

BILLS OF INTEREST – APRIL 2019

ENVIRONMENTAL QUALITY

Budget Trailer Bill

Establishes the Safe and Affordable Drinking Water Fund.

This fund provides grants and loans to disadvantaged or contaminated water systems to provide clean and affordable drinking water. Places a tax on drinking water, dairies, and fertilizer to fund the fund. This bill is a reintroduction of Senator Monning's [SB 623](#) and subsequent trailer bill from 2018.

Position: Oppose Unless Amended

AB 217 (E. Garcia) Safe Drinking Water for All Act.

Establishes the Safe Drinking Water for All Act and the Safe and Affordable Drinking Water Fund. Imposes several fees on agricultural activities and public water systems and creates a trust fund using investments from the state General Fund that together would provide the source of revenue to the Fund.

Position: Pending

SB 45 (Allen) Wildfire, Drought, and Flood Protection Bond Act of 2020.

Proposes placing a \$4.3 billion bond for Wildfire, Drought, and Flood Protection on the 2020 ballot. Includes grant funds for local and state agencies. Major funding categories are: restoration funds for areas effected by wildfire, drought, and flooding; reduction of risk to in high wildfire threat areas; protecting, restoring, and improving forest quality and habitat; reduction of the impacts of climate change on urban areas; and protecting water supply and water quality.

Position: Pending

SB 54 (Allen) and AB 1080 (Gonzalez) California Circular Economy and Plastic Pollution Reduction Act.

Seeks to reduce 75% of single use plastic packaging and products sold in California by 2030 and require all single use plastics and packaging sold in the state to be recyclable or compostable by 2030. The bill also requires CalRecycle to develop a scoping plan to achieve this goal.

Position: Pending Support

SB 200 (Monning) Safe and Affordable Drinking Water Fund.

Establishes the Safe and Affordable Drinking Water Fund to provide a stable source of funding for clean drinking water for all Californians. The bill is very similar to the proposed budget safe drinking water trailer bill, but does not identify a funding source.

Position: Watch

SB 209 (Dodd) Wildfire. California Wildfire Warning Center. Weather Monitoring.

Establishes the California Wildfire Warning Center, to oversee the development and deployment of a statewide network of automated weather and environmental stations to monitor weather conditions that contribute to high wildfire risk.

Position: Support

SB 332 (Hertzberg) Wastewater Treatment. Recycled Water.

Mandates wastewater treatment agencies that discharge treated water to the ocean to reduce their discharges by 50% of baseline volume by January 1, 2030, and by 95% of baseline volume by January 1, 2040. Also declares that discharge from ocean outfalls is a "waste and unreasonable use" of water and imposes penalties of \$2,000/acre-foot of water discharged above the reduction requirement.

Position: Oppose

[SB 667](#) (Hueso) Greenhouse Gases. Recycling Infrastructure and Facilities.

Requires CalRecycle to develop, on or before January 1, 2021, a five-year investment strategy to drive innovation, support technological development and infrastructure, in order to meet the state's 2025 organic waste reduction target. The bill also seeks to identify priorities and strategies for financial incentive mechanisms for recycling markets.

Position: Support

[HOT SB 669](#) (Caballero) Water Quality. Safe Drinking Water Fund.

Establishes the Safe Drinking Water trust fund to assist community water systems in disadvantaged communities that are chronically noncompliant to the federal and state drinking water standards and do not have the financial capacity to pay for operation and maintenance costs to comply with those standards. The bill also creates a trust that would be funded through the General Fund in budget surplus years rather than placing a tax on water.

Position: Support

GOVERNANCE, TRANSPARENCY, & LABOR RELATIONS

[HOT AB 33](#) (Bonta) CalPERS Divestment Measure. Private Prisons.

Requires the CalPERS and CalSTRS pension funds to divest all holdings in the private prison industry.

Position: Oppose

[HOT AB 849](#) (Bonta) Elections. Local Redistricting.

Completely overhauls the districting and redistricting process for counties, cities, special districts, and all school boards—including every factor currently used to draw districts. Requires up to six different public hearings in different locations around the jurisdiction. Requires up to three meetings being held on the weekends and up to three meetings being held after 6:00 p.m. Requires the jurisdiction to provide live translation services for all applicable languages at each public hearing, among other things.

Position: Oppose

[AB 1320](#) (Nazarian) Divestment Measure. The Republic of Turkey.

Requires the CalPERS and CalSTRS fund to divest its holdings from the Republic of Turkey until such time as the U.S. Government acknowledges the Armenian genocide between the years 1914-1923.

Position: Oppose

[HOT AB 1332](#) (Bonta) Sanctuary State Investment Act.

Significantly limits state and local agencies ability to contract out for a variety of vital public services. Mandates that agencies create an ever-evolving restricted list of private vendors. Constructs an elaborate investigation and vetting process that agencies must adhere to before contracting for services. Creates new avenues for protracted criminal and civil litigation against cities. Would impact operations for virtually every department including police, fire, finance, legal, public works, etc.

Position: Oppose

[AB 1400](#) (Kamlager Dove) Workers' Compensation. Fire Service Personnel.

Provides all presumptions within the Workers Compensation system currently authorized for active duty firefighters to "all fire service personnel." Will apply broadly to all non-sworn fire personnel.

Position: Oppose

SB 266 (Leyva) Public Employees' Retirement System. Disallowed Compensation. Benefit Adjustments.

Requires a public agency to pay from its General Fund any shortfall of a benefit should CalPERS determine that a retiree has received disallowed compensation. This would constitute a gift of public funds violating Section 6, Article 16 of the California Constitution.

Position: Oppose

HOT SB 542 (Stern) Workers' Compensation. Presumption.

Creates a new presumption for post-traumatic stress disorder within the workers' compensation system for police and fire personnel. Applies retroactivity provisions to January 1, 2017.

Position: Oppose

HOUSING, COMMUNITY, & ECONOMIC DEVELOPMENT

Budget Trailer Bill: Allocates \$250 million for local housing planning and \$500 million in incentives to local governments. The League has shared numerous concerns with the Administration with the initial language. The bill language and proposal is under revision.

Position: Pending

AB 11 (Chiu) Community Redevelopment Law of 2019.

Seeks to reestablish a community redevelopment tool, similar to redevelopment.

Position: Support in Concept

AB 53 (Jones-Sawyer) Rental Housing Discrimination.

Prohibits landlords from asking about certain information, including criminal history.

Position: Pending-Support if Amended

AB 68 (Ting) Accessory Dwelling Units.

Significantly amends the statewide standards that apply to locally-adopted ordinances concerning accessory dwelling units (ADUs). Changes include: prohibits minimum lot size requirements, requires at least 800 sq.ft. per ADU, requires approval within 60 days, and prohibits owner occupancy requirements.

Position: Oppose Unless Amended

AB 881 (Bloom) Accessory Dwelling Units.

Prohibits a local jurisdiction from requiring a property owner live in the main house or one of the accessory structures.

Position: Oppose Unless Amended

AB 1110 (Friedman) Rent Increases. Noticing.

Expands existing notice requirements to 120 days if the rent increase is more than 15%.

Position: Pending-Support

AB 1259 (Luz Rivas) California New Markets Tax Credit.

Seeks to establish a California New Markets Tax Credit with the goal of attracting additional investments from the federal program to the state.

Position: Pending-Support

AB 1279 (Bloom) High Resource Areas.

Requires HCD to determine "high-resource areas", areas of high opportunity and low residential density not experiencing displacement or gentrification. At the request of a developer, requires by-right approval for up to 100 units and 55 ft. if the project meets affordability requirements and site limitations.

Position: Pending

AB 1568 (Bloom) Housing Law Compliance. Prohibition on Applying for State Grants.

Prohibits, on or before January 1, 2025, a city or county found to be in violation of state housing laws from applying for a state grant, unless the eligibility of the city or county to apply for fund source of the state grant is constitutionally required or the state grant funds, if awarded to the city or county, would assist the city or county in complying with the Housing Element Law.

Position: Pending

HOT AB 1763 (Chiu) Density Bonus. Affordable Housing.

Greatly expands existing Density Bonus Law by requiring, at the request of a developer, for 100 percent affordable housing projects, a city or county must award an 80 percent density bonus and four incentives and concessions. For 100 percent affordable housing projects within one-half mile of a major transit stop or high quality bus corridor, a city or county would be required to allow unlimited density, four incentives and concessions, and up to three additional stories.

Position: Oppose Unless Amended

HOT SB 5 (Beall/McGuire) Affordable Housing and Community Development Investment Program.

Creates a local-state partnership to provide up to \$2 billion annually to fund state-approved affordable housing, infrastructure, and economic development projects that also support state policies to reduce greenhouse gas emissions, expand transit oriented development (TOD), address poverty, and revitalize neighborhoods. This measure restores RDA-type ongoing financing for these important projects.

Position: Support

HOT SB 13 (Wieckowski) Accessory Dwelling Units.

Prohibits local jurisdictions from imposing any impact fees on ADUs less than 750 square feet, and limit the charge on accessory dwelling units (ADUs) over 750 square feet to 25 percent of the fees otherwise charged for a new single-family dwelling on the same lot. Prohibits replacement parking when a garage, carport, or covered parking structure is demolished or converted into an ADU. Prohibits owner occupancy requirements.

Position: Oppose Unless Amended

SB 18 (Skinner) Keep Californians Housed Act.

Requires the Department of Housing and Community Development (HCD) to develop and publish a guide to all state laws pertaining to landlords and the landlord-tenant relationship. Requires HCD to survey each city to determine which cities provide resources or programs to inform landlords of their legal rights and obligations. Allocates funds to the California Emergency Solutions and Housing Program. Funds available to local governments and nonprofit organizations for activities including rental assistance and housing relocation and stabilization.

Position: Pending Support

HOT SB 50 (Wiener) More HOMES Act (Housing, Opportunity, Mobility, and Stability).

Allows developers of certain types of housing projects to override locally developed and adopted height limitations, housing densities, parking requirements, and limits design review standards.

Position: Oppose Unless Amended

SB 128 (Beall) Enhanced Infrastructure Financing Districts. Bonds. Issuance.

Removes the existing 55 percent vote requirement from EIFD's to issue bonds.

Position: Support

SB 182 (Jackson) Planning and Zoning. Wildfires.

Imposes additional planning responsibilities on local governments, requires cities and counties to make specified findings prior to permitting development in very high fire hazard severity zones (VHFHSZ) and other areas designated as the Wildland-Urban Interface (WUI).

Position: Pending

[SB 329](#) (Mitchell) Discrimination. Housing. Source of Income.

Expands “source of income” definition to include state, federal, or local funds, and housing vouchers.

Position: Pending Support

HOT [SB 330](#) (Skinner) Housing Crisis Act of 2019.

Declares a statewide housing crisis and for a ten-year period, prohibits a city from imposing parking requirements, adjusting impact fees, imposing impact fees on affordable housing projects, and limiting new design standards based on cost.

Position: Oppose

HOT [ACA 1](#) (Aguilar-Curry) Local Government Financing: Affordable Housing And Public Infrastructure. Voter Approval.

Reduces the local vote threshold for local bonds and taxes to invest in infrastructure and affordable housing from 2/3rds to 55 percent.

Position: Support

PUBLIC SAFETY

[AB 257](#) (Nielsen) Firearms. Prohibited Persons.

Requires the state Department of Justice to notify local law enforcement upon discovering that a person in the Armed Prohibited Persons (APPS) database has attempted to acquire a firearm.

Position: Pending Support

[AB 266](#) (Choi) Tax Credit. Attic Vent Closures.

Offers to homeowners a tax credit, up to \$500, to offset the purchase and installation of attic vent closures for their homes, with the intent of preventing the spread of residential fires.

Position: Support

[AB 291](#) (Chu) Emergency Preparedness.

Establishes a \$500 million on-going statewide Local Emergency Preparedness and Hazard Mitigation Fund to support staffing, planning, and other emergency mitigation priorities to help local governments meet emergency preparedness goals and boost local emergency preparedness programs throughout the state that remain underfunded or neglected.

Position: Support

HOT [AB 392](#) (Weber) Peace Officers. Deadly Force.

Limits the use of deadly force by a peace officer to those situations where it is necessary to defend against a threat of imminent serious bodily injury or death to the officer or to another person. Defines the terms “necessary” to mean that given the totality of the circumstances, an objectively reasonable peace officer in the same situation would conclude that there was no reasonable alternative to the use of deadly force that would prevent death or serious bodily injury to the peace officer or to another person.

Position: Oppose

HOT [AB 1190](#) (Irwin) Unmanned Aircraft. State and Local Regulation.

Prohibits a state or local agency from adopting any law or regulation that bans the operation of an unmanned aircraft system. The bill includes the operation of small unmanned aircraft systems within the definition of hazardous recreational activity for purposes of public entity liability. Authorizes a local agency to adopt regulations to enforce a requirement that a small unmanned aircraft system be properly registered under existing federal regulations.

Position: Support

AB 1288 (Cooley) Cannabis. Track and Trace.

Requires the track and trace program for cannabis supply chain tracking to include both the date of retail sale to a customer and whether the sale is on the retail premises or by delivery. No later than July 1, 2020, requires that the California Department of Food and Agriculture, in consultation with the Bureau of Cannabis Control, ensures that the track and trace program is fully integrated with DOJ's California Law Enforcement Telecommunications System (CLETS).

Position: Support

AB 1297 (McCarty) Firearms. Concealed Carry Licenses.

Requires, rather than authorizes, a local licensing authority to charge a fee that is equal to the reasonable costs associated with processing a concealed carry weapon (CCW) license application, issuing a CCW license, and enforcing the license. The bill would also remove the current prohibition on charging more than \$100 for the fee.

Position: Pending Oppose Unless Amended

HOT AB 1356 (Ting) Cannabis. Local Jurisdictions. Retail Commercial Cannabis Activity.

Requires all local jurisdictions whose voters supported Proposition 64 to issue a minimum number of local licenses for cannabis retail shops. Requires the minimum number of these local licenses issued per jurisdiction to be 25% of the number of liquor licenses. If the ratio is greater than one local retail cannabis license per 10,000 residents of the local jurisdiction, the bill instead requires the minimum number of local licenses to be determined by dividing the number of residents in the local jurisdiction by 10,000 and rounding down to the nearest whole number.

Position: Oppose

AB 1417 (Rubio) Cannabis Advertisement and Marketing. Unfair Business Practice. Public Nuisance.

Provides that advertisement of cannabis goods that do not contain an active state license number is an unfair business practice, subject to a civil action by any person; creates a civil penalty enforceable by a public attorney or through a private right of action for violations of existing requirements regarding advertisements of cannabis products; requires digital advertising platforms specializing in cannabis to publish a notice regarding the risks of purchasing cannabis products from unlicensed entities; and states that advertisements not containing an active state license number constitute a public nuisance.

Position: Pending Support

SB 23 (Wiener) Unlawful Entry of a Vehicle.

Clarifies that the unlawful entry of a vehicle with the intent to commit theft establishes the crime of auto burglary.

Position: Support

HOT SB 230 (Caballero) Peace Officers. Deadly Force.

Updates California's requirements for employing deadly force when confronting a fleeing felon to meet the standards set by the U.S. Supreme Court in *Graham v. Connor* and *Tennessee v. Garner*. Requires all law enforcement agencies in the state to maintain a policy on Use of Force, and requires the policy to include provisions that provide comprehensive and clear guidelines.

Position: Support

SB 438 (Hertzberg) Emergency Medical Services. Dispatch.

Prohibits a public agency from delegating, assigning, or contracting for "911" emergency call processing or notification duties regarding the dispatch of emergency response resources unless the delegation or assignment is to, or the contract is with, another public agency or made pursuant to a joint powers agreement or cooperative agreement.

Position: Pending

SB 658 (Bradford) Cannabis Retail Business Emblem: Track and Trace.

Requires, by December 31, 2019, the Bureau of Cannabis Control to establish a cannabis retail business emblem and would require, beginning on January 1, 2020, the Bureau to issue an emblem to each retail licensee, microbusiness licensee, and nonprofit licensee, including provisional licensees, as provided, upon issuance of the license. The bill would, among other things, require a licensee issued an emblem to post the emblem in a specified location that is clearly visible to the general public and to patrons entering the facility and would require specified employees to carry the emblem when delivering cannabis or cannabis products.

Position: Support

REVENUE & TAXATION

HOT AB 147 (Burke) Use Tax Collection.

Implements the US Supreme Court Wayfair decision, which will result in the collection in more than \$400 million in state and local sales and use tax from internet sales.

Position: Support

HOT AB 213 (Reyes) Annexation Financing.

Restores funding to 140 cities that lost funds following the annexation of inhabited territory; reestablishes previous fiscal incentives for cities that annex inhabited territory.

Position: Support

AB 485 (Medina) Warehouses. Economic Development Subsidies.

Imposes an extensive and onerous list of conditions that would effectively prohibit a local agency from offering economic incentives (with their own funds) to locate a warehouse.

Position: Pending Oppose

AB 818 (Cooley) City Incorporations.

Reestablishes a financing mechanism previously used to support future city incorporation efforts.

Position: Support

AB 1637 (Smith) Unclaimed Property Law.

Authorizes the State Controller to automatically allocate to a state or local agency, without the requirement for an agency to file a claim, any unclaimed property in that agency's name received as part of the Controller's unclaimed property database.

Position: Support

SB 162 (Galgiani) California Alternative Energy And Advanced Transportation Financing Authority. Sales And Use Taxes: Exclusions and AB 176 (Cervantes).

Extends a state sales tax exemption program for 10 years, resulting in a loss of over \$500 million in city and county funds.

Position: Pending Oppose

SB 531 (Glazer) Sales Tax Agreements

Prohibits future sales tax agreements between local agencies and retailers with a warehouse, sales office, or fulfillment center that results in a shift of sales taxes from other jurisdictions.

Position: Support

TRANSPORTATION, COMMUNICATION, & PUBLIC WORKS

AB 41 (Gallagher) Disaster Relief. Camp Fire.

Requires the state to cover the local portion of the cleanup and repair costs associated with the Camp Fire.

Position: Support

AB 297 (Gallagher) Emergency Average Daily Attendance.

Requires the Superintendent of Public Instruction (SPI) to extend average daily attendance relief to school districts and charter schools where no less than 5 percent of the residences within the district were destroyed by the November 2018 wildfires.

Position: Support

HOT AB 234 (Nazarian) Income Taxes. Credit. Seismic Retrofits.

Provides up to a 30 percent tax credit for locally certified seismic retrofitting projects completed within taxable years 2020 – 2025. Requires an eligible building to be certified as a seismically at-risk property prior to project start and then again upon project completion.

Position: Support

HOT AB 429 (Nazarian) Seismically Vulnerable Buildings. Inventory.

Requires the Alfred E. Alquist Seismic Safety Commission (SSC) to identify funding and develop a bidding process for hiring a third-party contractor to create an inventory of potentially vulnerable buildings.

Position: Support

AB 659 (Mullin) Transportation. Emerging Transportation Technologies. California Smart City Challenge Grant Program.

Establishes the California Smart City Challenge Grant Program to compete for grant funding for emerging transportation technologies.

Position: Support

HOT AB 1112 (Friedman) Motorized Scooters. Regulation.

Eliminates the ability for cities to fully regulate corporations that offer shared motorized scooters.

Position: Oppose

HOT AB 1286 (Muratsuchi) Shared Mobility Devices. Agreements.

Requires scooter share corporations to enter into an agreement with or obtain a permit from the city or county before deploying their devices into the jurisdiction and require companies to have a minimum of \$5 million for each occurrence of bodily injury. Also requires scooter share companies to comply with all operation, parking, maintenance, and safety rules imposed by the city or county with jurisdiction as well as prior authorization to operate from the city or county.

Position: Pending Support

SB 46 (Jackson) Emergency Services. Telecommunications.

Allows cities to access its residents' contact information from the local public utility, social services department, or its own records, for the purpose of enrolling residents into a city and/or county operated public emergency warning system.

Position: Support

SB 211 (Beall) State Highways. Leases.

Would authorize Caltrans to enter into lease agreements with a local agency for emergency shelters or feeding programs

Position: Support

SB 670 (McGuire) Telecommunications. Outages Affecting Public Safety.

Requires telecommunications providers to notify the California Office of Emergency Services (CalOES) of 911 service of emergency warning outages and also notify local first responder agencies.

Position: Support