public entities consume or sell directly to an ultimate consumer, as provided. This bill contains other related provisions and other existing laws. (Based on 06/20/2024 text)

Status: 06/20/2024 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on U. & E.

Calendar: 07/01/24 A-UTILITIES AND ENERGY Upon adjournment of Session - State Capitol, Room 437 PETRIE-NORRIS, COTTIE, Chair

SB 1292 (Bradford) Electricity: fixed charges: report. (Amended 06/23/2024) 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 new residential fixed charge other than those authorized before July 1, 2024, until 30 days after the report is submitted. (Based on 06/23/2024 text)

Status: 06/23/2024 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on U. & E.

Calendar: 07/01/24 A-UTILITIES AND ENERGY Upon adjournment of Session - State Capitol, Room 437 PETRIE-NORRIS, COTTIE, 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: 06/17/2024 - June 19 hearing postponed by committee.

Calendar: 07/01/24 A-UTILITIES AND ENERGY Upon adjournment of Session - State Capitol, Room 437 PETRIE-NORRIS, COTTIE, Chair

SB 1418 (Archuleta) Hydrogen-fueling stations: expedited review. (Amended 05/15/2024) Link

Existing law, the Planning and Zoning Law, requires every city, county, and city and county to administratively approve an application to install electric vehicle charging stations and hydrogen-fueling stations through the issuance of a building permit or similar nondiscretionary permit. Existing law, the Planning and Zoning Law, requires each city, county, and city and county to adopt an ordinance that creates an expedited, streamlined permitting process for electric vehicle charging stations. Existing law authorizes a city, county, or city and county developing an ordinance to refer to the recommendations contained in the most current version of the “Plug-In Electric Vehicle Infrastructure Permitting Checklist,” as specified. Existing law requires a city, county, and city and county, in developing the expedited permitting process, to adopt a checklist of all requirements with which electric vehicle charging stations must comply to be eligible for expedited review. For these purposes, existing law defines “hydrogen-fueling station” to mean the equipment used to store and dispense hydrogen fuel to vehicles according to industry codes and standards that is open to the public. Existing law requires a hydrogen-fueling station to meet certain requirements, including any rules established by the State Air Resources Board, Energy Commission, or Department of Food and Agriculture regarding safety, reliability, weights, and measures. This bill would modify the definition of “hydrogen-fueling station” to mean the equipment and structural design components necessary to ensure the safety of the fueling station, including hydrogen-refueling canopies, that are used to store and dispense hydrogen fuel to vehicles according to industry codes and standards that are open to the public. This bill would modify the requirements a hydrogen-fueling station must meet to include all applicable state laws and regulations pertaining to hydrogen fueling, including any rules established by the State Air Resources Board, Energy Commission, or Department of Food and Agriculture regarding safety, reliability, weights, and measures. This bill contains other related provisions and other existing laws. (Based on 05/15/2024 text)

Status: 06/26/2024 - From committee: Do pass and re-refer to Com. on TRANS. (Ayes 7. Noes 0.) (June 26). Re-referred to Com. on TRANS.

Calendar: 07/01/24 A-TRANSPORTATION 2:30 p.m. - 1021 O Street, Room 1100 WILSON, LORI, 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: 05/22/2024 - Re-referred to Com. on N.R. & W.

AB 1992 (Boerner) Coastal resources: coastal development permits: blue carbon demonstration projects. (Amended 05/16/2024) 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 nonresidential project that impacts coastal wetland, subtidal, intertidal, or marine habitats or ecosystems to build or contribute to a blue carbon demonstration project. (Based on 05/16/2024 text)

Status: 06/18/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 3.) (June 17). Re-referred to Com. on APPR.

Calendar: 07/01/24 S-APPROPRIATIONS 10 a.m. - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

AB 2236 (Bauer-Kahan) Solid waste: reusable grocery bags: standards: plastic film prohibition. (Amended 06/20/2024) 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 a minimum of 50% postconsumer recycled materials on and after January 1, 2028, without exception. The bill would also prohibit a store from providing a reusable grocery bag to a customer at the point of sale and would require a reusable grocery bag displayed for sale at a location other than 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. (Based on 06/20/2024 text)

Status: 06/20/2024 - From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on E.Q.

Position: Support

Calendar: 07/03/24 S-ENVIRONMENTAL QUALITY 9:30 a.m. or upon adjournment of Session - State Capitol, Room 112 ALLEN, BENJAMIN, Chair

Notes: 06/21/24: DC tagged as support. 6/26/24: EN sent the City a draft letter for review.

AB 2346 (Lee) Organic waste reduction regulations: procurement of recovered organic waste products. (Amended 06/20/2024) 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, and under other specified circumstances. The bill would also authorize local jurisdictions to count towards their procurement targets, compost and mulch produced and procured from specified compost and mulch operations, as defined, and, specified investments and expenditures related to meeting its procurement target, as provided. The bill would require the department, on or before January 1, 2027, and every 5 years thereafter, to calculate a per capita procurement target, as specified. The bill would authorize a local jurisdiction to determine a local per capita procurement target, as provided. The bill would authorize a local jurisdiction to procure a quantity of recovered organic waste products that meets or exceeds a 5-year procurement target, as specified. (Based on 06/20/2024 text)

Status: 06/20/2024 - From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on E.Q.

Calendar: 07/03/24 S-ENVIRONMENTAL QUALITY 9:30 a.m. or upon adjournment of Session - State Capitol, Room 112 ALLEN, BENJAMIN, Chair

AB 2761 (Hart) Product safety: plastic packaging: Reducing Toxics in Packaging Act. (Amended 06/06/2024) Link

Existing law prohibits any person from distributing, selling, or offering for sale in the state any food packaging that contains regulated perfluoroalkyl and polyfluoroalkyl substances (PFAS), as defined, and requires a manufacturer to use the least toxic alternative when replacing regulated PFAS in food packaging to comply with this requirement. Existing law similarly prohibits, beginning January 1, 2025, a person from manufacturing, distributing, selling, or offering for sale in the state any new, not previously owned, textile articles that contain regulated PFAS, except as specified. This bill would enact the Reducing Toxics in Packaging Act, which would prohibit, beginning January 1, 2026, a person from manufacturing, selling, offering for sale, or distributing in the state plastic packaging that contains certain chemicals, as specified. The bill would exclude from that prohibition packaging used for certain medical, drug, and federally regulated products. The bill would authorize the imposition of a civil penalty for a violation of that prohibition, as specified. (Based on 06/06/2024 text)

Status: 06/13/2024 - In committee: Set, first hearing. Hearing canceled at the request of author.

Position: No Position

Notes: 06/21/24: DC tagged as support. 6/26/24: Bill is no longer moving forward. EN removed position.

AJR 12 (Alvarez) Tijuana River: cross-border pollution. (Amended 05/29/2024) Link

This measure would, among other things, urge the United States Congress and President Joseph R. Biden to fully fund the United States Environmental Protection Agency's Comprehensive Infrastructure Solution for the Tijuana River due to the ongoing impacts to public health, the environment, and the local economy caused by cross-border pollution and would urge President Joseph R. Biden to declare a national emergency due to those ongoing impacts. (Based on 05/29/2024 text)

Status: 06/13/2024 - Adopted and to Assembly. (Ayes 37. Noes 0.) In Assembly. Concurrence in Senate amendments pending.

Position: Support

Calendar: 07/01/24 #11 A-CONCURRENCE IN SENATE AMENDMENTS

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. 6/5/24: Bill was on consent in Sen EQ.

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) Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024. (Amended 06/29/2024) 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 Preparedness, and Clean Air Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$10,000,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate-smart, sustainable, and resilient farms, ranches, and working lands, park creation and outdoor access, and clean air programs. This bill contains other related provisions. (Based on 06/29/2024 text)

Status: 06/29/2024 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on NAT. RES.

SB 972 (Min) Methane emissions: organic waste: landfills. (Amended 06/19/2024) 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 regarding organic waste and methane reduction requirements 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 report to the Legislature, on or before January 1, 2028, on, among other things relating to organic waste and methane reduction, the status of the technical assistance provided to local jurisdictions and, on or before January 1, 2031, 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. (Based on 06/19/2024 text)

Status: 06/19/2024 - Read second time and amended. Re-referred to Com. on APPR.

Calendar: 07/02/24 A-APPROPRIATIONS 9:30 a.m. - State Capitol, Room 447 WICKS, BUFFY, Chair

Notes: CalCities sponsored

SB 1053 (Blakespear) Solid waste: reusable grocery bags: standards: plastic film prohibition. (Amended 06/20/2024) 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 a minimum of 50% postconsumer recycled materials on and after January 1, 2028, without exception. The bill would also prohibit a store from providing a reusable grocery bag to a customer at the point of sale and would require a reusable grocery bag stocked or displayed for sale or distribution at a location other than 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. (Based on 06/20/2024 text)

Status: 06/20/2024 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on NAT. RES.

Position: Support

Calendar: 07/01/24 A-NATURAL RESOURCES 2:30 p.m. - State Capitol, Room 447 BRYAN, ISAAC, Chair

Notes: 06/11/24: DC tagged as pending support. 6/14/24: EN sent draft letter to the City for review. 6/26/24: EN received final letter, tagged as support, submitted to Assembly Natural Resources, emailed delegation and governor's office.

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: 06/19/2024 - June 19 set for first hearing. Placed on suspense file.

SB 1193 (Menjivar) Airports: leaded aviation gasoline. (Amended 06/27/2024) 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 on or after January 1, 2031, as provided. Because these provisions would be part of the State Aeronautics Act, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 06/27/2024 text)

Status: 06/27/2024 - Read second time and amended. Re-referred to Com. on APPR.

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: 06/27/2024 - Read second time. Ordered to consent calendar.

Calendar: 07/01/24 #89 A-CONSENT CALENDAR 1ST DAY SENATE BILLS

Governmental Operations

AB 1725 (McCarty) Law enforcement settlements and judgments: reporting. (Amended 06/05/2024) 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

settlements or judgments paid by insurance. 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. This bill contains other related provisions and other existing laws. (Based on 06/05/2024 text)

Status: 06/17/2024 - In committee: Referred to suspense file.

AB 2257 (Wilson) Local government: property-related water and sewer fees and assessments: remedies. (Amended 06/20/2024) 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 contains other related provisions and other existing laws. (Based on 06/20/2024 text)

Status: 06/20/2024 - Read second time and amended. Re-referred to Com. on L. GOV.

Position: Support

Calendar: 07/03/24 S-LOCAL GOVERNMENT 9:30 a.m. or upon adjournment of Session - 1021 O Street, Room 2200 DURAZO, MARIA ELENA, Chair

Notes: 3/28/24: EN marked as pending support. 5/21/24: EN tagged as support. 5/28/24: EN sent the City a draft letter for review. 6/10/24: EN received final letter, submitted to Senate Judiciary and Senate Local Government, emailed delegation and governor's office. 6/18/24: AS testified in support in Senate Judiciary.

AB 2421 (Low) Employer-employee relations: confidential communications. (Amended 06/17/2024) Link

Existing law that governs the labor relations of public employees and employers, including the Meyers-Milias-Brown Act, the Ralph C. Dills Act, and provisions relating to judicial employees, public schools, higher education, the San Francisco Bay Area Rapid Transit District, the Santa Cruz Metropolitan Transit District, the Sacramento Regional Transit District, and other public transit employees, prohibits employers from taking certain actions relating to employee organizations. This includes 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 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 judicial 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. The bill would provide that communications between an employee and their employee representative would not be confidential if, at any time, the representative was a witness or party to any of the events forming the basis of a potential administrative disciplinary or criminal investigation. (Based on 06/17/2024 text)

Status: 06/26/2024 - From committee: Do pass and re-refer to Com. on JUD. (Ayes 5. Noes 0.) (June 26). Re-referred to Com. on JUD.

Calendar: 07/02/24 S-JUDICIARY 9:30 a.m. - State Capitol, Room 113 UMBERG, THOMAS, Chair

AB 2455 (Gabriel) Whistleblower protection: state and local government procedures. (Amended 06/27/2024) 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 government activity, existing law authorizes a city or county auditor to conduct an investigative audit of the matter, as specified. Existing law requires the identity of the individual or individuals reporting the improper government activity, and the subject employee or employees to be kept confidential. Existing law defines "fraud, waste, or abuse" to mean any activity by a local agency or employee that is undertaken in the performance of the employee's official duties, as described, that is in violation of any local, state, or federal law or regulation relating to, among other things, corruption. This bill would also authorize a city, county, or city and county auditor or controller to maintain a whistleblower hotline to receive calls from persons who have information regarding improper governmental activity, and would recast information regarding fraud, waste, or abuse by local government employees as improper governmental activity. The bill would instead authorize a city or county auditor or controller, or auditor's or controller's designee, to conduct an investigative audit of the matter upon receiving specific information that an employee or local government has engaged in a fraud, waste, or abuse or improper governmental activity, as specified. The bill would also require the identity of the individual or individuals reporting the fraud, waste, or abuse, and the subject employee or employees to be kept confidential. The bill would expand the above-described duties and authorizations to the auditor's or controller's designee, as specified. The bill would revise the definition of "fraud, waste, or abuse" to also define "improper governmental activity," and expand the scope of those terms to include activity by a local agency, employee, or contractor or subcontractor. (Based on 06/27/2024 text)

Status: 06/27/2024 - Read second time and amended. Re-referred to Com. on APPR.

AB 2557 (Ortega) Local agencies: contracts for special services and temporary help: performance reports. (Amended 06/17/2024) 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, as of July 1, 2025, each board of supervisors that solicits for and enters into a specified contract for special services to post that contract and any related documents, as specified, on its internet website. The bill would require, as of July 1, 2026, each contract, as described above, to include, among other things, the objectives, desirables, and goals of the contract. The bill would require, before beginning a procurement process to contract for functions, duties, responsibilities, or services, as specified, the board of supervisors, or its representative, to give reasonable written notice to the exclusive employee representative of the workforce affected by the contract of its determination to begin that process. The bill would also require, at least 30 days before the modification or renewal of the above-described contract, the board of supervisors, or its representative, to notify, as specified, the exclusive employee representative of the workforce affected by the contract of the intent to modify or renew the contract. This bill contains other related provisions and other existing laws. (Based on 06/17/2024 text)

Status: 06/17/2024 - Read second time and amended. Re-referred to Com. on L., P.E. & R.

Position: Oppose

Calendar: 07/03/24 S-LABOR, PUBLIC EMPLOYMENT AND RETIREMENT 1:30 p.m. - 1021 O Street, Room 2100 SMALLWOOD-CUEVAS, LOLA, Chair

Notes: 6/6/24: EN tagged as oppose. 6/20/24: EN sent updated draft to the City for review. 6/24/24: EN received final letter, tagged as oppose, submitted to Senate Labor, emailed delegation and governor's office.

AB 2561 (McKinnor) Local public employees: vacant positions. (Amended 06/27/2024) 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 high vacancy rates for more than 180 days, at the request of the recognized employee organization, to promptly meet and confer with the representative of the recognized employee organization within 21 days about substantive strategies to fill vacancies and to hold a public hearing within 90 days about high vacancy rates and specified related matters. By imposing new duties on local public agencies, the bill would impose a state-mandated local program. The bill would also include related legislative findings. This bill contains other related provisions and other existing laws. (Based on 06/27/2024 text)

Status: 06/27/2024 - From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on L., P.E. & R.

Position: Oppose

Calendar: 07/03/24 S-LABOR, PUBLIC EMPLOYMENT AND RETIREMENT 1:30 p.m. - 1021 O Street, Room 2100 SMALLWOOD-CUEVAS, LOLA, Chair

Notes: 5/21/24: EN tagged as oppose. 5/28/24: EN sent the City a draft letter for review. 6/10/24: EN received final letter, submitted to Senate Labor, emailed delegation and governor's office.

AB 2939 (Rendon) Parks: counties and cities: interpretive services. (Amended 06/05/2024) 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, except as provided, 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 06/05/2024 text)

Status: 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR with recommendation: To Consent Calendar. (Ayes 11. Noes 0.) (June 25). Re-referred to Com. on APPR.

SB 252 (Gonzalez) Public retirement systems: fossil fuels: divestment. (Amended 05/18/2023) Link

The California Constitution grants the retirement board of a public employee retirement system plenary authority and fiduciary responsibility for investment of moneys and administration of the retirement fund and system. These provisions qualify this grant of powers by reserving to the Legislature the authority to prohibit investments if it is in the public interest and the prohibition satisfies standards of fiduciary care and loyalty required of a retirement board. This bill would prohibit the boards of the Public Employees' Retirement System and the State Teachers' Retirement System from making new investments or renewing existing investments of public employee retirement funds in a fossil fuel company, as defined. The bill would require the boards to liquidate investments in a fossil fuel company on or before July 1, 2031. The bill would temporarily suspend the above-described liquidation provision upon a good faith determination by the board that certain conditions materially impact normal market mechanisms for pricing assets, as specified, and would make this suspension provision inoperative on January 1, 2035. The bill would provide that it does not require a board to take any action unless the board determines in good faith that the action is consistent with the board's fiduciary responsibilities established in the California Constitution. This bill contains other related provisions and other existing laws. (Based on 05/18/2023 text)

Status: 06/19/2024 - June 19 set for first hearing canceled at the request of author.

SB 689 (Blakespear) Local coastal program: bicycle lane: amendment. (Amended 06/03/2024) 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, dedicated transit lane, or a pedestrian walkway 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 convert an existing motorized vehicle travel lane into a dedicated bicycle lane, dedicated transit lane, or a pedestrian walkway within the developed portion of an existing road right-of-way requires an amendment to a local coastal program, that the amendment be processed in accordance with the procedures applicable to de minimus local coastal program amendments if the executive director of the commission makes specified determinations. (Based on 06/03/2024 text)

Status: 06/11/2024 - From committee: Do pass and re-refer to Com. on TRANS. (Ayes 10. Noes 0.) (June 10). Re-referred to Com. on TRANS.

Position: Support

Calendar: 07/01/24 A-TRANSPORTATION 2:30 p.m. - 1021 O Street, Room 1100 WILSON, LORI, Chair

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 the City about the support letter. 1/29/24: EN followed up with City 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. 5/22/24: EN submitted letter to Asm Natural Resources and emailed delegation and governor's office. 6/5/24: EN resubmitted letter to Assembly Natural Resources, emailed delegation and governor's office, and sent letter to the City. 6/10/24: SG testified in support in Assembly Natural Resources. 6/11/24: EN submitted letter to Assembly Transportation, emailed delegation and governor's office, and sent letter to City.

SB 1050 (Bradford) California American Freedmen Affairs Agency: racially motivated eminent domain. (Amended 06/12/2024) 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 from persons who claim they are the dispossessed 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 providing property or just compensation is warranted, as provided, the bill would require the Office of Legal Affairs to certify that the dispossessed owner is entitled to the return of the taken property, as specified, or other publicly held property, as defined, of equal value, or financial compensation, as specified. Upon a determination that the dispossessed owner is entitled to other publicly held property of equal value, the bill would require the Office of Legal Affairs to solicit and select, as specified, a list of recommendations of publicly held properties that are suitable as compensation, as provided. Upon a rejection of the determination of the Office of Legal Affairs by the state or local agency that took property by racially motivated eminent domain, the bill would authorize the dispossessed owner, as specified, to bring an action to challenge the taking or the amount of compensation, as provided. Upon a determination that an applicant is not a dispossessed owner or issuing property 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 and other existing laws. (Based on 06/12/2024 text)

Status: 06/26/2024 - June 26 hearing postponed by committee.

Calendar: 07/02/24 A-APPROPRIATIONS 9:30 a.m. - State Capitol, Room 447 WICKS, BUFFY, Chair

SB 1090 (Durazo) Unemployment insurance: disability and paid family leave: claim administration. (Amended 05/16/2024) 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 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. This bill contains other related provisions and other existing laws. (Based on 05/16/2024 text)

Status: 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 15. Noes 0.) (June 26). Re-referred to Com. on APPR.

SB 1116 (Portantino) Unemployment insurance: trade disputes: eligibility for benefits. (Introduced 02/13/2024) Link

Existing law provides for the payment of unemployment compensation benefits and extended benefits to eligible individuals who meet specified requirements. Under existing law, unemployment benefits are paid from the Unemployment Fund, which is continuously appropriated for these purposes. Existing law makes an employee ineligible for benefits if the employee left work because of a trade dispute and specifies that the employee remains ineligible for the duration of the trade dispute. Existing case law holds that employees who left work due to a lockout by the employer, even if it was in anticipation of a trade dispute, are eligible for benefits. This bill would restore eligibility after the first 2 weeks for an employee who left work because of a trade dispute. The bill would codify specified case law that holds that employees who left work due to a lockout by the employer, even if it was in anticipation of a trade dispute, are eligible for benefits. The bill would specify that the bill's provisions do not diminish eligibility for benefits of individuals deprived of work due to an employer lockout or similar action, as specified. This bill contains other related provisions and other existing laws. (Based on 02/13/2024 text)

Status: 06/27/2024 - June 26 set for first hearing. Failed passage in committee. (Ayes 6. Noes 2.)

Position: Oppose

Notes: 5/21/24: EN tagged as oppose. 5/28/24: EN sent the City a draft letter for review. 6/10/24: EN received final letter, submitted to Assembly Insurance, emailed delegation and governor's office. 6/26/24: Jason Schmelzer testified on behalf of the City in Assembly Insurance.

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: 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 2.) (June 26). Re-referred to Com. on APPR.

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.

Homelessness

AB 2338 (Jones-Sawyer) Statewide Homelessness Coordinator. (Amended 06/20/2024) 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, subject to confirmation by the Senate, 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 would authorize the coordinator to adjust state goals to the extent allowed by state law. (Based on 06/20/2024 text)

Status: 06/20/2024 - From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on HUMAN S.

Calendar: 07/01/24 S-HUMAN SERVICES 3 p.m. or upon adjournment of Session - 1021 O Street, Room 2200 ALVARADO-GIL, MARIE, Chair

Housing and Land Use

AB 1176 (Zbur) General plans: Local Electrification Planning Act. (Amended 05/29/2024) 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, 2026, but no later than January 1, 2029. The bill would deem a plan adopted pursuant to these provisions as a regional plan for specified purposes. The bill would require that the above-described provisions only apply to a city, county, or city and county with a population greater than 75,000 residents. This bill contains other related provisions and other existing laws. (Based on 05/29/2024 text)

Status: 06/24/2024 - In committee: Set, first hearing. Hearing canceled at the request of author.

Calendar: 07/02/24 S-ENERGY, UTILITIES AND COMMUNICATIONS 9 a.m. - 1021 O Street, Room 1200 BRADFORD, STEVEN, Chair

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 06/05/2024) 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 a city, county, or city and county 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, county, or city and county, the bill would require the development proponent to request the fee schedule from the agency that imposes the fee without delay. 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 06/05/2024 text)

Status: 06/11/2024 - From committee: Do pass and re-refer to Com. on HOUSING. (Ayes 7. Noes 0.) (June 11). Re-referred to Com. on HOUSING.

Calendar: 07/02/24 S-HOUSING 1:30 p.m. - 1021 O Street, Room 1200 SKINNER, NANCY, Chair

AB 1886 (Alvarez) Housing Element Law: substantial compliance: Housing Accountability Act. (Amended 06/11/2024) 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 contains other related provisions and other existing laws. (Based on 06/11/2024 text)

Status: 06/19/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 2.) (June 18). Re-referred to Com. on APPR.

Position: Oppose

Calendar: 07/01/24 S-APPROPRIATIONS 10 a.m. - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

Notes: 5/21/24: EN tagged as oppose. 5/28/24: EN sent the City a draft letter for review. 6/10/24: EN received final letter, submitted to Senate Housing, emailed delegation and governor's office. 6/18/24: EN testified in opposition in Senate Housing.

AB 1889 (Friedman) Conservation element: wildlife and habitat connectivity. (Amended 06/12/2024) 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, 2028, 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

its general plan an existing plan that meets these requirements. The bill would authorize a city, county, or city and county preparing to update its conservation element to consider incorporating appropriate standards, policies, and 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 administration 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 06/12/2024 text)

Status: 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 2.) (June 25). Re-referred to Com. on APPR.

AB 1893 (Wicks) Housing Accountability Act: housing disapprovals: required local findings. (Amended 06/26/2024) 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. Among these conditions, the act allows a local agency to disapprove a housing development project that is inconsistent with the jurisdiction's zoning ordinances and general plan land use designation as it existed on the date the application was deemed complete, if the jurisdiction has adopted a revised housing element that is in substantial compliance with the Housing Element Law, as specified. This bill would make various changes to that condition. The bill would specify that a local agency may disapprove or condition approval of a housing development project or emergency shelter, as described above, if the local agency makes written findings that on the date the application for the housing development project or emergency shelter was deemed complete the jurisdiction did not have an adopted revised housing element that was in substantial compliance with the Housing Element Law and the housing development project is not a builder's remedy project, as defined. This bill contains other related provisions and other existing laws. (Based on 06/26/2024 text)

Status: 06/26/2024 - From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on L. GOV.

Calendar: 07/03/24 S-LOCAL GOVERNMENT 9:30 a.m. or upon adjournment of Session - 1021 O Street, Room 2200 DURAZO, MARIA ELENA, Chair

AB 2023 (Quirk-Silva) Housing element: inventory of land: rebuttable presumptions. (Amended 06/26/2024) 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 06/26/2024 text)

Status: 06/26/2024 - Read second time and amended. Re-referred to Com. on JUD.

Calendar: 07/02/24 S-JUDICIARY 9:30 a.m. - State Capitol, Room 113 UMBERG, THOMAS, Chair

AB 2085 (Bauer-Kahan) Planning and zoning: permitted use: community clinic. (Amended 06/11/2024) 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. The bill would provide that a development eligible for approval pursuant to this process is not a "project" for purposes of CEQA, thereby expanding the exemption for ministerial approval of projects under CEQA. By increasing duties on local governments in reviewing and approving

these developments, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 06/11/2024 text)

Status: 06/11/2024 - Read second time and amended. Re-referred to Com. on E.Q.

Calendar: 07/03/24 S-ENVIRONMENTAL QUALITY 9:30 a.m. or upon adjournment of Session - State Capitol, Room 112 ALLEN, BENJAMIN, Chair

AB 2149 (Connolly) Gates: standards: inspection. (Amended 06/24/2024) Link

Existing law authorizes an owner of real property to install and operate on their property an electrified security fence, as defined, to protect and secure commercial, manufacturing, or industrial property, that meets specified requirements, except where a local ordinance prohibits that installation and operation. If a local ordinance allows the installation and operation of an electrified security fence, existing law requires the installation and operation of the electrified security fence to meet the requirements of that ordinance. This bill would require a regulated gate, defined as any gate that weighs more than 50 pounds and is more than 48 inches wide or more than 84 inches high that is intended to be used by the public, an entire community or neighborhood, or any considerable number of persons, except as specified, to meet certain standards. The bill would require each building department to update, on or before July 1, 2026, its code requirements to ensure that any newly installed regulated gate in its jurisdiction meets those standards. The bill would require the owner of a regulated gate to have it inspected on or before July 1, 2026, and have it reinspected, thereafter, at least once every 10 years. The bill would require an owner to maintain a written report regarding the regulated gate's compliance with the specified requirements for at least 10 years and make the report available to the building department upon request. The bill would require the owner of a regulated gate that a professional or qualified employee determines, upon inspection, to pose an immediate threat to safety to immediately stop the use of the gate until necessary repairs are completed and to engage a contractor or qualified employee to perform the repairs necessary to mitigate the emergency condition. The bill would require the owner of a regulated gate to engage a contractor or qualified employee to repair a regulated gate that is in need of repairs within a prescribed period, subject to imposition of an administrative fine by the building department, as specified. The bill would deem a regulated gate that fails to comply with these provisions 30 days after the owner of the gate has been notified of the violation, a public nuisance, and specify that in any case in which a government agency seeks to enjoin the continued use of a regulated gate that is in need of repair or replacement or that poses an immediate threat to the safety of the public, an entire community or neighborhood, or any considerable number of persons, the court may award costs, including the costs of investigation and discovery, and reasonable attorney's fees, that are not compensated for pursuant to some other provision of law, to the prevailing party. The bill would authorize a district attorney, county counsel, or city attorney to file a complaint for injunctive relief, or seeking a civil penalty, against an owner of a regulated gate for a violation of these provisions. Because the bill would require local officials to perform additional duties, it would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 06/24/2024 text)

Status: 06/24/2024 - From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on JUD.

Calendar: 07/02/24 S-JUDICIARY 9:30 a.m. - State Capitol, Room 113 UMBERG, THOMAS, Chair

AB 2199 (Berman) California Environmental Quality Act: exemption: residential or mixed-use housing projects. (Amended 06/06/2024) 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. 2032. 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 06/06/2024 text)

Status: 06/25/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 0.) (June 24). Re-referred to Com. on APPR.

AB 2243 (Wicks) Affordable Housing and High Road Jobs Act of 2022: objective standards and affordability and site criteria. (Amended 06/20/2024) 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 06/20/2024 text)

Status: 06/20/2024 - Read second time and amended. Re-referred to Com. on L. GOV.

Calendar: 07/03/24 S-LOCAL GOVERNMENT 9:30 a.m. or upon adjournment of Session - 1021 O Street, Room 2200 DURAZO, MARIA ELENA, Chair

AB 2387 (Pellerin) Mobilehome parks: additional lots: exemption from additional fees or charges. (Amended 05/16/2024) 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, subject to specified exceptions, 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 without first complying with specified requirements for creating, moving, shifting, or altering lot lines. The bill would provide that the additional lots are considered new construction, as defined, except as provided, and specify how certain laws adopted by a city, county, or city and county that establish a maximum rent apply to additional lots. This bill contains other related provisions and other existing laws. (Based on 05/16/2024 text)

Status: 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (June 26). Re-referred to Com. on APPR.

AB 2430 (Alvarez) Planning and zoning: density bonuses: monitoring fees. (Amended 06/20/2024) 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 06/20/2024 text)

Status: 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR with recommendation: To Consent Calendar. (Ayes 7. Noes 0.) (June 26). Re-referred to Com. on APPR.

AB 2433 (Quirk-Silva) California Private Permitting Review and Inspection Act: fees: building permits. (Amended 05/20/2024) 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 05/20/2024 text)

Status: 06/03/2024 - In committee: Hearing postponed by committee.

AB 2485 (Carrillo, Juan) Regional housing need: determination. (Amended 06/17/2024) 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), in consultation with each council of governments, where applicable, to determine the existing and projected need for housing for each region, as specified. That law requires the department's determination to be based upon population projections produced by the Department of Finance and regional population forecasts developed by the council of governments and used for the preparation of the regional transportation plan, 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 a 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 the council of governments, to make determinations on the data assumptions and the methodology the department will use to determine the region's housing need, as specified. That law requires the department to provide its determinations to the council of governments, as specified. This bill would require the department to publish on its internet website the data sources, analyses, and methodology, including assumptions and factors used in and applied to the Department of Finance's population projections and engagement process with the council of governments prior to finalization of the regional determination, as specified. 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, a specified expert on described data to advise the department on the assumptions and methodology it will use to determine a region's housing need. The bill would also require the department to consult with the advisory panel before making determinations on the data assumptions and the methodology it will use to determine the 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 06/17/2024 text)

Status: 06/17/2024 - From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on HOUSING.

Calendar: 07/02/24 S-HOUSING 1:30 p.m. - 1021 O Street, Room 1200 SKINNER, NANCY, Chair

AB 2533 (Carrillo, Juan) Accessory dwelling units: junior accessory dwelling units: unpermitted developments. (Amended 05/30/2024) Link

Existing law, the Planning and Zoning Law, authorizes a local agency, by ordinance or ministerial approval, to provide for the creation of accessory dwelling units in areas zoned for residential use, as specified. Existing law prohibits a local agency from denying a permit for an unpermitted accessory dwelling unit that was constructed before January 1, 2018, because the accessory dwelling unit is in violation of building standards or state or local standards applicable to accessory dwelling units, unless the local agency makes a finding that correcting the violation is necessary to protect the health and safety of the public or the occupants of the structure. Existing law makes those provisions inapplicable to a substandard building, as specified. This bill would instead prohibit a local agency from denying a permit for an unpermitted accessory dwelling unit or junior accessory dwelling unit that was constructed before January 1, 2020, for those violations, unless the local agency makes a finding that correcting the violation is necessary to comply with conditions that would otherwise deem a building substandard. The bill would require a local agency to inform the public about the provisions prohibiting denial of a permit for an unpermitted accessory dwelling unit or junior accessory dwelling unit. The bill would require this information to include a checklist of the conditions that deem a building substandard and to inform homeowners that, before submitting a permit application, the homeowner may obtain a confidential third-party code inspection from a licensed contractor. The bill would prohibit a local agency from requiring a homeowner to pay impact fees or connection or capacity charges except under specified circumstances. By imposing additional duties on local agencies, the bill would impose a state-mandated local program. The bill would authorize an inspector from a local agency, upon receiving an application for a permit for a previously unpermitted accessory dwelling unit or junior accessory dwelling unit constructed before January 1, 2020, to inspect the unit for compliance with health and safety standards and provide recommendations to comply with health and safety standards. The bill would prohibit the local agency from penalizing an applicant for having the unpermitted accessory dwelling unit and would require the local agency to approve necessary permits to correct noncompliance with health and safety standards. This bill contains other related provisions and other existing laws. (Based on 05/30/2024 text)

Status: 06/19/2024 - From committee: Do pass and re-refer to Com. on L. GOV. with recommendation: To Consent Calendar. (Ayes 10. Noes 0.) (June 18). Re-referred to Com. on L. GOV.

Calendar: 07/03/24 S-LOCAL GOVERNMENT 9:30 a.m. or upon adjournment of Session - 1021 O Street, Room 2200 DURAZO, MARIA ELENA, Chair

AB 2553 (Friedman) Housing development: major transit stops: vehicular traffic impact fees. (Amended 06/12/2024) 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 06/12/2024 text)

Status: 06/12/2024 - Read second time and amended. Re-referred to Com. on HOUSING.

Calendar: 07/02/24 S-HOUSING 1:30 p.m. - 1021 O Street, Room 1200 SKINNER, NANCY, Chair

AB 2560 (Alvarez) Density Bonus Law: California Coastal Act of 1976. (Amended 07/01/2024) 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 instead provide that, in the coastal zone, the Density Bonus Law does not relieve a project from the requirement to obtain a coastal development permit, as specified. The bill would require any density bonus, concessions, incentives, waivers or reductions of development standards, and parking ratios to which an applicant is entitled to be permitted in a manner that is consistent with the Density Bonus Law and does not result in significant adverse impacts to coastal resources and public coastal access, as specified. (Based on 07/01/2024 text)

Status: 06/27/2024 - From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 11. Noes 0.) (June 25). (Amended text released 7/1/2024)

Position: Oppose

Calendar: 07/01/24 #13 S-ASSEMBLY BILLS - SECOND READING FILE

Notes: 6/6/24: EN tagged as oppose. City signing onto coalition oppose letter. 6/18/24: EN received coalition letter. EN testified in opposition in Senate Housing. 6/25/24: EN me too'd in opposition in Senate Natural Resources and Water.

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: 06/27/2024 - From Consent Calendar. Ordered to third reading.

Position: Support

Calendar: 07/01/24 #157 S-ASSEMBLY BILLS - THIRD READING FILE

Notes: CalCities sponsored 6/6/24: EN tagged as support. 6/14/24: EN sent draft letter to the City for review. 6/24/24: EN received final letter, tagged as support, submitted to portal, emailed delegation and governor's office.

AB 2583 (Berman) School zones: speed limits. (Amended 06/27/2024) Link

Existing law establishes a prima facie speed limit of 25 miles per hour when approaching or passing a school building or grounds contiguous to a highway or when the school grounds are not separated from the highway, as specified. Existing law authorizes a local authority, by ordinance or resolution, to reduce the prima facie speed limit based on an engineering and traffic survey, as specified. This bill would, until January 1, 2028, instead establish a prima facie speed limit of 25 miles per hour in a school zone, as defined, subject to specified conditions, including, among others, when a school speed limit sign states "when children are present" and children are present, as defined, and when a school speed limit sign states specific hours, as specified. The bill would, notwithstanding the above provision and until January 1, 2028, authorize a local authority, by ordinance or resolution, to determine and declare a prima facie speed limit of 20 miles per hour in a school zone. The bill would, beginning on January 1, 2028, establish a prima facie speed limit of 20 miles per hour in a school zone, subject to conditions similar to those described above. By establishing new prima facie speed limits in school zones that would require changes to local speed limit signs, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 06/27/2024 text)

Status: 06/27/2024 - Read second time and amended. Re-referred to Com. on L. GOV.

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: 06/26/2024 - VOTE: Do pass as amended, but first amend, and re-refer to the Committee on [Appropriations] (PASS)

AB 2667 (Santiago) Affirmatively furthering fair housing: housing element: reporting. (Amended 06/17/2024) 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. 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 06/17/2024 text)

Status: 06/25/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 2.) (June 24). Re-referred to Com. on APPR.

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 06/06/2024) 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 06/06/2024 text)

Status: 06/18/2024 - Read second time. Ordered to third reading.

Position: Support

Calendar: 07/01/24 #90 S-ASSEMBLY BILLS - THIRD READING FILE

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. 5/20/24: EN sent an updated letter to the City for review. 5/20/24: EN received final letter, tagged as support, submitted to portal, and emailed delegation. 5/29/24: EN submitted letter to Senate Local Government, emailed delegation and governor's office, and sent letter to the City. 6/5/24: AS me too'd in support in Senate Local Government.

AB 2728 (Gabriel) Planning and zoning: housing development: independent institutions of higher education and religious institutions. (Amended 06/17/2024) 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. 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 available for 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 06/17/2024 text)

Status: 06/25/2024 - From committee: Do pass and re-refer to Com. on APPR with recommendation: To Consent Calendar. (Ayes 10. Noes 0.) (June 24). Re-referred to Com. on APPR.

AB 2729 (Patterson, Joe) Residential fees and charges. (Amended 06/05/2024) 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 06/05/2024 text)

Status: 06/26/2024 - From committee: Do pass and re-refer to Com. on HOUSING. (Ayes 7. Noes 0.) (June 26). Re-referred to Com. on HOUSING.

Position: Oppose

Calendar: 07/02/24 S-HOUSING 1:30 p.m. - 1021 O Street, Room 1200 SKINNER, NANCY, Chair

Notes: 5/21/24: EN tagged as oppose. 5/28/24: EN sent the City a draft letter for review. 6/10/24: EN received final letter, submitted to Senate Local Government, emailed delegation and governor's office. 6/11/24: Bill pulled. 6/26/24: EN submitted letter to Senate Housing, emailed governor's office and delegation, and sent letter to the City. 6/26/24: EN me too'd in opposition in Senate Local Government.

AB 2904 (Quirk-Silva) Zoning ordinances: notice. (Amended 05/30/2024) 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. This bill contains other related provisions and other existing laws. (Based on 05/30/2024 text)

Status: 06/11/2024 - Read second time. Ordered to third reading.

Calendar: 07/01/24 #62 S-ASSEMBLY BILLS - THIRD READING FILE

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: 06/05/2024 - Read second time. Ordered to third reading.

Calendar: 07/01/24 #50 S-ASSEMBLY BILLS - THIRD READING FILE (Floor Mgr.- Becker)

AB 3012 (Grayson) Development fees: fee schedule template: fee estimate tool. (Amended 06/12/2024) 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 would authorize 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 fewer 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 06/12/2024 text)

Status: 06/12/2024 - Read second time and amended. Re-referred to Com. on HOUSING.

Calendar: 07/02/24 S-HOUSING 1:30 p.m. - 1021 O Street, Room 1200 SKINNER, NANCY, 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: 06/05/2024 - From committee: Do pass and re-refer to Com. on HOUSING with recommendation: To Consent Calendar. (Ayes 7. Noes 0.) (June 5). Re-referred to Com. on HOUSING.

Calendar: 07/02/24 S-HOUSING 1:30 p.m. - 1021 O Street, Room 1200 SKINNER, NANCY, Chair

AB 3093 (Ward) Land use: housing element: streamlined multifamily housing. (Amended 06/17/2024) 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 for the 7th and subsequent revisions of the housing element. This bill contains other related provisions and other existing laws. (Based on 06/17/2024 text)

Status: 06/21/2024 - In committee: Hearing postponed by committee.

Position: Pending Oppose

Calendar: 07/02/24 S-HOUSING 1:30 p.m. - 1021 O Street, Room 1200 SKINNER, NANCY, Chair

Notes: 6/6/24: EN tagged as oppose. 6/10/24: EN sent draft letter to the City for review. 6/24/24: EN followed up with the City on the letter. 7/1/24: EN followed up with the City on the letter.

AB 3122 (Kalra) Streamlined housing approvals: objective planning standards and subdivision applications. (Amended 07/01/2024) Link

(1) 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 is subject to a requirement mandating a minimum percentage of below market rate housing based on, among other things, that the project seeking approval dedicates 50% of the total number of units, as specified, to housing affordable to households making at or below 80% of the area median income. Existing law provides, however, that a local ordinance adopted by the locality that requires that greater than 50% of the units be dedicated to housing affordable to households making at or below 80% of the area median income applies. This bill would also include as an objective planning standard, notwithstanding that provision, if the project application was submitted prior to January 1, 2019, and the project includes at least 500 units or more of housing, that the project dedicates 20% of the total number of units, as specified, as affordable units, with at least 9% affordable to households making at or below 50% of the area median income and the remainder affordable to households making at or below 80% of the area median income. The bill would instead provide, notwithstanding the above-described provisions, that a local ordinance adopted by the locality that requires that greater than 50%, or greater than 20%, as applicable, of the units be dedicated to housing affordable to households making at or below 80% of the area median income applies. (Based on 07/01/2024 text)

Status: 06/27/2024 - From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (June 26). (Amended text released 7/1/2024)

Calendar: 07/01/24 #6 S-ASSEMBLY BILLS - SECOND READING FILE

AB 3177 (Carrillo, Wendy) Mitigation Fee Act: land dedications: mitigating vehicular traffic impacts. (Amended 06/13/2024) 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, as specified. 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 a transit priority area, as specified, 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 would prohibit a local agency from imposing a land dedication requirement, as defined, on a housing development to widen a roadway if the land dedication requirement is for the purpose of mitigating vehicular traffic impacts, achieving an adopted traffic level of service related to vehicular traffic, or achieving a desired roadway width. The bill, notwithstanding that prohibition, would authorize a local agency to, among other things, impose a land dedication requirement on a housing development if the housing development is not located in a transit priority area and the housing development has a linear street frontage of 500 feet or more. This bill contains other related provisions and other existing laws. (Based on 06/13/2024 text)

Status: 06/13/2024 - Read second time and amended. Re-referred to Com. on HOUSING.

Calendar: 07/02/24 S-HOUSING 1:30 p.m. - 1021 O Street, Room 1200 SKINNER, NANCY, Chair

SB 7 (Blakespear) Regional housing need: determination. (Amended 06/10/2024) 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. That law, upon making that determination, authorizes the council of governments to object to the determination. This bill, for regions in which the department is required to distribute the regional housing need, would prohibit a city or county from filing an objection to the regional housing need determination. The bill would also make conforming changes. (Based on 06/10/2024 text)

Status: 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (June 26). Re-referred to Com. on APPR.

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: 06/19/2024 - Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (June 18). Re-referred to Com. on APPR.

Calendar: 07/02/24 A-APPROPRIATIONS 9:30 a.m. - State Capitol, Room 447 WICKS, BUFFY, Chair

SB 312 (Wiener) California Environmental Quality Act: university housing development projects: exemption. (Amended 06/03/2024) 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, 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 university housing development project carried out by the University of California, in order to be exempt from CEQA under this law, to be consistent with the most recent long-range development plan EIR

certified on or after January 1, 2018, as provided. This bill would extend the application of the university housing development project exemption until January 1, 2032. The bill would instead require a university housing development project carried out by the University of California, in order to be exempt from CEQA under this law, to be consistent with the land use designation in the most recent long-range development plan that has an EIR prepared for that plan, or an EIR prepared for any subsequent amendment to that plan relating to housing, that was certified not more than 25 years before the approval of the project. The bill would remove the requirement to file the LEED certificate with the county clerk of the county in which the project is located. This bill contains other related provisions and other existing laws. (Based on 06/03/2024 text)

Status: 06/10/2024 - June 10 set for first hearing canceled at the request of author.

Calendar: 07/01/24 A-NATURAL RESOURCES 2:30 p.m. - State Capitol, Room 447 BRYAN, ISAAC, Chair

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 06/27/2024) 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 for a priority designated 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 06/27/2024 text)

Status: 06/27/2024 - Read second time and amended. Re-referred to Com. on APPR.

Position: Neutral

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 06/27/2024) 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, for a jurisdiction within the coastal zone that has not identified adequate sites to accommodate the locality's housing need for a designated income level, require completion of any necessary local coastal program amendments related to land use designations, changes in intensity of land use, zoning ordinances, or zoning district maps, as specified. 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 06/27/2024 text)

Status: 06/27/2024 - Read second time and amended. Re-referred to Com. on APPR.

SB 1037 (Wiener) Planning and zoning: housing element: enforcement. (Amended 06/13/2024) 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 planning or permitting application related to 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 the local agency's acts or omissions, as described, are arbitrary, capricious, or 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. This bill contains other related provisions. (Based on 06/13/2024 text)

Status: 06/18/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 2.) (June 18). Re-referred to Com. on APPR.

Position: Oppose

Calendar: 07/02/24 A-APPROPRIATIONS 9:30 a.m. - State Capitol, Room 447 WICKS, BUFFY, Chair

Notes: 5/21/24: EN tagged as oppose. 5/28/24: EN sent the City a draft letter for review. 6/10/24: EN received final letter, submitted to Assembly Housing and Judiciary, emailed delegation and governor's office. 6/12/24: SG testified in Assembly Housing. 6/18/24: AS testified in Senate Judiciary.

SB 1077 (Blakespear) Coastal resources: local coastal program: amendments: accessory and junior accessory dwelling units. (Amended 06/27/2024) 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.

Existing law, the Planning and Zoning Law, authorizes a local agency to provide for the creation of accessory dwelling units in areas zoned for residential use, as specified. Existing law also authorizes a local agency to provide for the creation of junior accessory dwelling units in single-family residential zones, as specified. Existing law authorizes the Department of Housing and Community Development to review, adopt, amend, or repeal guidelines to implement uniform standards or criteria that supplement or clarify certain statutory terms, references, and standards related to accessory dwelling units. This bill would require, by July 1, 2026, the commission, in coordination with the department, 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. The bill would require the commission, in coordination with the department, to convene at least one public workshop to receive and consider public comments on the draft guidance before the finalization of the guidance document and to post the guidance document on the commission's and department's respective internet websites, as specified. 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 06/27/2024 text)

Status: 06/27/2024 - Read second time and amended. Re-referred to Com. on APPR.

SB 1092 (Blakespear) Coastal resources: coastal development permits: appeals: report. (Amended 05/16/2024) 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 December 31, 2025, to provide a report to the Legislature that provides information regarding appeals of local government coastal development permits to the commission, including, among other things, the percentage of local government coastal development permit actions that were appealed to the commission. (Based on 05/16/2024 text)

Status: 06/24/2024 - Re-referred to Com. on APPR. pursuant to Assembly Rule 96.

Calendar: 07/02/24 A-APPROPRIATIONS 9:30 a.m. - State Capitol, Room 447 WICKS, BUFFY, Chair

SB 1123 (Caballero) Planning and zoning: subdivisions: ministerial review. (Amended 06/27/2024) Link

Existing law, known as the Starter Home Revitalization Act of 2021, among other things, requires a local agency to ministerially consider, without discretionary review or a hearing, a parcel map or a tentative and final map for a housing development project that meets certain requirements, including that the housing development project on the lot proposed to be subdivided will contain 10 or fewer residential units, is zoned for multifamily residential development, is no larger than 5 acres, as specified, and is no smaller than 600 square feet, except as provided. Existing law prohibits a local agency from imposing on the housing development an objective zoning standard, objective subdivision standard, or objective

design standard that, among other things, physically precludes the development of a project built to specified densities. This bill would prohibit, if a local agency chooses to permit accessory dwelling units and junior accessory dwelling units, those units from counting as residential units for purposes of the above-described requirement that a housing development project on the lot proposed to be subdivided will contain 10 or fewer residential units. The bill would revise the requirement that the lot be zoned for multifamily residential development and would instead require that the lot either be zoned for multifamily residential dwelling use or vacant, as defined, and zoned for single-family residential development. The bill would also revise the above-described requirements to instead include that the lot is no larger than 1 1/2 acres, as specified, and that if the parcels are zoned for single-family residential units, the newly created parcels on average are no less than 1,200 square feet. The bill would, notwithstanding the prohibition related to physical preclusion of a development described above, authorize a local agency to impose a specified height limit on a lot that is vacant and zoned for single-family residential development. This bill contains other related provisions and other existing laws. (Based on 06/27/2024 text)

Status: 06/27/2024 - Read second time and amended. Re-referred to Com. on APPR.

Position: Watch

Notes: 6/11/24: EN tagged as watch.

SB 1134 (Caballero) Surplus land. (Amended 06/10/2024) 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. This bill contains other existing laws. (Based on 06/10/2024 text)

Status: 06/20/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (June 19). Re-referred to Com. on APPR.

Calendar: 07/02/24 A-APPROPRIATIONS 9:30 a.m. - State Capitol, Room 447 WICKS, BUFFY, Chair

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: 06/26/2024 - Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (June 26). Re-referred to Com. on APPR.

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: 06/18/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 0.) (June 17). Re-referred to Com. on APPR.

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: 06/25/2024 - From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 10. Noes 0.) (June 24). Re-referred to Com. on APPR.

Calendar: 07/02/24 A-APPROPRIATIONS 9:30 a.m. - State Capitol, Room 447 WICKS, BUFFY, Chair

Open Meetings and Transparency

AB 817 (Pacheco) Open meetings: teleconferencing: subsidiary body. (Amended 05/29/2024) 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 provide 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. The bill would require at least one staff member of the local agency to be present at a designated primary physical meeting location during the meeting. The bill would require the local agency to post the agenda at the primary physical meeting location. The bill would require the members of the subsidiary body to visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, as specified. The bill would also require the subsidiary body to list a member of the subsidiary body who participates in a teleconference meeting from a remote location in the minutes of

the meeting. 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 05/29/2024 text)

Status: 06/05/2024 - In committee: Set, second hearing. Failed passage. Reconsideration granted.

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. 5/30/24: AS me too'd in support in Senate Local Government. 6/5/24: AS me too'd in support in Senate Local Government.

AB 2095 (Maienschein) Publication: newspapers of general circulation. (Amended 06/27/2024) 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 bona fide 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 the 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 the 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 or the statewide internet website from charging any fee or surcharge specifically to access public notices on their internet website, except as specified. The bill would prohibit a newspaper from charging an additional fee or surcharge specifically for posting to the statewide internet website. The bill would also prohibit the statewide internet website from selling or sharing the personal information of consumers or using it for any purposes other than those explicitly outlined in the bill. This bill contains other related provisions. (Based on 06/27/2024 text)

Status: 06/27/2024 - Read second time and amended. Ordered to third reading.

Calendar: 07/01/24 #166 S-ASSEMBLY BILLS - THIRD READING FILE

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: 06/06/2024 - Read second time. Ordered to third reading.

Calendar: 07/01/24 #56 S-ASSEMBLY BILLS - THIRD READING FILE (Floor Mgr.- Laird)

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: 06/27/2024 - Read second time. Ordered to third reading.

Position: Sponsor

Calendar: 07/01/24 #171 S-ASSEMBLY BILLS - THIRD READING FILE

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. 5/29/24: EN submitted sponsor letter to Senate Local Government, emailed delegation and governor's office, and sent letter to City. 6/5/24: DH provided primary testimony in support in Senate Local Government. 6/6/24: EN submitted letter to Senate Judiciary, emailed delegation and the governor's office, and sent letter to City. 6/25/24: DH gave primary testimony in Senate Judiciary.

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: 06/04/2024 - In committee: Set, first hearing. Hearing canceled at the request of author.

AB 1463 (Lowenthal) Automated license plate recognition systems: retention and use of information. (Amended 07/03/2023) Link

Existing law authorizes the Department of the California Highway Patrol to retain license plate data captured by license plate reader technology, also referred to as an automated license plate recognition (ALPR) system, for not more than 60 days unless the data is being used as evidence or for the investigation of felonies. Existing law authorizes the department to share that data with law enforcement agencies for specified purposes. Existing law requires ALPR operators and ALPR end-users, as those terms are defined, to implement usage and privacy policies and to maintain reasonable security procedures and practices regarding ALPR information, as specified. Existing law requires the usage and privacy policy implemented by an ALPR operator or an ALPR end-user to include the length of time ALPR information will be retained and the process the ALPR operator or ALPR end-user will utilize to determine if and when to destroy retained ALPR information. This bill would require an ALPR operator or ALPR end-user that is a public agency, excluding an airport authority, to include in those policies, procedures, and practices a requirement that ALPR information that does not match information on a hot list, as defined, be purged in 30 days, as specified. The bill would also prohibit those ALPR operators and end-users from accessing ALPR information that is older than 60 days, except as specified. This bill contains other related provisions and other existing laws. (Based on 07/03/2023 text)

Status: 07/11/2023 - In committee: Set, first hearing. Failed passage. Reconsideration granted. (Set for hearing on 07/02/2024)

AB 1779 (Irwin) Theft: jurisdiction. (Amended 06/29/2024) 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 06/29/2024 text)

Status: 06/29/2024 - Read third time and amended. Ordered to second reading.

Position: Support

Calendar: 07/01/24 #112 S-ASSEMBLY BILLS - THIRD READING FILE

Notes: 5/21/24: EN tagged as support. 5/28/24: EN sent the City a draft letter for review. 6/10/24: EN received final letter, submitted to Senate Public Safety, emailed delegation and governor's office. 6/11/24: EN testified in support in Senate Public Safety.

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: 06/17/2024 - In committee: Set, first hearing. Hearing canceled at the request of author.

Position: Support

Notes: Note: This bill is part of the Assembly's Public Safety Retail Theft Package and an intent bill. 06/11/24: DC tagged as pending support. 6/17/24: Bill was pulled from hearing. 6/24/24: EN received final letter, tagged as support, submitted to portal, emailed delegation and governor's office.

AB 1802 (Jones-Sawyer) Crimes: organized theft. (Amended 06/29/2024) 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 06/29/2024 text)

Status: 06/29/2024 - Read third time and amended. Ordered to second reading.

Position: Support

Calendar: 07/01/24 #113 S-ASSEMBLY BILLS - THIRD READING FILE

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. 6/4/24: EN submitted letter to Senate Public Safety, emailed delegation and governor's office, and sent letter to the City. 6/11/24: EN testified in support in Senate Public Safety.

AB 1843 (Rodriguez) Emergency ambulance employees. (Amended 06/27/2024) 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 require an EAP to make a good faith effort to ensure that a treatment provider under an EAP is trained and experienced in providing mental health services to first responders or emergency medical services personnel, as specified. 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 contains other related provisions and other existing laws. (Based on 06/27/2024 text)

Status: 06/27/2024 - Read second time and amended. Re-referred to Com. on APPR.

AB 1960 (Rivas, Robert) Sentencing enhancements: property loss. (Amended 06/30/2024) 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, until January 1, 2030, 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 06/30/2024 text)

Status: 06/30/2024 - Read third time and amended. Ordered to second reading.

Calendar: 07/01/24 #114 S-ASSEMBLY BILLS - THIRD READING FILE

AB 1972 (Alanis) Regional property crimes task force. (Amended 06/26/2024) 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. This bill would declare that it is to take effect immediately as an urgency statute. (Based on 06/26/2024 text)

Status: 06/27/2024 - Read second time. Ordered to third reading.

Calendar: 07/01/24 #182 S-ASSEMBLY BILLS - THIRD READING FILE (Floor Mgr.- Wilk)

AB 1978 (Sanchez) Vehicles: speed contests. (Amended 06/12/2024) 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 06/12/2024 text)

Status: 06/26/2024 - From committee: Do pass and re-refer to Com. on PUB S. with recommendation: To Consent Calendar. (Ayes 15. Noes 0.) (June 25). Re-referred to Com. on PUB S.

Calendar: 07/02/24 S-PUBLIC SAFETY 8:30 a.m. - 1021 O Street, Room 2200 WAHAB, AISHA, Chair

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: 06/25/2024 - In committee: Hearing postponed by committee.

AB 2021 (Bauer-Kahan) Crimes: selling or furnishing tobacco or related products and paraphernalia to underage persons. (Amended 06/17/2024) 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 \$500 for the first offense, \$1,000 for the 2nd offense, and \$5,000 for any subsequent offense for firms, corporations, businesses, retailers, or wholesalers, who violate this prohibition. (Based on 06/17/2024 text)

Status: 06/25/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 4. Noes 1.) (June 25). Re-referred to Com. on APPR.

AB 2042 (Jackson) Police canines: guidelines. (Amended 06/10/2024) 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 guidelines, as specified, for the use of canines by law enforcement. The bill would authorize the commission to periodically update these guidelines. The bill would require law enforcement agencies with a canine unit, on or before July 1, 2027, to adopt a policy for the use of canines that, at a minimum, complies with the 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 06/10/2024 text)

Status: 06/12/2024 - Re-referred to Com. on PUB S.

Position: Watch

Calendar: 07/02/24 S-PUBLIC SAFETY 8:30 a.m. - 1021 O Street, Room 2200 WAHAB, AISHA, Chair

Notes: 06/11/24: DC tagged as watch.

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: 06/25/2024 - Read second time. Ordered to third reading.

Position: Support

Calendar: 07/01/24 #121 S-ASSEMBLY BILLS - THIRD READING FILE (Floor Mgr.- Nguyen)

Notes: CalCities sponsored 6/6/24: EN tagged as support. 6/12/24: SG testified in Senate Health. 6/14/24: EN sent draft letter to the City for review. 6/24/24: EN received final letter, tagged as support, submitted to portal, emailed delegation and governor's office.

AB 2943 (Zbur) Crimes: shoplifting. (Amended 06/29/2024) 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. 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 06/29/2024 text)

Status: 06/29/2024 - Read third time and amended. Ordered to second reading.

Position: Support

Calendar: 07/01/24 #115 S-ASSEMBLY BILLS - THIRD READING FILE

Notes: 5/21/24: EN tagged as pending support. 6/13/24: EN sent draft letter to the City for review. 6/24/24: EN received final letter, tagged as support, submitted to portal, emailed delegation and governor's office.

AB 3209 (Berman) Crimes: theft: retail theft restraining orders. (Amended 06/29/2024) 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, including, but not limited to, the issuance of a citation in lieu of a custodial arrest, 2 or more times for any of the offenses at the same retail establishment, as specified. The bill would also make conforming changes. 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 06/29/2024 text)

Status: 06/29/2024 - Read third time and amended. Ordered to second reading.

Position: Support

Calendar: 07/01/24 #116 S-ASSEMBLY BILLS - THIRD READING FILE

Notes: 06/11/24: DC tagged as pending support. 6/13/24: EN sent draft letter to the City for review. 6/24/24: EN received final letter, tagged as support, submitted to portal, emailed delegation and governor's office.

AB 3241 (Pacheco) Law enforcement: police canines. (Amended 06/10/2024) 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, on or before January 1, 2026, to adopt uniform, minimum guidelines regarding the use of canines by law enforcement, including legal standards established by the bill, and, on or before July 1, 2026, 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, 2027, each law enforcement agency with a canine unit 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 06/10/2024 text)

Status: 06/12/2024 - Re-referred to Com. on PUB S.

Position: Watch

Calendar: 07/02/24 S-PUBLIC SAFETY 8:30 a.m. - 1021 O Street, Room 2200 WAHAB, AISHA, Chair

Notes: 06/11/24: DC tagged as watch.

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 05/28/2024) 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 January 1, 2026, prohibit the owner or other lawfully authorized user of a firearm 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 firearm safety devices and is properly engaged so that the firearm cannot be accessed 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 related provisions and other existing laws. (Based on 05/28/2024 text)

Status: 06/11/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 2.) (June 11). Re-referred to Com. on APPR.

SB 905 (Wiener) Crimes: theft from a vehicle. (Amended 07/01/2024) 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 07/01/2024 text)

Status: 07/01/2024 - Read second time. Ordered to third reading. (Amended text released 6/29/2024)

Position: Support

Calendar: 07/01/24 #61 A-THIRD READING FILE - SENATE BILLS

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. 5/29/24: EN submitted letter to Senate Local Government, emailed delegation and governor's office, and sent letter to the City. 6/11/24: DH me too'd in support in Assembly Public Safety.

SB 982 (Wahab) Crimes: organized theft. (Amended 07/01/2024) 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 impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 07/01/2024 text)

Status: 07/01/2024 - Read second time. Ordered to third reading. (Amended text released 6/29/2024)

Calendar: 07/01/24 #62 A-THIRD READING FILE - SENATE BILLS

SB 1144 (Skinner) Marketplaces: online marketplaces. (Amended 07/01/2024) 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 07/01/2024 text)

Status: 07/01/2024 - Read second time. Ordered to third reading. (Amended text released 6/29/2024)

Calendar: 07/01/24 #63 A-THIRD READING FILE - SENATE BILLS

SB 1242 (Min) Crimes: fires. (Amended 07/01/2024) 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. This bill contains other related provisions and other existing laws. (Based on 07/01/2024 text)

Status: 07/01/2024 - Read second time. Ordered to third reading. (Amended text released 6/29/2024)

Position: Support

Calendar: 07/01/24 #64 A-THIRD READING FILE - SENATE BILLS

Notes: 06/11/24: DC tagged as pending support. 6/13/24: EN sent draft letter to the City for review. 6/24/24: EN received final letter, tagged as support, submitted to portal, emailed delegation and governor's office.

SB 1381 (Wahab) Crime. (Amended 07/01/2024) Link

Existing law classifies controlled substances into 5 schedules and places the greatest restrictions and penalties on the use of those substances placed in Schedule I. Existing law classifies the drug fentanyl in Schedule II. Existing law makes transportation and sales of specified controlled substances, including narcotics, punishable by imprisonment in a county jail for a period of 3, 4, or 5 years. This bill would make the sale, furnishing, administration, or giving away of any mixture of controlled substances containing fentanyl or its analogs, knowing that fentanyl or its analogs are present within the mixture, unbeknownst to the purchaser or recipient, and without disclosing that presence to the purchaser or recipient a felony punishable in county jail for 4, 5, or 6 years. This bill would require the court to advise a person who is convicted of, or who pleads guilty or no contest to transporting, importing, selling, or administering a controlled substance containing fentanyl or a fentanyl analog, or offering or attempting to do so, of the danger of selling or administering illicit drugs and counterfeit pills and that, if a person dies as a result of that action, the defendant can be charged with homicide. The bill would prohibit the advisory from being used as evidence in the prosecution of a juvenile in juvenile court. (Based on 07/01/2024 text)

Status: 07/01/2024 - Action rescinded whereby bill was read third time, passed, and ordered to Senate. Ordered to third reading. (Amended text released 6/30/2024)

Calendar: 07/01/24 #60 A-THIRD READING FILE - SENATE BILLS

SB 1416 (Newman) Sentencing enhancements: sale, exchange, or return of stolen property. (Amended 07/01/2024) 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, until January 1, 2030, 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 07/01/2024 text)

Status: 07/01/2024 - Read second time. Ordered to third reading. (Amended text released 6/29/2024)

Calendar: 07/01/24 #65 A-THIRD READING FILE - SENATE BILLS

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: 05/16/2024 - Joint Rule 62(a), file notice suspended. In committee: Held under submission.

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 06/18/2024) 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 06/18/2024 text)

Status: 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (June 26). Re-referred to Com. on APPR.

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 06/17/2024) 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. This bill would declare that its provisions further the purposes and intent of Proposition 218, approved by the voters at the November

5, 1996, statewide general election, and the Proposition 218 Omnibus Implementation Act. (Based on 06/17/2024 text)

Status: 06/27/2024 - Read second time. Ordered to third reading.

Calendar: 07/01/24 #86 A-THIRD READING FILE - SENATE BILLS

SB 1164 (Newman) Property taxation: new construction exclusion: accessory dwelling units. (Amended 05/16/2024) 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 05/16/2024 text)

Status: 06/24/2024 - June 24 set for first hearing canceled at the request of author.

Transportation and Public Works

AB 6 (Friedman) Transportation planning: regional transportation plans: reduction of greenhouse gas emissions. (Amended 05/30/2024) Link

Existing law requires certain transportation planning agencies to prepare and adopt regional transportation plans directed at achieving a coordinated and balanced regional transportation system. Existing law requires that each regional transportation plan include a sustainable communities strategy prepared by each metropolitan planning organization in order to, among other things, achieve certain regional targets established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region for 2020 and 2035, respectively. Existing law requires the state board to update the regional targets every 8 years until 2050. Existing law requires a metropolitan planning organization, before adopting a sustainable communities strategy, to quantify the reduction in the emissions of greenhouse gases projected to be achieved by the sustainable communities strategy and set forth the difference, if any, between the amount of that reduction and the regional targets. This bill would require the state board to update the regional targets indefinitely, rather than only until 2050, and authorize the state board to update the years to which those targets apply, as specified. The bill would additionally require a metropolitan planning organization, before adopting amendments to a regional transportation plan that could impact a sustainable communities strategy, to quantify the reduction in the emissions of greenhouse gases projected to be achieved by those amendments and set forth the difference, if any, between the amount of that reduction and the

regional targets established by the state board. This bill contains other related provisions and other existing laws. (Based on 05/30/2024 text)

Status: 06/11/2024 - In committee: Set, first hearing. Hearing canceled at the request of author.

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: 06/05/2024 - In committee: Set, first hearing. Hearing canceled at the request of author.

AB 637 (Jackson) Zero-emission vehicles: fleet owners: rental vehicles. (Amended 06/12/2024) 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. The bill would provide that a fleet owner that rents a zero-emission vehicle is not precluded from including that vehicle in their fleet for purposes of calculating any zero-emission vehicle acquisition requirement. (Based on 06/12/2024 text)

Status: 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 14. Noes 0.) (June 25). Re-referred to Com. on APPR.

AB 1774 (Dixon) Vehicles: electric bicycles. (Enrollment 06/25/2024) 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 06/18/2024 text)

Status: 06/25/2024 - Enrolled and presented to the Governor at 4 p.m.

Position: Support

Notes: 06/11/24: DC tagged as pending support. 6/14/24: EN sent draft letter to the City for review. 6/24/24: EN received final letter, tagged a support, and emailed governor's office.

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: 06/18/2024 - Read second time. Ordered to third reading.

Calendar: 07/01/24 #83 S-ASSEMBLY BILLS - THIRD READING FILE

AB 2037 (Papan) Weights and measures: electric vehicle chargers. (Amended 06/26/2024) 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, upon testing and finding that an electric vehicle

charger operated by a public agency is incorrect, as defined, to cause it to be marked with the words “out of order” and require the charger to be repaired or corrected, 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 a vendor or entity contracted by the public agency to provide and maintain electric vehicle charger services on behalf of the public agency, that removes or obliterates a tag or device placed on an electric vehicle charger operated by a public agency, as specified. The bill would exempt an electric vehicle charger from testing and verification by a county sealer if it is owned by a local publicly owned electric utility, as defined, and if certain requirements are met. By expanding the scope of a crime, and to the extent it would impose additional duties on a county sealer, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 06/26/2024 text)

Status: 06/26/2024 - From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on JUD.

Calendar: 07/02/24 S-JUDICIARY 9:30 a.m. - State Capitol, Room 113 UMBERG, THOMAS, Chair

AB 2234 (Boerner) Vehicles: electric bicycles. (Amended 06/13/2024) 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. For the first 60 days following the adoption of an ordinance or resolution for this purpose, the bill would make a violation of the ordinance or resolution punishable by a warning notice. After 60 days, the bill would make a violation of the ordinance or resolution punishable by a fine of \$25, except as specified. This bill would make a parent or legal guardian with control or custody of an emancipated minor who violates the ordinance or resolution jointly and severally liable with the minor for the amount of the fine imposed. 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. (Based on 06/13/2024 text)

Status: 06/18/2024 - Read second time. Ordered to third reading.

Position: Sponsor

Calendar: 07/01/24 #98 S-ASSEMBLY BILLS - THIRD READING FILE

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. 5/15/24: SG me too'd in support in Assembly Appropriations. 6/4/24: EN submitted letter to Senate Judiciary, emailed governor's office and delegation, and sent letter to City. 6/11/24: SG provided primary testimony in Senate Transportation. 6/14/24: EN submitted letter to Senate Appropriations, emailed governor's office and delegation, and sent letter to City.

AB 2259 (Boerner) Transportation: bicycle safety handbook. (Amended 05/16/2024) Link

Existing law establishes within state government the Transportation Agency, which consists of the Department of the California Highway Patrol, the California Transportation Commission, the Department of Motor Vehicles, the Department of Transportation, the High-Speed Rail Authority, and the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun. The agency is under the supervision of the Secretary of Transportation, who has the power of general supervision over each department within the agency. Existing law imposes various duties on the secretary, including advising the Governor on, and assisting the Governor in establishing, major policy and program matters affecting each department, office, or other unit within the agency. This bill would, upon appropriation by the Legislature, require the agency to develop and distribute, on or before September 1, 2025, a bicycle safety handbook that includes information on, among other things, existing laws regulating bicycles and e-bikes. The bill would require the agency to make a downloadable electronic version of the bicycle safety handbook available on specified internet websites. In developing the handbook, the bill would require collaboration and consultation between the agency and prescribed state entities, including, among others, the Department of Motor Vehicles and the Department of the California Highway Patrol. (Based on 05/16/2024 text)

Status: 06/24/2024 - In committee: Referred to suspense file.

Position: Support

Notes: 06/11/24: DC tagged as pending support. 6/14/24: EN sent draft letter to the City for review. 6/24/24: EN received final letter, tagged as support, submitted to portal, emailed delegation and governor's office.

AB 2290 (Friedman) Transportation: Class III bikeways: bicycle facilities: Bikeway Quick-Build Project Pilot Program. (Amended 06/13/2024) 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 through the adoption of a program of projects. Existing law requires the commission to develop guidelines regarding, among other topics, project eligibility and project selection for the program of projects, 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, on and after January 1, 2026, the commission from adding a project that creates a Class III bikeway or adds a specific road marking used to inform road users that bicyclists might occupy the travel lane to the program of projects, unless the bikeway or road marking is on a highway with a design speed limit of 25 miles per hour or less or the project will implement improvements to reduce the design speed limit to 25 miles per hour or less. This bill contains other related provisions and other existing laws. (Based on 06/13/2024 text)

Status: 06/24/2024 - In committee: Referred to suspense file.

AB 2503 (Lee) California Environmental Quality Act: exemption: passenger rail projects. (Amended 06/27/2024) 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, until January 1, 2030, exempts from its requirements certain transportation-related projects if specified requirements are met, including that a local agency, as defined, is carrying out the project and that the project will be completed by a skilled and trained workforce, as provided. CEQA includes within these exempt transportation-related projects a public project for the institution or increase of bus rapid transit, bus, or light rail service, which will be exclusively used by low-emission or zero-emission vehicles, on existing public rights-of-way or existing highway rights-of-way. Existing law requires the lead agency, if it determines that a transportation-related project is exempt from CEQA and determines to carry out the project, to file a notice of exemption with the Office of Planning and Research and the county clerk in which the project is located. This bill would expand that exemption from CEQA to include a public project for the institution or increase of other passenger rail service, which will be exclusively used by zero-emission trains, located entirely within existing rail rights-of-way or existing highway rights-of-way. Because the bill would increase the duties of the county clerk, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 06/27/2024 text)

Status: 06/27/2024 - Read second time and amended. Re-referred to Com. on APPR.

AB 2813 (Aguiar-Curry) Government Investment Act. (Amended 06/26/2024) 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. Pursuant to the existing law described above, ACA 1 is scheduled to appear on the ballot at the November 5, 2024, statewide general election. 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, that are affordable to households earning up to 150% of countywide median income. The bill would require a local government to ensure that any project that is funded with ACA 1 bonded indebtedness to have an estimated useful life of at least 15 years or 5 years if the funds are for specified public safety facilities, infrastructure, and equipment. The bill would define “public infrastructure” to exclude the construction, reconstruction, rehabilitation, or replacement of a sports stadium or arena where the majority of the use of the facility is for private ticketed activities. The bill would prohibit ACA 1 bonded indebtedness from being used for the acquisition or lease of any real property that has, at the time of acquisition or lease, been improved with one to 4 dwelling units, except as specified. The bill would also prohibit any ACA 1 bonded indebtedness, when added to existing bonded indebtedness of a local government, from exceeding the applicable statutory limit on the maximum amount of bonded indebtedness that a local government is authorized to incur. This bill contains other related provisions and other existing laws. (Based on 06/26/2024 text)

Status: 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 1.) (June 26). Re-referred to Com. on APPR. From committee: Amend, and do pass as amended. (Ayes 5. Noes 2.) (June 26). Read second time and amended. Ordered to third reading.

Calendar: 07/01/24 #144 S-ASSEMBLY BILLS - THIRD READING FILE

SB 768 (Caballero) California Environmental Quality Act: Transportation Agency: vehicle miles traveled: study. (Amended 05/29/2024) 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 establishes the Transportation Agency in state government with various duties and responsibilities. The agency is under the supervision of the Secretary of Transportation, who has the power of general supervision over specified departments and offices, including the Department of Transportation. This bill would require the Transportation Agency, in consultation with local governments and other interested parties, as specified, by January 1, 2028,

and subject to an appropriation by the Legislature for this purpose, to conduct and post on its internet website a study on how vehicle miles traveled is used as a metric for measuring transportation impacts pursuant to CEQA. The bill would require the study to include, among other things, an analysis of the differences in the availability and feasibility of mitigation measures for vehicle miles traveled in rural, suburban, and urban areas. The bill would repeal those provisions on January 1, 2029. This bill contains other existing laws. (Based on 05/29/2024 text)

Status: 06/26/2024 - June 26 hearing postponed by committee.

Calendar: 07/02/24 A-APPROPRIATIONS 9:30 a.m. - State Capitol, Room 447 WICKS, BUFFY, Chair

SB 915 (Cortese) Local government: autonomous vehicle service. (Amended 05/16/2024) 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 a city with a population of 250,000 or greater that an autonomous vehicle service, as defined, 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 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. The bill would authorize a city with a population of less than 250,000 that shares a border or is contiguous to a city that has enacted an autonomous vehicle services ordinance to enact an ordinance substantially consistent with that autonomous vehicle services ordinance. This bill contains other related provisions and other existing laws. (Based on 05/16/2024 text)

Status: 06/17/2024 - June 17 set for first hearing canceled at the request of author.

Notes: Cal Cities Sponsored

SB 1098 (Blakespear) Passenger and freight rail: LOSSAN Rail Corridor. (Amended 05/16/2024) 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 contains other related provisions and other existing laws. (Based on 05/16/2024 text)

Status: 06/18/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 15. Noes 0.) (June 17). Re-referred to Com. on APPR.

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: 05/28/2024 - Referred to Com. on TRANS.

Calendar: 07/01/24 A-TRANSPORTATION 2:30 p.m. - 1021 O Street, Room 1100 WILSON, LORI, Chair

SB 1271 (Min) Electric bicycles, powered mobility devices, and storage batteries. (Amended 06/26/2024) 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. A violation of the Vehicle Code is a crime. 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 hour and the motor on a class 3 electric bicycle is not capable of exclusively propelling the bicycle. The bill would prohibit specified vehicles from being advertised, sold, offered for sale, or labeled as electric bicycles, as specified. Because the bill would impose new requirements for electric bicycles, 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 06/26/2024 text)

Status: 06/26/2024 - Read second time and amended. Re-referred to Com. on APPR.

Position: Support

Notes: 06/11/24: DC tagged as pending support. 6/14/24: EN sent draft letter to the City for review. 6/24/24: EN received final letter, tagged as support, submitted to portal, emailed delegation and governor's office.

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: 06/26/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 0.) (June 26). Re-referred to Com. on APPR.

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: 05/22/2024 - Re-referred to Com. on N.R. & W.

AB 805 (Arambula) Sewer service: disadvantaged communities. (Amended 06/06/2024) 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, until January 1, 2029, and after it makes a specified finding or findings by resolution, to require a designated sewer system 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 delivery 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 service provider that serves a disadvantaged community that is either an inadequate sewer service or a sewer system that has a demonstrated failure to maintain technical, managerial, or financial capacity to prevent waste, fraud, and abuse. This bill contains other related provisions and other existing laws. (Based on 06/06/2024 text)

Status: 06/24/2024 - In committee: Referred to suspense file.

AB 3121 (Hart) Urban retail water suppliers: informational order: written notice: conservation order: water use efficiency standards and water use reporting: dates. (Amended 06/12/2024) 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. Existing law authorizes the 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 informational orders is on or after January 1, 2026, the date to issue a written notice is on or after January 1, 2027, and the date to issue a conservation order is on or after January 1, 2028, respectively. This bill contains other existing laws. (Based on 06/12/2024 text)

Status: 06/27/2024 - From Consent Calendar. Ordered to third reading.

Calendar: 07/01/24 #156 S-ASSEMBLY BILLS - THIRD READING FILE

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) Water reports: urban retail water suppliers: informational order: conservation order. (Amended 06/26/2024) 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. Existing law authorizes the 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 authorize the board to issue the informational orders on and after January 1, 2026, the written notice on and after January 1, 2027, and the conservation order on and after January 1, 2028. This bill contains other existing laws. (Based on 06/26/2024 text)

Status: 06/26/2024 - Read second time and amended. Re-referred to Com. on APPR.

SB 1255 (Durazo) Public water systems: needs analysis: water rate assistance program. (Amended 06/19/2024) 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% bill credit for low-income households served by community water systems with fewer than 3,300 service connections and for community water systems with fewer than 3,300 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. This bill contains other related provisions and other existing laws. (Based on 06/19/2024 text)

Status: 06/26/2024 - From committee: Do pass and re-refer to Com. on U. & E. (Ayes 6. Noes 1.) (June 25). Re-referred to Com. on U. & E.

Calendar: 07/01/24 A-UTILITIES AND ENERGY Upon adjournment of Session - State Capitol, Room 437 PETRIE-NORRIS, COTTIE, Chair

SB 1330 (Archuleta) Urban retail water supplier: water use. (Amended 06/26/2024) 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, and to be composed of the sum of specified data, including aggregate residential water use. 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, no later than January 1, 2035, conduct necessary studies and investigations regarding the efficiency performance of newly constructed residential landscapes and landscape areas with dedicated irrigation meters in connection with CII water use, as specified. The bill would require the department, if appropriate, to recommend to the State Water Resources Control Board for adoption a revised standard for existing residential landscapes and landscape areas with dedicated irrigation meters in connection with CII water use regarding an ongoing performance standard for those water uses. This bill contains other related provisions and other existing laws. (Based on 06/26/2024 text)

Status: 06/26/2024 - Read second time and amended. Re-referred to Com. on APPR.

SB 1390 (Caballero) Groundwater recharge: floodflows: diversion. (Amended 06/26/2024) 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 defines "floodflow" for these purposes, to include circumstances in which flows would inundate ordinarily dry areas in the bed of a terminal lake to a depth that floods dairies and other ongoing agricultural activities, or areas with substantial residential, commercial, or industrial development. Existing law defines "imminent" for these purposes to mean a high degree of confidence

that a condition will begin in the immediate future. Existing law also requires the person or entity making the diversion for groundwater recharge purposes to file with the State Water Resources Control Board and any applicable groundwater sustainability agency for the basin, a notice containing specified information no later than 48 hours after initially commencing diversion of floodflows for groundwater recharge, a preliminary report no later than 14 days after initially commencing that diversion, and a final report no later than 15 days after the diversions cease. These requirements apply to diversions commenced before January 1, 2029. This bill would also require an entity making the diversions for groundwater recharge that is required to file the notice and the reports, including the final report, as described above, with the board and the applicable groundwater sustainability agency for the basin, to also file those documents with the agency that issued the applicable flood determination. The bill would require the final report to 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 further require the board to post the notice and the reports on the board's internet website within 24 hours of receipt. 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. This bill contains other related provisions and other existing laws. (Based on 06/26/2024 text)

Status: 06/26/2024 - Read second time and amended. Re-referred to Com. on APPR.

Ballot Measure Activities & Public Resources

As important as ballot measures are to policymaking, public agencies and officials face important restrictions and requirements related to ballot measure activities.

The basic rule is that public resources may not be used for ballot measure *campaign* activities. Public resources may be used, however, for *informational* activities. The key difference between campaign activities and informational activities is that campaign activities support or oppose a ballot measure, while informational activities provide accurate context and facts about a ballot measure to voters.

This document summarizes some of the key applications of these principles. The law, however, is not always clear and the stakes are high. Missteps in this area are punishable as both criminal and civil offenses. Always check with agency counsel for guidance on how these rules apply in any specific situation.

Public Agency Resources May Be Used To

- ☑ Draft and place a measure on the ballot.
- ☑ Pay for polling to determine whether to place a measure on the ballot.
- ☑ Prepare and distribute an objective and fact-based analysis on the effect a ballot measure may have on the agency and those the agency serves.
- ☑ Express the agency's views about the effect of the measure on the agency and its programs, provided the agency is exceedingly careful not to advocate for or against the measure's passage.
- ☑ Adopt a position on the measure, as long as that position is taken by the governing body at an open meeting where all voices have the opportunity to be heard.
- ☑ Respond to inquiries about the ballot measure in an objective and fact-based manner.



Considerations

- ☑ Agency communications about ballot measures should not contain inflammatory language or argumentative rhetoric, or urge any particular vote.
- ☑ Public employees and elected officials may, on their own time and with their own resources, engage in the following activities:
 - » Work on ballot measure campaigns or attend campaign-related events on personal time (for example, evenings, weekends and lunch hours).
 - » Make campaign contributions to ballot measures, using one's own money or campaign funds (while observing campaign reporting rules).
 - » Send and receive campaign related emails or text messages using one's personal (non-agency) account or device.
 - » Personally endorse or oppose a measure.

Public Officials Should Not

- ☒ Engage in campaign activities while on agency time, in uniform, or with agency resources.
- ☒ Use agency resources (including office equipment, supplies, staff time, vehicles or public funds) to engage in advocacy-related activities, including producing campaign-type materials or performing campaign tasks.
- ☒ Use public funds to pay for campaign-related expenses (for example, television, radio, digital advertising, bumper stickers or signs) or make campaign contributions.
- ☒ Use agency devices or email addresses for campaign communication activities.

Best Practices

- ☑ Inform agency employees and public officials about these legal restrictions, particularly once a ballot measure affecting the agency has qualified for the ballot.
- ☑ Include language on informational materials that clarifies that they are for informational purposes only. For example, “these statements shall not be construed in support of or against XX ballot measure.”

WHEN DO THESE RESTRICTIONS KICK IN?

The rules against the use of public resources for campaign activities certainly are triggered once a measure has qualified for the ballot. However, the rules also may apply while a clearly identified measure is in the qualification process. Agencies should always consult with agency counsel regarding the permissibility of specific activities.

DISCLOSURE REQUIREMENTS

Ballot measure expenditures that cross the line into advocacy are also subject to disclosure (transparency) requirements under California’s Political Reform Act (Government Code sections 81000 et seq.).

Thank You to Our Partners

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LEGISLATIVE SUBCOMMITTEE

Staff Report

Meeting Date: July 9, 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 Department of Fish and Wildlife Update on Batiquitos Lagoon
Dredging
District: All

Recommended Action

Receive an update from the California Department of Fish and Wildlife regarding the department's dredging and sand placement activities in and around Batiquitos Lagoon and provide feedback.

Discussion

The California Department of Fish and Wildlife manages five ecological reserves within Carlsbad, including the Agua Hedionda Lagoon Ecological Reserve, Batiquitos Lagoon Ecological Reserve, Buena Vista Creek Ecological Reserve, Buena Vista Lagoon Ecological Reserve, and Carlsbad Highlands Ecological Reserve.

The following description and maps of the Batiquitos Lagoon Ecological Reserve can be found on the department's website (www.wildlife.ca.gov):

Batiquitos Lagoon Ecological Reserve

The Batiquitos Lagoon Ecological Reserve is a 544-acre property. Habitat types include open water/subtidal, intertidal mudflats, southern coastal salt marsh, coastal brackish marsh, nesting areas, transitional zones, and southern arroyo willow riparian forest. Dominant flora includes eelgrass, pickleweed, alkali health, and white sage. Dominant fauna includes striped mullet, great egret, horn snail, raccoon, woodrat, skunk, and ground squirrel.

Past land use in the area includes ranching, and more recently, recreation. Batiquitos Lagoon was acquired to preserve, protect and maintain the improved coastal wetland habitat and associated species. The property was designated as an ecological reserve by the Fish and Game Commission in 1983.

A representative of the California Department of Fish and Wildlife will present an update and discuss the department's plans and considerations related to lagoon dredging and sand placement in and around Batiquitos Lagoon.

Next Steps

None.



LEGISLATIVE SUBCOMMITTEE

Staff Report

Meeting Date: July 9, 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: Windsor Pointe Advocacy Efforts

District: All

Recommended Action

Receive an update on regional, state and federal advocacy efforts concerning the Windsor Pointe affordable housing development and provide feedback.

Discussion

This item is in response to a June 11, 2024, Subcommittee Member request to provide an update on city advocacy efforts related to Windsor Pointe.

Windsor Pointe is a 50-unit affordable housing project with half of the units offering a priority for veterans and their families, and the other half, funded in part by the No Place Like Home program, serving people with serious mental illness who are homeless, chronically homeless or at risk of becoming chronically homeless. The project has been in operation for approximately two years.

Concerns have been raised about the project, principally regarding safety in the neighborhood surrounding it. To address these concerns, the City Council approved several actions on March 12, 2024. These actions were summarized in a letter dated March 25, 2024, addressed to the County of San Diego Health & Human Services Agency (Exhibit 1).

Among the approved actions, the City Council directed staff to work with the Legislative Subcommittee to develop strategies to:

1. Advocate for Funding for On-Site Security:

The City Council directed staff to work on a strategy to advocate for the release of Capital Operating Subsidy Reserve (COSR) funding by the County of San Diego to cover the costs of additional on-site security at Windsor Pointe.

The city and county worked with the California Department of Housing and Community Development (HCD) to maximize the COSR disbursement allowed by regulations, thereby

enabling the project developer to cover the cost of providing onsite security from 6 a.m. to 6 p.m. and 24-hour video surveillance monitoring, seven days per week at both locations.

2. Advocate for Supportive Housing Funding:

Staff was also tasked with developing and implementing a legislative advocacy strategy to lobby for full funding of supportive housing at the state and federal levels. Funding dynamics, particularly the depletion of authorized state funds and the current focus on capital investments, highlight the need for ongoing supportive services funding.

This effort is ongoing. Staff continue to engage in coalition-building efforts at the regional level and in direct engagement with state and federal representatives.

City advocacy resulted in the county increasing Tenant Peer Support Services for No Place Like Home residents by 20 hours per week, from 24 on-site hours to 44 on-site hours per week, Monday through Friday.

3. Advocate for Policy Changes in Homeless Housing Placement Referral Process:

Staff was further tasked with engaging the Regional Task Force on Homelessness and the region's Continuum of Care Board of Directors to initiate policy changes allowing for a local or subregional priority in the Coordinated Entry System referral process. Such changes also require authorization from HCD, which has previously denied similar requests.

Staff have engaged with the Regional Task Force and County Supervisor Lawson-Remer, who serves as First Vice Chair of the Continuum of Care Board, to explore viable approaches to pursue both regionally and with the state.

HCD staff have indicated that a county-led regional fair housing legal analysis would be required to determine if implementation of a housing placement priority system would be consistent with federal and state fair housing laws, and other applicable laws. Staff will provide the City Council with an update on this item in August.

4. Advocate for Allowing Veteran Benefits to Exceed Maximum Income Limits

Finally, staff was tasked with attempting to address barriers to end veteran homelessness by advocating for veterans to be able to exceed maximum income limits for supportive housing units or for veterans benefits to not count toward these maximum income limits.

At the federal level, U.S. Congressman Brad Sherman (with several co-sponsors, including Rep. Mike Levin) introduced H.R. 8340, the Housing Unhoused Disabled Veterans Act, on May 10, 2024. The bill proposes to exclude any disability benefits received by a veteran from the definition of adjusted income for the purposes of determining eligibility for the supportive housing program under Section 8 of the United States Housing Act.

The Legislative Subcommittee may wish to recommend that staff prepare a letter of support for H.R. 8340, in furtherance of this advocacy effort.

At the state level, staff and the city's contract lobbyists are seeking to determine whether statutory changes could be achieved through a state budget trailer bill to either waive

income limits for veterans or exclude veteran benefits from income calculations for regional housing placements in state-funded units.

On all matters discussed above, staff and the city's contract lobbyists have engaged with the city's state and federal representatives to inform them of the city's efforts.

Next Steps

Staff will incorporate input received from the Legislative Subcommittee into the advocacy strategies to be pursued and reported back to the City Council in August.

Exhibits

1. March 25, 2024, Letter to County of San Diego Health & Human Services Agency



March 25, 2024

Eric C. McDonald, MD, MPH, FACEP
 Interim Agency Director
 County of San Diego Health & Human Services Agency
 1600 Pacific Highway, Room 206
 San Diego, CA 92101

Dear Dr. McDonald,

Thank you for your letter dated March 8, 2024, regarding Windsor Pointe. As you know, on March 12, 2024, the Carlsbad City Council received an update on the Windsor Pointe affordable housing project and directed city staff to pursue a number of actions, both immediate and long-term, to address current concerns with the Windsor Pointe project. I want to bring your attention to one City Council direction action item in particular that addresses behavioral health services provided by the County of San Diego. The Carlsbad City Council voted to formally advocate for an increase in behavioral health services available for Windsor Pointe residents that need and want it. The table below shows all City Council directed action items and current status:

Action	Status
Working with the City Council’s Legislative Subcommittee, develop and implement a strategy to effectively advocate for the County of San Diego to release operating subsidy reserve funding for this project to cover the cost of additional onsite security at both locations.	County Housing & Community Development staff have confirmed authorization to use operating reserves for onsite security. There is still a question of the maximum allowed within a five-year period. The City of Carlsbad will advocate to State HCD that the first five years of permanent supportive housing tend to have higher needs before reaching stabilization and those projects should be allowed to draw a higher percentage of operating reserves.
Bring back an amended management plan to the City Council on April 9, 2024, that reflects an amended guest policy to require visitors to sign in and sign out and the presence of an onsite security guard for each site when appropriate staff are not available.	City staff, Affirmed Housing and ConAm property management are working to develop new policies to be included in a property management plan that will be presented to the City Council on April 9.
Collaborate with the Property Manager to strengthen the protocol to divert low-level issues to onsite personnel.	City staff, Affirmed Housing and ConAm are working on a protocol for onsite personnel to handle low level non-public safety issues.

<p>Develop and implement a plan within 45 days to urge the County of San Diego to allow new Windsor Pointe residents housed under the No Place Like Home funding to start with a higher level of service with the option to move to a lower level if appropriate, rather than starting with minimal services and adding as needed.</p>	<p>City staff, Affirmed Housing, ConAm and County Behavioral Health staff (BHS) are currently in active conversations to identify ways to deliver additional and higher levels of support to Windsor Pointe residents. BHS staff did recently announce that they have approved a part time behavioral health clinician on site at Windsor Pointe for 20 hours per week.</p>
<p>Working with the city's Director of Intergovernmental Affairs and the city's contracted lobbyists, develop and implement a legislative advocacy strategy within 60 days to effectively lobby for supportive housing to be fully funded at the state and federal levels to provide adequate levels of service.</p>	<p>This action will be pursued in conjunction with the city's Director of Intergovernmental Affairs and City Council Legislative Subcommittee.</p>
<p>Examine participating in a regional fair housing legal analysis to determine if implementation of a local, or subregional (i.e. North County), priority would be consistent with federal and state fair housing laws and other applicable laws.</p>	<p>This action will be pursued by the city's Housing & Homeless Services Department.</p>
<p>Working with the city's Director of Intergovernmental Affairs and Legislative Subcommittee, advocate to the Regional Task Force on Homelessness and the region's Continuum of Care Board of Directors to make policy changes that could provide a subregional priority in the Coordinated Entry System referral process in certain situations, such as when cities provide a significant financial investment for a housing development.</p>	<p>This action will be pursued in conjunction with the city's Director of Intergovernmental Affairs and City Council Legislative Subcommittee.</p>
<p>Working with the city's Director of Intergovernmental Affairs and Legislative Subcommittee, develop and implement a strategy for the state and federal governments to allow veteran benefits to exceed maximum income limits for permanent supportive housing units to remove barriers to ending veteran homelessness.</p>	<p>This action will be pursued in conjunction with the city's Director of Intergovernmental Affairs and City Council Legislative Subcommittee.</p>

Carlsbad city staff have continued to work with all project partners to address concerns. We are appreciative of the changes already approved by the County of San Diego such as the increase in onsite supportive and behavioral health service hours and the ability to pay for security at both locations out of the Capitalized Operating Subsidy Reserve. These changes will make a difference for project residents as well as community members. City staff will continue to work with your department to ensure appropriate treatment referrals are made based on the acuity levels of Windsor Pointe residents.

Thank you for your efforts to support collaborative solutions to ensure the safety, health and welfare of tenants and the surrounding community. If you have any questions regarding this matter, please contact Housing & Homeless Services Director Mandy Mills at (442) 339-2907, or mandy.mills@carlsbadca.gov.

Eric C. McDonald, MD, MPH, FACEP

March 25, 2024

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Sincerely,

A handwritten signature in blue ink, appearing to be 'SC', written over the word 'Sincerely,'.

Scott Chadwick
City Manager

cc: Sarah E. Aghassi, County of San Diego Interim Chief Administrative Officer
Courtney McDonald, County of San Diego Health & Human Services Agency Chief of Staff
Geoff Patnoe, Assistant City Manager
Cindie McMahan, City Attorney
Mickey Williams, Chief of Police
Gary Barberio, Deputy City Manager, Community Services
Mandy Mills, Housing & Homeless Services Director