

April 12, 2017
Issue #29

2017 Initial Bills of Interest and Hot Bills List

With the first year of the 2017-18 Legislative Session underway, the League has reviewed the over 2,000 measures introduced and are working on those of most importance to cities. *For more, see Page 2.*



Last Call for 2017 Helen Putnam Entries

Submit Entries by April 13

Tomorrow is the deadline to submit your city's entries for the 2017 Helen Putnam Award for Excellence program. *For more, see Page 2.*

The following is a list reflecting bills of current interest to cities. Bills of special importance are marked as **HOT**.

There are a number of bills marked "Watch" or "Pending" for which the League does not currently have a position. This could be for a variety of reasons including:

- The bill may have been recently amended;
- Awaiting additional analysis;
- Staff may be expecting amendments;
- Negotiations with the author may be in process; and/or
- Staff may be awaiting Policy Committee and Board Review.

Cities should expect this list to be updated frequently as negotiations continue and bills are amended. Information about a bill's status, as well as sample letters for Hot Bills can be found at www.cacities.org/billsearch by putting the bill number into the search function.

Support or Support if Amended

AB 18 (Garcia, E.) California Clean Water, Climate, Coastal Protection, and Outdoor Access For All Act of 2018.

Enacts the California Clean Water, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of \$3,105,000,000 pursuant to the State General Obligation Bond Law to finance a clean water, climate, coastal protection, and outdoor access for all program.

League Position: Support

Location: Awaiting Referral in Senate (Passed Assembly)

AB 27 (Melendez) Violent felonies: sex offenses.

Defines as violent felonies rape, sodomy, penetration with a foreign object, or oral copulation, if the victim was unconscious, if the victim was incapable of giving consent due to intoxication, or if the victim was incapable of giving legal consent because of a mental disorder or developmental or physical disability.

League Position: Support

Location: Assembly Appropriations

AB 45 (Thurmond) California School Employee Housing Assistance Grant Program.

Requires the California Housing Finance Agency to administer a program to provide financing assistance to a qualified school district and to a qualified developer for the creation of affordable rental housing for school employees, including teachers.

League Position: Support

Location: Assembly Education

AB 53 (Steinorth) Personal income taxes: deduction: homeownership savings accounts.

Provides that a qualified taxpayer may withdraw amounts from a homeownership savings account to pay for qualified homeownership savings expenses, defined as expenses paid or incurred in connection with the purchase of a principal residence in this state.

Position: Support

Location: Awaiting Referral in Senate (Passed Assembly)

AB 74 (Chiu) Housing.

Requires Department of Housing and Community Development (HCD) to, on or before Oct. 1, 2018, establish the Housing for a Healthy California Program and on or before April 1, 2019, and every year thereafter, subject to an appropriation by the Legislature, award grants on a competitive basis to eligible grant applicants based on guidelines that HCD would draft, as prescribed, and other requirements

League Position: Support

Location: Assembly Appropriations

AB 636 (Irwin) Local streets and roads: expenditure reports.

Requires annual expenditures for street and road report to be submitted to the Controller within seven months after the close of the fiscal year adopted by a county, city, or city and county.

League Position: Support (Sponsor)

Location: Assembly Floor (Consent)

AB 852 (Grayson) Planning and zoning: general plan: report.

Requires the annual general plan report include the number of housing development applications received in the prior year, units included in all development applications in the prior year, and units approved and disapproved in the prior year.

League Position: Support (Sponsor)

Location: Assembly Local Government

AB 879 (Grayson) Planning and zoning: housing element.

Requires the housing element to also include an analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels.

League Position: Support (Sponsor)

Location: Assembly Housing and Community Development

AB 911 (Wood) Radioactive materials: licensing and registration: exemption.

Requires the department to exempt from the licensing requirement bomb technicians of a bomb squad of specified public entities who have completed the required training, are certified by the United States Federal Bureau of Investigation, and have submitted to the department a record of current certification.

League Position: Support

Location: Assembly Floor (Consent)

AB 1120 (Cooper) Controlled substances: butane.

Restricts butane sales to consumers.

League Position: Support

Location: Assembly Appropriations

AB 1180 (Holden) California tire fee: Stormwater Permit Compliance Fund.

Increases the California tire fee by \$1.50. The additional moneys will be deposited in the Stormwater Permit Compliance Fund, which the bill establishes and makes the moneys available to the State Water Resources Control Board Division of Financial Assistance.

League Position: Support

Location: Assembly Natural Resources

HOT AB 1326 (Cooper) Petty theft: subsequent convictions.

Provides that anyone convicted three or more times of various theft crimes (petty theft, grand theft, auto theft, burglary, robbery or carjacking) shall serve a term of one year in county jail for conviction of subsequent similar offenses.

League Position: Support

Location: Assembly Public Safety

HOT AB 1505 (Bloom) Land use: zoning regulations.

Authorizes the legislative body of any city, county, or city and county to adopt ordinances to require, as a condition of development of residential rental units, that the development include a certain percentage of residential rental units affordable to, and occupied by, moderate-, lower-, very low-, or extremely low-income households.

League Position: Support

Location: Assembly Housing and Economic Development

ACA 4 (Aguiar-Curry) Local government financing: affordable housing and public infrastructure: voter approval.

Lowers to 55 percent the voter-approval threshold for cities and counties to fund critical public infrastructure and affordable housing.

League Position: Support

Location: Awaiting Referral

HOT ACA 5 (Frazier) Motor vehicle fees and taxes: restriction on expenditures: appropriations limit.

Adds Article XIXD to the California Constitution to require revenues derived from vehicle fees imposed under a specified chapter of the Vehicle License Fee Law to be used solely for transportation purposes. The measure prohibits these revenues from being used for the payment of principal and interest on state transportation general obligation bonds that were authorized by the voters on or before Nov. 8, 2016. It also prohibits the revenues from being used for the payment of principal and interest on state transportation general obligation bonds issued after that date unless the bond act submitted to the voters expressly authorizes that use.

League Position: Support

Location: Enrollment

HOT SB 1 (Beall) Transportation funding.

Provides \$5.2 billion annually for deferred maintenance on the state highway system and the local street and road system. \$1.5 billion will be allocated annually to local streets and roads.

League Position: Support

Location: Enrollment

HOT SB 2 (Atkins) Building Homes and Jobs Act.

Enacts the Building Homes and Jobs Act and impose a fee of \$75 to be paid at the time of the recording of every real estate instrument, paper, or notice required or permitted by law to be recorded, per each single transaction per single parcel of real property, not to exceed \$225.

League Position: Support

Location: Senate Appropriations

HOT SB 3 (Beall) Affordable Housing Bond Act of 2018.

Enacts the Affordable Housing Bond Act of 2018, which, if adopted, authorizes the issuance of bonds in the amount of \$3,000,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds will be used to finance various existing housing programs, as well as infill infrastructure financing and affordable housing matching grant programs.

League Position: Support

Location: Senate Appropriations

SB 17 (Hernandez) Health care: prescription drug costs.

Requires health care service plans or health insurers to report specified cost information regarding covered prescription drugs, including generic drugs, brand name drugs, and specialty drugs, dispensed as provided.

League Position: Support

Location: Senate Health

SB 37 (Roth) Local government finance: property tax revenue allocations: vehicle license fee adjustments.

Provides a city that incorporated after Jan. 1, 2004, and on or before Jan. 1, 2012, for FY 2017–18 and for each fiscal year thereafter, a vehicle license fee adjustment amount calculated based on changes in assessed valuation.

League Position: Support

Location: Senate Appropriations

HOT SB 75 (Bates) Violent felonies.

Defines, among other crimes, the offenses of vehicular manslaughter, human trafficking involving a minor, assault with a deadly weapon, solicitation of murder, rape under various specified circumstances, and grand theft of a firearm as violent felonies for purposes of imposing specified sentence enhancements.

League Position: Support

Location: Senate Public Safety

SB 78 (Leyva) After school programs: grant amounts.

Continuously appropriates an additional \$99,135,000 to the State Department of Education for the After School Education and Safety Program.

League Position: Support

Location: Senate Education

SB 139 (Wilk) Harmful substances: local regulation.

Allows a city, county, or city and county, to regulate, by ordinance, the sale of a substance used as a recreational drug that poses a threat to human life or health and a particular risk to minors.

League Position: Support

Location: Senate Governance and Finance

SB 347 (Jackson) State Remote Piloted Aircraft Act.

Enacts the State Remote Piloted Aircraft Act that prohibits a person from operating a remote piloted aircraft in any number of specified manners and would require any person using, operating, or renting a remote piloted aircraft and every commercial operator of a remote piloted aircraft to maintain adequate liability insurance or proof of financial responsibility.

League Position: Support

Location: Senate Transportation and Housing

SB 378 (Portantino) Alcoholic beverages: licenses: emergency orders.

Authorizes the Director of the Department of Alcoholic Beverage Control, by temporary restraining order, to temporarily suspend or condition any license that authorizes consumption of alcohol on the premises of the licensee, when, in the opinion of the department, the action is urgent and necessary to protect against an immediate threat to health or safety that is reasonably related to the operation of the licensed business.

League Position: Support

Location: Senate Judiciary

HOT SB 540 (Roth) Workforce Housing Opportunity Zone.

Authorizes a local government to establish a Workforce Housing Opportunity Zone by preparing an environmental impact report pursuant to CEQA and adopting a specific plan that is required to include text and a diagram or diagrams containing specified information. The bill requires a local government that proposes to adopt a Workforce Housing Opportunity Zone to hold public hearings on the specific plan. It authorizes a local government, after a specific plan is adopted and the zone is formed, to impose a specific plan fee upon all persons seeking governmental approvals within the zone.

League Position: Support (Sponsor)

Location: Senate Environmental Quality

SB 589 (Hernandez) Municipal separate storm sewer systems: financial capability analysis.

Requires a regional board or the state board, when approving a municipal separate storm sewer system permit, to establish schedules for compliance with water quality objectives in water quality control plans after consideration of a financial capability analysis that includes, among other things, a consideration of the financial burden to individual customers and the permittee's financial strength, as prescribed.

League Position: Support

Location: Senate Environmental Quality

SB 665 (Moorlach) Elections: ballot measures.

Requires an organization or association submitting an argument for or against a county or city ballot measure to also submit additional information to the appropriate elections official to enable that official to determine if it qualifies as a bona fide association of citizens.

League Position: Support

Location: Senate Elections and Constitutional Amendments

HOT SB 786 (Mendoza) Alcoholism or drug abuse recovery or treatment facilities: overconcentration.

Requires, for any licensing application submitted on or after Jan. 1, 2018, the department to deny an application for a new facility license, if the proposed *location* is in proximity to an existing facility in an area zoned residential that would result in overconcentration.

League Position: Support

Location: Senate Health

Oppose or Oppose Unless Amended

AB 20 (Kalra) Public employee retirement systems: divestment: Dakota Access Pipeline.
Prohibits the boards of CalPERS and CalSTRS, on and after Jan. 1, 2018, from making additional investments or renewing investments in a company constructing, or funding the construction of, the Dakota Access Pipeline.

League Position: Oppose

Location: Assembly Public Employee, Retirement and Social Security

AB 44 (Reyes) Workers' compensation: medical treatment: terrorist attacks: workplace violence.

Exempts medical treatment for employees or first responders who sustain physical or psychological injury as a result of an act of terrorism or violence in the workplace from the utilization review process and the independent medical review process. The bill also applies retroactively to the employees and first responders injured in the San Bernardino terrorist attack of Dec. 2, 2015, and any other employees or first responders injured by an act of terrorism or violence in the workplace that occurs prior to Jan. 1, 2018.

League Position: Oppose

Location: Assembly Insurance

HOT AB 252 (Ridley-Thomas) Local government: taxation: prohibition: video streaming services.

Prohibits, until Jan. 1, 2023, the imposition by a city, city and county, or county, including a chartered city, city and county, or county, of a tax on video streaming services, including any tax on the sale or use of video streaming services or any utility user tax on video streaming services.

League Position: Oppose

Location: Assembly Revenue and Taxation

AB 565 (Bloom) Building standards: alternative building regulations: artists' housing.

Requires a city or county to adopt alternative building regulations for the conversion of commercial or industrial buildings to joint living and work quarters, and would specify that these regulations include provisions for housing artists, artisans, and other similarly situated individuals.

League Position: Pending Board Approval of Committee Recommendation (Oppose)

Location: Assembly Housing and Community Development

AB 663 (Bloom) Coastal resources: housing.

Creates additional confusion and regulatory burdens for coastal cities complying with California housing laws by providing the Coastal Commission authority to require affordable housing in the coastal zone and impose conditions on local coastal plans.

League Position: Oppose

Location: Assembly Natural Resources

AB 886 (Bloom) Safe Creative Work and Live Act.

Requires, on or before July 1, 2018, a city and county to establish a safe creative work and live program.

League Position: Pending Board Approval of Committee Recommendation (Oppose)

Location: Assembly Local Government

HOT AB 890 (Medina) Local land use initiatives: environmental review.

Requires a proponent of a proposed initiative ordinance, at the time he or she files a copy of the proposed initiative ordinance for preparation of a ballot title and summary with the appropriate elections official, to also request that an environmental review of the proposed initiative ordinance be conducted by the appropriate planning department.

League Position: Oppose

Location: Assembly Natural Resources

AB 946 (Ting) State public retirement systems: divestiture: border wall construction companies.

Prohibits the boards of CalPERS and CalSTRS from making new investments or renewing existing investments of public employee retirement funds in a border wall construction company providing services.

League Position: Pending Board Approval of Policy Committee Recommendation (Oppose)

Location: Assembly Public Employee, Retirement and Social Security

HOT AB 1250 (Jones-Sawyer) Counties and cities: contracts for personal services.

Prohibits any city or county from contracting out any work until the city or county can show that the work will save the entity money and will not displace workers. In addition, the measure stipulates that employee benefit costs (e.g. CalPERS, healthcare, etc.) cannot be a sole factor in justifying a contract for service.

League Position: Oppose

Location: Assembly Public Employee, Retirement and Social Security

AB 1322 (Bocanegra) Property taxation: intercounty base year value transfers.

Authorizes any person over 55 years of age or any severely and permanently disabled person to transfer the base year value of an original property to a replacement dwelling located in a different county without the adoption of a county ordinance so providing.

League Position: Oppose

Location: Assembly Appropriations

AB 1350 (Friedman) Land use: housing element: regional housing need: noncompliant cities and counties: penalty.

Requires a city or county that has not met its regional housing needs target to pay a penalty to HCD.

League Position: Oppose

Location: Assembly Local Government

AB 1397 (Low) Local planning: housing element: inventory of land for residential development.

Revises the inventory of land suitable for residential development to include vacant sites and sites that have realistic and demonstrated potential for redevelopment to meet a portion of the locality's housing need for a designated income level.

League Position: Oppose

Location: Assembly Housing and Community Development

AB 1414 (Friedman) Solar energy systems: permits.

A city, county, city and county, or charter city shall not charge a residential or commercial permit fee that exceeds the prescribed estimated reasonable cost of providing the service for which the fee is charged. To charge fees in excess of the cap for small residential rooftop solar systems, an ordinance may be passed effective for two years with written findings providing substantial evidence of the reasonable cost.

League Position: Oppose

Status: Assembly Local Government

HOT AB 1479 (Bonta) Public records: supervisor of records: fines.

Requires public agencies to identify a supervisor of records who shall review a determination by the agency that a request for records is denied.

League Position: Oppose

Location: Assembly Judiciary

AB 1585 (Bloom) Planning and zoning: affordable housing: single application.

Establishes in each city, county, and city and county in the state an affordable housing zoning board. A public agency or nonprofit organization proposing to build affordable housing units or a developer proposing to build a housing project that meets affordability criteria, could submit to that board a single application for a comprehensive conditional use or other discretionary permit.

League Position: Oppose

Location: Assembly Housing and Community Development

AB 1597 (Nazarian) Public employee retirement systems: prohibited investments: Turkey.

Prohibits the boards of CalPERS and CalSTRS from making additional or new investments, or renewing existing investments, of public employee retirement funds in an investment vehicle in Turkey that is issued by the government of Turkey or that is owned, controlled, or managed by the government of Turkey.

League Position: Pending Board Approval of Policy Committee Recommendation (Oppose)

Location: Assembly Public Employee, Retirement and Social Security

HOT SB 35 (Wiener) Planning and zoning: affordable housing: streamlined approval process.

Pre-empts local discretionary land use authority by making approvals of multi-family developments and accessory dwelling units that meet inadequate criteria, “ministerial” actions.

League Position: Oppose

Location: Senate Governance and Finance

SB 167 (Skinner) Housing Accountability Act.

Requires the findings of a local agency used to deny or condition approval of housing development, under the Housing Accountability Act, to be based on clear and convincing evidence in the record.

League Position: Oppose

Location: Senate Transportation and Housing

SB 618 (Bradford) Load-serving entities: integrated resource plans.

Requires that the integrated resource plan filed by a load-serving entity be reviewed and approved by the Public Utilities Commission.

League Position: Oppose

Location: Senate Environmental Quality

HOT SB 649 (Hueso) Wireless telecommunications facilities.

Provides that a small cell is a permitted use, not subject to a city or county discretionary permit, if the small cell meets specified requirements.

League Position: Oppose

Location: Senate Governance and Finance

SB 691 (Lara) Local agency elections: party preference.

Requires that the candidate disclose his or her party preference, or indicate that he or she declines to disclose a party preference, on the affidavit of the nominee. The bill also would make conforming changes.

League Position: Pending Board Approval of Policy Committee Recommendation (Oppose)

Location: Senate Elections and Constitutional Amendments

SCA 11 (Lara) Elections: nonpartisan offices.

Allows school, county, and city offices, except the office of the Superintendent of Public Instruction, to be partisan offices. The California Constitution requires that judicial, school, county, and city offices are nonpartisan.

League Position: Pending Board Approval of Policy Committee Recommendation (Oppose)

Location: Senate Elections and Constitutional Amendments

Concerns/Watch/Pending

AB 178 (Eggman) California Beverage Container Recycling and Litter Reduction Act.

Prohibits processors from making payments into the Beverage Container Recycling Fund for loads of empty beverage containers or commingled loads of beverage containers and other materials if the load is more than 5 percent contaminated.

League Position: Watch

Location: Assembly Natural Resources

AB 678 (Bocanegra) Housing Accountability Act.

Expands the Housing Accountability Act to apply to housing development projects for above moderate-income households. The bill would also require the findings of the local agency to instead be based on clear and convincing evidence in the record.

League Position: Concerns

Location: Assembly Housing and Community Development

AB 804 (Garcia, Cristina) Controller: internal control guidelines.

Authorizes the State Controller to audit any local agency for purposes of determining whether the agency’s internal controls are adequate to detect and prevent financial errors and fraud.

League Position: Pending

Location: Assembly Local Government

AB 1069 (Low) Local government: taxicab transportation services.

Makes changes to the administration and enforcement of taxicab transportation services.

League Position: Watch

Location: Assembly Communications and Conveyance

AB 1103 (Oberholte) Bicycles: yielding.

Authorizes a person operating a bicycle approaching a stop sign, after slowing to a reasonable speed and yielding the right-of-way, to cautiously make a turn or proceed through the intersection without stopping, unless safety considerations require otherwise.

League Position: Pending

Location: Assembly Transportation

AB 1127 (Calderon) Baby diaper changing stations.

Requires new construction or renovation of a public building that is owned by a state or a local agency, or a portion of a building that is owned by a state or local agency and includes at least one restroom that is open to the public, to provide on each floor level containing one or more restrooms that are accessible to the public at least one baby diaper changing station.

League Position: Pending

Location: Assembly Business and Professions

AB 1145 (Quirk) Compensation of utilities for relocation costs.

Requires the state or a local government, unless otherwise prohibited by law or expressly governed by a contract in force as of Jan. 1, 2018, to reimburse a utility for the reasonable relocation costs incurred by the utility to relocate its facilities as a result of a construction project financed from any voter-approved bond act of the state or local government, respectively.

League Position: Watch

Location: Assembly Communications and Conveyance

AB 1147 (Salas) Solid waste: disposal.

Subjects an unauthorized person to penalties and damages for collecting, removing, or transporting solid waste generated by another person on residential, commercial, or industrial premises, except in compliance with applicable law.

League Position: Watch

Location: Assembly Natural Resources

SB 5 (De León) California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018.

Proposes to place measure on the June 2018 ballot authorizing \$3 billion in General Obligations bonds to be directed to drought and drinking water projects, parks, and flood protection.

League Position: Pending

Location: Senate Appropriations

SB 182 (Bradford) Transportation network company: participating drivers: single business license.

Prohibits any local jurisdiction that requires a driver to obtain a business license to operate as a driver for a transportation network company, from requiring that driver to obtain more than a single business license regardless of the number of local jurisdictions in which the driver operates.

League Position: Pending

Location: Senate Governance and Finance

SB 231 (Hertzberg) Local government: fees and charges.

Adds stormwater fees to list of property-related fees that are not subject to Proposition 218 by adding stormwater to the definition of "sewer" in the Prop. 218 Omnibus Implementation Act.

League Position: Pending

Location: Senate Governance and Finance

SB 252 (Dodd) Water wells.

Requires, in an action alleging liability for interference with a well-used primarily for domestic use, reasonableness of each party's beneficial use of water to be determined through consideration of specified factors.

League Position: Pending

Location: Senate Governance and Finance

SB 498 (Skinner) Vehicle fleets: zero-emission vehicles.

Requires the State Air Resources Board, for the purposes of public and private sector vehicle fleets, to develop zero-emission vehicle adoption targets for 2021 and subsequent years.

League Position: Pending

Location: Senate Transportation and Housing

SB 541 (Allen) School facilities: water capture practices.

Requires the Department of Education, the State and Regional Water Resources Control Boards, the Division of the State Architect and the Office of Public School Construction within in the Department of General Services to develop best design practices for rainwater capture for school construction or modernization.

League Position: Pending

Location: Senate Environmental Quality

'HP Deadline' Continued from Page 1...

Each year the League of California Cities[®] honors outstanding work in member cities across the state through the League Partner-sponsored Helen Putnam Award for Excellence program. If your city has done remarkable, innovative work in any of the 12 categories listed below now is the time to get your deserved recognition. It is an opportunity to thank your employees and collaborators, gain the appreciation of your residents and feel proud of outstanding contributions made to better your city.

The award recognizes the successes of California cities as demonstrated by beneficial innovations, resourceful efficiencies, improved public service, and overall enhanced public trust and support. The award also provides a great opportunity to have a community celebration of the good work your city is doing.

Does your city have an outstanding program that delivers efficiency, quality service and innovation? Enter your program at www.helenputnam.org to compete for the recognition it deserves.

Award categories include:

- CCS Partnership Intergovernmental Collaboration Award;
- Community Services and Economic Development;
- Economic Development through the Arts;
- Enhancing Public Trust, Ethics, and Community Involvement;
- Health and Wellness Programs;
- Housing Programs and Innovations;
- Internal Administration;
- League Partners Award for Excellence in City-Business Relations;
- Planning and Environmental Quality;
- Public Safety;
- Public Works, Infrastructure, Transportation; and
- Ruth Vreeland Award for Engaging Youth in City Government.

Additionally, your city can receive the President's Advocacy Award. This prestigious award honors a distinguished program or individual that best advocates for the League's annual strategic priorities. One outstanding winner may be chosen from the 12 categories.

Your city must be a member of the League of California Cities to apply. To qualify, simply demonstrate that your city offered a program or service that has proven measurable and successful within a minimum of one year of actual implementation. Particular attention and credit

is given to applications specifically advancing the League's strategic priorities at www.cacities.org/priorities, which are determined each year by the board of directors.

Online entry deadline is Thursday, April 13. Submit your application online at www.helenputnam.org.

Please contact [Melissa Lienau](#) with any questions at (916) 658-8216.
