

LEGISLATIVE REPORT

A COMPILATION OF 2015 STATUTES



LEGISLATIVE BRIEFING

November 17, 2015 Webinar

League of California Cities 2015 Legislative Report

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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 *CACities Advocate* and *Western City* magazine.

Legislative Report

2015

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

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Glossary of Terms

ABC	Alcohol Beverage Control
ACA	Affordable Care Act
ADA	Americans with Disabilities Act
AED	Automated External Defibrillator
ARB	Air Resources Board
ATP	Alternative Transportation Program
BOE	State Board of Equalization
BSC	Building Standards Commission
BSCC	Board of State and Community Corrections
CAC	California Arts Council
Cal-EMSA	California Emergency Medical Services Authority
CalHFA	California Housing Finance Agency
CalPERS	California Public Employees Retirements System
CalRecycle	California Department of Resources Recycling and Recovery
CalSTRS	California State Teachers Retirement System
CalTrans	Department of Transportation
CDCR	California Department of Corrections and Rehabilitation
CDE	California Department of Education
CDFA	California Department of Food and Agriculture
CDSS	California Department of Social Services
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CHP	California Highway Patrol
CID	Common Interest Development
CNRA	California Natural Resource Agency
CRIA	Community Revitalization and Investment Authority
CSLB	Contractors' State License Board
CUPA	Certified United Program Agencies
CURES	Controlled Substance Utilization Review and Evaluation System
CWIB	California Workforce Investment Board
DDS	Department of Developmental Services
DGS	Department of General Services
DHCS	Department of Health Care Services
DIR	Department of Industrial Relations
DMV	Department of Motor Vehicles
DOE	Department of Education
DOF	Department of Finance
DOJ	Department of Justice
DPR	Department of Parks and Recreation
DPH	Department of Public Health
DSS	Department of Social Services
DTSC	Department of Toxic Substances
DWR	Department of Water Resources
EDD	Employment Development Department

EHAP	Emergency Housing and Assistance Program
EIFD	Enhanced Infrastructure Financing District
EIR	Environmental Impact Report
EMS	Emergency Medical Services
EZ	Enterprise Zone
FEHA	Fair Employment Housing Act
FHA	Federal Housing Administration
FPPC	Fair Political Practices Commission
FTB	Franchise Tax Board
GHG	Greenhouse Gas
HCD	Department of Housing and Community Development
HFP	Healthy Families Program
HIPAA	Health Insurance Portability and Accountability Act
HIV	Human Immunodeficiency Virus
HSRA	High-Speed Rail Authority
IOU	Investor Owned Utilities
JPA	Joint Powers Authority
LAFCos	Local Agency Formation Commissions
LAMBRA	Local Agency Military Base Recovery Areas
LEMSA	Local Emergency Medical Services agency
MAP-21	Moving Ahead for Progress in the 21 st Century Act
MMBA	Meyers-Miliias-Brown Act
MOU	Memorandum of Understanding
OES	Office of Emergency Services
OPR	Office of Planning and Research
PDMP	Prescription Drug Monitoring Program
PEMHCA	Public Employees' Medical and Hospital Care Act
PEPRA	Public Employees' Pension Reform Act of 2013
PERB	Public Employment Relations Board
PERL	Public Employees Retirement Law
POST	Peace Officers Standards and Training
PRA	California Public Records Act
PRCS	Post Release Community Supervision
PUC	Public Utilities Commission
ROPS	Recognized Obligation Payment Schedule
SEI	Statement of Economic Interests
SFM	State Fire Marshal
STRTCs	Short Term Residential Treatment Centers
SLC	State Lands Commission
SOS	Secretary of State
SPI	Superintendent of Public Instruction
SWRCB	State Water Resources Control Board
UCP	Uniform Complaint Procedures
UWMP	Urban Water Management Plan
VLf	Vehicle License Fee
VRA	Voting Rights Act of 1965

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2015 Legislative Year in Review

2015 Legislative Year in Review

Those who rely on funding from government often wish for more revenue, and in 2015 such wishes came true, with additional billions pouring into the treasury from an improving economy and income tax. Yet given the state's prior commitments to expand health care for the poor, save money in a voter-approved rainy day fund and allocate school funding in accordance with complex Proposition 98 formulas, most of the surplus was already spoken for.

The Governor's continued commitment to stabilize state finances, control costs and establish a stronger foundation to weather economic downturns remains good news for city officials who recall how past cycles of undisciplined state spending led to convoluted financial flips, swaps, raids and borrowing that destabilized local budgets and California's economy.

Cities also appreciated the Governor's and legislative leaders' recognition that our deteriorating network of highways and local streets and roads, due to insufficient maintenance funds, is a problem that must be resolved. A conference committee formed during the special session on transportation has continued to work on this important issue in the fall.

Significant positives for the League included the adoption of a new economic development tool for lower-income communities and the passage of a medical marijuana regulatory bill package.

The Budget

Tension had been building since January between Democrat legislators and the Governor over his proposed spending levels that were significantly below estimated revenue generated from a growing economy and Prop. 30. This dispute was no surprise. Since entering office in 2011 the Governor has been keenly concerned with the dangers of overspending and the vagaries of state revenues, which overly depend on the fortunes of the stock market and the wealthy.

Central to the debate was whether the Governor was doing enough to combat poverty. With the majority vote budget approval threshold relegating Republicans largely to the political sidelines, this dispute played out throughout the year in budget subcommittees where Democrats proposed increased funding levels for various programs.

Finally, on June 15 — the Constitutional deadline to send a budget to the Governor or forfeit salary for each day they were late — Democrat legislators sent the Governor a budget that exceeded his spending by \$749 million, along with several trailer bills. This was readily acknowledged as a "placeholder" budget so that negotiations could continue on other items. The next day, however, the Governor and Democrat legislative leaders announced a budget compromise to spend only \$61 million over the Governor's spending level.

Despite the reduced funding level, Democrat leaders pointed to successes that included expanding Medi-Cal coverage to eligible children regardless of immigration status and a proposal to establish an earned-income tax program for very low-income residents. The Governor also called for two special sessions: one on transportation funding and the other to identify a budget solution on managed health-care funding, given a \$1 billion revenue loss created by the elimination of a tax.

Budget positives for cities included the repayment of \$765 million in pre-2004 previously-owed mandates, the allocation of over \$1 billion in cap and trade funds per the previously-agreed to legislative formula, appropriations from the Prop. 1 water bond, and \$20 million per year in local law enforcement grants salvaged after a legislative effort to eliminate them over community relations concerns.

An eleventh-hour Administration proposal to force water districts delivering substandard-quality water to low-income areas to consolidate with better-performing districts generated concern for some communities. Also left unresolved in June were decisions on allocation of the remaining 40 percent of cap and trade funds and the disposition of the Administration's controversial redevelopment dissolution proposal.

The 2015 budget debate highlighted the powers of a Governor to dictate terms in the budget process. This authority was enhanced by provisions of Prop. 25, which — in addition to allowing for a majority-vote budget — included a provision that requires legislators to forfeit their salary for every day the budget is late. While these provisions have eliminated the lengthy delays of the past, the salary forfeiture provision gives a Governor increased leverage.

Twelve-Year Termers Settle In: Leadership Transitions

Since 2010, when voters approved an extension in legislative term limits, a transition has occurred from legislators subject to a maximum of six years in the Assembly and eight years in the Senate to a “new class” of legislators able to serve a total of 12 years in either house. Now the new class of legislators occupies over 80 percent of Assembly seats and approximately half of the Senate. The Assembly will fully transition in 2016, and 70 percent of the seats in the Senate will transition by 2018.

These new legislators view themselves differently than their predecessors. They have more time to settle in and develop policy expertise; they also realize if they make mistakes they will likely still be in office and accountable for fixing them when problems arise.

In 2015, legislators from the new class moved into the Legislature's highest posts as three of the four leadership positions changed hands. Assembly Member Anthony Rendon (D-Lakewood), who is eligible to serve until 2024, will soon take over as Speaker from Toni Atkins (D-San Diego) who will term out of her Assembly seat in 2016. Assembly Member Chad Mayes (R-Yucca Valley), eligible to serve until 2026, takes over as Assembly Republican Leader from Assembly Member Kristin Olsen (R-

Modesto) who also terms out in 2016. In the Senate, the transition to leaders with longer terms has not yet fully occurred. Senator Jean Fuller (R-Bakersfield) (terms out in 2018) took over as Senate Republican Leader from Senator Bob Huff (R-Diamond Bar) (terms out in 2016). Senator Kevin De León (D-Los Angeles) (terms out in 2018) remains as President pro Tempore.

New Economic Development Tools Emerge

Progress on establishing new economic development tools continued in 2015 with the Governor's signature of AB 2 (Alejo and Garcia). This measure resulted from a multi-year effort by the League in partnership with Assembly Member Luis Alejo (D-Watsonville) to restore the redevelopment tool as an option for local communities. The bill authorizes the creation of Community Revitalization and Infrastructure Authorities (CRIA) that would focus their efforts on lower-income neighborhoods and former military bases. The League recognized Assembly Member Luis Alejo as one of its 2015 Legislators of the Year for his leadership efforts over three years to help make this tool a reality.

The passage of AB 313 by Assembly Speaker Toni Atkins (D-San Diego) made additional clarifying changes to the Enhanced Infrastructure Finance District (EIFD) law adopted in 2014. AB 313 also contained several changes requested by the League and city attorneys to address technical issues associated with district formation and operation.

During the session, the League also supported several tax-credit bills aimed at attracting additional private investment to urban areas. AB 185 by Assembly Member Eduardo Garcia (D-Coachella) and Assembly Member Jose Medina (D-Riverside) represented yet another effort to establish a California New Markets Tax Credit to help attract private capital and matching federal funds to spur investment in low-income communities. AB 771 (Atkins) proposed a state income-tax credit of up to 25 percent to rehabilitate historic properties, and AB 428 (Nazarian) offered a 30 percent tax credit for seismic rehabilitation of endangered properties. AB 185 faced challenges securing Administration support and AB 771 stalled for the year in the Legislature; AB 428 reached the Governor's desk, where the Governor vetoed it due to state budget concerns.

Medical Marijuana Legislation Comes Together

Two years ago, the League, in partnership with the California Police Chiefs Association, decided that it would be better to draft our own comprehensive proposal on medical marijuana rather than continue to react to legislative proposals that fell short on adequately protecting local control and important public safety priorities. Former Senator Lou Correa (D-Santa Ana) led the effort in 2014 with SB 1262; while the measure stalled in the last days of the session, it set a template for future legislative action.

With Senator Correa termed out, the League and police chiefs turned in 2015 to former mayor and League first vice president Assembly Member Ken Cooley (D-Rancho Cordova), who introduced AB 266. While ostensibly a new legislator, Assembly Member Cooley was a veteran of Capitol politics, having served on the staff of several “old school” legislators who knew how to get things done.

As this issue gained momentum, other legislators introduced proposals as well. A complex legislative marathon of policy and politics followed and ultimately resulted in the passage of three bills that comprise the Medical Marijuana Regulation and Safety Act:

- AB 266 (Bonta, Cooley, Jones-Sawyer, Lackey and Wood) contains the critical local control provisions and most of the core provisions of the regulatory structure;
- AB 243 (Wood) regulates marijuana cultivation and provides a regulatory structure specifically to address environmental impacts; and
- SB 643 (McGuire) contains provisions on criteria for state licensing (including disqualifying felonies), regulates physicians making medical marijuana recommendations and requires a digital seed-to-sale or track-and-trace program for marijuana.

The passage of these bills, all authored by newer legislators eligible to serve up to 12 years, also serves as an example of the potential re-emergence of the Legislature’s ability to take on and resolve complex policy issues. In October, the League Board of Directors recognized all of these legislative authors with a Distinguished Legislative Leadership Award for their work. The League also recognized Assembly Member Ken Cooley as one of its 2015 Legislators of the Year for his leadership on AB 266 and significant work in overcoming obstacles and helping the package become law.

Outcome of Transportation Funding Effort Is Pending

For nearly a decade, city and county officials have been producing and updating a report that captures the deteriorating conditions of local streets and roads. The decline in available transportation maintenance funds means that local streets and roads are getting worse, not better. The same is true for state highways. An opening occurred in 2015 thanks to Senator Beall (Campbell) introducing a funding proposal in his SB 16 and the Governor flagging this issue as well in his January budget document. The League named Senator Beall, Chair of the Senate Transportation and Housing Committee, one of its 2015 Legislators of the Year for his advocacy on this issue and for underscoring the importance of local streets and roads in this discussion.

At its July meeting, the League Board of Directors adopted a resolution to join the Fix Our Roads Coalition. The coalition formed in July when Gov. Brown called the special session on transportation in conjunction with the budget deal he reached with legislators in late June. The Legislature formed a conference committee to meet on these issues during the fall.

Securing more sustainable funding for local street and road maintenance needs will remain a top League priority in 2016.

Affordable Housing Funding Efforts Stall

A major effort led by Assembly Speaker Toni Atkins (D-San Diego) to dramatically expand state resources for affordable housing surprisingly stalled, culminating with the Governor's veto of AB 35 (Chiu and Atkins).

Early in 2015, the League joined a coalition in support of an effort led by Speaker Atkins to provide additional funding for affordable housing. Other major coalition members included the California Building Industry Association, California Housing Consortium and Western Center on Law and Poverty.

At the beginning of the year many things pointed to something happening. Affordable housing was the top priority of newly elected Speaker Toni Atkins, who had already established a close working relationship with the Governor. And the needs were obvious. Historically, apart from several housing bonds passed by voters over the past few decades, state funding for affordable housing had been relatively minor. Legislators also widely acknowledged the lack of resources, because over \$1 billion per year evaporated with the elimination of redevelopment. Home prices and rents were increasing rapidly, especially in affluent coastal areas. Despite a growing economy, new housing production was lagging. Democrat legislators also identified addressing poverty as their key issue with the Governor's budget.

AB 35 (Chiu and Atkins) and AB 1335 (Atkins) combined would have generated up to \$1 billion per year in affordable housing funds. Initially, AB 35 would have increased available affordable housing tax credits by \$300 million; AB 1335 proposed a funding mechanism to support a permanent source of affordable housing funding generating up to \$700 million per year.

AB 1335 proposed a \$75 fee (with \$225 total cap) on certain real-estate documents that would fund the long-desired state "permanent source of funding for affordable housing." Because the measure was a tax, it required a two-thirds vote on both floors and the Governor's signature. Most assumed that the bill would make it off the Assembly floor and be part of an overall deal with the Governor — likely in reduced form — at budget time. In June, however, an attempt was made to pass the measure in the Assembly, but it bogged down amid disputes over geographic fund allocations, competition with other pending tax proposals, such as the one for transportation funding, and political trepidation associated with a tax vote. While this outcome was disappointing, a two-thirds vote was considered "a heavy lift." AB 1335 is being held on the Assembly floor and could still move in 2016.

More surprising was the fate of AB 35, especially after the amount was reduced to \$100 million in the final days of the session. This was the Speaker's top priority and enjoyed strong bipartisan support; furthermore, it seemed that, in addition to the state's affordable

housing needs, some goodwill had accumulated. The Speaker had worked closely with the Governor on the budget, climate change legislation and the Administration's redevelopment dissolution proposal, and she was going to be replaced as Speaker and termed out of her Assembly seat in 2016.

Despite all that, the Governor vetoed AB 35 along with several other tax-credit bills, citing his concern for the fiscal stability of the state budget because of the loss of \$1 billion in revenue due to the lack of the extension of the managed health care organization tax, for which he had called a special session. Presumably, if a solution to the managed health care organization tax is agreed to in 2016, the Governor could revisit the matter.

Redevelopment Dissolution: Déjà Vu all Over Again

One of the Governor's first proposals upon entering office in 2011 was to eliminate redevelopment agencies. After the Legislation and a Supreme Court decision concurred, the Department of Finance (DOF) was placed in charge of the dissolution process. For the past five years, DOF's administration of the redevelopment dissolution process has been rife with controversy.

Shutting down a 60-year old community revitalization tool — across 385 agencies generating approximately \$6 billion in annual revenue — was bound to be controversial. Yet the disputes were compounded by the lack of an established regulatory structure under a consistent set of rules, no clear policy guidance or priorities on which projects should be salvaged, and weak legislative oversight, leaving the courts as the final arbiter of many decisions.

Dissolution controversies flared up again in 2015 when the Administration proposed comprehensive and divisive revisions to the process that reopened some wounds and pitted local agencies against each other. The proposals can be categorized in three main areas:

- Proposals that offered at least partial solutions to outstanding issues, some of which were of major benefit to specific agencies;
- Proposals of mostly technical and neutral impact; and
- Proposals causing significant harm to affected agencies by overturning court decisions, limiting expected loan repayments and restricting legal due process.

By providing benefits to some and harm to others, the proposal proved divisive from the outset. The League adopted an "Oppose Unless Amended" position with a focus on eliminating the harmful elements of the proposal, because more than 100 cities were going to be harmed by the effort to undo court decisions and revise loan repayment statutes. Legislators recognized the problems as well and refused to vote on earlier versions.

In May, the Administration pulled back on some of the harmful provisions but then added to the mix four non-related budget provisions supported by local agencies. These new provisions had nothing to do with redevelopment and could have been passed with

other non-controversial budget items — but served to increase potential legislative support for the overall proposal.

Opposition from the League and harmed cities held off action on this measure throughout the year until the very last day of the legislative session when SB 107, a 104-page bill with the harmful elements modified from earlier versions, was placed into print and moved quickly to the Assembly floor without a hearing. After some debate, the bill passed to the Senate where it was also approved later that night. As expected, it was divisive. Representatives of counties, special districts and those cities receiving specific benefits in the bill supported it; a handful opposed it. Given that the harmful elements remained in the bill, the League testified in opposition to the measure in the only hearing on the bill in the Senate Budget Committee and helped get a major clarification on loan repayment amounts into a letter the author filed with the Senate Journal.

As this divisive chapter of the redevelopment dissolution process closes, it remains to be seen how DOF will administer the new provisions and whether controversies will subside or continue through the remainder of the Governor's second term.

Climate Change: Governor Looks to Global Leaders

In his January inaugural address following his re-election, the Governor opened his remarks by outlining what had been accomplished and stressed the importance of fiscal stewardship and saving for the next downturn while providing the necessary funding for the major reform initiatives adopted during his first term. These initiatives include shifting state prisoners to the county level, allocating more funding to schools with needy students and expanding Medi-Cal to provide health care to millions of low-income Californians.

The Governor also revealed a major initiative to combat climate change. Building on aggressive efforts already underway, he proposed to double the energy efficiency of buildings, increase the state's goal for renewable power from 33 to 50 percent, and slash petroleum use in cars and trucks by 50 percent. "California, as it does in many areas, must show the way," said the Governor. "We must demonstrate that reducing carbon is compatible with an abundant economy and economic well-being."

During the year, the Governor traveled extensively to encourage other world leaders to join California's efforts to address climate change and to sign a memorandum of understanding to work together to limit the rise in global temperatures from climate change to no more than 2 degrees Celsius by 2050.

While many Democrat legislators supported such ambitious goals, others — especially moderate Assembly Democrats — questioned the feasibility and economic impact of the petroleum reduction targets on low and moderate income households. A lengthy standoff occurred over SB 350 (De León), which would enact these goals as statute, and SB 32 (Pavley), which sought to place into statute the greenhouse gas reduction

goal (80 percent by 2050) adopted by Gov. Schwarzenegger via a 2005 executive order. Ultimately SB 32 was held on the Assembly floor and SB 350 moved to the Governor with the petroleum reduction goal eliminated. Despite this setback, the Governor vowed to continue his efforts to address climate change through various means, including aggressive actions by the California Air Resources Board.

League Initiatives in Other Areas

Other issues important to cities in 2015 also occupied the attention of city officials and League lobbyists.

Elections and Voting. Debates over election and representation issues continued as legislators responded to low voter turnout by attempting to increase voter engagement and expand diversity on local elected bodies to reflect changing demographics. With many proposals introduced, prioritizing was essential. The League sought amendments on election consolidation proposals and supported providing local communities more options, rather than mandates, when responding to representation issues. The League helped shape and support SB 493 (Canella), which the Governor signed, a measure that allows cities with a population less than 100,000 to shift to district elections by ordinance. The League also helped stop AB 278 (Hernandez), which sought to mandate all cities with a population over 100,000 to switch from at-large to district elections. The League opposed — and the Governor vetoed — AB 1301 (Alejo), which would have required all local agencies to have changes to their election processes pre-approved by the Secretary of State.

Employee Relations. Given the significant influence of labor organizations in the Capitol, employee relations is always a busy area of activity. Priorities included stopping additional mandates and proposals increasing costs or eroding local flexibility. While many bills were introduced, concerns were often addressed by collaborative efforts to obtain necessary amendments or by working with coalitions of other public and private employer groups to provide decision-makers in the Legislature and Governor's office with solid information on local costs and policy impacts. This strategy resulted in the most troublesome proposals being neutralized with amendments, stopped in committee or vetoed. One disappointment was the Governor's signature on SB 331 (Mendoza), which requires local agencies that have adopted increased transparency ordinances for local collective bargaining to either apply such conditions to all local contracting valued at more than \$250,000 annually or repeal these ordinances.

Open Data and Cybersecurity. Policy-makers are struggling with how to balance technological advances and increased demands for easier access to government data with the need to protect personal privacy and avoid disclosures that could reveal public safety vulnerabilities. To prepare for these complex discussions, the League sought out city officials who were leading on these issues to help brief its Administrative Services Policy Committee, and also partnered with law enforcement organizations and others with cybersecurity expertise. After significant legislative discussion and lobbying activity, two principal bills were signed in this area: AB 169 (Maienschein) establishes several

standards for information that is described by local agencies on their websites as “open data”; and SB 272 (Hertzberg) requires local agencies to disclose the software application or computer system that the local agency uses to maintain various information. Specific exceptions are provided for data undermining cybersecurity, personal privacy or public safety. This policy area will continue evolving in the coming years.

Short-Term Residential Rentals. The proliferation of web-based vacation rental websites as part of the “sharing economy” has provided more options for the traveling public while offering increased income potential for homeowners. Such changes, however, have produced their own set of problems that include losing rental housing stock, undermining the quality of life in residential neighborhoods and creating challenges in collecting transient occupancy tax (TOT). Many communities are updating ordinances and revising methods to better identify these units and collect associated revenue. Legislative action centered around two bills. Early in the session, the League opposed and helped defeat AB 1220 (Harper), which would have prohibited the collection of TOT on the rental of such units. Most of the legislative activity, however, centered on SB 593 (McGuire), supported by the League, which is designed to bolster local regulatory efforts by prohibiting associated websites from advertising units operating in conflict with local ordinances and allowing local agencies to “opt in” to a regulatory scheme. SB 593 remains pending on the Senate Floor and will need to be moved to the Assembly in January. The League adopted a resolution supporting SB 593 at its annual conference.

Drones. As drone usage increases for commercial, mapping, surveillance and hobbyist purposes, so do the controversies. Disputes involve personal privacy, flying over prisons or schools and interference with public safety response operations. The Governor signed one bill on the matter, AB 856 (Calderon), which creates civil liability for knowingly entering the airspace to capture a visual image, sound recording or other impression of a person engaging in private, personal or familial activity. The League and California Police Chiefs Association co-sponsored SB 168 (Gaines), which made it a crime for a drone operator to interfere with a firefighting operation or other public safety response. In vetoing the bill, along with two other drone-related bills by Senator Gaines, the Governor questioned the need to create more crimes and impacts on prison populations, and did not deal with the policy issues involved. However, his veto message on SB 142 (Jackson), which authorized civil suits for unauthorized drone flights over private property, indicated some interest in looking at the issue more carefully. Drone issues will certainly return in 2016.

Water and Drought. With the passage of the 2014 water bond, Prop. 1, and initial implementation of historic legislation affecting groundwater management, the League focused its efforts on helping city officials understand these important measures. League staff hosted webinars, prepared online briefing documents and visited various League divisions to inform city officials about opportunities for funding and the changes affecting groundwater management. As drought conditions worsened, the League also convened webinars with Administration officials and distributed information on the

Governor's 25 percent statewide water conservation mandate. In the Capitol, the League obtained amendments to retain some local flexibility in a bill allowing the use of synthetic grass in residential landscaping.

Stormwater. California's stringent water quality laws, coupled with the drought, have highlighted the need for local agencies to have more viable ways of funding the removal of garbage and toxins from stormwater before it flows into streams, rivers and the ocean. The League and other local agencies worked with Assembly Member Gordon (D-Redwood City) on AB 1362, which was intended as a vehicle for solutions. Most of the challenges associated with this issue relate to interpretations of Prop. 218 (2006), which excludes "water, sewer and refuse collection" from its more restrictive provisions, but which the courts have interpreted as not excluding "stormwater." Prop. 218 also came under increased focus mid-year with the *San Juan Capistrano* decision by the California Supreme Court, which ruled that water agencies were prohibited from establishing increased rate tiers that are not based on the cost of service, but rather as a deterrent for excessive water use. Discussions about how to resolve these challenges will continue in 2016.

Cap and Trade. With revenues now beginning to flow in the billions, accessing cap and trade funds has become a top priority for local agencies. An allocation formula was approved by the Legislature in 2014 whereby 60 percent was allocated to specific programs and the remaining 40 percent subject to annual legislative negotiations and appropriation. The League partnered with its nonprofit research affiliate, the Institute for Local Government, to provide information to cities about the various programs and how to apply for funding. In the Legislature, the League has continued to lobby for allocations of the remaining 40 percent for programs that benefit local agencies and programs.

Tip Fees and Removing Organics from Solid Waste. Recently adopted legislation increases state goals to reduce the amount of organic waste that is deposited in landfills as a means to reduce methane gas created by decomposing organic materials. This effort, coupled with the state's existing 75 percent waste diversion goal, resulted in the California Department of Resources Recycling and Recovery (CalRecycle) experiencing a significant reduction in funding from existing per-ton "tip fees" that apply to disposal of all materials in landfills. Those tip fees also helped fund state programs that assist local agencies with waste reduction and recycling programs. The Administration floated a proposal to increase the tip fee late in the session. The League was extensively involved in discussing this proposal with the Administration; while it did not advance, a revised proposal is expected in 2016.

Homelessness. Numerous bills focused on responding to the challenges of homelessness. Legislators perceived the problem was growing, exacerbated by increasing housing prices and lack of affordable housing production and made worse by the elimination of redevelopment. The League supported measures in 2015 designed to provide additional funding; use "housing-first" approaches that aim to get people off the street before attempting to deal with chronic mental health, addiction or other

contributing issues; ensure college dorms remain open for former foster and homeless youth who have no place to go during school breaks; allow for collaborative public-private approaches through joint powers agencies; and provide more flexibility for the homeless when accessing funds to provide temporary housing vouchers. The League also opposed and helped stop several proposals that sought to eliminate local ability to enforce local laws and ordinances. Combating homelessness is expected to continue as a major policy issue in 2016.

Improving the Conditions of Reporting to the State Controller. Several years ago, the League's Fiscal Officers' Department identified problems with the timing of reports that local agencies submitted to the state Controller. This issue was resolved with the Governor's signature on AB 341 (Achadjian), a League-sponsored bill that makes improvements to the process and timelines for cities and other local agencies to submit financial transactions reports, salary data and other reports to the Controller. The revised process will save money and time for local agencies and the state while providing more accurate data to the public. The League appreciates the collaborative work of the office of State Controller Betty Yee in this successful effort.

Governor's Final Actions

The Governor closed out the 2015 session on Oct. 11 by signing or vetoing legislation sent to him by the Legislature. From a city perspective, his actions were mixed.

Disappointments included the veto of AB 35 (Chiu and Atkins), which would have increased the availability of affordable housing tax credits by \$100 million. With the loss of redevelopment, the state is sorely lacking a major funding source for affordable housing to assist low and very low income households that cannot afford market rates. Other disappointments include his signature on several measures that erode local land use and contracting flexibility.

The League appreciates that the Governor signed 17 out of 21 bills on which the League requested his signature. The League also appreciates his vetoes of several bills, including those that would have increased costs to local agencies as employers. Positives for cities include his signatures on AB 2 (Alejo and Garcia), which establishes a new economic development tool for poorer communities, and the medical marijuana regulatory bill package of AB 243 (Wood), AB 266 (Bonta, Cooley, Jones-Sawyer, Lackey and Wood) and SB 643 (McGuire). These are major policy advancements.

Issues for 2016

The 2016 legislative sessions will bring both certainties and unknowns.

The certainties include new legislative leaders assuming control of three out of four key leadership posts and another influx of new legislators eligible to serve up to 12 years. The outcome of the transportation funding and managed health-care special sessions remains to be decided. Positioning over various ballot measures, which will likely

include tax increases and proposals on the recreational use of marijuana, will also influence the process. A \$9 billion school bond and a measure requiring voter approval of major infrastructure investments over \$2 billion have already qualified for the 2016 ballot.

Unknowns for 2016 include the state budget. State revenues depend heavily on income tax and particularly the fortunes of the wealthy. The stock market has shown signs of instability, indicating that the recent multi-year gains may be slowing; the Governor also mentioned in his veto message on numerous spending bills the potential of cuts in 2016 if a solution to the managed health-care funding issue is not addressed. Any issues El Niño may bring are yet to be seen.

Whatever comes, the League will continue advocating for resources and partnerships with local agencies, other organizations, the business community and the state that assist cities in responding to urgent needs, providing vital services and enhancing the quality of life for their residents. The League remains a staunch advocate for the benefits of local control and flexibility.

2015 Statutes

I. Administrative Services

A. California Public Records Act

***AB 169 (Maienschein). Local Government. Public Records. Internet. Chapter 737, Statutes of 2015**

This measure requires that if a local agency voluntarily posts a public record to a website, web page, or web portal titled as “open data,” the record must meet certain format standards. This includes the record having the ability to be downloaded, retrieved, indexed, and searched by common Internet search applications.

***SB 272 (Hertzberg). The California Public Records Act. Local Agencies. Inventory. Chapter 795, Statutes of 2015**

This measure requires public agencies to create a catalog of their enterprise systems and include other information such as name of the system vendor, product name, statement of the system’s purpose, and frequency of data collection and updates. The catalog must be publicly available and if the agency has a website, the measure requires the catalog be posted.

B. California Voting Rights Act

AB 277 (Hernandez). California Voting Rights Act of 2001. Chapter 724, Statutes of 2015

This measure codifies the court ruling in *Jauregui v. City of Palmdale* 226 Cal.App.4th 781 (2014) and provides that the California Voting Rights Act of 2001 applies to charter cities and charter counties.

C. Elections

AB 44 (Mullin). Elections. Statewide Recounts. Chapter 723, Statutes of 2015

This measure permits the Governor to order a manual recount of votes cast for a statewide office or statewide ballot measure if:

- In a statewide primary the difference in the number of votes between the second and third place candidates is less than or equal to 1,000 votes or 0.00015 of the number of all votes cast for the contest;
- In a statewide general contest the difference in the number of votes between the first and second place candidate is less than or equal to 1,000 votes or 0.00015 of the number of all votes cast for the contest; and
- In a contest for a state ballot measure the difference in the number of votes for approving or disapproving a measure is less than or equal to 1,000 votes or 0.00015 of the number of all votes cast.

AB 347 (Chang). Local Agencies. City Selection Committees. County of Los Angeles.**Chapter 361, Statutes of 2015**

This measure requires that when the mayor or the mayor's designated voting member is unable to attend a city selection committee meeting, the vice mayor or mayor pro tem may serve on their behalf. If they are unable to attend, the next ranking council member would be required to serve as the voting member.

AB 370 (Brown). Election Campaigns. Candidate Misrepresentation.**Chapter 105, Statutes of 2015**

This measure makes it a misdemeanor if a candidate falsely assumes, pretends, or implies by their campaign materials that they are an incumbent or acting in the capacity of a public officer.

AB 547 (Gonzalez). Elections. Special Elections. All-Mailed Ballot Elections.**Chapter 727, Statutes of 2015**

This measure extends a pilot project in San Diego County by one year, allowing certain elections held in the county to be conducted by all-mail ballots. This pilot project sunsets on January 1, 2021.

AB 554 (Mullin). Elections. Precinct Board Members.**Chapter 150, Statutes of 2015**

This measure allows a pupil, who is a lawful permanent resident, to be appointed to serve as a precinct board member by an election official. The pupil must meet specified requirements, including being at least 16 years old, is or will be a U.S. citizen, is in good academic standing, and has a minimum 2.5 grade point average.

AB 809 (Obernalte). Local Initiative Measures. Ballot Printing Specifications.*Chapter 337, Statutes of 2015**

This measure requires that if a local ballot initiative imposes or raises the rate of a tax, the ballot statement must include the amount to be raised annually and the rate of the tax to be levied.

AB 952 (Garcia, C). Local Government. Vacancies.*Chapter 185, Statutes of 2015**

This measure establishes procedures for when a vacancy occurs for a city elected office. If a special election is called to fill the vacancy, it shall be held on the next regularly established election date. The person elected will finish the remainder of the unexpired term. If the vacancy is filled by an appointment then the following applies:

- If the vacancy is filled in the first half of a term by appointment and is at least 130 days prior to the next election, then the person appointed shall hold office until the next scheduled general municipal election date; and
- If the vacancy is filled in the first half of a term by appointment and is less than 130 days prior to the next election, or the vacancy occurs in the second half of the term, then the person appointed shall hold office for the remainder of the unexpired term.

AB 1020 (Ridley-Thomas). Elections. Voter Registration.**Chapter 728, Statutes of 2015**

This measure cleans up the Elections Code in order to prepare for the rollout of VoteCal, the federally mandated statewide voter registration database.

AB 1100 (Low). Ballot Initiatives. Filing Fees.**Chapter 229, Statutes of 2015**

This measure increases the filing fee for proposed ballot initiatives or referendums submitted to the Attorney General from \$200 to \$2000.

AB 1461 (Gonzalez). Voter Registration. California New Motor Voter Program.**Chapter 729, Statutes of 2015**

This measure sets up the process that every eligible voter, who has a California driver's license or identification card, to be registered to vote, unless they opt out. The process is to be coordinated by the Department of Motor Vehicles (DMV) and the Secretary of State (SOS).

AB 1504 (Alejo). Elections. All-Mailed Ballot Elections. Pilot Project.**Chapter 730, Statutes of 2015**

This measure authorizes San Mateo County and Yolo County to participate in a pilot program in which they may hold all-mailed ballot elections, so long as the election is not for a statewide primary or general election, or a special election for a state or federal vacancy. The measure specifies reporting requirements to the SOS and sunsets on December 31, 2017.

SB 365 (Pavley). Vote By-Mail Drop-Off Locations.**Chapter 733, Statutes of 2015**

This measure authorizes county election officials to establish drop-off locations for vote by mail ballots. The bill also requires the SOS establish regulations regarding best practices for security and procedures, on or before January 1, 2017.

SB 366 (Nguyen). Ballot Materials. Translations.**Chapter 144, Statutes of 2015**

This measure expands the list of qualified translators and interpreters that may be used by county elections' officials for translating voting materials.

SB 415 (Hueso). Voter Participation.*Chapter 235, Statutes of 2015**

This measure prohibits local governments from holding elections on non-statewide election dates, if past elections have resulted in a turnout that is at least 25 percent below the average turnout in that jurisdiction over the last four statewide general elections. This measure goes into effect on January 1, 2018. However, a local government that falls under the provisions of this measure would not have to consolidate future elections until November 8, 2022 if it has adopted a plan for consolidation by January 1, 2018.

SB 439 (Allen). Election Procedures.**Chapter 734 Statutes of 2015**

This measure permits county election officials, within 14 days preceding Election Day, to offer conditional voter registration and provisional voting at satellite offices.

Additionally, the measure sets the criteria for the use of on-demand ballot printing and electronic poll books.

SB 493 (Canella). Elections in Cities By or From Districts.*Chapter 735, Statutes of 2015**

This measure authorizes cities, with a population under 100,000, to switch from an at-large election system to a by-district system, via the ordinance process.

SB 505 (Mendoza). Voter Bill of Rights.**Chapter 236, Statutes of 2015**

This measure authorizes the SOS to revise the wording in the Voter Bill of Rights as necessary to ensure the language is clear, concise, and free from technical terms.

D. Fair Political Practices Commission (FPPC), Campaigns and Political Reform Act of 1974**AB 594 (Gordon). Political Reform Act of 1974. Campaign Statements.****Chapter 364, Statutes of 2015**

This measure standardizes the dates in which preelection reports are to be filed; requires reporting within 24 hours for contributions or independent expenditures of \$1,000 or more that are received or made on Election Day; and eliminates reporting requirements for supplemental preelection and supplemental independent expenditures.

AB 990 (Bonilla). Political Reform Act of 1974. Advertisement Disclosures.**Chapter 747, Statutes of 2015**

This measure requires that disclosure statements accompanying an advertisement supporting or opposing a candidate, be no less than size 14-point bold, sans serif type font. The bill requires that advertisements paid for by an independent expenditure include a disclosure statement containing specific content. If the advertisement is mailed, the bill requires that the disclosure be located within a quarter of an inch of the recipient's name and address.

AB 1083 (Eggman). Political Reform Act of 1974. Local Enforcement.**Chapter 186, Statutes of 2015**

This measure permits the City of Stockton's city council and the FPPC to enter into an agreement whereby the FPPC can enforce a local campaign finance ordinance passed by the city. This measure sunsets on January 1, 2020.

AB 1544 (Cooley). Political Reform Act of 1974. Behested Payments.**Chapter 756, Statutes of 2015**

This measure provides that payments made by a local, state, or federal governmental agency for a principally legislative or governmental purpose is not required to be reported as a behested payment.

SB 21 (Hill). Political Reform Act of 1974. Gifts of Travel.**Chapter 757, Statutes of 2015**

This measure requires nonprofit organizations that pay for travel for elected officials to disclose the names of donors responsible for funding the travel costs. It additionally requires that elected officials report on their statement of economic interest, a gift of travel that is received from any source. This measure only applies to nonprofits that regularly organize and host travel for elected officials and donors who send a representative to attend a portion of the travel.

SB 704 (Gaines). Public Officers and Employees. Conflict of Interests. Contracts.**Chapter 495, Statutes of 2015**

This measure adds the interest of an owner or partner of a firm, who serves on an unelected board or commission to a contracting agency, to the list of remote interests that are exempt from statutory conflict of interest prohibitions. The measure requires that the person recuse themselves from advising the contracting agency regarding the contract and from reviewing a project that results in a contract with the agency.

E. General Administration**AB 823 (Bigelow). Counties. Ordinances.****Chapter 39, Statutes of 2015**

This measure removes the existing requirement that a copy of the full text of proposed ordinances, proposed amendments, adopted ordinances and adopted amendments be posted in the office of the clerk of the board of supervisors. This measure allows a clerk to post the full text of the ordinance or amendments on the county's internet website.

SB 331 (Mendoza). Public Contracts. Local Agencies. Negotiations.*Chapter 714, Statutes of 2015**

This measure requires cities that have adopted a Civic Openness in Negotiating ordinance, to apply the same disclosure standards to contract negotiations with private entities for goods or services that are valued at \$250,000 or more.

F. Legal**AB 987 (Levine). Employment Discrimination. Unlawful Employment Practices.****Chapter 122, Statutes of 2015**

This measure revises provisions in the Fair Employment and Housing Act (FEHA) to clarify that it is an unlawful employment practice for an employer to retaliate or

discriminate against an employee for requesting an accommodation related to a disability or religious belief.

AB 1002 (Wilk). Civil Actions. Interpreter Costs.

Chapter 90, Statutes of 2015

This measure allows a prevailing party to recover court interpreter fees for the deposition of a witness who does not proficiently speak or understand English.

AB 1267 (Bloom). Lawsuits, Liens, and Other Encumbrances.

Chapter 208, Statutes of 2015

This measure prohibits a person from filing a lawsuit, lien or other encumbrance against another person or entity, knowing the filing is false, and doing so with the intent to harass the other party or in the case of public officials, hinder the public official from being able to conduct their official duties. In the event of a violation, the court may issue up to a \$5,000 civil penalty.

SB 600 (Pan). Discrimination. Citizenship. Language. Immigration Status.

Chapter 282, Statutes of 2015

This measure prohibits a business establishment from discriminating on the basis of citizenship, primary language, or immigration status.

G. Privacy and Technology

AB 964 (Chiu). Civil Law. Privacy.

Chapter 522, Statutes of 2015

This measure makes changes to the California Data Breach Notification Law by defining the term “encrypted” to mean rendered unusable, unreadable, or indecipherable to an unauthorized person through a security technology or methodology generally accepted in the field of information security.

AB 1541 (Comm. on Privacy and Consumer Protection). Privacy. Personal Information.

Chapter 96, Statutes of 2015

This measure updates the definition of personal information to include personal health information, and a user name or email address, combined with a password or a security question and answer used to access an online account.

SB 570 (Jackson). Personal Information. Privacy. Breach.

Chapter 543, Statutes of 2015

This measure makes changes to current security breach notification requirements for agencies or businesses that conduct business in the state and own or license computerized data that includes personal information. The changes require that breach notifications be titled “Notice of Data Breach” and under specific headings. Headings are to include “What Happened,” “What Information Was Involved,” “What We Are Doing,” “What Can You Do,” and “For More Information.”

II. Community Services

A. The Arts

AB 189 (Bloom). Arts Council. Cultural Districts.

Chapter 396, Statutes of 2015

This measure requires the California Arts Council (CAC) to establish criteria and guidelines for state-designated cultural districts, as defined. This measure requires CAC to establish a competitive application system for certification; provide technical and promotional support for certified state-designated cultural districts; and collaborate with public agencies and private entities to maximize the benefits of state-designated cultural districts. This measure also provides that a geographical area within the state may be certified as a state-designated cultural district by applying to CAC for certification.

B. Tobacco Control

AB 216 (Garcia, C). Product Sales to Minors. Vapor Products.

Chapter 769, Statutes of 2015

This measure prohibits the sale of any device intended to deliver a non-nicotine product in a vapor state, to be directly inhaled by the user, to a person under 18 years of age. This measure exempts from its prohibition the sale of a drug or medical device that has been approved by the federal Food and Drug Administration.

AB 768 (Thurmond). Smokeless Tobacco. Baseball Stadiums.

Chapter 779, Statutes of 2015

This measure, commencing December 1, 2016, prohibits the use or possession of smokeless tobacco products, as defined, on the playing field of a baseball stadium during a professional baseball game or practice. This measure also provides that its provisions do not preempt or prohibit the adoption of a more restrictive local ordinance regarding smokeless tobacco possession or use in a baseball stadium.

C. Homelessness

AB 379 (Gordon). Foster Youth. Homeless Children or Youth. Complaint of Non-Compliance. Exemption From Local Graduation Requirements.

Chapter 772, Statutes of 2015

This measure makes complaints alleging violations of specific educational rights afforded to students in foster care and students who are homeless subject to the Uniform Complaint Procedures (UCP). It authorizes a complainant who is dissatisfied with the decisions of a local education agency to appeal the decision to the California Department of Education via the UCP appeal process. This measure brings within its scope school placement decisions, school transfers, exemption from locally-imposed graduation requirements, and awarding of partial credit for completed coursework, among other factors affecting a child's education.

AB 388 (Chang). Housing. Veterans. Supportive and Transitional Housing. Reports.

Chapter 692, Statutes of 2015

This measure requires the state Department of Housing and Community Development to report specified performance data to the Legislature as part of an annual evaluation performed by the department, in collaboration with the Department of Veterans Affairs, on the expenditure of \$600 million in bonds, authorized by Proposition 41, for a variety of housing options including assisting homeless veterans.

AB 982 (Eggman). Childcare and Development. Eligibility. Homeless Children. Chapter 567, Statutes of 2015

This measure expands the list of entities that can identify a homeless child in need of subsidized child care services to include a local educational agency liaison for homeless children and youths, a Head Start program, or a transitional shelter.

AB 1228 (Gipson). Housing for Homeless and Foster Youth. Chapter 571, Statutes of 2015

This measure requests the Regents of the University of California, the Trustees of the California State University and California Community Colleges provide additional flexibility in the use of student housing facilities, during academic and campus breaks, to respond to the challenges faced by students who are formerly homeless and foster youth.

D. Parks and Recreation

AB 549 (Levine). State Parks System. Chapter 559, Statutes of 2015

This measure authorizes the Department of Parks and Recreation (DPR) to accept donations for support of state parks; requires proposed park concession contracts above a threshold to be provided to the Joint Legislative Budget Committee for review prior to approval; clarifies the DPR's authority to enter into agreements for acquisition and operation of cabins in state parks; clarifies that concession contract renewals are subject to competitive bidding requirements; and states legislative intent to expedite implementation of recommended reforms of the state park system.

SB 204 (Pavley). State Parks. Chapter 573, Statutes of 2015

This measure expands the possible role for nonprofit associations to cooperate with the DPR; increases to \$50,000 the exemption from the Public Contract Code for historic renovations the DPR can undertake by itself; and allows management plans when necessary for code compliance as an alternative to a state park general plan.

E. Miscellaneous

AB 30 (Alejo). School or Athletic Team Names. California Racial Mascots Act. Chapter 767, Statutes of 2015

This measure establishes the California Racial Mascots Act, which prohibits public schools from using the term Redskins as a school or athletic team name, mascot, or nickname beginning January 1, 2017. This measure also provides that this prohibition may not be waived by the State Board of Education.

AB 494 (Maienschein). Restraining Orders. Protection of Animals. Chapter 401, Statutes of 2015

This measure authorizes the court, on a showing of good cause, to include in restraining orders or protective orders an order granting the petitioner or applicant exclusive care, possession, or control of an animal that is held by the petitioner or a person protected by a restraining order or that resides in the same residence or household that is held by the petitioner or a person protected by a restraining order or that resides in the same residence or household and an order for the respondent or restrained person to stay away from, and refrain from taking or harming, that animal.

***AB 1146 (Jones). Skateboard Parks. Chapter 221, Statutes of 2015**

This measure expands local government immunity from liability for injuries to recreational users of public skateboard parks to include riders of wheeled recreational devices other than skateboards.

SB 549 (Hall). Charitable Raffles. Chapter 509, Statutes of 2015

This measure authorizes major league sports teams to conduct a 50/50 raffle for the purpose of directly supporting a specified beneficial or charitable purpose in California, or financially supporting another private, nonprofit, eligible organization.

F. Resolutions to Raise Awareness

ACR 46 (Calderon). Arts Council. Funding. Resolutions Chapter 152, Statutes of 2015

This measure declares the importance of the arts to the state and the essential role of the CAC in promoting the arts throughout the state, and urges a unified effort between the Legislature and the Governor to provide a substantial increase in the General Fund appropriation to the CAC in the 2015-16 Budget Act.

SCR 5 (Gaines). Mentoring Month. Resolutions Chapter 139, Statutes of 2015

This measure designates the month of January 2015 as Mentoring Month and calls on public officials, business and community leaders, and educators to observe the month with appropriate ceremonies, activities, and programs in order to accomplish specified

objectives recognizing the importance of mentoring and promoting the creation and expansion of mentorship programs.

III. Employee Relations

A. General Administration

AB 622 (Hernandez). Employment. E-Verify System. Unlawful Business Practices. Chapter 696, Statutes of 2015

This measure further prohibits an employer from using the E-Verify system in a manner not required under federal law or as authorized by a federal agency to check employment authorization status of an existing employee. The measure provides that an employer could be subject to civil penalties up to \$10,000 for each violation.

AB 1509 (Hernandez). Employer Liability. Chapter 792, Statutes of 2015

This measure extends current employee retaliation protections to family members by prohibiting the retaliation against the family member of a person engaged in legally protected conduct.

B. Pensions

AB 284 (Brough). City of San Juan Capistrano. Public Employment Pension Benefits.

Chapter 66, Statutes of 2015

This measure approves the benefit formula for the City of San Juan Capistrano in lieu of the benefit formula provided under the Public Employees' Pension Reform Act of 2013 (PEPRA).

SB 185 (De León). Public Retirement Systems. Public Divestiture of Thermal Coal Companies.

Chapter 469, Statutes of 2015

This measure requires that the California Public Employees' Retirement System (CalPERS) and the California State Teachers' Retirement System (CalSTRS) liquidate investments in thermal coal companies on or before July 7, 2017. The bill prohibits the boards for both systems from making new investments or renewing investments into thermal coal companies.

SB 354 (Huff). Pension Reform. Joint Powers Authorities. Employees.

Chapter 158, Statutes of 2015

This measure provides if the cities of Brea and Fullerton form a joint powers agency (JPA), the JPA may provide the employees the defined benefit plan or formula those employees received from their respective employers prior to the exercise of the common power. On or before January 1, 2017, a third adjoining city in Orange County is permitted to join the JPA.

C. Personnel and Labor Relations

***AB 304 (Gonzalez). Sick Leave. Accrual and Limitations.**

Chapter 67, Statutes of 2015 (Urgency)

This measure provides clarification and cleanup to the Healthy Workplaces, Healthy Families Act of 2014. Specifically the measure:

- Exempts retired annuitants from the definition of employee;
- Specifies that the Act applies to employees who work in California for the same employer for 30 or more days within a year;
- Allows for employers to use different accrual methods under certain conditions; and
- Clarifies that an employer does not need to provide additional sick time benefits if the employer already has a policy in which the benefits can be used under the same conditions as set forth by the Act.

AB 970 (Nazarian). Minimum Wage and Overtime Enforcement. Local Laws.

Chapter 783, Statutes of 2015

This measure authorizes the Labor Commissioner, at the request of a local entity with the legal authority to issue a citation against an employer for violations of overtime and minimum wage laws, may enforce such local laws against employers.

***SB 358 (Jackson). Conditions of Employment. Gender Wage Differential.**

Chapter 546, Statutes of 2015

This measure expands equal pay protection by prohibiting employers from paying an employee a wage that is at a rate less than what is paid to employees of the opposite sex for substantially similar work. Exceptions are provided if the employer can demonstrate the entire pay differential is based on a seniority or merit system, a system where quantity or quality of production are measured, or there is a bona fide factor contributing to the difference other than sex.

D. Unemployment Insurance

AB 1245 (Cooley). Unemployment Insurance. Electronic Reporting and Funds Transfers.

Chapter 222, Statutes of 2015

This measure requires an employer that has 10 or more employees to file all reports and returns electronically for unemployment insurance. Additionally, the measure requires employers remit contributions for unemployment insurance premiums by electronic funds transfer. A waiver from the requirements is available for employers meeting certain conditions.

E. Workers' Compensation

**AB 1124 (Perea). Workers' Compensation. Prescription Medication Formulary.
Chapter 525, Statutes of 2015**

This measure authorizes the director of Workers' Compensation to establish a drug formulary for medications prescribed in the workers' compensation system by July 1, 2017.

**SB 623 (Lara). Workers' Compensation. Benefits.
Chapter 290, Statutes of 2015**

This measure expressly overrules regulations that conflicted with statutory law which allows undocumented workers to be eligible for benefits under the Uninsured Employer Benefits Trust Fund and the Subsequent Injuries Benefits Trust Fund.

IV. Environmental Quality

A. California Environmental Quality Act (CEQA)

AB 315 (Bigelow). Tribal Gaming. Compact Ratification. Chapter 512, Statutes of 2015 (Urgency)

This measure ratifies the tribal-state gaming compact entered into between the State of California and the United Auburn Indian Community executed on August 14, 2015. It provides that, in deference to tribal sovereignty, certain actions are not deemed projects for purposes of the California Environmental Quality Act (CEQA); and stipulates, with specified exceptions, that none of the provisions shall be construed to exempt a city, county, or city and county, or the Department of Transportation from CEQA requirements.

***AB 323 (Olsen). CEQA. Exemption. Roadway Improvement. Chapter 52, Statutes of 2015**

This measure extends the sunset date from January 1, 2016 to January 1, 2020, for the exemption from CEQA for repairs, maintenance, and minor alterations or projects to existing roadways if the project is within the existing right-of-way, improves safety, and is within a jurisdiction with a population of less than 100,000 people.

AB 475 (Bigelow). Tribal Gaming. Compact Ratification. Chapter 8, Statutes of 2015 (Urgency)

This measure ratifies the tribal-state gaming compact entered into between the State of California and the Jackson Rancheria Band of Miwuk Indians, executed on February 1, 2015. This measure also provides that, in deference to tribal sovereignty, certain actions are not projects for the purposes of CEQA.

AB 795 (Atkins). Tribal Gaming. Compact Ratification. Chapter 520, Statutes of 2015 (Urgency)

This measure ratifies the tribal-state gaming compact entered into between the State of California and the Sycuan Band of the Kumeyaay Nation, executed on September 2, 2015. This measure also provides that, in deference to tribal sovereignty, certain actions are not projects for the purposes of CEQA.

AB 1540 (Gray). Tribal Gaming. Compact Ratification. Chapter 531, Statutes of 2015 (Urgency)

This measure ratifies the tribal-state gaming compact entered into between the State of California and the Santa Ynez Band of Mission Indians executed on August 26, 2015. Additionally, this measure provides that, in deference to tribal sovereignty, certain actions are not deemed projects for purposes of CEQA; and, stipulates, except as expressly provided, that none of the provisions shall be construed to exempt a city, county, or city and county, or the Department of Transportation from CEQA requirements.

SB 348 (Galgiani). California Environmental Quality Act. Exemption. Railroad.
Chapter 143, Statutes of 2015

This measure extends, until January 1, 2019, the exemption from CEQA the closure of a railroad grade crossing by order of the California Public Utilities Commission (PUC) when the PUC has found the crossing to present a threat to public safety. This measure also requires a state or local agency claiming the grade separation exemption to file a notice with the Office of Planning and Research.

B. Energy

AB 693 (Eggman). Multifamily Affordable Housing Solar Roofs Program.
Chapter 582, Statutes of 2015

This measure creates a Multifamily Affordable Housing Solar Roofs Program to provide financial incentives for qualified solar installations at multifamily affordable housing properties funded from investor-owned utility's (IOU) greenhouse gas allowances. This measure sunsets on January 1, 2031.

AB 793 (Quirk). Energy Efficiency.
Chapter 589, Statutes of 2015

This measure requires the PUC to require electrical corporations to develop an incentive program by June 30, 2016, for customers to acquire energy management technology for use in their homes or businesses. This measure also requires the PUC to require electrical and gas corporations to include home energy management technology in weatherization programs for low-income customers.

AB 802 (Williams). Energy Efficiency.
Chapter 590, Statutes of 2015

This measure requires the PUC to authorize electrical corporations or gas corporations, to provide incentives and assistance for measures to conform a building to California Energy Commission's (CEC) energy efficiency standards for existing buildings and to allow IOUs to recover in rates the reasonable costs of those incentives and assistance.

AB 1034 (Oberholte). Surface Mining. Reclamation Plans. Renewable Energy
Generation Facility.

Chapter 595, Statutes of 2015

This measure requires a lead agency (city) to consider the construction and operation of a renewable energy generation facility on disturbed mined lands to be an interim use and would prohibit a lead agency from requiring an amendment to an approved reclamation plan if specified criteria are met. This measure also requires a lead agency to submit to the director of the Department of Conservation an application for an operating permit for a renewable energy generation facility prior to approving the operating permit.

AB 1266 (Gonzalez). Electrical and Gas Corporations. Excess Compensation.
Chapter 599, Statutes of 2015

This measure prohibits an electrical or gas corporation from recovering from ratepayers' expenses for excess compensation paid to an officer of the utility for five years following a triggering event, unless approved by the PUC. A "triggering event" occurs if, after January 1, 2013, an electrical corporation or gas corporation violates a federal or state safety regulation with respect to the plant and facility of the utility and, as a proximate cause of that violation, ratepayers incur a financial responsibility in excess of \$5 million.

AB 1269 (Dababneh). Alternative Energy.
Chapter 788, Statutes of 2015 (Urgency)

This measure extends the authority of the California Alternative Energy and Advanced Transportation Financing Authority to grant financial assistance in the form of a sales and use tax exclusion for projects that promote the use of advanced manufacturing until January 1, 2021.

AB 1448 (Lopez). Personal Energy Conservation. Real Property Restrictions.
Chapter 602, Statutes of 2015

This measure requires a landlord to permit a tenant to utilize a clothesline or drying rack approved by the landlord in the tenant's private area if certain conditions are met, including, among others, that the clothesline or drying rack will not interfere with the maintenance of the rental property and the use of the clothesline or drying rack does not violate reasonable time or location restrictions imposed by the landlord.

SB 188 (Hancock). Municipal Utility District. Utility Charges. Delinquencies.
Chapter 270, Statutes of 2015

This measure makes permanent provisions of law that authorize a municipal utility district to file a lien on real property for unpaid water and sewer utility charges rendered to a lessee, tenant, or subtenant, which may be collected on the tax roll in the same manner as property taxes.

SB 793 (Wolk). Green Tariff Shared Renewables Program.
Chapter 587, Statutes of 2015

This measure requires an IOU that offers a Green Tariff Shared Renewables Program to permit a participating customer to subscribe to the program and be provided with a nonbinding estimate of reasonably anticipated bill credits and bill charges, as determined by the PUC, for a period of up to 20 years.

C. Hazardous Waste

AB 273 (Comm. on Environmental Safety and Toxic Material). Hazardous Waste and Substance. Corrective Action. Liability.
Chapter 456, Statutes of 2015

This measure requires a person to pay the California Department of Toxic Substances Control's (DTSC) costs to carry out or oversee a corrective action with respect to the

release of hazardous waste. This measure also increases the interest rate accrued on monetary obligations owed to the DTSC.

AB 274 (Comm. on Environmental Safety and Toxic Material). Oversight Costs. Uncollectible Accounts.

Chapter 457, Statutes of 2015

This measure authorizes the DTSC, if warranted, to write off or write down uncollectible accounts under specified conditions.

AB 275 (Comm. on Environmental Safety and Toxic Material). Hazardous Substances. Liability Recovery Actions.

Chapter 458, Statutes of 2015

This measure revises the statute of limitations on the recovery of costs incurred by the DTSC related to overseeing or carrying out a response or corrective action to commence within three years after completion of all response or corrective actions have been certified by the DTSC or a regional water quality control board. This measure also requires action for cost recovery for operation and maintenance costs to commence within three years after completion of operations and maintenance costs have been certified by the DTSC or a regional water quality control board.

AB 276 (Comm. on Environmental Safety and Toxic Material) Department of Toxic Substances Control. Response Actions. Cleanup Ability Information.

Chapter 459, Statutes of 2015

This measure authorizes the DTSC or local officer or agency to require specified parties to furnish and transmit any information relating to the parties' abilities to pay for or perform a response action if there is a reasonable basis to believe that there has been or may be a release or threatened release of a hazardous substance, and only for the purpose of determining under the Hazardous Waste Control Law how to finance a response action or otherwise for the purpose of enforcing the Hazardous Waste Control Law.

AB 1075 (Alejo). Hazardous Waste. Enforcement.

Chapter 460, Statutes of 2015

This measure requires the DTSC to consider, except under specified circumstances, three or more violations of, or noncompliance with, specified provisions for which a person or entity has been found liable or has been convicted, with respect to a single hazardous waste facility within a five-year period, as compelling cause to deny, suspend, or revoke a permit, registration, or certificate applied for by, or issued to, that person or entity.

SB 225 (Wieckowski). Medical Waste.

Chapter 352, Statutes of 2015

This measure makes numerous technical changes to the Medical Waste Management Act. This measure clarifies the definition of biohazard bag; requires a hazardous waste transporter of medical waste to maintain a tracking document, as specified, for the purpose of tracking medical waste from the point when the waste leaves the generator

facility until the waste receives final treatment; and requires the tracking document to be maintained only by hazardous waste transporters, and not by generators transporting waste.

***SB 489 (Monning). Hazardous Waste. Photovoltaic Modules.
Chapter 419, Statutes of 2015**

This measure authorizes the DTSC to adopt regulations to designate end-of-life photovoltaic modules that are identified as hazardous waste as a universal waste and subject those modules to universal waste management.

**SB 612 (Jackson). Hazardous Material.
Chapter 452, Statutes of 2015**

This measure modifies the statute related to Certified Unified Program Agencies (CUPA) administration to clarify the provisions of the Health and Safety Code related to CUPAs to provide consistent interpretation of the statute statewide. This measure requires that a generator of hazardous waste include all hazardous waste that it has generated in any month, except for universal wastes, when computing whether it is required to comply with specified regulatory requirements. Additionally, this measure requires the DTSC to adopt regulations by December 1, 2016, incorporating instructions to hazardous waste generators implementing this requirement.

**SB 673 (Lara). Hazardous Waste.
Chapter 611, Statutes of 2015**

This measure requires the DTSC, by January 1, 2018, to establish or update criteria for use in determining whether to issue a new or modified hazardous waste facilities permit or a renewal of a hazardous waste facilities permit, and to develop and implement, by July 1, 2018, programmatic reforms designed to improve the protectiveness, timeliness, legal defensibility, and enforceability of the DTSC's permitting program.

D. Solid Waste and Recycling

**AB 199 (Eggman). Alternative Energy. Recycled Feedstock.
Chapter 768, Statutes of 2015 (Urgency)**

This measure expands projects eligible for the sales and use tax exclusion, under the California Alternative Energy and Advanced Transportation Financing Authority, to include projects that process or utilize recycled feedstock, but does not include a project that processes or utilizes recycled feedstock in a manner that constitutes disposal.

**AB 876 (McCarty). Compostable Organics.
Chapter 593, Statutes of 2015**

This measure requires, commencing August 1, 2017, a county or regional agency to include in its annual report to the Department of Resources Recycling and Recovery (CalRecycle) an estimate of the amount of organic waste in cubic yards that will be generated in the county or region over a 15-year period; an estimate of the additional organic waste recycling facility capacity in cubic yards that will be needed to process

that amount of waste; and areas identified by the county or regional agency as locations for new or expanded organic waste recycling facilities capable of safely meeting that additional need.

AB 888 (Bloom). Waste Management. Plastic Microbeads.
Chapter 594, Statutes of 2015

This measure prohibits, on and after January 1, 2020, a person from selling or offering for promotional purposes in this state a personal care product containing plastic microbeads that are used to exfoliate or cleanse in a rinse-off product. This measure also exempts, from those prohibitions, the sale or promotional offer of a product containing less than 1 part per million (ppm) by weight of plastic microbeads.

AB 901 (Gordon). Solid Waste. Reporting Requirements. Enforcement.
Chapter 746, Statutes of 2015

This measure requires recycling and composting operations and facilities to submit specified information directly to CalRecycle, rather than to counties; requires disposal facility operators to submit tonnage information to CalRecycle and to counties only on request; and deletes the requirement for counties to submit that information to cities, regional agencies, and CalRecycle.

AB 1045 (Irwin). Organic Waste. Composting.
Chapter 596, Statutes of 2015

This measure requires the California Environmental Protection Agency, in coordination with CalRecycle, the State Water Resources Control Board (SWRCB), the California Air Resources Board (ARB), and the Department of Food and Agriculture, to develop and implement policies to aid in diverting organic waste from landfills by promoting the composting of specified organic waste and by promoting the appropriate use of that compost throughout the state.

SB 162 (Galgiani). Treated Wood Waste.
Chapter 351, Statutes of 2015

This measure extends the sunset date that allows treated wood waste to be disposed of in a Class II or III landfill so long as alternative management standards, established by the DTSC are maintained to January 1, 2020.

SB 662 (Comm. on Environmental Quality). Recycling.
Chapter 453, Statutes of 2015

This measure extends the use of the Recycling Market Development Revolving Loan Subaccount to include payments to local governments for the promotion of a recycling market development zone. This measure also changes the annual reporting date for the architectural paint extended producer responsibility collection program from September 1 to November 1, beginning in 2016.

E. Water

***AB 1 (Brown). Drought. Local Government. Fines.**

Chapter 62, Statutes of 2015

This measure prohibits a city, county, or city and county from imposing a fine under any ordinance for a failure to water a lawn or having a brown lawn during a period for which the Governor has issued a proclamation of a state of emergency based on drought conditions.

AB 149 (Chavez). Urban Water Management Plans.

Chapter 49, Statutes of 2015

This measure extends the due date for the 2020 Urban Water Management Plans (UWMPs) from December 31, 2020, to July 1, 2021, in order to allow water agencies additional time to provide information regarding compliance with achieving the mandatory statewide goal of a 20% reduction in urban per capita water use from November 2009 levels.

AB 349 (Gonzalez). Common Interest Developments. Property Use and Maintenance. (Urgency)

Chapter 266, Statutes of 2015

This measure makes the governing documents, architectural or landscaping guidelines, or policies of a common interest development (CID) void and unenforceable if they prohibit the use of artificial turf or any other synthetic surface that resembles grass. This measure also prohibits a CID from requiring an owner of a separate interest to remove or reverse water-efficient landscaping measures, installed in response to a declaration of a state of emergency, upon the conclusion of the state of emergency.

AB 606 (Levine). Water Conservation.

Chapter 665, Statutes of 2015

This measure requires state agencies to reduce water consumption and increase water efficiencies when building on state-owned real property, purchasing real property, or replacing landscaping or irrigation, where feasible, and provides an exemption for state property that is leased to a private party for agricultural purposes.

AB 617 (Perea). Groundwater.

Chapter 666, Statutes of 2015

This measure requires the PUC be notified of formation of a groundwater sustainability agency if the proposed service area of that groundwater sustainability agency includes investor owned water utilities. This measure also authorizes a groundwater sustainability agency that finds that a state entity is not working cooperatively regarding implementation of a groundwater sustainability plan, to file notice with the SWRCB regarding its finding.

AB 786 (Levine). Common Interest Developments. Property Use and Maintenance.
Chapter 780, Statutes of 2015 (Urgency)

This measure clarifies that a Home Owners Association may only impose a fine or assessment against a homeowner for reducing or eliminating the watering of vegetation or lawns during a drought where, prior to the imposition of a fine or assessment, the homeowner receives recycled water from a retail water supplier and fails to use that recycled water for landscaping irrigation.

AB 939 (Salas). Groundwater Sustainability Agencies.
Chapter 667, Statutes of 2015

This measure clarifies deadlines under the Sustainable Groundwater Management Act (SGMA) for a Groundwater Sustainability Agency to develop a Groundwater Sustainability Plan in those cases where a groundwater basin is reprioritized by the Department of Water Resources (DWR) from low or very low to high or medium priority. This measure also extends, from 10 to 20 days, the review period during which data used for setting fees under SGMA is publicly available.

AB 965 (Garcia, E). California and Mexico Border. Water Resources Improvement.
Chapter 668, Statutes of 2015

This measure requires the California-Mexico Border Relations Council (Border Relations Council) to establish the New River Water Quality, Public Health, and River Parkway Development Program to coordinate funding for, and the implementation of, the recommendations from the New River Strategic Plan. This measure also provides the Border Relations Council with a consultative and coordinating role on the development, implementation and funding of specified border-related projects and funding.

***AB 1164 (Gatto). Water Conservation. Drought Tolerant Landscaping.**
Chapter 671, Statutes of 2015

This measure prohibits cities and counties from enacting or enforcing any ordinance or regulation that prohibits the installation of drought tolerant landscaping, synthetic grass, or artificial turf on residential property. This measure allows cities and counties to impose reasonable restrictions on the type of drought tolerant landscaping, synthetic grass, or artificial turf that may be installed on residential property.

AB 1390 (Alejo). Groundwater. Comprehensive Adjudication.
Chapter 672, Statutes of 2015

This measure establishes special procedures for a comprehensive adjudication, under SGMA, which is defined as an action filed in superior court to comprehensively determine rights to extract groundwater in a basin.

SB 13 (Pavley). Groundwater.
Chapter 255, Statutes of 2015

This measure makes numerous clarifying changes to SGMA. This measure specifies that the SWRCB is authorized to designate a high- or medium-priority basin as a probationary basin; provides a local agency or groundwater sustainability agency 90 or

180 days to remedy certain deficiencies that caused the board to designate the basin as a probationary basin; and authorizes the board to develop an interim plan for certain probationary basins one year after the designation of the basin as a probationary basin.

SB 208 (Lara). Integrated Regional Water Management Plans. Grants. Advanced Payment.

Chapter 675, Statutes of 2015

This measure allows DWR, under specified conditions, to provide advance funding of Integrated Regional Water Management Plan grants where the project proponent is a nonprofit organization or a disadvantaged community, or the project benefits a disadvantaged community.

SB 226 (Pavley). Sustainable Groundwater Management Act. Groundwater Adjudication.

Chapter 676, Statutes of 2015

This measure integrates and streamlines the groundwater adjudication process for groundwater basins that are subject to the SGMA.

SB 555 (Wolk). Urban Retail Water Suppliers. Water Loss Management.

Chapter 679, Statutes of 2015

This measure requires each urban retail water supplier, on or before October 1, 2017, and on or before October 1 of each year thereafter, to submit a completed and validated water loss audit report for the previous calendar year or previous fiscal year as prescribed by rules adopted by DWR on or before January 1, 2017, and updated as provided. This measure also requires DWR to post all validated water loss audit reports on its website in a manner that allows for comparisons across water suppliers and to make these reports available for public viewing.

SB 664 (Hertzberg). Water. Urban Water Management Planning.

Chapter 681, Statutes of 2015

This measure requires an urban water supplier to include within its plan, beginning January 1, 2020, a seismic risk assessment and mitigation plan to assess the vulnerability of each of the various facilities of a water system and mitigate those vulnerabilities. This measure authorizes an urban water supplier to comply with this requirement by submitting a copy of the most recent adopted local hazard mitigation plan or multihazard mitigation plan under specified federal law that addresses seismic risk.

F. Water – Drinking Water

***AB 401 (Dodd). Low-Income Water Rate Assistance Program.**

Chapter 662, Statutes of 2015

This measure requires the SWRCB, in collaboration with the State Board of Equalization and stakeholders, to develop a plan for funding and implementing the Low-

Income Water Rate Assistance Program by January 1, 2018. This measure also requires SWRCB to report to the Legislature by February 1, 2018.

AB 434 (Garcia, E). Drinking Water. Point-of-Entry and Point-of-Use Treatment. Chapter 663, Statutes of 2015 (Urgency)

This measure repeals the sunset date on emergency regulations adopted by the California Department of Public Health governing the permitted use of point-of-entry and point-of-use treatment by public water systems in lieu of centralized treatment. These regulations shall remain in effect until repealed or amended by the SWRCB.

AB 496 (Rendon). Pupil Nutrition. Fresh Drinking Water. Funding. Chapter 664, Statutes of 2015

This measure authorizes the State Department of Education to receive funds transferred from available state and federal sources, to be allocated to school districts for purposes of complying with the requirement for providing access to drinking water as specified, and requires the department to consult with the specified state agencies, including the SWRCB, to identify available sources of funding for school water quality and infrastructure and to post that information on the department's Internet Web site.

AB 656 (Garcia, C). Joint Powers Agreements. Mutual Water Companies. Chapter 250, Statutes of 2015

This measure specifically authorizes a mutual water company and a public agency to participate in joint powers agreement for the provision of insurance and risk-pooling, technical support, and other similar services for the purpose of reducing risk liability.

AB 1077 (Holden). Mutual Water Companies. Open Meetings. Chapter 669, Statutes of 2015

This measure prohibits a mutual water company from meeting solely in an executive session without holding a meeting. This measure requires notice of a meeting to be given to an eligible person at least four days prior to the meetings and requires a board of directors of a mutual water company to allow an eligible person to personally attend a meeting of the board, if the eligible person gave the board at least 24 hours advance written notice of his or her intent to personally attend the meeting.

***SB 385 (Hueso). Primary Drinking Water Standards. Hexavalent Chromium. Compliance Plan. (Urgency) Chapter 272, Statutes of 2015**

This measure authorizes the SWRCB, at the request of a public water system that prepares and submits a compliance plan to the SWRCB, to grant additional time to achieve compliance with the primary drinking water standard for hexavalent chromium by approving the compliance plan. This measure sunsets on January 1, 2020.

G. Water – Quality

***SB 485 (Hernandez). County of Los Angeles. Sanitation Districts.**

Chapter 678, Statutes of 2015

This measure authorizes specified sanitation districts in the County of Los Angeles to acquire, construct, operate, maintain, and furnish facilities for the diversion, management, and treatment of stormwater and dry weather runoff, and make beneficial use of the water.

H. Air Quality

AB 1496 (Thurmond). Methane Emissions.

Chapter 604, Statutes of 2015

This measure requires the ARB to monitor high-emission methane hot-spots in the state; consult with specified entities to gather information for purposes of carrying out life-cycle greenhouse gas emissions analyses of natural gas imports; update relevant policies and programs based on those updated life-cycle analyses; and review scientific information on atmospheric reactivity of methane as a precursor to the formation of photochemical oxidants.

SB 513 (Beall). Carl Moyer Memorial Air Quality Standards Attainment Program.

Fees.

Chapter 610, Statutes of 2015

This measure makes numerous changes to the Carl Moyer Air Quality Standards Attainment Program (Moyer Program) and local incentive programs (AB 923 Program). Notable changes include clarifying that local air districts can continue to levy program fees, even after they come into compliance with National and California Ambient Air Quality Standards, in order to maintain compliance with the standards; recognizing greenhouse gas (GHG) reductions so that funded projects can achieve both criteria pollutant and GHG emissions reductions; and adjusting the cost-effectiveness formula for projects to more effectively incentivize the statewide deployment of cleaner technologies.

I. Climate Change

AB 1482 (Gordon). Climate Adaption.

Chapter 603, Statutes of 2015

This measure requires the California Natural Resources Agency (CNRA) to update its climate adaptation strategy, the Safeguarding California Plan (Plan), by July 1, 2017, and every three years thereafter by coordinating adaption activities among lead state agencies in each sector. This measure requires the relevant state agencies to maximize specified objectives across sectors to address vulnerabilities identified in the Plan and requires the Strategic Growth Council to identify and review activities and funding

programs of state agencies that may be coordinated to meet the goals of the strategies and priorities in the Plan.

***SB 185 (De León). Public Retirement Systems. Public Divestiture of Thermal Coal Companies.**

Chapter 469, Statutes of 2015

This measure requires that the California Public Employees' Retirement System (CalPERS) and the California State Teachers' Retirement System (CalSTRS) liquidate investments in thermal coal companies on or before July 7, 2017. The bill prohibits the boards for both systems from making new investments or renewing investments into thermal coal companies.

***SB 246 (Wieckowski). Climate Change Adaptation.**

Chapter 606, Statutes of 2015

This measure establishes the Integrated Climate Adaptation and Resiliency Program to be administered by the Office of Planning and Research to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change. This measure also requires, within one year of an update to the Safeguarding California Plan, the Office of Emergency Services, in coordination with the CNRA, the Office of Planning and Research, and relevant public and private entities, to review and update, as necessary, the Adaptation Planning Guide.

***SB 350 (De León). Clean Energy and Pollution Reduction Act of 2015.**

Chapter 547, Statutes of 2015

This measure enacts the Clean Energy and Pollution Reduction Act of 2015 and establishes targets to increase retail sales of renewable electricity to 50 percent by 2030, and double the energy efficiency savings in electricity and natural gas end uses by 2030. (*The League has prepared a comprehensive summary of this measure in Appendix A of this document.*)

***SB 379 (Jackson). Land Use. General Plan. Safety Element.**

Chapter 608, Statutes of 2015

This measure requires that upon the next revision of a local hazard mitigation plan on or after January 1, 2017, or, if the local jurisdiction has not adopted a local hazard mitigation plan, beginning on or before January 1, 2022, requires the safety element to be reviewed and updated as necessary to address climate adaptation and resiliency strategies applicable to that city or county.

J. Miscellaneous

AB 96 (Atkins). Animal Parts and Products. Importation or Sale of Ivory and Rhinoceros Horn.

Chapter 475, Statutes of 2015

This measure makes it unlawful to purchase, sell, offer for sale, possess with intent to sell, or import with intent to sell, ivory or rhinoceros horn in California, with specified

exceptions. This measure also makes a violation of these prohibitions a misdemeanor, subject to both criminal and administrative penalties.

***AB 243 (Wood). Medical Marijuana.**

This measure addresses the need for comprehensive regulation of the cultivation of medical marijuana in California, as one of three bills comprising the Medical Marijuana Regulation and Safety Act. It provides for cultivation licenses and the regulation of cultivation sites, including environmental impacts and illegal water diversion, and directs the establishment of standards for labelling and the use of and maximum tolerances for pesticides.

**AB 498 (Levine). Wildlife Conservation. Wildlife Corridors.
Chapter 625, Statutes of 2015**

This measure declares it is the policy of the state to encourage, wherever feasible and practicable, voluntary steps to protect the functioning of wildlife corridors through various means, including but not limited to provisions of roadway undercrossings, overpasses, oversized culverts, or bridges to allow for fish passage and the movement of wildlife between habitat areas.

**AB 530 (Rendon). Lower Los Angeles River Working Group.
Chapter 684, Statutes of 2015**

This measure requires the Secretary of the CNRA to appoint, in consultation with the Los Angeles County Board of Supervisors to the extent the board wishes to consult, a local working group to develop a revitalization plan for the Lower Los Angeles River watershed, called the Lower Los Angeles River Working Group. This measure also requires the Secretary to consider requests from local agency representatives to participate in the working group and would authorize the working group to include elected officials from cities bordering the LA River.

**AB 707 (Wood). Agricultural Land. Williamson Act Contracts. Cancellation.
Chapter 631, Statutes of 2015**

This measure requires the Department of Conservation to provide a preliminary valuation of the Williamson Act contract land to the county assessor and the city council or board of supervisors at least 60 days prior to the effective date of the agreed upon cancellation valuation if the contract includes additional local cancellation fees.

**AB 808 (Ridley-Thomas). Automotive Fuels and Products.
Chapter 591, Statutes of 2015**

This measure expands the authority of the California Department of Food and Agriculture (CDFA) to include alternative fuels, as defined; requires the method of sale for all motor vehicle fuels and lubricants to be consistent with national standards, and requires the CDFA secretary to establish interim standards for methods of sale if national standards do not exist.

AB 815 (Ridley-Thomas). Oil Spill Prevention and Response Fees. Collection.
Chapter 108, Statutes of 2015

This measure makes clarifying and technical corrections to statutes concerning the Oil Spill Prevention and Administration Fund necessary due to the chaptering of last year's Resources budget trailer bill.

AB 864 (Williams). Oil Spill Response. Environmentally and Ecologically Sensitive Areas.

Chapter 592, Statutes of 2015

This measure requires, by January 1, 2018, any new or replacement pipeline near environmentally and ecologically sensitive areas in the coastal zone to use best available technologies to reduce the amount of oil released in an oil spill to protect state waters and wildlife. The measure also requires, by July 1, 2018, an operator of an existing pipeline near these sensitive areas to submit a plan to retrofit the pipeline, by January 1, 2020.

AB 865 (Alejo). State Energy Resources Conservation and Development Commission. Contracts and Grants.

Chapter 583, Statutes of 2015

This measure requires the CEC to develop and implement an outreach program to inform certified women, minorities, disabled veterans, and gay, lesbian, bisexual, and transgender businesses of the CEC workshops, training, and funding opportunities.

AB 1059 (Garcia, E). California Communities Environmental Health Screening.
Chapter 584, Statutes of 2015

This measure requires the Office of Environmental Health and Hazard Assessment to update its California Communities Environmental Health Screening Tool (CalEnviroScreen 2.0) by using relevant environmental data relating to known impacts of air pollution, water pollution, and toxic sites on the environmental quality of the communities in the California-Mexico border region.

AB 1071 (Atkins). Supplemental Environmental Projects.

Chapter 585, Statutes of 2015

This measure requires each board, department, and office within the California Environmental Protection Agency to establish a policy on supplemental environmental projects that benefits disadvantaged communities as determined by the CalEnviroScreen 2.0.

AB 1095 (Garcia, E). Salton Sea. Restoration Projects.

Chapter 722, Statutes of 2015

This measure requires the CNRA, on or before March 31, 2016, to submit to the Legislature a list of shovel-ready Salton Sea restoration projects, including information regarding project costs and project completion timelines.

AB 1236 (Chiu). Local Ordinances. Electric Vehicle Charging Stations.*Chapter 598, Statutes of 2015**

This measure requires cities and counties, including charter cities, to create an expedited permitting and inspection process for electric vehicle charging stations. This measure limits the effective date of September 30, 2016, to cities and counties with a population of 200,000 or more, and adds an effective date of September 30, 2017, for cities and counties with a population of less than 200,000 residents.

AB 1288 (Atkins). Air Resources Board.*Chapter 586, Statutes of 2015**

This measure requires the Senate Rules Committee and the Speaker of the Assembly to each appoint one member to the ARB. The appointees must work directly with communities in the state that are most significantly burdened by, and vulnerable to, high levels of pollution, including communities with diverse racial and ethnic populations and low-income populations.

AB 1323 (Frazier). Marine Debris. Removal and Disposal.**Chapter 645, Statutes of 2015**

This measure authorizes a public agency to remove and dispose of marine debris after 10 days if the marine debris is floating, sunk, partially sunk, or beached in or on a public waterway, public beach, or on state tidelands or submerged lands.

AB 1420 (Salas). Oil and Gas. Pipelines.**Chapter 601, Statutes of 2015**

This measure requires the Division of Oil, Gas, and Geothermal Resources, by January 1, 2018, to review and evaluate, and update as appropriate, its current regulations regarding all active gas pipelines that are 4 inches or less in diameter, in sensitive areas, and 10 years old or older, as specified. The measure defines active gas pipelines as inservice gas pipelines of any diameter within the division's jurisdiction.

AB 1531 (Comm. Environmental Safety and Toxic Material). State Water Resources Control Board.**Chapter 673, Statutes of 2015**

This measure provides minor and technical corrections to the Safe Drinking Water Act and the Clean Water Act carried out by the SWRCB.

SB 165 (Monning). Civil Penalties. Cultivation of Controlled Substances on Public and Private Lands.*Chapter 139, Statutes of 2015**

This measure expands the list of crimes for which civil penalties of \$8,000 to \$40,000 may be levied against a person who cultivates a controlled substance and causes various forms of environmental degradation on public and private lands.

SB 355 (Lara). San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy.**Chapter 677, Statutes of 2015**

This measure increases the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy's governing board to 15 voting members, by adding 2 members who are residents of a city not otherwise represented on the governing board at the time of the member's appointment, one bordering the Lower Los Angeles River and the other bordering the San Gabriel River.

SB 414 (Jackson). Oil Spill Response.**Chapter 609, Statutes of 2015**

This measure requires the Administrator of the Office of Oil Spill Prevention and Response to do the following:

- Arrange drills and exercises with the U.S. Coast Guard;
- Consult peer-reviewed scientific literature regarding chemical dispersants of oil and ask that the California Dispersant Plan be updated by May 1, 2016;
- Provide written notification to the Legislature within three days of the use of dispersants in an oil spill;
- Report to the Legislature on the effectiveness of dispersants within two months of their use;
- Support the Regional Response Team in its efforts to update chemical dispersant use plans;
- Submit a report to the Legislature by January 1, 2017 assessing the best achievable technology for oil spill prevention, preparedness and response;
- Update regulations governing the adequacy of oil spill contingency plans by July 1, 2018; and
- Direct harbor safety committees to assess the presence and capability of tugs in certain areas to provide emergency towing of vessels.

This measure also requires the Oil Spill Technical Advisory Committee to convene a task force with specified members to evaluate and make recommendations on the use of "vessels of opportunity" including commercial fishing vessels, in response to oil spills in marine waters. Specifies that the evaluation must involve two public meetings, one in Southern California and one in Northern California, and include the following specific topics:

- Appropriate functions of vessels of opportunity during an oil spill;
- Appropriate management of vessels of opportunity spill response program;
- Vessels of opportunity equipment, training, and technology needs;
- Liability and insurance; and
- Compensation.

SB 798 (Comm. on Natural Resources and Water). Natural Resources.**Chapter 683, Statutes of 2015**

This measure makes clarifying and technical changes to the Fish and Game Code and Water Code. It combines the public hearing and State Lands Commission hearings for proposed government retrocessions. This measure updates membership requirements

for the Watershed Fire Council of Southern California and meeting requirements for the California Coastal Commission to meet at least 11 times annually rather than once a month. It also clarifies the rights and responsibilities of the State Water Resources Control Board and the timelines for complaints and permits for the diversion of water. This measure changes the Coastal Act, by authorizing mayors to be appointed to the California Coastal Commission and requiring the Commission meet no fewer than 11 times annually, with each meeting occurring no more than 45 days after the previous meeting.

K. Resolutions to Raise Awareness

ACR 22 (Dahle). Sierra Nevada Watershed Protection Week. Resolutions Chapter 167, Statutes of 2015

This measure declares the week of September 13 – 19, 2015, and the third week of September every year thereafter as Sierra Nevada Watershed Protection Week. This measure applauds public schools that include watershed protection in the Sierra Nevada Region as part of their outdoor education curriculum whenever possible during the month of September.

SJR 10 (Stone). Federal Investment Tax Credit. Solar. Resolutions Chapter 182, Statutes of 2015

This measure requests that the Congress of the United States take immediate action to extend renewable energy tax credits for solar-electric systems, solar water heating systems and fuel cells.

V. Housing, Community and Economic Development

A. Common Interest Developments

AB 596 (Daly). Common Interest Developments. Annual Budget Report. Chapter 184, Statutes of 2015

This measure requires a homeowners association (HOA) in a common interest development (CID) to disclose to the owners if the CID is an approved condominium project pursuant to Federal Housing Administration (FHA) and Department of Veterans Affairs (VA) guidelines.

AB 786 (Levine). Common Interest Developments. Property Use and Maintenance. Chapter 780, Statutes of 2015 (Urgency)

This measure clarifies that a HOA may only impose a fine or assessment against a homeowner for reducing or eliminating the watering of vegetation or lawns during a drought where, prior to the imposition of a fine or assessment, the homeowner receives recycled water from a retail water supplier and fails to use that recycled water for landscaping irrigation.

B. Community and Economic Development

***AB 2 (Alejo and Garcia). Community Revitalization and Investment Authorities. Chapter 319, Statutes of 2015**

This measure provides new authority to revitalize disadvantaged communities through planning and financing infrastructure improvements and upgrades; economic development activities; and affordable housing via tax increment financing based, in part, on the former community redevelopment law.

A Community Revitalization and Investment Authority (CRIA) can be created in the following two locations:

- Areas where not less than 80 percent of the land contains census tracts or census block groups that meet both of these conditions: an annual median household income that is less than 80 percent of the statewide annual median income; and at least three of the following conditions are met:
 - Non-seasonal unemployment at least 3 percent higher than statewide average;
 - Crime rates at least 5% higher than statewide median;
 - Deteriorated or inadequate infrastructure; and
 - Deteriorated commercial or residential structures.
- A former military base that is principally characterized by deteriorated or inadequate infrastructure or structures.

The measure contains additional extensive detail on the establishment, governance, operation, accountability and responsibilities of this agency. (*The League has prepared a comprehensive summary of this measure in Appendix A of this document.*)

**AB 189 (Bloom). Arts Council. Cultural Districts.
Chapter 396, Statutes of 2015**

This measure requires the California Arts Council (CAC) to establish criteria and guidelines for state-designated cultural districts, as defined. This measure requires the CAC to establish a competitive application system for certification; provide technical and promotional support for certified state-designated cultural districts; and collaborate with public agencies and private entities to maximize the benefits of state-designated cultural districts. This measure also provides that a geographical area within the state may be certified as a state-designated cultural district by applying to CAC for certification.

***AB 313 (Atkins). Enhanced Infrastructure Financing Districts.
Chapter 320, Statutes of 2015**

This measure contains some helpful clean up to last year's SB 628 (Beall) to facilitate its implementation. More specifically, the measure includes:

- Clarification that the public financing authority, rather than the legislative body is the entity required to prepare the plan;
- Clarification of the reasons that the constitutional debt limit does not apply to the activities of the district;
- Clarification that only those dwelling units proposed to be removed or destroyed within a district that receives district financing or subject to a written agreement with a district shall be subject to the law's housing replacement requirements; and
- Details housing replacement requirements for any demolished or destroyed housing units.

***AB 325 (Wood). Community Development Block Grant Program.
Chapter 397, Statutes of 2015**

This measure requires the Department of Housing and Community Development (HCD), no later than 60 days after the department notifies an applicant that it has approved the applicant's application for federal Community Development Block Grant funds to provide a grant agreement to the applicant.

When a grant agreement is entered into, HCD is required to provide the applicant with a list of all activities the applicant must complete to receive a disbursement of funds. After receiving a request for disbursement of funds from a grantee, HCD must, within 30 days, either notify the grantee it has approved disbursement of the funds or provide a final list of items to complete.

**AB 1230 (Gomez). California ADA Small Business Capital Access Loan Program.
Chapter 787, Statutes of 2015**

This measure establishes the California Americans with Disabilities Act (ADA) Small Business Capital Access Loan Program, to create a self-sustaining program to provide

loans to assist small businesses for financing the costs of projects that alter or retrofit existing small business facilities, meeting specified criteria, to comply with the federal ADA.

AB 1270 (Garcia). California Workforce Innovation and Opportunity Act.
Chapter 94, Statutes 2015

This measure makes necessary changes to existing workforce development statutes to conform to the new federal guidelines under the Workforce Innovation and Opportunity Act while preserving core elements of California's workforce development policies.

AB 1533 (Comm. on Jobs, Economic Development, and the Economy).
Infrastructure Financing.
Chapter 383, Statutes of 2015

This measure makes technical changes to the definition section of the code relating to the Infrastructure and Economic Development Bank (I-Bank), and also transfers authority and funding from the Governor's Office of Business and Economic Development to the Valley Economic Development Center, Inc. associated with a federal Economic Adjustment Assistance Grant.

AJR 6 (Cooley). California Earthquake Authority. Post Earthquake Financing.
Chapter 83, Statutes of 2015

This measure urges Congress to establish a federal guarantee for a loan by the California Earthquake Authority after an earthquake. The resolution highlights the following:

- California earthquakes have negatively impacted local communities throughout history; and
- Only 12 percent of California homeowners own earthquake insurance, primarily due to its high cost, and are not prepared for a catastrophic natural disaster such as an earthquake. Federal backing will reduce the cost of earthquake insurance.

SB 68 (Hall). Seaport Infrastructure Financing Districts.
Chapter 83, Statutes of 2015

This measure establishes a financing tool for seaport infrastructure based upon a modified form of the Enhanced Infrastructure Finance District law.

***SB 107 (Budget and Fiscal Review). Redevelopment Dissolution Process.**
Chapter 325, Statutes of 2015

This measure contains major revisions to existing redevelopment dissolution laws, and unrelated items, including the following:

- Exempting the Department of Finance (DOF) from the Administrative Procedures Act;
- Limiting local recovery of legal expenses;
- Imposing numerous new statutory deadlines;
- Shifting from a six-month to an annual Recognized Obligation Payment Schedule (ROPS) process;
- Establishing a process to access portions of former 2011 issued bond proceeds;

- Providing clarification on parking lots, former federal grants and loans, and re-entered agreements as enforceable obligations; and
- Authorizing the repayment of some prior loans made to redevelopment agencies. *(The League has prepared a comprehensive summary of this measure in Appendix A of this document.)*

SB 342 (Jackson). California Workforce Investment Board. Responsibilities. Chapter 507, Statutes of 2015

This measure requires the California Workforce Development Board (CWDB) to assist the Governor in helping individuals with barriers to employment, including low-skill, low-wage workers, the long-term unemployed, and members of single-parent households, achieve economic security and upward mobility by implementing policies that encourage the attainment of marketable skills relevant to current labor market trends and defines "earn and learn," as specified.

C. Housing and Housing Finance

AB 90 (Chau). Federal Housing Trust Fund. Chapter 686, Statutes of 2015

This measure designates HCD as the entity responsible for administering funds received through the Federal Housing Trust Fund. This measure also requires HCD to collaborate with the California Housing Finance Agency in developing an allocation process meeting geographic distribution and other criteria and establishes a stakeholder process to inform these discussions.

AB 388 (Chang). Housing. Veterans. Supportive and Transitional Housing. Reports.

Chapter 692, Statutes of 2015

This measure requires HCD to report specified performance data to the Legislature as part of an annual evaluation performed by the department, in collaboration with the Department of Veterans Affairs, on the expenditure of \$600 million in bonds, authorized by Proposition 41, for a variety of housing options including assisting homeless veterans.

***AB 744 (Chau). Density Bonus Law. Restricting Available Parking. Chapter 699, Statutes of 2015**

This measure prohibits, at the request of an applicant, a city, county or city and county from imposing a vehicular parking ratio under State Density Bonus Law that exceed the following:

- 0.5 spaces per bedroom, inclusive of handicapped and guest parking, for a project located one-half mile from a major transit stop, as defined, that contains at least 20 percent low income housing or 11 percent very low income housing;
- For projects which contain solely rental units affordable to lower income families, the following ratios, inclusive of handicapped and guest parking but exclusive of a manager's unit, applies:

- 0.5 spaces per unit for projects located one-half mile from a major transit stop;
- 0.5 spaces per unit for senior development of rental housing for ages 62 and older, with either paratransit service or located within one-half mile from fixed a bus route service that operates at least eight times per day; and
- 0.3 spaces per unit for special needs housing, as defined, with either paratransit service or located within one-half mile from a fixed bus route that operates at least eight times per day.
- Defines “major transit stop” to include:
 - An existing rail transit station, a ferry terminal served by either a bus or transit rail service, or the intersection of two or more major bus routes with frequency of service of fifteen minutes or less at peak morning and evening commute periods;
 - A transit corridor with fixed route bus service at no more than 15 minutes intervals during peak commute hours; and
 - Major transit stops included within the applicable regional transportation plan.
- Allows a city, county or city and county based on a parking study to impose higher parking ratios not to exceed the following:
 - 1 parking space for units between studio and one bedroom;
 - 2 parking spaces for units between two and three bedrooms; and
 - 2.5 parking spaces for units of more than four bedrooms.
- Stipulates that the parking study must have been completed by the agency or an independent consultant either area-wide or jurisdiction-wide within the prior seven years that supports the need for additional parking based upon substantial evidence. The study must include, but is not limited to, the following:
 - Analysis of parking availability;
 - Differing levels of transit access;
 - Walkability access to transit services;
 - Potential for shared parking;
 - The effects of parking requirements on the cost of market rate and subsidized developments; and
 - Lower rates of car ownership for low and very low income individuals, including seniors and special needs.
- Provides that the costs of any new parking study must be paid for by the city, county or city and county. Presumably, such costs could still be passed on to applicants because the bill also contains language declaring that it is exempt from state mandate reimbursement requirements because local agencies have the authority to levy fees, charges and assessments sufficient to pay for the program or level of service mandated by this act.

AB 1228 (Gipson). Housing for Homeless and Foster Youth.

Chapter 571, Statutes of 2015

This measure requests the Regents of the University of California, the Trustees of the California State University and California Community Colleges provide additional

flexibility in the use of student housing facilities, during academic and campus breaks, to respond to the challenges faced by students who are formerly homeless and foster youth.

AB 1403 (Maienschein). Homeless Housing. Joint Powers Agreements.
Chapter 188, Statutes of 2015

This measure authorizes one or more private non-profit 501(c) (3) corporations organized to provide services to the homeless, or to prevent homelessness, to enter into a joint powers agreement with one or more public agencies. The entity formed shall be deemed a public agency, except for debt issuance, and can be used to share information between public agencies and non-profits as a means to improve the delivery of coordinated care housing services to the most frequent users of publicly-funded emergency services.

AB 1516 (Comm. on Housing and Community Development). Housing.
Chapter 349, Statutes of 2015

This measure is the Housing Committee Omnibus bill that makes technical and non-controversial changes to sections of law relating to housing. Specifically, this bill:

- Makes a technical, non-substantive change to the Davis-Stirling Act by replacing the term "funding" with "funded;"
- Updates cross-references and make technical changes to the Housing Accountability Act; and
- Updates statute to allow a Home Purchase Assistance down payment assistance loan to be recorded in a junior lien position, and ensure it meets all of the qualifications of federal laws and regulations so it can be used with a Federal Housing Authority insured loan product.

D. Land Use/Planning

***AB 57 (Quirk). Telecommunications. Wireless Telecommunications Facilities.**
Chapter 685, Statutes of 2015

This measure provides that a collocation or siting application for a wireless telecommunications facility is deemed approved if the city or county fails to approve or disapprove the application within the time periods specified by Federal Communications Commission regulations, all required public notices have been provided regarding the application, and the applicant has provided a notice to the city or county that the reasonable time period has lapsed.

AB 644 (Wood). Land Use. General Plan. Safety Element. Fire Hazard Impacts.
Chapter 402, Statutes of 2015

This measure removes the requirement, in certain instances, that a county make specified findings pursuant to the Subdivision Map Act for an area located in a state responsibility area or a very high fire hazard severity zone.

AB 707 (Wood). Agricultural Land. Williamson Act Contracts. Cancellation.
Chapter 631, Statutes of 2015

This measure requires the Department of Conservation to provide a preliminary valuation of the Williamson Act contract land to the county assessor and the city council or board of supervisors at least 60 days prior to the effective date of the agreed upon cancellation valuation if the contract includes additional local cancellation fees.

AB 715 (Daly). Residential Development. School Facilities Fees.
Chapter 120, Statutes of 2015

This measure specifies that for the purpose of calculating developer fees levied by school districts for the construction or reconstruction of school facilities, a walkway that is not considered "assessable space" can be covered or uncovered.

AB 747 (Eggman). Planning and Land Use. Sacramento-San Joaquin Valley.
Chapter 152, Statutes of 2015

This measure allows a city or county within the Sacramento-San Joaquin Valley to approve discretionary permits or other discretionary entitlements for projects located within a flood hazard zone except those that would result in either the construction of a new building or construction that would result in an increase in allowed occupancy for an existing building.

***AB 1164 (Gatto). Water Conservation. Drought Tolerant Landscaping.**
Chapter 671, Statutes of 2015

This measure prohibits cities and counties from enacting or enforcing any ordinance or regulation that prohibits the installation of drought tolerant landscaping, synthetic grass, or artificial turf on residential property. This measure also allows cities and counties to impose reasonable restrictions on the type of drought tolerant landscaping, synthetic grass, or artificial turf that may be installed on residential property.

***AB 1236 (Chiu). Local Ordinances. Electric Vehicle Charging Stations.**
Chapter 598, Statutes of 2015

This measure requires cities and counties, including charter cities, to create an expedited permitting and inspection process for electric vehicle charging stations. This measure limits the effective date of September 30, 2016, to cities and counties with a population of 200,000 or more, and adds an effective date of September 30, 2017, for cities and counties with a population of less than 200,000 residents.

AB 1251 (Gomez). Greenway Development and Sustainment Act.
Chapter 639, Statutes of 2015

This measure authorizes certain nonprofit organizations, tribes and state and local governments to acquire easements for the purpose of developing greenways along urban waterways. Greenways are defined as a pedestrian and bicycle, nonmotorized vehicle transportation, and recreational travel corridor.

AB 1274 (Stone). Public Lands. Geophysical Surveys.**Chapter 600, Statutes of 2015**

This measure authorizes the State Lands Commission to issue permits for geophysical surveys on state lands under its jurisdiction, including granted and ungranted tidelands and submerged lands and the beds of navigable waterways, subject to terms and conditions as the commission shall specify to ensure public safety and protection of the environment. This measure also requires the commission to adopt regulations to aid in the implementation of those provisions.

AB 1303 (Gray). Subdivision Map Act. Map Expiration Dates.**Chapter 751, Statutes of 2015**

This measure provides an automatic 24-month extension for unexpired subdivision maps approved between January 1, 2002 and July 11, 2013, in counties that meet specified poverty, unemployment and income thresholds.

AB 1532 (Comm. on Local Government). Local Government. Omnibus.**Chapter 114, Statutes of 2015**

This measure makes technical and clarifying changes to Local Agency Formation Commissions (LAFCO). Specifically, it makes changes to appointment authority and conflict of interest provisions.

SB 379 (Jackson). Land Use. General Plan. Safety Element.*Chapter 608, Statutes of 2015**

This measure requires that upon the next revision of a local hazard mitigation plan on or after January 1, 2017, or, if the local jurisdiction has not adopted a local hazard mitigation plan, beginning on or before January 1, 2022, requires the safety element to be reviewed and updated as necessary to address climate adaptation and resiliency strategies applicable to that city or county.

E. Development Fees**AB 807 (Stone). Real Estate Transfer Fees. Recorded Documents.****Chapter 634, Statutes of 2015**

This measure makes declaratory and clarifying changes to existing law pertaining to the disclosure of real estate transfer fees, including, among other things, providing that transfer fees due at times other than upon the transfer or sale of a property are subject to disclosure under existing law.

AB 1191 (Nazarian). Quimby Act. Fees. Los Angeles.**Chapter 276, Statutes of 2015**

This measure allows the City of Los Angeles to commit interest accrued on or before January 1, 2016, on fees charged pursuant to the Quimby Act, without regard to the date the fee was collected or the date of issuance of building permits, outside the subdivision for which the fees were collected. This measure sunsets on January 1, 2021.

F. Local Agency Formation Commissions

AB 402 (Dodd). Local Agency Services. Contracts.

Chapter 431, Statutes of 2015

This measure establishes a pilot program, until January 1, 2021, for the Napa and San Bernardino LAFCOs to permit those commissions to authorize a city or district to provide new or extended services outside both its jurisdictional boundaries and its sphere of influence after making specific determinations establishing the necessity beyond responding to a threat to public health or safety.

AB 851 (Mayes). Local Government. Organization. Disincorporations.

Chapter 304, Statutes of 2015

This measure amends the Cortese-Knox-Hertzberg Act to make several changes to the process that LAFCO must use to approve a disincorporation.

The measure requires a proposal for disincorporation to be accompanied by a plan for providing services to the area following disincorporation; a comprehensive financial analysis; a process for LAFCO to allocate property tax to providers assuming the city's previous service responsibilities; and the transfer of general plan and zoning authority to the county. Nothing in this measure alters the existing public process including required voter approval by the affected residents of any disincorporation.

***SB 239 (Hertzberg). Fire Protection Services Contracting.**

Chapter 763, Statutes of 2015

This measure prohibits a public agency from entering into a new agreement, or extending an existing agreement, for fire protection services that either:

- Transfers responsibility for providing services within 25 percent of their jurisdictional boundaries; or
- Changes the employment status of more than 25 percent of employees of any public agency affected by the agreement.

The only exception to this prohibition is when all labor organizations representing firefighters have agreed to the transfer of service responsibility, and where the applicable LAFCO has approved the measure following a lengthy analysis and process.

G. Landlord-Tenant

AB 418 (Chiu). Tenancy. Termination. Victims of Violent Crime.

Chapter 70, Statutes of 2015

This measure extends indefinitely the authorization to use documentation from a qualified third party based on information received by that third party while acting in his or her professional capacity, as specified, to support a notice to terminate a tenancy when the tenant or a household member becomes the victim of domestic violence, sexual assault, stalking, human trafficking, or abuse of an elder or dependent adult. This bill reduces from 30 to 14 days the obligation of a tenant who becomes a victim, to pay

rent after providing the landlord with notice to terminate the tenancy, and states that thereafter the tenant shall be released from any rent payment obligation under their lease or rental agreement without penalty.

AB 1448 (Lopez). Personal Energy Conservation. Real Property Restrictions.
Chapter 602, Statutes of 2015

This measure requires a landlord to permit a tenant to utilize a clothesline or drying rack approved by the landlord in the tenant's private area if certain conditions are met, including, among others, that the clothesline or drying rack will not interfere with the maintenance of the rental property and the use of the clothesline or drying rack does not violate reasonable time or location restrictions imposed by the landlord.

SB 328 (Hueso). Landlords. Notice of Pesticide Use.
Chapter 278, Statutes of 2015

This measure requires landlords of residential rental property to provide tenants with specified written notice of and information about the use of pesticides inside a dwelling unit or in the common areas of the rental property, if the landlord seeks to apply the pesticide without a licensed pest control operator.

SB 655 (Mitchell). Housing Standards. Mold.
Chapter 720, Statutes of 2015

This measure provides that a lessor is not obligated to repair a dilapidation relating to mold, as specified, until he or she has notice of it or if the tenant is in violation of specified affirmative obligations. The bill authorizes a landlord to enter a dwelling to repair a dilapidation relating to mold, under specified conditions.

H. Mobilehomes

AB 999 (Daly). Mobilehomes. Disposal.
Chapter 376, Statutes of 2015

This measure amends the Mobilehome Residency Law to, among other things, authorize management to enforce a warehouse lien and to designate a mobilehome for disposal without requiring management or other person enforcing the lien to pay past or current vehicle license fees or obtain a tax clearance certificate. The bill requires a court to enter a judgment of abandonment if, instead, the criteria for abandonment has been satisfied and no party establishes an interest in the mobilehome and tenders all past due rent and other charges.

SB 244 (Vidak). Mobilehomes. Injunctions.
Chapter 176, Statutes of 2015

This measure eliminates the January 1, 2016, sunset date on the existing law authorizing the management of a mobilehome park to enjoin violations of park rules by seeking an injunction, rather than filing an unlawful detainer, thus making this authority permanent.

I. Residential Care Facilities

***AB 403 (Stone). Public Social Services. Foster Care Placement. Funding. Chapter 773, Statutes of 2015**

This measure, effective January 1, 2017, establishes a sunset for existing licensure, rate setting and other provisions for group homes and Foster Family Agencies (FFAs). This measure also establishes interim provisions.

This measure provides for licensure of Short Term Residential Treatment Centers (STRTCs) and FFAs and requires the California Department of Social Services (DSS) to develop a new payment structure for STRTCs and FFAs, as specified. This bill establishes the framework for the codification of a number of recommendations included in the DSS report and the California's Child Welfare Continuum of Care Reform.

Specifically, this measure:

- Sunsets, effective January 1, 2017, existing laws pertaining to group homes, including those permitting a group home to accept children assessed as being seriously emotionally disturbed and the existing rate classification structure;
- Provides for licensure of FFAs, defined to mean an organization engaged in the recruiting, certifying and training of, and providing professional support to, foster parents, or in finding homes or other places for placement for children for temporary or permanent care, as an alternative to group care; and
- Requires the state, through DSS and county welfare departments, to establish and support a public system of child welfare services to protect and promote the welfare of children. Provides for the licensure of group homes, defined as a residential facility providing 24 hour non-medical care and supervision to children, delivered by employed staff in a structured environment.

AB 601 (Eggman). Residential Care Facilities for the Elderly. Licensing. Chapter 628, Statutes of 2015

This measure requires the applicant seeking a license for a residential care facility for the elderly to disclose specified information, including whether it is a for-profit or not-for-profit provider, the name, address, and license number of other health, residential, or community care facilities owned, managed, or operated by the same applicant or by any parent organization of the applicant, and the name and address of any person, organization, or entity that owns the real property in which specified facilities are located.

AB 848 (Stone). Alcoholism and Drug Abuse Treatment Facilities. Chapter 744, Statutes of 2015

This measure authorizes alcoholism and drug treatment facilities to allow a licensed physician, or other health care practitioner, to provide incidental medical services to a resident of the facility and requires the Department of Health Care Services (DHCS) to conduct an evaluation of the program on or before July 1, 2018.

J. Miscellaneous

AB 3 (Williams). Isla Vista Community Services District.

Chapter 548, Statutes of 2015

This measure establishes the formation process, boundaries, services, and governing body for the Isla Vista Community Services District. The bill provides that if a utility user tax is not passed by the voters of the district on or before January 1, 2023, the district would be dissolved.

AB 226 (Atkins). Retail Food Safety. Fishermen's Markets.

Chapter 615, Statutes of 2015

This measure creates a new type of non-permanent food facility, defined as a "fishermen's market" that sells only raw edible aquatic plants, raw fresh fish, or fresh frozen fish, caught by California-licensed commercial fishermen or harvested by California-registered aquaculturists, directly to consumers. This facility would be operated by a licensed commercial fisherman, an entity representing two or more California-licensed commercial fishermen, or California-licensed commercial fishermen and California-registered aquaculturists. The bill also establishes and imposes food safety and sanitation requirements.

AB 229 (Chang). State Employees. Short Term Rentals. Travel Reimbursement.

Chapter 770, Statutes of 2015

This measure prevents state agencies from prohibiting state employees traveling on official state business from lodging in a short-term rental or using transportation network companies. This measure sunsets on January 1, 2019.

AB 232 (Oberholte). Hospitals. Seismic Safety.

Chapter 555, Statutes of 2015

This measure permits a critical access hospital located in the City of Tehachapi to submit a seismic safety extension application, pursuant to specified provisions of existing law that allow an extension up to January 1, 2020, notwithstanding a deadline of September 2012 to apply for this extension.

AB 234 (Gordon). Food. Sale.

Chapter 616, Statutes of 2015

This measure authorizes a community food producer to sell or provide whole uncut fruits or vegetables, or unrefrigerated shell eggs, directly to the public, a permitted food facility, or a cottage food operation. This measure further authorizes a gleaner to sell or provide the same food produced by a community food producer directly to the public without registration or to donate the same food produced by a community food producer to a food bank or food kitchen without registration, if specified requirements are met.

AB 1521 (Comm. on Judiciary). Disability Access. Construction-Related. Accessibility Claims.

Chapter 755, Statutes of 2015

This measure makes various changes to the law as it pertains to construction-related accessibility claims. Specifically, this measure:

- Requires that any complaint filed by a high-frequency litigant contain specified information;
- Requires that any complaint alleging a construction-related accessibility violation be signed by the attorney of record, or party if the plaintiff is representing himself, and that the signature certifies specified information; and
- Requires the Judicial Council, on or before July 1, 2016, to develop a form for defendant businesses to respond to a complaint alleging a construction-related accessibility violation.

SB 761 (Hall). Temporary Residential Rentals. Host Platforms. Notice.

Chapter 239, Statutes of 2015

This measure requires a “hosting platform” which facilitates the rental of a residential unit primarily for tourist or transient use, to provide a notice to occupants stating that if they are a tenant that their rental contract or lease may prohibit them from listing their unit and could result in a legal action against them by the landlord, including possible eviction.

VI. Public Safety

A. Fire and Emergency Services

AB 8 (Gatto). Emergency Services. Hit-and-Run Accidents. **Chapter 326, Statutes of 2015**

This measure establishes the “Yellow Alert” notification system – similar to the “Amber Alert” system, using digital signs within a specified geographic area – to be used to enlist the aid of the public in locating hit-and-run suspects, and authorizes activation of the Yellow Alert system by the California Highway Patrol (CHP) for hit-and-run accidents, and specifies the conditions for that activation. This measure sunsets on January 1, 2019.

AB 503 (Rodriguez). Emergency Medical Services. **Chapter 362, Statutes of 2015**

This measure allows a health facility to release patient-identifiable medical information to an emergency medical services (EMS) provider and to a local emergency medical services agency (LEMSA), when specific data elements are requested for the purpose of quality assessment and improvement. This measure also authorizes the California Emergency Medical Services Authority (Cal-EMSA) to develop minimum standards for the implementation of this data collection system.

AB 643 (Nazarian). Emergency Services. Silver Alerts. **Chapter 332, Statutes of 2015**

This measure authorizes the CHP, upon activation of a Silver Alert, to communicate that alert on “highway changeable” (i.e. digital) message signs. Silver Alerts are designed to disseminate information that a person aged 65 or older, or developmentally disabled, or cognitively impaired, has gone missing, if the following conditions are met:

- A law enforcement agency has unsuccessfully used all available local resources to locate the missing person;
- The missing person is believed to be in danger due to health, weather conditions, or some other factor; and
- It has been determined that the public dissemination of such information may lead to the safe recovery of the missing person.

AB 644 (Wood). Land Use. General Plan. Safety Element. Fire Hazard Impacts. **Chapter 402, Statutes of 2015**

This measure removes the requirement, in certain instances, that a county make specified findings pursuant to the Subdivision Map Act for an area located in a state responsibility area or a very high fire hazard severity zone.

AB 896 (Wagner). Counties. Search or Rescue. Costs. **Chapter 436, Statutes of 2015**

This measure allows counties to seek reimbursement from residents ages 16 and up for search and rescue costs linked to finding and rescuing those same residents. It requires

that in order to seek such reimbursement, the search and rescue effort must have been triggered by an intentional act on the part of the resident in knowing violation of federal or state law or local ordinance, resulting in a criminal conviction of the person who was the subject of the search and/or rescue effort.

***AB 1129 (Burke). Emergency Medical Services. Data and Information Systems. Chapter 377, Statutes of 2015**

This measure requires an EMS provider, when collecting and submitting data to a LEMSA, to use an electronic health record (EHR) system that is compliant with both the California Emergency Medical Services Information System and National Emergency Medical Services Information System standards. The system must include those data elements that are required by the LEMSA. This bill prohibits a LEMSA from mandating that an EMS provider use a specific EHR system to collect and share this data. Finally, this measure clarifies that its provisions do not affect or modify existing written contracts or agreements executed before January 1, 2016, between an LEMSA and an EMS provider.

AB 1223 (O'Donnell). Emergency Medical Services. Ambulance Transportation. Chapter 379, Statutes of 2015

This measure will alleviate waiting time in emergency rooms for EMS personnel delivering patients by requiring the Cal-EMSA to develop a methodology for determining an acceptable amount of time for EMS crews to offload their patients at emergency departments. The bill defines "ambulance patient offload time" as the interval between the arrival of a patient transported by ambulance at an emergency department, and the time that the emergency department assumes responsibility for the care of the patient. It also allows local EMS authorities LEMSA's to adopt policies and procedures for calculating and reporting ambulance patient offload time, in order to establish criteria for the reporting of, and quality assurance follow-up for "non-standard patient offload time."

AB 1411 (Garcia, E). Fire Protection. Type 1 Clothes Dryers. Chapter 530, Statutes of 2015

This measure requires the State Fire Marshall (SFM), on or before December 31, 2016, to work with fire service entities, the appliance industry, disability advocates, and related stakeholders to gather information regarding type 1 clothes dryer-related fires and the dangers of excessive lint. This measure sunsets on January 1, 2017.

ACR 93 (Holden). Local Fire Sprinkler Ordinances. Chapter 173, Statutes of 2015

This resolution encourages all municipalities to reexamine regulations surrounding mandatory fire suppression ordinances.

***SB 239 (Hertzberg). Fire Protection Services Contracting. Chapter 763, Statutes of 2015**

This measure prohibits a public agency from entering into a new agreement, or extending an existing agreement, for fire protection services that either:

- Transfers responsibility for providing services within 25 percent of their jurisdictional boundaries; or
- Changes the employment status of more than 25 percent of employees of any public agency affected by the agreement.

The only exception to this prohibition is when all labor organizations representing firefighters have agreed to the transfer of service responsibility, and where the applicable LAFCO has approved the measure following a lengthy analysis and process.

SB 287 (Hueso). Automated External Defibrillators.

Chapter 449, Statutes of 2015

This measure requires certain buildings with capacities of 200 persons or greater, constructed on or after January 1, 2017, to have an automated external defibrillator (AED) on the premises. An AED is a lightweight, portable device that delivers an electric shock through the chest to the heart, which is often applied in response to heart failure resulting from cardiac arrest. The American Heart Association has evidence that there are nearly 360,000 cardiac arrests outside a hospital setting in the United States, and less than 10 percent of the victims survive. The availability of AEDs in public settings greatly improves the chances of survival after a person suffers cardiac arrest.

SB 326 (Beall). Courts. Penalties. Emergency Services Funding.

Chapter 797, Statutes of 2015

This measure extends the sunset date of the \$4 penalty assessment for Vehicle Code violations other than parking offenses, until January 1, 2018, and earmarks the resulting revenue for the Emergency Medical Air Transportation Act Fund (Fund). These monies fund Medi-Cal reimbursement for emergency medical air transportation services. It also states the intent of the Legislature to cease collection of penalty assessments on January 1, 2018, and to identify alternative funding sources for emergency air transportation. This measure requires the Department of Health Care Services, in coordination with the Department of Finance, to develop a funding plan ensuring adequate reimbursement for emergency medical air transportation services once the Vehicle Code penalty assessments are terminated.

SB 494 (Hill). Emergency Services. Seismic Safety and Earthquake-Related Programs.

Chapter 799, Statutes of 2015

This measure creates the California Earthquake Safety Fund to pay for seismic safety and earthquake-related programs, including the earthquake early warning system. It requires identification of a funding source for the earthquake early warning system by July 1, 2016.

SB 598 (Hill). All Volunteer Fire Departments. Sales Taxes.

Chapter 248, Statutes of 2015

This measure exempts from the definition of a “retailer” for purpose of sales and use tax collection an all-volunteer fire department, as defined, that sells tangible goods, including hot food and clothing, and uses any profits exclusively in furtherance of the

purposes of the department. This measure caps this exemption for volunteer fire departments with gross receipts of \$100,000 or less from the sales of tangible goods and sunsets the measure on January 1, 2021. This measure takes effect 90 days after enactment.

SB 658 (Hill). Automated External Defibrillators.
Chapter 264, Statutes of 2015

This measure repeals or reduces various requirements relating to persons or entities who acquire AEDs, including repealing requirements that employees complete training, and reducing the inspection requirements from once every 30 days to once every 90 days. AED technology has improved in recent years, making the devices simpler to operate and more reliable. This measure removes requirements from law that are outdated and had come to act as a deterrent to the placement of these devices in public buildings.

B. Oil by Rail

SB 295 (Jackson). Pipeline Safety. Inspections.
Chapter 607, Statutes of 2015

This measure requires the State Fire Marshall (SFM), or an officer or employee authorized by SFM, beginning on January 1, 2017, to annually inspect all intrastate pipelines and operators of intrastate pipelines under the jurisdiction of the SFM. This measure requires SFM to adopt regulations implementing this provision by that date. This measure also specifies that for portions of interstate pipelines that are not under the jurisdiction of SFM, SFM shall not become an inspection agent for those pipeline unless all regulatory and enforcement authority over those pipelines is transferred to SFM by the federal Pipeline and Hazardous Materials Safety Administration.

SB 414 (Jackson). Oil Spill Response.
Chapter 609, Statutes of 2015

This measure requires the administrator of the Office of Oil Spill Prevention and Response to do the following:

- Arrange drills and exercises with the U.S. Coast Guard;
- Consult peer-reviewed scientific literature regarding chemical dispersants of oil and ask that the California Dispersant Plan be updated by May 1, 2016;
- Provide written notification to the Legislature within three days of the use of dispersants in an oil spill;
- Report to the Legislature on the effectiveness of dispersants within two months of their use;
- Support the Regional Response Team in its efforts to update chemical dispersant use plans;
- Submit a report to the Legislature by January 1, 2017 assessing the best achievable technology for oil spill prevention, preparedness and response;
- Update regulations governing the adequacy of oil spill contingency plans by July 1, 2018; and

- Direct harbor safety committees to assess the presence and capability of tugs in certain areas to provide emergency towing of vessels.

This measure also requires the Oil Spill Technical Advisory Committee to convene a Task Force with specified members to evaluate and make recommendations on the use of “vessels of opportunity” including commercial fishing vessels, in response to oil spills in marine waters. This measure specifies that the evaluation must involve two public meetings, one in Southern California and one in Northern California, and include the following specific topics:

- Appropriate functions of vessels of opportunity during an oil spill;
- Appropriate management of vessels of opportunity spill response program;
- Vessels of opportunity equipment, training, and technology needs;
- Liability and insurance; and
- Compensation.

C. Firearms

AB 1134 (Stone). Firearms. Concealed Firearm Licenses. Chapter 785, Statutes of 2015

This measure authorizes the sheriff of a county to enter into an agreement with the chief or other head of a municipal police department of a city to process all applications for licenses to carry a concealed handgun upon the person, as well as renewal of, or amendments to, those licenses for applicants who reside within the city.

SB 707 (Wolk). Firearms. Gun-Free School Zone. Chapter 766, Statutes of 2015

This measure changes the rules for holders of licenses to carry concealed firearms on or near public schools and college campuses. Specifically it:

- Allows a person holding a valid license to carry a concealed firearm to carry a firearm in an area that is within 1,000 feet of, but not on the grounds of, a public or private school providing instruction in kindergarten or Grades 1-12; and
- Deletes the exemption allowing a person holding a valid license to carry a concealed firearm to possess a firearm on the campus of a university or college.

D. Cyber Crime

AB 32 (Waldron). Computer Crimes. Chapter 614, Statutes of 2015

This measure increases the fines for felony convictions of specified computer crimes from a maximum of \$5,000, to a maximum of \$10,000. The specified offenses include, but are not limited to, knowingly accessing and without permission damaging, altering, copying or destroying data or software, or disrupting computer services, including government computer services.

AB 195 (Chau). Unauthorized Access to Computer Systems.**Chapter 552, Statutes of 2015**

This measure creates a new misdemeanor offense, punishable by up to six months in county jail, for any person to solicit another to join in the commission of specified crimes relating to hacking or gaining unauthorized access to computer systems.

AB 1310 (Gatto). Disorderly Conduct. Unlawful Distribution of Image.**Chapter 643, Statutes of 2015**

This measure provides that jurisdiction over a criminal act involving the unauthorized distribution of a sexual image, including use, retention or transfer of that image, shall include the county where the theft of the personal identifying information occurred, the county in which the victim resided at the time the offense was committed, or the county where the information was used for an illegal purpose. For criminal liability to apply, the distribution must have occurred in violation of an agreement that the image was to remain private. This measure provides that a search warrant for electronic communications and records can include communications between a service provider and a consumer, and specifies the procedures, standards and limitations for obtaining and serving such warrants.

SB 676 (Cannella). Disorderly Conduct. Invasion of Privacy.**Chapter 291, Statutes of 2015**

This measure requires the pre-conviction forfeiture of an image, and the post-conviction forfeiture of any data storage equipment used in the electronic distribution of that image, in connection with the following offenses:

- Distribution of a sexual image that the distributor and the person depicted have agreed or understood would remain private;
- Surreptitious recording or viewing of a person in a place where the person has a reasonable expectation of privacy; and
- Violating another person's privacy rights by secretly recording the body or undergarments of an identifiable person.

This measure specifies that the computer or data storage equipment used in connection with any of these offenses will only be subject to forfeiture if the relevant image cannot be erased from the computer or data storage equipment.

E. Criminal Justice**AB 15 (Holden). Limitation of Actions. Human Rights Abuses.****Chapter 474, Statutes of 2015**

This measure extends the statute of limitations for adults and minors who are victims of human trafficking to bring a civil action; provides a 10-year statute of limitations for actions constituting torture, genocide, war crimes, an attempted extrajudicial killing, or a crime against humanity; extends the statute of limitations from five years to seven years of the date that an adult human trafficking victim was freed; and extends the statute of limitation for minors from eight years to ten years after the date that the minor reached

adulthood. In both instances, victims may file a civil tort claim for assault, battery or wrongful death where such acts also constitute the aforementioned offenses. This measure also applies to the taking of property in violation of international law.

***AB 71 (Rodriguez). Criminal Justice. Reporting.
Chapter 462, Statutes of 2015**

This measure requires all law enforcement agencies, starting January 1, 2017, to report to the Department of Justice (DOJ) all incidents of officer-involved shootings (both shootings of civilians by peace officers and shootings of peace officers by civilians), use of force incidents by peace officers against civilians resulting in serious bodily injury or death, and use of force incidents by civilians against peace officers resulting in serious bodily injury or death. This measure specifies what data shall be reported, including the date, time and location of the incident, whether the civilian was armed and with what type of weapon, the type of force used against the officer or civilian, including any weapons used, and the number of officers and civilians involved in the incident. This measure also requires a brief description of the circumstances surrounding the incident, including perceptions of behavior or mental disorders. Finally, this measure requires the DOJ to include a summary of this information in its annual crime report issued pursuant to Section 13010 of the Penal Code.

AB 160 (Dababneh). Criminal Profiteering. Counterfeit Labels. Sales and Use Taxes.

Chapter 427, Statutes of 2015

This measure expands the universe of crimes that allow for the forfeiture of assets and prosecution for criminal profiteering. This measure broadens the definition of criminal profiteering by expanding the organized crime element to include other specified offenses. Specifically, this measure includes within the definition of criminal profiteering a range of offenses related to piracy and insurance fraud. This measure expands the definition of organized crime to include pimping and pandering, counterfeiting of a registered trademark, piracy of a recording or audiovisual work, embezzlement, securities fraud, money laundering, or forgery. This measure can be expected to increase the burden on local prosecuting agencies.

AB 256 (Jones-Sawyer). Falsifying Evidence.

Chapter 463, Statutes of 2015

This measure expands the prohibition against tampering with physical evidence in a trial, inquiry, or investigation, which carries misdemeanor penalties, to include a digital image or video recording owned by another. This measure also covers within its scope concealment, destruction, or fraudulent representation of any such evidence.

AB 303 (Gonzalez). Searches. County Jails.

Chapter 464, Statutes of 2015

This measure requires that all persons within sight of specified detainees and incarcerated juveniles during a strip search or visual or physical body cavity search be of the same sex as the person being searched, except for physicians or licensed medical personnel.

AB 538 (Campos). Action for Damages. Felony Offenses. Victim Notification.
Chapter 465, Statutes of 2015

This measure allows for victims of specified felonies to be notified that the person who committed the felony has entered into a contract for the sale of the story of the crime. Specifically, this measure requires a person or entity that contracts with an offender for the sale of the story of the crime for which the offender was convicted to provide notification of the existence of such a contract to the California Department of Corrections and Rehabilitation (CDCR). This requirement is triggered if the crime of which the offender was convicted was murder or attempted murder, and if no provision of current law precludes the filing of a civil action for damages against the offender. This measure also clarifies that no civil action for damages can be filed against an offender if the offender was falsely convicted and later released.

AB 1140 (Bonta). Crime Victims.
Chapter 569, Statutes of 2016

This measure revises the rules governing the California Victim Compensation Program (CalVCP). Specifically, this measure regulates the activity of the Victim Compensation and Government Claims Board as follows:

- Prohibits the Board from requiring an applicant to submit documentation from the Internal Revenue Service, the Franchise Tax Board, the State Board of Equalization, the Social Security Administration, or the Employment Development Department in order to determine eligibility for compensation;
- Prohibits the Board from establishing regulations limiting the amount recoverable for funeral expenses to less than \$7,500;
- Requires the initial application fee sent by the Board to an applicant to be written in specified languages, and provides that if the applicant selects one of the languages, all subsequent communication shall be in that language;
- Requires the Board to allow an applicant to be accompanied by a service animal at a hearing to contest the denial of a claim;
- Permits a crime victim to testify at a restitution hearing or a modification hearing by live, two-way radio or video transmission, if available; and
- Requires that any peer counseling services that fall under the scope of certain laws, including but not limited to the Clinical Social Worker Practice Act, to be performed by a licensee or registrant of the Board of Behavioral Sciences or other appropriately licensed professional, absent certain specified exceptions.

AB 1156 (Brown). Imprisonment in County Jail.
Chapter 378, Statutes of 2015

This measure clarifies that in any case where the pre-imprisonment credit of a person sentenced to county jail under the 2011 Public Safety Realignment Act (PSRA) exceeds the sentence imposed, the entire sentence shall be deemed to have been served, except for the remaining portion of mandatory supervision (probation). This measure extends the law related to compassionate release of an inmate from state prison based on terminal illness, to inmates sentenced to county jail under the PSRA. This measure also extends the right to petition for a certificate of rehabilitation and pardon to persons convicted of a felony and sentenced to county jail under the PSRA. Finally, this

measure provides that a person shall not be subject to prosecution for a non-felony offense arising out of a violation of the California Vehicle Code, with the exception of a charge of driving under the influence (DUI), where such a charge is pending against the offender at the time of his commitment to county jail under the PSRA.

AB 1182 (Santiago). Secondhand Goods. Tangible Personal Property.
Chapter 749, Statutes of 2015

This measure revises the definition of “tangible personal property” for purposes of regulating secondhand property dealers, to include property that the Attorney General (AG) statistically determines through the most recent Department of Justice “Crime in California” (CIC) report to constitute a significant class of stolen goods. It requires the AG to publish on its website the list of significant classes of stolen goods and to update it annually. This measure defines “significant class of stolen goods” to mean items determined through the CIC report to constitute more than 10 percent of property reported stolen in the calendar year preceding the annual post of the list. Finally, it requires secondhand dealers or pawn shops to verify the identity of the seller or pledger for each transaction, not merely each transaction that must be reported.

AB 1328 (Weber). Criminal Procedure. Withholding of Evidence.
Chapter 467, Statutes of 2015

This measure establishes a formal, uniform mechanism for addressing instances in which prosecuting attorneys withhold evidence in a criminal trial that would exonerate a defendant. Specifically, it authorizes a court, upon receiving information that a prosecuting attorney has deliberately and intentionally withheld exculpatory evidence, to make a finding supported by clear and convincing evidence that such a violation occurred. Upon such a finding, this measure requires the court to notify the State Bar of California of the violation, if the prosecuting attorney acted in bad faith, and if the withholding of the evidence contributed to a guilty verdict or limited the ability of the defendant to present a defense. Upon a finding of bad faith, the bill authorizes a court to disqualify an individual prosecuting attorney from a case. In addition, if there is sufficient evidence that other employees within the prosecuting attorney’s office knowingly and in bad faith participated in or sanctioned the withholding of the exculpatory evidence, and that such actions are part of a pattern or practice of such activity, this bill authorizes the defendant or his counsel to motion to disqualify the prosecuting attorney’s office.

AB 1343 (Thurmond). Criminal Procedure. Defense Counsel.
Chapter 705, Statutes of 2015

This measure brings the state into conformity with federal law, which requires defense counsel to provide accurate advice on the potential immigration consequences of a proposed plea agreement and attempt to defend against those consequences, consistent with the defendant’s goals. It also requires the prosecution and the defense counsel to contemplate immigration consequences in the plea negotiation process. This is consistent with the U.S. Supreme Court ruling in *Padilla v. Kentucky* (2010) 559 U.S. 356.

AB 1352 (Eggman). Deferred Entry of Judgment. Withdrawal of Plea.**Chapter 646, Statutes of 2015**

This measure requires a court to permit a defendant, who was granted deferred entry of judgment (DEJ) on or after January 1, 1997, and who has performed satisfactorily during the period in which DEJ was granted and for whom the criminal charge or charges were dismissed, to withdraw his or her plea and enter a plea of not guilty.

AB 1492 (Gatto). Forensic Training. DNA samples.**Chapter 487, Statutes of 2015**

This measure establishes a protocol, on a contingency basis, for the submission of DNA samples to DOJ for testing, and simplifies the procedure for removal of a DNA sample from the DNA database. *People v. Buza* (2014), 231 Cal. App. 4th 1446, a case which has been granted review by the California Supreme Court but has not yet been heard by that body as of October 9, 2015, held that the DNA Act, to the extent that it requires felony arrestees to submit DNA samples to be analyzed and included in state and federal DNA databases, unreasonably intrudes on an arrestee's expectation of privacy and is invalid under the California Constitution. *Buza* held that the act of submitting DNA samples for analysis, without independent suspicion that a defendant has committed a specific offense, a warrant, or a judicial or grand jury determination of probable cause, is unconstitutional. If the California Supreme Court should agree with the lower court's finding that the taking of DNA samples under the circumstances described is unconstitutional, this measure requires that DNA samples taken upon arrest shall not be sent to DOJ for analysis, unless there is a finding of probable cause that an offense has been committed, supporting the request for that analysis.

SB 219 (Liu). Prisons. Alternative Custody.**Chapter 762, Statutes of 2015**

This measure regulates the voluntary alternative custody program within the CDCR. Specifically, this measure:

- Provides that if an inmate has an existing psychiatric or medical condition that requires ongoing care, such a condition is not a basis for excluding the inmate from CDCR's voluntary alternative custody program (ACP);
- Requires CDCR to meet a variety of timeframes in processing applications for the ACP; and
- Requires CDCR to assist persons participating in the ACP to obtain health care coverage, including, but not limited to, Medi-Cal benefits.

SB 230 (Hancock). Sentencing. Parole.**Chapter 470, Statutes of 2015**

This measure provides that an inmate found suitable for parole shall be paroled, subject to review by the Governor. It also provides that at any time before an inmate's release, the Governor can make a request for a review of the decision. This alters existing law, which allows inmates to be held indefinitely after a Parole Board has made a finding of suitability for parole, and which provides that the Governor can make such a request only up to 90 days prior to the inmate's release.

SB 453 (Pan). Prisons. Involuntary Medication.**Chapter 260, Statutes of 2015**

This measure provides that where the treating psychiatrist of a person deemed incompetent to stand trial concludes that another psychiatrist should be designated to seek an order for involuntary medication, the facility director may make such a designation. Such a conclusion must be based on the need to maintain the doctor-patient relationship or to prevent harm. This measure also requires the treating psychiatrist to brief the designated psychiatrist about the case, and requires the designated psychiatrist to make his own examination of the patient for whom the involuntary medication is to be prescribed.

SB 507 (Pavley). Sexually Violent Predators.**Chapter 576, Statutes of 2015**

This measure regulates access to records by both prosecutors and defense attorneys in Sexually Violent Predator (SVP) court proceedings. It provides that both sides may have access to records considered by an expert who performed evaluations, and requires such records to be obtained by court subpoena. It allows either side to object to the production of such records on the grounds that they are irrelevant, or if they are more prejudicial than relevant, and that such records retain confidentiality protections.

SB 635 (Nielsen). Erroneous Conviction and Imprisonment. Compensation.**Chapter 422, Statutes of 2015**

This measure increases the compensation for innocent persons who were wrongly convicted from \$100 per day to \$140, to account for inflation since the year 2000. It also factors any time spent in county jail into the calculation for compensation due to wrongful imprisonment. Finally, it strikes a reference to "pecuniary injury" in connection with the calculation for compensation based on unfortunate past results when the person wrongfully convicted had been deemed to suffer no pecuniary injury because he was unemployed and homeless at the time of his conviction.

F. Rehabilitation/Post-Release Supervision**AB 231 (Eggman). Parole. Placement at Release.****Chapter 498, Statutes of 2015**

This measure requires that an inmate who is released on post-release community supervision (PRCS) for a stalking offense not be returned to a location within 35 miles of the victim's actual residence or place of employment, if specified criteria are satisfied. Among the criteria, the victim must request additional assistance in the placement of the offender, and the Board of Parole Hearings (BPH) or the CDCR finds that there is a need to protect the life, safety, or well-being of a victim or witness. If these criteria are satisfied, the supervising county agency may transfer the offender to another county upon approval of the receiving county.

AB 672 (Jones-Sawyer). Inmates. Wrongful Convictions. Assistance Upon Release.**Chapter 403, Statutes of 2015**

This measure requires CDCR to provide transitional services to persons wrongly convicted and subsequently exonerated upon their release. Transitional services include housing assistance, job training, and mental health services, and the provision of a form for a fee waiver for a Department of Motor Vehicles-issued identity card or driver's license. Defines "exonerated" as a person pardoned by the Governor on the basis that he or she was innocent of the crime, or a person who has been released pursuant to a writ of habeas corpus on the basis that the evidence points to his or her innocence, or where the conviction was reversed on appeal based in insufficient evidence.

AB 673 (Santiago). Probation and Mandatory Supervision. Jurisdiction.**Chapter 251, Statutes of 2015**

This measure regulates payments due from persons who are released from custody on probation or mandatory suspension when the jurisdiction over that individual is transferred to the superior court of another county. Specifically, it establishes procedures for the payment and collection of fines, fees, forfeitures, assessments, or restitution.

AB 1056 (Atkins). Second Chance Program.*Chapter 438, Statutes of 2015**

This measure establishes the Second Chance program to facilitate state investment in community-based programs, services, and initiatives for formerly incarcerated persons in need of mental health and substance abuse treatment services. Directs the Board of State and Community Corrections to administer the program, and extends the sunset on the Social Innovation Financing Program, which awards grants to counties from the state Recidivism Reduction Fund, until January 1, 2022.

SB 343 (Hancock). Corrections. Inmates.**Chapter 798, Statutes of 2015**

This measure seeks to improve educational programming within state correctional institutions by requiring CDCR to give strong consideration to the use of libraries and librarians in effective prison literacy programs. This measure also requires CDCR to include completion of a community college or four-year academic degree in the existing requirement for CDCR to provide incentives for inmate participation in educational programming.

G. Technology

AB 69 (Rodriguez). Peace Officers. Body-Worn Cameras.*Chapter 461, Statutes of 2015**

This measure requires law enforcement agencies to consider specified best practices when establishing policies and procedures for downloading and storing data captured

by body-worn cameras. Specified best practices include designating the person responsible for downloading recorded data from a body camera; establishing when data should be downloaded to ensure proper camera maintenance and timely entry of data into the system and appropriate categorization; and establishing specific measures to prevent data tampering, deletion, copying or unauthorized use, and establishing in consultation with local agency legal counsel a specified period for data storage. This measure also encourages data retention for a minimum of two years if audio or video recordings capture a use of force incident or officer involved shooting; incidents leading to the detention or arrest of an individual; or any information relevant to a formal or informal complaint against a law enforcement officer or agency. It further encourages retention of data for unspecified periods if that data is relevant to a criminal prosecution. Finally, it establishes guidelines for protecting the security and integrity of data captured by body cameras when using third-party vendors.

***SB 34 (Hill). Automated License Plate Recognition Systems. Use of Data.
Chapter 532, Statutes of 2015**

This measure imposes a variety of security, privacy, and public hearing requirements on the use of automated license plate recognition (ALPR) systems, and creates a private right of action for a person who has been harmed by a violation of the bill's requirements, enabling that person to bring a civil action against those who knowingly caused the violation. It authorizes a court to provide the following remedies:

- Actual damages, but no less than liquidated damages in the amount of \$2,500;
- Punitive damages, upon proof of willful or reckless disregard of the law;
- Reasonable attorney's fees and other litigation costs; and
- Other preliminary and equitable relief, as a court deems appropriate.

Specifically, this measure requires the following:

- Data collected via an ALPR system must be treated as personal information for purposes of existing data breach notification laws applying to agencies, persons or business conducting business in California;
- ALPR operators and end-users must implement and maintain a usage and privacy policy, which is available to the public and conspicuously posted on the end-user's website, if one exists;
- ALPR operators and end-users must maintain reasonable security procedures and practices, including safeguards to protect information from unauthorized access, destruction, use, modification or disclosure; and
- The ALPR operator usage and privacy policy to include at a minimum:
 - Authorized purposes for using the ALPR system and collecting its information;
 - Description of how the ALPR system's use will be monitored for compliance with privacy laws;
 - A description of the job title or other designation of employees and independent contractors authorized to use the ALPR system;
 - Purposes of, process for, and restrictions on the sale, sharing or transfer of the ALPR data to other persons;

- Title of the official custodian or owner of the ALPR system responsible for implementing the privacy policy;
- Description of the reasonable measures taken to ensure the accuracy of the ALPR system information;
- Length of time the ALPR system information will be retained, and process for determining whether and when it will be destroyed; and
- Maintaining a record of access to ALPR information, including date and time, license plate number queried, user name of the person who accessed the information, and the purpose.

SB 178 (Leno). Privacy. Electronic Communications. Search Warrant.

Chapter 651, Statutes of 2015

This measure creates the California Electronic Communications Privacy Act, which requires law enforcement entities to obtain a search warrant before accessing data on an electronic device or from an online service provider. Specifically, it prohibits a government entity from:

- Compelling production of or access to electronic communication information from a service provider;
- Compelling production of or access to electronic device information from a person or entity other than the authorized possessor of the device; and
- Accessing electronic device information by means of physical interaction or electronic communication with the device, although voluntary disclosure to a government entity is permitted.

This measure allows a government entity to compel production of, or access to, electronic communication information pursuant to a warrant, wiretap order, order for electronic reader records, or subpoena.

***SB 741 (Hill). Mobile Communications. Privacy.**

Chapter 659, Statutes of 2015

This measure establishes requirements that local agencies must satisfy before acquiring cellular communications interception technology. It requires every local agency acquiring this technology to first secure from its governing body an authorizing resolution or ordinance at a regularly scheduled meeting that is compliant with the Ralph M. Brown Act. Second, it requires that every local agency maintain reasonable security measures and practices to protect any information gathered, and to implement a usage and privacy policy to ensure protection of individual privacy and civil liberties.

H. Community Policing

***AB 953 (Weber). Racial Profiling.**

Chapter 466, Statutes of 2015

This measure modifies the definition of racial profiling, and requires local law enforcement agencies to report specified information to the AG's office.

It further requires the AG to issue regulations for the reporting of this data, and to establish the Racial and Identity Profiling Advisory Board (RIPA) to improve diversity and racial and identity sensitivity in law enforcement. Specifically, local law enforcement agencies are required to annually report data on all stops conducted by their officers, including:

- The date, time and location of the stop;
- The reason for the stop;
- The result of the stop (no action, warning, citation, property seizure, or arrest);
- If a warning or citation was issued, the nature of the warning or citation;
- The offense charged, if an arrest was made;
- The perceived race or ethnicity, gender, and age of the person stopped; and
- Actions taken by the peace officer during the stop, including:
 - Request for consent to search the person stopped, and whether consent was granted;
 - Whether a search occurred of the person or any property, and if so, the basis for the search and type of contraband or evidence discovered, if any; and
 - Whether any property was seized, and the nature of the property and basis for the seizure.

The bill prohibits the reporting of any personally identifiable information, and specifies that the data reported shall be available to the public, excluding the badge number or other unique identifying information connected with the peace officer involved.

***AB 1194 (Eggman). Mental Health. Involuntary Commitment.
Chapter 570, Statutes of 2015**

This measure requires an authorized person, in determining whether a person is a danger to himself or others as a result of a mental disorder, to consider relevant information about the historical course of that person's mental health disorder. It prohibits the determination from being limited to consideration of the danger of imminent harm. It defines an "authorized person" as a peace officer, a professional in charge of a facility designated by the county for evaluation and treatment of persons with mental disorders, a member of the attending staff of such a facility, designated members of a mobile crisis team, or a professional otherwise designated by the county. It also requires the application that must be completed before a person suspected of having a mental disorder can be detained by a county facility to record whether the historical course of the person's mental health disorder was considered when making a determination of probable cause to take the person into custody.

***SB 11 (Beall). Peace Officer Training. Mental Health.
Chapter 468, Statutes of 2015**

This measure requires the Commission on Peace Officer Standards and Training (POST) to:

- Establish a training course, that is at least 15 hours on law enforcement interaction with persons with mental illness, as part of its basic training course; and

- Have a three-hour continuing education course on the same subject matter.

I. Medical Marijuana and Controlled Substances

***AB 243 (Wood). Medical Marijuana.**

Chapter 688, Statutes of 2015

This measure addresses the need for comprehensive regulation of the cultivation of medical marijuana in California, as one of three bills comprising the Medical Marijuana Regulation and Safety Act. It provides for cultivation licenses and the regulation of cultivation sites, including environmental impacts and illegal water diversion, and directs the establishment of standards for labelling and the use of and maximum tolerances for pesticides. *(The League has prepared a comprehensive summary of this measure in Appendix A of this document.)*

***AB 266 (Bonta, Cooley, Jones-Sawyer, Lackey and Wood). Medical Marijuana.**

Chapter 689, Statutes of 2015

This measure, as one of three bills comprising the Medical Marijuana Regulation and Safety Act, establishes a comprehensive regulatory framework for medical marijuana in California, headed by the Bureau of Medical Marijuana Regulation within the Department of Consumer Affairs. It protects local control by requiring both a state license and a local license or permit for all medical marijuana businesses in California, and retains local police power by providing that revocation of a local permit terminates the business' ability to operate in that jurisdiction. It requires the establishment of health and safety standards for medical marijuana, backed up by mandatory product testing, and provides for the certification of testing labs. *(The League has prepared a comprehensive summary of this measure in Appendix A of this document.)*

AB 679 (Allen). Controlled Substances.

Chapter 778, Statutes of 2015

This measure extends the deadline by which specified pharmacists and health care practitioners must register with the Prescription Drug Monitoring Program (PDMP) within the Controlled Substance Utilization Review and Evaluation System (CURES), operated by the DOJ. It extends the deadline six months from January 1, 2016 to July 1, 2016.

***SB 165 (Monning). Civil Penalties. Cultivation of Controlled Substances on Public and Private Lands.**

Chapter 139, Statutes of 2015

This measure expands the list of crimes for which civil penalties of \$8,000 to \$40,000 may be levied against a person who cultivates a controlled substance and causes various forms of environmental degradation on public and private lands.

SB 303 (Hueso). Controlled Substances. Destruction of Seized Marijuana.

Chapter 713, Statutes of 2015

This measure authorizes a law enforcement agency to destroy without a court order growing or harvested marijuana that it has seized, in the following amounts: either an

amount in excess of two pounds, or an amount in excess of the amount of medical marijuana that a medical marijuana patient or primary caregiver is authorized to possess by ordinance in the city or county where the marijuana was seized, whichever is greater. This measure specifies that destruction shall not occur until all of the following requirements are satisfied:

- At least five random, representative samples have been taken for evidentiary purposes, from the total amount to be destroyed. The samples may include stalks, branches or leaves;
- Photographs and videos have been taken that reasonably and accurately demonstrate the total amount of the suspected controlled substance to be destroyed;
- The gross weight of the suspected controlled substance has been determined; and
- The chief of the law enforcement agency has determined that it is not reasonably possible to preserve the suspected controlled substance in place, or to remove it to another location.

***SB 643 (McGuire). Medical Marijuana.**

This measure establishes critical criteria for state licensing of medical marijuana businesses in California, and regulates physician activity as one of three bills comprising the Medical Marijuana Regulation and Safety Act. It regulates physicians who issue medical marijuana recommendations, and provides specific criteria for the licensing of businesses by the state. It also upholds local authority to levy fees and taxes. *(The League has prepared a comprehensive summary of this measure in Appendix A of this document.)*

J. Alcoholic Beverage Control

AB 527 (Dodd). Alcoholic Beverage Control. Tied-House Restrictions. Advertising. Chapter 517, Statutes of 2015

This measure creates a new tied-house exception in the Alcoholic Beverage Control Act (ABC) that authorizes certain alcoholic beverage licensees to sponsor a limited number of events promoted by a live entertainment marketing company that conducts live artistic, musical, sports, food, beverage, culinary or other cultural entertainment events at venues located in Napa County only. It contains a sunset provision of January 1, 2019.

AB 776 (Cooper). Alcoholic Beverage Control. Chapter 519, Statutes of 2015

This measure authorizes a licensed beer manufacturer to apply to the ABC for a brewery event permit granting the licensee the ability to sell its beer on property adjacent to its premises for special events (up to four per year). It also allows licensed alcohol manufacturers and retailers to co-sponsor and promote events for the benefit of non-profit organizations. This measure also prohibits retail licensees from purchasing

beer at the manufacturer's licensed premises and then re-selling it at their own licensed premises.

AB 1295 (Levine). Craft Distillers. Licenses.

Chapter 640, Statutes of 2015

This measure creates a new "craft distiller's license" to be issued by ABC and limited to persons who manufactured less than 100,000 gallons of distilled spirits annually, excluding the production of brandy. It also modified a provision of law allowing distillers to offer six one-quarter ounce tastings per person per day, to instead allow distillers to combine these tastings into a single, 1.5 ounce tasting that may also include a non-alcoholic mixer.

AB 1320 (Maienschein). Alcoholic Beverages. Tied-House Restrictions.

Advertising.

Chapter 527, Statutes of 2015

This measure creates a new tied-house exception in ABC that authorizes certain alcoholic beverage licensees to sponsor a limited number of events promoted by a live entertainment marketing company that conducts live artistic, musical, sports, food, beverage, culinary or other cultural entertainment events at the San Diego County Fairgrounds in the City of Del Mar, under specified conditions. It specifies that events are to occur over no more than four consecutive days.

SB 325 (Hall). Alcoholic Beverages.

Chapter 257, Statutes of 2015

This measure eliminates an annual reporting requirement imposed on the ABC regarding its activities, and instead provides that the department shall produce a report upon the request of the Legislature. Provides that the restrictions on club licenses under existing law, i.e. that they have nonprofit status and have at least 100 members, do not apply to club licenses issued to clubs operated by common carriers by air located at an airport terminal.

SB 462 (Wolk). Alcoholic Beverages. Tied-House Restrictions. Sonoma County.

Chapter 315, Statutes of 2015

This measure extends an existing tied-house exception in the ABC Act regarding the general prohibition against advertising arrangements between retail, wholesale, and manufacturer licensees to include a specific entertainment complex, the Green Music Center, located on the campus of Sonoma State University. This measure also allows alcoholic beverage licensees to make monetary or alcoholic beverage contributions to the Green Music Center under specified conditions.

SB 796 (Comm. on Governmental Organization). Alcoholic Beverages. Licenses.

Advertising. Contests and Sweepstakes.

Chapter 311, Statutes of 2015

This measure deletes an existing January 1, 2016 sunset date on a provision of law authorizing alcoholic beverage producers to participate in promotional events held at off-sale retail licensed locations for the purpose of providing autographs on bottles or

other items to consumers, making that authorization permanent. It also prohibits a beer manufacturer, regardless of the number of beer manufacturer licenses held by that manufacturer alone, or under various forms of common ownership, from exercising either alone or in common with others, any combination of specified retail privileges, including tasting, that would result in that beer manufacturer exercising such privileges at more than six locations.

K. Juvenile Justice

AB 666 (Stone). Juveniles. Sealing of Court Records.

Chapter 368, Statutes of 2015

This measure requires juvenile criminal records in the custody of law enforcement agencies, including county probation departments and DOJ to be sealed in any case in which a court has ordered a juvenile's court records sealed. It specifies that in the event of future criminal adjudications involving the same minor, if there is a finding that the minor is a ward of the court, the probation department, prosecuting attorney, or counsel for the minor, may access records previously sealed by court order for the limited purpose of determining an appropriation juvenile court disposition. This measure clarifies that such subsequent access will not constitute a reversal or modification of the initial court order to seal the records or dismissing the case against the minor. Finally, it clarifies that victim restitution orders may continue to be enforced in such cases, and that juvenile courts may continue to access sealed records for enforcement of civil judgments or restitution orders.

AB 703 (Bloom). Juveniles. Attorney Qualifications.

Chapter 369, Statutes of 2015

This measure establishes specified requirements for attorneys appointed to represent minors in the juvenile justice system in an effort to ensure competent representation. Specifically, it requires counsel appointed in delinquency proceedings to have sufficient contact with the minor to establish a meaningful and professional attorney-client relationship, including in the post-disposition phase of the proceedings. This measure also requires the Judicial Council, by July 1, 2016, to establish minimum hours of training and education necessary to be appointed a counsel in delinquency proceedings.

AB 899 (Levine). Juveniles. Confidentiality of Records.

Chapter 267, Statutes of 2015

This measure clarifies that confidential juvenile files shall not be disclosed to federal officials absent a court order. It also clarifies that current law does not authorize the attachment of juvenile information to other documents given to, or provided by, federal officials absent prior approval of the presiding judge of the juvenile court. It defines "juvenile information" as including but not limited to, the juvenile's case file, and other information including juvenile court proceedings or information maintained by any other government agency.

AB 900 (Levine). Juveniles. Special Immigrant Juvenile Status.**Chapter 694, Statutes of 2015**

This measure allows for guardianships for youth ages 18 to 21 if they qualify for federal Special Immigrant Juvenile Status (SIJS). Specifically, it allows a probate court to establish a guardianship of an unmarried person age 18 to 21, with their consent, in connection with a petition to make required findings for SIJS. Guardianship will make the person a ward of the court, and allow the ward to complete the application process with the United States Citizenship and Immigration Services for classification as a Special Immigrant Juvenile. It also requires the Judicial Council to adopt the required rules and forms by July 1, 2016, and requires a court to terminate guardianship of a ward who is 18 or over upon the ward's request.

AB 989 (Cooper). Juveniles. Sealing of Records.**Chapter 375, Statutes of 2015**

This measure authorizes the district attorneys and probation departments to access juvenile records that have been sealed by a court for the limited purpose of determining whether a minor is eligible for deferred entry of judgment, an alternative to the juvenile delinquency process approved by voters in 2000 as part of Proposition 21. This program allows for a juvenile to be sentenced to probation as an alternative to detention in juvenile hall, and upon completion of probation, allows for court dismissal of the case and sealing of the minor's arrest and court records. This is equivalent to expungement of the arrest record.

SB 261 (Hancock). Youthful Offender Parole Hearings.**Chapter 471, Statutes of 2015**

This measure expands the scope of the youthful offender parole process, to include those who committed crimes before age 23 and were sentenced to lengthy prison terms. Under previous law, the age range for offenders involved in the youthful offender parole process was limited to those who committed crimes before age 18.

SB 382 (Lara). Juveniles. Jurisdiction. Sentencing.**Chapter 234, Statutes of 2015**

This measure adds guidance to the existing criteria used by judges in determining the fitness of a minor to have his or her case adjudicated in juvenile court. It also authorizes a minor whose case has been prosecuted in adult criminal court, without a prior fitness hearing, to be sentenced under juvenile court law, based upon specified criteria. Specifically, this bill provides that in any case where a court determines the fitness of a minor, the court is required to assess whether the minor would benefit from the care, treatment and training program available via the court. In making this assessment, the court must consider the following factors:

- The degree of criminal sophistication exhibited by the minor;
- Whether the minor can be rehabilitated by the time the juvenile court's jurisdiction expires;
- The minor's previous delinquent history;
- The success of previous attempts by the juvenile court to rehabilitate the minor;
- and

- The circumstances and gravity of the offense allegedly committed by the minor.

This measure also allow minors who have been tried as adults to make a motion to have their case disposed of under the juvenile court law, based on the same criteria the court is required to consider in assessing the minor's suitability for a juvenile court program, above.

SB 504 (Lara). Court Records. Sealing.
Chapter 388, Statutes of 2015

This measure limits costs related to sealing juvenile records to persons over age 26, and provides that in considering a request to seal juvenile records, and that neither an unfulfilled order of restitution, nor outstanding restitution fines, nor court-ordered fees, shall be a bar to sealing such records. It also provides that only a person 26 years or older may be charged a fee for petitioning the court for an order to seal his or her record. It also clarifies that it does not prohibit a court from enforcing civil judgments for unfulfilled orders of restitution, nor are minors relieved from their obligation to pay restitution due to the sealing of their records. Under this bill, both victims and local collection programs may also continue to enforce restitution orders.

SB 519 (Hancock). Youth Offender Parole Hearings.
Chapter 472, Statutes of 2015

This measure establishes a deadline of January 1, 2018 for the BPH to complete all youth offender parole hearings for eligible individuals serving indeterminate life terms. It also establishes a deadline of December 31, 2021 for the BPH to complete all youth offender parole hearings for eligible individuals serving determinate terms, and requires requisite consultations to be completed by January 1, 2018. This measure makes these provisions contingent upon the enactment of SB 261 (Hancock), Chapter 471, Statutes of 2015.

L. Foster Care/Child Welfare

AB 260 (Lopez). Foster Care. Parenting Youth.
Chapter 511, Statutes of 2015

This measure provides support and protections for parenting minor and non-minor dependents. Specifically, this measure does the following:

- Requires the clerk of the superior court to maintain court files and records regarding a dependent parent of a child who is the subject of a dependency petition, separately from the files and records regarding the child;
- Preserves the possibility that reunification services will be provided where they have been terminated;
- Establishes procedural protections in cases where a party is seeking foster care placement of, or termination of parental rights over, a child with one or both parents who were minors when the child was born; and
- Allows a dependent parent's dependency court records to be disclosed to the county in the child's dependency proceedings, but prevents them from being

used as evidence unless they are required by a court order stating that they contain information relevant to the case. Permits any party to the child's dependency proceedings to request the admittance of such records at any stage of the proceedings.

AB 379 (Gordon). Foster Youth. Homeless Children or Youth. Complaint of Non-Compliance. Exemption From Local Graduation Requirements.

Chapter 772, Statutes of 2015

This measure makes complaints alleging violations of specific educational rights afforded to students in foster care and students who are homeless subject to the Uniform Complaint Procedures (UCP). It authorizes a complainant who is dissatisfied with the decisions of a local education agency to appeal the decision to the California Department of Education via the UCP appeal process. This measure brings within its scope school placement decisions, school transfers, exemption from locally-imposed graduation requirements, and awarding of partial credit for completed coursework, among other factors affecting a child's education.

AB 610 (Jones-Sawyer). Child Support. Suspension of Support Order.

Chapter 629, Statutes of 2015 (Urgency)

This measure reinstates, effective immediately, a pilot program to suspend obligations to pay child support when the obligor/parent is incarcerated or involuntarily institutionalized. It provides that the suspension is automatically lifted on the first day of the first full month after an inmate's release. It also authorizes a local child support agency to administratively adjust the child support order bases on the suspension during the period of incarceration once specific criteria are satisfied. It contains a sunset provision of January 1, 2020.

AB 762 (Mullin). Day Care Centers. Toddler Programs.

Chapter 373, Statutes of 2015

This measure requires licensed day care centers that have a toddler program to extend such a program to serve children between the ages of 18 months and three years of age. Previously, California law required such programs to serve toddlers between the ages of 18 months and 2.5 years of age. This measure also requires conforming changes to the guidelines and procedures published by the Department of Social Services (DSS).

AB 1207 (Lopez). Mandated Child Abuse Reporting. Child Day Care Personnel. Training.

Chapter 414, Statutes of 2015

This measure requires an applicant for a child day care license to take training in the duties of mandated reporters under the Child Abuse and Neglect Reporting Act (CANRA) as a condition of licensure. It also requires child day care providers, administrators and employees to take mandated reporter training on or before March 1, 2018, and requires renewed training every three years.

SB 68 (Liu). Minor or Non-minor Dependent Parents. Reunification Services.
Chapter 284, Statutes of 2015

This measure requires the court, in making its determination about whether to return a child who was removed from his or her parents' custody, back into their physical custody, to take into account the specific barriers to a minor parent or nonminor dependent parent, including securing necessary services and maintaining contact with the child. It further authorizes the court to continue the case for six months, in order to provide reunification services, if the minor parent or non-minor dependent parent is making significant progress in terms of establishing a safe home for the child.

SB 238 (Mitchell). Foster Care. Psychotropic Medication.
Chapter 534, Statutes of 2015

This measure requires the DSS to develop the necessary training and information, in consultation with specified stakeholders, regarding the use of psychotropic medication for children in the juvenile court system, in part by the development of updated rules and forms. It further requires additional training of the following individuals about the use, risks and benefits of such medication, as well as assistance with self-administration, oversight and monitoring of the use of this medication, substance abuse disorder and mental health treatments and how to access them:

- Group home administrators;
- Licensed foster parents;
- Relative and non-relative extended family members;
- Juvenile court judges, commissioners and referees who hear dependency cases;
- Court-appointed counsel of minor or non-minor dependents;
- County child welfare workers; and
- Public health nurses.

This measure also requires DSS, in consultation with specified stakeholders, to provide monthly, county-specific reports that include specified information for each child receiving psychotropic medication paid for under Medi-Cal.

SB 445 (Liu). Pupil Instruction and Services. Homeless Children. Foster Children.
Chapter 289, Statutes of 2015

This measure extends to homeless students the right to remain in their school of origin. This right is currently provided to students who are in foster care. It also modifies the definition of "local educational agency" to include all charter schools, not merely those that participate in a special education local plan area. This bill brings state law into conformity with federal law, which requires the federal McKinley-Vento Act to govern procedures for transportation and dispute resolution regarding homeless children and school of origin. Federal law also requires local educational agencies to continue a child's education in the school of origin for the duration of the homelessness. This measure defines "school of origin" as the school that the youth attended when permanently housed, or the school in which the youth was last enrolled.

SB 478 (Huff). Child Abuse Neglect and Reporting Act. Mandated Reporters. Pilot Program.**Chapter 490, Statutes of 2015**

This measure authorizes a five-year pilot program for Internet-based reporting of child abuse and neglect in up to 10 counties. Specifically, it authorizes a county welfare agency to develop a pilot program for such reporting, to be used only by mandated reporters who are peace officers, probation officers, social workers, school teachers, counselors or administrators, coroners, or a physician, surgeon, psychologist, licensed nurse, or clinical social worker. The reporting must meet the following conditions:

- The suspected child abuse or neglect does not indicate that the child is subject to an immediate risk of abuse, neglect, or exploitation or that the child is in imminent danger of severe harm or death;
- The child welfare agency provides an Internet-based form facilitating the reporting, containing standardized safety assessment questions;
- The mandated reporter is required to complete all fields, including those revealing his or her identity, in order to submit the report; and
- The child welfare agency provides an Internet-based reporting system with appropriate security protocols to preserve the confidentiality of the reports and any documents or images submitted via the system.

SB 484 (Beall). Juveniles.**Chapter 540, Statutes of 2015**

This measure seeks to improve regulation of group homes that are dispensing psychotropic medications. It requires DSS to establish a methodology for identifying group homes whose residents are administered psychotropic drugs to a degree warranting additional review. This measure further requires DSS to inspect these facilities once a year, and permits DSS to share information with the facility. Finally, it requires facilities to submit a plan within 30 days to address any identified risks.

SB 646 (Jackson). Uniform Interstate Family Support Act.**Chapter 493, Statutes of 2015**

This measure revises the Uniform Interstate Family Support Act to provide guidelines for various aspects (including enforcement and modification) of foreign child support orders that are binding upon persons in foreign countries that are parties to the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance (2007 Hague Convention). It identifies the Department of Child Support Services as the agency designated by the United States to perform specific functions under the 2007 Hague Convention affecting cases in California.

SB 794 (Comm. on Human Services). Child Welfare Services.**Chapter 435, Statutes of 2015**

This measure brings the state into compliance with the federal Preventing Sex Trafficking and Strengthening Families Act (Public Law 113-183), as required to maintain federal child welfare funding. It expands the definition of sexual exploitation to include a person who sexually traffics a child or commercially sexually exploits a child, and requires county child welfare agencies and probation departments to immediately,

but within no more than 24 hours, report to the appropriate law enforcement authority upon receiving information that a child or youth who is receiving child welfare services has been identified as a victim of commercial sexual exploitation, is suspected of being such a victim, is missing, or has been abducted, facilitating entry of the incident into the Federal Bureau of Investigation's National Crime Information Center database, and reported to the National Center for Missing and Exploited Children. It also requires additional changes to conform with federal law.

M. Immigration

AB 146 (Garcia). Pupil Instruction. Social Sciences. Deportations to Mexico. Chapter 392, Statutes of 2015

This measure requires the State Board of Education to consider including content on the unconstitutional deportation of citizens and lawful permanent residents of the United States to Mexico during the Great Depression, in violation of federal law, in the next revision of the history-social science framework and related materials, to encourage the incorporation of survivor and witness testimony into the teaching of human rights.

SB 600 (Pan). Discrimination. Citizenship. Language. Immigration Status. Chapter 282, Statutes of 2015

This measure extends the protections of the Unruh Civil Rights Act to persons regardless of citizenship, primarily language or immigration status, expanding the universe of groups that are deemed members of a protected class under the Act. This measure expressly prohibits discrimination by business establishments on the basis of the above named factors.

SB 674 (De León). Victims of Crime. Non-Immigrant Status. Chapter 721, Statutes of 2015

This measure puts a protocol in place for state and local law enforcement agencies and entities and key officers of a court, such as judges and prosecutors, to certify that a victim of a crime who is not necessarily a U.S. citizen has been helpful in the detection, investigation, or prosecution of specified criminal acts.

N. Domestic Violence and Elder Abuse

AB 545 (Melendez). Domestic Violence. Chapter 626, Statutes of 2015

This measure imposes a minimum sentence of two days in county jail for persons convicted of domestic battery, where they have a prior conviction for domestic violence. This makes California law consistent with situations when an individual has a prior conviction for the separate offense of domestic battery.

AB 1081 (Quirk). Protective Orders.**Chapter 411, Statutes of 2015**

This measure allows a court, upon request of either party, to grant a continuance upon a showing of good cause, of a hearing involving the issuance of a restraining order to prevent civil harassment, violence in a workplace or private post-secondary educational setting, elder or dependent adult abuse, juvenile abuse, or domestic violence, as well as any other restraining orders provided for under the Family Code. It specifies that a court may on its own motion continue a hearing on a restraining order related to the circumstances enumerated above. This measure also provides that if a court continues a hearing, any temporary restraining order that has been granted shall remain in effect until the conclusion of the continued hearing.

AB 1338 (Gomez). Specialized License Plates. Domestic Violence and Sexual Assault Awareness.**Chapter 268, Statutes of 2015**

This measure revises an existing specialty license plate program on domestic violence, administered by the Department of Motor Vehicles and sponsored by the Office of Emergency Services, by including sexual assault programs within its scope. This measure expands the distribution of the net proceeds of the program to benefit an existing sexual assault services program.

AB 1407 (Atkins). Family Law. Protective Orders. Wireless Telephone Numbers.**Chapter 415, Statutes of 2015**

This measure allows a court in any Domestic Violence Prevention Act proceeding, effective July 1, 2016, to direct a wireless telephone service provider to transfer the billing responsibility and related rights to a wireless telephone number to a party requesting that responsibility. It requires the requesting party to assume all financial responsibility for the transferred wireless telephone number or numbers. This measure clarifies that wireless providers may apply any routine requirements for account establishment to the requesting party, and shall notify the requesting party within 72 hours when it is unable to comply with a court order to transfer responsibility for the wireless number.

SB 196 (Hancock). Elder Abuse. Protective Orders.**Chapter 285, Statutes of 2015**

This measure authorizes, as of July 1, 2016, a county adult protective services agency to file a petition for issuance of a protective order on behalf of an elder or dependent adult, in the event of two circumstances:

- If the elder or dependent adult has suffered abuse, as defined, and has an impaired ability to appreciate and understand the circumstances the place him or her at risk of harm; and
- If the elder or dependent adult has provided written authorization to a county adult protective services agency to act on his or her behalf.

This measure also requires the county adult protective services agency to also make a referral regarding temporary conservatorship of the elder or dependent adult to the

public guardian prior to or concurrent with the filing of the petition for the protective order, unless a petition for the appointment of a conservator has already been filed with the probate court. This measure also provides that confidentiality restrictions apply to all related records, and requires the elder or dependent adult on whose behalf the petition has been filed to receive a copy combined with notice of the hearing at least five day prior.

SB 352 (Block). Elder Abuse.
Chapter 279, Statutes of 2015

This measure requires a sentencing court to consider issuing a protective order upon the conviction of an individual for elder abuse. It provides that in considering the length of any restraining order, the court shall consider the seriousness of the facts, the probability of future violations, and the safety of the victim and his or her immediate family.

O. Student Safety

AB 636 (Medina). Postsecondary Education. Student Safety.
Chapter 697, Statutes of 2015

This measure requires postsecondary educational institutions to disclose to law enforcement the identity of an alleged assailant, even if the victim does not consent to being identified, if the institution determines that the alleged assailant poses a serious or ongoing threat to the safety of the campus community, and the immediate assistance of law enforcement is necessary. This measure applies if the alleged assailant is believed to have been responsible for any of the following offenses as defined in the Penal Code: any form of sexual assault, a hate crime, or a violent crime including homicide, forcible rape, robbery, or aggravated assault.

AB 827 (O'Donnell). Safe Schools. Safe Place to Learn Act. Lesbian, Gay, Bisexual, Transgender, and Questioning Public Resources.
Chapter 562, Statutes of 2015

This measure requires the California Department of Education (CDE), as part of its compliance monitoring, to assess whether local educational agencies have provided information to certificated staff serving grades 7-12 about both on-school site and community resources for lesbian, gay, bisexual, transgender and questioning students. This measure builds upon an identical requirement in law regarding resources addressing discrimination, intimidation, harassment, and bullying.

AB 913 (Santiago). Student Safety.
Chapter 701, Statutes of 2015

This measure requires the Regents of the University of California, the Trustees of the California State University System, and the governing boards of independent post-secondary educational institutions, to update their existing written jurisdictional agreements with local law enforcement for the investigation of violent crimes, to include sexual assault and hate crimes by July 1, 2016. It also requires the agreements to be

reviewed and if necessary update, every five years. It further requires the governing board of each community college district to adopt rules requiring each of their respective campuses to enter into such written agreements.

AB 1058 (Baker). Pupil Safety. Child Abuse Prevention. Training.
Chapter 748, Statutes of 2015

This measure requires CDE, in consultation with the Office of Child Abuse Prevention within the Department of Social Services, to establish best practices for school personnel to prevent abuse, including sexual abuse, of children on school grounds, either by school personnel or in school-sponsored programs. It also requires the posting on the CDE website of links for existing training resources.

SB 186 (Jackson). Community College Districts. Removal, Suspension, or Expulsion.

Chapter 232, Statutes of 2015

This measure authorizes community college districts to remove, suspend, or expel a student for sexual assault or sexual exploitation, including instances in which the assault or exploitation is unrelated to college activity or college attendance. This measure also amends the definition of “good cause” in relation to a community college districts suspension or expulsion of a student to reflect the new authorization.

P. Motor Vehicles

AB 835 (Gipson). Vehicular Manslaughter. Statute of Limitations.
Chapter 338, Statutes of 2015

This measure provides that the statute of limitations to file a criminal complaint against a person in connection with vehicular manslaughter where a suspect fled the scene of the accident, expires one year after a suspect is initially identified by law enforcement, and provide that in no case may a criminal complaint be filed more than six years from the date of the offense.

AB 863 (Dodd). Modified Limousines. Passenger Safety.
Chapter 480, Statutes of 2015

This measure extends the deadline for compliance with a requirement that modified limousines be equipped with either one or two rear windows that the rear seat passengers, or all of the passengers, can open from inside the vehicle in the event of fire or other emergency. The bill extends the deadline from January 1, 2016 to January 1, 2017.

AB 902 (Bloom). Traffic Violations. Diversion Programs.
Chapter 306, Statutes of 2015

This measure removes the age limitation to allow adult bicyclists to participate in diversion programs, or bicycle traffic school, sanctioned by local law enforcement for vehicle code infractions.

AB 1151 (Santiago). Parking Violations. Penalties.*Chapter 112, Statutes of 2015**

This measure authorizes a local government to allow a person to agree to pay parking citations in installments at any stage of the administrative hearing process.

AB 1287 (Chiu). Vehicles. Parking Violations.**Chapter 485, Statutes of 2015**

This measure deletes the sunset on the City and County of San Francisco's authority to conduct automated enforcement of parking violations in public transit-only traffic lanes, also known as the Transit-Only Lane Enforcement program. This program uses cameras on board buses to enforce parking violations in public transit-only lanes used by San Francisco's MUNI public transit system.

AB 1465 (Gordon). Driver's Licenses.**Chapter 708, Statutes of 2015**

This bill requires, beginning July 1, 2016, an applicant for an original driver's license or identification card to provide proof of California residency. This measure prohibits the Department of Motor Vehicles (DMV) from issuing a driver's license to any person who does not fulfill this requirement.

SB 61 (Hill). Driving Under the Influence. Ignition Interlock Device.**Chapter 350, Statutes of 2015**

This measure extends the DMV Ignition Interlock Device pilot project to July 1, 2017. This project requires all persons convicted of a misdemeanor for driving under the influence (DUI) of alcohol or drugs in violation of the California Vehicle Code, or convicted of a felony DUI involving personal injury, or convicted of vehicular manslaughter while intoxicated in any one of four pilot counties (Alameda, Los Angeles, Sacramento, and Tulare) to install a certified ignition interlock device (IID) in each vehicle that he or she owns or operates. An IID is a device wired to a vehicle's ignition that can detect alcohol and that requires a breath sample from the driver before the engine will start – in effect, a breathalyzer wired to the ignition switch.

SB 405 (Hertzberg). Failure to Appear in Court. Fines.*Chapter 385, Statutes of 2015**

This measure requires courts to allow individuals to schedule court proceedings, even if bail or civil assessment has been imposed, without having to pay related fines, assessments, and bail in advance of a court hearing. It also clarifies that under existing law, which requires counties to establish a traffic amnesty program, a person cannot currently be making payments for fines or bail for violations where the fines were due and payable before January 1, 2013.

SB 413 (Wieckowski). Public Transit. Prohibited Conduct.**Chapter 765, Statutes of 2015**

This measure amends the definition of "unreasonably loud noise," one of the infractions that can be committed on public transit, to specify that it includes playing sound equipment on or in a transit system facility or transit system vehicle, and failing to

comply with a warning from a transit official concerning disturbing others with loud noise. It also adds failing to yield seating to elderly or disabled persons to the list of infractions, if the governing board of the public transit agency enacts an ordinance to that effect.

Q. Public Health

AB 384 (Perea). Food Safety. Chapter 477, Statutes of 2015

This measure repeals the January 1, 2016 sunset date on a \$100 food safety fee levied on registered food processors to fund training and education programs related to food safety, and operated by the Department of Public Health. It makes these programs permanent.

AB 1073 (Ting). Pharmacy. Prescription Drug Labels. Chapter 784, Statutes of 2015

This measure requires pharmacies, upon the request of a patient or the patient's representative, to provide translated directions, provided by the Board of Pharmacy, for use on prescription drug containers. It specifies that a pharmacy is responsible for the accuracy of the English-language directions provided to the patient. It also provides that pharmacies may provide their own translated directions to comply with this requirement, and are not required to provide translated directions in languages beyond those that the Board of Pharmacy has made available.

SB 792 (Mendoza). Day Care Facilities. Immunizations. Exemptions. Chapter 807, Statutes of 2015

This measure prohibits, as of September 1, 2016, a person from being employed or volunteering at a day care center or a day care home if he or she has not been immunized against specified diseases, specifically influenza, pertussis or measles. It requires such employees to receive an influenza vaccination between August 1 and December 1 of each year. This measure also provides an exemption for a person who has secured from a licensed physician a written statement to the effect that:

- In the specific case, immunization is not safe;
- That there is evidence that the person is immune from the relevant diseases;
- The person has submitted a written declaration declining the influenza vaccination; and
- Was hired after December 1 of the previous year and before August 1 of the current year, i.e. in a window in which the relevant immunizations were not available. In this case, the exemption applies only during the first year of employment or volunteering.

R. Miscellaneous

AB 96 (Atkins). Animal Parts and Products. Importation or Sale of Ivory and Rhinoceros Horn.

Chapter 475, Statutes of 2015

This measure makes it unlawful to purchase, sell, offer for sale, possess with intent to sell, or import with intent to sell, ivory or rhinoceros horns in California, with specified exceptions. This measure makes a violation of these prohibitions a misdemeanor, subject to both criminal and administrative penalties.

AB 315 (Bigelow). Tribal Gaming. Compact Ratification.

Chapter 512, Statutes of 2015 (Urgency)

This measure ratifies the tribal-state gaming compact entered into between the State of California and the United Auburn Indian Community executed on August 14, 2015. It provides that, in deference to tribal sovereignty, certain actions are not deemed projects for purposes of the CEQA; and stipulates, with specified exceptions, that none of the provisions shall be construed to exempt a city, county, or city and county, or the Department of Transportation from CEQA requirements.

AB 316 (Maienschein). Veterinarians. Cruelty Incidents.

Chapter 556, Statutes of 2015

This measure permits a veterinarian licensed in another state to be called to California by a law enforcement agency or animal control agency to attend to cases of animal cruelty or animal fighting as requested, and permits the establishment of temporary shelters for the purpose of assisting in the investigation.

AB 361 (Achadjian). Nuclear Powerplants.

Chapter 399, Statutes of 2015

This measure extends the sunset date for the Nuclear Planning Assessment Special Account (NPASA), which provides a funding mechanism for emergency services programs and planning activities for the Diablo Canyon Power Plant in San Luis Obispo County. The sunset date is extended from July 1, 2019 to August 26, 2025. This measure also requires PUC to continue, until August 26, 2025, an independent peer review panel charged with reviewing enhanced seismic studies and surveys of the Diablo Canyon powerplant and its surrounding areas, including areas of nuclear waste storage.

AB 489 (Gonzalez). Public Safety Officer Medal of Valor Act.

Chapter 329, Statutes of 2015

This measure adds ocean lifeguards to the list of public safety officers eligible to receive the Public Safety Medal of Valor (PSMOV) for extraordinary valor above and beyond the call of duty, and authorizes the United States Lifesaving Association to represent lifeguards on the PSMOV Review Board.

AB 795 (Atkins). Tribal Gaming. Compact Ratification.**Chapter 520, Statutes of 2015 (Urgency)**

This measure ratifies the tribal-state gaming compact entered into between the State of California and the Sycuan Band of the Kumeyaay Nation, executed on September 2, 2015. This also provides that, in deference to tribal sovereignty, certain actions are not projects for the purposes of CEQA.

AB 856 (Calderon). Invasion of Privacy.*Chapter 521, Statutes of 2015**

This measure expands civil liability for physical invasion of privacy to situations in which a person knowingly enters the airspace above the land owned by another person without permission.

AB 921 (Jones). Private Investigators. Disciplinary Review Committee. Licensure.**Chapter 635, Statutes of 2015**

This measure establishes a Private Investigator Disciplinary Review Committee, to be appointed by the Governor, and to consist of three members who are active private investigators, and two public members who neither licensed private investigators, nor receiving compensation from such a licensee. It provides that licensed private investigators may, through the Bureau of Security and Investigative Services within the Department of Consumer Affairs, their licensing entity, appeal the assessment of an administrative fine as well as the denial of a license. It also authorizes an applicant for a private investigator license to earn experience under a qualified manager.

AB 1028 (Bonta). Judicial Officers. Oaths and Affirmations.**Chapter 308, Statutes of 2015**

This measure permits former judges or justices who have been retired for a disability to administer oaths and affirmations, if they have been certified to do so by the Commission on Judicial Performance. It also permits former judges and justices certified before January 1, 2016 to continue to administer oaths and affirmations until January 1, 2017, before they are required to re-apply for certification.

AB 1072 (Daly). Insurance. Firefighters' or Police Officers' Benefit and Relief Associations.**Chapter 503, Statutes of 2015**

This measure requires firefighters' and police officers' benefit and relief associations, that provide long term disability and long term care benefits, to file an actuarial opinion with the Insurance Commissioner that meets specified standards. It provides an exemption for associations the merely market insurance policies issued by licensed insurance companies.

AB 1197 (Bonilla). Deposition Notices.**Chapter 346, Statutes of 2015**

This measure requires the existence of a contractual relationship between the parties to a deposition be disclosed to all parties in the deposition notices. Specifically, it requires that the notice of an oral deposition include a statement disclosing the existence of a

contract, if one exists, between the deposition officer or the entity providing the services of the deposition officer, and the party noticing the deposition or a third party who is financing all or part of the underlying legal action.

AB 1436 (Burke). In-Home Supportive Services. Authorized Representative.
Chapter 707, Statutes of 2015

This measure allows In-Home Supportive Services (IHSS) applicants and recipients to designate an authorized representative, and establishes related regulations. Specifically, this measure defines the representative as an individual appointed to represent the applicant or recipient in matters related to the IHSS program, and requires each county to retain the authorized representative form in the applicant or recipient's case file. This measure prohibits anyone other than a legal representative as specified, from being prevented from serving as an IHSS provider due to past criminal convictions, or from subsequently serving as an authorized representative, and includes additional regulations.

ABX2 15 (Eggman). End of Life.
Chapter 1, Statutes of 2015, Second Extraordinary Session

This measure permits a competent, qualified individual who is an adult with a terminal disease to receive a prescription for an aid-in-dying drug if certain conditions are met. Specifically, the individual must demonstrate the following:

- The making of two oral requests, at least 15 days apart, for the aid-in-dying drug;
- A written request to the individual's attending physician, signed by two witnesses; and
- The attending physician must receive all three requests directly, not through a nurse or other designee.

The measure also specifies guidelines for qualifying witnesses.

SB 29 (Beall). Peace Officer Training. Mental Health.
Chapter 469, Statutes of 2015

This measure requires law enforcement field training officers (FTO) to receive training from the POST regarding law enforcement interaction with persons with mental illness or intellectual disability. Specifically, it requires FTO to have a minimum of eight hours of crisis intervention behavioral health training, to improve the training of new peace officers allowing them to more effectively interact with persons with a mental illness or mental disability. Excludes from its coverage FTO who have completed the required eight hours of training within the past 24 months, or who have completed a cumulative total of 40 hours of crisis intervention behavioral health training. This measure also specifies that FTO's assigned or appointed before January 1, 2017 must complete the training by June 30, 2017. FTO's who are assigned or appointed on or after January 1, 2017 must complete the training within 180 days.

SB 35 (Wolk). Income and Corporation Taxes. Disaster Relief.**Chapter 230, Statutes of 2015**

This measure enacts disaster loss treatment, allowing taxpayers to deduct amounts associated with a loss as a result of a natural disaster consistent with federal law, where the disaster in a city, county, or city and county has caused the Governor to declare a state of emergency. It also extends the deadline for taxpayers affected by recent earthquakes to carry back disaster losses to the 2013 tax year.

SB 285 (Block). Pawnbrokers. Compensation. Loans.**Chapter 245, Statutes of 2016**

This measure increases the maximum rates and fees that pawnbrokers can charge, and allows pawnbrokers to substitute electronic notices for mailed notices. Specifically, it consolidates 21 loan brackets used by pawnbrokers into six, and provides a schedule of maximum charges.

SB 541 (Hill). Public Utilities Commission. For-Hire Transportation Carriers. Enforcement.**Chapter 718, Statutes of 2015**

This measure codifies recommendations from the State Auditor's report on strengthening the oversight of charter party carriers such as limousines, buses, and moving companies. The PUC is the lead agency for these actions. However, city attorneys are authorized to bring action and city peace officers will be involved in enforcement activities. Specifically, peace officers are authorized to impound the vehicle of a charter party carrier if it is not properly licensed or permitted.

SB 582 (Hall). Electrified Fences.**Chapter 273, Statutes of 2015**

This measure authorizes an owner of real property to install and operate an electrified fence on his or her property if the property is not in a residential zone (i.e. is in an area zoned commercial or industrial), the fence meets specified requirements, and a local ordinance does not prohibit its installation and operation. Among the specified requirements are the following:

- The fence must meet the 2006 international standards and specifications established by the International Electrotechnical Commission for electric fence energizers in International Standard IEC 60335, Part 2-76;
- The height of the electrified fence must not exceed 10 feet, and must be located behind a perimeter fence that is at least 6 feet in height; and
- The fence must be clearly marked by warning signs that are legible from both sides of the fence, and that meet all of the following criteria:
 - Warning signs are placed at each gate and access point, and at intervals not exceeding 90 feet;
 - The warning signs must be adjacent to any other signs relating to chemical, radiological, or biological hazards; and
 - The warning signs must be marked with a written warning or commonly recognized symbol for electric shock, a written warning or commonly recognized symbol to warn people with pacemakers, and a written

warning or commonly recognized symbol regarding the danger of coming into contact with the fence in wet conditions.

VII. Revenue and Taxation

A. FY 2015-16 Budget Bills

AB 91 (Comm. on Budget). Budget Act of 2014. Chapter 1, Statutes of 2015

This measure amends the 2014-15 Budget Act to provide the following funding related to the drought:

- \$14.6 million to respond to problems caused by humans that harm wildlife such as fish rescues, fish and wildlife monitoring, and animals seeking food and water;
- \$2 million to the Department of Fish and Wildlife (DFW) for water needs for endangered species, habitat, monitoring and water delivery system projects; and
- \$4 million to the State Water Resources Control Board (SWCRB) and DFW to enhance instream flows in at least five streams that support critical habitat for anadromous fish.

***AB 92 (Comm. on Budget). Water. Chapter 2, Statutes of 2015**

This measure establishes funding to enhance the DFW regulatory powers to penalize and fine those responsible for water diversions and environmental degradation specific to illegal marijuana growing. DFW has new authority to assess civil penalties for obstructing fish passage due to illegal marijuana cultivation. The DFW is also now able to initiate a complaint before the SWCRB or a violation from an unauthorized diversion that harms fish and wildlife.

***AB 93 (Weber). Budget Act of 2015. Chapter 10, Statutes of 2015**

This measure, together with SB 97 (Chapter 11, Statutes of 2015), represents the main FY 2015-16 budget. AB 93 is the main budget bill and SB 97 makes changes to AB 93 to conform with last minute agreements between the Governor and Legislature. The bills include appropriations for the items discussed in the budget trailer bills as well as the following items:

- \$20 million for local law enforcement grants to city police departments. This is down from \$40 million last year and comes with new transparency requirements regarding use of force resulting in hospitalization or death;
- \$6 million for local law enforcement agencies through competitive grants for community relations;
- \$8 million in competitive grants to local governments to reduce community recidivism rates;
- \$1.5 million for the California Library Services Act, which creates networks that act together on lending policies, bulk purchases and joint training programs;
- \$5.8 million for California Library Literacy Services, \$1 million of which is for the Career Online High School Program;
- \$4 million for Library Broadband Services;

- Requirements for Caltrans to streamline the cooperative work agreement process related to project initiations document development and oversight to reduce costs to local agencies;
- Additional funding to reduce the timeframe for the Road Usage Charge Pilot Program;
- \$125 million for the Active Transportation Program; and
- \$2.5 million for grants to local governments for boating safety and law enforcement through the Department of Parks and Recreation.

AB 95 (Comm. on Budget). Transportation.

Chapter 12, Statutes of 2015

This measure provides a one-year extension of an exemption to continue to provide more flexibility in the use of State Transit Assistance Funding for transit operators whose cost increases have exceeded the Consumer Price Index (CPI). It also requires Caltrans to report to the Legislature on potential benefits to safety, greenhouse gas reduction, service levels, and operating costs by improving grade separations at key intersections along the state's intercity rail system and increases the cap on the number of low-emission and energy efficient vehicles allowed to use high-occupancy vehicle lanes.

AB 104 (Comm. on Budget). Education Finance. Education Omnibus Trailer Bill.

Chapter 13, Statutes of 2015

This measure makes various changes and appropriations to child care, early childhood education, and K-14 education.

AB 114 (Comm. on Budget). Public Works. Building Construction.

Chapter 14, Statutes of 2015

This measure makes various changes regarding the financing of capital projects approved by the State Public Works Board. Most changes do not impact local projects, except for some changes to the amount of revenue bonds, notes, or bond anticipation notes that can be issued to finance local jail facilities.

AB 116 (Comm. on Budget). Budget Act of 2014. Augmentation.

Chapter 15, Statutes of 2015

This measure makes several allocations to cover shortfalls in various programs in FY 2014-15.

AB 117 (Comm. on Budget). Public Resources.

Chapter 16, Statutes of 2015

This measure extends the CEQA streamlining process in the Jobs and Economic Improvement through Environmental Leadership Act of 2011 from January 1, 2016 to January 1, 2017.

AB 119 (Comm. on Budget). Public Health. Medi-Cal. Nursing Facilities.
Chapter 17, Statutes of 2015

This measure extends various skilled nursing facility fees payments, and exemptions. Sets new performance measures for skilled nursing facilities to receive funding.

SB 75 (Comm. on Budget and Fiscal Review). Health.
Chapter 18, Statutes of 2015

This measure makes various changes related to health including:

- Provides Medi-Cal coverage to eligible children regardless of immigration status; and
- Allows the Department of Public Health to purchase syringes and related supplies for syringe exchange programs.

SB 78 (Comm. on Budget and Fiscal Review). Education Finance. Local Control Funding Formula.

Chapter 19, Statutes of 2015

This measure repeals and revises sections of law made obsolete by the Local Control Funding Formula (LCFF), which replaces the prior revenue limit and categorical funding structure for K-12 education finance. This measure also includes appropriations necessary for purposes of the LCFF.

***SB 79 (Comm. on Budget and Fiscal Review). Human Services.**
Chapter 20, Statutes of 2015

This measure makes various changes to programs and operations within the Department of Social Services including:

- Increasing the frequency of inspections to community care facilities, residential care facilities for the elderly, child day care centers, and family day care homes; and
- Allowing counties to continue to provide housing support to a person who has been discontinued from CalWORKS due to income eligibility requirements.

SB 80 (Comm. on Budget and Fiscal Review). Personal Income Taxes. Earned Income Credit.

Chapter 21, Statutes of 2015

This measure creates a state Earned Income Tax Credit (EITC), similar to the federal program. The state EITC will focus on households with incomes less than \$6,580 if there are no dependents and up to \$13,870 if there are three or more dependents.

SB 81 (Comm. on Budget and Fiscal Review). Postsecondary Education. Budget.
Chapter 22, Statutes of 2015

This measure makes various changes to higher education including changes to CalGrants, the Middle Class Scholarship Program, community colleges, University of California and the California State University budgets.

SB 82 (Comm. on Budget and Fiscal Review). Development Services.
Chapter 23, Statutes of 2015

This measure makes various changes to developmental services, including regional centers, secured facilities, out-of-state placements, and performance objectives.

SB 83 (Comm. on Budget and Fiscal Review). Public Resources.
Chapter 24, Statutes of 2015

This measure makes various changes to public resource programs to conform with the budget, including:

- Establishing the Assistant Director for Environmental Justice in the California Environmental Protection Agency;
- Authorizing money in the Enhanced Fleet Modernization Subaccount to be available to the State Air Resources Board to implement and administer the enhanced fleet modernization program;
- Requiring, on or after July 1, 2016, the SWRCB to adopt a fee schedule to be paid annually by each public water system to cover the board's drinking water program and enforcement costs;
- Requiring the Division of Oil, Gas, and Geothermal Resources to consult with the SWRCB and appropriate regional water quality boards regarding underground injection control;
- Establishing the Border Region Solid Waste Working Group to develop and coordinate long-term solutions to address the waste tire, solid waste, and excessive sedimentation along the California-Mexico border;
- Allocating \$10 million from the funds reverted to the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 for local assistance programs, specifically outdoor education programs;
- Allowing the State Fire Marshall to contract with a federally permitted hauler for disposal or storage of illegal and dangerous fireworks; and
- Allowing the Department of Toxic Substances Control to regulate and enforce actions related to metal recycling facilities.

***SB 84 (Comm. on Budget and Fiscal Review). State Government.**
Chapter 25, Statutes of 2015

This measure makes various changes to state programs to conform with the budget. Provisions of most interest to cities include:

- Changes reporting requirements for local agencies regarding the certified access specialist program (CAS). Local agencies will now report only to the Division of the State Architect rather than to the Legislature. In addition, local agencies will now have to report on activities undertaken to increase CAS program services and to facilitate compliance;
- Requires the Office of Emergency Services (OES) to coordinate with response and recovery operations in each mutual aid region, and to develop and adopt a state fire service and rescue emergency mutual aid plan that would be an annex to the State Emergency Plan;
- Creates the Regional Railroad Accident Preparedness and Immediate Response Force within the OES to provide regional and onsite response capabilities for

hazardous materials spills from railcars or accidents that involve railcars. Requires the Director of Emergency Services to set a fee schedule for the shipment of extremely hazardous materials by rail;

- Creates the Human Trafficking Victims Assistance Fund within the OES. The fund will provide grants to nonprofit organizations to provide services to victims of human trafficking;
- Requires the Department of Finance, Secretary of State, and Legislative Analyst's Office to convene a workgroup to evaluate alternatives for funding elections-related state mandates;
- Establishes a position within the Governor's Office of Planning and Research to develop a report on programs and services that serve immigrants. The report is due no later than January 1, 2016, and then will be used to create an online clearinghouse of available services. The position will also monitor the implementation of statewide laws and regulations that serve immigrants;
- Authorizes the Department of Housing and Community Development to provide temporary assistance to people moving out of a housing unit due to a lack of potable water in connection with the drought;
- Allows the rental of the Office of Migrant Services centers to people who are homeless in connection with the drought;
- Recognizes the existence of the California Residential Mitigation Program (CRPM), an existing JPA, and allows the CRPM to provide grants and loans to residential property owners for seismic retrofit work. Excludes amounts received from an individual's gross income for tax purposes;
- Requires Cal-OSHA to prioritize accidents involving death or serious injury over non-serious violations;
- Suspends the fee for the annual and biennial inspections of conveyances by the Division of Occupational Safety and Health for FY 2015-16. Allows the suspension to continue to reduce the balance of the Elevator Safety Account;
- Requires the Franchise Tax Board to collect unpaid tolls, toll evasion penalties, and related fees as if they were taxes;
- Makes various technical changes to the Prepaid Mobile Telephony Service Surcharge Collection Act (AB 1717, Chapter 885, Statutes of 2014), which was implemented this year. Among other things, the bill exempts sellers with less than \$15,000 in related sales from the requirements to collect the taxes and fees;
- Includes cleanup language for SB 556 (Chapter 832, Statutes of 2014) regarding contractors vehicle and uniform logo requirements;
- Allows for a retired person to serve as an elected official without reinstatement or interruption of their pension benefits; and
- Makes various other changes to state programs.

***SB 85 (Comm. on Budget and Fiscal Review). Public Safety.
Chapter 26, Statutes of 2015**

This measure makes various changes to public safety programs to conform with the budget. Provisions of most interest to cities include:

Amnesty Program: Fines and Bail: Requires counties to establish an amnesty program for fines and bail due and payable on or before January. 1, 2013.

- The program accepts payments of 50 percent the total amount due between October 1, 2015 and March 31, 2017.
- Participants can receive an additional reduction if they certify under penalty of perjury that they receive public assistance, or that their monthly income is 125 percent or less of current poverty guidelines.
- Participants must pay a one-time \$50 administrative fee.

California Highway Patrol (CHP) Body Camera Program: Requires the CHP to develop a plan for implementing a body-worn camera pilot program by January 1, 2016.

- Specifies components of the plan, including but not limited to:
 - Types of officers assigned to wear a body camera;
 - Minimum specifications for the cameras;
 - Best practices for notifying members of the public of active recording;
 - Best practices for data storage; and
 - A schedule for reviewing body-worn camera policies and protocols.

Supplemental Law Enforcement Services Account (SLESA) Funding: Continues payments of \$100,000 to each local law enforcement jurisdiction under SLESA.

California Community Incentive Grant Program: Specifies schedule of incentive payments to counties for not returning offenders to prison under the California Community Incentive Grant Program.

Recidivism Reduction Fund: Removes the sunset from the Recidivism Reduction Fund, and deletes language providing for reversion to the state General Fund one year after allocation of unencumbered monies not dedicated to a community recidivism and crime reduction service provider.

***SB 88 (Comm. on Budget and Fiscal Review). Water.
Chapter 27, Statutes of 2015**

This measure makes various changes to water-related programs to conform with the budget. Provisions of most interest to cities include:

- Authorizes SWRCB to order consolidation with a receiving water system where a public water system, or a state small water system within a disadvantaged community, consistently fails to provide an adequate supply of safe drinking water. Requires, SWRCB, prior to ordering consolidation or extension of service, to conduct an initial public meeting and a public hearing. Limits the liability of a consolidated water system, wholesaler, or any other agency in the chain of distribution that delivers water to a consolidated water system;
- Exempts from the CEQA certain groundwater replenishment projects until January 1, 2017;
- Exempts from CEQA the development and approval of building standards by state agencies for recycled water systems until July 1, 2017;
- Exempts from CEQA the adoption of an ordinance to impose stricter conditions on the issuance of well permits or changes in the intensity of land use that would increase demand on groundwater until July 1, 2017;

- Requires, commencing January 1, 2016, a person who diverts 10 acre-feet of water per year or more under a permit or license to install and maintain a device or employ a method capable of measuring the rate of direct diversion, rate of collection to storage, and rate of withdrawal or release from storage;
- Expands this civil liability to any violation of any regulation adopted by SWRCB;
- Provides that a court or public entity may hold a person civilly liable in an amount not to exceed \$10,000 for a violation of a water conservation program ordinance or resolution, or certain emergency regulations adopted by SWRCB. Prohibit the civil liability assessed by a court or public entity for the first violation by a residential water user from exceeding \$1,000;
- Requires the secretary to post information on the Natural Resources Agency's website on changes to project timelines and project spending, in order to facilitate oversight of Proposition 1 funding and projects; and
- Appropriates \$10 million to the CalConserve Water Use Efficiency Revolving Fund for loans for water use efficiency projects. Local agencies may receive at or below market interest rate loans.

**SB 97 (Comm. on Budget and Fiscal Review). Budget Act of 2015.
Chapter 11, Statutes of 2015**

This measure, together with AB 93 (Chapter 10, Statutes of 2015), represents the main FY 2015-16 budget. AB 93 is the main budget bill and SB 97 makes changes to AB 93 to conform with last minute agreements between the Governor and Legislature. See AB 93 for a full summary.

***SB 98 (Comm. on Budget and Fiscal Review). State Government.
Chapter 28, Statutes of 2015**

This measure implements the Governor's proposal to start having the retiree health care system prefunded, similar to that of pensions. It applies only to state employees.

**SB 99 (Comm. on Budget and Fiscal Review). State Public Employment.
Chapter 322, Statutes of 2015**

This measure ratifies memoranda of understanding (MOU) agreements between the state and state bargaining units 9 and 10. SB 99 also makes changes to the state civil service system focused on the competitive ranking of state civil service employees and applicants and eligibility and hiring of state employees in "Career Executive Assignments".

**SB 101 (Comm. on Budget and Fiscal Review). Budget Act of 2015.
Chapter 321, Statutes of 2015**

This measure makes various technical and clarifying changes to the main 2015-16 budget bill to conform with programmatic changes in trailer bills.

**SB 102 (Comm. on Budget and Fiscal Review). State Government.
Chapter 323, Statutes of 2015**

This measure makes various changes to state administration and programs including authorizing the Department of Personnel Administration to determine salary levels for

members of the Board of Parole Hearings and clarifying the funding limits established for counties under the community services recidivism program.

**SB 103 (Comm. on Budget and Fiscal Review). Education Finance.
Chapter 324, Statutes of 2015**

This measure is a clean-up measure for education-related provisions of the Budget Act of 2015.

***SB 107 (Comm. on Budget and Fiscal Review) Redevelopment Dissolution
Process.
Chapter 325, Statutes of 2015**

This measure contains major revisions to existing redevelopment dissolution laws, and unrelated items, including the following:

- Exempting the Department of Finance (DOF) from the Administrative Procedures Act;
- Limiting local recovery of legal expenses;
- Imposing numerous new statutory deadlines;
- Shifting from a six-month to an annual Recognized Obligation Payment Schedule (ROPS) process;
- Establishing a process to access portions of former 2011 issued bond proceeds.
- Providing clarification on parking lots, former federal grants and loans, and re-entered agreements as enforceable obligations; and
- Authorizing the repayment of some prior loans made to redevelopment agencies.

(The League has prepared a comprehensive summary of this measure in Appendix A of this document.)

B. Sales Taxes

**AB 160 (Dababneh). Criminal Profiteering. Counterfeit Labels. Sales and Use
Taxes.**

Chapter 427, Statutes of 2015

This measure expands the universe of crimes that allow for the forfeiture of assets and prosecution for criminal profiteering. It also broadens the definition of criminal profiteering by expanding the organized crime element to include other specified offenses. Specifically, it includes within the definition of criminal profiteering a range of offenses related to piracy and insurance fraud. This measure expands the definition of organized crime to include pimping and pandering, counterfeiting of a registered trademark, piracy of a recording or audiovisual work, embezzlement, securities fraud, money laundering, or forgery. It can be expected to increase the burden on local prosecuting agencies.

AB 199 (Eggman). Alternative Energy. Recycled Feedstock.
Chapter 768, Statutes of 2015 (Urgency)

This measure expands projects eligible for the sales and use tax exclusion, under the California Alternative Energy and Advanced Transportation Financing Authority, to include projects that process or utilize recycled feedstock, but does not include a project that processes or utilizes recycled feedstock in a manner that constitutes disposal.

AB 1269 (Dababneh). Alternative Energy.
Chapter 788, Statutes of 2015 (Urgency)

This measure extends the authority of the California Alternative Energy and Advanced Transportation Financing Authority to grant financial assistance in the form of a sales and use tax exclusion for projects that promote the use of advanced manufacturing until January 1, 2021.

***SB 533 (Pan). Sales Tax Shifting Agreements.**
Chapter 717, Statutes of 2015

This measure tightens existing law on and after January 1, 2016, to prohibit sales tax agreements that result in shifting sales tax revenue from one local agency to another when the retailer continues to maintain a physical presence within the territorial jurisdiction of local agency from which funds are being shifted.

The measure also requires more public transparency on existing and future agreements which result in the loss of sales taxes by other local agencies, by establishing new notification requirements for any new agreement (and re-entering or expansion of an existing agreement) that, in the absence of the agreement, would result in a reduction of Bradley-Burns local tax proceeds to another local agency. Prior to ratifying any such agreement, this measure requires the local agency to:

- Post the proposed agreement on its Internet website for at least 30 days prior to ratification or approval of that agreement by its governing body;
- Notify the other local agency by certified mail addressed to the attention of the chief executive of that other local agency at least 60 days prior to ratification or approval of that agreement by its governing body; and
- Post such agreements on their websites, including any previous agreements still in effect.

This measure does not apply to:

- Any agreement relating to a use tax direct payment permit issued by the Board of Equalization (BOE) for use tax purchases (often big construction projects and equipment purchases of \$500,000 or more);
- Contracts authorized by existing law whereby BOE tax allocation records are examined to ensure that taxes were allocated to the correct location; and
- Mutual tax sharing agreements between agencies where the agreement will not result in a rebate to a retailer.

SB 598 (Hill). All Volunteer Fire Departments. Sales Taxes.**Chapter 248, Statutes of 2015 (Urgency)**

This measure exempts from the definition of a “retailer” for purpose of sales and use tax collection an all-volunteer fire department, as defined, that sells tangible goods, including hot food and clothing, and uses any profits exclusively in furtherance of the purposes of the department. This measure caps this exemption for volunteer fire departments with gross receipts of \$100,000 or less from the sales of tangible goods and sunsets the measure on January 1, 2021. This measure takes effect 90 days after enactment.

SB 705 (Hill). San Mateo County and Monterey County. Transaction and Use Taxes.**Chapter 248, Statutes of 2015**

This measure authorizes the County of San Mateo to levy up to 0.5 percent increase, and the Monterey County Transportation Agency to levy up to a 0.375 percent increase, in local transaction and use taxes above the 2 percent statewide cap that applies to most other local agencies.

SB 767 (De León). Los Angeles County Metropolitan Transportation Authority. Transaction and Use Taxes.**Chapter 580, Statutes of 2015**

This measure authorizes the Los Angeles County Metropolitan Transportation Authority levy an additional 0.5 percent increase in local transaction and use taxes. This increase is above the two percent statewide cap that applies to most other local agencies.

C. Property Taxes

AB 571 (Brown). Change of Ownership Statement.**Chapter 501, Statutes of 2015**

This measure authorizes the penalty for late filing of an annual property statement or change of ownership statement to be abated if the assessee establishes that the failure to file in a timely manner was due to circumstances beyond the assessee’s control and occurred notwithstanding reasonable care and in the absence of willful neglect.

AB 668 (Gomez). Property Taxation Assessments. Affordable Housing.**Chapter 698, Statutes of 2015**

This measure requires county assessors, for purposes of taxation when valuing real property, to consider recorded contracts between the owners of owner-occupied housing subject to housing affordability restrictions and nonprofit corporations that restrict uses of the property for at least 30 years for affordable housing. The following conditions apply:

- The nonprofit corporation must have received a welfare exemption for properties intended to be sold to low-income families who participate in a special no-interest loan programs;

- The contract must include a deed of trust on the property in favor of a nonprofit corporation;
- The local housing authority or an equivalent agency (if the jurisdiction does not have either, then it would be the city attorney or county counsel) must ensure that the long term deed restrictions serve a public purpose; and
- The contract is recorded and provided to the assessor.

AB 1157 (Nazarian). Certificated Aircraft Assessment.

Chapter 440, Statutes of 2015

This measure extends the sunset date on the current program used by county assessors for assessing property tax on certificated aircraft by one year to December 31, 2016.

SB 188 (Hancock). Municipal Utility District. Utility Charges. Delinquencies.

Chapter 270, Statutes of 2015

This measure makes permanent provisions of law that authorize a municipal utility district to file a lien on real property for unpaid water and sewer utility charges rendered to a lessee, tenant, or subtenant, which may be collected on the tax roll in the same manner as property taxes.

SB 801 (Governance and Finance). Property Tax Postponement.

Chapter 391, Statutes of 2015

This measure makes minor and technical changes to the existing Property Tax Postponement Program.

SB 803 (Governance and Finance). Property Taxation.

Chapter 454, Statutes of 2015

This measure makes several changes to the administration of property tax in California. Specifically, it enacts the following new regulations:

- Adds resident-owned floating homes (homes located on or within marinas) and homes in mobile home parks to the list of properties for which a parent-child transfer does not trigger a change in ownership, thereby avoiding a new tax assessment of the property;
- Adds floating homes to the list of properties for which taxpayers must file change in ownership statements when acquiring such property (unless the floating home is acquired via a parent-child transfer), and provides for penalties for failure to file by the specified deadline;
- Extends the current methodology to value inter-county pipeline rights-of-way until January 1, 2021. Also provides that unpaid taxes on such rights-of-way, plus penalties, shall be transferred to the unsecured property tax roll if they remain unpaid on the default date;
- Extends the period of time for tax collectors to maintain a defense to a tax sale where a legal challenge has been initiated, for a full year after a board of supervisors has rejected a petition to rescind the sale. This preserves tax collectors' range of options in light of procedural changes related to efforts to rescind tax sales enacted by AB 261, Chapter 288, Statutes of 2011;

- Changes the required time frame for a tax collector to publish a notice related to payment of the property tax on the secured roll. It specifies that the notice should be published “on or before November 1 of each year” rather than “on or before the day when taxes are payable;”
- Addresses an inequity that occurs when property owners have property taken by eminent domain and purchased replacement property within four years of the taking, but did not file claim for an exemption from property tax or a refund until after the four-year deadline, only to have it denied on a technicality. This provision reflects a federal court ruling that the constitutional exemption does not have a deadline, and directs assessors for the last four fiscal years to cancel taxes, allow refunds, and correct the property tax roll for taxpayers in this situation; and
- Makes additional, technical changes.

D. Miscellaneous

AB 279 (Dodd). Tax Administration. Counties. Reciprocal Information. Chapter 180, Statutes of 2015

This measure expands current law which authorizes cities to enter into reciprocal tax information sharing agreements with the Franchise Tax Board to include counties as well.

AB 283 (Dabebneh). Local Investments. Certificates of Deposit. Chapter 181, Statutes of 2015

This measure extends the sunset date, from January 1, 2017, to January 1, 2021, on existing law that authorizes local agencies to invest up to 30 percent their surplus funds in various certificates of deposits in banks and other financial institution that use a private entity to assist with the placement of deposits. This measure also removes a restriction on a financial institution acting as the “selected depository institution” from placing more than 10 percent of an agency’s funds with a single private entity assisting with the placement of deposits, thereby increasing flexibility.

***AB 341 (Achadjian). Financial Transactions Reports & Compensation Information.**

Chapter 37, Statutes of 2015

This measure improves the accuracy of local data by adjusting the timing for local agencies to submit their annual financial transactions reports and employee compensation data to the State Controller. Local agencies are required to submit their financial reports within seven months of the close of the fiscal year, and their employee compensating date by April 30 of each year.

AB 1534 (Comm. on Revenue and Taxation) Assessment Analyst. Certification. Chapter 446, Statutes of 2015

This measure prohibits tax assessors or any person employed in a county tax assessor’s office from making decisions regarding change-in-ownership of real property

or property tax exemptions, with the exception of a homeowner's exemption claim, without holding a valid assessment analyst certificate issued by the Board of Equalization (Board). This measure authorizes local boards of supervisors to impose certification and annual training requirements on county assessor employees that are responsible for property tax change-in-ownership and exemption decisions.

It also requires the Board to provide for the examination of applicants for an assessment analyst certificate, and to prepare the examinations with the assistance of a committee of five assessors selected by the California Assessor's Association, and authorizes the Board to contract with the Department of Human Resources to give the examinations. This measure imposes the following requirements in connection with certification of assessment analysts:

- Provides that in order to retain a valid certificate, every certified assessment analyst shall complete at least 24 hours of training conducted or approved by the Board on an annual basis;
- Requires training time in excess of the 24-hour minimum accumulated in any one year shall be carried over as credit toward future training requirements, with this carryover limited to three consecutive years;
- Provides that failure to complete the training is grounds for revocation of a certificate as provided for in the Administrative Procedure Act;
- Requires training to include but not be limited to, new developments in applicable case law, statutory law, and administrative rules;
- Authorizes the Board to issue temporary certificates under specified circumstances;
- Provides for the issuance of advanced assessment analyst certificate for those analysts who have held a certificate for at least three years, and have met specified requirements;
- Requires that at the time of certification, each applicant shall disclose his or her financial interest in any legal entity, on a form provided by the Board. This form is to be completed on an annual basis; and
- Provides that if an applicant is also required to file with the Fair Political Practices Commission on an annual basis, that a duplicate of that form will meet the requirement regarding the disclosure of a financial interest.

SB 35 (Wolk). Income and Corporation Taxes. Disaster Relief.
Chapter 230, Statutes of 2015

This measure enacts disaster loss treatment, allowing taxpayers to deduct amounts associated with a loss as a result of a natural disaster consistent with federal law, where the disaster in a city, county, or city and county has caused the Governor to declare a state of emergency. It also extends the deadline for taxpayers affected by recent earthquakes to carry back disaster losses to the 2013 tax year.

SB 181 (Comm. on Governance and Finance). Validations.
Chapter 4, Statutes of 2015

This measure enacts the First Validating Act of 2015, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities,

and specified districts, agencies, and entities. Validating Acts protect investors from the chance that a minor error might undermine the legal integrity of a public agency's bond.

SB 182 (Comm. on Governance and Finance). Validations.
Chapter 256, Statutes of 2015

This measure enacts the Second Validating Act of 2015, which would validate the bonds (as well as the organization, boundaries, acts and proceedings) of cities, counties, and the state, as well as specified districts, agencies and other entities. Validating Acts protect investors from the chance that a minor error might undermine the legal integrity of a public agency's bond.

SB 183 (Comm. on Governance and Finance). Validations.
Chapter 45, Statutes of 2015

This measure enacts the Third Validating Act of 2015, which would validate the bonds (as well as the organization, boundaries, acts and proceedings) of cities, counties, and the state, as well as specified districts, agencies and other entities. Validating Acts protect investors from the chance that a minor error might undermine the legal integrity of a public agency's bond.

SB 184 (Comm. on Governance and Finance). Local Government Omnibus Bill.
Chapter 269, Statutes of 2015

This measure is the annual local government omnibus bill that makes the following changes:

- Clarifies statutes regarding the duties and activities of the county recorder, whose responsibility is to accept and record legal documents, notices, or papers;
- Authorizes a local legislative body to designate a public officer or employee who is qualified to approve a final subdivision map to release or reduce the amount of a deposit to pay an engineer or surveyor for setting final monuments;
- Repeals the sunset date on a provision of existing law which requires cities and counties to be uniform in their procedures on timing and requirements for releasing developers' performance security;
- Clarifies that the term "clerk," when used in statutes regarding local governments' sanitary sewer functions, means "the clerk of the legislative body or secretary of the entity;"
- Removes ambiguity on the term "auditor" and clarifies that the auditor is the county auditor related to statutes governing fees sanitation and sewage systems;
- Clarifies that counties with fewer than 500,000 in population can award individual annual contracts for repair, remodeling, or other repetitive work;
- Makes various minor changes involving the Uniform Public Construction Cost Accounting Commission, including allowing two school representatives to come from districts of any size, and clarify that the Controller may reappoint members to ensuing three year terms with 120 days to fill a vacancy; and
- Authorizes governing board of a water district to delegate to district officers and employees the power to sign contracts on the districts' behalf.

SB 222 (Block). Statutory Liens. General Obligation Bonds.**Chapter 78, Statutes of 2015**

This measure requires all general obligation bonds of local agencies and school bonds be secured pursuant to a lien on all revenues received pursuant to the levy and collection of the tax. Declares that the lien shall be valid and binding from the time the bonds are executed and delivered.

VIII. Transportation, Communication, and Public Works

A. Vehicles

AB 162 (Rodriguez). State Highways. Wrong-Way Driving. **Chapter 101, Statutes of 2015 (Urgency)**

This measure requires the Department of Transportation (CalTrans) and the California Highway Patrol (CHP) to update a report on methods to avoid wrong-way driving on highways. The report is due on July 1, 2016, and the law is repealed on January 1, 2021.

AB 198 (Frazier). Vehicles. Tow Truck Assistance. **Chapter 30, Statutes of 2015**

This measure authorizes tow truck operators to drive in the center median or right shoulder of a highway when responding to a disabled vehicle if they first receive permission from a peace officer.

***AB 451 (Bonilla). Private Parking Facilities.** **Chapter 168, Statutes of 2015**

This measure clarifies that a city or county, through resolution or ordinance, may allow the operator of a privately owned and maintained parking facility to regulate unauthorized parking in that facility. It requires such parking facilities to post language that violators may be subject to a parking invoice fee and requires invoices for violations to include instructions on how to contest violations. The resolution or ordinance is required to include dispute resolution provisions.

AB 1015 (Bloom). Parking. Car Share Vehicles. **Chapter 41, Statutes of 2015**

This measure clarifies that local governments, through resolution or ordinance, may designate certain streets or portions of streets for the exclusive or nonexclusive parking for rideshare or car share vehicle programs.

AB 1096 (Chiu). Vehicles. Electric Bicycles. **Chapter 568, Statutes of 2015**

This measure defines various classes of electric bicycles and establishes certain manufacturing, disclosure, speed, areas of operation, and safety requirements and restrictions. It authorizes public entities to adopt resolutions or ordinances to regulate the operation of bicycles within their jurisdiction(s).

***AB 1151 (Santiago). Parking Violations. Penalties.** **Chapter 112, Statutes of 2015**

This measure authorizes a local government to allow a person to agree to pay parking citations in installments at any stage of the administrative hearing process.

AB 1222 (Bloom). Tow Trucks.**Chapter 309, Statutes of 2015**

This measure requires tow truck operators to maintain and provide written proof they were called to the scene and to provide information on towing and storage costs before the vehicle is towed. It makes it a misdemeanor for a towing company or the owner or operator of a tow truck to stop or cause a person to stop at the scene of an accident or near a disabled vehicle to solicit their services, unless specifically called upon a public agency or requested by the owner or operator of the disabled vehicle.

AB 1236 (Chiu). Local Ordinances. Electric Vehicle Charging Stations.*Chapter 598, Statutes of 2015**

This measure requires cities and counties, including charter cities, to create an expedited permitting and inspection process for electric vehicle charging stations. This measure limits the effective date of September 30, 2016, to cities and counties with a population of 200,000 or more, and adds an effective date of September 30, 2017, for cities and counties with a population of less than 200,000 residents.

AB 1250 (Bloom). Vehicles. Buses. Axle Weight.*Chapter 484, Statutes of 2015**

This measure addresses the issue of public transit buses that exceed the weight limits outlined in current law. Specifically, it does the following:

- Sets a descending schedule of curb weight limits for public transit buses. For articulated transit buses and zero-emission transit buses, the weight limits are:
 - 25,000 lbs./axle weight limit starting in 2016;
 - 24,000 lbs./axle weight limit starting in 2018;
 - 23,000 lbs./axle weight limit starting in 2020; and,
 - 22,000 lbs./axle weight limit starting in 2022.
- For all other transit buses the weight limits are:
 - 23,000 lbs./axle weight limit starting in 2016; and
 - 22,000 lbs./axle weight limit starting in 2019.
- Requires that transit operators provide cities and counties the approximate route of all articulated buses;
- Clarifies that nothing in the measure authorizes transit bus use on a bridge when the bus exceeds the maximum capacity of the bridge without prior authorization; and
- Exempts transit buses procured from solicitations issued prior to January 1, 2016 or through options in multiyear contract that is entered into prior to January 1, 2016. All procurements through multiyear contracts must be complete within five years.

AB 1287 (Chiu). Vehicles. Parking Violations.**Chapter 485, Statutes of 2015**

This measure deletes the sunset on the City and County of San Francisco's authority to conduct automated enforcement of parking violations in public transit-only traffic lanes, also known as the Transit-Only Lane Enforcement (TOLE) program. This program uses

cameras on board buses to enforce parking violations in public transit-only lanes used by San Francisco's MUNI public transit system.

SB 516 (Fuller). Transportation. Motorist Aid Services.
Chapter 491, Statutes of 2015

This measure requires county freeway emergency service authorities, as established by a county's board of supervisors and the adoption of a resolution by city councils of a majority of the cities within the service areas, to determine how the moneys received from the \$1 annual fee per vehicle registered in that county for the purposes of a motorist aid system are being used by the service authority. It also authorizes the moneys to be used for traveler information systems, Intelligent Transportation System architecture and infrastructure, transportation demand management services, and safety-related hazard and obstruction removal, with such plans or amendments to plans being subject to CalTrans and the CHP review and approval.

***SB 530 (Pan). Pedicabs.**

Chapter 496, Statutes of 2015

This measure establishes age, safety, insurance, local ordinance/resolution approval, highway restriction, speed restriction, accident reporting, and other requirements for pedicab operators and passengers, and imposes additional age, training, and safety requirements for passengers and operators of a pedicab that allows alcohol consumption. The definition of a pedicab is revised to include a four-wheeled device that is primarily or exclusively pedal-powered with a seating capacity used for hired transportation of 8 to 15 passengers.

SB 719 (Hernandez). Department of Transportation. Motor Vehicle Technologies Testing.

Chapter 163, Statutes of 2015

This measure authorizes CalTrans and CHP to test technologies that enable drivers to safely operate vehicles within 100 feet from other vehicles. This authorization sunsets on January 1, 2018.

B. Public Works

AB 219 (Daly). Public Works. Concrete Delivery.
Chapter 739, Statutes of 2015

This measure adds the hauling and delivery of ready-mixed concrete to the definition of "public works" for a specified chapter of the labor code and requires prevailing wage rates for this work on public works contracts awarded on or after July 1, 2016. It requires entities that perform this work to submit certified copies of their payroll records to the general contractor within three working days after the employee(s) has been paid.

AB 323 (Olsen). CEQA. Exemption. Roadway Improvement.*Chapter 52, Statutes of 2015**

This measure extends the sunset date from January 1, 2016 to January 1, 2020, for the exemption from the California Environmental Quality Act (CEQA) for repairs, maintenance, and minor alterations or projects to existing roadways if the project is within the existing right-of-way, improves safety, and is within a jurisdiction with a population of less than 100,000 people.

AB 327 (Gordon). Public Works. Volunteers.*Chapter 53, Statutes of 2015**

This measure extends the sunset date from January 1, 2017 to January 1, 2024 for current law which exempts volunteer work from Chapter 1 of the labor code as it relates to public works projects, including volunteer work performed by the California Conservation Corps (CCC) or by CCC certified Community Conservation Corps.

AB 498 (Levine). Wildlife Conservation. Wildlife Corridors.**Chapter 625, Statutes of 2015**

This measure declares it is the policy of the state to encourage, wherever feasible and practicable, voluntary steps to protect the functioning of wildlife corridors through various means, including but not limited to provisions of roadway undercrossings, overpasses, oversized culverts, or bridges to allow for fish passage and the movement of wildlife between habitat areas.

AB 662 (Bonilla). Public Accommodation. Disabled Adults. Changing Facilities.**Chapter 742, Statutes of 2015**

This measure requires newly constructed and \$10,000 or more worth of renovations at commercial places of public amusement, defined as auditoriums, convention centers, cultural complexes, exhibition halls, permanent amusement parks, sports arenas, and theaters with maximum occupancy of 2,500 or more, excluding public or private higher education facilities, to install and maintain at least one adult changing station for persons with physical disability accessible to men and women. The requirements for newly constructed facilities begins on January 1, 2020 and January 1, 2025 for facilities that undergo renovation.

AB 1119 (Rendon). Public Utilities. Municipal Corporations. Rights of Way.**Chapter 670, Statutes of 2015**

This measure adds counties to current law that allows cities to challenge a utility project by another entity in or over a street or highway within the city's control. This provides counties with the same rights as cities when it comes to their ability to challenge a utility project by another public entity in or over a street or highway located in unincorporated county territory.

SB 348 (Galgiani). California Environmental Quality Act. Exemption. Railroad.**Chapter 143, Statutes of 2015**

This measure extends, until January 1, 2019, the exemption from CEQA the closure of a railroad grade crossing by order of the Public Utilities Commission (PUC) when PUC

has found the crossing to present a threat to public safety. This measure also requires a state or local agency claiming the grade separation exemption to file a notice with the Office of Planning and Research.

C. Public Contracting

***AB 552 (O'Donnell). Public Works Contracts. Damages.**

Chapter 434, Statutes of 2015

This measure deems delay damages unenforceable against a contractor in public works contracts entered into on or after January 1, 2016 that contain expressly written clauses for delay damages, unless those delay damages are liquidated to a set amount identified in the contract. State departments identified in Public Contract Code Section 10106 are exempted from this measure's provisions.

AB 1171 (Linder). Construction Manager/General Contractor Method. Regional Transportation Agencies. Projects on Expressways.

Chapter 413, Statutes of 2015

This measure authorizes regional transportation agencies to utilize the "Construction Manager/General Contractor (CM/GC) method" as an alternative procurement procedure for construction of expressways that are not on the state highway system or for transportation projects developed in accordance with an expenditure plan approved by voters.

The CM/GC method is defined as a project delivery method in which the construction manager provides preconstruction services during the design phase of a project and construction services during the construction phase of the project.

SB 432 (Mendoza). Public Works. Aliens.

Chapter 160, Statutes of 2015

This measure deletes the term "Alien" as the definition of persons not born or fully naturalized as citizens of the United States and deletes the previously tiered employment preferences of U.S. citizens, citizens of other states within the U.S., and third to aliens within the state.

SB 762 (Wolk). Competitive Bidding. Best Value. Pilot Program. Design-Build.

Chapter 627, Statutes of 2015

This measure authorizes the county board of supervisors from seven California counties (Alameda, Los Angeles, Riverside, San Bernardino, San Diego, Solano, and Yuba) to award construction projects in excess of \$1million under the "best value procurement" method. As defined, the best value procurement method would provide an alternative to the lowest responsible bidder method when certain conditions are met.

D. Transportation

AB 40 (Ting). Toll Bridges. Pedestrians and Bicycles.

Chapter 550, Statutes of 2015

This measure prohibits tolls from being imposed on the passage of a pedestrian or bicycle over any bridge under local or state jurisdiction. This measure sunsets on January 1, 2021.

AB 223 (Dahle). Highways. Exit Information Signs.

Chapter 166, Statutes of 2015

This measure adds segments of Interstate 80 that are within, or at exits leading up to the City of Truckee to CalTrans requirement to adopt rules and regulations for allowing the placement of signs of specific roadside businesses that offer services, such as fuel, food, and lodging. It creates population density rules specific to the City of Truckee since the city exceeds the population requirements other cities must be under to be eligible for the placement of such signs.

AB 400 (Alejo). Department of Transportation. Changeable Message Signs.

Chapter 693, Statutes of 2015

This measure requires CalTrans to update its internal policies by June 30, 2016 to add voter registration and election day reminder messages to the allowable uses on changeable message signs on highways, subject to federal approval.

AB 692 (Quirk). Low-Carbon Transportation Fuels.

Chapter 588, Statutes of 2015

This measure requires, to the extent feasible, that 3 percent of all the fuel purchased by the state of California to be very low carbon fuels, defined as liquid or gaseous fuels that have forty percent the carbon intensity of its closest comparable petroleum fuel for that year. This requirement increases annually until it reaches ten percent of the state's fuel purchases by 2024.

AB 1422 (Cooper). Transportation Network Companies.

Chapter 791, Statutes of 2015

This measure enables and requires transportation network companies, such as Uber and Lyft, to regularly utilize the California Department of Motor Vehicles pull-notice system to obtain the driving records of participating drivers, regardless of their status as an employee or independent contractor.

SB 64 (Liu). California Transportation Plan.

Chapter 711, Statutes of 2015

This measure requires the California Transportation Commission to review the California Transportation Plan and provide specific, action-oriented, and pragmatic recommendations for legislation to improve California's transportation system.

SB 541 (Hill). Public Utilities Commission. For-Hire Transportation Carriers. Enforcement.

Chapter 718, Statutes of 2015

This measure codifies recommendations from the State Auditors report on strengthening the oversight of charter party carriers such as limousines, buses, and moving companies. The California Public Utilities Commission (PUC) is the lead agency for these actions. However, city attorneys are authorized to bring action and city peace officers will be involved in enforcement activities. Specifically, peace officers are authorized to impound the vehicle of a charter party carrier if it is not properly licensed or permitted.

SB 705 (Hill). Transactions and Use Taxes. County of San Mateo. Transportation Agency for Monterey County.

Chapter 579, Statutes of 2015

This measure authorizes the County of Mateo and the Transportation Agency of Monterey County to impose, with voter approval, additional sales taxes of 0.5 percent and 0.375 percent respectively. In doing so, the measure exempts those agencies from the two percent sales tax limit in current law.

SB 767 (De León). Los Angeles County Metropolitan Transportation Authority. Transactions and Use Tax.

Chapter 580, Statutes of 2015

This measure authorizes the Los Angeles County Metropolitan Transportation Authority to impose, with voter approval, an additional half-cent sales tax for transportation. In doing so, the measure exempts Los Angeles County from the 2 percent sales tax limit in current law.

E. Bike/Ped

AB 28 (Chu). Bicycle Safety. Rear Lights.

Chapter 549, Statutes of 2015

This measure authorizes bicycles to have a solid or flashing red light with a built-in reflector on the rear in place of the required red reflector.

AB 604 (Olsen). Electrically Motorized Boards.

Chapter 777, Statutes of 2015

This measure defines an “electronically motorized board” as any 1,000 watt or less electronic or human propulsion wheeled device with a floorboard no greater than 60 inches deep and 18 inches wide designed to be stood upon by only one person. It establishes safety requirements for their use, restricts their operation on public facilities and authorizes local governments to further regulate their use.

AB 902 (Bloom). Traffic Violations. Diversion Programs.**Chapter 306, Statutes of 2015**

This measure removes the age limitation to allow adult bicyclists to participate in diversion programs, or bicycle traffic school, sanctioned by local law enforcement for vehicle code infractions.

F. Communications***AB 57 (Quirk). Telecommunications. Wireless Telecommunications Facilities.****Chapter 685, Statutes of 2015**

This measure provides that a collocation or siting application for a wireless telecommunications facility is deemed approved if the city or county fails to approve or disapprove the application within the time periods specified by Federal Communications Commission regulations, all required public notices have been provided regarding the application, and the applicant has provided a notice to the city or county that the reasonable time period has lapsed.

AB 1262 (Wood). Telecommunications. Universal Service. California Advanced Services Fund.**Chapter 242, Statutes of 2015 (Urgency)**

This measure reallocates funding within the California Advanced Services Fund (CASF) to increase funding for the Rural and Urban Regional Broadband Consortia Grant Account by \$5 million. These funds will be used to support additional broadband deployment throughout the state. Cities can apply for funding through the PUC.

G. Transit**AB 726 (Nazarian). Vehicles. Los Angeles County Metropolitan Transportation Authority.****Chapter 479, Statutes of 2015**

This measure authorizes the Los Angeles County Metropolitan Transportation Authority (LACMTA) to operate articulated buses that do not exceed a length of 82 feet on the Orange Line in the County of Los Angeles. It establishes a route review committee consisting of four members; an LACMTA appointed member and an LACMTA traffic engineer, a labor organization appointed member that represents the bus drivers, and a member appointed by a law enforcement agency with jurisdiction over the proposed routes. The review committee is required to determine by majority vote whether the Orange Line is suitable for operation of buses exceeding 60 feet in length, but no longer than 82 feet, and if so, what routes are suitable for such operation.

SB 9 (Beall). Greenhouse Gas Reduction Fund. Transit and Intercity Rail Capital Program.**Chapter 710, Statutes of 2015**

This measure modifies the focus of the \$25 million continuously appropriated Transit and Intercity Rail Capital Program of funding capital improvements and operational investments to instead focus on transformative capital improvements. Transformative capital improvements are defined as bus, rail, or ferry transit projects that will significantly reduce vehicle miles traveled, congestion, and greenhouse gas emissions by creating a new transit system, increasing capacity or significantly increasing ridership of an existing system. It expands the types of projects eligible for funding under this program to bus and ferry integration implementation.

SB 231 (Gaines). Transportation Programs. Cap and Trade Auction Revenues.**Chapter 286, Statutes of 2015**

This measure specifies that water-borne transit projects, such as commuter ferries, are eligible for cap and trade funding under the Affordable Housing and Sustainable Communities Program and the Low Carbon Transit Operations Program.

SB 508 (Beall). Transportation Funds. Transit Operators. Pedestrian Safety.**Chapter 716, Statutes of 2015**

This measure adds pedestrian safety education programs to the list of eligible uses of Local Transportation Fund moneys. It excludes the principal and interest payments on all capital projects funded with certificates of participation from the definition of operating cost used to calculate a transit operator's fare box recovery ratio. It excludes increased costs beyond the changes in the Consumer Price Index of fuel, alternative fuel programs, power, electricity, insurance premiums, settlement payments, and state/federal mandates from the calculation of fare box recovery ratios.

H. Rail Safety

SB 730 (Wolk). Railroads. Movement of Freight. Trains or Light Engines. Crew Size.**Chapter 283, Statutes of 2015**

This measure requires trains or light engines used to move freight to have an operation crew of at least two people and imposes civil penalties of up to \$10,000 for a third violation against any person that violates this requirement.

I. Miscellaneous

SB 295 (Jackson). Pipeline Safety. Inspections.**Chapter 607, Statutes of 2015**

This measure requires the State Fire Marshal or an officer or employee authorized by the State Fire Marshal to annually inspect all intrastate pipelines and operators under its jurisdiction to ensure compliance with applicable laws and regulations, beginning on

January 1, 2017. It prohibits the State Fire Marshal from becoming the inspection agent for portions of interstate pipelines not under their jurisdiction, unless the federal Pipeline and Hazardous Materials Safety Administration transfers regulatory and enforcement authority over to the State Fire Marshal. It allows the State Fire Marshal to revise the fees assessed to be able to sufficiently cover this measure's implementation costs.

SB 491 (Comm. on Transportation and Housing). Transportation. Omnibus Bill. Chapter 451, Statutes of 2015

This measure makes technical and non-controversial changes to various sections of law, including:

- Delays the Active Transportation Program project selection dates from December 31, 2015, to January 31, 2016;
- Restores the California Transportation Commission's authority to relinquish segments of State Routes 92, 185, and 238 to the City of Hayward, if CalTrans and the city reach an agreement;
- Makes technical corrections to statutory provisions pertaining to prior relinquishments to ensure the statutes accurately reflect the statutory provisions authorizing those relinquishments;
- Deletes specified state highway route segment descriptions from the codes for highway segments that have been relinquished by the California Transportation Commission to local jurisdictions;
- Changes the word "protected" to "separated" in the code to better describe cycling infrastructure consisting of marked lanes, tracks, shoulders, and paths designated exclusively for bicycle use;
- Updates the title for the Federal Statewide Transportation Improvement Program, and provides an additional two months for Caltrans to incorporate federal changes into the State Transportation Improvement Plan;
- Replaces outdated references to Business, Transportation and Housing Agency with references to the newly formed California Transportation Agency;
- Clarifies that any driver's license endorsement issued to operate any commercial motor vehicle requires enrollment in the EPN Program. A drafting error in current law erroneously omitted drivers of buses with a gross vehicle weight of 26,000 pounds or less;
- Explicitly prohibits wearing earbuds or headsets covering, resting on, or inserted in both ears when operating a motor vehicle or bicycle; and
- Increases the threshold for reporting an accident with property damage to the DMV from \$750 to \$1,000, making the Vehicle Code consistent with Insurance Regulations.

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Appendix A – Additional Resources

AB 2 (Alejo and Garcia) Community Revitalization and Investment Authorities Chapter 319, Statutes of 2015

A New Planning and Financing Tool

AB 2 provides new authority to revitalize disadvantaged communities through planning and financing infrastructure improvements and upgrades; economic development activities; and affordable housing via tax increment financing based, in part, on the former community redevelopment law.

A Community Revitalization and Investment Authority (CRIA) can be created in the following two locations:

- Areas where not less than 80 percent of the land contains census tracts or census block groups meet both of these conditions: (i) an annual median household income that is less than 80 percent of the statewide annual median income; and (ii) three of four following conditions:
 - Non-seasonal unemployment at least 3 percent higher than statewide average.
 - Crime rates at least 5 percent higher than statewide median;
 - Deteriorated or inadequate infrastructure; and
 - Deteriorated commercial or residential structures.¹
- A former military based that is principally characterized by deteriorated or inadequate infrastructure or structures.

CRIA: Powers and Duties

A CRIA is a public agency separate from the city, county, or city and county that created it; and deemed to be an “agency” for purposes of receiving property tax increment pursuant to Article XVI, section 16(b) of the Constitution. Any taxing entity within the Area (except for a school district) may choose to allocate some or all its share of tax increment funds to the CRIA. The CRIA may issue bonds backed by property tax increment revenues.²

A CRIA’s key powers and duties mirror those of former redevelopment agencies and consist of the following:

- Adopt community revitalization and investment plan;³
- Provide funding for infrastructure;
- Provide for affordable housing;
- Brownfield remediation and clean-up;
- Seismic retrofits of existing buildings;
- Acquire and sell property;
- Issue bonds;

¹ Section 62001(d), (e).

² Section 62005

³ Section 62002.

 AB 2 (Alejo and Garcia) Community Revitalization and Investment Authorities

- Borrow funds and make loans;
- Receive cap and trade funds designated for disadvantaged communities or enter agreements with a qualified community development entity to coordinate the investment of federal New Market Tax Credit Funds; and⁴
- Provide direct assistance to businesses within the plan area (with some exceptions).⁵

Two Ways to be Eligible to Create a CRIA

- A city, county, or city and county that has received a Finding of Completion from DOF and whose successor agency has complied with all orders of the Controller may form the CRIA; or
- Any combination of a city, county, city and county, and special district may form a CRIA through a joint powers agreement.⁶

Composition of Governing Body

- For a CRIA created by a city, county, or city and county: three members of the city council or board of supervisors and two public members who live or work within the community revitalization and investment area; and
- For a CRIA created through a joint powers agreement: majority of the members from the legislative bodies of the public agencies that created the authority and a minimum of two public members who live or work within the area.⁷

Required Contents Community Revitalization and Investment Plan (Plan)

A CRIA must adopt a Plan that guides its revitalization programs and authorizes receipt and expenditure property tax increment revenues. The Plan includes:

- Statement of principal goals and objectives;
- Description of the deteriorated or inadequate infrastructure and program for repair and upgrade;
- Housing program;
- A program to remedy or remove the release of hazardous substances;
- A program to provide funding for or otherwise facilitate the economic revitalization of the area;
- A fiscal analysis setting forth projected receipt of revenues and expenses over five-year planning horizon; and

⁴ 62002(g)

⁵ 62202. As with former redevelopment law, the following types of developments cannot be assisted:

- Auto dealerships located on land not previously developed for urban use.
- Developments generating sales and use taxes on parcels of five acres on land not previously developed for urban use, unless the principal permitted use is an office, hotel, manufacturing or industrial.
- Any gaming establishments.

⁶ Government Code 62001(b)(1). A CRIA may not include a school district or a successor agency. All references are to the Government Code.

⁷ Section 62001(c)

- Time limits to establishing loans, advances and indebtedness, and fulfilling all the authority's housing obligations.⁸

Robust Procedure for Plan Adoption

The Plan must be adopted over a series of three public hearings, held at least 30 days apart. The final version of the plan is subject to written and oral protests. Proceedings to adopt the plan must terminate if there is a majority protest (over 50% of the combined number of property owners and residents in the area). An election on whether to adopt the plan must be called if between 25 percent and 50 percent of the combined number of property owners and residents file a protest.⁹

Ongoing Accountability: 10-year Check-In with Property Owners and Residents

An annual report and annual independent financial audit is required.¹⁰ Every 10 years the CRIA must conduct a protest proceeding to consider property owners and residents' protests against the continuing work of the Authority. A majority protest means no additional work can be undertaken pursuant to the plan, but the authority can complete projects underway, repay existing indebtedness, and fulfill existing housing obligations. If between 25 and 50 percent protest, then an election is called to determine whether the CRIA should continue with its work.

Affordable Housing: 25 Percent Requirement

The following affordable housing requirements apply to a CRIA:

- 25 percent of property tax increment revenues must be used to increase, improve and preserve the community's supply of low and moderate income families;
- Affordable housing programs are entitled to receive a priority, after housing successor agencies, for assistance in housing programs administered by the California Housing Finance Agency, the Department of Housing and Community Development and other state agencies and departments, if those agencies determine that the housing is otherwise eligible for assistance under a particular program;¹¹
- Housing responsibilities may be transferred to the housing authority if it determines that combining funding streams will reduce administrative costs or expedites the construction of affordable housing;¹²
- Every five years beginning in the year in which the CRIA is allocated a cumulative total of more than \$1 million in tax increment revenues, an independent audit is required to determine compliance with affordable housing requirements;

⁸ Section 62003.

⁹ Section 62004.

¹⁰ Section 62006.

¹¹ Section 62104

¹² Section 62100 (a)

- All housing assisted with property tax increment funds must remain affordable for 55 years for rental units and 45 years for owner-occupied units; and
- Housing funds must be spent proportionally on low, very low, and moderate income housing.¹³

Affordable Housing: Replacement and Relocation

- Replacement of housing destroyed or removed within two years of destruction or removal;¹⁴
- Number of housing units occupied by extremely low, very low, and low-income households at the time the plan is adopted may not be reduced during the effective period of the plan; and
- Relocation in compliance with state relocation law.¹⁵

Property Acquisition

CRIA may acquire property through all of the commonly-used methods including, purchasing, leasing, accepting a conveyance from a public or private entity, and acquiring property via eminent domain.¹⁶

Key Similarities and Differences: Community Revitalization and Investment Authority (CRIA) vs. Enhanced Infrastructure Financing District (EIFD)

In 2014 the Legislature created the Enhanced Infrastructure Financing District (EIFD), SB 628 (Beall), Chapter 785, Statutes of 2014, as a new way to finance public infrastructure, affordable housing and other projects. In 2015, refinements were made through AB 313 (Atkins), Chapter 320, Statutes of 2015. A CRIA and an EIFD have some things in common and are different in other ways.

CRIA and EIFD: Things in Common

- Both are public entities separate and distinct from the city or county that established them;
- Both can finance a wide-range of public and private projects including the acquisition, construction or rehabilitation of affordable housing;
- Creation of each requires finding of completion from DOF and compliance with State Controller's orders; and
- Authority to use property tax increment to finance facilities and housing with contributions from other taxing entities with their consent.

¹³ Section 62102.

¹⁴ Section 62103

¹⁵ Section 62115

¹⁶ Section 62201

CRIA and EIFD: Things That Are Different

- CRIA operates solely within specifically defined area characterized by social and economic deterioration or a former military base. EIFD can be used for a wide range of infrastructure and other development and established anywhere within a city or county;
- CRIA is an “agency” for purposes of the tax-increment provisions of the California Constitution used by former redevelopment agencies. EIFD is modeled off of existing Infrastructure Financing District law rather than Community Redevelopment Law;
- Adoption of a Plan by CRIA is subject to majority protest. Adoption of Plan by EIFD is not;
- Issuance of bonds by CRIA does not require voter approval. Issuance of bonds by an EIFD requires 55 percent voter approval;
- Different replacement housing obligations are imposed;
- CRIA must dedicate 25 percent of tax increment revenue on affordable housing. EIFD may provide affordable housing as an option; and
- CRIA relies on property tax increment revenue; EIFD is also authorized to use funding from property taxes local agencies receive in lieu of former vehicle license fee revenue and a variety of assessment district laws (for example, Improvement Act of 1911, Landscaping and Lighting Act of 1972, Mello-Roos Community Facilities Act of 1982).

Summary of SB 107 (Budget and Fiscal Review) Chapter 325, Statutes of 2015

Important Dates

- *November 1, 2015*: Deadline for Successor Agency (SA) for a Redevelopment Agency (RDA) that was not allocated property tax prior to February 1, 2012 to submit request to formally dissolve SA;¹
- *December 31, 2015*: Deadline for successor agency to make true-up payment or amount owing pursuant to Due Diligence Review (DDR) or never receive Finding of Completion;²
- *February 1, 2016*: Deadline to submit first annual Recognized Obligation Payment Schedule (ROPS) for July 1, 2016 – June 30, 2017;³
- *April 15, 2016*: Deadline for the Department of Finance (DOF) to make its determinations on ROPS for July 1, 2016-June 30, 2017;⁴
- *July 1, 2016*: Deadline for successor agency with Long Range Property Management Plan (LRPMP) approved prior to January 1, 2016 to amend Plan to allow for retention of parking facilities; and⁵
- *July 1, 2018*: Single county-wide oversight board takes effect. Five oversight boards established in those counties (Los Angeles) in which more than 40 oversight boards were created.⁶

Funding

Repayment of Previous City-RDA Loans: If a successor agency has received a finding of completion, an oversight board may revitalize a loan agreement between the former RDA and the city. SB 107 defines “loan agreement” as follows:

- Loans for money under which the city transferred *cash* to the former RDA for use for a lawful purpose and where the former RDA was obligated to repay the money pursuant to a required repayment schedule;⁷
- Agreement under which city transferred *real property* to the former RDA for use for a lawful purpose and RDA was obligated to pay the city for the real property interest; and
- Agreement under which city contracted with third party on behalf of the former redevelopment agency for the development of *infrastructure* in connection with the redevelopment project as identified in a redevelopment project plan and RDA was obligated to reimburse the city for the payments made to the third party.⁸

¹ Section 34187(c) [All references are to Health & Safety Code unless otherwise noted]

² Section 34179.7 (a)

³ Section 34177(o)

⁴ Section 34177(o)

⁵ Section 34191.3 (b)

⁶ Section 34179(j); Section 34179(q).

⁷ Concerns have been raised by city attorneys over how DOF may interpret the requirement to repay pursuant to a “repayment schedule.” While in its tentative ruling in *Watsonville* the Court referred to a “repayment schedule,” it later used the more flexible phrase “with repayment terms” in its final ruling.

⁸ It is hoped that DOF will interpret these loan-repayment provisions consistent with testimony presented to the Senate Budget Committee and legislative intent reflected in the Letter to the Journal.

The language of SB 107 can be read to limit the total amount of funds repaid for this type of loan to \$5 million. However, DOF staff testified to the Senate Budget Committee that the \$5 million cap was on a “per loan” basis. Senator Leno submitted a letter to the Senate Journal explaining that the Legislature intended to allow a maximum payment of \$5 million on each loan.⁹

Interest Rate: On the remaining principal amount of the loan that was previously unpaid after the original effective date shall be recalculated from the date of origination of the loan as approved by the redevelopment agency on a quarterly basis at a simple interest rate of 3 percent. Moneys repaid shall be applied first to principal and second to interest.¹⁰

Previously Approved Loans: The definition of “loan agreement” is made retroactive to June 28, 2011. However, the new definition shall not result in the denial of a loan that has been previously approved by DOF prior to the effective date of SB 107. DOF staff affirmed this commitment in testimony to the Senate Budget Committee and this intent is also captured in the Letter to the Journal.¹¹ SB 107 also provides that the definition of “loan agreement” and the limitation on the interest rate does not impact the judgments entered in the *City of Watsonville* and *City of Glendale* decisions.¹²

Three New Enforceable Obligations Recognized: AB X1 26 provided that written agreements between the city and its RDA were not enforceable obligations unless the agreement was entered into at the time of issuance, but in no event later than December 31, 2010 for indebtedness obligations and solely for the purpose of securing or repaying those obligations.

SB 107 creates three new exceptions:

- Agreement entered into at the time of issuance, but in no event later than June 27, 2011 of indebtedness obligations solely for the refunding or refinancing of other obligations that existed prior to January 1, 2011 and solely for the purpose of securing or repaying the refunded or refinance indebtedness;
- Agreement prior to June 28, 2011 relating to state highway infrastructure improvements to which the RDA committed funds pursuant to Section 33445; and

⁹ Section 34191.4(b)(2).

- Here is a link to the hearing where the DOF staff testifies to the Senate Budget Committee: <http://senate.ca.gov/media/senate-budget-and-fiscal-review-committee-30?type=video>.
- The Letter to the Journal is intended to support the Legislature’s intent, based upon what DOF’s staff stated in testimony to the committee. <http://www.cacities.org/Resources-Documents/Policy-Advocacy-Section/Hot-Issues/Redevelopment-Dissolution/2015-RDA-Budget-Proposal/SB-107-Letter-to-Journal> Letters to the Journal typically will only be considered by a court under limited circumstances if the language of the statute is found to be ambiguous.

¹⁰ Section 34191.4(b)(3).

¹¹ Section 34191.4(d)

¹² Senator Leno’s Letter to the Journal also addresses this issue.

- Agreement to repay or fulfill an outstanding loan or development obligation imposed by a federal grant or loan (including HUD) to city or county or city and county which subsequently loaned or provided those funds to the former RDA.¹³

Re-entered Agreements: AB X1 26 allowed an oversight board to approve the request of a successor agency to re-enter into an agreement with the city that was made invalid by Section 34171(d). SB 107 provides that an oversight board may not approve such a request on or after June 27, 2012. This means that re-entered agreements approved by the oversight board before June 27, 2012 are valid and those agreements approved thereafter are not.¹⁴

Plan Time Limits: Former CRA time limits affecting the number of tax dollars and other statutory limitations on redevelopment plans do not apply for purposes of payment of enforceable obligations and revitalized loans.¹⁵

2010 Bonds: Expenditure of excess bond proceeds in a manner consistent with the original bond covenants only requires approval of oversight board. If the excess proceeds cannot be spent, then the proceeds shall be used at the earliest date permissible under the applicable bond covenants to defease the bonds or to purchase those same outstanding bonds on the open market for cancellation.¹⁶

2011 Housing Bonds: Existing law allows a housing successor to use excess indebtedness obligations that remain after the satisfaction of enforceable obligations approved on a ROPS. The existing law requires the proceeds to be derived from indebtedness issued for the purposes of affordable housing prior to January 1, 2011. SB 107 changes the date to June 28, 2011.¹⁷

Other 2011 Bonds: Excess bond proceeds may be used subject to the following restrictions:

- No more than 5 percent of the proceeds may be expended unless SA has an approved Last and Final ROPS (see page 6 of this memo);
- If SA has an approved Last and Final ROPS, then SA can access a maximum of the following percentages of bond proceeds depending upon date of issuance:
 - Bonds issued January 1, 2011 to January 31, 2011: 45 percent;
 - Bonds issued February 1, 2011 to February 28, 2011: 40 percent;
 - Bonds issued March 1, 2011 to March 31, 2011: 35 percent;
 - Bonds issued April 1, 2011 to April 30, 2011: 30 percent; and
 - Bonds issued May 1, 2011 to May 31, 2011: 25 percent.
- Remaining bond proceeds that cannot be spent shall be used at the earliest date permissible to defease the bonds or to purchase those same outstanding bonds on the open market for cancellation;

¹³ Section 34171(d)(2)

¹⁴ Section 34178.

¹⁵ Section 34189.

¹⁶ Section 34191.4(c).

¹⁷ Section 34176(g).

- Expenditure of bond proceeds shall only require oversight board approval;
- If SA provides the OB and the DOF with documentation that approves that bonds were approved by the former RDA prior to January 31, 2011 but the issuance was delayed by the actions of a third-party metropolitan regional transportation authority beyond January 31, 2011, then SA may spend 45 percent of excess proceeds; and
- 45 percent of the excess proceeds of bonds issued after December 31, 2010 to refund or refinance tax-exempt bonds issued on or before December 31, 2010 and which are in excess of the amount needed to refund or refinance may be spent.¹⁸

Reimbursement for Parking Lots: A city, county, city and county, or parking district shall not be required to reimburse or pay a successor agency for any funds spent on or before December 31, 2010 by a former redevelopment agency to design and construct a parking facility.¹⁹

Limits on Loans from City to Successor Agency: Existing law allowed a city to loan or grant funds to its successor agency for administrative costs or enforceable obligations or project-related expenses.

SB 107 limits such loans as follows:

- Only available to the extent that the SA receives an insufficient distribution from the RPTTF or other approved sources of funding are insufficient.
- Interest payable shall be calculated on a fixed annual simple basis and applied to the outstanding principal amount until full paid at a rate not to exceed the most recently published interest rate earned by funds deposited into LAIF during the previous fiscal quarter. Repayment applied first to principal; and
- Loans repayable to the extent that property tax revenue allocated to SA is available after fulfilling other enforceable obligations on ROPS.²⁰

New Limitations on Enforceable Obligations for “Winding Down:” AB 1484 allowed a successor agency to create new enforceable obligations to conduct the work of winding down the redevelopment agency. SB 107 provides that “winding down” does not include planning, design, redesign, development, demolition, alteration, construction, construction financing, site remediation, site development or improvement, land clearance, seismic retrofits and other similar work. Section is retroactive to June 27, 2012.²¹

Administrative Cost Allowance: Possible Reduction: The administrative cost allowance for the 2015-16 fiscal year is 3 percent of the property tax allocated to the Redevelopment Obligation Retirement Fund with a minimum amount of \$250,000.

¹⁸ Section 34191.4(c)(2).

¹⁹ Section 34191.3(c)(ii).

²⁰ Section 34173(h) – not retroactive

²¹ Section 34177.3(b).

Commencing with July 1, 2016, the administrative cost allowance is up to 3 percent of the *actual* property tax distributed to the successor agency in the preceding fiscal year reduced by the successor agency's administrative cost allowance and revitalized loan repayments to the city, county, or city and county. However, if 3 percent of the *actual* property tax distributed in the preceding fiscal year exceeds *50 percent of the total* Redevelopment Property Tax Trust Fund distributed to pay enforceable obligations in the preceding fiscal year reduced by administrative costs and revitalized loan repayments, the latter amount is the administrative cost allowance. The minimum amount of \$250,000 remains.²²

Audits: Existing law allows the State Controller to audit the differences between actual payments and past estimated obligations on the ROPS. SB 107 requires the State Controller to complete any such audit no later than June 30, 2016 and leaves the auditing function to the county auditor-controller. The State Controller may conduct an audit pursuant to the authority of the general laws.²³

Recognized Obligation Payment Schedules (ROPS)

Annual ROPS Begins 2016-17 FY: Submit annual ROPS beginning on February 1, 2016 and each February 1 thereafter. DOF makes determinations no later than April 15, 2016 and each April 15 thereafter. Meet and confer is available with the exception of items that are the subject of litigation disputing DOF's previous or related determination.²⁴

Limitation on Meet and Confer: Meet and confer no longer available for ROPS items that are the subject of litigation disputing DOF's previous or related determination.²⁵

New Authority for Auditor-Controller: County auditor-controller may require any documents associated with enforceable obligations to be provided (authority previously granted to DOF and State Controller).²⁶

Petition for Final and Conclusive Determination: DOF must respond within 100 days to petition for final and conclusive determination on an enforceable obligation. Enforceable obligation that provides for an irrevocable commitment of revenue and where allocation of such revenues is expected to occur over time is eligible for "final and conclusive" determination.²⁷

Last and Final ROPS: Beginning January 1, 2016, SA may submit a Last and Final ROPS for approval by OB and DOF if (1) remaining debt is limited to administrative costs and payments pursuant to enforceable obligations with defined payment

²² Section 34171(b)(3) and (4).

²³ Section 34186.

²⁴ Section 34177(o)

²⁵ Section 34177(m).

²⁶ Section 34177(a)(2).

²⁷ Section 34177.5(i).

schedules; (2) all remaining obligations have been previously listed on ROPS; (3) SA is not a party to outstanding or unresolved litigation (with exception for litigation involving LAUSD and County of Los Angeles; and LAUSD and City of Los Angeles). Details of the contents of the Last and Final ROPS can be found at Section 34191.6.

On effective date of the approved Last and Final ROPS, SA no longer prepares and transmits ROPS; OB resolutions no longer transmitted to DOF except for resolutions necessary for refunding bonds (Section 34177.5); long range property management plans; amendments to Last and Final ROPS and final OB resolutions.

If an SA has received approval of a Last and Final ROPS, and if the SA receives insufficient funds to pay for the enforceable obligations approved in the Last and Final ROPS, the city may loan or grant funds to the SA to pay those enforceable obligations. Such loans may not include an interest component. At the request of the DOF, the county treasurer may loan funds from the county treasury to the RPTTF of the SA for the purpose of paying enforceable obligations.

County-auditor reviews Last and Final ROPS and provides any objections to the inclusion of any items or amounts to DOF. Auditor-controller directed to allocate moneys in RPTTF in a different order.²⁸

SA may amend or modify existing contracts, agreements or other arrangements identified on Last and Final ROPS provided the outstanding payments are not accelerated or increased in any way; an amendment to extend terms shall not include an extension beyond the last scheduled payment for the enforceable obligations listed on Last and Final ROPS.²⁹

Commencing October 1, 2018 and annually thereafter, the differences between actual payments and past estimated obligations on the ROPS shall be submitted by SA to the county auditor-controller.³⁰

Oversight Boards

County-wide OB commencement date changed to July 1, 2018. Staffed by county auditor-controller, by another county entity, or by a city selected by the county auditor-controller. Staffing costs may be recovered directly from RPTTF for all costs incurred. If only one successor agency within county, then successor agency may staff OB.³¹

In each county in which there were more than 40 oversight boards, there will be five OB (organized by supervisorial district) beginning July 1, 2018.³²

²⁸ Section 34191.6(d)(2)

²⁹ Section 34191.6(e)

³⁰ Section 34186(c).

³¹ Section 34179(j).

³² Section 34179(q).

DOF can continue to review all OB actions. However, OB not required to send the following for DOF approval: meeting minutes and agendas; administrative budgets; changes in OB members; transfers of governmental property pursuant to LRPMP; transfers of property to be retained by city for future development pursuant to an approved LRPMP.³³

May appoint alternative representatives to OB.³⁴

Long Range Property Management Plans

If DOF approved LRPMP prior to January 1, 2016, then SA may amend LRPMP once solely to allow for retention of real properties that constitute “parking facilities and lots dedicated solely to public parking.” The amendment must occur prior to July 1, 2016. “Parking facilities and lots dedicated solely to public parking” do not include properties that generate “revenues in excess of reasonable maintenance costs of properties.”³⁵

DOF or OB may require approval of a compensation agreement with taxing entities prior to any transfer of property provided that compensation agreement may be developed and executed subsequent to the approval process of LRPMP.³⁶

Actions to implement the disposition of property pursuant to an approved long-range property management plan shall not require review by DOF [may conflict with Section 34179(h) which continues to require OB to submit resolutions regarding sale of property to third parties to DOF].³⁷

If former RDA does not have properties, then SA shall prepare LRPMP certifying that SA does not have real properties. Document shall be submitted no later than six months after receipt of Finding of Completion.

Housing Successors

If the housing successor is not a city or county, then it is required to provide certain information on its Internet Web site for the previous fiscal year: The amount the city, county or city and county received in revitalized loan payments pursuant to Section 34191.4(b)(3).³⁸

Dissolution of Successor Agencies

When all enforceable obligations have been retired or paid off, all real property has been disposed of, and all outstanding litigation has been resolved, an SA shall within 30

³³ Section 34179(h).

³⁴ Section 34179(a)(11).

³⁵ Section 34191.3 (b)

³⁶ Section 34191.5(c)(A)(iii)

³⁷ Section 34191.5(f)

³⁸ Section 34176.1 (f) (1)

days of meeting this criteria, submit to OB a request to formally dissolve. Request requires OB and DOF approval.³⁹

If CRA not allocated property tax prior to February 1, 2012, SA shall, no later than November 1, 2015 submit a request to formally dissolve the agency.

With DOF approval of dissolution, then SA, within 100 days, must dispose of all remaining assets; any proceeds transferred to county auditor-controller.⁴⁰

When all enforceable obligations have been retired or paid off, all statutory and contractual (prior to January 1, 1994) pass-through payment obligations shall terminate.⁴¹

When SA dissolved, if CFD was formed by RDA, then the legislative body of city or county becomes legislative body of CFD.⁴²

Legal

The Administrative Procedures Act does not apply to any action of the DOF taken after June 28, 2011 to implement the AB X1 26 and AB 1484.⁴³

The administrative cost allowance is the sole funding source for a successor agency's legal expenses. A city may provide funds for legal expenses. Repayment to the city is allowed as an enforceable obligation for those causes of action in which the successor agency prevails. Otherwise, city funding becomes grant to SA.⁴⁴

Enforcement

True-up payments and DDR payments: If SA fails by December 31, 2015 to pay the true-up payments or the amounts determined by the DDR, the SA shall never receive a finding of completion. An SA may enter into an installment agreement to make the payments while seeking a judicial determination of their validity. If judicial determination reduces or eliminates the amounts, then an enforceable obligation for reimbursement of excess amounts shall be created. Penalties imposed for failing to make installment payments.⁴⁵

A city or county or city and county must return to the SA all assets and cash transferred to the city and ordered to be returned to the SA by the State Controller or ordered returned through the DDR process.⁴⁶ Any amounts ordered returned that were

³⁹ Section 34187(b).

⁴⁰ Section 34187(c).

⁴¹ Section 34187(h).

⁴² Section 34187(i).

⁴³ Section 34170.1.

⁴⁴ Section 34171(b)(5); 34171(d)(1)(F)(ii).

⁴⁵ Section 34179.7

⁴⁶ Section 34179.9(b)

repayments (to the city) for an advance of funds for RDA's debt service or pass-through payments may be placed on a ROPS by the SA for payment as an enforceable obligation under certain conditions.⁴⁷

Special Provisions

San Francisco Housing: Approves the issuance of bonds for certain housing and capital infrastructure in the City and County of San Francisco.⁴⁸

Pension Overrides and State Water Project: Allocates property tax override for pension programs or in support of capital projects and programs related to the State Water Project.⁴⁹

San Benito County: Makes certain adjustments to the allocation of property tax revenues in the County of San Benito.⁵⁰

Santa Clara County Cities: Makes certain adjustments to the allocation of property tax revenues in Santa Clara County.⁵¹

Recently Incorporated Cities: Appropriates \$23,750,000 from the General Fund to the Department of Forestry and Fire Protection contingent upon the County of Riverside agreeing to forgive amounts owed to it by cities of Jurupa Valley, Menifee, Wildomar and Eastvale.⁵²

⁴⁷ Section 34179.9(b)(2).

⁴⁸ Section 34177.7 and Section 27 of SB 107

⁴⁹ Revenue & Taxation Code 96.11

⁵⁰ Revenue & Taxation Code 96.24

⁵¹ Revenue & Taxation Code 98

⁵² Section 28 of SB 107.

Medical Marijuana Regulation and Safety Act

***AB 243 (Wood). Medical Marijuana.**

This measure addresses the need for comprehensive regulation of the cultivation of medical marijuana in California, as one of three bills comprising the Medical Marijuana Regulation and Safety Act, by doing the following:

- Places the Department of Food and Agriculture (DFA) in charge of licensing and regulation of indoor and outdoor cultivation sites. Creates a Medical Cannabis Cultivation Program within the department;
- Mandates the Department of Pesticide Regulation (DPR) to develop standards for pesticides in marijuana cultivation, and maximum tolerances for pesticides and other foreign object residue;
- Mandates the Department of Public Health to develop standards for production and labelling of all edible medical cannabis products;
- Assigns joint responsibility to DFA, Department of Fish and Wildlife, and the State Water Resources Control Board (SWRCB) to prevent illegal water diversion associated with marijuana cultivation from adversely affecting California fish population;
- Specifies that DPR, in consultation with SWRCB, is to develop regulations for application of pesticides in all cultivation;
- Specifies various types of cultivation licenses; and
- Directs the multi-agency task force headed by the Department of Fish and Wildlife and the SWRCB to expand its existing enforcement efforts to a statewide level to reduce adverse impacts of marijuana cultivation, including environmental impacts such as illegal discharge into waterways and poisoning of marine life and habitats.

***AB 266 (Bonta, Cooley, Jones-Sawyer, Lackey and Wood). Medical Marijuana.**

This measure establishes a comprehensive regulatory framework for medical marijuana in California that unconditionally upholds local control, protects public safety, and enhances patient safety. It is one of three bills comprising the Medical Marijuana Regulation and Safety Act. Specifically, this measure:

- Protects local control as it establishes a statewide regulatory scheme, headed by Bureau of Medical Marijuana Regulation (BMMR) within the Department of Consumer Affairs (DCA);
- Provides for dual licensing: state will issue licenses, and local governments will issue permits or licenses to operate marijuana businesses, according to local ordinances. State licenses will be issued beginning in January 2018;
- Terminates the ability of a business to operate in a jurisdiction that has revoked a local license or permit;
- Protects local licensing practices, zoning ordinances, and local constitutional police power;
- Caps total cultivation for a single licensee at four acres statewide, subject to local ordinances;

- Requires local jurisdictions that wish to prevent delivery services from operating within their borders to enact an ordinance affirmatively banning this activity. No specific operative date for the ban is specified;
- Specifies that DCA will issue the following licenses: Dispensary, Distributor, Transport, and Special Dispensary Status for licensees who have a maximum of three dispensaries. Specifies various sub-categories of licensees (indoor cultivation, outdoor cultivation, etc.);
- Limits cross-licensing to holding a single state license in up to two separate license categories, as specified. Prohibits medical marijuana licensees from also holding licenses to sell alcohol;
- Grandfathers in vertically integrated businesses (i.e. businesses that operate and control their own cultivation, manufacturing, and dispensing operations) if a local ordinance allowed or required such a business model and was enacted on or before July 1, 2015. Also requires such businesses to have operated in compliance with local ordinances, and to have been engaged in all the covered activities on July 1, 2015;
- Requires establishment of uniform health and safety standards, testing standards, and security requirements at dispensaries and during transport of the product;
- Specifies a standard for certification of testing labs, and specified minimum testing requirements. Prohibits testing lab operators from being licensees in any other category, and from holding a financial or ownership interest in any other category of licensed business;
- Includes a labor peace agreement under which unions agree not to engage in strikes, work stoppages, etc. and employers agree to provide unions reasonable access to employees for the purpose of organizing them. Specifies that such an agreement does not mandate a particular method of election;
- Provides for civil penalties for unlicensed activity, and specifies that applicable criminal penalties under existing law will continue to apply;
- Specifies that patients and primary caregivers are exempt from the state licensing requirement, and provides that their information is not to be disclosed and is confidential under the California Public Records Act;
- Phases out the existing model of marijuana cooperatives and collectives one year after DCA announces that state licensing has begun; and
- Preserves enforcement authority of the City of Los Angeles with respect to Measure D, the local regulatory structure for medical marijuana within the city limits.

***SB 643 (McGuire). Medical Marijuana**

This measure establishes critical criteria for state licensing of medical marijuana businesses in California, and regulates physician activity as one of three bills comprising the Medical Marijuana Regulation and Safety Act. Specifically, this measure:

- Directs California Medical Board to prioritize investigation of excessive recommendations by physicians;
- Imposes fines (\$5000) vs. physicians for violating prohibition against having a financial interest in a marijuana business;

- Provides that a recommendation for cannabis without a prior examination constitutes unprofessional conduct;
- Imposes restrictions on advertising for physician recommendations;
- Places Department of Food and Agriculture in charge of cultivation regulations and licensing, and requires a track and trace program;
- Codifies dual licensing (state license and local license or permit), and itemizes disqualifying felonies for state licensure;
- Places DPR in charge of pesticide regulation; DPH in charge of production and labelling of edibles; and
- Upholds local power to levy fees and taxes.

What Local Governments Need to Know About the Medical Marijuana Regulation and Safety Act

This package of three bills establishes a statewide comprehensive regulatory structure for medical marijuana for the first time. It places the Department of Consumer Affairs in charge of licensing dispensaries and **it unconditionally protects local control**.

Local control is protected in the following ways:

- Dual licensing: A requirement in statute that all marijuana businesses must have both a state license, and a local license or permit, to operate legally in California. Jurisdictions that have a ban in place will not be effected, i.e. they will be able to retain their ban;
- Effect of local revocation of a permit or license: Revocation of a local license or permit unilaterally terminates the ability of a marijuana business to operate in that jurisdiction;
- Enforcement: Local governments may be able to enforce state law in addition to local ordinances, if they request that authority and if it is granted by the state agency; and
- State law penalties for unauthorized activity: Provides for civil penalties for unlicensed activity, and applicable criminal penalties under existing law will continue to apply.

The three bills are:

- AB 266 (Bonta, Cooley, Jones-Sawyer, Lackey and Wood): Contains the critical local control provisions, and the most of the core provisions of the regulatory structure;
- AB 243 (Wood): Regulates marijuana cultivation, and provides a regulatory structure specifically to address environmental impacts; and
- SB 643 (McGuire): Contains critical provisions on criteria for state licensing, including disqualifying felonies; regulates physicians making medical marijuana recommendations; and requires a digital seed-to-sale or track-and-trace program for marijuana, similar to that employed for agricultural products.

The timeline for state licensing to begin is not specified in the bills, but the Department of Consumer Affairs estimates it will be ready to begin issuing state licenses in January 2018.

Local dispensaries and related businesses should be operating in compliance with local ordinances in the interim. Businesses operating in compliance with local ordinances will get priority in the state licensing application process.

***Jurisdictions that currently ban, or that may wish to ban, deliveries or mobile dispensaries should be aware that under this legislation, they will need to have an ordinance in place that affirmatively prohibits this activity.

SB 350 - The Clean Energy and Pollution Reduction Act of 2015

In early in 2015, Senate President pro Tempore Kevin De León along with Senator Pavley and Senator Ben Hueso, unveiled twelve bills that sought to address climate change, while also strengthening California’s green economy. The three keystone bills were SB 32 (Pavley), SB 189 (Hueso), and SB 350 (De León). While SB 32 and SB 189 stalled in the Legislature, a scaled-back version of SB 350 was signed into law by Governor Brown.

Originally, SB 350 consisted of three major components: 1) 50 percent reduction in transportation fuel consumption; 2) 50 percent utility power from renewable energy; and 50 percent increase in energy efficiency in existing buildings. After months of intense opposition from the oil industry and concerns from moderate democrats, SB 350 was amended to remove the transportation fuels provision.

SB 350, as signed by Governor Brown, enacts the Clean Energy and Pollution Reduction Act of 2015 and establishes targets to increase retail sales of renewable electricity to 50 percent by 2030, and double the energy efficiency savings in electricity and natural gas end uses by 2030. Specifically, this measure:

- Establishes a Renewable Portfolio Standard (RPS) target of 50 percent by December 31, 2030, and thereafter, for retail sellers and publicly-owned utilities (POUs), including interim targets of 40% by the end of the 2021 to 2024 compliance period, 45% by the end of the 2025 to 2027 compliance period, and 50% by the end of the 2028 to 2030 compliance period;
- Removes specified criteria and reporting requirement from the RPS cost limit, instead directing the PUC to set the cost limit at a level that prevents disproportionate rate impacts;
- Permits a POU to exclude, from total retail sales, generation that is produced through a voluntary green pricing or shared renewable generation program. Prohibits use of any renewable energy credits associated with electricity credited to a customer to be counted toward procurement requirements;
- Allows compliance flexibility for those POUs that satisfy 50 percent or more of their retail sales from specified, large hydroelectric power, as well as POUs that have coal contracts entered into prior to June 1, 2010, in their electricity resource mix;
- Specifies that costs shifting cannot occur between customers of electrical corporations and community choice aggregators (CCAs) or energy service providers (ESPs), and requires PUC to ensure that departing load does not experience cost increase as a result in an allocation of costs not incurred on behalf of departing load;
- Includes the following provisions in furtherance of doubling the energy efficiency savings in electricity and natural gas end uses by 2030:
 - Directs California Energy Commission (CEC) to adopt an update to the AB 758 [(Skinner), Chapter 470, Statutes of 2009] program by January 1, 2017, and every three years thereafter;

- Directs the CEC to specify energy efficiency targets to meet the goal, and specifies programs that may be used to achieve the goal;
- Specifies how the goals will be measured and counted, makes clarifying changes; and
- Directs the CEC to establish consumer protection guidelines for energy efficiency products, directs the CEC to promote greater project penetration in disadvantaged communities, and to use workforce development and job training for residents in disadvantaged communities.
- Establishes the following "transportation electrification" provisions:
 - Requires Air Resources Board (ARB) to identify and adopt appropriate policies to remove regulatory disincentives facing retail sellers from facilitating the achievement of greenhouse gas (GHG) emission reductions in other sectors through increased investments in transportation electrification, including an allocation of GHG emissions allowances to retail sellers to account for increased emissions in the electric sector from transportation electrification;
 - Requires the PUC, in consultation with ARB and CEC, to direct IOUs to propose multiyear programs and investments to accelerate widespread transportation electrification to reduce dependence on petroleum, meet air quality standards, achieve the goals set forth in the Charge Ahead California Initiative, and reduce emissions of GHGs to 40% below 1990 levels by 2030, and to 80 percent below 1990 levels by 2050. Requires the PUC to approve programs and investments that deploy charging infrastructure as distribution system costs;
 - Requires the PUC to review data concerning current and future electric transportation adoption rates and charging infrastructure utilization rates no less than every three years, and prior to any further authorization, to collect additional new program costs related to transportation electrification in ratepayer rates. If market barriers unrelated to the investment prevent electric transportation from adequately utilizing available charging infrastructure, the PUC shall not permit additional investments without adequate assurance that the investments would not result in stranded costs recoverable from ratepayers; and
 - Establishes a new RPS compliance "offramp" for unanticipated increases in retail sales due to transportation electrification, if the waiver would not result in an increase in GHG emissions. In making a finding, the PUC must consider whether transportation electrification significantly exceeded forecasts in that retail seller's service territory, and whether the retail seller has taken reasonable measures to procure sufficient resources to account for the unanticipated increases.
- Requires the PUC and CEC to do all of the following in furtherance of meeting the state's clean energy and pollution reduction objectives:
 - Take into account the use of distributed generation to the extent that it provides economic and environmental benefits in disadvantaged communities;

- Establish an advisory group consisting of representatives from disadvantaged communities to review and advise on programs proposed to achieve clean energy and pollution reduction, and determine whether those proposed programs will be effective and useful in disadvantaged communities; and
 - Requires the PUC to permit CCAs to submit proposals for satisfying their portion of the renewable integration need.
- Requires the PUC to adopt a process for IOUs, CCAs, and ESPs to file an integrated resource plan (IRP);
- Requires POUs to adopt IRPs according to similar standards, subject to review by the CEC;
- Requires the California Independent System Operator (ISO) to prepare proposed governance modifications to facilitate the transformation of the ISO into a regional organization; requires the ISO to study specified issues, the OpPUC, CEC and ARB to hold a joint workshop to review the ISO's proposed modifications; and provides that the proposed governance modifications do not take effect unless the Legislature enacts a statute implementing them; and
- Amends the public works provision of the Labor Code to specify that construction, alteration, demolition, installation, or repair work on the electric transmission system located in California constitutes a public works project, subjecting these projects to prevailing wage.

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Appendix B – League Resources

League Legislative Staff

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<p>Alicia Lewis <i>Legislative Representative</i> (916) 658-8254 alewis@cacities.org</p>	<ul style="list-style-type: none"> • Administrative Services • Brown Act/Public Records • Conflict of Interest • Employee Relations • Personnel • Tort Reform • Workers Compensation Issues • Personnel and Employee Relations Dept.
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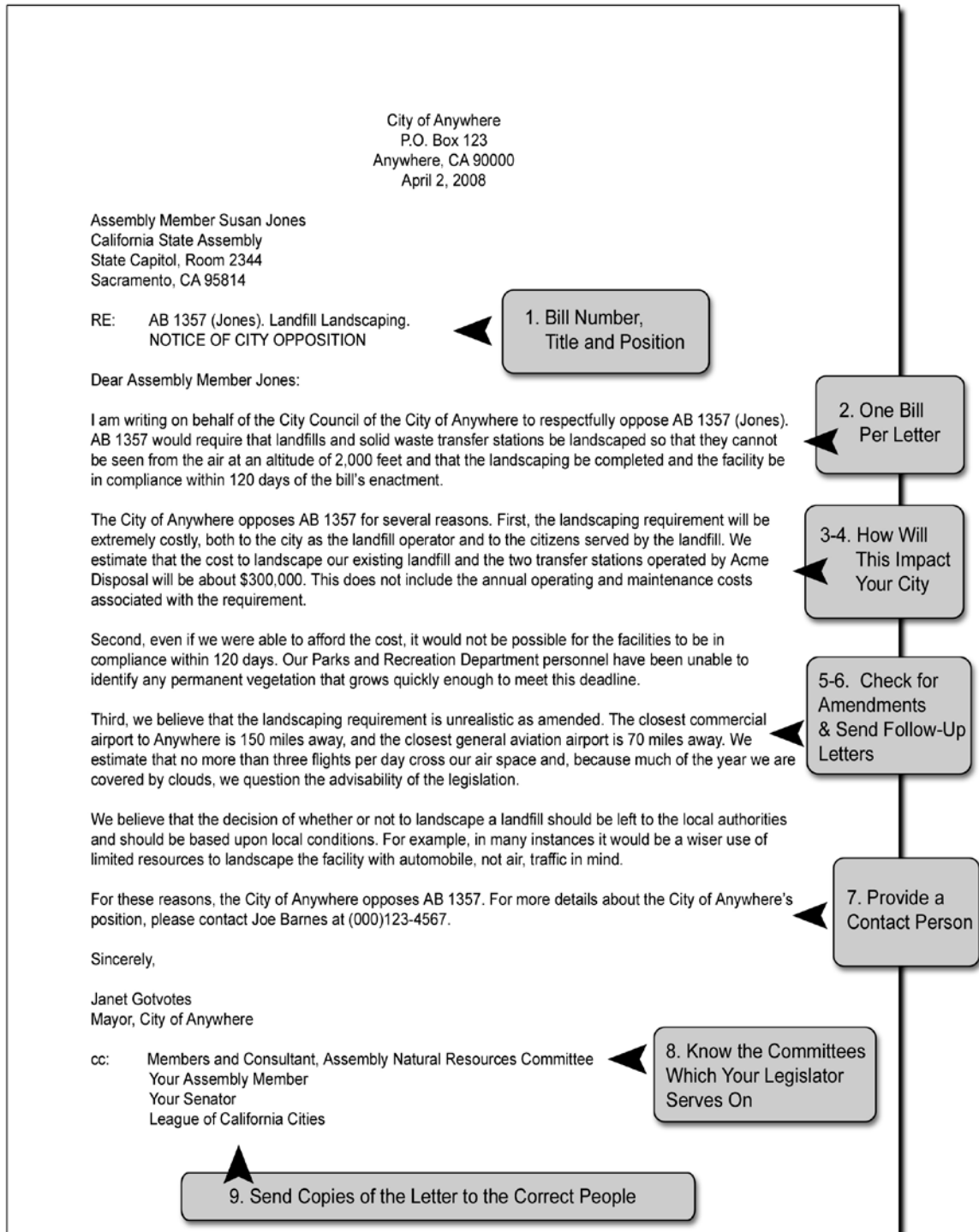
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10 Tips for Cities Lobbying the California Legislature

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 *CA Cities Advocate*, the League's online newsletter, to stay current on important legislation. Subscribe at www.cacities.org/cacitiesadvocate.
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. View sample city legislative platforms at www.cacities.org/legplatforms.
10. Write letters on legislation featured in *CA Cities Advocate*. 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 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 provides 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 website (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, *CA Cities Advocate*, the League’s online 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 on 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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