

LEGISLATIVE REPORT

A COMPILATION OF 2010 STATUTES



LEGISLATIVE BRIEFINGS

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League of California Cities 2010 Legislative Report

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About the League

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents.

In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts educational conferences and research, and publishes *Western City* magazine.

Legislative Report

2010

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2010: A Year of Significant League Accomplishments in Protecting Local Control and Local Revenues

It was a year of trying to hold on and a year of great success for the League. There was no economic turnaround. Unemployment remained above 12 percent and housing prices continued to wallow. Shrinking tax revenues hit both state and local budgets hard. While local governments made the cuts necessary to balance their budgets, state lawmakers settled for another temporary patch job. Gov. Arnold Schwarzenegger secured some pension reforms and another “rainy day fund” measure placed on the 2012 ballot, but the long budget standoff and positioning over November ballot items overshadowed the remainder of legislative business, contributing to one of the least productive sessions in memory. In the midst of all this the League had an almost spotless legislative track record and astounding success at the ballot box by passing Proposition 22. As will be explained below, the League’s single-minded focus on passing Prop. 22 proved to be an effective short-term and long-term strategy.

Budget Revisions, Positioning and Delays

For the Legislature, 2010 was also a year of waiting: waiting for federal aid, waiting for an economic rebound that never came, and waiting for more than 100 days after the Constitutional deadline for the adoption of the state budget.

The year began with yet another declaration by the Governor of a fiscal emergency. Because of revenue declines, the FY 2009-10 budget, only adopted months prior, was already out of balance. In March, interim measures were taken. Proposals adopted included deferring payments to various public agencies and enacting the complex “gas tax swap,” a mechanism to reshuffle existing transportation funding sources. The swap was driven by an effort to save state general fund dollars, but left local dollars more vulnerable to future shifts.

There were many causes for the delayed adoption of the FY 2010-11 budget. Even after the major tax increases of February 2009, the budget deficit was \$19 billion. Republican legislators who had voted for taxes the prior year suffered heavy political costs, and a ballot measure was circulating to undo tax breaks granted to businesses adopted as part of the FY 2009-10 budget agreement. The election of Assembly Member Martin Garrick to replace Assembly Member Mike Villines as Republican Leader also signaled a harder line. (Interestingly Garrick was replaced right after the Nov. 2 election after his caucus lost one seat). Major tax increases were considered off-the-table.

Democrats had their own reasons for digging in. To them the state had already cut enough to education and social services. New Assembly Speaker John A. Pérez proposed an alternative “Jobs Budget,” which featured a new oil extraction tax and a complicated securitization scheme with bottle recycling revenues. The Speaker represented this proposal as a short term way to avoid cuts to vital programs and additional job losses while the economy recovered. The potential success of Prop. 25,

to reduce the vote threshold to pass a state budget from two-thirds to a majority, also was a consideration.

The Governor's position stiffened as well, with his reform legacy on the line and only months remaining in office. In January, he unveiled a budget of "terrible cuts," proposing to slash spending for social service programs and insisting he would not sign a budget unless it was accompanied by state pension reform, the adoption of a state rainy day fund, and revisions to reduce volatility of the state revenue system.

October Budget Patch Job

The long summer of waiting for a budget agreement resolved little of the state's fiscal ills. The October budget agreement contained neither tax increases nor the level of cuts to social programs originally proposed by the Governor. Gaps were instead filled with optimistic revenue projections and elevated expectations for federal aid. This meant fiscal problems were being punted to the next Governor, who will be immediately faced with shortfalls when entering office. Of paramount importance to cities, **the budget did not contain any additional raids of local revenues** other than the \$350 million shift of redevelopment funds that was approved as part of the FY 2009-10 budget. There can be little doubt that the reason for that was that it would have fueled even stronger voter support for Prop. 22.

Ripple Effects: Water Bond, Greenhouse Gas, Pensions

The dire economy affected other political disputes. The water bond, the cornerstone of the historic water package agreed to last fall, was pulled from the November ballot and moved to 2012, when polling revealed the state's voters appropriately questioned the state's ability to pay. Business groups unhappy with greenhouse gas regulations aligned behind Prop. 23, a controversial measure proposing to delay implementation of greenhouse gas reduction goals. Public pensions were restricted through the Governor's agreements with state bargaining units and lower tier formulas will apply for new state hires.

Transparency of Public Compensation

The City of Bell's salary scandal sparked outrage from many sectors. The League condemned the practices engaged in by the city and advocated for broader transparency of public compensation. Working with its City Managers' Department, the League published a survey of city manager salaries, developed compensation guidelines for city managers, and supported the Controller's efforts to gather and disclose compensation information. Transparency legislation supported by the League did not become law when the Legislature objected to complying with the same compensation disclosure standards proposed for local government. Several other hastily-drafted and overreaching legislative proposals were stopped.

Local Authority Protected in Scattered Legislative Activity

The League's fundamental mission is protecting local control, and a candid assessment of the 2010 legislative year reflects a job well done by city officials and the League officers, regional managers and lobbyists. While the state's budget woes remained unresolved, legislative activity was scattered and unpredictable. Many bills harmful to local control did not make it out of the Legislature. Satisfactory amendments addressed concerns in many others. The League successfully lobbied for the veto of AB 602 (Feuer), which would have created significant legal uncertainty for local land use decisions. The Governor's signatures on other measures will be helpful to many communities. For example, AB 2756 (Blumenfield and Feuer) expands local authority to regulate mobile billboards, and SB 1284 (Ducheny) reforms to regional water quality control boards' minimum mandatory penalties. In all, the Governor's decisions were consistent with the League's request 72 percent of the time.

Evaluating League Progress on Strategic Goals

The League board of directors outlined three strategic goals for the 2010 Legislative Session:

- Protect local control and funding for vital local services;
- Support reform of the structure, governance, management and financing of state government; and
- Promote economic stimulus, infrastructure investment, business development and job creation.

As always, the cornerstone of the League's political strength and success begins with the commitment and dedication of the many city officials who devote their time and energy to serving within the League's divisions, policy committees and special task forces and board of directors.

Protect Local Control and Funding for Vital Local Services

The FY 2009-10 budget hits suffered by cities, transit and transportation interests, left the League with little option but to work with a coalition to protect local revenue. The raid of more than \$2 billion in redevelopment funds, losses to public transit and attempted theft of nearly \$1 billion in local gas tax dollars conveyed political reality that local revenues were vulnerable without additional constitutional protection. The \$1.9 billion Prop. 1A loan was securitized through an arrangement that cost the state interest costs equal to 15 percent of the "loaned" amount or \$275 million. Thus securing the passage of Prop. 22 became the central focus of the League's efforts in 2010.

Nothing about the state initiative process is pleasant or easy. The League encountered many obstacles in forging and maintaining a coalition. Opposition formed by groups seeking to protect state flexibility. City officials already faced tremendous fiscal challenges in their own communities, leaving them less time to focus on broader issues.

Raising funds was difficult in a recession. Still, the League proceeded ahead, because not doing so meant more raids of vital local funds.

The hard work bore fruit. Prop. 22, the Local Taxpayer, Public Safety and Transportation Protection Act of 2010, passed by a 22 percent margin with 61 percent of the vote. None of this would have been possible without strong coalition partners including the California Transit Association; California Alliance for Jobs: State Building and Construction Trades Council of California; California Police Chiefs Association; California Fire Chiefs Association; Peace Officers Research Association of California, representing 60,000 public safety members; Automobile Club of Southern California; California Library Association; California Chamber of Commerce; and more than 300 cities and towns.

While the successful efforts to pass Prop. 22 were underway, the League protected local funds in the Legislature. AB 155 (Mendoza), which would have created state political hurdles in the way of a municipal bankruptcy and SB 848 (Hollingsworth), a last-minute effort to undermine the collection of local transient occupancy tax were both stopped. The FY 2010-11 state budget contained no additional raids of city funding, thanks, in large part, to the existence of Prop. 22.

The League also opposed both Prop. 19 (marijuana) and Prop. 26 (regulatory fees). Prop. 19 failed passage, but regrettably Prop. 26 passed by a narrow margin. The League is working to inform cities about the impacts of Prop. 26 on local fee authority. While the ultimate impacts of the measure may not be known for years following likely litigation, the effects on local fee authority could be modest based upon the numerous exemptions in the measure.

Support Reform of the Structure, Governance, Management and Financing of State Government

While working on the development of Prop. 22, the League engaged in numerous discussions with two other groups looking at governance and fiscal reform: the Bay Area Council and California Forward. The Bay Area Council advocated for convening a constitutional convention to update and reform the California Constitution. California Forward considered introducing several initiatives, one focused on local revenue but with weaker protections than proposed by the League. The League offered various suggestions how these concepts could be improved, but none of these proposals advanced to the ballot. It is expected that these groups and others will continue to develop proposals to improve state and local governance and the League will remain engaged in these discussions.

Promote Economic Stimulus, Infrastructure Investment, Business Development and Job Creation

Budget and election-year politics limited major opportunities in this area. Still, the League played offense and defense where it could. At the state level, the League

supported AB 2531 (Fuentes), which would have expanded opportunities for redevelopment agencies to create jobs, which unfortunately was vetoed. The League also worked with a coalition to block SB 974 (Steinberg), which sought to restrict enterprise zones. Federally, the League advocated, along with the National League of Cities, for various block grant funds important to cities and new proposed stimulus programs like the Local Jobs for America Act.

Going Forward

The success of Prop. 22 was a great achievement for the League and cities. The high level of voter support in the face of major opposition validates once again that the California residents want local revenue to remain local. But the work is never over. California continues to face a difficult economy and deficits. New challenges and threats are certain to emerge and, hopefully, new opportunities. The League looks forward to working with our new Governor, state legislators and others in the effort to rebuild and repair the California dream that we all share.

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Legislative Summaries

2010

Please note: Legislation marked with an asterisk (*) has been identified as high priority by League staff.

II. Administrative Services

A. Political Reform Act of 1974

SB 1271 (Romero). Political Reform Act of 1974: Conflict of Interest Codes. Chapter 702, Statutes of 2010

This measure requires a board, commission or agency of a public pension or retirement system to attach an appendix entitled "Agency Positions that Manage Public Investments for Purposes of Section 87200 of the Government Code," to its conflict of interest code. The appendix must list each position for which an individual occupying that position is required to file a statement of economic interests as a public official who manages public investments. The appendix must also be posted to the board or agency's Internet website where it is easily identifiable and accessible by persons who view the website. Additionally, for the purposes of this measure defines "public official who manages public investments" to include a salaried or unsalaried member of a committee, board, commission, or other entity that exists as, or within, a governmental agency and that possesses decision making authority. The California Public Employees' Retirement System, among others, will fall under the purview of this measure.

B. Public Records

***AB 2091 (Conway). Public Records: Information Security. Chapter 205, Statutes of 2010**

This measure exempts from disclosure under the California Public Records Act public agency security records that would reveal vulnerabilities of an information technology system or increase the potential for cyber attacks.

C. Elections

AB 419 (Caballero). Local Government: Change of Organization or Reorganization: Elections. Chapter 35, Statutes of 2010

This measure requires a county election official to place an item on a ballot upon notification of a local agency formation commission even when a city or county fails to take action (usually a formality) to place the item on the ballot.

***AB 1717 (De Leon). Ballot Materials: Electronic Access. Chapter 119, Statutes of 2010**

This measure allows city and county election officials to offer registered voters the option to receive their sample ballot, ballot pamphlet and notice of polling place electronically, instead of by mail. Additionally, this measure requires elections officials to also establish a procedure that provides voters an option to resume receiving election materials by mail again.

AB 2369 (Block). Elections: Ballots.**Chapter 261, Statutes of 2010**

This measure makes permanent provisions of law that allow a voter who is temporarily living outside of the territorial limits of the United States or the District of Columbia, or who is called to military service, to return his/her vote by mail ballot through facsimile transmission to the elections official. The ballot must be received by the closing of the Election Day polls and accompanied by an identification envelope and an oath of voter declaration in a prescribed form.

SB 1342 (Simitian). Election Precincts.**Chapter 111, Statutes of 2010**

Existing law requires the boundaries of an election precinct to be fixed so that it contains no more than 1,000 voters on the 88th day prior to the election. This measure authorizes a local elections official to subtract permanent vote-by-mail voters from that total when specified conditions are met.

SB 1404 (Pavley). Elections: Ballot Cards and Voting Systems.*Chapter 333, Statutes of 2010**

This measure requires voting system vendors and ballot paper manufacturers to notify the Secretary of State (SOS) and all local election officials who use the system of any defects, flaws or failures that they discover in their products. Voting system vendors must notify SOS within 30 calendar days from the date after the vendor learns of the problems or at the time the system is submitted for review by SOS. Ballot card manufacturers or finishers have to disclose any known problems in writing to SOS not later than five working days before SOS begins its inspection of that manufacturer's facilities. This measure also gives SOS authority to seek relief for a known but undisclosed defect, fault or failure.

D. Other Administrative Services Related Issues***AB 1399 (Anderson). Local Officials.****Chapter 128, Statutes of 2010**

This measure prohibits an elected or appointed city or county official from making a publicly-funded vehicle or credit card issued by the local agency available to an immediate family member, except in the case of a medical emergency. This measure will not apply if the local agency has adopted an ordinance, resolution or other measure that prohibits the same conduct.

AB 1668 (Knight.) Local Government: City Councils.*Chapter 38, Statutes of 2010**

This measure extends the appointment period to fill a vacant elected office from 30 to 60 days.

***AB 2600 (Ma). Marriage: Solemnization.
Chapter 268, Statutes of 2010 (Urgency)**

This measure authorizes elected mayors, while holding office, to solemnize marriages and requires mayors to obtain from the county clerk and review all available instructions for marriage solemnization before the mayor first solemnizes a marriage.

**AB 2795 (Committee on Local Government). Local Government
Organization.**

Chapter 47, Statutes of 2010

This measure provides technical, non-controversial changes to state codes affecting local agencies' powers and duties. Those changes of significance to cities are:

- Defines "divestiture of power" as used in the Cortese-Knox-Hertzberg Local Government Reorganization Act.
- Revises provisions regarding the re-election of city council members in a new city. The measure provides that the two city council members receiving the lowest number of votes hold office until the first succeeding election and the three receiving the highest number of votes hold office until the second election.
- Allows local agencies to request an extension from 60 days to 90 days to renegotiate property tax allocations.
- Clarifies that when an election is required to approve a boundary change proposal, the election is called and conducted by the city council or board of supervisors. Current law implies that it is the Local Agency Formation Commission that calls and conducts the election.

***SB 894 (Committee on Local Government). Local Government Omnibus Bill.
Chapter 699, Statutes of 2010**

This measure provides technical, non-controversial changes to state codes affecting local agencies' powers and duties. Changes of significance to cities are:

- *City boundary lawsuits*: Repeals the outdated deadline for filing lawsuits affecting city incorporations, annexations and consolidations, clarifying the current law that any lawsuits challenging boundary changes must be filed under the standard Code of Civil Procedure which sets a 60-day statute of limitations.
- *Land use mediation law clean-up*: Inserts a statutory cross-reference to the existing land use and environmental dispute mediation laws to clarify that judges can use these mediation procedures for lawsuits that affect 10 specified statutes. Those statutes are: development projects; California Environmental Quality Act (CEQA) decisions; time limits in the Permit Streamlining Act or Subdivision Map Act; school districts' developer fees; developer fees; adequacy of general plans or specific plans; local agency formation commission decisions; adoption or amendments of redevelopment plans; zoning decisions; and airport land use decisions. This measure also corrects the references to the existing laws that describe school districts' developer fees and the Mitigation Fee Act.

- *Commission on State Mandate Requests*: Requires the Commission on State Mandates to include more information in its semiannual reports to the Legislature specifically explaining the use of alternative processes for local governments to resolve claims, parameters and guidelines for state mandates.
- *Gender-specific city council references*: Changes the statutory references to city “councilman” and “councilmen” to city “council member” and “council members” in 14 Government Code sections and two Health and Safety Code Sections.
- *Permit Streamlining Act clean-up*: Repeals the outdated time limits in the Permit Streamlining Act.
- *Redevelopment audit terms*: Updates statutory references to “major violations” to “major audit violations” in state law that relate to requirements for redevelopment agencies annual reports to city council or board of supervisors, pursuant to legislation enacted in 2003.
- *Redevelopment spending outside project areas*: Clarifies that public works projects located outside a redevelopment area that were paid for by redevelopment officials may proceed under earlier statutory requirements and are not subject to the new restrictions in place as of 2010 if financing, construction or installation were underway prior to the 2010 effective date.
- *West Nile virus and intergovernmental cooperation*: Extends the sunset date from January 1, 2011 to January 1, 2012, for the state law that requires public agencies to work with the State Department of Health Services during an outbreak of West Nile virus or other mosquito-borne diseases.
- *Publishing water reservoir rules*: Changes the requirements that counties, cities and special districts with water reservoirs that are used for fishing or recreation must publish their watershed rules and regulations at least once in a general circulation newspaper in the county where the reservoir is located. This measure allows public agencies to print just the summaries if amendments are made rather than reprinting the entire rules and regulations.
- *Redevelopment agencies’ design-build cross-reference*. Corrects statutory cross-references in the state law that allows redevelopment agencies to use the design-build contracting method.
- *Property tax transfer clarification*: Clarifies the state law which permits local agencies to voluntarily transfer property tax revenues by referencing language from the Attorney General and using consistent statutory terms.

III. Community Services

AB 634 (Harkey). Hazardous Recreational Activities.

Chapter 73, Statutes of 2010

This measure adds self-contained underwater breathing apparatus (SCUBA) diving to the list of hazardous recreational activities to provide a qualified immunity for public entities and public employees from damages for injuries sustained by those divers on public property.

***AB 918 (Adams). Salvageable Personal Property: Collection Boxes.**

Chapter 75, Statutes of 2010

This measure requires the front of an unattended collection box used for soliciting or collecting donations of personal property to conspicuously display specified information about the organization on the exterior of all such collection boxes. The measure also states that its provisions shall not be deemed to supersede the authority of the Department of Justice or to limit a city, county or city and county from regulating, monitoring or prohibiting collection boxes.

AB 1644 (Nielsen). Veterans' Remains.

Chapter 189, Statutes of 2010

This measure requires a cemetery authority, cemetery corporation or association, or other entity in possession of cremated remains to release to a veterans' remains organization, personal information regarding the identity of a deceased veteran or dependent of a veteran for the purpose of establishing veteran burial entitlement. The cemetery authority, cemetery corporation or association, or other entity in possession of cremated remains is authorized to release the remains to the veterans' remains organization for the purpose of interment.

AB 1675 (Hagman). Trespassing: Animal Enclosures at Zoos, Circuses and Traveling Animal Exhibits.

Chapter 536, Statutes of 2010

This measure creates a new infraction or a misdemeanor for any person, other than an employee, to trespass into an animal enclosure at a zoo, circus or traveling animal exhibit.

***SB 294 (Negrete McLeod). Professions and Vocations: Regulation.**

Chapter 695, Statutes of 2010

This measure attempts to preempt charter cities from enforcing their own massage therapy ordinances by stating that establishing a uniform standard of certification and regulation of massage practitioners and massage therapists is a matter of statewide concern and the massage therapy provisions apply to all cities and counties, including charter cities and charter counties. The measure also makes a number changes to the sunset review dates for various state boards, bureaus and commissions.

SB 1176 (Aanastad). Animals at Large: Estray Laws.
Chapter 325, Statutes of 2010

This measure provides that state provisions relating to estrays (other than bovine animals) do not affect any law, ordinance or regulation regarding estrays, the poundkeeper or other pound officer, or a public animal control agency or shelter within the limits of any city or county where such laws, ordinances or regulations are in force.

***SB 1190 (Cedillo). Animal Control and Illegal Dumping Officers: Baton Training.**

Chapter 109, Statutes of 2010

This measure removes the requirement that animal control officers and illegal dumping enforcement officers complete training certified by the Department of Consumer Affairs in order to be permitted to carry a club or baton. Instead, the measure requires the officers to complete training approved by the Commission on Peace Officer Standards and Training in order to carry a club or baton.

SB 1417 (Cox). Corporations for Prevention of Cruelty to Animals.
Chapter 652, Statutes of 2010

This measure implements new procedures and requirements for the appointment, and subsequent training, of humane officers by nonprofit organizations formed for the purpose of preventing cruelty to animals.

SCR 74 (Correa). Senior Volunteer Month.
Resolutions Chapter 21, Statutes of 2010

This resolution declares May 2010 as "Senior Volunteer Month" to honor the contributions of California's senior volunteers.

SCR 77 (Correa). Childhood Obesity Prevention and Fitness Week.
Resolutions Chapter 82, Statutes of 2010

This resolution proclaims the last full week in September each year as Childhood Obesity Prevention and Fitness Week and expresses the Legislature's support of various programs that work to reduce obesity and increase exercise among children.

IV. Employee Relations

A. California Public Employees' Retirement System (CalPERS)

AB 1651 (De La Torre). Public Employees' Retirement Law. Furloughs. Retirement Credit.

Chapter 574, Statutes of 2010

This measure provides that, for local safety members and other state employees subject to mandatory furloughs, a safety member's credit for service and compensation be based on the amount of service and compensation the employee would have received if they had not been subject to a mandatory furlough. "Mandatory furlough" includes any time period on or after July 1, 2008, where employees are directed to be absent from work without pay on the day or days designated by their employer or by a memorandum of understanding for the purpose of achieving budgetary savings. Employers are required to notify the CalPERS Board of the terms and conditions of any mandatory furlough, including the amount of mandatory furlough time imposed on employees during a reporting period and the date on which the mandatory furlough ends.

***AB 1743 (Hernandez). Political Reform Act of 1974: Placement Agents. Chapter 668, Statutes of 2010**

This measure requires placement agents that do business with CalPERS or California State Teachers' Retirement System to be subject to the same reporting requirements and ethics rules that govern lobbyists under the California Political Reform Act of 1974 and requires placement agents that do business with a local public retirement system to follow any applicable lobbyists rules required under that local jurisdiction. This measure also prohibits contingency fees payment to placement agents that are dependent upon the outcome of an investment action.

AB 1856 (Fong). Public Employees' Retirement. Chapter 197, Statutes of 2010

This measure allows members of CalPERS to voluntarily suspend or cancel their after-tax service credit purchase (air-time) agreement without proving financial hardship. Additionally provides that suspended agreements will continue to accrue interest and resume automatically after one-year. Members who choose to suspend the agreement must wait 36 months before requesting another suspension and the accounts for members that choose to cancel their agreement will be prorated to reflect the amount of service credit already purchased.

SB 1007 (Hancock). Political Reform Act of 1974: Retirement System Boards. Chapter 633, Statutes of 2010

This measure amends the Political Reform Act to require elected members of and candidates for the CalPERS and the State Teachers' Retirement System to file campaign reports.

SB 1139 (Correa). State Retirement. Benefits Program.**Chapter 639, Statutes of 2010**

This measure allows CalPERS to calculate an eligible retiree's cost-of-living adjustment (COLA) and their Purchasing Power Protection Allowance (PPPA) concurrently. PPPA is a supplemental retirement benefit meant to act as added protection against inflation for CalPERS members whose retirement benefits fall below the minimum established by law. The benefit kicks in when the purchasing power of a retiree's pension benefit falls below 75-80% of the original purchasing power due to inflation. The PPPA is calculated in January, while the COLA is calculated each May. This measure also renames the optional "deferred compensation program" as the "tax-preferred retirement savings program." Additionally, allows a public agency that contracts with CalPERS for health care coverage to elect, as a contract option, to provide health care coverage to eligible survivors who are not receiving a survivor allowance but were receiving health care coverage from the agency prior to them contracting with CalPERS. The contracting agency is required to pay the costs of the benefits and premiums, but can require the family member to pay all or a portion of the costs of the health premium.

SBx6 22 (Hollingsworth). Pension Reform.*Chapter 3, Statutes of 2010, Sixth Extraordinary Session**

This measure provides lower pension benefit levels for state employees hired on or after January 15, 2011. This measure adopts benefit levels that were in place prior to the implementation of SB 400 benefit levels in 1999 (Chapter 555, Statutes of 1999). This measure also changes the final compensation calculation for new hires and will base final compensation on a three-year average as opposed to the one-year average currently in place for state employees. The chart below indicates formula changes.

Retirement Category	Current Retirement Formula	Proposed Formulas
<i>Miscellaneous</i>	2% at Age 55 (up to 2.5% at 63)	2% at Age 60 (up to 2.418% at 63)
<i>Industrial</i>	2% at Age 55 (up to 2.5% at 63)	2% at Age 60 (up to 2.418% at 63)
<i>State Safety</i>	2.5% at Age 55	2% at Age 55
<i>Peace Officer and Firefighters in CSU, Legislative and Judicial</i>	3% at Age 50	2.5% at Age 55
<i>Classified School</i>	2% at Age 55 (up to 2.5% at 63)	2% at Age 60 (up to 2.418% at 63)

B. Workers' Compensation

AB 1696 (B. Berryhill). Death Benefits. Payment Duration.

Chapter 361, Statutes of 2010

Extends workers' compensation death benefits for a dependent child until age 19 if the child is still attending high school.

***AB 2253 (Coto). Workers' Compensation: Cancer Presumption.**

Chapter 672, Statutes of 2010

Current law extends the cancer presumption for police and firefighters for a period of three months for every year of service up to five years. This measure extends from five to ten years the time period that a safety member can file a workers' compensation cancer claim with a presumption that the cancer is work-related.

C. Labor Relations

***AB 2331 (Skinner). Firefighters Procedural Bill of Rights Act.**

Chapter 465, Statutes of 2010

This measure clarifies that, for an agency subject to Firefighter Procedural Bill of Rights Act (FBOR) with a memorandum of understanding that provides for binding arbitration of administrative appeals, the arbitrator or arbitration panel shall serve as the hearing officer and the officer's decision is binding. Also clarifies that a memorandum of understanding negotiated with an employing agency does not control the process for an administrative appeal under FBOR.

D. Personnel

AB 569 (Emmerson). Meal Periods. Exemptions.

Chapter 662, Statutes of 2010

This measure exempts employees of publicly owned utilities from certain meal and rest period laws if they are covered by a valid collective bargaining agreement if that agreement expressly provides:

- The wages, hours of work and working conditions of employees (including meal periods);
- Final and binding arbitration of disputes concerning application of meal period provisions; and,
- A premium wage rate for all overtime hours worked and a regular hourly rate of pay of not less than 30 percent more than the state minimum wage rate.

AB 1666 (Swanson). Local Government. Whistleblower Hotline.
Chapter 80, Statutes of 2010

This measure 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, and provides definitions to these terms. Additionally, authorizes an auditor or controller to provide a copy of a substantiated audit report that includes the identities of the subject employee(s) and other pertinent information concerning the investigation to the appropriate appointing authority for disciplinary purposes.

***AB 1814 (Buchanan). Discrimination in Employment.**
Chapter 130, Statutes of 2010

This measure ensures that California's Fair Employment and Housing Act (FEHA) does not prohibit an employer from providing health benefits or health care reimbursement plans to retired persons by making state and federal law consistent to explicitly permit bridge retiree health benefits under California's FEHA.

SB 909 (Wright). Investigative Consumer Reporting Agencies. Disclosures.
Chapter 481, Statutes of 2010

This measure requires a person who requests or procures a report from an investigative consumer reporting agency for employment purposes to provide the job applicant with the internet website address of the investigating reporting agency where the applicant can find additional information about the agency's privacy practices, including whether the report will be prepared or processed outside of the United States or one of its territories.

***AB 2774 (Swanson). Occupational Safety and Health.**
Chapter 692, Statutes of 2010

This measure revises the standards and process for the issuance of citations for serious violations of occupational safety and health laws. Specifically, the measure creates a rebuttable presumption that a serious violation exists if the Division of Occupational Safety and Health (CalOSHA) demonstrates that there is a "reasonable possibility" that death or serious physical harm could result from a hazard. This new law effectively lowers the burden of proof that CalOSHA must demonstrate from "substantial probability" to "reasonable possibility." Additionally, the measure provides that the sole demonstration of a violation does not establish that the violation is serious. Other important provisions include a:

- Definition of "serious physical harm;"
- Requirement that CalOSHA, before issuing a citation, make a reasonable attempt to "determine and consider" employee and supervisor training, procedures for discovering, controlling and correcting hazards, supervision of exposed employees and the employer's safety communication;
- Requirement that CalOSHA consider the employer's explanation of the circumstances surrounding the alleged violations, why the employer believes that

a serious violation does not exist and why it believes its actions were reasonable and responsible;

- Provision that CalOSHA will have satisfied its requirement to “determine and consider” by sending the employer a form a least 15 days prior to issuing a serious citation describing the conditions it intends to cite; and
- Provision relating to an employer rebutting a serious allegation, which requires an employer to show they took “all the steps a reasonable and responsible employer in like circumstances should be expected to take.”

SJR 30 (Kehoe). Deferred Compensation Plans. **Chapter 99, Statutes of 2010**

This joint resolution urges the United States (U.S.) Congress and the President to allow all eligible state and local government employees participating in U.S. Internal Revenue Code (IRC) Section 457(b) deferred compensation plans to treat their elected deferrals as designated Roth Individual Retirement Account (IRA) contributions for tax purposes. Specifically this resolution asks Congress and the President to enact legislation that would:

- Amend the IRC to allow all eligible government employees who participate in 457(b) deferred compensation plans the option to treat elected deferrals as designated IRA contributions; and
- Create parity among all workers by presenting 457(b) plan participants with savings choices similar to those given to participants planning for retirement under the Economic Growth and Tax Reconciliation Act of 2001 and the federal government’s Thrift Savings Plan.

E. Health Care

***AB 1602 (J.A. Pérez) and SB 900 (Alquist). California Health Benefits Exchange.**

Chapters 655 and 659, Statutes of 2010

Under the Patient Protection and Affordable Care Act, the federal health care reform bill, states must establish an American Health Benefits Exchange (Exchange) that makes health plans available to certain individuals and certain employers by January 1, 2014. AB 1602 and SB 900 together create the first Exchange in the United States and is called the California Health Benefits Exchange. SB 900 creates the Exchange and establishes the governance of the entity, while AB 1602 arranges for coverage under qualified carriers and establishes eligibility and enrollment. The Exchange is expected to give up to eight million Californians the opportunity to purchase health care coverage, and benefits will be subsidized for families under 400 percent of the Federal Poverty Level.

AB 2345 (De La Torre). Health Care Coverage. Preventive Services.
Chapter 657, Statutes of 2010

This measure requires health care service plan contracts and health insurance policies issued, amended, renewed or delivered on or after September 23, 2010 to comply with coverage and cost sharing for preventive services as provided under the Patient Protection and Affordable Care Act.

SB 838 (T. Strickland). Cal-COBRA. Premium Assistance.
Chapter 24, Statutes of 2010

This measure conforms Cal-COBRA law to federal law to extend the premium assistance subsidies offered through the federal stimulus bill (the American Recovery and Reinvestment Act of 2009).

SB 1088 (Price). Health Care Coverage. Dependents.
Chapter 660, Statutes of 2010

This measure conforms state law to newly enacted provisions in the Patient Protection Affordable Care Act with respect to coverage of dependents up to age 26.

SB 1163 (Leno). Health Care Coverage. Denials. Premium Rates.
Chapter 661, Statutes of 2010

This measure requires all individual and small group health care service plans and health insurers to file specified rate information with the Department of Managed Health Care and the Department of Insurance at least 60 days prior to implementing a rate change. For all group plans, the new law also requires carriers to deliver a written notice detailing changes in premium rates or coverage at least 60 days prior to the contract renewal date. Additionally, it provides that a carrier declining to offer coverage or denies enrollment for a large group must, at the time of the denial, provide the applicant with the specific reasons for the decision in writing in clear and easily understandable language.

F. Unemployment Insurance

***AB 2364 (Nava). Unemployment Insurance. Benefits. Good Cause to Leave Work.**

Chapter 678, Statutes of 2010

This measure broadens the definition of a “good cause” exception for unemployment insurance claims in order to meet federal requirements to ensure California will be eligible to receive all available American Recovery and Reinvestment Act funds. The good cause exception due to domestic violence will now include a worker who resigns to protect his or her family from domestic violence.

***SB 1211 (Romero). Unemployment Insurance. Benefits. Eligibility. Overpayments. Elected Officials. Chapter 222, Statutes of 2010**

This measure clarifies that an elected official is not eligible to collect unemployment insurance (UI) benefits based on income earned from his or her service as an elected official. Additionally, clarifies that UI benefits paid where the individual was an elected official and their UI claim was based on income solely derived from his or her employment as an elected official is an overpayment and authorizes the director of the Employment Development Department to initiate civil proceedings to recover such overpayments.

V. Environmental Quality

A. Air Quality

AB 1507 (Lieu). Motor Vehicle Greenhouse Gas Emission Reduction Projects.

Chapter 571, Statutes of 2010

This measure requires the Air Resources Board, by July 1, 2011, to revise project guidelines for the Carl Moyer Air Quality Standards Attainment Program. This measure allows coordination of funds from federal and state funding programs for clean transportation projects to be used on a project to achieve greater air quality benefits and greenhouse gas emission reductions.

***SB 1402 (Dutton). State Air Resources Board: Administrative and Civil Penalties.**

Chapter 413, Statutes of 2010 (Urgency)

This measure requires the Air Resources Board (ARB) to provide a written explanation prior to imposing an administrative or civil penalty for a violation of air pollution law. The ARB must address the following issues:

- The manner in which the penalty amount was determined;
- The law or regulation under which the penalty is being assessed; and,
- Whether the penalty is being assessed under a law that prohibits a specified level of pollution, and if so, a quantification of the specific amount of pollution emitted.

The measure also requires ARB to make these explanations available to the public, annually report specified administrative penalties imposed, and publish a penalty policy pertaining to vehicular air pollution control.

B. Coastal

AB 2503 (J.A. Pérez). Ocean Resources: Marine Resources and Preservation.

Chapter 687, Statutes of 2010

This measure enacts the California Marine Resources Legacy Act to establish a program to allow partial removal of offshore oil structures and conversion of those structures into artificial reefs.

C. Climate Change

***AB 2738 (Niello). Regulations: Agency Statement of Reasons.**

Chapter 398, Statutes of 2010 (Urgency)

This measure requires that the initial statement of reasons which is submitted by an agency to the Office of Administrative Law to include a description of any performance standard that was considered as an alternative to a proposed adoption, amendment or repeal of a regulation. The measure also contains a sunset clause of January 1, 2014.

ACR 133 (J.A. Pérez). Earth Hour.

Resolutions Chapter 4, Statutes of 2010

This resolution endorses the efforts to raise awareness of climate change and energy efficiency and declares the hour of 8:30 p.m. to 9:30 p.m. on the last Saturday of March to be Earth Hour. The resolution encourages city, county and state employees and businesses to turn off nonessential lights in government building, public schools, public landmarks and other buildings for that hour.

D. Energy

***AB 44 (Blakeslee). Improvement Act of 1911: Contractual Assessments.**

Chapter 564, Statutes of 2010

This measure expands the use of voluntary contractual assessments (i.e., PACE, AB 811 programs) to include financing electricity purchase agreements by expanding the definition of "permanently fixed to real property" to include systems attached to a residential, commercial, industrial, agricultural or other real property pursuant to an electricity purchase agreement between the owner of the system and the owner of the assessed property.

***AB 1873 (Huffman). Property Assessed Clean Energy (PACE) Bonds.**

Chapter 583, Statutes of 2010

This measure authorizes the State Treasurer, California Public Employees Retirement System and State Compensation Insurance Fund to purchase local PACE bonds. In addition, this bill allows a Joint Powers Authority to also purchase local PACE bonds thereby acting as a conduit for local governments to sell the loans to the private market.

AB 1947 (Fong). Solar Energy.

Chapter 459, Statutes of 2010

This bill permits a publicly owned utility to implement a solar program that allows customers to offset part or all of their electricity demand, with a solar energy system not located on the premises of the consumer.

***SB 77 (Pavley). Energy: California Alternative Energy and Advanced Transportation Financing Authority: Property Assessed Clean Energy (PACE).**

Chapter 15, Statutes of 2010 (Urgency)

This measure creates a state PACE Reserve program to assist local jurisdictions in financing the installation of distributed generation of renewable energy sources, energy or water efficiency improvements. This measure authorizes the California Alternative Energy and Advanced Transportation Financing Authority to purchase and pool locally-issued PACE bonds for sale.

***SB 1340 (Kehoe). Energy.**

Chapter 649, Statutes of 2010

This measure expands the use of voluntary contractual assessments to finance vehicle charging infrastructure affixed on real property as well as expands the Property Assessed Clean Energy (PACE) Reserve program (see SB 77 above) to assist local jurisdictions in financing the installation of electric vehicle charging infrastructure.

SB 1455 (Kehoe). Plug-in Hybrid and Electric Vehicles. Internet Web Service.

Chapter 337, Statutes of 2010

This measure requires the California Energy Commission, by July 1, 2011, in consultation with the Public Utilities Commission, to develop and maintain an Internet website containing specific links to electrical corporation and local publicly owned electric utility Internet Web sites or other Internet Web sites that contain information specific to plug-in hybrid or fully electric vehicles, including information on the following:

- Resources to direct a consumer on how to find out if his/her residence will require a utility service upgrade;
- Basic charging circuit requirements;
- Utility rate options; and
- Load management techniques.

SB 1476 (Padilla). Public Utilities: Customer Privacy: Advanced Metering Infrastructure.

Chapter 497, Statutes of 2010

This measure requires an investor-owned utility (IOU) or publicly owned utility (POU) using advanced metering (smart meters) to protect consumers' energy usage data from an unauthorized access or disclosure, and prohibits IOUs and POUs from certain activities. This measure is intended to provide utility customers with an the ability to access consumption data without allowing a third party to collect, retain, share or reuse their electric or gas consumption information.

E. Hazardous Waste

AB 1674 (Saldaña). Hazardous Substances: Storage Tanks.

Chapter 535, Statutes of 2010

This measure makes technical changes to existing law regarding Underground Storage Tank (UST) law for above and below ground tanks. In addition, the measure provides an exemption from the UST construction and monitoring requirements for USTs located in a below-grade structure and connected to an emergency generator tank system.

F. Solid Waste

AB 1004 (Portantino). Solid Waste: State Solid Waste Postclosure and Corrective Action Trust Fund.

Chapter 417, Statutes of 2010

This measure extends the deadline for landfill operators to opt to participate in the Solid Waste Postclosure and Corrective Action Trust Fund (Trust Fund) from July 1, 2011 to January 1, 2012. The Trust Fund, enacted in 2009, created a voluntary fee funded program for the future clean-up of closed solid waste facilities. For the Trust Fund to take effect under current law, the state Department of Recycling, Resources and Recovery must receive letters of participation representing at least 50% of the total volume of waste disposed in 2010 by July 2, 2011. This measure extends the deadline to 2012.

***AB 1343 (Huffman). Solid Waste: Architectural Paint: Recovery Program.**

Chapter 420, Statutes of 2010

This measure requires paint manufacturers in California to implement a program to collect, transport and process postconsumer paint for reuse and recovery. The program will be enforced by the Department of Resources, Recycling and Recovery.

***AB 2398 (J.A. Pérez). Product Stewardship: Carpet.**

Chapter 681, Statutes of 2010

This measure requires carpet manufacturers in California to implement stewardship programs to increase the recycling rate of carpet in the state. This measure also requires a fee, per unit of carpet sold in the state, to pay for the costs of the stewardship plans.

ABx8 7 (Committee on Budget). Environmental Pollution: Program Funding.

Chapter 5, Statutes of 2010, Eighth Extraordinary Session (Urgency)

This technical measure makes statutory changes to provide fiscal solvency for the California Beverage Container Recycling (Bottle Bill) Program and allows the state Clean Water State Revolving Fund program to be eligible to receive and distribute Federal funding.

ACR 128 (Emmerson). School Districts: Recycling Programs.
Resolutions Chapter 48, Statutes of 2010

This resolution encourages school districts in California to engage in recycling programs and to promote awareness of available state resources that schools may utilize to establish and maintain recycling programs.

SB 390 (Kehoe). Solid Waste: Recycling Market Development.
Chapter 275, Statutes of 2010

This measure extends the sunset date, from January 1, 2011 to January 1, 2021, for the California Recycling Market Development Zone Program.

SB 579 (A. Lowenthal). Used Oil.
Chapter 504, Statutes of 2010

This measure makes technical and clarifying changes to the California Oil and Recycling Enhancement Act based on last year's SB 63 (Chapter 21, Statutes of 2009) which abolished the California Integrated Waste Management Board and moved its functions to the new California Department of Resources, Recycling and Recovery.

G. Water

AB 153 (Hernandez and Eng). Safe, Clean, and Reliable Drinking Water Supply Act of 2012: Groundwater Contamination.
Chapter 226, Statutes of 2010 (Urgency)

This measure amends the Safe, Clean, and Reliable Drinking Water Supply Act of 2012 (SBx7 2, Chapter 3, Statutes of 2009, Seventh Extraordinary Session), also known as the Water Bond, to expand eligible uses for groundwater cleanup projects so that funds will be available for "costs associated with projects, programs or activities" rather than being limited to capital project costs.

***AB 1265 (Caballero). Safe, Clean, and Reliable Drinking Water Supply Act of 2012: Surface Storage Projects: Submission to Voters.**
Chapter 126, Statutes of 2010 (Urgency)

This measure delays the Safe, Clean Reliable Drinking Water Supply Act of 2012 (SBx7 2, Chapter 3, Statutes of 2009, Seventh Extraordinary Session), also known as the Water Bond, to the November 6, 2012 statewide ballot.

AB 1788 (Yamada). Water Development Projects: State Financial Assistance.

Chapter 579, Statutes of 2010

This measure changes the income threshold for additional flood control funding provided by the state to local governments in the Central Valley, such that more low income communities will qualify for increased funding.

AB 2277 (Fletcher). Water Conservation: Urban Retail Water Suppliers.
Chapter 257, Statutes of 2010

This measure corrects a reference to a federal executive order on water conservation at military bases in California.

AB 2409 (Nestande). Urban Water Suppliers: Water Shortage Contingency Analysis.

Chapter 42, Statutes of 2010

This measure requires urban water agencies, when preparing water contingency analyses included in urban water management plans to analyze and define water features artificially supplied with water, such as ponds, lakes, waterfalls and fountains, separately from swimming pools and spas. The purpose of this bill is to make sure that during drought emergencies, swimming pools are not inadvertently required to be drained, which can lead to damage to the pool or spa. The measure does not, however, prohibit a local agency from requiring appropriate water conservation measures related to either water features or pools and spas.

***SB 918 (Pavley). Water Recycling.**

Chapter 700, Statutes of 2010

This measure requires the Department of Public Health (DPH) to adopt uniform water recycling standards for indirect potable water reuse for groundwater recharge by 2013 and uniform water recycling criteria for surface water augmentation by 2016. DPH will also be responsible for convening an expert panel on uniform water recycling criteria for indirect potable reuse through surface water augmentation.

SB 1478 (Committee on Natural Resources and Water). Water Conservation: Urban Water Management.

Chapter 295, Statutes of 2010

This measure grants urban wholesale water suppliers a six-month extension, until July 1, 2011, to meet their statutorily mandated Urban Water Management Plan required by SBx7 7 (Chapter 4, Statutes of 2009, Seventh Extraordinary Session).

SBx7 7 required the state to achieve a 20 percent reduction in urban retail per capita water use by December 31, 2020. The measure offered four methods for water suppliers to meet this reduction, three methods outlined in the legislation, and a fourth that is currently under development by the Department of Water Resources. To allow urban retail water suppliers to use the fourth method, urban retail water suppliers were granted a six-month extension. SB 1478 also grants urban wholesale water suppliers that six-month extension so all water suppliers are on the same schedule.

H. Water Quality

AB 2515 (V.M. Pérez). Public Water Systems: Point-of-Use Treatment.

Chapter 601, Statutes of 2010 (Urgency)

This measure requires the Department of Public Health (DPH) to adopt emergency regulations governing the point-of-entry and point-of-use water treatment systems. The measure also allows DPH to award grants for point-of entry and point-of-use systems provided the water system serves a severely disadvantaged community and other specified requirements.

***SB 346 (Kehoe). Hazardous Materials: Motor Vehicle Brake Friction Materials.**

Chapter 307, Statutes of 2010

This measure prohibits motor vehicle brake pads from containing more than five percent (5%) of copper, by weight, from being sold in California beginning in January 2021. Beginning in 2025, brake pads containing more than one-half percent (0.5%) copper by weight, will be prohibited from being sold in California. This measure is intended to help local jurisdictions comply with stringent federal and state water quality mandates.

SB 518 (A. Lowenthal). Building Standards: Graywater.

Chapter 622, Statutes of 2010

This measure requires the state Building Standards Commission, on or after January 1, 2011, to establish nonresidential building standards for the construction, installation and alteration of graywater systems for both indoor and outdoor uses.

SB 1035 (Hancock). Municipal Utility Charges: Delinquencies.

Chapter 485, Statutes of 2010

This measure allows a municipal utility district (MUD) that furnishes water or sewer service to residential property to obtain a lien on the property for non-payment of delinquent fees and other charges. The measure also allows a MUD to collect delinquent fees incurred by a commercial or residential lessee, tenant or subtenant by charging the delinquent fees to the property owner's tax roll.

***SB 1284 (Ducheny). Water Quality: Mandatory Minimum Civil Penalties.**

Chapter 645, Statutes of 2010

This measure amends the minimum mandatory penalty (MMP) law by clarifying what violations are subject to MMPs. Specifically, this measure states that minor and ministerial violations are not subject to MMPs. The measure also allows a discharger to petition their regional board for an additional five-year extension (for a maximum of 10 years) in order to bring waste water discharge facility into compliance with effluent limits.

VI. Housing, Community and Economic Development

A. Common Interest Developments

AB 2016 (Torres). Common Interest Developments: Request for Notices of Default.

Chapter 133, Statutes of 2010

Existing law allows a homeowners association organized under the Davis-Stirling Common Interest Development Act to record a single request that a mortgagee, trustee or other person authorized to record a notice of default mail a copy of any trustee's deed upon any subsequent sale of any interest in the property. This measure clarifies that such a request does not constitute a document that either effects or evidences a transfer or encumbrance of any property interest.

SB 1128 (DeSaulnier). Common Interest Developments: Governance.

Chapter 322, Statutes of 2010

Some homeowner associations organized under the Davis-Stirling Common Interest Development Act have created nonprofit service organizations to provide services to their members more efficiently. This measure provides that those nonprofit services organizations must make their records available for inspection by a member of the association and are generally prohibited from imposing fines and penalties in the same way those limitations apply to the homeowners association.

B. Land Use and Zoning

AB 419 (Caballero). Local Government: Change of Organization or Reorganization: Elections.

Chapter 35, Statutes of 2010

This measure requires a county election official to place an item on a ballot upon notification of a local agency formation commission even when a city or county fails to take action (usually a formality) to place the item on the ballot.

***AB 605 (Portantino). Alcoholic Beverages: Instructional Tasting Events.**

Chapter 230, Statutes of 2010

This measure allows holders of off-sale retail licenses (a license to sell alcohol to be consumed at a different location) to obtain an additional license for an "instructional tasting" (an on-site sampling subject to a set of regulations). Although the licensees do not have to obtain local approval for the instructional tasting, the event otherwise must conform to local regulations. Convenience stores are not eligible for instructional tasting licenses.

AB 987 (Ma). Transit Villages Development Districts.
Chapter 354, Statutes of 2010

This measure increases planning area within a transit village development district from a quarter to a half mile radius around a transit station.

AB 1199 (Ammiano). Infrastructure Financing Districts.
Chapter 664, Statutes of 2010

This measure affects the use of infrastructure finance districts in the City and County of San Francisco.

AB 1502 (Eng). Nuisance Abatement: Civil Action.
Chapter 570, Statutes of 2010

This measure authorizes a county counsel to bring a nuisance abatement action (city attorneys already have this authority).

***AB 1660 (Salas). Airports: Emergency Aircraft Flights for Medical Purposes.**

Chapter 54, Statutes of 2010

This measure expands the definition of “emergency aircraft flights for medical purposes” to include those flights that are the return, non-emergency flights of aircraft used during a medical emergency, or emergency personnel and first responders involved in treating the medical emergency, for the purpose of returning the aircraft or equipment back to the base of operation. Current federal law provides aircrafts defined as “emergency aircraft flights for medical purposes” are exempted from local ordinances restricting arrival and departure hours.

AB 1693 (Ma). Building Standards. Code Adoption Cycle.
Chapter 145, Statutes of 2010

This bill extends the adoption cycle for updating the state building code from 12 to 18 months in order to allow more time to analyze increasingly complex requirements and fully consider public input.

AB 1809 (Smyth). Home Inspections: Energy Audits.
Chapter 453, Statutes of 2010

This measure authorizes a home inspection to include, if requested by the client, a Home Energy Rating System audit. The audit must conform to regulations for such audits established by the California Energy Commission.

AB 1865 (A. Strickland). Local Housing Trust Fund Matching Grant Program.

Chapter 198, Statutes of 2010

The existing grant program allowed for a minimum housing trust matching grant of \$1 million in counties with a population that exceeds 425,000 and a minimum grant of \$500,000 in counties with smaller populations. This measure provides for a \$500,000 minimum grant in all counties.

AB 2001 (Harkey). Building Standards. State Department of Public Health. Chapter 246, Statutes of 2010

This measure transfers any power to adopt regulations relating to building standards that may have been delegated to the Department of Public Health to the State Building Standards Commission, except that the Commission may not adopt any regulation without the concurrence of the Department.

AB 2087 (Torres). Veterans Farm and Home Purchases: Definition: Home. Chapter 542, Statutes of 2010

This measure expands the definition of “home” for farm and home purchase benefits under the Veterans’ Farm and Home Purchase Act of 1974 to include residences with two to four units that are all occupied by veterans. This definition is consistent with the Internal Revenue Code.

***SB 183 (A. Lowenthal). Residential Building Safety. Chapter 19, Statutes of 2010**

This measure enacts the Carbon Monoxide Poisoning Prevention Act of 2010 requiring all existing dwellings intended for human occupancy that have a fossil fuel burning appliance, a fireplace or an attached garage to install a carbon monoxide detection device (CO device). All single-family dwellings must have a CO device by July 1, 2011 and all other dwellings must have a CO device by January 1, 2013.

SB 518 (A. Lowenthal). Building Standards: graywater. Chapter 622, Statutes of 2010

This measure requires the state Building Standards Commission, on or after January 1, 2011, to establish nonresidential building standards for the construction, installation and alteration of graywater systems for both indoor and outdoor uses.

SB 613 (Harman). Irvine Ranch & Santa Margarita Water Districts. Chapter 624, Statutes of 2010

This measure allows the Irvine Ranch and Santa Margarita Water Districts to jointly pledge revenues for general obligation bonds.

***SB 894 (Committee on Local Government). Local Government Omnibus Bill.**

Chapter 699, Statutes of 2010

This measure provides technical, non-controversial changes to state codes affecting local agencies’ powers and duties. Those changes of significance to cities are:

- *City boundary lawsuits*: Repeals the outdated deadline for filing lawsuits affecting city incorporations, annexations and consolidations, clarifying the current law that any lawsuits challenging boundary changes must be filed under the standard Code of Civil Procedure methods which sets a 60-day statute of limitations.
- *Land use mediation law clean-up*: Inserts a statutory cross-reference to the existing land use and environmental dispute mediation laws to clarify that judges

can use these mediation procedures for lawsuits that affect 10 specified statutes. Those statutes are: development projects; California Environmental Quality Act (CEQA) decisions; time limits in the Permit Streamlining Act or Subdivision Map Act; school districts' developer fees; developer fees; adequacy of general plans or specific plans; Local Agency Formation Commission decisions; adoption or amendments of redevelopment plans; zoning decisions; and airport land use decisions. This measure also corrects the references to the existing laws that describe school districts' developer fees and the Mitigation Fee Act.

- *Commission on State Mandate Requests*: Requires the Commission on State Mandates to include more information in its semiannual reports to the Legislature specifically explaining the use of alternative processes for local governments to resolve claims, parameters and guidelines for state mandates.
- *Gender-specific city council references*: Changes the statutory references to city "councilman" and "councilmen" to city "council member" and "council members" in 14 Government Code sections and two Health and Safety Code sections.
- *Permit Streamlining Act clean-up*: Repeals the outdated time limits in the Permit Streamlining Act.
- *Redevelopment audit terms*: Updates statutory references to "major violations" to "major audit violations" in state law that relate to requirements for redevelopment agencies annual reports to city council or board of supervisors, pursuant to legislation enacted in 2003.
- *Redevelopment spending outside project areas*: Clarifies that public works projects located outside a redevelopment area, that were paid for by redevelopment officials may proceed under earlier statutory requirements and are not subject to the new restrictions in place as of 2010 if financing, construction or installation were underway prior to the 2010 effective date.
- *West Nile virus and intergovernmental cooperation*: Extends the sunset date from January 1, 2011 to January 1, 2012, for the state law that requires public agencies to work with the State Department of Health Services during an outbreak of West Nile virus or other mosquito-borne diseases.
- *Publishing water reservoir rules*: Changes the requirements that counties, cities and special districts with water reservoirs that are used for fishing or recreation must publish their watershed rules and regulations at least once in a general circulation newspaper in the county where the reservoir is located. This measure allows public agencies to print just the summaries if amendments are made rather than reprinting the entire rules and regulations.
- *Redevelopment agencies' design-build cross-reference*. Corrects statutory cross-references in the state law that allows redevelopment agencies to use the design-build contracting method.
- *Property tax transfer clarification*: Clarifies the state law which permits local agencies to voluntarily transfer property tax revenues by referencing language from the Attorney General and using consistent statutory terms.

***SB 1019 (Correa). Subdivisions: Release of Performance Security.
Chapter 174, Statutes of 2010**

This measure extends the sunset date of the provision in the Subdivision Map Act that governs to the procedures for releasing a performance security. This provision now expires on January 1, 2016.

**SB 1034 (Ducheny). Archeological Resources: Restitution.
Chapter 635, Statutes of 2010**

This measure increases the penalty for knowingly excavating, removing, destroying or defacing any historic or prehistoric ruins, burial grounds, archaeological site situated on public lands from a fine of up to \$1,000 and/or up to six months in county jail, to a fine of up to \$10,000 and/or up to one year in county jail. This change is in line with federal law. It also allows a court to order restitution to the public agency and provides that property used in the crime is subject to forfeiture.

**SB 1319 (Pavley). Subdivisions: Parcel Merger: Renewable Energy
Facilities.
Chapter 492, Statutes of 2010**

This measure clarifies that a landowner, local agency or renewable energy corporation may seek financial assistance from eligible state funding sources to defray the costs of merging parcels on private or public lands or to cover the costs of establishing or administering a joint powers authority established or authorized to merge parcels on private or public lands for the purpose of siting renewable energy facilities.

***SB 1333 (Yee). Airports: Avigation Easements.
Chapter 329, Statutes of 2010**

This measure applies when an avigation easement is imposed as a condition of approval on a noise-sensitive project near an airport. The easement must be granted to the owner or operator of the airport prior to the issuance of the building permit. A termination clause must operate if the noise-sensitive project is not built or the permit has otherwise expired or has been revoked. The permitting agency must notify the owner or operator of the airport within 30 days of its expiration or revocation.

C. Housing and Residential Facilities

**AB 702 (Salas). Joe Serna, Jr. Farmworker Housing Grant Program:
agricultural employees.
Chapter 348, Statutes of 2010 (Urgency)**

This measure expands the definition of who may reside in farmworker housing, for the purpose of the Joe Serna Jr., Farmworker Housing Grant Program, to include any person who works on or off the farm in processing of any agricultural commodity until it is shipped for distribution.

***AB 1800 (Ma). Unlawful Rental of Residential Dwelling. Penalties.
Chapter 580, Statutes of 2010**

This measure increases the penalty for the unlawful rental of a residential dwelling in an effort to reduce rentals of foreclosed or abandoned homes by a third party who has no legal claim to the property. The penalties increase from six months in the county jail, a fine of not more than \$1000 or by both imprisonment and fine, to up to one year in the county jail, a fine of not more than \$2500 or by both imprisonment and fine.

***AB 1867 (Harkey). Land Use: Local Planning: Housing Element Program.
Chapter 367, Statutes of 2010**

The housing element law provides three processes for counting "substantially rehabilitated" units toward accommodating the agency's regional housing need allocation. One process allows local agencies to count multifamily ownership units when they place affordability covenants on units that were not otherwise affordable. This measure changes the requirements for this process in two ways. First, it reduces the minimum property size from four units to three. Second, also provides that an equal number of units affordable to low- and very low-income individuals must be constructed during the planning period as the number of ownership units to be converted.

**AB 2327 (Harkey). Affordable Housing: Risk Retention Pool.
Chapter 384, Statutes of 2010**

This measure addresses a problem created by the increasingly complex financial arrangements needed to produce and preserve affordable housing by authorizing affordable housing entities (not necessarily public agencies) to pool self-insured claims or losses.

**AB 2508 (Caballero). Housing Infill Incentive Grant Program of 2007.
Chapter 390, Statutes of 2010**

This measure authorizes an exception to the Infill Incentive Grant Program (Proposition 1C, 2006) for cities over 100,000 included in a metropolitan statistical area of less than 2,000,000. It allows the Department of Housing and Community Development to consider applications for projects that are not consistent with the so called "Mullin Densities" (the density, depending on agency size, in which zoning is presumed to be affordable).

**AB 2762 (Committee on Housing and Community Development). Omnibus.
Chapter 610, Statutes of 2010**

This bill makes several non-controversial changes to housing laws. The most significant changes are summarized below:

- Expands the redevelopment agency reporting requirements adopted in 2007 under AB 987 (Chapter 690, Statutes of 2007) to include the date the agency's data base of housing units was last updated and any restrictions to occupancy (e.g., senior housing) that applies to a unit. In addition, implementation plans must also be posted to a website.

- Makes technical changes to redevelopment law to exempt domestic violence shelters from listing an address in reporting requirements,
- Extends for five years the guidelines that govern the Housing Innovation Grant Program.
- Includes the infill infrastructure and transit oriented development grant programs from Proposition 1C (2006) in the state audit program that reviews other Department of Housing and Community Development administered grants.
- Requires the California Housing Finance Agency (CalHFA) to submit reports in 2011 and 2012 on the implementation of a \$700 million dollar grant the state received from the federal government under the Housing Finance Agencies Innovation Fund for the Hardest-Hit Housing Markets program reporting requirement.
- Makes other technical changes to state housing laws.

SB 454 (A. Lowenthal). Land Use: Zoning Regulations.
Chapter 308, Statutes of 2010

This measure eliminates a sunset on notice procedures that require the owner of certain types of government-subsidized rental housing to notify local government and others of any decision not to extend or renew participation in the program. Existing law also allows local agencies an opportunity to purchase such properties. This measure modifies the information required to be provided to local agencies about the property.

SB 782 (Yee). Domestic Violence.
Chapter 626, Statutes of 2010

This measure prohibits a landlord from terminating a tenancy based upon an act of domestic violence, sexual assault or stalking against a protected tenant. It also requires the landlord to change the locks for such a victim within 24 hours of a written request, and allows the victim to change the locks on their own if the landlord fails to meet the demand of the written request.

***SB 812 (Ashburn). Developmental Services: Housing.**
Chapter 507, Statutes of 2010

This measure requires that the housing element include an analysis of the special housing needs of persons with developmental disabilities when analyzing special needs.

SB 1252 (Corbett). Housing Discrimination.
Chapter 524, Statutes of 2010

This measure does three things related to housing discrimination laws. First, selection preferences based on age, imposed in connection with federally approved housing programs, do not constitute age discrimination in housing. Second, it provides that acts that discriminate against a person based on his or her source of income amount to discrimination under the California Fair Employment and Housing Act. Third, it

increases several fines and penalties related to violations of the California Fair Employment and Housing Act.

SB 1483 (Wright). Multifamily Improvement Districts.

Chapter 339, Statutes of 2010

This measure extends until 2022 the provisions of the Multifamily Improvement District Law, which allows the establishment of multifamily improvement districts to levy assessments on residential rental properties for financing improvements and promoting activities beneficial to those properties.

D. Environment, CEQA and Natural Resource Legislation

***AB 231 (Huber). CEQA: Overriding Considerations.**

Chapter 432, Statutes of 2010 (Urgency)

This measure authorizes a lead agency until 2016 to incorporate by reference a finding of overriding consideration made in a prior environmental impact report (EIR) for a later project if a number of conditions are met, including that the lead agency determines that the later project's significant impacts on the environment are not greater than or different from those identified in the prior EIR.

AB 1846 (V.M. Pérez). Environment: Expedited Review: Climate Change Regulations.

Chapter 195, Statutes of 2010

This measure authorizes the use of a focused environmental impact report for a project for a rule or regulation that requires the installation of pollution control equipment or a performance standard or treatment requirement adopted pursuant to the California Global Warming Solutions Act of 2006 (AB 32, Chapter 488, Statutes of 2006).

AB 1965 (Yamada). Agricultural Land: Williamson Act: Lot Line Adjustments Contracts.

Chapter 60, Statutes of 2010

This measure extends a provision that facilitates lot line adjustments on Williamson Act lands until 2013. It also requires that any application filed before the sunset shall be processed to completion.

AB 2530 (Nielsen). Local Government: Williamson Act: Contracts.

Chapter 391, Statutes of 2010

This measure is in response to state budget raids on subvention payments to local agencies under the Williamson Act. With a 2015 sunset date, this measure allows counties to revise the terms for underlying land valuation in new contracts when the county receives less than 50 percent of the property tax revenue. Landowners may opt not to renew and begin the cancellation process.

AB 2565 (Ammiano). CEQA: Lead Agency Documents.
Chapter 210, Statutes of 2010

The measure authorizes a public agency to charge and collect a reasonable fee from members of the public for a copy of an environmental document, as defined, that does not exceed the cost of reproducing the environmental document (consistent with the process of the Public Records Act). The public agency is to provide the environmental document in an electronic format.

SB 1006 (Pavley). Natural Resources: Climate Change: Strategic Growth Council.

Chapter 632, Statutes of 2010

This measure includes special districts and joint powers authorities to the list of entities that may receive grants administered by the Strategic Growth Council.

***SB 1456 (Simitian). Environmental Quality. Cumulative Effects and Mediation.**
Chapter 496, Statutes of 2010 (Urgency)

This measure does a number of things related to mediating and litigating a case under California Environmental Quality Act (CEQA):

- Provides until 2016 that if a cumulative effect has been adequately addressed in a prior environmental impact report, it does not have to be examined in later environmental documents.
- Encourages use of the Mediation and Resolution of Land Use Disputes Law by allowing cross referencing it within the CEQA process
- Provides a defined process for attempting to mediate CEQA claims before litigation commences. Public agencies must provide notice within 20 days of filing for a time and place to meet to try and settle the litigation. Parties failing to participate without good cause are subject to court sanction.
- Sets a process for claimants to seek mediation with the public agency, provided such request is made within five days of filing an action. Lead agencies (or real parties in interest) have five business days to respond. No response is deemed a denial.
- Authorizes a court to impose a \$10,000 fine for filing a frivolous CEQA claim.
- Authorizes the Attorney General to request an expedited schedule on grounds that it is in the public interest to do so.

E. Mobilehome Parks

AB 2120 (Silva). Mobilehome Parks.

Chapter 90, Statutes of 2010

The management of a mobilehome park must provide all homeowners with a copy of the Mobilehome Residency Law whenever significant changes to the law are made. This measure allows management the option to notify homeowners that changes in the law have been made and that a copy may be obtained from management at no charge.

SB 951 (Correa). Mobilehome Parks Act.

Chapter 314, Statutes of 2010

This measure does two things with respect to the mobilehome inspections. First, it extends the sunset, until January 1, 2019, on the inspection provisions (including the charge of \$4 per lot) that authorize either the state Department of Housing and Community Development (HCD) or the local agency to inspect mobilehome parks. Second, it expands the reporting requirements relating to the task force of stakeholders that HCD convenes to seek input into the operation of the inspection program.

SB 1047 (Correa). Mobilehomes: Nonprofit Residential Mobilehome Park.

Chapter 175, Statutes of 2010

This measure clarifies that the tenant provisions of the Mobilehome Residency Law apply in nonprofit resident-owned mobilehome parks to members of the nonprofit mutual benefit corporation that lease a space in the park.

F. Redevelopment/Local Government Organization

AB 1641 (Hall). Redevelopment: Blighted Areas.

Chapter 665, Statutes of 2010

This measure clarifies that blighted areas may be characterized by the existence of housing constructed as government-owned projects constructed prior to January 1, 1960. Redevelopment agencies that use this definition of blight must provide replacement housing that is affordable to families of low and very low-income on a one to one basis and meet other requirements.

SB 530 (Dutton). Payments to Taxing Entities.

Chapter 170, Statutes of 2010

This measure applies existing redevelopment pass-through reporting and repayment requirements to project areas that were formed before January 1, 1994 and amended after January 1, 1994.

***AB 2406 (Blakeslee). Redevelopment: Pooled Housing Funds.
Chapter 209, Statutes of 2010**

This measure authorizes contiguous redevelopment agencies located within adjoining cities within a single metropolitan statistical area to create a pool of funds for constructing, rehabilitating and preserving extremely low affordable housing through a joint powers authority. Each participating community must have a state approved housing element and meet other requirements.

**SB 530 (Dutton). Payments to Taxing Entities.
Chapter 170, Statutes of 2010**

This measure applies existing redevelopment pass-through reporting and repayment requirements to project areas that were formed before January 1, 1994 and amended after January 1, 1994.

**SB 977 (Hollingsworth). Redevelopment.
Chapter 315, Statutes of 2010**

This measure provides specific provisions that only apply to the redevelopment agency of Riverside County.

**SB 1374 (Kehoe). Redevelopment: Plan Amendment Procedures.
Chapter 182, Statutes of 2010**

This measure applies to the process in which the effectiveness of a redevelopment plan is extended. It requires redevelopment officials to include detailed responses to the concerns expressed by the affected taxing agencies, project area committee, residents or community organizations. The redevelopment agency and the legislative body must consider comments at a public hearing.

G. Mortgage Legislation

**AB 2325 (Lieu). Mortgage Foreclosure Consultants: Loan Audits.
Chapter 596, Statutes of 2010**

This measure addresses the growing problem of forensic loan audits, which the Attorney General has characterized as "phony foreclosure-relief services," in which homeowners pay up-front fees for a forensic review of their lender's practices but are provided no actual foreclosure relief. This measure expands the definition of "mortgage foreclosure services" to include audits, thereby subjecting auditors to state regulation of mortgage foreclosure consultants.

**AB 2347 (Feuer). Mortgage Defaults: Secondary Public Financing.
Chapter 597, Statutes of 2010**

This measure allows until 2013 public entities to delay a non-judicial foreclosure sale on a property that has five or more units by 60 days if the public entity is a party to a regulatory agreement or recorded deed restriction on the property. This power may only be exercised once and expires 180 days after the notice of default has been filed.

SB 931 (Ducheny). Mortgages: Deficiency Judgments.
Chapter 701, Statutes of 2010

This measure prohibits a deficiency judgment in circumstances where a homeowner sells his or her property (up to four units) for less than the loan amount (a “short sale”) with the permission of the lender. The sale proceeds must be treated as full payment of the obligation. This measure only applies to first mortgages.

SB 1149 (Corbett). Residential Tenancies: Foreclosure.
Chapter 641, Statutes of 2010

This measure includes several provisions to protect residential tenants when their property is foreclosed, including that the immediate successor in interest shall attach a cover sheet, as prescribed, to any notice of termination of tenancy served on a tenant of that property within one year after the foreclosure sale.

SB 1221 (R. Calderon). Mortgages: Notice of Sale.
Chapter 180, Statutes of 2010

This measure permits a notice of a sale in non-judicial foreclosures to be given five days earlier than allowed under current law (i.e. 85 days after recording the Notice of Default, rather than three months). This assures that recording delays do not delay the actual sale or otherwise shorten the foreclosure process.

***SB 1427 (Price). Foreclosures: Property Maintenance.**
Chapter 527, Statutes of 2010

This measure addresses when and how a local agency may impose fines and penalties for failing to maintain properties that are subject to a notice of default. Existing state law only applies to properties in which the foreclosure has already occurred. The local agency must first find that a condition on the property threatens health and safety and then provide notice and an opportunity to cure to the owner of the property. The costs of abatement cannot exceed the actual and reasonable costs. Finally, the agency cannot impose an assessment or lien unless the costs that constitute the assessment have been adopted by the legislative body at a public hearing.

H. Economic & Community Development

AB 41 (Solorio). Insurance Companies. Community Investments.
Chapter 340, Statutes of 2010

This measure requires insurance companies writing premiums in California in excess of \$100 million annually to develop and file as public information a policy statement on community development and infrastructure investments with the Insurance Commissioner. Establishes fixed dates by which all admitted insurers shall report their community development investments to the Department of Insurance.

AB 1011 (Jones). Insurance, Green Investments.**Chapter 418, Statutes of 2010**

Current law requires insurance companies to provide information on all community development and infrastructure investments. This measure adds energy efficiency, infill housing and other measures to reduce greenhouse gases to the definition of community development and infrastructure investments and requires the Insurance Commissioner to post summaries of each company's investments every two years.

AB 2798 (Committee on Jobs, Economic Development & Economy).**Definitions of Economic Development.****Chapter 613, Statutes of 2010**

This measure provides additional definitions affecting economic development including: "emerging domestic market," "financial intermediary," "community intermediary" and "triple bottom line."

VII. Public Safety

A. Controlled Substances

***AB 605 (Portantino). Alcoholic Beverages. Instructional Tasting Events. Chapter 230, Statutes of 2010**

This measure allows holders of off-sale retail licenses (a license to sell alcohol to be consumed at a different location) to obtain an additional license for an "instructional tasting" (an on-site sampling subject to a set of regulations). Although the licensees do not have to obtain local approval for the instructional tasting, the event otherwise must conform to local regulations. Convenience stores are not eligible for instructional tasting licenses.

AB 1601 (Hill). Vehicles. Driving-Under-the-Influence. Repeat Offenders. Chapter 301, Statutes of 2010

This measure permits a court to order a 10-year revocation of a driver's license for a person convicted of three or more separate driving under the influence (DUI) offenses. Also allows the individual to apply to the Department of Motor Vehicles five years after their last DUI conviction to repeal the 10-year revocation. The repeal is subject to various requirements including having no other alcohol or drug related offenses during that five-year period.

AB 1701 (Chesbro). Hypodermic Needles and Syringes. Chapter 667, Statutes of 2010

This measure extends the sunset date, from December 31, 2010, to December 31, 2018, of the Disease Prevention Demonstration Project, which permits cities or counties to authorize licensed pharmacists to sell or furnish 10 or fewer hypodermic needles or syringes to a person for use without a prescription. This allows final review by the Department of Public Health on the effectiveness or needle exchange programs and impacts of unsafely discarded needles.

AB 1896 (Jeffries). Alcoholic Beverage Control. Proof of Age. Chapter 165, Statutes of 2010

This measure revises the current statute relating to the use of military identification cards as proof of age for purposes of purchasing or consuming alcoholic beverages. The measure specifies that a valid identification card issued to a member of the Armed Forces that includes the date of birth and a photo of the person, under all circumstances, constitutes bona fide evidence of age.

***AB 1999 (Portantino). Underage Drinkers. Immunity from Prosecution.
Chapter 245, Statutes of 2010**

This measure provides that a person under the age of 21 years old shall be immune from prosecution for possession or consumption of an alcoholic beverage when that person reports an alcohol-related medical emergency concerning him or herself or another person. Immunity will be granted only if the following conditions are met:

- The underage person calls 9-1-1 to report need of medical assistance for another person for alcohol consumption;
- They are the first person to call 9-1-1 for assistance;
- They stay with the individual needing medical attention; and
- They cooperate with law enforcement personnel on the scene.

***AB 2486 (Feuer). Social Host Liability. Furnishing Alcohol to Underage Persons.**

Chapter 154, Statutes of 2010

This measure holds a parent, guardian or another adult legally accountable for damages who knowingly furnish alcoholic beverages at his or her residence to a person under 21 years of age when the furnishing of alcoholic beverages may be found to be the proximate cause of injuries or death.

***AB 2650 (Buchanan). Medical Marijuana.**

Chapter 603, Statutes of 2010

This measure imposes a new 600-foot separation requirement between a public or private K-12 school and a medical marijuana dispensary, cooperative or establishment. It grandfathered in a contradictory local zoning provision (for example, approving a dispensary closer than 600 feet) that is adopted before January 1, 2011 and also allows local agencies to adopt greater separation requirements at any point in the future.

SB 1449 (Leno). Marijuana. Possession.

Chapter 708, Statutes of 2010

This measure reclassifies possession of less than 28.5 grams of marijuana from a misdemeanor to an infraction, maintains the \$100 fine and removes booking and drug treatment and education referral requirements. This reclassification does not change the associated penalties but instead aligns current penalties (fine with no jail time) with existing penalty classifications.

B. Corrections & Parole

AB 552 (Solorio). Correctional Facilities.

Chapter 22, Statutes of 2010 (Urgency)

This measure allows AB 900 (Chapter 7, Statutes of 2007) bond funding, previously authorized for building new infill beds, to be used to build beds and treatment spaces serving inmates with medical and mental health needs. It also authorizes bond money expenditure for the renovation of facilities serving this population.

AB 1628 (Committee on Budget). Corrections.*Chapter 729, Statutes of 2010 (Urgency)**

This measure, building on corrections programs established in SB 81 (Chapter 175, Statutes of 2007), this measure makes several changes in an effort to reduce General Fund expenditures by \$1.1 billion. Specifically, it builds upon the Youthful Offender Block Grants by continuing to shift the juvenile corrections population from state Division of Juvenile Justice to county supervision and shifting parole responsibilities, along with sufficient funding resources, to county probation offices for eligible youth offenders.

In addition, this measure creates a state-run pharmacy program and maximizes opportunities to apply Medi-Cal funding to inmates. Changes are also made to the siting, contracting and construction of state-run re-entry facilities, with an additional \$200 million bond appropriation for this purpose from the State Public Works Board. AB 1628 also requires additional audits and program planning to ensure inmate health outcomes and cost-effectiveness measures are being achieved in the promotion of performance-based management.

ABx8 3 (Committee on Budget). Fines and Forfeitures: Forensic Laboratories: Alcohol Beverage Control Fund: Inmate Education. Chapter 3, Statutes of 2010, Eighth Extraordinary Session

This measure increases from \$1 to \$3 (for every \$10 assessed) the levy on fines local law enforcement agencies must pay for the use of DOJ forensic laboratories. Also transfers federal funds from within various Alcohol Beverage Control accounts. Also makes changes to inmate education programs.

ACR 140 (Adams). Undocumented Foreign Nationals: Incarceration: Reimbursement.**Resolutions Chapter 49, Statutes of 2010**

This resolution urges the Governor to demand the federal Bureau of Justice Assistance reimburse the State of California for all costs of incarcerating undocumented foreign nationals.

SB 76 (Committee on Public Safety). Committee on Public Safety. Inmates. Incentive Credits.**Chapter 426, Statutes of 2010 (Urgency)**

This measure provides a technical clean-up related to the good-time/work-time sentence reduction credit provisions of the California Community Corrections Performance Incentives Act of 2009 (SB 678, Chapter 608, Statutes of 2009) that were undone with the enactment of the 2009 corrections budget trailer bill (SBx3 18, Chapter 28, Statutes of 2009, Third Extraordinary Session). This measure ensures that eligible inmates are able to stay in county facilities under the community corrections program, rather than being transferred to a state prison facility.

SB 1265 (Dutton). Forensic Conditional Release Program.**Chapter 50, Statutes of 2010**

This measure authorizes the Forensic Conditional Release Program (CONREP), providing outpatient services to judicially committed persons released into the community, to inform local law enforcement agencies of the names and addresses of persons participating in a CONREP program in the agencies jurisdiction.

SB 1399 (Leno). Parole. Medical Parole. Permanently Medically Incapacitated Inmates.**Chapter 405, Statutes of 2010**

This measure provides that eligible inmates who are permanently medically incapacitated shall be granted medical parole provided under the following conditions:

- The medical condition renders the inmate permanently unable to perform activities of basic daily living;
- The medical condition results in the prisoner requiring 24-hour care; and
- The Board of Parole Hearings shall determine that the conditions that the prisoner would be released to do not pose a public safety threat.

C. Crimes/Sentencing**AB 668 (Lieu). Trespass.****Chapter 531, Statutes of 2010**

This measure expands the crime of trespass to include individuals convicted of any crime upon a premises and who re-enters that premises once they have been informed they are no longer welcome to do so. The measure also increases the associated time prohibition on a sliding scale relative to the severity of their conviction, beginning with an indefinite prohibition for violent felonies committed on the premises.

AB 674 (Salas). Criminal Procedure. Veterans.**Chapter 347, Statutes of 2010**

This measure allows a court to order a defendant who suffers from trauma, substance abuse or mental health problems that resulted from military service into a treatment program or veterans' court for a period not to exceed the sentence they would have otherwise served in state prison or jail.

AB 1800 (Ma). Unlawful Rental of Residential Dwelling. Penalties.*Chapter 580, Statutes of 2010**

This measure increases the penalty for the unlawful rental of a residential dwelling in an effort to reduce rentals of foreclosed or abandoned homes by a third party who has no legal claim to the property. The penalties increase from six months in the county jail, a fine of not more than \$1000 or by both imprisonment and fine, to up to one year in the county jail, a fine of not more than \$2500 or by both imprisonment and fine.

AB 2263 (Yamada). Sentencing.
Chapter 256, Statutes of 2010

This measure extends until January 1, 2012, current law that states the court shall, at its discretion, impose the term or enhancement that best serves the interest of justice. Prior to the enactment of this provision in 2007, the courts were to give the middle sentence for imprisonment when the state statute provides three options for terms of imprisonment. This was later deemed a constitutional violation of a person's Sixth Amendment right by the United States Supreme Court in *Cunningham v. California* (2007).

AB 2324 (J.A. Pérez). Transit. Public Transit Facilities.
Chapter 675, Statutes of 2010

This measure creates new misdemeanors and recasts fines and punishments for crimes committed in a public transit facility, including possession of a firearm, explosive device or other weapon and other restrictions as posted by the transit operator.

AB 2372 (Ammiano). Grand Theft. Property Value Threshold.
Chapter 693, Statutes of 2010

This measure increases the value threshold for crimes to be classified as "grand theft" from \$450 to \$900, to account for inflation since the last update of the "grand theft" value threshold in 1982.

AB 2471 (J.A. Pérez). Vehicles. Identification Cards and Drivers' Licenses.
Chapter 684, Statutes of 2010

This measure expands current prohibitions on manufacturing or selling fake California identification cards (IDs) or drivers' licenses to include prohibitions on IDs that purportedly carry the same rights and privileges of California state-issued cards. This new misdemeanor carries a penalty of \$250 to \$1,000 in addition to 24 hours of community service or a one year jail term and up to a \$1,000 fine at the court's discretion.

SB 830 (Wright). Recording Crimes.
Chapter 480, Statutes of 2010

This measure expands the definition of a "recording" for the purposes of prosecution for failing to disclose the origin of a recording when utilizing the recording for financial gain, specifying that recording sources include memory cards, flash drives, hard-drives or data storage devices.

***SB 857 (Committee on Budget). Courts Funding Package.**
Chapter 720, Statutes of 2010 (Urgency)

This measure authorizes increases to various court fees, including filing fees and penalty assessments, to backfill funding shortages that contributed to court furlough days and staff reductions. Of most significance to cities, this measure levies an additional \$3 fee on all parking citations to be transmitted to the Trial Court Trust Fund. This fee is in addition to the \$4.50 currently in statute to fund court operations. The

parking surcharge goes into effect December 7, 2010 and sunsets on July 1, 2013. Cities are required to transmit the \$3 for every citation collected to the county treasurer on a monthly basis.

***SB 949 (Oropeza). Vehicles. Local Authority. Assessing Penalties.**

Chapter 616, Statutes of 2010

This measure clarifies that the provisions of the California Vehicle Code are applicable throughout the state. It also clarifies that local authorities may not enact or enforce an ordinance related to matters covered in the state Vehicle Code, including ordinances or resolutions that establish regulations or procedures for, or assess a fine, penalty, assessment or fee for a violation of the Vehicle Code, unless expressly authorized to do so. This measure becomes operative on July 1, 2011 to allow local jurisdictions with non-compliant municipal codes to align their codes, related procedures and budget planning with the appropriate state codes.

D. Fire Service/Emergency & Disaster Response

***AB 1648 (Jeffries). Vehicles. Firefighter's Operation of Firefighting**

Equipment. Driver Records.

Chapter 360, Statutes of 2010

This measure sets forth new driver's license requirements for firefighters operating firefighter equipment so that fire department employees are no longer required to be tested for a commercial vehicle license through the Department of Motor Vehicles' (DMV's) Employee Testing Program, which saves staff time and expense. Specifically, AB 1648 exempts all firefighting equipment from the list of vehicles that require a commercial driver's license for operation, so long as it is operated by a person who holds a firefighter endorsement (proof of successfully completed operator training conducted by a credentialed instructor and submission of medical examination report). While this measure does maintain the requirement that fire departments participate in the DMV's Employer Pull Notice (database of employees' driving records), it waives those associated fees. Finally, the measure maintains that a fire department may still require a driver to hold a commercial driver's license.

***AB 1660 (Salas). Airports. Emergency Aircraft Flights for Medical**

Purposes.

Chapter 54, Statutes of 2010

This measure expands the definition of "emergency aircraft flights for medical purposes" to include those flights that are the return, non-emergency flights of aircraft used during a medical emergency or emergency personnel and first responders involved in treating the medical emergency, for the purpose of returning the aircraft or equipment back to the base of operation. Current federal law provides aircrafts defined as "emergency aircraft flights for medical purposes" are exempted from local ordinances restricting arrival and departure hours.

AB 1773 (Mendoza). State Fire Marshal. Inspections and Licensing.
Chapter 161, Statutes of 2010

This measure authorizes the State Fire Marshal to issue civil penalties wholly or partially in lieu of suspending the license of an individual or business that violates fireworks and portable fire extinguisher and automatic extinguisher laws.

AB 2243 (Smyth). Civil Law. Search and Rescue Dogs.
Chapter 92, Statutes of 2010

This measure clarifies the state's emergency services law to, amongst other things, prohibit the discrimination against the handler of a search and rescue dog in hotels, lodging establishments, eating establishments or public transportation who are serving in their official capacity during a declared federal, state or local emergency, or an official mutual aid request or training.

***SB 183 (A. Lowenthal). Residential Building Safety.**
Chapter 19, Statutes of 2010

This measure enacts the Carbon Monoxide Poisoning Prevention Act of 2010 requiring all existing dwellings intended for human occupancy that have a fossil fuel burning appliance, a fireplace or an attached garage to install a carbon monoxide detection device (CO device). All single-family dwellings must have a CO device by July 1, 2011 and all other dwellings must have a CO device by January 1, 2013.

***SB 1220 (Wolk). Vehicles. Emergency Vehicles. Fire Apparatus.**
Chapter 487, Statutes of 2010

This measure expands the list of vehicles exempt from size and weight limits in state law to include vehicles that are used to transport personnel and equipment under emergency conditions, to support the suppression of fires or to mitigate other hazardous situations. This measure clarifies an earlier state Vehicle Code definition made obsolete by the federal Office of Homeland Security local response strategies.

E. Gaming/Gambling

AB 441 (Hall). Local Gaming.
Chapter 530, Statutes of 2010

This measure modifies provisions of the Gambling Control Act as it relates to the limit on increasing the number of gambling tables that a local jurisdiction may authorize without voter approval and clarifies the exemptions to existing moratorium on card table expansion.

AB 1753 (Hall). Slot Machines.
Chapter 577, Statutes of 2010

This measure increases the fines for repeat slot machine-related offenses in an effort to deter the proliferation of unlicensed slot machine activity.

SB 1090 (Cedillo). Bingo. Remote Caller Bingo.
Chapter 514, Statutes of 2010

This measure expands the types of organizations that may conduct remote caller bingo, allowing an organization to file, with its application to the local licensing official, appropriate documentation to demonstrate that the applicant is an eligible tax-exempt organization authorized to operate a remote caller bingo game. This measure also increases the permitted number of days organizations may conduct remote caller bingo from one day to two days per week.

F. Gangs/Youth Violence

AB 2632 (Davis). Gang Injunctions. Violations. Contempt of Court.
Chapter 677, Statutes of 2010

This measure designates a violation of the terms of an injunction that restrains the activities of a criminal street gang or any of its members as a contempt of court, punishable as a misdemeanor, with the intent of better tracking effectiveness of gang injunctions and providing law enforcement and the courts with additional tools for enforcement and sentencing.

AJR 40 (Huffman). Gang Violence Prevention.
Resolutions Chapter 42, Statutes of 2010

This resolution urges Congress and President Obama to provide greater flexibility of federal funds for local agencies implementing multijurisdictional and cross-disciplinary local gang violence reduction plans and best practices with proven or promising results.

G. Identification Protection/Confidentiality

SB 938 (Huff). Department of Motor Vehicles. Records. Confidentiality.
Chapter 280, Statutes of 2010

This measure makes changes to those individuals who are afforded additional confidentiality of Department of Motor Vehicles records because of their peace officer or public official status, as provided under current law, by removing a spouse or child of a peace officer or public official from that confidentiality list if that spouse or child has been convicted of a crime or is on active parole or probation. Requires that the peace officer or public official declare at the time of requesting confidentiality for family members that they have not been convicted of a crime and are not currently on parole or probation.

SB 1233 (Oropeza). Confidential Address Program.
Chapter 326, Statutes of 2010

This measure makes permanent the "Safe at Home" program that allows victims of domestic violence or stalking, or reproductive health workers, to apply to request that an alternate address be used in public records, enabling state and local agencies to

respond to public records requests without disclosing the changed name or location of a victim or reproductive health worker.

H. Law Enforcement Personnel

AB 1532 (Lieu). Code Enforcement Officers.

Chapter 117, Statutes of 2010 (Urgency)

This measure defines the term "code enforcement officer" in the Penal Code for the purpose of increasing eligibility of local code enforcement programs for federally funded grants.

AB 2210 (Fuentes). Intercepted Communications. Hostage Taking and Barricading.

Chapter 380, Statutes of 2010

This measure closes a loophole so that peace officers are not liable for civil or criminal liability resulting from the designated law enforcement personnel eavesdropping in a barricade or hostage situation.

***AB 2253 (Coto). Workers' Compensation. Cancer Presumption.**

Chapter 672, Statutes of 2010

Current law extends the cancer presumption for police and firefighters for a period of three months for every year of service up to five years. This measure extends from five to ten years the time period that a safety member can file a workers' compensation cancer claim with a presumption that the cancer is work-related.

AB 2635 (Portantino). Communicable Disease. Involuntary Testing.

Chapter 688, Statutes of 2010

This measure adds non-sworn law enforcement agency employees whose job duties include the collection of fingerprints to the list of persons who can have an arrestee's blood tested for communicable diseases when the non-sworn employee is exposed to the arrestee's bodily fluids.

***SB 839 (Runner). Emergency Alert System. Law Enforcement Officers.**

Chapter 311, Statutes of 2010

This measure establishes a "blue alert" system similar to the Amber Alert system to notify the public when a law enforcement officer has been attacked and killed, suffers serious bodily injury or has been attacked with a deadly weapon and the suspect flees the scene. If these conditions are met, and the designated law enforcement agency investigating the attack deems the suspect to be an imminent threat to public safety, they may request that the California Highway Patrol distribute a "blue alert."

SB 1190 (Cedillo). Animal Control Officers and Illegal Dumping Officers: Baton Training.*Chapter 109, Statutes of 2010**

This measure removes the requirement that animal control officers and illegal dumping enforcement officers complete training certified by the Department of Consumer Affairs in order to be permitted to carry a club or baton. Instead, the measure requires the officers to complete training approved by the Commission on Peace Officer Standards and Training in order to carry a club or baton.

SB 1296 (Correa). Peace Officer Training. Traumatic Brain Injury. Post-Traumatic Stress Disorder.**Chapter 490, Statutes of 2010**

This measure provides that upon the determination by the Commission on Peace Officer Standards and Training (POST) that a need to provide peace officer training addressing persons with traumatic brain injury or post-traumatic stress disorder exists, POST will create and make available during their next review cycle of training standards materials addressing these individuals. These activities are to be conducted in coordination with the Department of Veterans Affairs and other leading state and local organizations with expertise on these mental health conditions.

I. Minors/Youth***AB 34 (Nava). Reports of Missing Persons. Violent Crime Information Center.****Chapter 225, Statutes of 2010**

This measure, as of January 1, 2012, changes missing person reporting requirements for local law enforcement agencies and data reporting requirements for the Violent Crimes Information Center (VCIC). Specifically, the measure changes the age cutoff of reported missing persons that must be reported to the Attorney General's office from 16 to 21 years old. It also shortens the timeline for local law enforcement agencies to report this information to the VCIC and the National Missing and Unidentified Persons System from four to two hours. In return, the VCIC must participate in data sharing and dissemination with National Missing and Unidentified Persons on information contained in law enforcement reports regarding missing or unidentified persons.

AB 658 (Hayashi). Taxpayer Contributions. California Police Activities League (CALPAL) Fund.**Chapter 346, Statutes of 2010**

This measure adds the California Police Activities League checkoff to the personal income tax form upon the removal of another voluntary contribution fund from the form. The funds will support community programs uniting law enforcement with youth through athletics, educational opportunities and trainings.

AB 1022 (Nava). Missing Children.**Chapter 232, Statutes of 2010**

This measure establishes a position of director within the California Department of Justice responsible for coordinating California's response to missing persons with local law enforcement agencies. This position will assist law enforcement agencies, at their request, with the timely search and recovery of at-risk abducted children and serve as a clearinghouse for statewide best practices, protocol and technology used in missing person investigations.

AB 1048 (Torrico). Child Protection. Safe Surrender.**Chapter 567, Statutes of 2010**

This measure allows a local fire agency, upon approval of the appropriate local governing board, to designate safe-surrender sites for accepting physical custody of a minor child, 72 hours old or younger.

AB 1983 (Torrico). Personal Income Taxes. Voluntary Contributions. Safely Surrendered Baby Fund.**Chapter 587, Statutes of 2010**

This measure adds the Safely Surrendered Baby Fund checkoff to the personal income tax form upon the removal of another voluntary contribution fund from the form. The funds will fund public outreach and awareness of the Safely Surrendered Baby Law.

SB 880 (Yee). Public Safety. Snow Sport Helmets.**Chapter 278, Statutes of 2010**

This measure requires a person 18 years of age or younger to wear a properly fitted and fastened snow sport helmet that meets specified standards while downhill skiing or snowboarding, or while riding upon a seat or other device that is attached to a ski or snowboard, and imposes a fine of \$25 for a violation of this requirement.

J. Public Safety & Technology**AB 302 (Beall). Deadly Weapons. Prohibited Persons. Reports.****Chapter 344, Statutes of 2010**

This measure changes the current reporting requirements for mental health facilities when providing notice to the Department of Justice (DOJ) that an individual is no longer allowed to lawfully possess a deadly weapon due to them being deemed a threat to others or themselves by that mental health facility. This measure would require that information to be transmitted electronically to the DOJ to expedite notification and avoid lag time in alerting fire arm dealers and local law enforcement agencies.

***AB 2091 (Conway). Public Records. Information Security.
Chapter 205, Statutes of 2010**

This measure exempts from disclosure under the California Public Records Act public agency security records that would reveal vulnerabilities of an information technology system or increase the potential for cyber attacks.

**AB 2408 (Smyth). State Government Information Technology.
Chapter 404, Statutes of 2010**

This measure continues the implementation of the Governor's Reorganization Plan Number 1 of 2009 and renames the Office of the State Chief Information Officer to the California Technology Agency (CTA) and the name of the State Chief Information Officer to the Secretary of California Technology. This measure streamlines various agencies' responsibilities, contract procurements and reporting requirements. Also, it requires the Public Safety Communications Division within the CTA to oversee radio transmitting devices owned or operated by state agencies and departments, public safety communications systems and facilities and microwave communications systems operated by the state (except equipment used exclusively for traffic signal and signing control, traffic metering and roadway surveillance systems).

**AB 2505 (A. Strickland). Warrants. Electronic Signature.
Chapter 98, Statutes of 2010**

This measure allows a warrant to be signed electronically when the magistrate receives the request for the warrant electronically.

***AB 2567 (Bradford). Vehicles. Parking Violations. Digital Photograph Recordings.
Chapter 471, Statutes of 2010**

This measure authorizes, until January 1, 2016, local public agencies to use automated parking enforcement systems for street sweeping-related violations and requires those participating agencies to report to the legislature no later than January 1, 2015, the results of their automated parking enforcement programs.

**AB 2689 (Smyth). Rabies Vaccinations.
Chapter 45, Statutes of 2010 (Urgency)**

This measure provides local agencies with additional options by which rabies vaccination verification may be shared and submitted by the pet owner, including electronic transmission and fax.

***SB 1375 (Price). Telephone Corporations. Residential Telephone Service.
Chapter 332, Statutes of 2010**

This measure changes the requirements for telephone corporations to provide 9-1-1 emergency call service to all telephone lines and instead only requires continued service to telephone lines with subscribed basic service. Previously, telephone corporations were required to provide 9-1-1 service to all telephone lines, regardless if there is a current subscriber or payment for that service. This measure permits telephone corporations to remove 9-1-1 service from a telephone line 120 days after the

telephone line has been disconnected for nonpayment. Telephone corporations may also disconnect lines with no current subscription so long as the corporations provide at least a 90 day notice that the disconnection is pending to the last known address on record associated with the line.

K. Sexual Offender Management

***AB 33 (Nava). Child Abduction: Sex Offender Identification.**

Chapter 224, Statutes of 2010

This measure mandates the release of information related to sex offenders when a stranger abduction occurs. This measure requires that the investigative support unit within the Attorney General's Violent Crime Information Center release pertinent information to local law enforcement within two hours of the reported abduction. It also requires, among other things, that local law enforcement agencies to develop, by January 1, 2012, a checklist and best practice guidelines for investigations, report filing and family notification by their peace officers.

***AB 1844 (Fletcher). Sex Offenders. Punishment. Parole.**

Chapter 219, Statutes of 2010

This measure enacts "Chelsea's Law," which increases penalties for forcible sex acts against minors, creates a penalty of life without the possibility of parole for specified sex acts against minors, creates a misdemeanor charge for felony sex offenders who loiter in parks and mandates lifetime parole for specified sex offenses.

***SB 1201 (DeSaulnier). Sex Offenders. Assessments.**

Chapter 710, Statutes of 2010

This measure requires that sex offender parolees who are transferred from other jurisdictions to the California Department of Corrections and Rehabilitation, be risk assessed pursuant to the requirements of the California State-Authorized Risk Assessment Tool for Sex Offenders. Previously, parolees transferred from out-of-state or the federal government were not required to undergo the assessment.

SB 1253 (T. Strickland). Probation. Sex Offender.

Chapter 49, Statutes of 2010

This measure prohibits a person convicted of lewd or lascivious acts upon or with the body of a child, or of continuous sexual abuse of a child, from being placed or residing within one-half mile of the child victim's residence for the duration of his or her probation term unless the court, on the record, states its reasons for finding that this residency restriction would not serve the best interest of the victim.

L. Other Public Safety Items

***AB 2756 (Blumenfield). Mobile Billboard Advertising Displays. Local Ordinances.**

Chapter 615, Statutes of 2010

This measure authorizes cities and counties to enact local ordinances regulating mobile billboards, including penalties that may address the removal of a mobile billboard under certain circumstances. It also defines a mobile billboard advertising display as being attached to a wheeled, mobile, non-motorized vehicle that carries, pulls or transports a sign or billboard, and is for the primary purpose of advertising.

SB 677 (Yee). Human Trafficking. Property. Seizure.

Chapter 625, Statutes of 2010

This measure provides that, upon a person being convicted of human trafficking real property used to facilitate the offense can be found to be a public nuisance and the remedies applicable under the nuisance or "Red Light Abatement" statutes shall also apply. Those remedies include closing the property for one year and a civil fine of up to \$25,000. The "Red Light Abatement" statutes currently apply to conduct including gambling, prostitution and lewdness.

SB 1062 (T. Strickland). Public Safety Omnibus Bill.

Chapter 709, Statutes of 2010

This measure makes technical and corrective changes to various code sections relating to criminal justice that are non-controversial in nature.

SCR 63 (Yee). Secondhand Goods.

Resolutions Chapter 16, Statutes of 2010

This measure urges the Department of Justice to ensure compliance with a requirement that the department develops a standard format to be used statewide for purposes of reporting secondhand dealer transactions as was required by SB 1520 (Schiff, Chapter 994, Statutes of 2000).

VIII. Revenue and Taxation

A. Bonds, Debts and Investments

***SB 77 (Pavley). Energy: California Alternative Energy and Advanced Transportation Financing Authority: Property Assessed Clean Energy (PACE).**

Chapter 15, Statutes of 2010 (Urgency)

This measure creates a state PACE Reserve program to assist local jurisdictions in financing the installation of distributed generation of renewable energy sources or energy or water efficiency improvements. This measure authorizes the California Alternative Energy and Advanced Transportation Financing Authority (CAEATFA) to purchase and pool locally-issued PACE bonds for sale.

SB 841, SB 842 and SB 843 (Committee on Local Government). Validations. Chapters 16, 171 and 172, Statutes of 2010 (Urgency)

These measures, which were chaptered at intervals during the legislative 2010 year, validate the organization, boundaries, acts, proceedings and bonds of the state, counties, cities, special districts, school districts, redevelopment agencies and other public agencies to enhance confidence in those actions and financial mechanisms.

SB 1344 (Kehoe). Local Agency Investments.

Chapter 112, Statutes of 2010

This measure deletes the January 1, 2012, sunset date on current law provisions that allow local agencies to invest up to 30% of surplus funds in certificates of deposit (CD) with a commercial bank, savings bank or credit union. Additionally, this measure provides that only a local agency that has authority to invest under other provisions of law may invest surplus funds in CDs.

B. Property Tax/Property-Related Measures

AB 157 (Anderson). Property Taxation: Transfer of Base Year Value: Disaster Relief.

Chapter 341, Statutes of 2010

This measure allows the County of San Diego to extend by two years the time period for transferring the base year value of property substantially damaged or destroyed by the Cedar Fire that began in October 2003.

AB 308 (Cook). Property Taxation: IVDA State Assessed Utility Property. Chapter 433, Statutes of 2010 (Urgency)

This measure continues the existing property tax allocation methodology for utility property located within the Inland Valley Development Authority, thereby avoiding an alternative allocation that would have been triggered by a recent change in utility ownership.

AB 384 (Ma). Property Taxation: Airline Fleet Valuation. Chapter 228, Statutes of 2010

Updates and extends to FY 2014-15 the existing process used by county assessors to determine the fair market value of certificated aircraft.

AB 900 (De Leon). Property Taxation: City of Bell: Refunds for Overpayment.

Chapter 223, Statutes of 2010 (Urgency)

This measure requires the City of Bell to reimburse its taxpayers for property tax that was collected without necessary legal authority.

AB 1662 (Portantino). Disaster Relief.

Chapter 447, Statutes of 2010 (Urgency)

This measure provides that the state will backfill lost property taxes that resulted from the 2009 wildfires (in Los Angeles and Monterey counties) and the 2010 severe winter storms (Calaveras, Imperial, Los Angeles, Orange, Riverside, Kern, Placer, San Bernardino, San Francisco and Siskiyou counties). This measure also clarifies that specified properties affected by the disaster above remain eligible for the homeowners' property tax exemption and allows the excess disaster loss to be carried to other taxable years.

AB 1690 (Chesbro). Disaster Relief: County of Humboldt Earthquake.

Chapter 449, Statutes of 2010 (Urgency)

This measure provides that the state will backfill lost property taxes that resulted from the 2010 earthquake in Humboldt County. Also clarifies that specified properties in Humboldt County affected by the 2010 earthquake remain eligible for the homeowners' property tax exemption and allows the excess disaster loss to be carried to other taxable years.

AB 2136 (V.M. Pérez). Disaster Relief: County of Imperial Earthquake.

Chapter 461, Statutes of 2010 (Urgency)

This measure provides that the state will backfill lost property taxes that resulted from the 2010 earthquake in Imperial County. It clarifies that specified properties in Imperial County affected by 2010 earthquake remain eligible for the homeowners' property tax exemption and allows the excess disaster loss to be carried to other taxable years. The measure also revises provisions of the CalHome Program Disaster Assistance in Imperial County for properties impacted by the 2010 earthquake.

AB 2314 (Block). Property Tax Exemption: Disabled Veterans: Procedure.
Chapter 150, Statutes of 2010

This measure extends the time period for a disabled veteran to file a property tax exemption claim when the veteran has not received a disability rating from the United States Department of Veterans Affairs.

SB 85 (Cogdill). Property Tax Relief: Counties.
Chapter 5, Statutes of 2010

This measure provides limited property tax relief to seven counties (Alpine, Lassen, Mariposa, Plumas, Stanislaus, Trinity and Yolo). Costs of this relief are borne by the state General Fund via school backfill.

SB 1250 (Ducheny). Taxation: Military Housing.
Chapter 327, Statutes of 2010

This measure expands the property tax exemption currently provided to private operators of family housing on military bases to include private operators of non-family housing on military bases.

SB 1494 (Committee on Revenue and Taxation). Taxation.
Chapter 654, Statutes of 2010

This measure makes several changes to property tax law. While most of the changes are clarifying in nature, one provision will permanently preclude county assessors from revoking homeowners' exemptions for disaster-affected property upon a declaration of disaster from the Governor. This language will cancel the need for special purpose legislation for each individual disaster.

C. Sales and Use Tax and Other Revenues

***SB 71 (Padilla). Economic Development: Sales and Use Tax Exclusions: Environmental Technology Project.**
Chapter 10, Statutes of 2010 (Urgency)

This measure allows for a sales tax exemption for any tangible personal property that is utilized for the design, manufacturer, production or assembly of advanced transportation technologies or alternative source products, components or systems. It contains an initial \$100 million cap as well as limitations and definitions associated with the tax break. The sales tax exemption applies to the state and local shares of the sales tax.

SB 1192 (Oropeza). Airports: Rental Car Facility Fees.
Chapter 642, Statutes of 2010

This measure allows an airport to charge the customer facility charge (CFC) based on the number of days a vehicle is rented, up to a maximum of five days, rather than a flat rate per contract. This measure also expands the uses of CFC revenues to include the financing, design and construction of common-use transportation systems, such as a

consolidated rental car facility. Funds can also be used to acquire necessary vehicles for the system. Any airport wishing to exercise this authority must do so by January 1, 2018.

D. State Budget

Mid-Year 2009-10 Budget Changes

SB 849 (Ducheny). Budget Act of 2009: Augmentation. Chapter 628, Statutes of 2010 (Urgency)

This measure appropriates \$654 million (general fund) to augment the 2009 Budget Act for unanticipated expenditures. One of the augmentations is to cover costs associated with Shaw v. Chiang which found that the state could not shift Public Transportation Account payments to pay for Regional Center transportation costs, among other things.

2010-11 March Budget Deal

ABx8 3 (Committee on Budget). Fines and Forfeitures: Forensic Laboratories: Alcohol Beverage Control Fund: Inmate Education. Chapter 3, Statutes of 2010, Eighth Extraordinary Session

This measure increases from \$1 to \$3 (for every \$10 assessed) the levy on fines local law enforcement agencies must pay for the use of Department of Justice forensic laboratories. The measure also transfers federal funds from within various Alcohol Beverage Control accounts and makes changes to inmate education programs.

***ABx8 5 (Committee on Budget). State Cash Resources. Chapter 1, Statutes of 2010, Eighth Extraordinary Session (Urgency)**

This measure defers various appropriations to state universities, county social services programs and other programs for FY 2010-11. This cash flow proposal defers Highway Users Tax Account payments not exceeding \$50 million monthly from cities and counties combined from July 2010 through March 2011, with repayment no later than May 2, 2011. Counties and cities within counties with a population under 50,000 are exempted from the deferrals.

***ABx8 6 (Committee on Budget). Sales and Use Taxes: Motor Vehicle Fuel Tax: Diesel Fuel Tax.**

Chapter 11, Statutes of 2010, Eighth Extraordinary Session

This measure, together with ABx8 9, creates the "Gas Tax Swap." The swap contains three major components:

- Repeals the state's share of the sales tax on gasoline (local sales tax shares are not affected);

- Increases the excise tax on gasoline by 17.3 cents and adds an annual index that will make sure the new excise tax will keep pace with the revenues otherwise expected from the state's share of the sales tax on gas; and,
- Increases the sales tax on diesel by 1.75 percent and allocates 75 percent to local transit agencies and 25 percent to state transit programs. The excise tax on diesel will be reduced from 18 cents to 13.6 cents for revenue-neutrality purposes.

Specifically, ABx8 6 repeals the state's share of the sales tax on gasoline and increases the excise tax on gasoline and the sales tax on diesel. The measure also requires that the Board of Equalization annually adjust the tax so that it is consistent with the estimated revenues from the repealed five percent sales tax on gas.

ABx8 7 (Committee on Budget). Environmental Pollution: Program Funding.

Chapter 5, Statutes of 2010, Eighth Extraordinary Session (Urgency)

This technical measure makes statutory changes to provide fiscal solvency for the California Beverage Container Recycling (Bottle Bill) Program and allows the state Clean Water State Revolving Fund program to be eligible to receive and distribute Federal funding.

***ABx8 9 (Committee on Budget). Transportation Finance.**

Chapter 12, Statutes of 2010, Eighth Extraordinary Session

This measure, together with ABx8 6, creates the "Gas Tax Swap." The swap contains three major components:

- Repeals the state's share of the sales tax on gasoline (local sales tax shares are not affected);
- Increases the excise tax on gasoline by 17.3 cents and adds an annual index that will make sure the new excise tax will keep pace with the revenues otherwise expected from the state's share of the sales tax on gas; and,
- Increases the sales tax on diesel by 1.75 percent and allocates 75 percent to local transit agencies and 25 percent to state transit programs. The excise tax on diesel will be reduced from 18 cents to 13.6 cents for revenue-neutrality purposes.

Specifically, ABx8 9 contains the allocation formulas for the gas tax swap. In FY 2010-11, the measure provides that Highways Users Tax Account (HUTA) revenues will be allocated as follows:

1. Transportation debt service
2. \$54 million monthly set aside for future appropriation by the legislature
3. Split:
 - 50% State Transportation Improvement Program (STIP)
 - 50% evenly split between cities and counties using current HUTA formulas

Beginning in Fiscal Year 2011-12, the revenues will be allocated as follows:

1. Transportation debt service
2. Split:
 - 44% STIP
 - 12% State Highway Operation and Protection Program
 - 44% evenly split between cities and counties using current HUTA formulas

ABx8 11 (Committee on Budget). Transportation: General Obligation Bonds: Letters of No Prejudice.

Chapter 7, Statutes of 2010, Eighth Extraordinary Session

This measure authorizes the California Transportation Commission (CTC) to enter into a Letter of No Prejudice agreement with a local agency that will allow for local funds to be used to fund stalled Proposition 116 bond funded projects with an assurance that they will be reimbursed when proceeds from bond sales are made available.

ABx8 12 (Committee on Budget). Port and Maritime Security: Grant Program: Extension.

Chapter 8, Statutes of 2010, Eighth Extraordinary Session

This measure extends the timeframe for the use of funds in the Proposition 1B (2006) Port and Maritime Security Account. All unencumbered funds appropriated to California Emergency Management Agency prior to June 30, 2009, shall remain available to the agency until June 30, 2012.

***ABx8 14 (Committee on Budget). State Cash Resources.**

Chapter 10, Statutes of 2010, Eighth Extraordinary Session (Urgency)

This measure revises provisions of ABx8 5 (Chapter 1, Statutes of 2010, Eighth Extraordinary Session) including the deferral of Highway Users Tax Account (HUTA) payments. Clarifies that HUTA deferrals shall be made on a pro-rata basis from otherwise planned allocations and allows cities to use Proposition 1B (2006) funding to cover costs normally paid by HUTA funds.

***AB 191 (Committee on Budget). State Cash Resources.**

Chapter 29, Statutes of 2010 (Urgency)

This measure creates a hardship exemption process for the deferral of Highway User Tax Account (HUTA) payments as required by ABx8 5 (Chapter 1, Statutes of 2010, Eighth Extraordinary Session). The exemption will apply when the deferral creates a hardship in making required bond debt payments.

***SB 70 (Committee on Budget and Fiscal Review). Sales and Use Taxes: Fuel Taxes.**

Chapter 9, Statutes of 2010

This measure revises provisions of ABx8 6 (Chapter 11, Statutes of 2010, Eighth Extraordinary Session) to make the Gas Tax Swap cost neutral for special users of fuel such as rail and other off-road users.

2010-11 October Budget Deal

AB 342 (J.A. Pérez) and SB 208 (Steinberg). Medi-Cal Demonstration Project Waivers.

Chapters 723 and 714, Statutes of 2010 (Urgency)

These measures assist in state efforts to secure a new Medi-Cal 1115 hospital finance waiver to achieve increased federal funding to stabilize the state public hospital system.

AB 1610 (Committee on Budget). Education.

Chapter 724, Statutes of 2010 (Urgency)

This measure makes numerous changes to education laws in order to enact the 2009-10 and 2010-11 Budget Acts that defers or suspends various mandate payments and includes the statutory changes for Proposition 98 (1988) suspension for K-12 schools, community colleges and other state agencies.

AB 1612 (Committee on Budget). Human Services.

Chapter 725, Statutes of 2010 (Urgency)

This measure makes various changes to health, child-care and in-home supportive services and program reductions, relying on shifting General Fund expenses to special fund sources and federal funds.

AB 1619 (Committee on Budget). Elections.

Chapter 732, Statutes of 2010 (Urgency)

This measure places the 'Rainy Day' Budget Stabilization Fund initiative contained in ACA 4 (Resolutions Chapter 174, Statutes of 2010) on the November 2012 statewide ballot.

AB 1620 (Committee on Budget). State Public Works Board/State Buildings.

Chapter 726, Statutes of 2010 (Urgency)

This measure makes changes to the membership of the State Public Works Board (Board) and makes clarifying changes regarding the responsibilities of the Board and the Department of Finance. This measure contains necessary provisions to allow the sale, bonding and leaseback of state buildings.

AB 1621 (Committee on Budget). Financial Information System for California.

Chapter 727, Statutes of 2010 (Urgency)

This measure makes statutory changes for implementation of FISCal, the state human resources and budgeting system, within the Department of Finance to create a coordinated and streamlined data system. It establishes legislative oversight for contracting and development of the final system and makes an annual appropriation for this purpose.

AB 1624 (Committee on Budget). State Finance.
Chapter 713, Statutes of 2010 (Urgency)

This measure provides necessary cashflow for the state to maintain credit rating and avoid IOUs on General Fund obligations by authorizing a delay in payments to K-12 schools, community colleges and universities until the winter quarter of 2010, as well as to CalWorks and the Department of Social Services programs. Provides the state will prioritize repayments of these deferrals if external borrowing is secured in the amount of \$3.2 billion.

AB 1625 (J.A. Pérez). MOU for SEIU 1000 Bargaining Units.
Chapter 728, Statutes of 2010 (Urgency)

This measure puts into effect provisions of a memorandum of understanding agreed upon by the state and specified Service Employees International Union bargaining units, including a 3 percent increase in employee pension contributions and a continuous appropriation guarantee to pay employee salaries in the event the annual Budget Act is not enacted on-time.

***AB 1628 (Committee on Budget). Corrections.**
Chapter 729, Statutes of 2010 (Urgency)

This measure, building on corrections programs established in SB 81 (Chapter 175, Statutes of 2007), this measure makes several changes in an effort to reduce General Fund expenditures by \$1.1 billion. Specifically, it builds upon the Youthful Offender Block Grants by continuing to shift the juvenile corrections population from state Division of Juvenile Justice to county supervision and shifting parole responsibilities, along with sufficient funding resources, to county probation offices for eligible youth offenders.

In addition, this measure creates a state-run pharmacy program and maximizes opportunities to apply Medi-Cal funding to inmates. Changes are also made to the siting, contracting and construction of state-run re-entry facilities, with an additional \$200 million bond appropriation for this purpose from the State Public Works Board. AB 1628 also requires additional audits and program planning to ensure inmate health outcomes and cost-effectiveness measures are being achieved in the promotion of performance-based management.

AB 1629 (Committee on Budget). Loan Programs for Facilities for Persons with Developmental Disabilities.

Chapter 730, Statutes of 2010 (Urgency)

This measure provides alternative financing of the Agnews Bay Area Housing Plan for residents with developmental disabilities.

AB 1632 (Committee on Budget). Economic Development.
Chapter 731, Statutes of 2010 (Urgency)

This measure transfers and allocates \$32.35 million from the General Fund to the Capital Access Loan Program, California Small Business Expansion Fund and the California Economic Development Fund. These funds are primarily targeted toward

assisting small business. A new definition of “severely affected community” is added to the Capital Access Loan Program to mean a city or county with an unemployment rate greater than 110 percent of the statewide average.

***ACA 4 (Gatto). State Finance: Rainy Day Fund.**

Resolutions Chapter 174, Statutes of 2010

This measure recasts provisions of the Rainy Day Fund created by Proposition 58 (2004) and creates the Budget Stabilization Fund (Fund). Allows the maximum size of the Fund to reach 10 percent of total General Fund revenues and requires the state to make payments to the fund totaling three percent (3%) of revenues (except in deficit years where the Fund must be drawn upon). The measure also outlines when funds may be used and for what purpose, prevents the Fund from being depleted in a single budget year and clarifies any unanticipated revenue must be placed in the Fund. AB 1619 (Chapter 732, Statutes of 2010) placed this measure on the November 2012 ballot.

ABx6 10 (Blumenfield). Service and Volunteering.

Chapter 1, Statutes of 2010, Sixth Extraordinary Session

This measure establishes the position of the Secretary of Volunteering within the Office of Planning and Research.

SB 851 (Committee on Budget). Education Prop 98 Suspension.

Chapter 715, Statutes of 2010 (Urgency)

This measure suspends the Proposition 98 (1988) minimum funding guarantee for school districts and community colleges in FY 2010-11 and establishes a maintenance factor so that funding levels may return to the level that would have otherwise been required prior to the suspension in later years.

SB 853 (Committee on Budget). Health.

Chapter 717, Statutes of 2010 (Urgency)

This measure makes amendments related to health services necessary to implement the budget.

**SB 855 (Committee on Budget). Resources Trailer Bill.
Chapter 718, Statutes of 2010 (Urgency)**

This measure includes a number of technical provisions dealing with the state's public resources. Among the issues within this trailer bill of interest to cities are:

- Limits any increase by the Department of Conservation in charges imposed for the acceleration of the remediation of orphaned oil facilities to four years.
- Requires the Department of Forestry and Fire Protection to submit a report to the relevant budget and policy committees in the Legislature on fire incidents that are estimated to cost over \$5 million (paid for from the state emergency fund) and cooperative agreements, for preventing and suppressing fires, with a county, city or district valued at \$5 million or more.
- Prohibits the use of city/county grants from the state's beverage container recycling and litter cleanup fund for any use unrelated to beverage container recycling or litter reduction.
- Allows the California Energy Commission to use unspent American Recovery and Reinvestment Act of 2009 funds (non city grant funds) to implement the new Clean and Renewable Energy Business Financing Revolving Loan Program to provide low interest loans to California clean and renewable energy manufacturing businesses.
- Extends, from 2011 to 2013, the sunset on the California Energy Commission Energy Conservation Assistance Program that provides grants and loans to local governments and public institutions to maximize energy use savings.
- Shifts from general fund to fee based water quality regulatory-based activities for solid waste landfills. The measure also requires the state to invoice permit holders in the second half of FY 2010-11 for the entire fiscal year.
- Creates a new fee for private wastewater operators undergoing certification and deposits those fees into the new Wastewater Operator Certification Fund.
- Requires the State Water Resources Control Board, no later than March 1, 2011, to submit an analysis and report on the costs of regulating water quality at landfills to the Legislative Budget Committees.
- Reallocates funding from Proposition 84 (2006) to be used for a number of new areas including \$70 million for grants for stormwater flood management projects.
- The bill also requires the Department of Water Resources, when allocating grants, to place preference for those proposals that include actions designed to integrate the stormwater resource plan requirements into an integrated regional water management plan.

***SB 856 (Committee on Budget). State Government.
Chapter 719, Statutes of 2010 (Urgency)**

This measure makes various changes to state agencies, board and commissions. The following items are of interest to cities:

- Increases the costs of an original on-sale or off-sale liquor license from \$12,000 to \$13,800. Increases the fee for an event authorization that allows the sale of beer, wine or distilled spirits from \$10 to \$25.
- Raises the fee for an application for the issuance of the specified tax certificate associated with an economic development area from \$10 to \$15.
- Increases the amount the Local Agency Investment Fund can deduct from quarterly distribution of earnings from the fund from .05% to 5%.
- Establishes a mandate re-determination process. Allows a local entity to request a new mandate test claim decision whenever there is a change in law impacting a previous test claim.
- Appropriates \$30 million from the Special Distribution Fund to mitigate the impact of Indian gaming on local governments.
- Provides that the state will not reimburse local agencies for criminal background checks for volunteers and specified employees. Allows local agencies to charge the applicant a fee to cover the costs of the background check.
- Requires the Director of the Department of Industrial Relations to include in the amount of employer assessments the cost associated with any department or agency, other than the Internal Revenue Service (already included), collecting overdue employer assessments.
- Adds an additional offense that will disqualify a person for employment or volunteer for a city, county, city and county or special district operated park, playground, recreational center or beach used for recreational purposes. To be hired as an employee or volunteer for the above indicated local governments, a person cannot have been convicted of a violation of Section 273.5 of the Penal Code if the position with the agency involves supervisory or disciplinary authority over a minor. Also specifies that the agency can charge a fee to cover all the costs attributed to this new requirement.
- Authorizes the Franchise Tax Board to provide the Public Employees' Retirement System the names and addresses or other identification or location information from income tax returns for the purpose of filing required information related to the Early Retiree Reinsurance Program.

***SB 857 (Committee on Budget). Courts Funding Package.
Chapter 720, Statutes of 2010 (Urgency)**

This measure authorizes increases to various court fees, including filing fees and penalty assessments, to backfill funding shortages that contributed to court furlough days and staff reductions. Of most significance to cities, this measure levies an additional \$3 fee on all parking citations to be transmitted to the Trial Court Trust Fund. This fee is in addition to the \$4.50 currently in statute to fund court operations. The parking surcharge goes into effect December 7, 2010 and sunsets on July 1, 2013. Cities are required to transmit the \$3 for every citation collected to the county treasurer on a monthly basis.

**SB 858 (Committee on Budget). Sales and Use Taxes: Income and Corporation Taxes: Collection Cost Recovery Fee.
Chapter 721, Statutes of 2010 (Urgency)**

This measure changes corporate tax underpayment penalties and “cost of performance” rules, as well as continues the suspension of the net operating loss (NOL) corporate tax benefit for an additional two years. The NOL provisions are estimated to result in increased tax revenue of about \$1.2 billion in FY 2010-11. (More than 90 percent of all corporations are exempted from this suspension based on income thresholds and other criteria.)

It also reverses recent corporate tax law changes related to penalties assessed when a corporation underpays their tax liability by more than \$1 million, lessening the associated penalties. The provisions also restore the old “cost of performance” rules for the sourcing of intangibles and services related to calculation of multi-state apportionment. Anticipated tax revenue reductions total \$132 million in FY 2010-11.

***SB 863 (Committee on Budget). Redevelopment Agencies/Williamson Act.
Chapter 722, Statutes of 2010 (Urgency)**

This measure has three parts that address the Williamson Act and redevelopment issues:

- *Williamson Act Subvention Loss.* This provision appropriates \$10 million to reimburse counties for forgone property tax revenue due to Williamson Act contracts. It further provides that until 2015 the county may revise the terms of the renewed or new contract and require the assessor to revalue the property if a county receives less than half of its authorized reimbursement. Upon such county action, landowners have the opportunity to initiate the cancellation process.
- *Center City Redevelopment Project.* This provision eliminates the tax increment limit for the Center City Redevelopment Project in San Diego.
- *Redevelopment Payments to the Supplemental Education Revenue Augmentation Fund.* This provision provides an exemption from making the payments required by the 2009-10 Budget Bill that required redevelopment agencies to pay into the Supplemental Education Revenue Augmentation Fund. The exemption applies if the agency could not make a payment and all of the following conditions are met: (1) the agency otherwise adopted the required resolutions; (2) the county reduced the tax increment revenue payable to the

agency by at least 20% in FY 2009-10 and (3) the agency has entered into an agreement with the Department of Finance.

SB 867 (Hollingsworth). CalPERS Transparency.
Chapter 733, Statutes of 2010 (Urgency)

This measure requires the Public Employees' Retirement System Board to provide the Legislature, Governor and Treasurer a report that includes the investment return assumptions, discount rates and amortization periods utilized by the board in the calculations of the contribution rates. Additionally requires the board to include calculations of those rates based on specified adjustments of the investment return assumptions, amortization periods and discount rates utilized by the board any time it calculates the contribution rates.

Requires the Treasurer, within 30 days after receiving the report, to provide the following to both the Senate and the Assembly at a publicly noticed floor session:

- An explanation of the role played by the investment return assumption and amortization period in the calculation of the contribution rates;
- A description of the consequences for future state budgets should the investment return assumption not be realized;
- A report about whether the board's amortization period exceeded the estimated average remaining service periods of employees covered by the contributions; and,
- His/her opinion of the reasonableness of the board's selection of the investment return assumption and the amortization period.

***SB 870 (Ducheny). Main Budget Bill.**
Chapter 712, Statutes of 2010 (Urgency)

This measure is the main budget bill and includes augmentations and appropriations for all state programs and offices. Cities should note that this bill:

- Includes funds for Project Initiation Documents (PID's) prepared by CalTrans for local agencies, but the Governor line-item vetoed \$7,438,000, stating that CalTrans should not pay for PID's for locally-funded projects that are not part of the State Highway System.
- Increases the amount of the "loan" from the Highway Users Tax Account (HUTA) to the General Fund from \$650 million to \$761.6 million. The Department of Finance issued an order for the entirety of the increase (\$111.6 million) to be paid from the August 2010 payment. As a result, cities did not receive an August HUTA payment, but will receive a slight bump in the remaining payments for FY 2010-11.

SBx6 22 (Hollingsworth). Pension Reform.*Chapter 3, Statutes of 2010, Sixth Extraordinary Session**

This measure provides lower pension benefit levels for state employees hired on or after January 15, 2011. This measure adopts benefit levels that were in place prior to the implementation of SB 400 benefit levels in 1999 (Chapter 555, Statutes of 1999). This measure also changes the final compensation calculation for new hires and will base final compensation on a three-year average as opposed to the one-year average currently in place for state employees. The chart below indicates formula changes.

Retirement Category	Current Retirement Formula	Proposed Formulas
<i>Miscellaneous</i>	2% at Age 55 (up to 2.5% at 63)	2% at Age 60 (up to 2.418% at 63)
<i>Industrial</i>	2% at Age 55 (up to 2.5% at 63)	2% at Age 60 (up to 2.418% at 63)
<i>State Safety</i>	2.5% at Age 55	2% at Age 55
<i>Peace Officer and Firefighters in CSU, Legislative and Judicial</i>	3% at Age 50	2.5% at Age 55
<i>Classified School</i>	2% at Age 55 (up to 2.5% at 63)	2% at Age 60 (up to 2.418% at 63)

IX. Transportation, Communications and Public Works

A. Bonds

***AB 2704 (Gaines). Transportation. Local Government Funds.**

Chapter 101, Statutes of 2010

This measure requires the continuance of funding for local street and road snow removal in the event Highway User Tax Account funds are diverted for other purposes.

SB 1371 (Correa). Transportation. Bond Funded Projects. Letter of No Prejudice.

Chapter 292, Statutes of 2010 (Urgency)

This measure authorizes eligible recipients to apply to the California Transportation Commission for a letter of no prejudice on capital improvements to intercity and commuter rail lines and urban rail transit systems connected to the high-speed train system under the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century (Proposition 1A, 2008).

B. Contracting

***AB 1650 (Feuer). Public Contracts. State and Local Contract Eligibility. Energy Sector Investment Activities in Iran.**

Chapter 573, Statutes of 2010

This measure prohibits persons engaged in investment activities in Iran's energy sector, as specified, from bidding or entering into contracts with a state or local public entity for goods or services. Also preempts any law, ordinance, rules or regulation of any local public entity involving contracts for goods or services of \$1 million or more with a person engaged in investment activities in Iran.

***AB 2036 (B. Berryhill). Public Contracts. Contract Document Distribution.**

Chapter 371, Statutes of 2010

This measure requires state departments and local agencies to provide, at no charge, an electronic copy of the project's contract documents to a contractor plan room service upon request from the contractor plan room service.

***AB 2184 (Arambula). Public Contracts. Local Agency. Alternative Bidding Procedures. Notice.**

Chapter 62, Statutes of 2010

This measure requires local agencies that use the Uniform Public Construction Cost Accounting Act to send notices inviting formal bids to construction trade journals by either facsimile or electronic mail, in addition to hard copy, if available. This measure also reduces the time period for sending the formal bid invitation notices from 30 days to 15 days prior to the date set for opening the sealed bids.

SB 189 (A. Lowenthal). Mechanics Liens.**Chapter 697, Statutes of 2010**

This measure provides technical, non-controversial changes to state codes affecting mechanics liens, including enacting separate provisions for private and public works.

SB 694 (Correa). Public Contracts. Public Works. Competitive Bidding. Procedures.*Chapter 310, Statutes of 2010**

This measure extends the time limit for the California Uniform Construction Cost Accounting Commission to review and act on disputes over whether local agencies have followed the Uniform Public Contract Construction Cost Accounting Act. For complaints which allege that local officials rejected all bids and instead claimed that the agency can do the work less expensively, this bill extends the time limit from 30 days to 45 days. For complaints that allege local officials have either exceeded the force accounts or improperly classified the work as maintenance, this measure extends the time limit from 30 days to 90 days.

SB 879 (Cox). Counties. Cities. Construction Projects. Alternative Bidding Procedures. Design-Build.**Chapter 629, Statutes of 2010**

This measure extends the sunset for the use of design-build by counties from January 1, 2011, to July 1, 2014, and aligns the design-build statutes for cities and counties related to contracting, deadlines and reporting to state entities.

SB 972 (Wolk). Indemnity. Design Professionals.**Chapter 510, Statutes of 2010**

This measure clarifies AB 573 (Chapter 455, Statutes of 2006) with respect to a design professional's exposure to liability for defense costs in indemnity agreements contained in contracts with public agencies.

C. Local Authority

AB 2294 (Block). Pedicabs. Licensing.*Chapter 614, Statutes of 2010**

This measure defines a pedicab and allows for the regulation and licensing of pedicab operations by local ordinances, so long as those ordinances do not conflict with the state Vehicle Code. In addition, at the discretion of the local governing body where a pedicab operates, the city or county authorities may require that a pedicab operator have one or more of the following:

- A valid California state driver's license;
- Proof of completion of a bicycle safety course; and/or
- A current California identification card with proof of safety course completion.

***AB 2567 (Bradford). Vehicles. Parking Violations. Digital Photograph Recordings.**

Chapter 471, Statutes of 2010

This measure authorizes, until January 1, 2016, local public agencies to use automated parking enforcement systems for street sweeping-related violations, and requires those participating agencies to report to the legislature no later than January 1, 2015, the results of their automated parking enforcement programs.

***AB 2756 (Blumenfield). Mobile Billboard Advertising Displays. Local Ordinances.**

Chapter 615, Statutes of 2010

This measure authorizes cities and counties to enact local ordinances regulating mobile billboards, including penalties that may address the removal of a mobile billboard under certain circumstances. It also defines a mobile billboard advertising display as being attached to a wheeled, mobile, non-motorized vehicle that carries, pulls or transports a sign or billboard and is for the primary purpose of advertising.

***SB 949 (Oropeza). Vehicles. Local Authority. Assessing Penalties.**

Chapter 616, Statutes of 2010

This measure clarifies that the provisions of the California Vehicle Code are applicable throughout the state and that local authorities may not enact or enforce an ordinance related to matters covered in the state Vehicle Code, including ordinances or resolutions that establish regulations or procedures for, or assess a fine, penalty, assessment or fee for a violation of the Vehicle Code, unless expressly authorized to do so. This measure becomes operative on July 1, 2011 to allow local jurisdictions with non-compliant municipal codes to align their codes, related procedures and budget planning with the appropriate state codes.

SB 1320 (Hancock). Transit Fare Evasion and Passenger Misconduct. Administrative Adjudication.

Chapter 493, Statutes of 2010

This measure allows specified local transit agencies to decriminalize transit-related offenses (fare-evasion, misconduct) and adopt an adjudication process, imposing an administrative penalty that does not exceed the maximum criminal fine set forth in current law. Those agencies are: Alameda-Contra Costa Transit District, Foothill Transit, Long Beach Transit, Sacramento Regional Transit District and the Santa Clara Valley Transit Authority in addition to the City and County of San Francisco and the Los Angeles County Metropolitan Transportation Authority who previously has those privileges.

D. Vehicles

AB 498 (Hayashi). Vehicles. Special Interest License Plates and Decals. Former American POWs.

Chapter 345, Statutes of 2010

This measure requires the Department of Motor Vehicles to develop of a prisoner of war (POW) license plate that does not indicate the POW status in language or images but carries with it the exemptions from registration, renewal fees and other privileges.

AB 1871 (Jones). Private Passenger Motor Vehicle Insurance Coverage. Personal Vehicle Sharing.

Chapter 454, Statutes of 2010

This measure authorizes private passenger motor vehicle owners to make their vehicle available for use by a personal vehicle sharing program without impacting the owner's private passenger automobile insurance policy, facilitating the ability of car-sharing companies to expand their pool of vehicles without consequences for the owners of those vehicles or the owners' insurer.

AB 1942 (Fletcher). Vehicles. Video Event Recorder.

Chapter 458, Statutes of 2010

This measure authorizes the placement of video event recorders (typically operated on a loop that saves recordings in events such as quick stops or accidents) in vehicles, so long as there is visible notification that voice or video recording is in place and no more than 30 seconds may be recorded at a given time. This measure also provides the employers must provide vehicle video feed to those the employees driving the company owned or operated vehicle, unedited and within five days of the request at no charge.

SB 535 (Yee). Vehicles. High-Occupancy Vehicle Lanes.

Chapter 215, Statutes of 2010

This measure extends the sunset date on a program granting high occupancy vehicle (HOV) lane driving privileges to electric vehicles and natural gas vehicles until January 1, 2015, whether or not they have the required number of occupants.

E. Public Works

AB 2515 (V.M. Pérez). Public Water Systems. Point-of-Use Treatment.

Chapter 601, Statutes of 2010 (Urgency)

This measure requires the Department of Public Health (DPH) to adopt emergency regulations governing the point-of-entry and point-of-use water treatment systems. The measure also allows DPH to award grants for point-of entry and point-of-use systems provided the water system serves a severely disadvantaged community and other specified requirements.

ACR 115 (Emmerson). California Safe Digging Month.
Resolutions Chapter 11, Statutes of 2010

This resolution proclaims the month of April 2010 as California Safe Digging Month to raise awareness about safe digging practices.

SB 518 (A. Lowenthal). Building Standards. Graywater.
Chapter 622, Statutes of 2010

This measure requires the state Building Standards Commission, on or after January 1, 2011, to establish nonresidential building standards for the construction, installation and alteration of graywater systems for both indoor and outdoor uses.

***SB 1284 (Ducheny). Water Quality. Mandatory Minimum Civil Penalties.**
Chapter 645, Statutes of 2010

This measure amends the minimum mandatory penalty (MMP) law by clarifying what violations are subject to MMPs. Specifically, this measure states that minor and ministerial violations are not subject to MMPs. The measure also allows a discharger to petition their regional board for an additional five-year extension (for a maximum of 10 years) in order to bring waste water discharge facility into compliance with effluent limits.

F. Communications

***SB 1375 (Price). Telephone Corporations. Residential Telephone Service.**
Chapter 332, Statutes of 2010

This measure changes the requirements for telephone corporations to provide 9-1-1 emergency call service to all telephone lines and instead only requires continued service to telephone lines with subscribed basic service. Previously, telephone corporations were required to provide 9-1-1 service to all telephone lines, regardless if there is a current subscriber or payment for that service. This measure permits telephone corporations to remove 9-1-1 service from a telephone line 120 days after the telephone line has been disconnected for nonpayment. Telephone corporations may also disconnect lines with no current subscription so long as the corporations provide at least a 90 day notice that the disconnection is pending to the last known address on record associated with the line.

SB 1462 (Padilla). Telecommunications. California Broadband Council.
Chapter 338, Statutes of 2010

This measure establishes a nine-member California Broadband Council (Council) to promote broadband deployment and adoption throughout the state, which is required to ensure that state agencies are coordinating efforts and resources to promote broadband deployment and adoption.

G. Other Transportation Items

AB 1885 (Hill). Malicious Mischief. Airport Property. Transportation Services.

Chapter 584, Statutes of 2010

This measure removes the exemption currently given to charter-party carrier limousines licensed by the California Public Utilities Commission (PUC) to enter or remain on a city or county-owned airport property owned but located in another county, to offer transportation services, on or from the airport property, without the express written consent of the governing board of the airport property or its duly authorized representative. Any charter party carrier licensed by the PUC at an airport operating under a prearranged basis, as specified in the PUC, shall not constitute the sale, peddling or offering of goods, merchandise property or services.

AB 2777 (Committee on Transportation). Transportation Omnibus Bill.

Chapter 478, Statutes of 2010

This measure makes various technical, non-controversial changes to the Government Code and the Vehicle Code.

***ABx8 6 (Committee on Budget). Sales and Use Taxes: Motor Vehicle Fuel Tax: Diesel Fuel Tax.**

Chapter 11, Statutes of 2010, Eighth Extraordinary Session

This measure, together with ABx8 9, creates the "Gas Tax Swap." The swap contains three major components:

- Repeals the state's share of the sales tax on gasoline (local sales tax shares are not affected);
- Increases the excise tax on gasoline by 17.3 cents and adds an annual index that will make sure the new excise tax will keep pace with the revenues otherwise expected from the state's share of the sales tax on gas; and,
- Increases the sales tax on diesel by 1.75 percent and allocates 75 percent to local transit agencies and 25 percent to state transit programs. The excise tax on diesel will be reduced from 18 cents to 13.6 cents for revenue-neutrality purposes.

Specifically, ABx8 6 repeals the state's share of the sales tax on gasoline and increases the excise tax on gasoline and the sales tax on diesel. The measure also requires that the Board of Equalization annually adjust the tax so that it is consistent with the estimated revenues from the repealed five percent sales tax on gas.

***ABx8 9 (Committee on Budget). Transportation Finance.
Chapter 12, Statutes of 2010, Eighth Extraordinary Session**

This measure, together with ABx8 6, creates the "Gas Tax Swap". The swap contains three major components:

- Repeals the state's share of the sales tax on gasoline (local sales tax shares are not affected);
- Increases the excise tax on gasoline by 17.3 cents and adds an annual index that will make sure the new excise tax will keep pace with the revenues otherwise expected from the state's share of the sales tax on gas; and,
- Increases the sales tax on diesel by 1.75% and allocates 75% to local transit agencies and 25% to state transit programs. The excise tax on diesel will be reduced from 18 cents to 13.6 cents for revenue-neutrality purposes.

Specifically, AB x8 9 contains the allocation formulas for the gas tax swap. In FY 2010-11, the measure provides that Highways Users Tax Account (HUTA) revenues will be allocated as follows:

1. Transportation debt service
2. \$54 million monthly set aside for future appropriation by the legislature
3. Split:
 - 50% State Transportation Improvement Program (STIP)
 - 50% evenly split between cities and counties using current HUTA formulas

Beginning in FY 2011-12, the revenues will be allocated as follows:

1. Transportation debt service
2. Split:
 - 44% STIP
 - 12% State Highway Operation and Protection Program
 - 44% evenly split between cities and counties using current HUTA formulas

ABx8 11 (Committee on Budget). Transportation: General Obligation Bonds: Letters of No Prejudice.

Chapter 7, Statutes of 2010, Eighth Extraordinary Session

This measure authorizes the California Transportation Commission (CTC) to enter into a Letter of No Prejudice (LONP) agreement with a local agency that will allow for local funds to be used to fund stalled Proposition 116 bond funded projects with an assurance that they will be reimbursed when proceeds from bond sales are made available.

***SB 70 (Committee on Budget and Fiscal Review). Sales and Use Taxes: Fuel Taxes.**

Chapter 9, Statutes of 2010

This measure revises provisions of ABx8 6 (Chapter 11, Statutes of 2010, Eighth Extraordinary Session) to make the Gas Tax Swap cost neutral for special users of fuel such as rail and other off-road users.

***SB 77 (Pavley). Energy. California Alternative Energy and Advanced Transportation Financing Authority. Property Assessed Clean Energy (PACE).**

Chapter 15, Statutes of 2010

This measure creates a state PACE Reserve program to assist local jurisdictions in financing the installation of distributed generation of renewable energy sources or energy or water efficiency improvements. This measure authorizes the California Alternative Energy and Advanced Transportation Financing Authority (CAEATFA) to purchase and pool locally-issued PACE bonds for sale.

SB 1192 (Oropeza). Airports. Rental Car Facility Fees.

Chapter 642, Statutes of 2010

This measure allows an airport to charge the customer facility charge (CFC) based on the number of days a vehicle is rented, up to a maximum of five days, rather than a flat rate per contract. Also expands the uses of CFC revenues to include the financing, design and construction of common-use transportation systems, such as a consolidated rental car facility. Funds can also be used to acquire necessary vehicles for the system. Any airport wishing to exercise this authority must do so by January 1, 2018.

SB 1318 (Committee on Transportation and Housing). Transportation.

Chapter 491, Statutes of 2010

This measure makes a number of non-controversial, technical changes to the transportation and housing codes. Some changes that are made to existing law impact the placement of disabled parking placards, motorcycle license plate mounting and the definition of a utility trailer.

SB 1455 (Kehoe). Plug-in Hybrid and Electric Vehicles. Internet Web service.

Chapter 337, Statutes of 2010

This measure requires the California Energy Commission, by July 1, 2011, in consultation with the Public Utilities Commission, to develop and maintain an Internet Web site containing specific links to electrical corporation and local publicly owned electric utility Internet Web sites or other Internet Web sites that contain information specific to plug-in hybrid or fully electric vehicles, including information on the following:

- Resources to direct a consumer on how to find out if his/her residence will require a utility service upgrade;
- Basic charging circuit requirements;
- Utility rate options; and
- Load management techniques.

SJR 33 (A. Lowenthal). National Freight Policy.
Resolutions Chapter 100, Statutes of 2010

This resolution requests that Congress adopt a national freight policy as a component of the next federal transportation bill and direct the federal Department of Transportation to implement its provisions.

Appendix A – Additional Resources

Potential Effects of Prop. 26: Initial Considerations

There were significant positives for local government at the Nov. 2, statewide election, but one disappointment was the narrow passage of Proposition 26. Naturally questions occur about what this means for local government.

Prop. 26 applies to both state and local government, but in different ways. The text of the measure is online

http://ag.ca.gov/cms_attachments/initiatives/pdfs/i891_initiative_09-0093.pdf.

For the state, it contains a new definition of state “taxes,” which requires a two-thirds vote of the Legislature to impose new, or increase or extend existing, regulatory fees (with some exceptions) and to make a change to the state law which results in any taxpayer paying a higher tax. Regulatory fees could previously be adopted by a majority vote of the Legislature. The Legislature had previously taken the position that a “revenue neutral” change to the state law requires only a majority vote even if it meant a taxpayer would pay a higher tax. The new definition of state taxes means that regulatory fees and revenue neutral state law changes adopted by the Legislature between Jan. 1, 2010 and Election Day expire on Nov. 3, 2011, unless they are readopted as “taxes” by the Legislature with two-thirds vote.

For local governments, Prop. 26 establishes a similar, but not identical, definition of local “taxes,” and requires two-thirds voter approval to impose new, or increase or extend existing, regulatory fees (with some exceptions). Previously, these fees could be adopted by city council majority vote. Unlike the provisions that apply to the state, Prop. 26 does not contain any provision that repeals pre-existing regulatory fees. The Legislative Analyst’s Office analysis (www.lao.ca.gov/ballot/2010/26_11_2010.aspx) also states the measure does not affect existing local regulatory fees unless they are to be increased or extended.

Which local fees are not taxes under Prop. 26? (This section references the California Constitution Article XIII C, section 1(e)(1)-(7).)

- A charge imposed as a condition of property development (“developer fees”);
- Assessments and property-related fees (for example, water and sewer utility charges);
- A fine, penalty or other charge imposed as a result of a violation of the law (for example, a parking citation or weed abatement lien);
- A charge for reasonable regulatory costs for issuing licenses and permits, performing investigations, inspections, and audits;
- A charge for entrance to or use of local government property;
- A charge to purchase, rent or lease local government property;
- A charge imposed for a specific government service or product which does not exceed the reasonable costs of providing the service or product (for example: fee for recreation department class); and,
- A charge imposed for a specific benefit conferred or privilege granted that is not provided to those not charged, and which does not exceed the reasonable costs

to the local government of conferring the benefit or granting the privilege (for example: fee for processing property development application).

Local officials no doubt will have many questions about how to interpret Prop. 26, but they will quickly discover a lack of definitive answers. That is because Prop. 26 plows broad new legal ground, is replete with vague terminology, contains numerous exceptions and has limited intent language to guide interpretation. In the short term, we would advise cities to:

- **Expect Uncertainty:** Now that Prop. 26 has been adopted, the debate has begun on what it means to the state and local government, and its impacts on environmental and health-related fees. Various analyses have begun to circulate, and more will likely surface in the coming weeks. Legal challenges could emerge, legislation may be introduced to attempt to clarify provisions and attempts may even be contemplated to alter or reverse the measure via a future initiative.
- **Proceed Cautiously When Adopting New Fees, or Increasing or Extending Existing Fees:** While there will be numerous opinions about how this measure can be interpreted, it is also important to avoid overreactions. Cities should:
 - Familiarize themselves with the text of the measure;
 - Identify those existing fees that are not considered taxes under Prop. 26; and,
 - Identify any “regulatory fees” which, in consultation with your city attorney, would be clearly affected by this measure, meaning that a two-thirds voter approval would be required to increase or extend these fees.
- **Stay Tuned:** The League’s City Attorneys’ Department is convening a committee of attorneys to review the measure and consider how best to advise the League on questions of interpretation and application. The League will continue to monitor developments on this matter as they evolve.

A Look at the 2011-12 Legislature

Summary

Senate:	24 Dem/14 Rep/2 Vac	22 Members from Local Government
Assembly:	52 Dem/28 Rep	42 Members from Local Government

Senate

District	Current Member	From LG?	New Member	Party	Term Limit	From LG?
1	Vacant (Dave Cox)	Y	TBD ¹ (Ken Cooley v. Ted Gaines)	**	2018	**
2	Pat Wiggins	Y	Noreen Evans	D	2018	Y
3	Mark Leno	Y		D	2016	Y
4	Sam Aanestad		Doug La Malfa	R	2018	
5	Lois Wolk	Y		D	2016	Y
6	Darrell Steinberg	Y	Incumbent	D	2014	Y
7	Mark DeSaulnier	Y		D	2016	Y
8	Leland Yee	Y	Incumbent	D	2014	Y
9	Loni Hancock	Y		D	2016	Y
10	Ellen Corbett	Y	Incumbent	D	2014	Y
11	Joe Simitian	Y		D	2012	Y
12	Jeff Denham		Anthony Cannella	R	2018	Y
13	Elaine Alquist			D	2012	
14	Dave Cogdill	Y	Tom Berryhill	R	2018	
15	Sam Blakeslee			R	2016	
16	Dean Florez		Michael Rubio	D	2018	Y
17	George Runner	Y		R	2012	Y
18	Roy Ashburn	Y	Jean Fuller	R	2018	
19	Tony Strickland			R	2016	
20	Alex Padilla	Y	Incumbent	D	2014	Y
21	Carol Liu	Y		D	2016	Y
22	Gil Cedillo		Kevin De Leon	D	2018	
23	Fran Pavley	Y		D	2016	Y
24	Gloria Romero		Ed Hernandez	D	2018	
25	Roderick Wright			D	2016	
26	Curren Price		Incumbent	D	2018	
27	Alan Lowenthal	Y		D	2012	Y
28	Jenny Oropeza	Y	Incumbent ²	**	2014	**
29	Bob Huff	Y		R	2016	Y
30	Ron Calderon		Incumbent	D	2014	
31	Bob Dutton	Y		R	2012	Y
32	Gloria Negrete McLeod		Incumbent	D	2014	
33	Mimi Walters	Y		R	2016	Y
34	Lou Correa	Y	Incumbent	D	2014	Y

¹ Senator Dave Cox died July 13, 2010. As no candidate received more than 50% of the vote on Nov. 2, a Special Election will be held to fill the seat.

² Senator Jenny Oropeza died October 20, 2010. A Special Election will be held to fill the seat in 2011.

**TBD by Special Election

35	Tom Harman	Y		R	2012	Y
36	Dennis Hollingsworth		Joel Anderson	R	2018	
37	Bill Emmerson			R	2018	
38	Mark Wyland		Incumbent	R	2014	
39	Christine Kehoe	Y		D	2012	Y
40	Denise Moreno Ducheny		Juan Vargas	D	2018	

Assembly

District	Current Member	From LG?	New Member	Party	Term Limit	From LG?
1	Wes Chesbro	Y	Incumbent	D	2014	Y
2	Jim Nielsen		Incumbent	R	2014	
3	Dan Logue	Y	Incumbent	R	2014	Y
4	Ted Gaines	Y	Incumbent	R	2012	Y
5	Roger Niello	Y	Richard Pan	D	2016	
6	Jared Huffman		Incumbent	D	2012	
7	Noreen Evans	Y	Michael Allen	D	2016	
8	Mariko Yamada	Y	Incumbent	D	2014	Y
9	Dave Jones	Y	Roger Dickinson	D	2016	Y
10	Alyson Huber		Incumbent	D	2014	
11	Tom Torlakson	Y	Susan Bonilla	D	2016	Y
12	Fiona Ma	Y	Incumbent	D	2012	Y
13	Tom Ammiano	Y	Incumbent	D	2014	Y
14	Nancy Skinner	Y	Incumbent	D	2014	Y
15	Joan Buchanan		Incumbent	D	2014	
16	Sandre Swanson		Incumbent	D	2012	
17	Cathleen Galgiani		Incumbent	D	2012	
18	Mary Hayashi		Incumbent	D	2012	
19	Jerry Hill	Y	Incumbent	D	2014	Y
20	Alberto Torrico	Y	Bob Wieckowski	D	2016	Y
21	Ira Ruskin	Y	Rich Gordon	D	2016	Y
22	Paul Fong		Incumbent	D	2014	
23	Joe Coto	Y	Nora Campos	D	2016	Y
24	Jim Beall	Y	Incumbent	D	2012	Y
25	Tom Berryhill		Kristin Olson	R	2016	Y
26	Bill Berryhill		Incumbent	R	2014	
27	Bill Monning		Incumbent	D	2014	
28	Anna Caballero	Y	Luis Alejo	D	2016	Y
29	Mike Villines		Linda Halderman	R	2016	
30	Danny Gilmore		David Valadao	R	2016	
31	Juan Arambula	Y	Henry Perea	D	2016	Y
32	Jean Fuller		Shannon Grove	R	2016	
33	Sam Blakeslee		K.H. "Katcho" Achadjian	R	2016	Y
34	Connie Conway	Y	Incumbent	R	2014	Y
35	Pedro Nava		Das Williams	D	2016	Y
36	Steve Knight	Y	Incumbent	R	2014	Y
37	Audra Strickland		Jeff Gorell	R	2016	
38	Cameron Smyth	Y	Incumbent	R	2012	Y
39	Felipe Fuentes		Incumbent	D	2012	
40	Bob Blumenfield		Incumbent	D	2014	

41	Julia Brownley		Incumbent	D	2012	
42	Mike Feuer	Y	Incumbent	D	2012	Y
43	Mike Gatto		Incumbent	D	2016	
44	Anthony Portantino	Y	Incumbent	D	2012	Y
45	Kevin De Leon		Gil Cedillo	D	2012	
46	John Perez		Incumbent	D	2014	
47	Karen Bass		Holly Mitchell	D	2016	
48	Mike Davis		Incumbent	D	2012	
49	Mike Eng	Y	Incumbent	D	2012	Y
50	Hector De La Torre	Y	Ricardo Lara	D	2016	
51	Steve Bradford	Y	Incumbent	D	2016	Y
52	Isadore Hall	Y	Incumbent	D	2014	Y
53	Ted Lieu	Y	Betsy Butler	D	2016	
54	Bonnie Lowenthal	Y	Incumbent	D	2014	Y
55	Warren Furutani		Incumbent	D	2014	
56	Tony Mendoza	Y	Incumbent	D	2012	Y
57	Ed Hernandez		Roger Hernandez	D	2016	Y
58	Charles Calderon		Incumbent	D	2012	
59	Anthony Adams		Tim Donnelly	R	2016	
60	Curt Hagman	Y	Incumbent	R	2014	Y
61	Norma Torres	Y	Incumbent	D	2014	Y
62	Wilmer Amina Carter		Incumbent	D	2012	
63	Vacant (Bill Emmerson)		Mike Morrell	R	2016	
64	Brian Nestande		Incumbent	R	2014	
65	Paul Cook	Y	Incumbent	R	2012	Y
66	Kevin Jeffries		Incumbent	R	2012	
67	Jim Silva	Y	Incumbent	R	2012	Y
68	Van Tran	Y	Allan Mansoor	R	2016	Y
69	Jose Solorio	Y	Incumbent	D	2012	Y
70	Chuck DeVore		Don Wagner	R	2016	
71	Jeff Miller	Y	Incumbent	R	2014	Y
72	Chris Norby	Y	Incumbent	R	2016	Y
73	Diane Harkey	Y	Incumbent	R	2014	Y
74	Martin Garrick		Incumbent	R	2012	
75	Nathan Fletcher		Incumbent	R	2014	
76	Lori Saldana		Toni Atkins	D	2016	Y
77	Joel Anderson		Brian Jones	R	2016	Y
78	Marty Block		Incumbent	D	2014	
79	Mary Salas	Y	Ben Hueso	D	2016	Y
80	V. Manual Perez		Incumbent	D	2014	

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Appendix B – League Resources

League Legislative Staff

LEGISLATIVE REPRESENTATIVES	
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League of California Cities

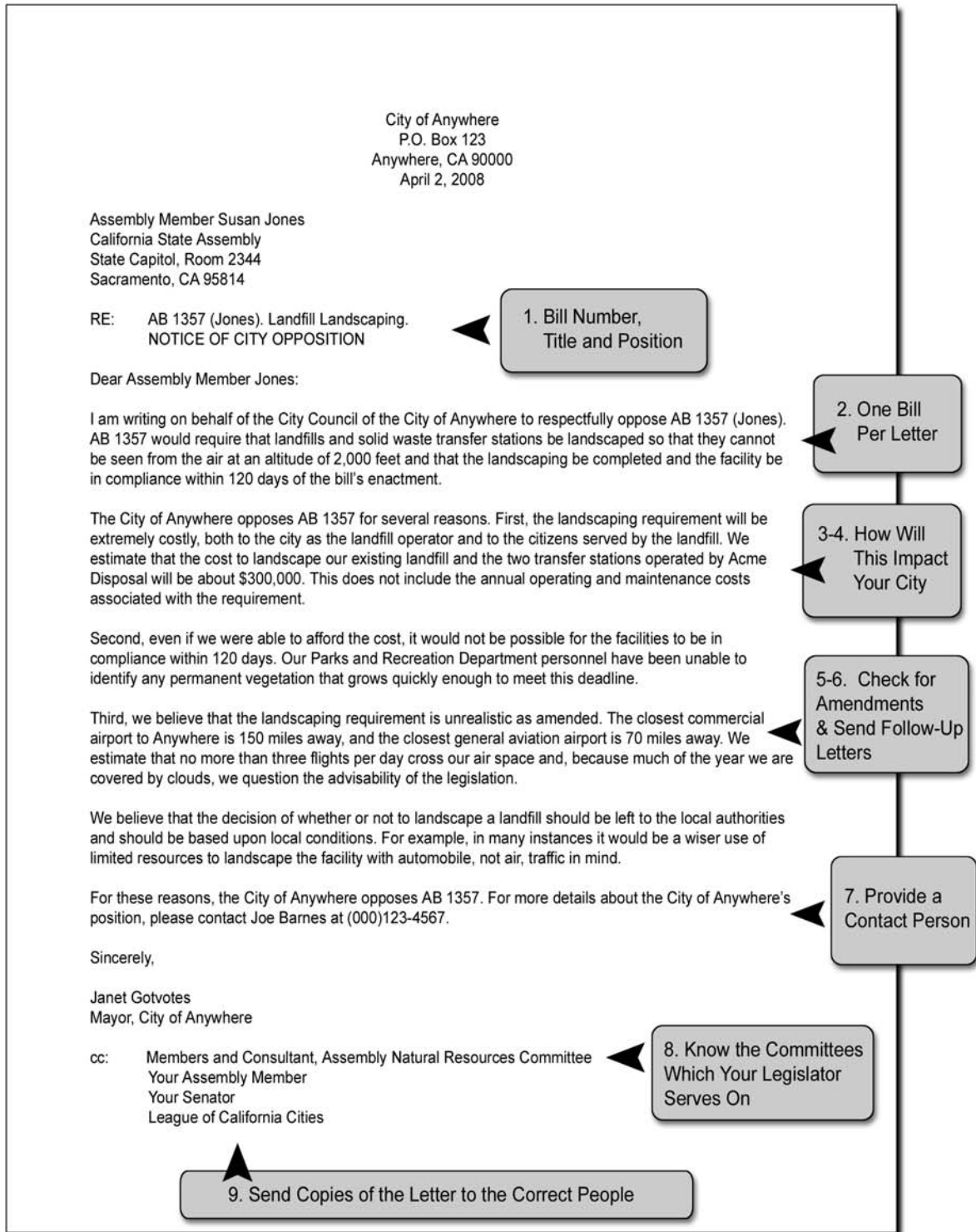
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10 Tips for Cities Lobbying the California Legislature

1. Become engaged in the state level political process by appointing a legislative liaison within your city to track key legislation and work with your regional public affairs manager. You can locate contact information for your regional public affairs manager online at www.cacities.org/regionalmanagers.
2. Use the League as a resource. Visit www.cacities.org/legresources to access League priority bills, legislative contacts and additional information. The League's online bill tracking tool can be found at www.cacities.org/billsearch.
3. Read *City Advocate Weekly*, the League's weekly newsletter, to stay current on important legislation. Subscribe at <http://www.cacities.org/cityadvocateweekly>.
4. Develop relationships with your Senate and Assembly representatives as well as their capitol and district office staff.
5. Get to know members of your local press and educate them on legislative issues affecting your city.
6. Understand how state decisions impact your city's budget.
7. Build networks and collaborate with other groups in your community on key legislative issues.
8. Organize an internal process within your city for developing and proposing changes to laws that will help your city.
9. Adopt local policies on legislation that enable your city to react quickly to the legislative process and respond to League action alerts.
10. Write letters on legislation featured in *City Advocate Weekly*. Sample letters can be found at www.cacities.org/billsearch by searching with the bill number or bill author.

Effective Letter Writing Techniques

- 1. Include the Bill Number, Title and Your Position in the Subject Line.** Never bury the bill number and the action you want the legislator to take in the body of the letter.
- 2. One Bill Per Letter.** Legislators file letters according to the bill number.
- 3. State the Facts.** Describe the impact of the bill would have on your city. Use “real world” facts, Legislators like to know how a bill would specifically affect cities in their districts. The League often will provide a sample letter that includes space to describe local impacts. Take the time to provide such examples. This part of the letter is the most valuable to the Legislator.
- 4. Think About the Message.** Letters may be targeted to specific legislators or entire committees. Think about who you want to act on the bill and message accordingly. If you are writing in support of transportation funding, emphasizing how the project will reduce greenhouse gases might be important to one Legislator, while highlighting how the project could encourage additional development and jobs might be important to another. Both messages are correct, but your effectiveness will be in selecting the right message.
- 5. Check for Amendments.** Always check the League’s Web site (www.cacities.org/billsearch) to make sure you are addressing issues in the latest draft. Bills are often significantly amended and the issue you are writing about may have changed or have been deleted altogether by the time you send your letter.
- 6. Send follow-up letters to the appropriate legislative committees as a bill moves along.** You can often use your original letter with some modifications. Visit www.cacities.org/billsearch to track the bill’s location. In addition, *City Advocate Weekly*, the League’s weekly newsletter, features stories on key legislation.
- 7. Provide a Contact.** At the close of the letter, provide a contact person in case there are questions about the city’s position.
- 8. Know the Committees in Which Your Legislator Serves.** A legislator is likely to pay more attention to the bill positions of their constituents especially when it comes before his or her committee. At the committee level, this is even more important because your legislator has greater ability at this point in the legislative process to have the bill amended.
- 9. Copy the Right People.** Send a copy of the letter to your senator, assembly member and the League. Please also send a copy to each committee member and staff if applicable.



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