League of California Cities®
2017 Legislative Report

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This document will be available on the League’s website in December 2017:
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About the League

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

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

2017

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
ADA  Americans with Disabilities Act
ADU  Accessory Dwelling Unit
APPS Armed Prohibited Persons System
ARB  Air Resources Board
BOE  State Board of Equalization
BPH  Board of Parole Hearings
BSCC Board of State and Community Corrections
CalEPA California Environmental Protection Agency
CalHFA California Housing Finance Agency
CalPERS California Public Employees Retirement System
CalRecycle California Department of Resources Recycling and Recovery
Caltrans Department of Transportation
CASp Certified Access Specialist
CDRC California Department of Corrections and Rehabilitation
CDE California Department of Education
CEC  California Energy Commission
CEQA  California Environmental Quality Act
CFD  Community Facilities District
CHFFA California Health Facilities Financing Authority
CHP  California Highway Patrol
CPRA California Public Records Act
CRIA Community Revitalization and Investment Authority
CTC  California Transportation Commission
CURES Controlled Substance Utilization Review and Evaluation System
CVRA  California Voting Rights Act of 2001
DHCS Department of Health Care Services
DTFA Department of Tax and Fee Administration
DIR Department of Industrial Relations
DMV Department of Motor Vehicles
DOJ Department of Justice
DPH Department of Public Health
DPR Department of Parks and Recreation
DSH Department of State Hospitals
DSS  Department of Social Services
DTSC Department of Toxic Substances
DWC  Division of Workers’ Compensation
DWR Department of Water Resources
EIFD Enhanced Infrastructure Financing District
EIR  Environmental Impact Report
EMS Emergency Medical Services
FEHA Fair Employment Housing Act
FPPC Fair Political Practices Commission
FTB  Franchise Tax Board
GGRF  Greenhouse Gas Reduction Fund
GHG  Greenhouse Gas
GO-Biz  Governor’s Office of Business and Economic Development
HCD  Department of Housing and Community Development
HIV  Human Immunodeficiency Virus
HSRA  High-Speed Rail Authority
IOU  Investor Owned Utilities
JPA  Joint Powers Authority
LAFCO  Local Agency Formation Commission
LC  California Labor Commissioner
LCTOP  Low Carbon Transit Operations Program
LEA  Local Education Agency
MOU  Memorandum of Understanding
OES  Office of Emergency Services
PEPRA  Public Employees’ Pension Reform Act of 2013
POST  Peace Officers Standards and Training
PRCS  Post Release Community Supervision
PUC  Public Utilities Commission
SOS  Secretary of State
SWRCB  State Water Resources Control Board
TNC  Transportation Network Companies
USC  University of Southern California
VBM  Vote By Mail Ballot
VLF  Vehicle License Fee
2017 Legislative Year in Review
The 2017 California legislative session became one of the most productive in memory, influenced in part by the disruptive tension created by the unanticipated outcome of the 2016 presidential election.

The divisions between California’s Democratic-dominated Legislature and the U.S. president on immigration, health care, federal budget proposals and climate change were stark, deep and emotional. Differences became evident the morning after the general election, when Assembly Speaker Anthony Rendon and Senate President pro Temp Kevin de León issued the following statement: “Today, we woke up feeling like strangers in a foreign land, because yesterday Americans expressed their views on a pluralistic and democratic society that are clearly inconsistent with the values of the people of California.”

As the fervor over proposed presidential executive orders and policies increased and Congressional action stalled, state legislative leaders proclaimed that they would demonstrate how California and Democrats would continue to lead. And lead they did — enacting a massive transportation funding package in the spring, extending the cap-and-trade carbon reduction program in the summer and approving an affordable housing package and a park and water bond at the end of session. These ambitious and significant accomplishments required two-thirds votes and major efforts by Governor Jerry Brown and legislative leaders.

These accomplishments also matched city priorities. For a decade, the League had been advocating for additional transportation funding for local street and road maintenance. Obtaining affordable housing funding matched another League strategic priority, and many communities benefit from the park and water infrastructure bond. Yet all was not positive for cities, as local control came under significant threat. The League successfully battled bills seeking to restrict local contracting authority and allow wireless companies to dictate uses of public property. With over 2,500 bills introduced during the session, the League represented city interests on many other issues to protect local control, revenue and flexibility.

Return of Democrat Supermajority and Other Legislative Changes

The presidential election was not the only disruptive change affecting the 2017 session. In California, Democrats regained a two-thirds supermajority control of both houses. In the 80-member Assembly, Democrats added three seats (from 52 to 55), surpassing the two-thirds threshold of 54. In the 40-member Senate, they secured the necessary 27 seats. Democrats had also obtained supermajority status following the 2014 election, but it eroded quickly when criminal scandals caused the suspension of three senators.

With supermajority control, Democrats could enact tax increases, approve urgency measures and place items on the ballot without having to rely on Republican votes. Maintaining unity within the caucus, however, proved challenging. Swing districts were
vulnerable on tax votes, moderates were sensitive to business concerns and individuals could leverage other demands. Republicans had little power, but they also served as a conduit to their colleagues in control of Congress; this influence became increasingly valuable as Democrats sought to blunt President Trump’s aggressive proposals.

While Democratic leadership remained stable, Republican turnover occurred. Sen. Pat Bates (R-Laguna Niguel), who can serve until 2022, became Senate Republican leader, replacing Sen. Jean Fuller (R-Bakersfield), who terms out in 2018. Assembly Republican Leader Chad Mayes (R-Yucca Valley) lost his position late in the session to Assembly Member Brian Dahle (R-Bieber). Mayes attempted to establish a moderate and pragmatic approach for his party but was criticized by conservatives for voting to extend the cap-and-trade program. His critics did not seem to appreciate how — despite a weak bargaining position — Mayes was able to secure concessions supported by business groups and bolster Republican leverage on future cap-and-trade allocations by placing ACA 1 on the June 2017 ballot, requiring a two-thirds vote on post-2024 allocations of auction revenues.

Factions also emerged among the Democrats. Tensions between progressives and pragmatists, visible in the presidential primary between Sen. Bernie Sanders and Hillary Clinton, surfaced again in a heated contest for party leadership. Rifts became personal when single-payer health care advocates attacked Assembly Speaker Rendon for requiring additional legislative review of their proposal estimated to cost $400 billion — double the funds in the state budget.

Transparency also improved with the new three-day print rule required by Prop. 54 (2016) limiting “gut-and-amend” bills. With such antics blocked, some veteran lobbyists appeared disoriented during the final nights of the session. Nevertheless, this minimal level of transparency improves the legislative process and benefits policy-advocacy groups like the League by providing opportunities to react to harmful proposals.

**State Budget Normal; Concerns Remain Over Possible Federal Actions**

With state revenues healthy, the budget reflected Gov. Brown’s proposals with minor modifications. Legislators were more worried about the impacts of the president’s agenda than quibbling over trivial details. California’s budget was vulnerable to a $20 billion annual cost increase due to the state’s prior decision to expand health-care benefits to millions of poor residents under the Affordable Care Act. The president’s proposed elimination of many programs, including the Community Development Block Grants (CDBG) program and HOME Investment Partnerships, generated additional concerns.

With action stalled in Washington, D.C., the Legislature adopted its FY 2017–18 budget package with total General Fund spending of $125.1 billion and $8.5 billion in the Rainy-Day Reserve. To address growing concerns over the state’s unfunded public pension liabilities, the state also made a $6 billion prepayment from cash reserves to the California Public Employees’ Retirement System (CalPERS).
The Legislature took other higher-profile actions. Continued frustration with mismanagement at the state Board of Equalization (BOE) led to the transfer of most BOE tax programs, including the collection and allocation of local sales and use taxes, to a newly created Department of Tax and Fee Administration. Another trailer bill imposed rigorous signature verification and other process requirements on legislative recalls, responding to efforts by conservative activists to recall Sen. Josh Newman (D-Fullerton) over his vote for transportation funding.

For cities, larger issues included the allocation of $2.8 billion in transportation funds under the recently passed SB 1, the Road Repair and Accountability Act. The League and California Police Chiefs Association secured amendments to SB 94 (a cannabis trailer bill reconciling medical marijuana law with the recently enacted Prop. 64) that preserved as much as possible the integrity of the regulatory structure for cities and law enforcement. In addition, the League and police chiefs secured changes to AB 133, a follow-up cannabis trailer bill, that underscored the continuing need for local control after state licensing begins. The League also protected smaller cities’ interests by opposing a trailer bill that proposed cutting the economic development set-aside for small cities under the state’s CDBG program. The Legislature adopted a revised version of the bill, SB 106, that did not contain the proposed cut, and the Department of Housing and Community Development (HCD) formed a task force of CDBG program issues with the affected cities.

**Development and Passage of the Transportation Funding Package**

The development of the transportation funding package took years of work. California’s streets and roads were deteriorating due to inadequate maintenance funding. The League and the California State Association of Counties (CSAC) had documented the decline for a decade through biennial surveys of local street and road conditions. Consumers were seeing more potholes and cracks while incurring an estimated $762 dollars per year in related vehicle repairs. Ignoring this problem made things worse, because it costs eight times more to rebuild a road than to properly maintain it.

The reasons for the funding deficits were well known. Revenues dedicated to road maintenance were eroding. The state gas tax, which had last been increased in the 1990s, was not indexed for inflation. Fuel economy improvements also reduced consumption and per-gallon revenues. Drivers of electrical and hybrid vehicles were not contributing equitably to road maintenance needs.

Maintaining roads is not an exciting topic, so the League, CSAC and other organizations joined forces as part of the Fix Our Roads Coalition and embarked in a multi-year effort to both educate and advocate for a comprehensive solution. The coalition also worked closely with Sen. Jim Beall (D-San José) and Assembly Member Jim Frazier (D-Discovery Bay), the chairs of the two legislative transportation committees, who led an effort to develop an understanding among their colleagues of the issues. The coalition convened meetings with various stakeholders, legislative leaders and state transportation representatives. In addition, the coalition developed a website with
Finally, an agreement materialized in 2017. The Road Repair and Accountability Act of 2017, SB 1 (Beall, Chapter 5, Statutes of 2017) and ACA 5 (Frazier, Chapter 30, Statutes of 2017), combines dedicated funding with strong accountability measures. SB 1 provides an additional $5.4 billion annually for the state and local transportation system, of which $1.5 billion is dedicated to city and county street and road repairs. For cities, it doubles the amount of road maintenance funds they will receive to fix their streets. ACA 5, scheduled to appear on the June 2018 ballot, provides constitutional protection to ensure several new revenue sources will be used only for transportation purposes.

Securing the final votes for this package proved difficult. Gov. Brown’s leadership was critical, along with the efforts of Assembly Speaker Rendon and Senate President pro Tem de León who made developing a solution a priority for their caucuses. Sen. Anthony Cannella (R-Ceres) provided the 27th vote in the Senate. The League thanks all legislators who cast the courageous votes to address this growing problem.

When presented with the League’s Distinguished Legislative Leadership Award before 1,800 city officials at the League’s annual conference, both Sen. Beall and Assembly Member Frazier recognized the work of the League and city officials in accomplishing the deal. Sen. Beall said, “Thanks to the effective advocacy of the League of California Cities and other partners, we are now able to increase our investment in transportation infrastructure maintenance to ensure California’s highways, streets and bridges will meet the demands of a 21st century economy.” Assembly Member Frazier added, “The League of California Cities was an integral part of a coalition that worked hard to get the package passed.”

Since the passage of SB 1 in April, the League worked closely with the California Transportation Commission and other state entities on the rollout of new transportation revenues. Updates, webinars and annual conference panels conveyed the details to city officials. The League and CSAC also sponsored helpful cleanup language to SB 1, contained in AB 135 (Chapter 255, Statutes of 2017), a budget trailer bill passed in September. New revenues will begin flowing to local agencies early in 2018.

But the League’s advocacy work on transportation funding is not over. ACA 5, which contains various constitutional protections for the new funding, is scheduled for the June ballot. Regrettably, several proposed ballot measures seeking to repeal SB 1, while proposing no alternative funding solutions to address the problem, have also been filed. The League and the Fix Our Roads Coalition will continue to educate and advocate on the importance of funding to support local road maintenance needs.
Recent Battles Expose Ongoing Threats to Local Authority

To the average voter, the idea of eliminating cities’ and counties’ ability to contract for service delivery or of allowing private telecommunications companies to install their equipment on public property and without local community input and approvals would make no sense. But in the halls of the state Capitol, when such ideas are backed by powerful interests, they can prove difficult to stop. Examples of this include:

- **AB 1250 (Jones-Sawyer).** After a major battle led by the League in partnership with the California Contract Cities Association to remove the application of this labor-sponsored bill to cities’ contracting authority, this bill still continued (applying only to counties) all the way through the Senate, where it is pending in the Senate Rules Committee as two-year bill that can be acted upon in 2018.

- **SB 649 (Hueso).** Despite opposition by the League, hundreds of cities, many counties and editorial boards, the bill moved through the Legislature with little resistance. Backed by the powerful telecom industry, which hired many lobbyists for the effort, the bill passed the Senate Floor 32-1 in May, passed the Assembly Local Government Committee 6-2 in June, passed the Assembly Communications and Conveyance Committee 10-0 in July and the Assembly Appropriations Committee 12-1 in September. The presence of 1,800 city officials in Sacramento attending the League’s 2017 Annual Conference & Expo during the final three days of the legislative session helped limit the floor votes to 46-16 in the Assembly and 22-10 in the Senate. Rather than the Legislature holding the flawed measure, it took the experience and leadership of Gov. Brown to state in his veto message what many legislators already knew: “I believe that the interest which localities have in managing rights of way requires a more balanced solution than the one achieved in this bill.”

One of the arguments for expanding legislative term limits was that the Legislature would become a more deliberative and thoughtful policy-making body. The rapid passage of such bills through the Legislature raises questions about when that will occur and underscores the continued vulnerability of local authority in a legislative environment where the desire to appease a powerful interest group can erode public policy. City officials should urge their legislators to resist taking hasty action on policy proposals of such importance and consequence to their communities. The successful efforts to protect city authority on these bills demonstrates the collective power of cities when they work together.

Affordable Housing Package: Funding, Tools and Incentives

On a bright September morning in San Francisco, a group of legislators and housing advocates gathered on a hilltop to celebrate Gov. Brown’s signing a 15-bill package responding to California’s affordable housing crisis. The ceremony capped an active legislative year, with over 130 housing-related bills introduced.

Many San Francisco Bay Area legislators attended the ceremony, reflecting the intense regional housing demand driven by a booming economy. Highly skilled technology
workers earning generous salaries were bidding up rents and home prices. Housing prices had also rebounded in Southern California's coastal regions but less so in the Central Valley and Inland Empire, which experienced the brunt of the foreclosure crisis during the Great Recession and a slower economic recovery.

For cities, major positive developments included the restoration of affordable housing funding via two League-supported measures. SB 2 (Chapter 364, Statutes of 2017) by Sen. Toni Atkins (D-San Diego) will generate approximately $250 million per year for affordable housing from a $75 tax on certain real estate-related transactions. Initial funding will be available to assist local governments with updates to their General Plans, with an ongoing 70 percent dedicated to local government housing programs. SB 3 (Chapter 365, Statutes of 2017) by Sen. Jim Beall places a $4 billion affordable housing bond on the November 2018 ballot.

Another helpful measure, AB 1598 (Chapter 764, Statutes of 2017) by Assembly Member Kevin Mullin (D-South San Francisco), authorizes a city/county to create an affordable housing authority with various powers and dedicate a portion of its property-tax increment, sales tax and other revenues to develop affordable housing. AB 1568 (Chapter 562, Statutes of 2017) by Assembly Member Richard Bloom (D-Santa Monica) authorizes enhanced infrastructure financing districts to use sales tax revenue under certain conditions to help fund affordable housing.

These investments and tools, however, only partially fill the vacuum created by the elimination in 2011 of local redevelopment agencies that provided over $1 billion annually for affordable housing.

The League appreciates Sen. Richard Roth (D-Riverside) for authoring League-sponsored SB 540 (Chapter 369, Statutes of 2017), which strikes a balance between inclusive local planning and improved certainty for housing developers. The measure authorizes the creation of Workforce Housing Opportunity Zones, where upfront local planning and environmental analysis under the California Environmental Quality Act (CEQA) will provide housing developers additional CEQA certainty. Another option is provided by League-supported AB 73 (Chapter 371, Statutes of 2017), by Assembly Member David Chiu (D-San Francisco), which offers state financial incentives to local agencies that adopt Housing Sustainability Districts approved for a 10-year period by the state Department of Housing and Community Development. League-supported AB 1505 (Chapter 376, Statutes of 2017) by Assembly Member Richard Bloom contained a long-sought legislative fix to the 2009 Palmer v. City of Los Angeles decision, restoring local authority to require inclusion of affordable units in new rental housing developments.

Other measures focused on the local planning and approval process:
- SB 35 (Chapter 366, Statutes of 2017) by Sen. Scott Wiener (D-San Francisco) requires multi-family developments consistent with existing local planning requirements that meet specific conditions to be approved in a “ministerial” fashion, which means lacking project-level environmental review and public input,
in jurisdictions where housing is not developed for all income levels at sufficient volume to match state-generated regional housing need allocations;

- AB 72 (Chapter 370, Statutes of 2017) by Assembly Member Santiago (D-Los Angeles) provides HCD with broad authority to review any action by a city or county that it determines is inconsistent with an adopted housing element;
- AB 1397 (Chapter 375, Statutes of 2017) by Assembly Member Evan Low (D-Campbell) limits sites that can be designated in a housing element to those that meet a debatable “realistic and demonstrated potential;”
- SB 167 (Chapter 368, Statutes of 2017) by Sen. Nancy Skinner (D-Berkeley) and AB 678 (Chapter 373, Statutes of 2017) by Assembly Member Raul Bocanegra (D-San Fernando) make numerous changes to the Housing Accountability Act that include requiring findings to be based on “a preponderance of evidence” and imposing ($10,000) fines on cities that fail to comply with a judge’s order; and
- AB 879 (Chapter 374, Statutes of 2017) by Assembly Member Tim Grayson (D-Concord) requires HCD to study and make recommendations to substantially reduce developer fees via potential amendments to the Mitigation Fee Act, the law that outlines the constitutional baseline local governments use to establish fees.

Other Economic and Policy Issues Affecting Housing Production

While many view the 2017 housing package as helpful, its passage certainly does not signal the end of the policy discussion. Aside from various incentive and funding measures, a portion of the housing package responded to a theme, championed by several advocacy groups and academics, that the local planning and approval process is the major cause of the state currently producing 100,000 units fewer per year than pre-recession levels. From a local government perspective, that assertion is incomplete and inaccurate. Going forward, it is time to dig a bit deeper.

This legislative focus lacked an exploration of other economic factors affecting the housing market. The foreclosure crisis resulted in displaced homeowners with damaged credit, widespread investor conversions of foreclosed single-family units into rentals and increasingly stringent lending criteria. Demographic factors may also affect demand as baby boomers with limited retirement savings and increased health-care costs approach retirement age. Younger residents, saddled with student debt, face challenges saving for down payments. Manufacturing and other higher-wage jobs are stagnating and being replaced via automation and conversion to a lower-wage service economy. Fewer skilled construction workers are available after many switched occupations during the recession.

Housing production and costs can also be affected by other state laws intended to advance important policies:

- Local Agency Formation Commissions tighten annexation and service provision requirements;
- The Coastal Act subjects coastal development to rigorous regulatory review;
- The Williamson Act discourages development on agricultural lands;
Other laws ensure adequate water supplies, protect oak trees and avoid construction in flood plains; Residents displaced by governmental repairs of dilapidated housing stock are provided relocation benefits; Prevailing wages are attached to affordable housing construction; New energy, seismic, fire, disabled access and other code requirements increase building costs; CEQA compliance can result in delays and costly litigation; and Propositions 13 (1978), 218 (1996) and 26 (2010) limit local ability to fund and maintain infrastructure and provide services to new residents.

With respect to funding for affordable housing, SB 2 and SB 3 will certainly be helpful, yet additional funding is sorely needed. Historically, the federal government funded most of the affordable housing available to lower-income households constructed nationwide. Since the 1980s, however, much of that funding has dried up, leaving states and local agencies to fill the void. In California, the funding once available from local redevelopment agencies is gone.

Local governments need additional tools and options. ACA 4 (Aguiar-Curry) would lower the vote threshold for local infrastructure and affordable housing investments to 55 percent, and ACA 11 (Caballero) proposes placing before the voters a proposed quarter-cent sales tax increase for affordable housing, which would generate another $1.7 billion per year, an amount that would begin to move the needle on this issue. The state could also support local investments in affordable housing and infrastructure by more fully restoring the tax-increment financing tool.

$4 Billion Parks and Water Bond Approved for June Ballot

The affordable housing crisis was not the only legislative priority with respect to bonds. Senate President pro Tem de León had been working on a park bond proposal for several legislative sessions. In 2016, Assembly Member Eduardo Garcia also authored a park bond proposal that made it all the way to the Senate floor. But apart from a water bond, the governor had resisted new bond proposals, after spending years paying down state accumulated debts. Thus, without the governor’s agreement, the state ballot presented the only available path.

In 2017, both Sen. de León and Assembly Member Eduardo Garcia introduced school bond proposals in the $3 to $4 billion range, while outside groups began crafting park bond initiative proposals for much larger amounts. Pressure for a housing bond and broader concerns over infrastructure conditions following the collapse of the Oroville Dam’s spillway increased the possibility of an agreement.

Throughout the year, the League was active in discussions and lobbied for the inclusion of $425 million for per-capita allocations for individual cities with a $200,000 minimum. In the final weeks of the session, an agreement was reached with Gov. Brown in SB 5 (de León, Chapter 852, Statutes of 2017) on a $4 billion park and water bond that
contains a minimum $200,000 per city in park funding, $725 million for “park-poor” communities and additional funding for state park improvements, nature conservancies, climate and environmental programs, flood control, drought and drinking water projects and Salton Sea improvements. The bond will be placed before voters on the June 2018 ballot.

**State Cap-and-Trade Program Extended to 2030**

Gov. Brown, reflecting a national trend, also used Twitter as he lobbied for the holdout votes needed to extend the state’s cap-and-trade program. In mid-July, the 79-year old governor—who has spent nearly 40 years in California politics—tweeted: “This isn’t about some cockamamie legacy. This isn't for me, I'm going to be dead. It's for you & it's damn real.”

California leadership in the carbon reduction effort began with the passage of AB 32 (Chapter 488, Statutes of 2006), authored by then-Assembly Speaker Fabian Núñez and signed by Gov. Arnold Schwarzenegger, which established the goal to reduce the state’s carbon emission levels to 1990 levels by 2020. As a centerpiece of its compliance strategy, the California Air Resources Board (ARB) enacted the cap-and-trade program, holding auctions where carbon-emitting industries could bid for emissions credits under a progressively lowering statewide cap. The auctions produced billions in revenue that the Legislature allocated to various programs, including high-speed rail. Litigation filed by the California Chamber of Commerce, however, challenged the program as an illegal tax because it had not been enacted with a two-thirds vote.

Uncertainties grew over whether the program would continue given the pending litigation and a failed legislative effort to extend the program in 2015. Nevertheless, in the waning hours of the 2016 session, Gov. Brown and legislative Democrats crafted an agreement by majority vote to approve SB 32 (Pavley, Chapter 249, Statutes of 2016), which expanded the state’s carbon reduction goal to a 40 percent reduction below 1990 levels by 2030. A concurrent effort, however, to extend the cap-and-trade program by a two-thirds vote stalled.

In 2017, the political dynamics changed. The California Chamber of Commerce case lost at the appellate level in April. SB 32 provided ARB the authority to impose reductions, and business and industry preferred a market-based program rather than ARB regulations. Also, given the interest of the business community in a compromise, some Republicans indicated a willingness to vote for a package addressing business priorities.

The Legislature reached bipartisan compromise on a three-bill package prior to the summer recess:

- AB 398 (E. Garcia, Chapter 135, Statutes of 2017) extends the cap-and-trade system through Dec. 31, 2030, with various modifications;
- AB 617 (C. Garcia, Chapter 136, Statutes of 2017) requires ARB to develop a uniform statewide system of annual reporting and monitoring stationary sources
of emissions and toxic air contaminants and provides ARB and air districts additional enforcement powers; and

- ACA 1 (Mayes, Chapter 105, Statutes of 2017) is set to appear on the June ballot and requires a legislative two-thirds vote to allocate cap-and-trade action proceeds after Jan. 1, 2024.

With the cap-and-trade program extended, an agreement to allocate accumulated auction revenues occurred with the passage of budget bills AB 109 and AB 134. These measures distribute $1.5 billion to various carbon-reducing activities including urban greening, waste diversion, fleet modernization and clean vehicle rebates. Sixty percent of the funding will continue to be allocated per established formula for the Affordable Housing and Sustainable Communities program, high-speed rail, the Transit and Intercity Rail Capital program and Low Carbon Transit Operations.

**Locals’ Authority Trimmed Over Disruptive Transportation: Taxis and TNCs**

The League engaged on two measures reflecting the effects of disruptive change on taxis and transportation network companies. State law required taxis to be subject to significant local regulation. Then transportation network companies (TNCs) like Uber and Lyft came along offering services provided by consumers and promoting them as better, faster, cheaper and unconstrained by local regulation. Predictably, TNCs rapidly expanded and taxi use nosedived.

AB 1069 (Low, Chapter 753, Statutes of 2017), sponsored by taxi companies, was aimed at reducing what they perceived as the excessive costs and duplicative and restrictive local regulations that applied to their industry when TNCs that were providing a similar service were virtually unregulated. The League ultimately proposed amendments — supported by the cities active on the bill — to limit local regulation and licensing requirements to the top three jurisdictions where a taxi operates. The author and sponsors, however, rejected that approach and limited the licensing requirement to jurisdictions where the primary business address of the company or driver is located and to the jurisdiction within a single county where the largest share of trips originate for the company or driver. To protect other cities impacted by the taxi’s activities, the League unsuccessfully requested a veto. The new law takes effect in 2019.

SB 182 (Bradford, Chapter 769, Statutes of 2017) was sponsored by TNC companies concerned that individual cities and counties would impose a patchwork of local business license requirements on their drivers who operate as independent contractors. In California, however, only a handful of cities had sought to impose business license requirements on drivers. San Francisco was a major exception. With an estimated 40,000 TNCs operating on its streets, the city had imposed business license requirements on drivers and engaged in various regulatory and legal disputes with the TNCs. Fearing that such regulatory efforts could spread to other cities, SB 182 was aimed at limiting the application of business license authority to TNC drivers. The League opposed the bill and requested a veto after amendments limited local business license authority to areas where the drivers lived, because of the lack of nexus to where
actual business activity — as in San Francisco — was occurring. Unfortunately for cities, Gov. Brown signed the measure.

Long-Sought Fix for Struggling Newly Incorporated Cities

After many prior attempts supported by the League, four recently incorporated cities in Riverside County — Eastvale, Wildomar, Menifee and Jurupa Valley — finally received a long-needed permanent fix to their revenues with the passage of SB 130 (Chapter 9, Statutes of 2017), a budget trailer bill. These cities have experienced severe financial hardship since 2011, when the state swept all remaining shares of city vehicle license fee (VLF) revenues with the passage of SB 89 (Chapter 35, Statutes of 2011). While all cities were affected by the loss of city shares of VLF, these four cities were particularly hard hit because they relied much more on the VLF revenues than other cities.

Restoring funding and avoiding the potential disincorporation of these new cities also provides long-term policy benefits to the state. The four affected cities are in one of the fastest-growing regions of California. City land-use patterns are urban and dense, and their future growth is regulated by Local Agency Formation Commission (LAFCO) policies. In contrast, unincorporated development patterns are typically less dense and not regulated by LAFCOs. The League thanks Sen. Richard Roth (D-Riverside) and Assembly Member Sabrina Cervantes (D-Riverside) for their lobbying efforts with Gov. Brown.

Although SB 130 does not resolve issues associated with future incorporations and annexations of inhabited territory caused by SB 89, it establishes a policy platform to do so going forward.

Lack of Action on Public Safety Concerns With Recently Released Offenders

It is becoming harder to find a city official who does not express concerns over an uptick in crime related to a series of state actions and recently adopted policy changes that are resulting in more offenders being released onto the streets and limiting the deterrent effects of laws related to various crimes. The League supported several measures in response to these concerns, but most failed to move in the Legislature. Gov. Brown’s veto of AB 1408 (Calderon), which sought to improve public safety through better management of ex-offenders subject to post-release community supervision, disappointed the League. Frustrations are building on this issue as local officials continue to face demands for a response to public safety concerns in their communities.

Issues for 2018

Many factors will influence the 2018 legislative session. Gov. Brown will be in the final year of his term and is expected to finish strongly, leaving his imprint on the state’s budget and policy matters. Campaigns to replace him are well underway with candidates offering voters potential directions for the state’s future. Senate President pro Tem de León is facing term limits and running for U.S. Senate, so a leadership
transition is expected, and the Democrats’ supermajority status depends on the outcome of the recall of Sen. Josh Newman. Continued tensions over federal government policy proposals and actions remain a certainty.

Ballot proposals will also occupy political space. Three measures are qualified for the June ballot, each with its own politics: ACA 5 (Frazier) provides additional protection to recently enacted transportation funds; ACA 1 (Mayes) imposes a two-thirds vote of post-2024 allocations of cap-and-trade funds; and SB 5 (de León) proposes a $4 billion park and water bond. The housing bond, SB 3 (Beall), is qualified for the November ballot, but interest groups have many other proposals in development, including efforts to repeal recently enacted transportation funding, reduce property tax, authorize local rent control and protect public safety.

In the policy arena, continued efforts to address affordable housing and homelessness can be expected, including reviving options for local rent control. Recreational marijuana regulations take effect in 2018. Financial difficulties for cities are increasing as pension costs escalate and affect fiscal sustainability and service delivery. Discussions are expected on water conservation and energy policy, responding to the devastating 2017 wildfires and crafting a more balanced telecom bill. Unknown elements for 2018 include the state budget. Besides the major vulnerabilities with a federal repeal of the Affordable Care Act, at some point the economy will slow and reduce state revenues.

Whatever comes, the League remains a staunch advocate for the benefits of local control and flexibility and will continue to support cities in their efforts to address urgent needs, provide vital services and enhance the quality of life for their residents. As always, cities are stronger when they work together.
2017 Statutes
I. Community Services

   A. Parks and Recreation

This measure places on the June 2018 ballot a $4 billion bond with major funding allocated to state and local parks, water infrastructure and drinking water, and climate and environmental programs. *(The League has prepared a comprehensive summary of this measure in Appendix A of this document.)*

SB 178 (Wieckowski) Parklands. Centerville Park. Chapter 458, Statutes of 2017 (Urgency)
This measure authorizes the City of Fremont to transfer to the Fremont Unified School District up to 4.6 acres of undeveloped parkland in Centerville Park to build a school if certain conditions are met, including that the city develops two replacement parks.

SB 693 (Mendoza) Lower San Gabriel River Recreation and Park District. Chapter 466, Statutes of 2017
This measure authorizes the formation of the Lower San Gabriel River Recreation and Park District.

   B. Animals

This measure, beginning January 1, 2019, prohibits a pet store operator from selling live cats, dogs, or rabbits unless they were obtained from a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or animal rescue or adoption organization. This measure requires all dogs or cats sold in a retail pet store must comply with current spay and neuter laws and pet stores must maintain records and post a sign listing the agency, shelter, or nonprofit from which the animal was obtained. Public animal control agencies or shelters may periodically access these records.

AB 861 (Dahle) Africanized Honey Bees. Chapter 143, Statutes of 2017
This measure authorizes a county agricultural commissioner, in the absence of a local ordinance, to take abatement action against a hive containing Africanized or overly defensive honey bees if it is determined that the hive is a public nuisance.
AB 1491 (Caballero) Sale of Dogs and Cats. Contracts.
Chapter 761, Statutes of 2017
This measure prohibits rent-to-own or leasing contracts for pet dogs or cats that do not immediately transfer ownership of the animal to the purchaser. Specifically, this measure makes two types of contracts for ownership of a dog or cat void against public policy: (1) contracts in which ownership is contingent upon making the payments over a period of time before to the transfer of possession of the dog or cat, and (2) leasing contracts that provide for or offer the option of transferring ownership at the end of the lease term.

C. Child Care

AB 258 (Arambula) Child Care and Development Services. Individualized County Child Care Subsidy Plan. County of Fresno.
Chapter 697, Statutes of 2017
This measure authorizes Fresno County to establish a five-year pilot program for the purpose of developing and implementing an individualized county child care subsidy plan that meets the particular needs of families in the county.

AB 300 (Caballero) Child Care and Development Services. Individualized County Child Care Subsidy Plans. Counties of Monterey, San Benito, Santa Clara, and Santa Cruz.
Chapter 699, Statutes of 2017
This measure modifies Santa Clara County’s existing authorization to establish a subsidized child care pilot program and authorizes the Counties of Monterey, San Benito, and Santa Cruz to establish a five-year pilot program for purposes of developing and implementing an individualized county child care subsidy plan that meets the particular needs of families in those counties.

AB 377 (Frazier) Child Care Subsidy Plans. Counties of San Diego and Solano.
Chapter 701, Statutes of 2017
This measure authorizes the Counties of San Diego and Solano to establish a five-year pilot program for purposes of developing and implementing an individualized county child care subsidy plan that meets the particular needs of families in those counties.

AB 435 (Thurmond) Child Care Subsidy Plans. Counties of Alameda, Contra Costa, Marin, and Sonoma.
Chapter 703, Statutes of 2017
This measure modifies Alameda County’s existing authorization to create a subsidized child care pilot program and authorizes the Counties of Contra Costa, Marin and Sonoma to establish a five-year pilot program for purposes of developing and implementing an individualized county child care subsidy plan that meets the particular needs of families in those counties.
D. Children

Chapter 690, Statutes of 2017
This measure adds diaper costs of up to $30 per month to the list of supportive services available to CalWORKs recipients who are Welfare to Work participants. Beginning on April 1, 2018, participants in the Welfare to Work plan will be eligible for $30 per month to assist with diaper costs for each child who is under 36 months of age.

AB 1520 (Burke) Lifting Children and Families Out of Poverty Task Force.
Chapter 415, Statutes of 2017
This measure establishes the Lifting Children and Families Out of Poverty Task Force. This measure requires the task force to submit a report, by November 1, 2018, to the Legislature and the Governor that recommends future comprehensive strategies to achieve the reduction of deep poverty among children and reduce the overall child poverty rate in the state.

Chapter 726, Statutes of 2017
This measure makes several changes regarding school meal fees, including requiring local educational agencies (LEAs) to (1) ensure a student whose parent or guardian has unpaid school meal fees is not shamed, treated differently, or served a meal that differs from other students, (2) notify a parent or guardian of unpaid fees, and (3) not deny or delay the student a nutritionally adequate meal.

E. Miscellaneous

*AB 19 (Santiago) Community Colleges. California College Promise.
Chapter 735, Statutes of 2017
This measure establishes the California College Promise to waive the $46 per unit fee for one academic year for qualifying first-time students. Upon appropriation by the Legislature, the Chancellor of the California Community Colleges would distribute funding to community colleges to waive some or all fees for first-time community college students who are enrolled at the college full time, and have completed and submitted either a Free Application for Federal Student Aid or a California Dream Act application.

AB 671 (Chavez) Veterans Services.
Chapter 197, Statutes of 2017
This measure authorizes a veterans memorial district (VMD) to provide funding to providers of supportive services including, but not limited to, behavioral health services, counseling, social services, case management, affordable housing, and employment training and placement. Existing VMD bond moneys may be used for these purposes if they are authorized to be used for these purposes or if the voters repurpose them.
**AB 722 (Limón) Isla Vista Community Services District. Board of Directors.**  
**Chapter 409, Statutes of 2017**  
This measure prohibits service on the board of the Isla Vista Community Services District (IVCSD) by a member of the Santa Barbara County Board of Supervisors or any public officer of the County of his or her deputy.

*AB 1219 (Eggman) Food Donation.**  
**Chapter 619, Statutes of 2017**  
This measure enacts the California Good Samaritan Food Donation Act to clarify and expand liability protection provisions for the donation of food. Under this measure, a person, gleaner, or food facility that donates food that is fit for human consumption to a nonprofit charitable organization or food bank is immune from liability for damage or injury resulting from the consumption of the donated food, unless it results from gross negligence or intentional misconduct in the preparation or handling of the donated food. This measure also requires enforcement officers to promote the recovery of food fit for human consumption during their routine inspections, including through newsletters, bulletins, and handouts describing the protections from civil and criminal liability when donating food.
II. Environmental Quality

A. Climate Change

Chapter 135, Statutes of 2017 (Urgency)
This measure extends the state’s Cap and Trade system with a declining limit on greenhouse gas (GHG) emissions until December 31, 2030. Among other changes, this measure requires the California Air Resources Board (ARB) to update the scoping plan by no January 1, 2018, requires all greenhouse gas rules and regulations adopted by the state board to be consistent with the scoping plan, outlines priorities for spending Cap and Trade revenues, extends and expands the sales and use tax exemption for qualified manufacturers and research until July 1, 2030, and suspends and then eliminates the fire prevention fee. *(The League has prepared a comprehensive summary of this measure in Appendix A of this document.)*

AB 733 (Berman) Enhanced Infrastructure Financing Districts. Climate Change.
Chapter 657, Statutes of 2017
This measure adds climate change projects to the list of projects that may be financed by cities or counties through an Enhanced Infrastructure Financing Districts (EIFD). Climate change projects include higher average temperatures, decreased air and water quality, the spread of infectious and vector-borne diseases, other public health impacts, extreme weather events, sea level rise, flooding, heat waves, wildfires, and drought.

*ACA 1 (Mayes) Greenhouse Gas Reduction Reserve Fund.
Chapter 105, Statutes of 2017
This measure places a Constitutional Amendment on the June 2018 ballot that would require a special two-thirds vote of the Legislature to appropriate certain funds. If approved by voters, this measure requires that the first appropriation of Cap-and-Trade revenues after January 1, 2024 be subject to a two-thirds majority vote of the Legislature. This measure also suspends the manufacturing sales and use tax exemption beginning January 1, 2024 until the effective date of the two-third vote legislation. *(The League has prepared a comprehensive summary of this measure in Appendix A of this document.)*

AJR 20 (Gonzalez Fletcher) Climate Change.
Resolutions Chapter 164
This measure declares that California will continue to lead in its efforts to reduce emissions of greenhouse gases and fight global climate change and encourages other state legislatures and cities in the nation to continue to support and follow the United Nations Framework Convention on Climate Change Paris Agreement. This measure also requests that the United Nations create a category for the recognition and
participation of subnational jurisdictions whose parent countries are not part of or have withdrawn from the Paris Climate Agreement.

**B. Air Quality**

**AB 188 (Salas) Vehicle Retirement and Replacement.**
Chapter 629, Statutes of 2017
This measure requires ARB to update the guidelines for the enhanced fleet modernization program to apply the same miles per gallon standard for minivans applicable to light-duty pickup trucks.

**AB 615 (Cooper) Air Quality Improvement Program. Clean Vehicle Rebate Project.**
Chapter 631, Statutes of 2017 (Urgency)
This measure extends the sunset date on the income cap to receive a rebate under the Clean Vehicle Rebate Project to January 1, 2019. This measure also requires the ARB and the Department of Finance (DOF) to report to the Legislature.

*AB 617 (C. Garcia) Nonvehicular Air Pollution. Criteria Air Pollutants and Toxic Air Contaminants.*
Chapter 136, Statutes of 2017
This measure creates a new air monitoring and air quality program. This bill establishes the new program by, among other things, requiring the ARB to develop a uniform statewide system of annual reporting of emissions of criteria air pollutants and toxic air contaminants, air pollutant monitoring, requiring the ARB to prepare a statewide strategy to reduce emissions, and requiring local air quality management districts to deploy community air monitoring systems. *(The League has prepared a comprehensive summary of this measure in Appendix A of this document.)*

**AB 630 (Cooper) Vehicles. Retirement and Replacement.**
Chapter 636, Statutes of 2017
This measure codifies the existing Enhanced Fleet Modernization Program’s Plus-Up Pilot Project and renames it the Clean Cars 4 All Program, administered by the ARB, to achieve air quality improvements and benefit low-income residents by replacing high-polluter vehicles with cleaner and more efficient vehicles or a mobility option.

**AB 739 (Chau) State Vehicle Fleet. Purchases.**
Chapter 639, Statutes of 2017
This measure requires that at least 15 percent of new vehicles purchased by the California Department of General Services (DGS) and other state agencies that weigh more than 19,000 pounds to be zero emission beginning on December 31, 2025 and 30 percent by December 31, 2030.
*AB 1073 (E. Garcia) California Clean Truck, Bus, and Off-Road Vehicle and Equipment.
Chapter 632, Statutes of 2017
This measure extends by two years, until January 1, 2020, the requirement that the California Air Resources Board dedicate 20 percent of California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program to support early commercial deployment of existing zero- and near-zero-emission heavy-duty trucks, with priority given to projects benefiting disadvantaged communities.

Chapter 171, Statutes of 2017
This measure allows an air pollution control officer to issue an interim order for abatement before an administrative hearing, if the officer finds that a person is responsible for emissions that qualify as an imminent and substantial endangerment to the public health or welfare, or the environment.

AB 1274 (O'Donnell) Smog Check. Exemption.
Chapter 633, Statutes of 2017 (Urgency)
This measure expands the smog check exemption to vehicles eight model years old or newer beginning January 1, 2019, increases the smog abatement fee for vehicles that are seven or eight model years old to $25, and directs the fees to the Carl Moyer Program and to offset the reduction in smog check revenues.

AB 1317 (Gray) Carl Moyer Memorial Air Quality Standards Attainment Program.
Chapter 633, Statutes of 2017
This measure makes well pumps eligible for funding under the Carl Moyer Program by authorizing program funding to be used for stationary irrigation or water conveyance engines.

SB 150 (Allen) Regional Transportation Plans.
Chapter 646, Statutes of 2017
This measure updates the factors ARB must consider when setting regional greenhouse gases (GHG) emissions reduction targets to include the state target of reducing GHG emissions to 40 percent below 1990 levels by 2030. This bill also requires the ARB to report, by September 1, 2018 and every four years, an assessment of progress made by each metropolitan planning organization (MPO) to meet targets, including changes to GHG emissions in each region, data-supported metrics for strategies used to meet the targets, and best practices and challenges faced by MPOs in meeting the targets.

Chapter 628, Statutes of 2017
This measure requires that at least 50 percent of the light-duty vehicles purchased by DGS for the state vehicle fleet each fiscal year beginning in fiscal year 2024-25 are zero-emission vehicles.
SB 563 (Lara) Residential Wood Smoke.
Chapter 671, Statutes of 2017
This measure establishes the Woodsmoke Reduction incentive program to replace wood-burning stoves with cleaner and more efficient alternative to achieve climate benefits and localized public health benefits. This bill also authorizes Greenhouse Gas Reduction Fund (GGRF) monies to be allocated for such incentives.

C. California Environmental Quality Act (CEQA)

Chapter 4, Statutes of 2017 (Urgency)
This measure reinstates California’s Department of Transportation (Caltrans) authority to waive its 11th Amendment right to sovereign immunity from lawsuits brought in federal court, allowing Caltrans to assume the role of the United State Department of Transportation (U.S. Dot) for the purposes of fulfilling responsibilities and compliance with the National Environmental Policy Act (NEPA), also referred to as California’s NEPA delegation. This measure sunsets on January 1, 2020.

Chapter 522, Statutes of 2017
This measure extends for two year the expedited CEQA judicial review procedures established by the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 (AB 900, Buchanan, Chapter 354, Statutes of 2011). This measure sunsets on January 1, 2021.

Chapter 149, Statutes of 2017
This measure extends the CEQA exemption for bicycle transportation plans and bicycle lane restriping projects in urbanized areas from January 1, 2018 to January 1, 2021. This measure sunsets on January 1, 2021.

D. Energy

AB 523 (Reyes) Electric Program Investment Charge. Allocation.
Chapter 551, Statutes of 2017
This measure requires the California Energy Commission (CEC) to expend at least 25 percent of the Electric Program Investment Charge technology demonstration and deployment funds for projects located in and benefiting disadvantaged communities and at least 10 percent for projects located in and benefiting low-income communities.
Chapter 380, Statutes of 2017  
This measure requires cities, including charter cities, and counties to accept electronic submissions of permit applications for advanced energy storage installations, and to make documentation for such permitting available on their websites. Cities and counties with 200,000 or more residents must comply by September 30, 2018 and cities and counties with less than 200,000 residents must comply by January 31, 2019.

Chapter 140, Statutes of 2017  
This measure limits the requirement to prepare integrated resources plans to the California Public Utilities Commission (PUC) to electrical cooperatives that have an annual electrical demand exceeding 700 gigawatt hours, as determined on a 3-year average beginning January 1, 2013.

AB 797 (Irwin) Solar Thermal Systems.  
Chapter 473, Statutes of 2017  
This measure extends by two years the California Solar Initiative Thermal Program, which provides rebates to customers of investor-owned utilities, and broadens the program from solar water heating systems to solar thermal systems. This measure sunsets on August 1, 2020.

Chapter 475, Statutes of 2017 (Urgency)  
This measure establishes state oversight for California’s existing Property Assessed Clean Energy (PACE) Program. Under this bill, program administrators that are not local governments must obtain a license under California Financing Law (renamed from California Finance Lenders Law). This measure also prohibits program administrators from misleading or dishonest behavior and provides for enforcement actions, outlines new rules for contractors and requires program administrators establish a process for enrolling PACE contractors, subjects contractors to background checks and training and testing, and puts new limits on assessment contracts, and establishes enforcement provisions.

Chapter 849, Statutes of 2017  
This measure lowers and extends a cap on permit fees a city or county may charge for solar energy systems. Under this bill, the maximum permit fee a city or county may charge is as follows:

- For residential photovoltaic (PV) systems the fee shall not exceed $450 plus $15 per kilowatt for each kilowatt above 15 kilowatts;
- For residential thermal systems the fee shall not exceed $450 plus $15 per kilowatt thermal for each kilowatt thermal above 10 kilowatt thermal;
For commercial PV systems the fee shall not exceed $1,000 for systems up to 50kW plus $7 per kilowatt for each kilowatt between 51 kilowatts and 250 kilowatts, plus $5 per kilowatt for each kilowatt above 250 kilowatts;

For commercial thermal systems the fee shall not exceed $1,000 for systems up to 30 kilowatt thermal, plus $7 per kilowatt thermal for each kilowatt thermal between 30 kilowatt thermal and 260 kilowatt thermal, plus $5 per kilowatt thermal for each kilowatt thermal above 260 kilowatt thermal.

This bill also allows a city or county to charge permit fees in excess of the cap if there are written findings in a resolution or ordinance that provide substantial evidence that the reasonable cost to issue the permit is higher than the cap. This measure sunsets on January 1, 2025.

*SB 242 (Skinner) Property Assessed Clean Energy Program. Program Administrator.
Chapter 484, Statutes of 2017
This measure adds consumer protections for residential consumers to the PACE program including requiring a recorded telephone call to confirm key terms of the agreement, a three day right to cancel for property owners, new contractor standards and prohibitions, and new reporting requirements for program administrators that the public agency must make available on its website.

Chapter 38, Statutes of 2017
This measure requires the PUC and the governing board of each local publicly owned utility to consider the role of a variety of energy technologies and resources in meeting energy and reliability needs during and around the hour of peak demand, while reducing the need for new generation and transmission resources.

SB 549 (Bradford) Public utilities. Redirection of Moneys Authorized for Maintenance, Safety, or Reliability.
Chapter 284, Statutes of 2017
This measure requires an electrical or gas corporation to annually notify the PUC of each time that capital or expense revenue authorized by the PUC for maintenance, safety, or reliability was redirected to other purposes. The bill requires the PUC to ensure notification is also provided to the Office of the Safety Advocate, Office of Ratepayer Advocates, and parties on the service list of relevant proceedings.

SB 598 (Hueso) Public Utilities: Gas and Electric Service Disconnections.
Chapter 362, Statutes of 2017
This measure requires the PUC to adopt rules, policies, and regulations with the goal of reducing gas and electric utility service disconnections for nonpayment by residential customers. This bill also prohibits service disconnections for nonpayment for residential customers with certain medical conditions if the customer is willing to enter into an amortization agreement.
**SB 618 (Hueso) Load-Serving Entities. Integrated Resource Plans.**
*Chapter 431, Statutes of 2017*
This measure requires the integrated resources plans of all load-serving entities to contribute to a diverse and balanced portfolio of resources needed to ensure a reliable electricity supply that provides optimal integration of renewable energy resources in a cost effective manner, meets emissions reductions targets for greenhouse gases, and prevents cost shifting among load-serving entities.

**SB 711 (Hill) Electrical Corporations and Gas Corporations. Rates and Charges.**
*Chapter 467, Statutes of 2017*
This measure requires the PUC to revise baseline quantities during the rate setting proceeding of a gas or electric corporation as average consumption patterns change. The bill also requires the PUC to make efforts to minimize utility bill volatility for residential customers of electric and gas corporations, including by modifying the length of the baseline seasons or defining additional baseline seasons.

**SB 801 (Stern) Aliso Canyon Natural Gas Storage Facility. Electrical Grid Data. Electricity Demand Reduction and Response. Energy Storage Solutions.**
*Chapter 814, Statutes of 2017*
This measure adds new requirements of energy utilities serving ratepayers in the Los Angeles Basin to support energy reliability resulting from the 2015 leak at the Aliso Canyon storage facility operated by Southern California Gas Company. This measure directs the Los Angeles Department of Water and Power (LADWP) to make electrical grid data available, requires LADWP to reduce demand, and requires Southern California Edison and LADWP (in consultation with the City of Los Angeles city council) to deploy certain energy storage solutions. This bill also directs fines or penalties levied on Southern California Gas Company to be used to mitigate of effects of the well failure on local air quality, public health and ratepayers.

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**E. Solid Waste and Recycling**

**AB 906 (Bloom) Beverage Containers. Polyethylene Terephthalate.**
*Chapter 823, Statutes of 2017*
This measure, beginning October 1, 2018, revises the definition of “polyethylene terephthalate” (PETE) for the purpose of the state’s plastic resin code labeling requirements. This measure ensures that PETE and other plastics with incompatible processing conditions are not processed together in the Beverage Container Recycling Program.

*AB 1158 (Chu) Carpet Recycling.**
*Chapter 794, Statutes of 2017*
This measure makes changes to the state’s existing carpet stewardship program to establish a carpet recycling rate of 24 percent by January 1, 2020, require CalRecycle to adjust the recycling rate every three years, create an advisory committee to include representative from local government, and prohibit carpet assessment funding from
being used to pay penalties, costs for litigation against the state, or disposal or incineration of carpet.

**AB 1294 (Berman) Solid Waste. Plastic Products.**
Chapter 664, Statutes of 2017
This measure removes the January 1, 2018 sunset date on the requirement that plastic food container manufacturers maintain written records to support marketing claims related to the recycled content of their product.

Chapter 155, Statutes of 2017
This measure extends the sunset date to January 1, 2022 on the authority of the Department of Resources Recycling and Recovery (CalRecycle) to review source reduction and recycling element and household hazardous waste element solid waste plans for jurisdictions that are meeting the state's solid waste goals every four years. This measure also authorizes CalRecycle to recommend revisions to the local government solid waste plan review process by January 1, 2022.

**SB 458 (Wiener) Beverage Container Recycling. Pilot Projects.**
Chapter 648, Statutes of 2017 (Urgency)
This measure authorizes CalRecycle to approve, on or before July 1, 2020, up to five recycling pilot projects to improve redemption opportunities in unserved convenience zones. The bill identifies criteria a pilot program must meet to be eligible for approval. This measure sunsets on January 1, 2022.

**F. Petroleum Refineries**

**AB 55 (Thurmond) Refineries. Skilled and Trained Workforce.**
Chapter 608, Statutes of 2017
This measure requires refineries that claim an exemption from "skilled and trained workforce" requirements to file with the administering agency two copies of the contract: (1) a complete copy and (2) a second copy to be a public record that has been redacted to protect sensitive information including the identity of the contractor, the scope of worked covered by the contracts, the date of execution of the contract, and the term of the contract.

*AB 1646 (Muratsuchi) Refineries. Unified Program Agency. Integrated Alerting and Notification System.*
Chapter 588, Statutes of 2017
This measure requires to local implementing agency to develop an integrated alerting and notification system to notify the community surrounding a petroleum refinery in the event of an incident. This bill defines a “local implementing agency” as a local entity that has been designated by a local governing body and may include a local law enforcement or fire agency, a joint powers authority, or other local agency. The local
implementing agency must coordinate with emergency management agencies, unified program agencies, first response agencies, and the public in developing this system.

**AB 1647 (Muratsuchi) Petroleum Refineries. Air Monitoring Systems.**
Chapter 589, Statutes of 2017
This measure requires a local air district to install a community air monitoring and an owner or operator of a refinery to install fence-line monitoring systems on and near petroleum refineries by January 1, 2020 to measure and record air pollutant concentrations in the air. This bill also requires the air district and the owner or operator to provide collected real-time data to the public, to the extent feasible.

**AB 1649 (Muratsuchi) Oil Refineries. Public Safety.**
Chapter 590, Statutes of 2017
This measure requires the California Environmental Protection Agency (CalEPA), in coordination with state and local agencies, to examine ways to improve public and worker safety through enhanced oversight of refineries and strengthen emergency preparedness. This bill also requires CalEPA to hold at least two public meetings annually.

**G. Hazardous Waste**

**AB 245 (Quirk) Hazardous Waste. Enforcement.**
Chapter 499, Statutes of 2017
This measure makes California enforcement penalties for hazardous waste violations under the California Hazardous Waste Control Act consistent with federal penalties by increasing the maximum administrative and civil penalties to $70,000.

*AB 474 (E. Garcia) Hazardous Waste. Spent Brine Solutions.*
Chapter 840, Statutes of 2017
This measure exempts spent brine solutions from hazardous waste requirements if the spent brine solution is a byproduct of the treatment process for drinking water and are transferred to a surface impoundment regulated by the state regional water quality control boards.

**AB 1439 (Comm. on Environmental Safety & Toxic Materials) Hazardous Materials. Reporting.**
Chapter 301, Statutes of 2017
This measure authorizes the Department of Toxic Substances Control (DTSC) to require documents to be submitted in an electronic format, including reports, workplans, schedules, notices, requests, applications, or other documents or data.
**H. Water**

**AB 277 (Mathis) Water and Wastewater Loan and Grant Program.**
**Chapter 438, Statutes of 2017**
This measure authorizes the State Water Resources Control Board (SWRCB), to the extent funds are available, to implement low-interest loan and grant programs for counties to qualified nonprofit organizations to fund water and wastewater facilities and improvements for households and small water systems.

**AB 321 (Mathis) Groundwater Sustainability Agencies.**
**Chapter 67, Statutes of 2017**
This measure adds consideration of farmers, ranchers, and dairy professionals as holders of overlying groundwater rights when a groundwater sustainability agency considers interests of all beneficial uses and users of groundwater.

**AB 436 (Stone) San Lorenzo River.**
**Chapter 166, Statutes of 2017**
This measure authorizes state funding to be used for the final phase of the San Lorenzo River Flood Control Project in Santa Cruz, upon appropriation by the Legislature. Funding for project completion must be cost shared 70 percent from the state and 30 percent from the local project sponsor, except that the state share may not exceed the equivalent state share if there was federal project funding.

**AB 466 (Bocanegra) Upper Los Angeles River and Tributaries Working Group.**
**Chapter 341, Statutes of 2017**
This measure establishes the Upper Los Angeles River and Tributaries Working Group within the Santa Monica Mountains Conservancy to develop a revitalization plan for the Upper Los Angeles River and certain tributaries.

**AB 552 (Irwin) United Water Conservation District.**
**Chapter 294, Statutes of 2017**
This measure expands the enforcement remedies granted to the United Water Conservation District for collection of delinquent groundwater charges to include, among other things, ordering an operator to cease extraction of groundwater from a water producing facility until all delinquent fees and charges are paid and conducting inspections for the purpose of investigating compliance.

**AB 589 (Bigelow) Water Diversion. Monitoring and Reporting. University of California Cooperative Extension.**
**Chapter 471, Statutes of 2017**
This measure adds to the list of individuals qualified to install and maintain measuring devices for small domestic, small irrigation, or livestock stockpond uses, a water diverter who has completed a course on the devices or measurement method by the University of California Cooperative Extension. This measure sunsets on January 1, 2023.
**AB 707 (Aguiar-Curry) Clear Lake.**
Chapter 842, Statutes of 2017
This measure establishes the Blue Ribbon Committee for the Rehabilitation of Clear Lake within the Natural Resources Agency. The Committee is intended to spearhead activities to clean up the lake for environmental gains that will revitalize its regional significance, create jobs and incite new economic development.

**AB 851 (Caballero) Local Agency Contracts.**
Chapter 821, Statutes of 2017
This measure extends until January 1, 2023 the authority for counties to use construction manager at-risk contracting for projects in excess of $1 million, extends the authority to the City of San Diego, and allows the Santa Clara Valley Water District to use the design-build procurement method.

Chapter 90, Statutes of 2017
This measure authorizes the governing board of a school district to enter into a Go Low Flow Water Conservation Partnership with a public water system for purposes of reducing water use at schools, reducing stormwater and dry weather runoff at schools, reducing schoolsite water pollution, and establishing the basis for educational opportunities in water conservation. As part of a partnership, a public water system may offer a rebate for a school that implements water-saving measures.

**AB 1361 (E. Garcia) Municipal Water Districts. Water Service. Indian Tribes.**
Chapter 449, Statutes of 2017
This measure authorize a municipal water district, upon the request of an Indian tribe that has satisfied conditions in existing law, to apply to a local agency formation commission (LAFCO) to extend water service to Indian lands that are outside the district at substantially the same terms applicable to the customers of the district as if the lands had been fully annexed within the district until January 1, 2023. This measure also requires the LAFCO to approve the application, but allows the LAFCO to impose terms and conditions in accordance with existing law.

Chapter 327, Statutes of 2017
This measure makes changes to update the codes related to the Environmental Laboratory Accreditation Act (ELAA), based on previous legislation that transferred the Drinking Water Program from the California Department of Public Health to the State Water Resources Control Board (SWRCB) (SB 861, Committee on Budget and Fiscal Review, Chapter 35, Statutes of 2014). This bill makes conforming changes, establishes administrative actions for enforcing the ELAA, and establishes a judicial review process for lab permit revocation, and other conforming changes.
AB 1558 (C. Garcia) Los Angeles River. River Ranger Program.
Chapter 452, Statutes of 2017
This measure requires the Santa Monica Mountains Conservancy and the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy to develop a river ranger program. The bill requires the conservancies to collaborate with Department of Parks and Recreation, the California Conservation Corps, and the State Lands Commission, and to solicit participation from local governments that have jurisdiction over segments of the river, including the City of Los Angeles and the County of Los Angeles.

Chapter 852, Statutes of 2017 (Urgency)
This measure places on the June 2018 ballot a $4 billion bond with major funding allocated to state and local parks, water infrastructure and drinking water, and climate and environmental programs. (The League has prepared a comprehensive summary of this measure in Appendix A of this document.)

SB 214 (Atkins) San Diego River Conservancy.
Chapter 306, Statutes of 2017
This measure expands the number of voting members of the San Diego River Conservancy from 11 to 15 and aligns the Conservancy’s powers and authorities with other permanent conservancies, including the ability to enter into a joint powers agreement and to seek repayment of monies granted if the terms and conditions of the grant are not met.

SB 252 (Dodd) Water Wells.
Chapter 538, Statutes of 2017
This measure establishes conditions on the issuance of water well permits for wells in critically overdrafted basins, including requiring the application to provide information such as the location, depth, capacity, and distances to pollution sources, of the proposed well. This bill also requires the city or county that receives the well permit application must make the information available to the public and to groundwater sustainability agencies. This bill exempts from these new requirements, a proposed water well that would be a de minimis extractor, a replacement water well that does not increase water extraction, a new water well within an area subject to an adopted groundwater sustainability plan, a city or county that has a process that substantially complies, or a city or county municipal well. This measure sunsets on January 30, 2020.

SB 372 (Cannella) San Joaquin River Exchange Contractors Groundwater Sustainability Agency.
Chapter 357, Statutes of 2017 (Urgency)
This measure creates the San Joaquin River Exchange Contractors Groundwater Sustainability Agency in the Counties of Fresno, Madera, Merced, and Stanislaus to develop and implement a groundwater sustainability plan with the powers granted to groundwater sustainability agencies by the Sustainable Groundwater Management Act.
SB 373 (Cannella) Public Contracts. Design-Build. Stanislaus Regional Water Authority.
Chapter 391, Statutes of 2017
This measure allows the Stanislaus Regional Water Authority to utilize design-build to construct its proposed surface water supply project.

Chapter 430, Statutes of 2017
This measure enacts the Water Bill Savings Act, which allows joint powers authorities (JPA) to finance water conservation improvements to private property for a customer of a local agency or its publicly owned utility located in the Counties of Alameda, Contra Costa, Los Angeles, San Mateo, Santa Clara, Solano, or Sonoma. The measure requires a written agreement to be executed at the time of the efficiency improvement’s installation between the customer, all property owners, the JPA, and the local agency or publicly owned utility and requires a customer to repay the costs through an efficiency charge on the water bill.

Chapter 309, Statutes of 2017
This measure revises the authorization for flood control along the American and Sacramento Rivers, and the Natomas Basin, as modified by Congress in the 2016 Water Resources Development Act (within the Water Infrastructure Improvements for the Nation Act).

SB 615 (Hueso) Salton Sea Restoration.
Chapter 859, Statutes of 2017
This measure renames the Salton Sea Restoration Plan in honor of John J. Benoit, exempts structures designed to separate fresh water from highly saline water from being considered dams, and contains findings and declarations regarding deteriorating physical conditions, the importance of habitat restoration, and air quality concerns.

SB 634 (Wilk) Santa Clarita Valley Water Agency.
Chapter 465, Statutes of 2017
This measure combines the Castaic Lake Water Agency and Newhall County Water District into the Santa Clarita Valley Water Agency (SCVWA) and provides organizing statutes. This bill also grants the SCVWA, on a five-year pilot basis, design-build and construction manager at risk contracting authority for recycled water capital facilities contracts over $500,000, if SCVWA enters into a community workforce agreement with the Los Angeles/Orange Counties Building and Construction Trades Council before September 1, 2018.

SB 667 (Atkins) Department of Water Resources. Riverine and Riparian Stewardship Improvements.
Chapter 543, Statutes of 2017
This measure codifies the Riverine and Riparian Stewardship Program, which builds upon the Urban Stream and Restoration and Fish Passage Improvement programs at
the Department of Water Resources (DWR), to implement watershed-based riverine and riparian stewardship improvements. Subject to appropriation, DWR may provide technical and grant funding support for projects that reduce flood risk, restore and enhance fish populations and habitat, improve water quality, achieve climate change benefits, and ensure resilient ecological function in urban and urbanizing areas.

I. Water – Drinking Water

AB 339 (Mathis) State Water Pollution Cleanup and Abatement Account. Chapter 439, Statutes of 2017
This measure extends the ability of the SWRCB to fund projects addressing an urgent drinking water need from the Cleanup and Abatement Account by deleting the sunset for this provision. This measure also adds funds to be paid into the account and authorizes SWRCB to issue loans to a public agency, nonprofit, or community water system to assist in cleaning up a waste, abating the effects of a waste on waters on the state, or addressing an urgent drinking water need.

AB 560 (Salas) Safe Drinking Water State Revolving Fund. Project Financing. Severely Disadvantaged Communities. Chapter 552, Statutes of 2017
This measure authorizes the SWRCB to provide principal forgiveness, grant funding, and zero percent financing to a water system serving a severely disadvantaged community if the water system demonstrates that repaying a Safe Drinking Water State Revolving Fund loan would result in unaffordable water rates.

AB 574 (Quirk) Potable Reuse. Chapter 528, Statutes of 2017
This measure requires the SWRCB to adopt uniform water recycling criteria for direct potable reuse through raw water augmentation by December 31, 2023. As part of developing the criteria, the SWRCB must solicit stakeholder input from various stakeholders and submit the proposed criteria to an expert review panel.

AB 1671 (Caballero) Backflow Protection and Cross-Connection Controls. Standards. Chapter 533, Statutes of 2017
This measure requires the SWRCB to update its backflow protection and cross-connection regulations for drinking water distribution systems by January 1, 2020, in consultation with state and local agencies. The bill also authorizes the SWRCB to adopt standards for backflow protection and cross-connection control through the adoption of a policy handbook.
J. Water – Quality

AB 355 (Chu) Water Pollution. Enforcement.  
Chapter 524, Statutes of 2017  
This measure makes changes to the enforcement authority of the State Water Resources Control Board (SWRCB). Specifically, this bill:

- Authorizes SWRCB to impose civil liability administratively on an owner of an underground storage tank for failure to comply with various requirements;
- Requires the executive director of SWRCB to consult with the appropriate local agency or agencies before issuing a complaint;
- Changes the definition of “a publicly owned treatment works serving a small community,” in the context of assessing penalties for discharge violations, from a publicly owned treatment works (POTWs) serving a population of 10,000 persons or fewer with a financial hardship to a POTWs serving a population of 20,000 persons or fewer with a financial hardship;
- Changes the date, from January 1 to December 31, by which SWRCB must report annually regarding its enforcement activities related to waste discharge violations, compliance updates, and an analysis of the effectiveness of current enforcement policies; and
- Changes the date, from February 1 to December 31, by which SWRCB, after any necessary investigation, must annually make public a report related to general storm water National Pollutant Discharge Elimination System (NPDES) permits, dischargers that failed to submit an annual report or construction certification, and penalties assessed.

AB 619 (Dahle) Sierra Lakes County Water District.  
Chapter 109, Statutes of 2017  
This measure authorizes the Sierra Lakes County Water District to adopt, by ordinance, requirements relating to the installation and use of small above ground or underground tanks used for the storage of petroleum in order to regulate or control the discharge of pollutants from those tanks into groundwater or surface water.

Chapter 746, Statutes of 2017  
This measure requires a community water system that serves a school with a building constructed before January 1, 2010, to test for lead in the potable water system of the school before July 1, 2019. This measure requires community water systems and local educational agencies to take additional action if lead levels exceed 15 parts per billion.

AB 1180 (Holden) Los Angeles County Flood Control District. Taxes, Fees, and Charges.  
Chapter 617, Statutes of 2017  
This measure authorizes the Los Angeles County Flood Control District to levy a special tax to manage stormwater, subject to voter approval in compliance with California Constitution Article X111C. This measure modifies the allocation formula for revenues
as follows: 10 percent to the District, 40 percent to Los Angeles County and the cities within the District, and 50 percent for implementation, operation and maintenance, and administration of watershed-based regional projects and programs. This measure also expands eligible uses of proceeds to multiple benefit projects that increase water supply, improve water quality, or provide community enhancements.

**AB 1328** (Limón) Oil and Gas. Water Quality.  
**Chapter 758, Statutes of 2017**  
This measure authorizes a regional water quality control board or the SWRCB, while conducting an investigation of wastewater discharge produced from an oil or gas field, to require disclosure of chemicals in the discharged wastewater, including from the chemical supplier. Collected chemical information must be make publicly available on the regional water board or SWRCB website, unless trade secret protections apply.

**SB 231** (Hertzberg) Local Government. Fees and Charges.  
**Chapter 536, Statutes of 2017**  
This measure clarifies that the definition of “sewer” includes stormwater for the purpose of the Proposition 218 Omnibus Implementation Act. This measure also includes related findings and declarations.

**Chapter 238, Statutes of 2017**  
This measure clarifies that lead user service lines requirements apply to community water systems and adds certain requirements. Specifically, this bill:

- Requires a community water system to compile an inventory of lead user service lines in its distribution system and identify areas that may have lead user service lines by July 1, 2018;
- Requires a community water system to provide a timeline for the replacement of known lead service lines in its distribution system to the SWRCB by July 1, 2020;
- Clarifies the process by which SWRCB and the community water system must agree on a timeline for replacing user service lines known to contain lead; and
- Authorizes SWRCB to enforce provisions of the California Safe Drinking Water Act related to lead in service lines of a public water system and a community water system.

**Chapter 811, Statutes of 2017**  
This measure requires the SWRCB, in consultation with the regional water quality control boards, and the Division of the State Architect within the Department of General Services, to develop best design practices for storm water and dry weather runoff capture that can be applied to new, reconstructed, or altered public schools. The recommendations must be submitted to the Governor and the Legislature by January 1, 2019 and posted on the Department of Education’s website by March 1, 2019.
K. Miscellaneous

AB 184 (Berman) Sea Level Rise Planning. Database.
Chapter 338, Statutes of 2017
This measure extends the sunset date for the Planning for Sea Level Rise Database for five years, until January 1, 2023. This database is composed of information from a variety of state agencies and other entities, which are required to report on sea level rise projects and planning information to the Natural Resources Agency twice annually.

AB 465 (Ting) Urban Agricultural Incentive Zones.
Chapter 313, Statutes of 2017
This measure extends the sunset of the Urban Agriculture Incentive Zones (UAIZ) Act from January 1, 2019 to January 1, 2029 and makes technical changes to the UAIZ Act. The UAIZ authorizes a city, county, or city and county to establish by ordinance an urban agriculture incentive zone for the purpose of entering into voluntary contracts with landowners to enforceably restrict the use of certain vacant, unimproved, or otherwise blighted lands for small-scale production of agricultural crops and animal husbandry.

AB 593 (Gloria) Structural Fumigation Enforcement Program.
Chapter 225, Statutes of 2017
This measure extends the sunset date for the Structural Fumigation Enforcement Program from to January 1, 2023. Under the Structural Fumigation Enforcement Program, structural fumigation companies in the Counties of Los Angeles, Orange, Santa Clara, and San Diego pay a fee to the county agricultural commissioner to perform increased structural fumigation, inspection, and enforcement activities.

AB 718 (Frazier) Mosquito Abatement and Vector Control Districts. Managed Wetland Habitat. Memoranda of Understanding.
Chapter 446, Statutes of 2017
This measure provides for the use of memoranda of understanding (MOU) between landowners whose property includes managed wetland habitat and mosquito abatement districts with the goal of establishing a process to implement best management practices.

AB 836 (Chiu) Vending Machines. Bulk Food.
Chapter 259, Statutes of 2017
This measure adds to the list of circumstances in which the Department of Public Health (DPH) can allow a variance from an existing food safety requirement to allow the dispensing of bulk potentially hazardous food from vending machines. This measure is intended to allow the dispensing of health juice from robotic vending machines.

AB 861 (Dahle) Africanized Honey Bees.
Chapter 143, Statutes of 2017
This measure authorizes a county agricultural commissioner to take abatement action against a hive containing Africanized or overly defensive honey bees if the hive is a public nuisance. This measure only applies in the absence of a local ordinance.
**AB 944 (Limon) California Spiny Lobster Commission.**  
**Chapter 503, Statutes of 2017**  
This measure creates the California Spiny Lobster Commission to maintain the spiny lobster commercial fishing industry through research, promotion, and education. This Commission will not begin operation unless it passes a referendum vote of fisherman.

**AB 954 (Chiu) Food Labeling. Quality and Safety Dates.**  
**Chapter 787, Statutes of 2017**  
This measure defines the food labels of “quality date”, “safety date”, and “sell by date”. It also requires the Department of Food and Agriculture, in consultation with DPH, to publish information by July 1, 2018 that encourages food manufacturers, processors, and retailers responsible for labeling food products to voluntarily use “best by” and “use by” labels.

**AB 1197 (Limon) Oil Spill Contingency Plans. Spill Management Teams.**  
**Chapter 584, Statutes of 2017**  
This measure creates the statutory framework for the use of spill management teams in oil spill planning, prevention and response. Among other things, this bill requires oil spill contingency plans to identify at least one certified spill management team with personnel and equipment to manage all aspects of response, containment, and clean up of a spill using an incident command or unified command structure.

**AB 1530 (Gonzalez Fletcher) Urban Forestry.**  
**Chapter 720, Statutes of 2017**  
This measure updates the California Urban Forestry Act, administered by Department of Forestry and Fire Protection (CALFIRE) to promote the use of funds for integrated projects with multiple benefits in urban communities, requires CALFIRE to establish local or regional targets for urban tree canopy, and requires CALFIRE to consult with SWRCB to identify opportunities to improve water resources management through urban forestry projects. This measure also redefines “disadvantaged community” to mean a community identified through CalEnviroScreen 3.0 and redefines “low-income community” to mean a community as a census tract with a median household income at or below 80 percent of the statewide median income or below the low-income threshold according to the Department of Housing and Community Development.

**AB 1583 (Chau) Proposition 65. Enforcement. Certificate of Merit. Factual Basis.**  
**Chapter 510, Statutes of 2017**  
This measure requires the Governor’s Office of Business and Economic Development to post informational materials on its website related to the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65), requires the Attorney General to serve a letter if the Attorney General believes there is no merit to alleged violations of Proposition 65, and clarifies that the basis for the certificate of merit is only subject to discovery to the extent that the information is not subject to legal privilege.
SB 44 (Jackson) State Lands. Coastal Hazard and Legacy Oil and Gas Well Removal and Remediation Program.  
Chapter 645, Statutes of 2017  
This measure requires the State Lands Commission (SLC) to administer a coastal hazard removal and remediation program, upon appropriation by the Legislature. The program must include an assessment of legacy oil and gas wells and coastal hazards, studying and monitoring oil seepage with experts to facilitate innovative solutions, and beginning to remediate improperly abandoned legacy oil and gas wells that have a high risk of leaking and are hazardous to health and safety and the environment.

Chapter 535, Statutes of 2017  
This measure discourages conveyances of federal public lands in California to third parties and provides the State Lands Commission (SLC) with the first right of refusal or the right to arrange the transfer to a third party. This bill also requires the SLC to waive its right of first refusal for routine conveyances, conveyances pursuant to a conservation plan, lease renewals that existed as of January 1 2017, and tribal conveyances.

SB 365 (Dodd) Regional Park and Open-Space Districts. County of Solano.  
Chapter 216, Statutes of 2017  
This measure allows the Solano County Board of Supervisors to initiate the formation of a regional park and open space district by adopting a resolution and calling an election.

Chapter 425, Statutes of 2017  
This measure provides technical clean up of the Public Utilities Code, including repeal of outdates provisions, clarification of existing report provisions, clarification of existing authority to establish periods when ex parte communications are prohibited, and additional requirements to notify local jurisdictions and the public of proposed area code changes.

SB 492 (Beall) Midpeninsula Regional Open Space District. Purchase of Property San Jose Water Company.  
Chapter 359, Statutes of 2017  
This measure authorizes the San Jose Water Company to sell lands in the Upper Guadalupe watershed to the Midpeninsula Regional Open Space District without PUC review and approval of the sale. This measure sunsets on January 1, 2023.

SB 507 (Hueso) Tijuana River Valley.  
Chapter 542, Statutes of 2017 (Urgency)  
This measure authorizes funds that were previously granted to the County of San Diego to be used for improvement of the Tijuana River Valley, the development of a planned campground, and to update or conduct studies related to wastewater and improvement and protection of natural lands.
SB 724 (Lara) Oil and Gas Wells and Production Facilities.
Chapter 652, Statutes of 2017
This measure authorizes the Division of Oil, Gas, and Geothermal Resources to spend up to $3 million for four years to plug and abandon hazardous or deserted wells or production facilities. The bill also requires the Division to develop criteria and make recommendations to the Legislature regarding optimizing involvement of local agencies in the process of plugging and abandoning wells and decommissioning facilities on October 1, 2020, and update its report with additional data on October 1, 2023.

SR 62 (Wilk) Relative to the City of Lancaster.
Adopted on September 17, 2017
This measure recognizes the City of Lancaster for developing and implementing a community choice aggregator program and makes related findings.
III. Governance, Transparency and Labor Relations

A. California Public Records Act (CPRA)

**AB 492** (Grayson) Advertising and Solicitations. Government Documents.  
Chapter 293, Statutes of 2017  
This measure permits a nongovernmental entity to solicit a fee for providing a copy of a public record so long as the solicitation meets specific requirements set by the parent government agency. These requirements include, but are not limited to: including a prescribed statement declaring that the solicitation is an advertisement and not from a government agency, listing the fee charged by the relevant state or local agency that has custody of the record, and including the necessary information to contact the state or local agency that has custody of the record.

Chapter 560, Statutes of 2017  
This measure exempts from required disclosure under the California Public Records Act any local agency records related to collective bargaining if those records reveal a local agency’s deliberative processes, impressions, valuations, opinions, recommendations, meeting minutes, research, work products, theories, strategy; or that provide instruction, advice, or training to employees who do not have full collective bargaining and representation rights under the Myers-Milius-Brown Act (MMBA). This measure brings the law into conformity with current exemptions for similar collective bargaining related information for state employees.

**SB 788** (Lara) Insurance. Licensing. Requirements.  
Chapter 487, Statutes of 2017  
This measure permits individuals to submit an individual taxpayer identification number (ITIN) in lieu of a social security number (SSN) when applying for or renewing specified types of insurance licenses. This measure also limits the California Public Records Act exemption by requiring a federal employer identification number, ITIN, or SSN furnished pursuant to this act be collected, recorded, and used only for licensing and administration purposes, and be exempt from the California Public Records Act.

B. Elections

**AB 4** (Waldron) Voter Notification.  
Chapter 29, Statutes of 2017  
This measure permits an elections official to notify an individual by text message or email when an affidavit of registration is submitted or updated in accordance with existing law.
Chapter 105, Statutes of 2017
This measure requires all local ballot measures that intend to impose or affect the rate of a tax to include a clear and specific synopsis of the tax. This bill extends an existing requirement that is applicable to only local initiative measures placed on the ballot by a petition signed by voters.

AB 469 (Cooper) Candidates. Nomination Documents.
Chapter, Statues of (Urgency)
This measure decreases the number of required signatures on an in-lieu-filing-fee petition. This measure also deletes the authorization that allows a candidate to submit a supplemental petition to cover any deficiency, and instead only permits the candidate to pay a pro rata portion of the filing fee. Additionally, it requires in-lieu-filing-fee petitions to be made available 60 days, instead of 45 days, before the first day for circulating nomination papers.

AB 606 (Berman) State Voter Information Guides.
Chapter 656, Statutes of 2017
This measure eliminates the requirement that the state voter information guide contain the complete text of each ballot measure. A phone, internet, and mailing option will be provided at no cost to those who wish to access the complete text of each ballot measure.

*AB 765 (Low) Local Initiative Measures. Submission to the Voters.
Chapter 748, Statutes of 2017
This measure eliminates the requirement that gives local initiative proponents the option to require a local jurisdiction to hold a special election to vote on their proposed initiative measure if the governing body chooses not to adopt the measure without alterations, and instead generally provides for the measure to be submitted to voters at a regularly scheduled election.

AB 801 (Weber) County of San Diego Citizens Redistricting Commission.
Chapter 711, Statutes of 2017
This measure increased the membership of the Independent Redistricting Commission of San Diego County from five members and two alternates to 14 members and no alternates. This measure imposes restrictions to eliminate conflicts of interest and requirements to increase public involvement in the redistricting process.

Chapter 819, Statutes of 2017
This measure makes significant changes to partisan primary election processes and procedures to improve the voting process for voters that decline to disclose a political party preference.
**AB 840 (Quirk) Elections. Vote By Mail and Provisional Ballots.**
Chapter 820, Statutes of 2017
This measure permits a voter who did not sign his or her vote by mail (VBM) identification envelope to return a completed unsigned ballot statement by email.

**AB 901 (Gloria) County of San Diego. Local Elections.**
Chapter 713, Statutes of 2017
This measure authorizes a charter amendment to appear on the San Diego County ballot to require candidates for county office to be elected at the general election.

**AB 918 (Bonta) California Voting for All Act.**
Chapter 845, Statutes of 2017
This measure expands requirements to ensure availability and accessibility to facsimile ballots in languages other than English.

**AB 1044 (Quirk) State Voter Information Guide. Vote By Mail and Provisional Ballot Verification.**
Chapter 85, Statutes of 2017
This measure requires the state voter information guide to display the Internet website address for a voter to check the status of his or her vote by mail or provisional ballot.

**AB 1154 (Nazarian) Official Canvass. One-Percent Manual Tally.**
Chapter 88, Statutes of 2017
This measure prohibits an elections official from randomly choosing the initial precincts or selecting an additional precinct for the manual tally until after the close of polls on Election Day.

**AB 1194 (Dababneh) Elections. Local Bond Measures. Tax Rate Statement.**
Chapter 795, Statutes of 2017
This measure requires the fiscal statement that is required to be included in the sample ballot for local bond measures to include the best estimate from official sources of the average annual tax rate that would be required to be levied to fund the bond issue over the entire duration of the bond debt service. This measure also requires the estimate to identify the final fiscal year in which the tax is anticipated to be collected.

**AB 1344 (Weber) Voting Rights. Inmates and Persons Formerly Incarcerated.**
Chapter 796, Statutes of 2017
This measure requires the California Department of Corrections and Rehabilitation (CDCR) and county probation departments to provide voting rights information to persons with criminal history or incarceration records under their jurisdiction, upon request.

**AB 1403 (Obernolte) Military and Overseas Voters.**
Chapter 797, Statutes of 2017
This measure permits a military or overseas voter who has moved after the closing date of registration to register to vote.
**AB 1729 (Comm on Elections and Redistricting) Examination of petitions**
Chapter 354, Statutes of 2017
This measure requires a county elections official to save referendum and initiative petitions until one year from the date that proponents of a measure last examined the petition.

**AB 1730 (Comm. on Elections and Redistricting) Elections Omnibus Bill.**
Chapter 118, Statutes of 2017
This measure requires a county elections official to attempt to contact the affidavit and collect any missing information on an affidavit of registration, should there be any information missing. This measure also clarifies that the residence address must include the street and number, city and zip code of each of the proponents of the recall.

* **ACA 17 (Mullin) Ballot Measures. Effective Date.**
Chapter 190, Statutes of 2017
This measure states that any initiative statute, referendum, or constitutional amendment approved by voters takes effect on the fifth day after the Secretary of State files the statement of the vote.

**AJR 1 (Low) Presidential Elections. Electoral College.**
Chapter 122, Statutes of 2017
This measure urges the United States Congress to propose a constitutional amendment to abolish the Electoral College and provide for the direct election of the President and Vice President by popular vote of United States citizens.

**SB 235 (Allen) Elections. Ballot Designation Requirements.**
Chapter 512, Statutes of 2017
This measure imposes additional requirements for a designation that may appear under the name of a candidate for judicial office. The measure would apply to all judicial elections occurring on or after January 1, 2018.

* **SB 286 (Stern) Elections. Voting.**
Chapter 806, Statutes of 2017
This measure permits vote by mail (VBM) voters who are unable to surrender their VBM ballots to vote a regular, non-provisional ballot, if the precinct board, vote center election board, or elections official verifies that the voter has not returned the VBM ballot; and, notates the voter's record to ensure that the VBM ballot is not cast or tabulated after the person votes at the polls.

**SB 332 (Stern) Voter Registration. Foster Youth.**
Chapter 161, Statutes of 2017
This measure requires the State Department of Social Services to include the voter registration page on the Secretary of State’s (SOS) Internet Website, the toll-free telephone number maintained by the Secretary of State that contains election-related information, and the email address of the SOS on a flyer for the Independent Living Program and various other locations, as specified. The measure also authorizes county
social workers to provide a voter registration form to a child 16 years of age or older or a nonminor dependent.

**SB 511 (Stern) Elections. Secretary of State.**
Chapter 394, Statutes of 2017
This measure requires the Secretary of State to make reasonable efforts to promote voter registration, civic learning and engagement, and voting especially in underrepresented communities.

*SB 568 (Lara) Primary Elections. Election Date.*
Chapter 335, Statutes of 2017
This measure, beginning in 2019, changes the date of the statewide direct primary and the presidential primary to the first Tuesday after the first Monday in March and would continue the requirement that those elections be consolidated.

**SB 665 (Moorlach) Elections. Ballot Measures.**
Chapter 75, Statutes of 2017
This measure requires an organization or association submitting an argument for or against a measure to also submit additional information to the applicable city or county elections official to enable that official to determine if it qualifies as a bona fide association of citizens.

**SJR 3 (Hill) Presidential Elections. Electoral College.**
Chapter 100, Statutes of 2017
This measure urges the state legislature and governor of each state to ratify the Agreement Among the States to Elect the President by National Popular Vote so that the President and Vice President of the United States are directly elected by the popular vote of all eligible citizens of the United States.

**HR 12 (Gomez). Relative to Voter Education.**
Adopted May 18, 2017
This measure states that during the next revision of the history-social science curriculum framework after January 1, 2018, the Assembly requests the Instructional Quality Commission to consider including content on the importance of preregistering to vote in local, state, and federal elections, how to preregister to vote, both online and by mail, and the requirements for preregistering to vote.

**C. Fair Political Practices Commission (FPPC)**

**AB 187 (Gloria) Political Reform Act of 1974. Local Ballot Measure Contribution and Expenditure Reporting.**
Chapter 183, Statutes of 2017
This measure adds to the Political Reform Act of 1974 by requiring all contributions of $5,000 or more made by a committee in support or opposition of a local initiative or referendum ballot measure to be disclosed in a campaign report.
Chapter 546, Statutes of 2017
This measure repeals some of the existing requirements surrounding disclosure statements on campaign advertisements and adds provisions that make such disclosures more prominent.

Chapter 196, Statutes of 2017
This measure prohibits former local government officials from appearing before or communicating with their former agency for compensation, as an independent contractor for one year after leaving the position.

Chapter 749, Statutes of 2017
This measure adjusts various provisions of the Political Reform Act (PRA) that are located within the definition of the term "contribution" allowing other terms and reporting requirements to be relocated to their own sections of the PRA.

Chapter 111, Statutes of 2017
This measure eliminates the requirement for entities that file campaign statements via online format to file an additional copy of those statements in a paper format, assuming the Secretary of State’s online electronic systems are operating effectively.

AB 1367 (Berman) Improper Signature-Gathering Tactics.
Chapter 848, Statutes of 2017
This measure asserts that any entity in charge of a person who circulates an initiative, referendum, or recall petition who knowingly directs an affidavit to make a false affidavit or knows that an affiant has made a false affidavit will be subjected to a fine not exceeding $5,000 or county jail imprisonment not exceeding one year, or by both fine and imprisonment.

Chapter 827, Statutes of 2017
The measure prohibits a mass mailing from being sent within the 60 days preceding an election by or on behalf of a candidate whose name will appear on the ballot. A willful violation of the act’s provisions is punishable as a misdemeanor.

Chapter 855, Statutes of 2017
This measure requires specified slate mailers to disclose on the mailing whether or not the slate mailer organization who sent them represents public safety personnel and, if so, how many.
Chapter 622, Statutes of 2017 (Urgency)
This measure permits the City Council of the City of Sacramento and the Fair Political Practices Commission (FPPC) to enter into an agreement that provides for the FPPC to enforce Sacramento’s campaign finance ordinance. The measure requires that the FPPC report specified information to the Legislature regarding the performance of that agreement on or before January 1, 2022. The measure sunsets on January 1, 2023.

Chapter 624, Statutes of 2017
This measure requires the Secretary of State to conspicuously post on his or her Internet Website hyperlinks to the Internet Website of any local government agency that contains publicly disclosed campaign finance information and to update these hyperlinks accordingly.

D. Personnel and Labor Relations

Chapter 605, Statutes of 2017
This measure amends the California Whistleblower Protection Act (CWPA) by requiring the State Auditor’s Office (SAO) to create the means for complaints involving misconduct within the agency to be made to an outside investigator.

AB 46 (Cooper) Employers. Wage Discrimination.
Chapter 776, Statutes of 2017
This measure expand the California Equal Pay Act to public sector employees.

*AB 119 (Comm. on Budget) State Government
Chapter 21, Statutes of 2017 (Urgency)
This measure requires state and local public employers to provide the exclusive representative access to new employees for the purpose of a new employee orientation. Specifically:
- Time, place and manner of the orientation including frequency, duration, compensated time, in-person or not would be decided locally through the bargaining process.
- Should impasse occur, parties would then go to binding interest arbitration whereby both parties would evenly split such costs.
- The public employer has the option to go through PERB but would then default to current law whereby the employer is responsible for all costs and
- Employer must provide information for new and existing employees every 30 days or in conjunction with payroll. Information includes: work phone, work address, email, home phone and home address. (Note: This information is already available for exclusive representatives under the California Public Records Act).
The League has prepared a comprehensive summary of this measure in Appendix A of this document.

*AB 168 (Eggman) Employers. Salary Information. Chapter 688, Statutes of 2017
This measure prohibits all employers, including the Legislature, the state, and local governments from relying on an applicant’s salary history as a factor in determining whether to offer employment to an applicant or what salary to offer. This measure also prohibits an employer from seeking undisclosed salary information of an applicant and requires employers to provide a pay scale for a position of employment, upon request.

*AB 450 (Chiu) Employment Regulation. Immigration Worksite Enforcement Actions. Chapter 492, Statutes of 2017
This measure prohibits both private and public sector employers from allowing federal immigration enforcement agents access to nonpublic areas of a work place without a properly executed warrant.

AB 1008 (McCarty) Employment Discrimination. Conviction History. Chapter 789, Statutes of 2017
This measure prohibits both private and public sector employers, with certain exceptions, from inquiring or considering an applicant’s conviction history prior to a conditional offer of employment. This measure additionally sets requirements regarding the consideration of conviction histories in employment decisions.

This measure updates the Fair Employment and Housing Act (FEHA) to include gender inclusive references to individuals, including reference to pregnancy, in order to clarify that all Californians are protected against discriminations regardless of gender identity.

This measure extends the length of the “revolving door ban,” in which a former member of the California State Legislature must refrain from any contact that could lead to legislative influence, beginning when a member of the Legislature resigns from office to ensure that it remains in effect until a year has passed since the end of the legislative session in which the member resigns.

SB 63 (Jackson) Unlawful Employment Practice. Parental Leave. Chapter 686, Statutes of 2017
This measure makes it an unlawful employment practice for an employer of 20 or more employees to refuse to allow an eligible employee to take up to 12 weeks of job protected parental leave. This measure also prohibits an employer from refusing to maintain and pay for the employee’s continued group health coverage during the duration of the leave. This measure also establishes the Mediation Division Program as
a pilot program to remain in effect only until January 1, 2020, and as of that date is
repealed.

*SB 285 (Atkins) Public Employers. Union Organizing.
Chapter 567, Statutes of 2017
This measure prohibits a public employer from deterring or discouraging public
employees from becoming or remaining members of an employee organization. The
measure grants the Public Employment Relations Board jurisdiction over violations of its
provisions.

Chapter 460, Statutes of 2017
The measure authorizes the Division of Labor Standards Enforcement to commence an
investigation of an employer, with or without a complaint being filed, when specified
retaliation or discrimination is suspected during the course of a wage claim or other
specified investigation being conducted by the Labor Commissioner. The measure
authorizes the commissioner, upon finding reasonable cause to believe that any person
has engaged in or is engaging in a violation, to petition a superior court for prescribed
injunctive relief.

SB 575 (Leyva) Patient Access to Health Records.
Chapter 626, Statutes of 2017
This measure expands a provision of law that entitles a patient to a copy, at no charge,
of the relevant portion of the patient’s records that are needed to support an appeal
regarding eligibility for certain public benefit programs.

E. Privacy, Technology, and Transparency

*AB 22 (Bonta) Secretary of State. Storing and Recording Electronic Media.
Chapter 834, Statutes of 2017
This measure authorizes state agencies and local governments to retain public records
through the use of cloud computing storage service, for permanent archival storage.

AB 32 (Rodriguez) California State Auditor.
Chapter 606, Statutes of 2017
This measure would establish a comprehensive recruitment process for California State
Auditor candidates conducted by the Joint Legislative Audit Committee (JLAC) in order
to select three qualified individuals. As in current law, the Governor would then select a
candidate to appoint as the State Auditor.

Chapter 137, Statutes of 2017
This measure repeals the January 1, 2018 sunset date of the authorization of the health
authority to establish a remote quorum via teleconference in compliance with the Brown Act.
Chapter 291, Statutes of 2017
This measure restricts the public disclosure of video and audio recordings (under the California Public Records Act) held by law enforcement that depict a victim of sexual or domestic violence. This measure would require that the victim or victim’s family be given access to a copy of the recording.

Chapter 108, Statutes of 2017
This measure permits the counties of Santa Clara, Santa Cruz, and San Mateo to jointly share information regarding families at risk for child abuse and neglect and intends this information to be shared for the purpose of better serving affected families and children to prevent abuse and neglect. This measure outlines specific confidentiality assurances be met prior to information distribution.

AB 1022 (Irwin) Information Technology. Technology Recovery Plans. Inventory.
Chapter 790, Statutes of 2017
This measure requires all state agencies, as part of their Technology Recovery Plan, to provide the Department of Technology an inventory of all critical infrastructure controls and their associated assets.

Chapter 715, Statutes of 2017
This measure modifies the definition of the terms “political cyberfraud” and “political Website” to include Internet Websites that urge or appear to urge the support or opposition of candidates for public office.

AB 1223 (Caballero) Construction Contract Payments. Internet Website Posting.
Chapter 585, Statutes of 2017
This measure requires a state agency receiving construction contract payments of $25,000 or more to disclose the project for which the payment was made, the name of the contractor or company, the date payment was made, the payment application number, and the amount of payment on the agency’s website.

AB 1339 (Cunningham) Public Employment. Background Investigations.
Chapter 89, Statutes of 2017
This measure requires an employer to disclose employment information relating to a current or former employee who has applied for a position other than a sworn peace officer within a law enforcement agency.

HR 10 (Chau) Relative to California Data Privacy Day.
Adopted
This measure states that the California Assembly declares January 28, 2017 as Data Privacy Day, to increase awareness of privacy and data protection issues among consumers, organizations, and government officials.
Chapter 826, Statutes of 2017  
This measure directs California state and local governments to refrain from initiating, participating in, or assisting with any program to create a religious list, registry, or database, or using information about people’s national origin or ethnicity to achieve the same basic purpose.

*SB 54 (de León) Law Enforcement. Sharing Data.*  
Chapter 495, Statutes of 2017  
This measure repeals existing law stating that when there is reason to believe that a person arrested for a violation of a controlled substance may not be a citizen of the United States, the arresting agency shall notify the appropriate agency of the United States who has having charge of deportation matters. It also prohibits state and local law enforcement agencies from using money or personnel to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes.

The measure requires, by October 1, 2018, the Attorney General to publish model policies limiting assistance with immigration enforcement to the fullest extent possible for use by public schools, public libraries, health facilities operated by the state or a political subdivision of the state, and courthouses. It requires, among others, all public schools, health facilities operated by the state to implement the model policy.

It requires law enforcement agencies choosing to participate in a joint law enforcement task force to submit a report annually pertaining to task force operations to the Department of Justice.

The measure requires the Attorney General, by March 1, 2019, and annually thereafter, to report on the types and frequency of joint law enforcement task forces, and to post those reports and additional specified information on the Attorney General’s Website. It also requires law enforcement agencies to report to the department annually regarding transfers of persons to immigration authorities. It also requires the Attorney General to publish guidance, audit criteria, and training recommendations regarding state and local law enforcement databases, for purposes of limiting the availability of information for immigration enforcement.

This measure requires the Department of Corrections and Rehabilitation to provide a specified written consent form in advance of any interview between a person in department custody and the United States Immigration and Customs Enforcement regarding civil immigration violations.
F. Public Employee Retirement System

Chapter 575, Statutes of 2017
This measure requires the California State Teachers’ Retirement System (CalSTRS) and California Public Employees' Retirement System (CalPERS) to report to the Legislature and the Governor on or before April 1, 2018, information regarding investments in or in cooperation with companies constructing or funding the construction of the Dakota Access Pipeline.

AB 512 (Rodriguez) Public Employees’ Retirement. Safety Members. Industrial Disability Retirement.
Chapter 841, Statutes of 2017
This measure extends the sunset date of the Industrial Disability Retirement from January 1, 2018 to January 1, 2023, which provides calculated retirement stipends to safety members of CalPERS on industrial disability.

AB 590 (Medina) Public Employees’ Retirement. Membership Election.
Chapter 108, Statutes of 2017
This measure clarifies that a person who was a CalPERS member within 120 days before becoming employed by a school employer for service that requires membership in CalSTRS to elect to retain a CalPERS membership instead of becoming a CalSTRS member.

Chapter 198, Statutes of 2017
This measure clarifies existing authority that permits the CalPERS system to enter into loan agreements by providing CalPERS explicit statutory authority to accept other forms of collateral when engaging in a loan agreement.

Chapter 277, Statutes of 2017
This measure authorizes the county superintendent to draw requisitions from the county school service fund, the funds from school districts, or other local educational agencies as directed by the CalPERS system, in amounts equal to the total contributions existing law require be paid to the replacement benefit plan.

AB 1309 (Cooley) Employment Without Reinstatement. Failure to Enroll or Report. Fee.
Chapter 261, Statutes of 2017
This measure allows the CalPERS system to assess employers a $200 fee per retired member each month for failure to report the hiring and payroll information of members working in retirement.
*AB 1487 (Rodriguez) Public Employees’ Retirement System. Limited Term Appointments.
Chapter 229, Statutes of 2017
This measure establishes a 960 hour limit per fiscal year on out-of-class appointments, in which employers temporarily place existing employees into upgraded interim positions.

SB 525 (Pan) Public Employees’ Retirement.
Chapter 241, Statutes of 2017
This measure is the annual CalPERS “housekeeping” legislation that provides technical and cost-neutral amendments to portions of the Government Code that affects CalPERS. This measure removes references to age limits with regards to the requirement that CalPERS provide structured pre-retirement information seminars; clarifies that a one-year final compensation calculation only applies to service credit accrued with public agencies that elect to contract for that benefit; requires employers to identify and report special compensation for classic members; and exempts certain retirement transactions from spousal signature requirements.

SB 671 (Moorlach) County Employees’ Retirement. Retirement Funds. Transfers.
Chapter 76, Statutes of 2017
This measure clarifies the following:

- The 1937 Act ('37 Act) County retirement system employers that make their contribution payments to the county retirement system one year in advance may make an additional year or partial year prepayment of contributions in advance;
- The board of supervisors or the governing body of a district is not prevented from authorizing the county auditor or the district, respectively, from making an advance payment for the estimated annual county contributions for an additional year or partial year if the advance payment is made no later than 30 days after the commencement of the county or district fiscal year, respectively, for which the advance payment is made; and
- The districts in all ‘37 Act counties, not just San Bernardino County, may make advance payments of their estimated annual ‘37 Act contributions.

G. Workers’ Compensation

Chapter 736, Statutes of 2017
This measure requires employers to provide nurse care manager services to employees injured as a result of domestic terrorism.

AB 1422 (Daly) Workers’ Compensation Insurance. Fraud.
Chapter 300, Statutes of 2017
This measure clarifies the duration of a "stay" on litigating liens filed by a provider charged criminally with workers' compensation fraud.
AB 1701 (Thurmond) Labor-Related Liabilities. Original Contractor.  
Chapter 804, Statutes of 2017  
This measure holds general contractors and subcontractors jointly liable for unpaid wages, including fringe benefits.

SB 189 (Bradford) Workers’ Compensation. Definition of Employee.  
Chapter 770, Statutes of 2017  
This measure lowers the ownership threshold for waiving workers’ compensation coverage from 15 percent to 10 percent, and also creates specific waiving provisions for professional corporations, worker-owned cooperatives, and closely-held family businesses. This measure will take effect July 1, 2018.

Chapter 240, Statutes of 2017  
This measure extends the timeline for hospitals and emergency physicians to bill for emergency medical treatment for injured workers from 30 days to 180 days.

H. Healthcare

AB 265 (Wood) Prescription Drugs. Prohibition on Price Discount.  
Chapter 611, Statutes of 2017  
This measure prohibits manufacturers of prescription drugs from offering discounts on an individual’s out-of-pocket expenses associated with his or her insurance coverage, if a more inexpensive generic equivalent exists.

AB 1411 (C. Garcia) Health Care Facilities. Rehabilitation Innovation Centers.  
Chapter 386, Statutes of 2017  
This measure defines a “rehabilitation innovation center” as a not-for-profit or government-owned rehabilitation facility that meets specified criteria.

AB 1538 (Bonta) Alameda Health System Hospital Authority. Physician Services.  
Chapter 263, Statutes of 2017 (Urgency)  
This measure alters the statutes which govern conditions in which the Alameda Health System (AHS) can privatize services provided by physicians and surgeons.

*SB 17 (Hernandez) Health Care. Prescription Drug Costs.  
Chapter 603, Statutes of 2017  
This measure requires health plans and insurers that report rate information through the rate review process to also report specified information related to prescription drug pricing to Department of Managed Health Care (DMHC) and California Department of Insurance (CDI). DMHC and CDI must compile information into a report that demonstrates the impact of drug costs on health care premiums. This measure requires drug manufacturers to notify purchasers if it is increasing the wholesale acquisition cost (WAC) of a prescription drug by specified amounts and requires them to provide
specified information to the Office of Statewide Health Planning and Development (OSHPD) related to the drug’s price.

**SB 133 (Hernandez) Health Care Coverage. Continuity of Care.**  
Chapter 481, Statutes of 2017  
This measure closes the gap in continuity of care protection and gives a person who has coverage in the individual market assurance that his or her treatment may not have to be disrupted when a carrier leaves the individual market or a product is removed and new coverage is not available that includes the patient’s existing provider. This measure provides a person with individual market coverage who loses their access to a product and who has an existing qualifying condition, to obtain completion of covered services if the provider is willing and the plan and provider are able to agree on payment terms. This measure also notifies all consumers as to the process by which an enrollee or insured may request completion of covered services to be provided with any termination of coverage notice.

**SB 241 (Monning) Medical Records. Access.**  
Chapter 513, Statutes of 2017  
This measure revises provisions of law governing the right of patients to access and copy their medical records by conforming these requirements to federal Health Information Portability and Accountability Act of 1996 (HIPAA) requirements, including requiring health care providers to provide the records in an electronic format if they are maintained electronically and if the patient requests the records in an electronic format, and specifying the reasonable clerical costs that can be charged by the providers.

**SB 374 (Newman) Health Insurance. Discriminatory Practices. Mental Health.**  
Chapter 162, Statutes of 2017  
This measure requires health insurance policies to provide all covered mental health and substance use disorder benefits in compliance with those provisions of federal law governing mental health.

**SB 743 (Hernandez) Medi-Cal. Family Planning Providers.**  
Chapter 572, Statutes of 2017  
This measure ensures that Medi-Cal managed care enrollees continue to maintain flexibility in choosing family planning providers, which protects reproductive health access and ensures that Medi-Cal enrollees do not lose benefits. This measure prohibits a Medi-Cal managed care plan from restricting the choice of the qualified provider from whom a Medi-Cal beneficiary enrolled in the plan may receive family planning services.
I. General Administration

AB 153 (Chavez) Military Fraud.
Chapter 576, Statutes of 2017
This measure modifies the California Stolen Valor Act to conform to the federal Stolen Valor Act of 2013. Elected officials who fraudulently claim to have been a service member with the intent to obtain money, property, or other tangible benefit must forfeit office and be charged with misdemeanor.

AB 794 (Gallagher) County Officers. Recorder. Record Correction.
Chapter 349, Statutes of 2017
This measure eliminates the liability of a recorder for altering or adding new matter in any records deposited in the recorder’s office when correcting an indexing error. This measure also allows specified persons to request that information in the recorder’s index of record be corrected after providing sufficient evidence.

AB 1149 (Arambula) Workforce Investment Boards. Funding.
Chapter 324, Statutes of 2017
This measure allows Local Workforce Development Boards (LWDBs) to classify funds spent providing supportive services to those served by the federal Workforce Innovation and Opportunity Act (WIOA) as "leveraged funds" that satisfy mandated spending requirements for workforce training.

Chapter 421, Statutes of 2017
This measure provides a suite of reforms of the operations of the California Public Utilities Commission (PUC), including the transfer, by July 1, 2018, of four transportation-related functions from the PUC to other agencies or jurisdictions and codifies the responsibilities and oversight of various positions. It also clarifies PUC notification requirements for contracting of outside legal services.

SB 272 (Mendoza) State Compensation Insurance Fund: Executive and Management Appointments.
Chapter 539, Statutes of 2017
This measure authorizes State Compensation Insurance Fund board of directors to appoint additional executive and management positions and set the salary for each of the positions.

SB 666 (Vidak) California Gambling Control Commission and Department of Justice. Postemployment Restrictions.
Chapter 245, Statutes of 2017
This measure prohibits a member of the California Gambling Control Commission and any employee of the department who works on or supervises over gambling issues for a period of two years after leaving office or terminating employment, from holding a direct or indirect interest in, holding employment with, representing, appearing for, or
negotiating on behalf of, a gambling establishment, gambling enterprise, registrant, or licensee.
IV. Housing, Community and Economic Development

A. Housing and Housing Finance

This measure clarifies the definition of housing-related infrastructure, for the purposes of programs administered through the California Infrastructure and Economic Development Bank (IBank), including projects funded through the Infrastructure State Revolving Fund (ISRF), to include city streets; drainage, water supply, and flood control; environmental mitigation measures; power and communications; public transit improvement that directly support transit-oriented housing; sewage collection and treatment; and water treatment and distribution.

*AB 72 (Santiago) Housing. Department of Housing and Community Development. Chapter 370, Statutes of 2017
This measure provides the Department of Housing and Community Development (HCD) broad new authority to find a city's, county's, or city's and county's housing element out of substantial compliance if it determines that the city, county, or city and county acts or fails to act in compliance with its housing element, and allows HCD to refer violations of law to the Attorney General (AG). (The League has prepared a comprehensive summary of this measure in Appendix A of this document.)

*AB 73 (Chiu) Planning and Zoning. Housing Sustainability Districts. Chapter 371, Statutes of 2017
This measure allows a city, county, or city and county to create a housing sustainability district to complete upfront zoning and environmental review in order to receive incentive payments for development projects that are consistent with the district's ordinance. (The League has prepared a comprehensive summary of this measure in Appendix A of this document.)

AB 199 (Chu) Public Works. Private Residential Projects. Chapter 610, Statutes of 2017
This measure requires the payment of prevailing wages on private residential projects built on private property, paid for in whole or in part with public funds, and built pursuant to an agreement with a successor agency to a redevelopment agency.

*AB 352 (Santiago) State Housing Law. Efficiency Units. Chapter 400, Statutes of 2017
This measure prohibits a city, county, or city and county that adopts an ordinance permitting efficiency units from:
- Limiting the number of efficiency units within one-half mile of public transit or where there is a car sharing vehicle within one block of the unit; and
- Limiting the number of efficiency units within one mile of a University of California or California State University campus.

**AB 367 (Obernolte) Water Supply. Building Permits.**
Chapter 612, Statutes of 2017
This measure allows a city, county, or city and county to issue a building permit for a residence that will be rebuilt because of a fire, even though the source of water supply is water transported by a water hauler, bottled water, a water-vending machine, or a retail water facility.

**AB 494 (Bloom) Land use. Accessory Dwelling Units.**
Chapter 602, Statutes of 2017
This measure makes a number of changes to the Accessory Dwelling Unit (ADU) review process and standards. Most notably, this measure:
- Provides that a local agency’s ADU ordinance shall include that the ADU may be rented separate from the primary residence, but may not be sold or otherwise conveyed from the primary residence;
- Provides that parking requirements for ADUs not exceed one parking space per unit or per bedroom, whichever is less;
- Defines "tandem parking" as two or more automobiles that are parked on a driveway or in any other location on a lot, lined up behind one another; and
- Provides that an “accessory structure” includes, but is not limited to, a studio, pool house, or other similar structure.

**AB 571 (E. Garcia) Farmworker Housing. Low-Income Housing. Migrant Farm Labor Centers.**
Chapter 372, Statutes of 2017
This measure makes numerous changes to the farmworker housing tax credit set-aside within the Low Income Housing Tax Credit (LIHTC) Program and to the HCD’s Office of Migrant Services (OMS). These changes include:
- Redefines "farmworker housing" to mean housing which is available to and occupied by not less than 50 percent of farmworkers and their households;
- Allows farmworker housing developments that receive 4 percent federal LIHTCs that are in qualified census tracts (QCT) or designated development areas (DDA) to receive state LIHTCs;
- Makes qualified farmworker housing developments eligible for state LIHTCs of 75% of the qualified basis of the building over four years; and
- Authorizes HCD to provide for advance payments of up to 20 percent of annual operating costs of the migrant farm labor centers to contractors, provided that the contractors do not have outstanding advance balances from prior contract periods.

**AB 727 (Nazarian) Mental Health Services Act. Housing Assistance.**
Chapter 410, Statutes 2017
This measure clarifies that a county may spend funds on housing assistance for people in the target population for programs funded by the Mental Health Services Act (MHSA),
including programs that serve seriously emotionally disturbed children or adolescents and adults or older adults who have a serious mental disorder.

**AB 733 (Berman) Enhanced Infrastructure Financing Districts. Climate Change.**
**Chapter 657, Statutes of 2017**
This measure adds climate change projects to the list of projects that may be financed by cities or counties through an Enhanced Infrastructure Financing Districts (EIFD). Climate change projects include higher average temperatures, decreased air and water quality, the spread of infectious and vector-borne diseases, other public health impacts, extreme weather events, sea level rise, flooding, heat waves, wildfires, and drought.

**AB 1137 (Maienschein) Housing Developments. Pet Permissibility.**
**Chapter 791, Statutes of 2017**
This measure requires each housing development that is financed through HCD on or after January 1, 2018, to authorize a resident of the housing development to own or otherwise maintain one or more common household pets within the resident’s dwelling unit, subject to applicable state laws and local government ordinances related to public health, animal control, and animal anticruelty. This measure defines a “common household pet” to mean a domesticated animal, such as a dog or cat, that is commonly kept in the home for pleasure rather than for commercial purposes.

**AB 1139 (Reyes) Real Property. Transfer Fees. Notices.**
**Chapter 148, Statutes of 2017**
This measure requires an advisory notice to potential homebuyers informing them of federal restrictions associated with private transfer fees that may make it more difficult to obtain home financing. The advisory notice must appear in at least 14 point boldface type and state: The Federal Housing Finance Agency and the Federal Housing Administration are prohibited from dealing in mortgages on properties encumbered by private transfer fee covenants that do not provide a "direct benefit" to the real property encumbered by the covenant. As a result, if you purchase such a property, you or individuals you want to sell the property to, may have difficulty obtaining financing.

**AB 1157 (Mullin) School Property. Teacher and School District Employee Housing. Property Tax Exemption.**
**Chapter 717, Statutes of 2017**
This measure exempts a school district from convening an advisory committee related to surplus property, exempts specified requirements relating to the sale or lease of real property if the purpose of the sale or lease of property is for the construction, reconstruction or renovation of rental housing facilities for school district employees, and clarifies a taxation exemption for property used to house employees of school and community college districts. This measure also specifies that the construction, reconstruction, or renovation of rental housing facilities for school district employees constitutes a permissible capital outlay expenditure of the financing proceeds obtained by the school district for the purposes of meeting the requirements that apply to the sale or lease of real property by a school district.
**AB 1193** (Gloria) Property Tax. Welfare Exemption. Low-Income Housing.
Chapter 756, Statutes of 2017
This measure raises the property tax exemption for affordable properties to match the federal requirement of 140 percent area median income (AMI). This measure expands eligibility of the welfare exemption from property tax for property owners of units occupied by individuals who meet income limits when they begin occupying a unit.

**AB 1351** (Caballero) District Agricultural Associations. Authorized Activities. Affordable Housing.
Chapter 559, Statutes of 2017
This measure allows, under a District Agriculture Association (DAA) leasing authority and with the California Department of General Services' (DGS) approval, the lease, construction and maintenance of affordable housing to persons and families of low or moderate income, as defined by Section 50093 of the Health and Safety Code, pursuant to a lease of not more than 55 years, on DAA property.

**AB 1568** (Bloom) Enhanced Infrastructure Financing Districts. Sales Tax and Housing.
Chapter 562, Statutes of 2017
This measure authorizes a city or county to dedicate revenue, including sales tax revenue, to an Enhanced Infrastructure Financing District (EIFD) that is coterminous with the boundaries of the city or county that established it, for the purposes of the Neighborhood Infill Finance and Transit Improvements Act, established by this bill, subject to the following limitations:

- 20 percent of the revenue dedicated must be used for assisting the construction of units benefiting low and very low income households, with at least six percent allocated to very low income households and at least nine percent allocated to low income housing, with affordability covenants of 55 years for rental housing and 45 years for owner-occupied. The EIFD plan must ensure that these requirements are met every 10 years;
- The area to be financed must be an infill site, defined as not being previously developed for urban uses and immediately adjacent to parcels developed with qualified urban uses, as defined;
- Prohibits funds to be used for highway and highway interchanges; and
- Prohibits the termination of an EIFD if it has not complied with its housing obligations under this Act.

**AB 1598** (Mullin) Local Housing Authorities. Financing.
Chapter 764, Statutes of 2017
This measure authorizes a city or county to create by resolution an affordable housing authority coterminous with its boundaries with various powers and dedicate a portion of its property tax increment, sales tax and other revenues to develop affordable housing. Additional features include:

- Focus of the authority would be on developing housing affordable to various income categories up to 120 percent of area median income, with affordability covenants of 55 years for rental housing and 45 years for owner-occupied;
An authority may issue bonds, borrow, receive funds and coordinate and receive funds from with other entities, remove hazardous substances, provide seismic retrofits, loan funds to owners and tenants to repair, improve or rehabilitate buildings in the plan area, and other actions. The authority also is provided broad property acquisition and disposal authority, including eminent domain. Adoption of the plan or bond issuance does not require a public vote;

Governance of and authority is a board comprised of between 5 to 7 members. A minimum of three members must be members of the city council or board of supervisors that formed the authority, with one public member. If formed as a joint powers authority between a city and a county, at least three city council members and three county supervisors shall serve on the board;

Boundaries may be coterminous with the city or county that formed the authority, but must be coterminous if sales tax revenue is dedicated to the authority;

If revenues from another local taxing entity (county or special district) are to be dedicated to the purposes of the authority, those entities must consent. Tax increment from the school share of property tax cannot be included;

The authority is required to create a low and moderate income housing fund, develop a fiscal analysis of estimated revenues and expenses including any plans to issue bonds, develop estimates of deposits into the fund over a five-year period. Estimates must also be developed for the number of units to be created, and how the fund will allocate expenditures over a 10-year horizon to develop housing affordable to various income levels proportionate to the city or county’s allocation of regional housing needs. An audit is required every five years commencing in the calendar year in which the authority has allocated a cumulative total of more than one million dollars in revenue;

The time limit for the authority is 45 years;

A relocation plan must be developed for families and persons temporarily or permanently displaced from housing facilities by activities of the authority; Permanent replacement housing shall be made available for displaced persons or families within two years;

Requires the authority to receive priority assistance in state housing programs; and

Limits administrative costs to five percent of revenues. Authorizes the transfer of housing responsibilities to another housing authority or a city or county housing department if determined that combining funding streams will reduce administrative burdens or expedite the construction of affordable housing.

AB 1637 (Gloria) City of San Diego. County of Santa Clara. Housing Authority. Middle-Income Housing Projects.
Chapter 801, Statutes of 2017
This measure allows a housing authority in the City of San Diego or County of Santa Clara to implement a pilot program to develop and finance middle-income housing developments. This measure defines "middle-income housing project" to mean a housing project that includes at least 40 percent of the units affordable and occupied by persons at or below 80 percent of AMI and at least 10 percent of the units that are
affordable to persons and families at incomes not exceeding 150 percent of AMI. This measure sunsets on January 1, 2022.

**AB 1714 (Comm. on Housing and Community Development) Income Taxes. Credits. Low-Income Housing. Farmworker Housing. Building Standards. Chapter 418, Statutes of 2017**

This measure is the Assembly Committee on Housing and Community Development’s annual omnibus bill that makes numerous technical and non-controversial changes to housing law. Notable changes include:

- Amends the definition of "at risk of conversion" that is contained in specified Revenue and Taxation Code Sections to include projects that have received financing from the United States Department of Agriculture (USDA) and HCD;
- Expands the definition of occupancy assumptions when determining rent in Housing Authority financed projects; and
- Includes loans from HCD’s Multifamily Housing Program in the list of loan programs eligible for the Loan Portfolio Restructuring Program.


This measure imposes a $75 recordation fee on specified real estate documents to generate hundreds of millions of dollars per year for affordable housing, supportive housing, emergency shelters, and transitional housing. In 2018, 50 percent of the funds collected are directed to local governments to update planning documents. Beginning in 2019 and for subsequent years, 70 percent of the proceeds are allocated to local governments through the federal Community Development Block Grant formula. *(The League has prepared a comprehensive summary of this measure in Appendix A of this document.)*

**SB 3 (Beall) Veterans and Affordable Housing Bond Act of 2018. Chapter 365, Statutes of 2017**

This measure places a $4 billion general obligation bond on the November 2018 ballot to fund affordable housing programs and the veterans homeownership program (CalVet). If approved by voters, SB 3 would fund the following existing programs:

- Multifamily Housing Program: $1.5 billion, administered by HCD, to assist the new construction, rehabilitation and preservation of permanent and transitional rental housing for lower-income households through loans to local public entities and nonprofit and for-profit developers;
- Transit-Oriented Development Implementation Program: $150 million, administered by HCD, to provide low-interest loans for higher-density rental housing developments close to transit stations that include affordable units and as mortgage assistance for homeownership. Grants are also available to cities, counties and transit agencies for infrastructure improvements necessary for the development;
- Infill Incentive Grant Program: $300 million, administered by HCD, to promote infill housing developments by providing financial assistance for infill
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infrastructure that serves new construction and rehabilitates existing infrastructure to support greater housing density;

- **Joe Serna, Jr. Farmworker Housing Grant Fund:** $300 million, administered by HCD, to help finance the new construction, rehabilitation and acquisition of owner-occupied and rental housing units for agricultural workers;

- **Local Housing Trust Fund Matching Grant Program:** $300 million, administered by HCD, to help finance affordable housing by providing matching grants, dollar for dollar, to local housing trusts;

- **CalHome Program:** $300 million, administered by HCD, to help low- and very low-income households become or remain homeowners by providing grants to local public agencies and nonprofit developers to assist individual first-time homebuyers. It also provides direct loan forgiveness for development projects that include multiple ownership units and provides loans for property acquisition for mutual housing and cooperative developments;

- **Self-Help Housing Fund:** $150 million – Administered by HCD, this program assist low and moderate income families with grants to build their homes with their own labor; and

- **CalVet Home Loan Program:** $1 billion, administered by the California Department of Veterans Affairs, provides loans to eligible veterans at below-market interest rates with few or no down payment requirements.

*SB 229 (Wieckowski) Accessory Dwelling Units.
Chapter 594, Statutes of 2017*
This measure makes numerous changes to ADU law. These changes include:

- Clarifies that parking requirements for a garage shall also apply to a converted ADU;

- Provides that an ADU may be on a lot zoned for a proposed or existing single-family dwelling;

- Clarifies that the total area of floorspace shall not exceed 50 percent of the proposed or existing primary dwelling living area or 1,200 square feet;

- An ADU shall not be considered by a local agency, special district, or water corporation to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service;

- Defines “tandem parking” means two or more automobiles are parked on a driveway or in any other location on a lot, lined up one behind the other;

- Clarifies that an ADU may be rented separate from the primary residence, but shall not be sold or otherwise conveyed separately from the primary residence; and

- Permits HCD to review and comment on the ordinances.

*SB 329 (Leyva) Manufactured Homes. Financial Assistance Programs.
Chapter 727, Statutes of 2017*
This measure requires all state and local programs designed to facilitate home ownership or residence, including loan origination and repayment programs, downpayment assistance, and tax credits, to include manufactured housing to the extent feasible. A CalHFA loan program is deemed to comply if it includes manufactured
housing in conformance with a government sponsored enterprise’s guidelines and CalHFA’s lending partners’ guidelines.

**SB 330 (Berryhill) Building Permit Fees. Waiver.**
Chapter 281, Statutes of 2017
This measure permits a locality to waive or reduce all building permit fees for improvements to the home of a veteran with a qualifying disability that are made to accommodate that disability. This measure defines “qualifying disability” to mean a disability that is recognized as service connected by the United States Department of Veterans Affairs.

Chapter 670, Statutes of 2017
This measure requires, when a building permit is issued, that the pool or spa be equipped with at least 2 of 7 specified drowning prevention safety features. The drowning prevention safety features are:

- An enclosure that meets the requirements of Section 115923 and isolates the swimming pool or spa from the private single-family home;
- Removable mesh fencing that meets American Society for Testing and Materials (ASTM) Specifications F2286 standards in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device;
- An approved safety pool cover, as defined in subdivision (d) of Section 115921;
- Exit alarms on the private single-family home’s doors that provide direct access to the swimming pool or spa. The exit alarm may cause either an alarm noise or a verbal warning, such as a repeating notification that “the door to the pool is open”;
- A self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor on the private single-family home’s doors providing direct access to the swimming pool or spa;
- An alarm that, when placed in a swimming pool or spa, will sound upon detection of accidental or unauthorized entrance into the water. The alarm shall meet and be independently certified to the ASTM Standard F2208 “Standard Safety Specification for Residential Pool Alarms,” which includes surface motion, pressure, sonar, laser, and infrared type alarms. A swimming protection alarm feature designed for individual use, including an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water, is not a qualifying drowning prevention safety feature; and
- Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the features set forth above and has been independently verified by an approved testing laboratory as meeting standards for those features established by the ASTM or the American Society of Mechanical Engineers (ASME).
B. Homelessness

AB 74 (Chiu) Housing. Homelessness.
Chapter 777, Statutes of 2017
This measure creates the Housing for a Healthy California Program to provide rental assistance to individuals who are experiencing homelessness and receive services from the Whole Person Care pilot program, Health Homes, or another locally controlled funding source. This measure requires the Department of Housing and Community Development (HCD) to:

- On or before January 1, 2019, create supportive housing opportunities through grants to counties for capital and operating assistance;
- Offer operating reserve grants and capital loans to developers. HCD may use existing guidelines in awarding grants and loans to developers;
- Draft any necessary regulations, guidelines, and notices for funding availability for stakeholder comment;
- Collect data mid-year and annually from counties and developers awarded grant or loan funds;
- No later than October 1, 2020, contract with an independent evaluator, to analyze data collected to determine changes in health care costs and utilization associated with services and housing provided under the program; and
- On or before January 1, 2024, report data collected to the Assembly Budget Committee, the Senate Budget and Fiscal Review Committee, the Assembly and Senate Health committees, the Assembly Housing and Community Development Committee, and the Senate Transportation and Housing Committee.

AB 210 (Santiago) Homeless Multidisciplinary Personnel Team.
Chapter 544, Statutes of 2017
This measure authorizes a county to develop a homeless adult and family multidisciplinary team in order to facilitate identification and assessment of individuals experiencing homelessness, and link them to housing and supportive services, and to allow service providers to share confidential information to ensure continuity of care.

AB 236 (Maienschein) CalWORKs. Housing Assistance.
Chapter 545, Statutes of 2017
This measure clarifies that an otherwise California Work Opportunity and Responsibility to Kids (CalWORKs) eligible family that is reunifying with a child in foster care could also be eligible for temporary housing assistance provided by CalWORKs. This measure also requires the Department of Social Services (DSS) to work with county human services agencies, the County Welfare Directors Association, and advocates for CalWORKs recipients to collect information and annually report to the Legislature on the actual costs of a nightly shelter and best practices for transitioning families from temporary to permanent shelter.
*AB 346 (Daly) Redevelopment. Housing Successor. Low and Moderate Income Housing Asset Fund. Homeless Shelters.
Chapter 35, Statutes of 2017
This measure allows a housing successor to expend funds in the Low and Moderate Income Housing Asset Fund (LMIHF) for contributions toward the construction of local or regional homeless shelters. This measure also allows two or more housing successors within a county to enter into an agreement to transfer funds among their respective LMIHF for a regional homeless shelter.

*AB 932 (Ting) Shelter Crisis. Homeless Shelters.
Chapter 786, Statutes 2017
This measure authorizes emergency housing, upon the declaration of a shelter crisis by the City of Berkeley, Emeryville, Los Angeles, Oakland, or San Diego, the County of Santa Clara, or the City and County of San Francisco, to include homeless shelters until January 1, 2021. During the declared shelter crisis, the following shall apply:

- Emergency housing may include homeless shelters for the homeless located or constructed on any land owned or leased by the locality, including land acquired with low- and moderate-income housing funds;
- In lieu of compliance with local building approval procedures or state housing, health, habitability, planning and zoning, or safety standards, procedures, and laws, the locality may adopt by ordinance reasonable local standards and procedures;
- Requires the HCD to review and approve the draft ordinance to ensure it addresses minimum health and safety standards;
- Suspends, during the shelter crisis, any housing, health, habitability, planning and zoning, or safety standards, procedures, or laws for homeless shelters, provided that the locality has adopted health and safety standards and procedures for homeless shelters consistent with ensuring minimal public health and safety and those standards are complied with; and
- Exempts homeless shelters constructed or allowed under this chapter from the Special Occupancy Parks Act, the Mobilehome Parks Act, and the Mobilehome Residency Law.

Chapter 170, Statutes of 2017
This measure requires each campus of the California State University, and request each campus of the University of California, to post on its Internet Website, on or before February 1, 2018, and on or before February 1 of each year thereafter, information about the market cost of a one-bedroom apartment in the areas surrounding that campus where its students commonly reside.
C. Land Use/Planning

Chapter 138, Statutes of 2017
This measure requires a city, county, or city and county, including charter cities and charter counties, that approve a building permit for the construction of an electrified security fence to notify their local fire department and fire marshal and provide them with a copy of the approved permit.

**AB 678** (Bocanegra) Housing Accountability Act.
Chapter 373, Statutes of 2017
This measure makes numerous changes to the Housing Accountability Act (HAA). This measure:
- Changes the evidentiary standard for a local agency to disapprove a housing development project from "substantial" evidence in the record to a "preponderance of the" evidence in the record; and
- Requires, if the court determines that the local agency has failed to comply with the order or judgment compelling compliance within 60 days, the court to impose fines of $10,000 per unit on a local agency that has violated the HAA.
This measure is identical to **SB 167** (Skinner), Chapter 368, Statutes 2017. *(The League has prepared a comprehensive summary of this measure in Appendix A of this document.)*

**AB 879** (Grayson) Planning and Zoning. Housing Element.
Chapter 374, Statutes of 2017
This measure makes numerous changes to housing element law and requires HCD to conduct a study to determine the reasonableness of local fees charged to new developments. This measure requires the study to include findings and recommendations regarding potential amendments to the Mitigation Fee Act to substantially reduce fees for new residential development. *(The League has prepared a comprehensive summary of this measure in Appendix A of this document.)*

**AB 1086** (Daly) Housing. Regional Housing Needs.
Chapter 206, Statutes of 2017
This measure makes numerous changes to the process to determine the population projections for the Regional Housing Needs Assessment (RHNA) allocation. This measure:
- Requires that if the regional population forecast developed by the council of government (COG) is within a range of 1.5 percent rather than 3 percent of the total regional population forecast for the projection year by Department of Finance (DOF) than HCD shall use the COGS projection;
- Provides that if the difference in population projection between the COG and DOF is larger than 1.5 percent rather than 3 percent then HCD and the COG shall meet and discuss variances in the methodology used for the population projection and seek agreement on a population projection for the region;
• Adds trends in overcrowding, including the percentage of renter households that are overcrowded, to the data assumptions that a COG shall provide HCD, if available, to support the COGs population projections; and
• Requires any revised share to the draft allocation to be consistent with, and not to the detriment of, the development pattern in an applicable sustainability communities strategy.

*AB 1397 (Low) Local Planning. Housing Element. Inventory of Land for Residential Development.
Chapter 375, Statutes of 2017
This measure, among other things, revises the inventory of land suitable for residential development identified in a city’s housing element to include vacant sites and sites that have “realistic and demonstrated potential” for redevelopment to meet a portion of the locality’s housing need for a designated income level. (The League has prepared a comprehensive summary of this measure in Appendix A of this document.)

*AB 1505 (Bloom) Land Use. Zoning Regulations.
Chapter 376, Statutes of 2017
This measure authorizes a city, county, or city and county to adopt an ordinance to require, as a condition of development of residential rental units, that the development include a certain percentage of residential rental units affordable to, and occupied by, moderate income, lower income, very low income, or extremely low income households or by persons and families of low or moderate income. (The League has prepared a comprehensive summary of this measure in Appendix A of this document.)

*AB 1515 (Daly) Planning and Zoning. Housing.
Chapter 378, Statutes of 2017
This measure, among other things, establishes, for purposes of the HAA, a reasonable person standard for deeming consistency for a housing development project or emergency shelter. (The League has prepared a comprehensive summary of this measure in Appendix A of this document.)

Chapter 377, Statutes of 2017
This measure expands the Preservation Notice Law regarding the preservation of assisted housing developments by requiring an owner of an assisted housing development to accept a bona fide offer to purchase from a qualified purchaser, if specified requirements are met, and by giving HCD additional enforcement authority.

AB 1709 (Comm. on Veterans Affairs) Armories. Sales. Local Agencies.
Chapter 304, Statutes of 2017
This measure amends the current armory sale process to require that an armory be offered for sale to a local agency, including a city, prior to being offered for sale to private entities or individuals.
Chapter 366, Statutes of 2017
This measure streamlines multifamily housing project approvals, in jurisdictions that fail to meet state allocated housing production numbers, by making the issuance of building permits ministerial, thus circumventing project specific environmental review, mitigation, and public input. *(The League has prepared a comprehensive summary of this measure in Appendix A of this document.)*

**SB 166** (Skinner) Residential Density and Affordability.
Chapter 367, Statutes of 2017
This measure amends the No Net Loss Zoning law to require local governments to maintain adequate housing sites at all times throughout the planning period for all levels of income. This measure prohibits a city, county, or city and county from permitting or causing its inventory of sites identified in a housing element to be insufficient to meet its remaining unmet share of the regional housing need for lower and moderate-income households. *(The League has prepared a comprehensive summary of this measure in Appendix A of this document.)*

**SB 167** (Skinner) Housing Accountability Act.
Chapter 368, Statutes of 2017
This measure makes numerous changes to the Housing Accountability Act (HAA). This measure:
- Changes the evidentiary standard for a local agency to disapprove a housing development project from "substantial" evidence in the record to a "preponderance of the" evidence in the record; and
- Requires, if the court determines that the local agency has failed to comply with the order or judgment compelling compliance within 60 days, the court to impose fines of $10,000 per unit on a local agency that has violated the HAA.
This measure is identical to AB 678 (Bocanegra), Chapter 373, Statutes 2017. *(The League has prepared a comprehensive summary of this measure in Appendix A of this document.)*

**SB 540** (Roth) Workforce Housing Opportunity Zone.
Chapter 369, Statutes of 2017
This measure streamlines the housing approval process by having jurisdictions identify Workforce Housing Opportunity Zones, which would focus on workforce and affordable housing in areas close to jobs and transit and conform to California's greenhouse gas reduction laws. This measure requires a city, county, or city and county to complete an EIR and a specific plan identifying all of the requirements necessary to receive ministerial housing permit approvals.

**SB 732** (Stern) General Plan. Agricultural Land.
Chapter 434, Statutes of 2017
This measure authorizes a city and county to develop an agricultural land component of the city or county’s open-space element, or a separate agricultural land element. This
measure requires a city or county to comply with specified requirements when preparing that component or element, including identifying and mapping, where applicable, using specified data, agricultural lands that are within the city’s or county’s jurisdiction; establishing a comprehensive set of goals, policies, and objectives to support the long-term protection of agricultural land; identifying and designating priority land for conservation; and identifying and establishing a set of feasible implementation measures designed to promote those goals, policies, and objectives. *(The League has prepared a comprehensive summary of this measure in Appendix A of this document.)*

**D. Local Agency Formation Commissions**

**AB 464 (Gallagher) Local Government Reorganization.**
**Chapter 43, Statutes of 2017**
This measure makes changes to annexation proceedings followed by local agency formation commissions (LAFCOs) that improve the study and reporting of current services provided within territories under review for annexation.

**AB 1361 (E. Garcia) Municipal Water Districts. Water Service. Indian Tribes.**
**Chapter 449, Statutes of 2017**
This measure authorizes a municipal water district, upon the request of an Indian tribe that has satisfied conditions in existing law, to apply to a local agency formation commission (LAFCO) to extend water service to Indian lands that are outside the district at substantially the same terms applicable to the customers of the district as if the lands had been fully annexed within the district until January 1, 2023. This measure also requires the LAFCO to approve the application, but allows the LAFCO to impose terms and conditions in accordance with existing law.

**AB 1725 (Comm. on Local Government) Local Agency Formation.**
**Chapter 353, Statutes of 2017**
This measure makes several non-controversial changes to the LAFCO statutes which govern local government organization and reorganization. Most notably, this measure revises the definition of “contiguous” to mean “territory that abuts or shares a common boundary with territory within a local agency.

**E. Community and Economic Development**

**AB 1553 (Cervantes) Economic Development. Capital Access Loan Program.**
**Chapter 644, Statutes of 2017**
This measure authorizes the use of moneys in the California Americans with Disabilities Act Small Business Capital Access Loan Program (ADA program) fund for payments to participating financial institutions or borrowers to provide incentives to participate in the ADA program. This measure also allows small business assistance funds to include contributions and nonreimbursable payments made directly to borrowers or participating
programs administered by the California Pollution Control Financing Authority (CPCFA) as part of the California Capital Access Loan Program (CalCAP).

**F. Disability Access**

**AB 1148 (Steinorth) Commercial Property. Disclosures. Disability Access.**
Chapter 87, Statutes of 2017 (Urgency)
This measure defines the term "commercial property" for purposes of disability access law regarding disclosures that are required to be made by owners or lessors of commercial property to prospective tenants. This measure defines "commercial property" to mean property that is offered for rent or lease to persons operating, or intending to operate, a place of public accommodation, as specified, or facility to which the general public is invited at those premises.

*AB 1379 (Thurmond) Certified Access Specialist Program. Funding.*
Chapter 667, Statutes of 2017
This measure requires, on and after January 1, 2018 through December 31, 2023, any applicant for a local business license or equivalent instrument or permit, and any applicant for the renewal of a business license or equivalent instrument or permit, to pay an additional fee of $4 for that license, instrument, or permit, which shall be collected by the city, county, or city and county that issued the license, instrument, or permit. This measure requires, in any city, county, or city and county that does not issue a business license or an equivalent instrument or permit, an applicant for a building permit to pay an additional fee of $4 for that building permit, which the city, county, or city and county that issued the building permit shall collect. On and After January 1, 2024, the additional fee is reduced to $1.

**G. Common Interest Developments**

**AB 534 (Gallagher) Common Interest Developments. Mechanics Liens.**
Chapter 44, Statutes of 2017
This measure prohibits a mechanics lien from being filed against another owner in the common interest development (CID) unless that consent was provided or that request was made, except in the case of emergency repairs.

**AB 690 (Quirk-Silva) Common Interest Developments. Managers. Conflicts of Interest.**
Chapter 127, Statutes of 2017
This measure requires a manager or a CID management firm to disclose specified information before entering into a management agreement. This measure requires a disclosure on whether the manager receives a referral fee from third parties for distributing required documents and an affirmative written acknowledgment that specified documents provided to the manager are the property of the association and not the manager.
Chapter 278, Statutes of 2017  
This measure authorizes a homeowners association (HOA) to use the last address provided in writing by the owner of a separate interest in a (CID) when the owner fails to provide notice of change of address. This measure also limits the liability of a volunteer officer or director who does not own more than two residential separate interests in a development that is mixed use.

**SB 407 (Wieckowski) Common Interest Developments. Noncommercial Solicitation.**  
Chapter 236, Statutes of 2017  
This measure clarifies the rights of homeowners and residents in CIDs to engage in politically expressive activities within the CID. This measure makes it unlawful for a CID’s governing documents or operating rules to prohibit homeowners or residents from: assembling peacefully; inviting public officials, candidates for public office, and representatives of homeowner organizations to meet with homeowners and residents as well as their invitees and guests; using common areas for political meetings; canvassing and petitioning other CID members and residents; and distributing information, without prior permission, about matters of general public political concern and matters relating specifically to life in the CID.

**H. Landlord-Tenant**

**AB 299 (Calderon) Hiring of Real Property. Immigration or Citizenship Status**  
Chapter 490, Statutes of 2017  
This measure expands existing prohibitions on a city, county, or city and county – rules that prohibit them from compelling landlords to take certain actions based on the immigration or citizenship status of tenants or prospective tenants – to also include state agencies and public entities. This measure defines “public agency” to include: the state, a city, county, city and county, district, public authority, public agency, and any other political subdivision or public corporation in the state.

**I. Mobilehomes**

**AB 294 (Gipson) Mobilehome Parks. Disclosure.**  
Chapter 31, Statutes of 2017  
This measure requires a mobilehome park manager to disclose the name, business address, and business telephone number of the park owner upon homeowner request within 10 business days of receiving a written request for this information from a mobilehome owner.
SB 136 (Leyva) Mobilehome Parks. Mobilehome Park Program Funding.
Chapter 766, Statutes of 2017 (Urgency)
This measure allows the Department of Housing and Community Development (HCD), as part of the Mobilehome Park Rehabilitation and Resident Ownership Program (MPRROP) to contract directly with nonprofit corporations to deliver technical assistance to mobilehome park residents or community-based nonprofit corporations to assist mobilehome park residents in acquiring, financing, operating, and improving mobilehome parks occupied by low- and moderate-income households.

SB 147 (Dodd) Mobilehome Parks. Residency.
Chapter 767, Statutes of 2017
This measure makes numerous changes to the law governing guests, companions, and live-in caregivers in the mobilehome context and modifies those laws to conform with disability accommodation law. These changes include:

- Clarifies that a homeowner living alone may share occupancy with one companion and management shall not impose a fee for that person. The homeowner may only designate one companion per year, except if the companion dies;
- Eliminates the requirement that live-in care or supervision of a homeowner must be provided pursuant to a written treatment plan by a physician; and
- Clarifies that a guest, companion, live-in caregiver, or family member under the care of a senior homeowner shall have no rights of tenancy in the park.

J. Care Facilities

AB 275 (Wood) Long-Term Care Facilities.
Chapter 185, Statutes of 2017
This measure extends the timeline and notice periods that long-term care (LTC) facilities are required to give residents, their families, the Department of Public Health (DPH), the Department of Health Care Services (DHCS) and the Office of the State LTC Ombudsman when they are planning to close. This measure clarifies and strengthens requirements to medically and socially assess residents in order to prevent and reduce transfer trauma. This measure also requires LTC facilities, as part of their relocation plans, to provide specific information regarding the number of residents who do not have the capacity to make decisions for themselves, the availability of alternative LTC beds in the community, and the reason for the proposed closure.

AB 501 (Ridley-Thomas) Mental Health. Community Care Facilities.
Chapter 704, Statutes of 2017
This measure authorizes the Department of Social Services to, no later than January 1, 2019, and contingent upon an appropriation in the annual Budget Act, license a short-term residential therapeutic program operating as a children’s crisis residential program, and would require the department to regulate those programs.
AB 713 (Chu) Continuing Care Retirement Facilities. Transfers of Residents.  
Chapter 613, Statutes of 2017  
This measure authorizes a continuing care retirement community to transfer a resident if he or she develops a physical or mental condition that is detrimental to the health, safety, or well-being of the resident or another person, without being a danger. With regard to the assessment process, this measure requires a continuing care retirement community to use specified assessment tools during that process, and requires that a provider share copies of the completed assessment with the resident or the resident’s responsible person. This measure also allows a resident the right to dispute a transfer decision.

SB 219 (Wiener) Long-Term Care Facilities. Rights of Residents.  
Chapter 483, Statutes of 2017  
This measure enact the Lesbian, Gay, Bisexual, and Transgender Long-Term Care Facility Residents’ Bill of Rights. Among other things, this measure makes it unlawful, except as specified, for any long-term care facility to take specified actions wholly or partially on the basis of a person’s actual or perceived sexual orientation, gender identity, gender expression, or human immunodeficiency virus (HIV) status, including, among others, willfully and repeatedly failing to use a resident’s preferred name or pronouns after being clearly informed of the preferred name or pronouns, or denying admission to a long-term care facility, transferring or refusing to transfer a resident within a facility or to another facility, or discharging or evicting a resident from a facility.

SB 612 (Mitchell) Foster Care. Transitional Housing.  
Chapter 731, Statutes of 2017  
This measure makes numerous changes to the Transitional Housing Placement Program guidelines for former and current foster youth by permitting adults to supervise youth without living onsite with them, and to allow nonminor dependents to live independently in an apartment or home, as specified. This measure expands educational qualifications for managers and caseworkers of transitional housing programs and authorizes a home to be both certified under a foster family agency and licensed as a transitional placement facility.

K. Miscellaneous

AB 250 (Gonzalez Fletcher) State Coastal Conservancy. Lower Cost Coastal Accommodations Program.  
Chapter 838, Statutes of 2017  
This measure requires the State Coastal Conservancy (SCC) to develop and implement a Lower Cost Coastal Accommodations Program to improve the availability of lower cost accommodations along the coast. This measure authorizes the SCC to develop and implement a pilot program for the purposes of identifying and testing measures that support development, improvement, maintenance, and operation of campgrounds, cabins, hostels, limited-stay RV parks, motels, and hotels by nonprofit or for-profit entities.
**AB 323 (Berman) CalFresh. Emergency Food Provider Referrals.**  
Chapter 68, Statutes of 2017  
This measure allows a county human services agency to refer a CalFresh applicant or recipient to the 2-1-1 dial code to access information on emergency food providers and supplemental food assistance providers, including child nutrition programs, in lieu of providing a list if the county deems that method to be the most appropriate to serve an applicant or recipient.

**AB 768 (Aguiar-Curry) Certified Farmers’ Markets. Enforcement. Civil Penalties.**  
Chapter 83, Statutes of 2017  
This measure repeals the sunset date for the Secretary of Food and Agriculture to levy civil penalties against a person that violates specified direct marketing laws in lieu of prosecution.

**AB 1365 (Reyes) Veterans Homes. Planning Strategy.**  
Chapter 509, Statutes of 2017  
This measure requires the Department of Veterans Affairs, on or before February 1, 2019, and annually thereafter, to submit to the Legislature and post on its Internet Website a financial report of the veterans homes located in Barstow, Chula Vista, Fresno, Lancaster, Redding, Ventura, West Los Angeles, and Yountville. The measure further requires the department to review the use of a veterans home, using specified factors, no later than 5 years before the expiration of a specified use restriction imposed by federal law to determine the best continued, unrestricted use of the veterans home.

**AB 1520 (Burke) Lifting Children and Families Out of Poverty Task Force.**  
Chapter 415, Statutes of 2017  
This measure establishes the Lifting Children and Families Out of Poverty Task Force. This measure requires the task force to submit a report, by November 1, 2018, to the Legislature and the Governor that recommends future comprehensive strategies to achieve the reduction of deep poverty among children and reduce the overall child poverty rate in the state.

**AJR 4 (Cervantes) Home Ownership.**  
Resolution Chapter 172  
This measure calls upon the President of the United States to reinstate the mortgage fee reduction promulgated by the Department of Housing and Urban Development under the previous administration.

**SB 314 (Nguyen) Massage Therapy. Certification. Credit Hours.**  
Chapter 266, Statutes of 2017  
This measure requires the California Massage Therapy Council (CAMTC), pursuant to its policies and procedures, to accept hours earned by an applicant for certification as a massage therapist if those hours were completed before July 1, 2016, and were earned from a school providing education in the state that was unapproved, as defined, by the council after July 1, 2016, based solely on the fact that the National Certification Board
for Therapeutic Massage and Bodywork took denial or disciplinary action against the school.

**SB 315 (Nguyen) California Massage Therapy Council. Material For non-English Speakers.**

**Chapter 120, Statutes of 2017**

This measure requires the CAMTC to assess its contact with non-English speakers. The measure requires CAMTC, based on this assessment, to offer and make available all publicly available written and electronic materials provided to certificate holders and applicants in languages other than English that the CAMTC determines will be used by a substantial number of non-English speakers in contact with the CAMTC. This measure excludes examinations, denial and disciplinary legal documents, and email communications from that requirement.

**SB 569 (Monning) Insurance. Disasters. Identification of Insurer.**

**Chapter 361, Statutes of 2017**

This measure provides a mechanism for the California Department of Insurance (CDI) to assist a property owner, or the property owner’s legal representative, to identify the insurer of a property located in a declared disaster area when the property owner is unable to identify the policy number or name of the issuing insurer.

**SCR 76 (Wiener) California Runaway and Homeless Youth Prevention Month.**

**Resolution Chapter 155**

This measure designates the month of November 2017 as California Runaway and Homeless Youth Prevention Month and recognizes the need for individuals, schools, communities, businesses, local governments, and the state to take action on behalf of runaway and homeless youth in California.
V. Public Safety

A. Alcoholic Beverage Regulation

**AB 400** (Cooper) Crimes. Alcoholic Beverages. State Capitol.
Chapter 224, Statutes of 2017
This measure codifies an exemption to the prohibition against alcohol sales within the State Capitol or on the adjacent grounds, for events held on those grounds that meet the following conditions: 1) the event is organized and operated by a non-profit foundation located in the City of Sacramento with the goal of increasing awareness of the Sacramento region and educating the public about the region's food and wine; 2) Tickets for the event are sold on a pre-sale basis only, and not available at the event itself; 3) Each attendee has purchased a ticket for the event; 4) Alcohol is not sold at the event, and orders or other activities constituting exposure for the sale of alcohol do not occur at the event.

Chapter 442, Statutes of 2017
This measure revises an existing exception in law by authorizing the Department of Alcoholic Beverage Control (ABC) to issue no more than five new original neighborhood-restricted special on-sale general licenses per year, until a total of 30 licenses are issued, to premises located in any specified census tract within the City and County of San Francisco. It also authorizes ABC to issue a maximum of 20 new original on-sale general licenses, over a 4-year period in the County of Napa.

**AB 522** (Cunningham) Alcoholic Beverages. Non-Profit Corporations. Raffles.
Chapter 444, Statutes of 2017
This measure allows a non-profit corporation that has been issued a special temporary on-sale or off-sale beer or wine license pursuant to the Alcoholic Beverage Control Act (Act) and that has also obtained a raffle registration from the Department of Justice (DOJ), to offer, provide, or award alcoholic beverages as a prize in a raffle. It enables non-profit organizations to raise funds with raffle prizes of donated alcohol.

**AB 609** (Santiago) Alcoholic Beverages. Licensee Promotion Events. Sunset.
Chapter 295, Statutes of 2017
This measure extends by five years a sunset provision in the Alcoholic Beverage Control Act which temporarily allows specified licensees (distilled spirits manufacturers and winegrowers) to provide entertainment, food, distilled spirits, wine, or non-alcoholic beverages, free of charge, to consumers at an invitation-only event on specified premises.
**AB 660 (Rubio) Public Agencies. Unlawful Interference.**  
*Chapter 381, Statutes of 2017*

This measure expands the crime of trespass on a public agency and makes it an infraction, punishable by a fine of up to $400.00, to intentionally interfere with any lawful business carried on by the employees of a public agency that is open to the public. Specifically, it prohibits knowingly making a material misrepresentation of law to those attempting to transact business, and refusing to leave.

**AB 711 (Low) Beer Manufacturers. Free or Discounted Rides.**  
*Chapter 226, Statutes of 2017*

This measure creates an exemption under a tied-house law that prohibits beer manufacturers from providing to the public any gifts exceeding $3.00 in value, for the limited purpose of transportation for those who have consumed alcoholic beverages. Specifically, this measure allows beer manufacturers to provide consumers free or discounted rides via taxis, transportation network companies, or any other free ride service to reduce impaired driving and enhance road safety.

**AB 997 (Aguiar-Curry) Alcoholic Beverage Licensees. Winegrowers and Beer Manufacturers.**  
*Chapter 788, Statutes of 2017*

This measure allows a licensed winegrower and a licensed small beer manufacturer, whose premises of production are immediately adjacent and contiguous to one another, to share a common area in which the consumption of alcoholic beverages is permitted. It provides that sharing a common area is allowed by law if it is readily accessible from the premises of both the licensed winegrower and the licensed beer manufacturer without the necessity of using a public street, alley, or sidewalk. The licensed premises of both businesses must not be branch offices, and any alcoholic beverages consumed in the shared common area must be purchased by the consumer only from one of the two businesses sharing the common area.

**AB 1221 (Gonzalez Fletcher) Alcoholic Beverage Control. Responsible Beverage Service Training Program Act of 2017.**  
*Chapter 847, Statutes of 2017*

This measure establishes the Responsible Beverage Service (RBS) Training Program Act of 2017 and requires the Department of Alcoholic Beverage Control (ABC), on or before January 1, 2020, to develop, implement, and administer a curriculum for an RBS training program. Specifies the contents of an RBS training course, including but not limited to, intervention techniques to prevent the service or sale of alcoholic beverages to underage or intoxicated persons, and the development of management techniques supporting the prevention of service or sale of alcohol to those groups. It also requires, beginning on July 1, 2021, an alcohol server to successfully complete an RBS training course offered or authorized by ABC.
**AB 1722** (Comm. on Governmental Organization) Alcoholic Beverage Licensees. Restrictions. Coupons.
Chapter 419, Statutes of 2017
This measure modifies an existing provision of the Alcoholic Beverage Control Act (Act), that prohibits a nonretail licensee from offering, funding, producing, sponsoring, promoting, furnishing, or redeeming certain consumer coupons, by revising the definition of "coupon" to remove the requirement that the discount be instantly provided and that an alcoholic beverage be purchased. Provisions of this measure related to the use of instant redeemable coupons (IRC’s), and mail-in rebates are intended to close a loophole created by SB 1032 (Galgiani), Chapter 194, Statutes of 2016. SB 1032 expanded the existing coupon ban applicable to beer manufacturers to include winemakers, winegrowers and others, and prohibited retail licensees from redeeming such coupons. This measure extends the ban to all supplier-funded IRC’s, and clarifies that IRC’s are still allowed, but only if specified conditions are met.

**AB 1724** (Jones-Sawyer) Alcoholic Beverage Licensees. Suspension and Revocation Tied-House Exception.
Chapter 478, Statutes of 2017
This measure extends an existing exception in the Alcoholic Beverage Control Act (Act) pertaining to the general prohibition against advertising arrangements between retail, wholesale, and manufacturer licensees to include a specified outdoor stadium located in the City of Los Angeles (Banc of California Stadium) Specifically, this measure creates a tied-house exception allowing the Los Angeles Football Club to sell advertising space to alcoholic beverage manufacturers at the stadium. This measure also makes minor code maintenance changes to an outdated section of the Act.

**SB 228** (Dodd) Alcoholic Beverage Control. Public Schoolhouses.
Chapter 119, Statutes of 2017
This measure permits the sale, possession or consumption of beer on the grounds of a public schoolhouse for beer that is produced by a brewery owned and operated as part of an instructional program in brewing, if a license has been issued by the Department of Alcoholic Beverage Control.

**SB 461** (Allen) Alcoholic Beverage Control. Tied House Restrictions.
Chapter 517, Statutes of 2017
This measure reduces the minimum number of guestroom accommodations from 100 to 25 for an existing provision in the Alcoholic Beverage Control Act enabling specified licensees, or any authorized agent of such a licensee, to hold an ownership interest in a hotel or motel. It also adds an “out-of-state distilled spirits shipper” to the list of specified licensees authorized to hold such an ownership interest.

Chapter 672, Statutes of 2017
This measure expands an exception to existing alcohol advertising prohibitions. Specifically, it waives a prohibition binding on resale, wholesale and manufacturing licensees by authorizing beer manufacturers, distilled spirits manufacturers and their
agents, wine growers, and distilled spirits rectifiers to purchase advertising time and space from, or on behalf of, on-sale retail licensees at two specific locations: (1) a specified stadium in the City of Inglewood (the Los Angeles Stadium at Hollywood Park); and (2) an outdoor stadium of at least 70,000 seats located in Los Angeles County and operated by a joint powers authority (the Los Angeles Memorial Coliseum).


This measure extends an existing exception in the Alcoholic Beverage Control Act pertaining to the general prohibition against advertising arrangements between retail, wholesale, and manufacturer licensees to allow such arrangements in both an outdoor stadium (AT&T Park, home field of the San Francisco Giants) and an indoor arena (Chase Center – the future home of the Golden State Warriors) with specified minimum seating capacities (40,000 seats in the case of the outdoor stadium, and 13,000 seats in the case of the indoor arena) in the City and County of San Francisco. In carving out a new exception, this measure allows advertising contracts for and on behalf of beer manufacturers, winegrowers, distilled spirits rectifiers, and distilled spirits manufacturers, at the named facilities.

**B. Controlled Substances**

**AB 40 (Santiago) CURES Database. Health Information Technology System. Chapter 607, Statutes of 2017**

This measure requires the California Department of Justice (DOJ) to make the electronic prescription drug records contained in its Controlled Substance Utilization Review and Evaluation System (CURES) accessible through integration with a health information technology system no later than October 1, 2018, if that system meets certain information security and patient privacy requirements. It also allows DOJ to prohibit or terminate integration when a health information technology system fails to pay the required fee or maintain the mandated security and privacy standards.

**AB 133 (Comm. on Budget) Cannabis Regulation. Chapter 253, Statutes of 2017**

This measure enacts a host of regulatory changes to facilitate the onset of state licensing of commercial cannabis businesses in January 2018. Its provisions include, but are not limited to, authorizing a single entity to hold both an adult use license and a medicinal license; providing that applicants who submit evidence of local approval will be presumed to be in compliance with local ordinances unless local jurisdictions notify the state licensing entity otherwise; requiring state licensing entities to notify local governments when an applicant submits evidence of local approval; allowing the Bureau to set requirements for the purchase of cannabis by primary caregivers; assigning the newly created Department of Tax and Fee Administration the responsibility for cannabis-related state tax collection; and increasing the limit on lawful possession of concentrated cannabis from 4 grams to 8 grams.
**AB 395 (Bocanegra) Substance Abuse Treatment Providers.**
Chapter 223, Statutes of 2017
This measure adds medication-assisted treatment as an authorized service at licensed narcotic treatment programs (NTPs), or Opioid Treatment Programs, and makes additional changes to current law regarding authorized medications, patient capacity, and billing timeframes. It also deletes references to “controlled substances” as an authorized use at NTPs and instead allows for federally approved medications, including those used for medically assisted treatment that are not controlled substances. Such medications include methadone, which is often used to treat addiction to controlled substances.

**SB 65 (Hill) Vehicles. Alcohol and Marijuana. Penalties.**
Chapter 232, Statutes of 2017
This measure prohibits the smoking or ingestion of marijuana while driving, or while riding as a passenger in a motor vehicle, and makes a violation punishable as an infraction by a fine of $70.00.

**SB 94 (Comm. on Budget and Fiscal Review) Cannabis. Medicinal and Adult Use.**
Chapter 27, Statutes of 2017
This measure reconciles the provisions of the Medicinal Cannabis Regulation and Safety Act of 2015 (MCRSA) with the Adult Use of Marijuana Act (Proposition 64), enacted by California voters in 2016. It establishes a single regulatory structure for both medicinal and adult use cannabis, and enacts a number of public safety, consumer safety, and tax compliance provisions. It incorporates various components of the MCRSA, including but not limited to preservation of local control, state licensing, transportation requirements that are binding on distributors, regulation of testing labs, and retail security measures.

**SB 180 (Mitchell) Controlled Substances. Sentence Enhancements. Prior Convictions.**
Chapter 677, Statutes of 2017
This measure limits the application of the current three-year sentencing enhancement for a prior conviction for the sale or possession for sale of specified controlled substances, to convictions for a controlled substance offense in which a minor was used or employed in the commission of the offense. It also repeals the three-year enhancement in all other instances.

**SB 443 (Hernandez) Pharmacy. Emergency Medical Services Automated Drug Recovery System.**
Chapter 647, Statutes of 2017
This measure allows a pharmacy or wholesaler that is an emergency medical services (EMS) provider agency to restock drugs to an EMS automated delivery system (EMSADDS) located within an EMS provider agency, provided the following conditions are met: 1) the EMS provider agency must have a license from the Board of Pharmacy to operate the EMSADDS on the premises of a fire station, a separate license for each EMSADDS, and a provider agency pays the license fee of $100 per licensed machine;
2) the EMS provider agency is meeting required specifications regarding inventory controls, access, record-keeping, and the development, maintenance, and adoption of procedures and controls; 3) An EMSADDS may only be restocked by a medical director, pharmacist, or a licensed designated paramedic. This measure also authorizes the Board of Pharmacy to issue a designated paramedic license for purposes of restocking an EMSADDS.

SJR 5 (Stone) Federal Rescheduling of Marijuana from a Schedule I Drug.
Resolution Chapter 187, Statutes of 2017
This measure requests the Congress of the United States to enact a law rescheduling marijuana and its derivatives from a Schedule I drug to an alternative schedule, and requests the President of the United States to sign such legislation.

C. Crimes, Crime Victims, and Corrections

*AB 41 (Chiu) DNA Evidence.
Chapter 694, Statutes of 2017
This measure requires local law enforcement to periodically update the Sexual Assault Forensic Evidence Tracking (SAFE-T) database on the disposition of all sexual assault evidence kits (rape kits) in their custody. It also directs that any monies received by the Office of Emergency Services from the federal office on Violence Against Women that may be used for the testing of sexual assault evidence kits must be used before monies are appropriated from the General Fund to reimburse any costs determined by the Commission on State Mandates to be mandated by the state on a local law enforcement agency.

*AB 90 (Weber) Criminal Gangs.
Chapter 695, Statutes of 2017
This measure shifts responsibility for shared gang databases from the CalGang Executive Board to the Department of Justice and establishes policies, procedures and oversight for the future use of shared gang databases. It defines a “shared gang database” for the California Street Terrorism Enforcement and Prevention Act as a database that contains personal identifying information in which a person may be designated as a suspected gang member, associate, or affiliate.

AB 103 (Comm. on Budget) Public Safety. Omnibus.
Chapter 17, Statutes of 2017
This measure enacts several statutory changes to implement the public safety provisions of the Budget Act of 2016, including but not limited to: removing the courts’ ability to impose a driver’s license suspension for failure to pay fines; revising the structure of the State Penalty Fund to work within the limits of current revenues; defines residence for the purpose of Post-Release Community Supervision, and requires that if a person has no residence, he or she must inform the supervising county agency that he or she is transient; requires funding for a participating county for construction or renovation of a local jail facility or adult local criminal justice facility be used to build or
renovate a facility that meets or surpasses the minimum number of weekly visits as specified in regulations; prohibits local detention facilities that provided in-person visitation as of January 1, 2017 from converting to video-only visitation; requires biennial inspection of local detention facilities; prohibits a person who has an outstanding warrant for a felony from owning, purchasing, or possessing a firearm, and makes a violation of this provision a felony; extends the deadline to register a weapon in order to be exempted from the prohibition of assault weapons that lack a fixed magazine, from January 1, 2018 to July 1, 2018; increases the Department of Justice’s oversight of detention facilities used to detain immigrants; and prohibits a city or county or local law enforcement agency, on or after June 15, 2017, from entering into a contract with the federal government, or any federal agency to house or detain adult non-citizens in a locked detention facility for purposes of civil immigration custody.

**AB 191** (Wood) Mental Health. Involuntary Treatment.  
Chapter 184, Statutes of 2017  
This measure adds licensed marriage counselors, family therapists, and licensed clinical counselors to the list of health providers who are authorized to sign a notice of certification when a patient is certified as needing intensive treatment. Specifically, it authorizes them to certify that a person with a mental health disorder or a condition of chronic alcoholism who is a danger to himself or others, or is gravely disabled, needs treatment for up to 14 days. It permits an additional period of 14 days of treatment for those who, during the first 14-day period, threatened suicide or harm to others.

**AB 260** (Santiago) Human Trafficking.  
Chapter 547, Statutes of 2017  
This measure increases the number of businesses and other establishments that are required to post a notice on their premises related to slavery and human trafficking, including information related to specific non-profit organizations that provide services supporting the elimination of slavery and human trafficking. Specifically, this measure adds hotels, motels, bed and breakfast inns (other than personal residences) to the list of businesses required to post such notices.

Chapter 698, Statutes of 2017  
This measure establishes the Rape Kit Back Log Voluntary Tax Contribution Fund and allows taxpayers to contribute their own monies to the Fund via a designation on the state personal income tax (PIT) return. It also establishes how grants will be prioritized and awarded to law enforcement agencies and accredited public crime laboratories for processing untested rape kits.

**AB 314** (Mullin) Dating Service Contracts. Online Services.  
Chapter 578, Statutes of 2017  
This measure establishes the terms for cancellation of a dating services contract, and provides that a copy of the contract need not be provided to the customer where it is
AB 326 (Salas) State Board of Barbering and Cosmetology. Physical and Sexual Abuse Awareness Training. Chapter 312, Statutes of 2017
This measure requires the Board of Barbering and Cosmetology to establish a Health and Safety Advisory Committee to make recommendations to the Board to ensure that licensees are made aware, during the course of completing their required health and safety curriculum, of the signs of physical and sexual abuse that may be exhibited by their clients. It specifies that licensees are not required to act on information concerning physical and sexual abuse obtained during the course of their employment, unless otherwise required to do so by law.

AB 335 (Kiley) Parole. Placement at Release. Chapter 523, Statutes of 2017
This measure provides that an inmate who has been convicted of any of several specified sex crimes and is subsequently released on parole shall not be returned to a location that is within 35 miles of the residence of a victim or witness, if the victim or witness requests such a restriction, and the Board of Parole Hearings or the Department of Corrections and Rehabilitation finds that such a restriction is necessary to protect the victim or the witness.

AB 390 (Santiago) Pedestrian Crossing Signals. Chapter 402, Statutes of 2017
This measure allows pedestrians to proceed crossing a street when prompted by a "DON'T WALK," "WAIT," or "Upraised Hand" symbol with a countdown as long as the pedestrian finishes crossing before the countdown is over.

This measure restricts, under the California Public Records Act, public disclosure of video and audio recordings in the possession of law enforcement agencies, if those recordings depict a victim of domestic or sexual violence. It also requires that the victim or the victim’s family be granted access to a copy of the recording. It directs local agencies, in balancing the public interests regarding potential release of such a recording, to consider both the constitutional right to privacy of the person(s) depicted in the recording, and whether the potential harm to the victim resulting from disclosure can be mitigated by redacting the recording to obscure portions of the imagery or distort the voices captured thereon.

AB 468 (Santiago) Transit Districts. Prohibition Orders. Chapter 192, Statutes of 2017
This measure adds the Los Angeles County Metropolitan Transportation Authority (Metro) to the transit districts authorized to issue prohibition orders to passengers committing certain illegal behavior, including but not limited to assaults on drivers and
other acts of violence. Specifically, it extends to the Metro existing law which authorizes the barring of specific individuals from entering the property, facilities or vehicles of a transit district for a finite period linked to infractions, misdemeanors, and felony offenses.

**AB 527 (Caballero) Pest Control Aircraft Pilot’s Certificate. Unmanned Aircraft.**
**Chapter 404, Statutes of 2017**
This measure authorizes commercial unmanned aircraft systems (drones) operations for the purposes of pesticide application for mosquito and vector control, provided that the drone operator complies with Federal Aviation Administration (FAA) rules governing drone flight and the drone operator has approval from the California Department of Pesticide Regulation (DPR). It also creates a new pest control aircraft pilot certificate for drone operators, to be provided upon operators passing an examination.

**AB 790 (Stone) Identification Cards. Replacement. Reduced Fee.**
**Chapter 348, Statutes of 2017**
This measure provides for a reduced fee of $8.00 for a replacement identification card issued to an eligible inmate upon release from a state or federal correctional facility or a county jail facility, or an eligible patient treated in a California Department of State Hospitals (DSH) facility.

**AB 993 (Baker) Examination of Victims of Sex Crimes.**
**Chapter 320, Statutes of 2017**
This measure authorizes the prosecution in a sexual assault case to apply for an order that the victim be video recorded at the preliminary hearing, and that the video recording be preserved and available when the defendant is charged with aggravated sexual assault of a child under the age of 14, or charged with oral copulation, sexual penetration, rape or sodomy of a child under the age of 10.

**AB 1034 (Chau) Government Interruption of Communications.**
**Chapter 322, Statutes of 2017**
This measure implements various recommendations of the California Law Revision Commission related to statutes governing government interruption of communications service, including but not limited to establishing an opportunity for post-interruption judicial review, a clarification of the role of the Office of Emergency Services in the process, the addition of exceptions to court authorization requirements to minimize unnecessary burdens on law enforcement and the courts, and the addition of procedural language from existing law pertaining to wiretapping, to provide clarity and additional detail on how to apply for a court order authorizing the interruption of communications.

**AB 1094 (Choi) Vehicles. Automated Traffic Enforcement Systems.**
**Chapter 555, Statutes of 2017**
This measure lowers the base fine for a red light traffic violation at a highway on-ramp to $35 instead of the $100 base fine imposed for red light traffic violations at an intersection.
**AB 1115 (Jones-Sawyer) Convictions. Expungement.**
Chapter 207, Statutes of 2017
This measure enables individuals sentenced to state prison for a felony to obtain expungement relief (i.e. removal of the felony conviction from their record) if the offense would have been eligible for sentencing to a county jail had it been committed after enactment of the 2011 Public Safety Realignment legislation.

**AB 1206 (Bocanegra) Vehicles. Impoundment Program.**
Chapter 531, Statutes of 2017
This measure authorizes a two-year pilot program in the cities of Los Angeles, Oakland and Sacramento permitting law enforcement officers to tow vehicles used in the commission, or attempted commission, of specified offenses related to prostitution, including but not limited to pimping, procurement, or use of threats or violence to induce a person to commit an act of prostitution.

**AB 1222 (Quirk) Vehicles. Electronic Wireless Communications Devices.**
Chapter 297, Statutes of 2017
This measure excludes the terms “specialized mobile radio device” and “two way messaging device” from the definition of the term “electronic wireless communications device” for the purpose of prohibiting the use of certain devices while driving, in part to acknowledge the use of such devices by public works and public utilities personnel.

**AB 1227 (Bonta) Human Trafficking Prevention Education and Training Act.**
Chapter 558, Statutes of 2017
This measure establishes the Human Trafficking Prevention Education and Training Act, allowing schools to provide training on sexual abuse and human trafficking, including how to safely seek assistance, and makes changes to the Commercially Sexually Exploited Children Program, including but not limited to adding educational entities to the groups with whom a county must collaborate.

**AB 1303 (McCarty) Vehicles. Window Tinting.**
Chapter 210, Statutes of 2017
This measure allows a person to install window tinting to block ultraviolet rays with a lower light transmittance rating than currently allowed on a vehicle with a signed note from a dermatologist.

**AB 1312 (Gonzalez Fletcher) Sexual Assault Victims. Rights.**
Chapter 692, Statutes of 2017
This measure requires law enforcement and medical professionals to provide victims of sexual assault and domestic violence with written notification of their rights, and provides additional rights to victims of sexual assault. Specifically, it requires law enforcement, upon encountering victims of either domestic violence or sexual assault, to immediately provide the victim a written card explaining the victim’s rights and resources, and prior to any initial medical evidentiary or physical examination. It also enacts a series of requirements binding on medical professionals or law enforcement, including but not limited to: providing the victim an opportunity to shower after the
examination; mandated notification of the law enforcement agency with jurisdiction within 24 hours of obtaining forensic evidence; codifying a victim’s right to have a victim advocate and a support person present at any interview by authorities; and requiring law enforcement agencies to retain rape kits and other crime scene evidence from an unsolved sexual assault case for a minimum of 20 years.

**AB 1384 (Weber) Victims of Violent Crimes. Trauma Recovery Centers.**
**Chapter 587, Statutes of 2017**
This measure recognizes the Trauma Recovery Center at San Francisco General Hospital as the State Pilot Trauma Recovery Center (State Pilot TRC), and requires the California Victims Compensation and Government Claims Board (CVCGB) to use the model developed by this center when it awards grants to establish additional trauma recovery centers. It authorizes the CVCGB to award grants providing funding for up to three years, and provides that any unused funds shall revert to the Restitution fund, and states the intent of the Legislature to provide an annual appropriation of $2 million per year from the Restitution fund. It also imposes requirements on trauma recovery centers, including but not limited to: providing outreach and services to crime victims unable to access traditional services, serving victims of a range of crimes (sexual assault, battery, domestic violence, violent crimes generally) and family members of homicide victims.

**AB 1418 (O'Donnell) City Prosecutors.**
**Chapter 299, Statutes of 2017**
This measure clarifies that city prosecutors have the same authority, privileges, and protections as prosecuting city attorneys, particularly in regard to the prosecution of misdemeanors.

**AB 1448 (Weber) Elderly Parole Program.**
**Chapter 676, Statutes of 2017**
This measure establishes the Elderly Parole Program, for reviewing the parole suitability of inmates who are 60 years of age or older and who have served a minimum of 25 years of continuous incarceration. Persons who are not eligible for this program are persons sentenced to life in prison without the possibility of parole or death, and a person convicted of the first-degree murder of a peace officer or a person who had been a peace officer.

**AB 1459 (Quirk-Silva) Murder. Peace Officers.**
**Chapter 214, Statutes of 2017**
This measure declares the finding of the Legislature that all unlawful killings that are willful, deliberate, and premeditated and in which the victim was a peace officer, as defined in statute, who was killed while engaged in the performance of his or her duties, and the defendant knew, or reasonably should have known, that the victim was a peace officer engaged in the performance of his or her duties are considered first degree murder for purposes of the gravity of the offense and the support of survivors. It also contains a provision that the above finding is declarative of existing law.
**AB 1480 (Quirk) Pest Control. Violations and Penalties. Civil Penalty.**
Chapter 152, Statutes of 2017
This measure expands the current enforcement authority of Director of the Department of Pesticide Regulation (DPR) by authorizing the levying of a civil penalty of up to $5,000.00 against a person who commits the crime of fraudulent activity related to the pesticide applicator licensing process.

**AB 1518 (Weber) Criminal Justice Information.**
Chapter 328, Statutes of 2017
This measure delays implementation of regulations related to the Racial Identity Profiling Act (RIPA) for one year, until January 1, 2018. It establishes dates for law enforcement to begin collecting the required data under the RIPA, and clarifies that law enforcement agencies are solely responsible for ensuring that personally identifiable information of individuals stopped by law enforcement, or any other information that is exempt from disclosure, is not transmitted to the Attorney General in an open field text.

**AB 1542 (Dababneh) Violent Felonies. Video Recording.**
Chapter 668, Statutes of 2017
This measure authorizes courts to consider, in the sentencing phase of a criminal trial, the willful recording of a commission of a violent felony with the intent to encourage or facilitate the offense, as a factor in whether there were aggravating circumstances.

**AB 1616 (Nazarian) Alarm Companies. Liability. False Alarm**
Chapter 157, Statutes of 2017
This measure specifies that an alarm company operator or an alarm company agent shall not be liable for civil penalties and fines assessed or imposed by a city, county, or city and county for false alarms not attributed to alarm company operator error, improper installation of the alarm system by an alarm agent or an alarm company operator, defective equipment provided or installed by an alarm agent or an alarm company operator, or defective equipment leased by an alarm company operator.

**SB 20 (Hill) Vehicles. Buses. Seatbelts.**
Chapter 593, Statutes of 2017
This measure as of July 1, 2018, requires bus drivers and passengers over the age of 16 to wear seat belts in buses that are equipped with them. It also requires drivers to notify passengers of this requirement and the $20 fine for not wearing a seat belt either before departure or with posted signs or placards.

**SB 40 (Roth) Domestic Violence.**
Chapter 331, Statutes of 2017
This measure requires written notice to be furnished to victims of domestic violence at the scene of the domestic violence incident, informing the victim that strangulation may cause internal injuries, and encouraging the victim to seek medical attention. It also requires the Attorney General and law enforcement agencies to include within their existing reporting requirements the number of domestic violence incidents involving strangulation or suffocation.
**SB 225** (Stern) Human Trafficking. Notice.
Chapter 565, Statutes of 2017
This measure changes the requirements for signage specified businesses and other establishments must post that contains information relating to slavery and human trafficking. This measure requires this notice to include language indicating that victims, or those who witness trafficking, can text a special hotline to access help and services, and requires the Department of Justice to update the model notice accordingly.

**SB 310** (Atkins) Name and Gender Change. Prisons and County Jails.
Chapter 856, Statutes of 2017
This measure, beginning on September 1, 2018, allows incarcerated persons to petition for a name change or gender change under existing law, and requires that the petition for a name change to be noticed to the Department of Corrections and Rehabilitation (CDCR) or the county jail.

Chapter 728, Statutes of 2017
This measure expands the definition of "exonerated," for the purpose of eligibility for assistance with transitional services upon release from prison, to include a person who has been granted a writ of habeas resulting in the dismissal of the criminal charges for which he or she was incarcerated or following a determination that the person is entitled to release on his or her own recognizance, or to bail, pending pretrial or pending appeal.

**SB 360** (Skinner) Public Social Services. Prosecution for Overpayment or Over-issuance of Benefits.
Chapter 390, Statutes of 2017
This measure exempts an individual from criminal prosecution for overpayment or over-issuance of California Work Opportunity and Responsibility to Kids (CalWORKs) or CalFresh benefits for any month in which the county human services agency was in receipt of Income and Eligibility Verification (IEVS) data match information indicating such overpayment or over-issuance but had not provided timely and adequate notice to the individual recipient. It also clarifies that in the event of overpayment, a county can collect, but that the fact of an overpayment cannot be used for prosecution purpose in any month in which the county knew or should have known of its existence.

**SB 393** (Lara) Arrests. Sealing.
Chapter 680, Statutes of 2017
This measure provides a process for a person to petition a court to seal records of an arrest that did not result in a conviction, with specified exceptions.

**SB 420** (Monning) State Summary Criminal History Information. Sentencing Information.
Chapter 333, Statutes of 2017
This measure requires the Department of Justice to include sentencing information in the "state summary criminal history information" record that it routinely provides to specified entities, if that information is present in the department's records at the time
the state summary criminal history information is initially furnished to those entities, including to authorized agencies and organizations for use for peace officer employment purposes, including but not limited to California courts, district attorneys, probation officers, peace officers, parole officers, city attorneys pursuing civil gang injunctions or drug abatement actions, any agency, officer, or official of the state, and any city, county, or city and county.

**SB 466 (Bates) Rental Passenger Vehicle Transactions. Electronic Surveillance Technology. AMBER Alert.**
Chapter 163, Statutes of 2017
This measure authorizes rental car companies to use electronic surveillance technology to locate a rental vehicle in order to assist law enforcement in finding missing or abducted children. Specifically, it authorizes the use of GPS technology to locate rental vehicles, and authorizes rental car companies to notify law enforcement agencies that one of the company’s vehicles is the subject of an AMBER alert upon learning of the situation.

**SB 500 (Levy) Extortion.**
Chapter 518, Statutes of 2018
This measure expands the crime of extortion to include not only the obtaining of property, but also other considerations, including sexual conduct or images of intimate body parts. It also provides that a person under the age of 18 who commits this conduct is not guilty of extortion.

**SB 534 (Lara) California Victim Compensation Board. Claims.**
Chapter 360, Statutes of 2017 (Urgency)
This measure appropriates $2 million to the Executive Officer of the California Victim Compensation Board for the payment of four erroneous conviction claims. Specifically, it compensates four individuals convicted for crimes of which they were innocent: Raymond Lee Jennings, for murder; Joel Alcox, for murder; Richard James Goolsby, for arson and attempted murder; and Tony Jesus Moreno, Jr. for robbery.

**SB 597 (Leyva) Human Trafficking. Victim Confidentiality.**
Chapter 570, Statutes of 2017
This measure expands the scope of the address confidentiality program administered by the Secretary of State (SOS), known as the Safe at Home (SAH) program, to include victims of human trafficking. Prior to this measure the program was limited to victims of domestic violence, sexual assault, or stalking. It enables state and local agencies to accept and respond to requests for public records without disclosing the name or address of such victims. This measure allows human trafficking victims to apply through a community-based victims assistance program to have an address designated by SOS as his or her substitute mailing address, and expands the program to also include household members of victims of domestic violence, sexual assault, stalking, as well as human trafficking.
Chapter 74, Statutes of 2017
This measure extends the statute of limitations for the crime of concealing an accidental death (including an overt act to conceal a body or impede its discovery, or to destroy or suppress evidence of either the body or the instrumentality of death), from one to four years after the commission of the offense.

**SB 611** (Hill) Vehicles.
Chapter 485, Statutes of 2017
This measure reforms the disabled placard and license plate program operated by the Department of Motor Vehicles (DMV), and makes technical clean-up changes related to the ignition interlock device program. Specifically, it requires the DMV to conduct a quarterly random audit of applications for disabled person placards, with the cooperation of the Medical Board of California or the appropriate regulatory boards. It also requires the DMV to annually compare its record of disabled placards against the Social Security Administration’s Death Master File, in addition to information in the Office of Vital Records of the Department of Public Health. It also requires permanent placard holders to renew their placard every six years, prohibits DMV from issuing replacement placards to the same person more than four times in a two-year period, and requires a person who applies more than four times in two years to submit a new certificate of disability.

**SB 670** (Jackson) Sentencing. County of Incarceration and Supervision.
Chapter 287, Statutes of 2017
This measure requires a court, when imposing specified felony sentences that are either concurrent or consecutive to another felony sentence in another county or counties, to determine the county or counties of incarceration and supervision of the defendant. It also requires the Judicial Council to adopt rules providing criteria for the consideration of the judge to determine the appropriate county or counties of incarceration and supervision.

Chapter 599, Statutes of 2017
This measure requires the California Department of Veterans Affairs (CalVet) to assign one employee as a liaison for every five state prisons, who is trained and accredited by the Department to assist incarcerated veterans to apply for and receive any federal veterans benefits for which they or their families may be eligible. It requires the Department of Corrections and Rehabilitation (CDCR) to grant the CalVet liaisons access to the hardware, software, and computer networks reasonably necessary to perform their duties while at the prison, and to take all necessary safety precautions. Finally, it requires CalVet and CDCR to collaborate to ensure that the designated CalVet liaisons have maximum access and effectiveness in assisting incarcerated veterans.
SB 811 (Comm. on Public Safety) Public Safety. Omnibus.  
Chapter 269, Statutes of 2017  
This measure makes a series of technical and corrective changes to various penal code sections relating generally to criminal justice, including but not limited to: (1) adds the Department of Justice to the enumerated list of persons or entities allowed to inspect juvenile case files to execute duties related to sex offender registrations; (2) clarifies that governmental entities are not required to provide notice of obtaining electronic communication under circumstances in which that entity has accessed electronic information under the emergency 911 authority; (3) reorganizes provisions of the Health and Safety Code for Proposition 47 compliance; (4) corrects a misstatement to the definition of “human trafficking victim” in statute pertaining to expert testimony in human trafficking cases; and (5) makes technical, non-substantive changes related to various penalty provisions related to sex offenders.

D. Firearms/Weapons

AB 7 (Gipson) Firearms. Open Carry.  
Chapter 734, Statutes of 2017  
This measure specifies that it is a misdemeanor to openly carry a long gun (a rifle or semi-automatic rifle) in a public place in an area where discharge of a firearm is prohibited in an unincorporated area of a county.

AB 424 (McCarty) Possession of a Firearm in a School Zone.  
Chapter 779, Statutes of 2017  
This measure deletes the authority of a school district superintendent, his or her designee, or equivalent school authority to provide written permission for a person to possess a firearm within a school zone. It also exempts sanctioned shooting sports and activities such as hunter education programs from the prohibition, if all firearms are unloaded and participants do not possess live ammunition in a school building.

AB 693 (Irwin) Firearms.  
Chapter 783, Statutes of 2017 (Urgency)  
This measure exempts persons enrolled in the course of basic training prescribed by the Commission on Peace Officers Standards and Training (POST) from specified prohibitions related to firearms, ammunition, and large-capacity magazines. It expands existing exemptions that apply to sworn peace officers to those who are cadets enrolled in a training program to become sworn peace officers.

AB 785 (Jones-Sawyer) Firearms. Possession of Firearms by Convicted Persons.  
Chapter 784, Statutes of 2017  
This measure adds two hate crimes to the list of misdemeanors that result in a ban on the right to possess a firearm for 10 years. Specifically, it adds the misdemeanor offense of interference with a person’s free exercise of any constitutional right or privilege, by force or threat of force, because of the person’s perceived race, religion, national origin, disability, gender, or sexual orientation to the list of offenses that result
in a ban on the right to possess a firearm for 10 years. It also adds to the same list the misdemeanor of knowingly defacing, damaging, or destroying the property of another person, for the purpose of intimidating or interfering with the exercise of any of those constitutional rights because of those specified characteristics.

**AB 1525 (Baker) Firearms Warnings.**
Chapter 825, Statutes of 2017
This measure updates required warnings on packaging, instructional manuals, pamphlets, and signs posted at retailers relating to the risks of firearms to reflect recent updates to California law related to firearms.

**SB 324 (Roth) Public Officers. Custodial Officers.**
Chapter 73, Statutes of 2017
This measure allows a custodial officer, at the discretion of the employing sheriff or chief of police, to use a less lethal weapon if the officer (1) is trained in its use, and (2) complies with the policy on the use of less lethal weapons as set forth by the sheriff or chief of police. “Less lethal weapon” is defined as any device that is designed to or that has been converted to expel or propel less lethal ammunition for the purpose of incapacitating, immobilizing, or stunning a human being through the inflection of any less than lethal impairment of physical condition.

*SB 497 (Portantino) Firearms.*
Chapter 809, Statutes of 2017
This measure allows a peace officer when leaving a handgun in an unattended vehicle that is not equipped with a trunk, to lock the handgun out of plain view in the center console, provided the center console has a padlock, key lock, combination lock, or other similar locking device. It defines “peace officer” as a sworn California peace officer or a sworn federal law enforcement officer authorized to carry a firearm in the course and scope of his duties.

**SB 536 (Pan) Firearm Violence Research Center. Gun Violence Restraining Orders.**
Chapter 810, Statutes of 2017
This measure requires the Department of Justice (DOJ) to make information related to gun violence restraining orders maintained in the California Restraining Order and Protective Order System or any similar database maintained by DOJ available to researchers affiliated with the University of California. Alternatively, at the discretion of DOJ, it authorizes the release of such information to any other entity concerned with the study and prevention of violence, for academic and research purposes.

**SB 620 (Bradford) Firearms. Crimes. Enhancements.**
Chapter 682, Statutes of 2017
This measure would allow a court, in the interest of justice and at the time of sentencing or resentencing, to strike or dismiss a sentence enhancement otherwise required to be imposed by law on the use of a firearm, assault weapon, or machine gun while committing or attempting to commit a felony. It further specifies that the enhancement
may be struck or dismissed in the interest of justice if the use of the firearm caused
great bodily injury or death.

E. Fire Service/Emergency & Disaster Response

AB 78 (Cooper) Vessels. Operation and Equipment. Blue Lights.
Chapter 103, Statutes of 2017
This measure expands the use of a distinctive blue light for public safety vessels to
include fire department or fire protection district vessels that are engaged in public
safety activities.

Update.
Chapter 106, Statutes of 2017
This measure requires the Office of Emergency Services to update the State
Emergency Plan by January 1, 2019, and every five years thereafter.

Notice.
Chapter 138, Statutes of 2017
This measure requires a city, county, or city and county, including charter cities and
charter counties that approve a building permit for the construction of an electrified
security fence to notify their local fire department and fire marshal and provide them
with a copy of the approved permit.

AB 579 (Flora) Apprenticeship. Fire Protection. Firefighter Apprenticeship
Program.
Chapter 344, Statutes of 2017
This measure requires the Division of Apprenticeship Standards within the Department
of Industrial Relations, in collaboration with the California Firefighter Joint
Apprenticeship Committee, to develop a statewide firefighter pre-apprenticeship
program with the goal of recruiting candidates from under-represented groups.
Specifically, it requires the program to create training and curriculum based on
California firefighter standards to prepare candidates from under-represented groups
with the skills, competencies and mentorship required to pass the Candidate Physical
Ability Test (CPAT), and the written test and oral components common to the California
hiring process necessary for a candidate to achieve eligibility to be hired by fire
protection agencies.

AB 911 (Wood) Radioactive Materials. Licensing and Registration. Exemption
Chapter 128, Statutes of 2017
This measure requires the Department of Public Health to exempt certified bomb
technicians employed by local governments and the State of California, including
employees of the University of California, from existing requirements for conducting field
radiography.
Chapter 588, Statutes of 2017
This measure requires the local implementing agency to develop an integrated alerting and notification system to notify the community surrounding a petroleum refinery in the event of an incident. This bill defines a “local implementing agency” as a local entity that has been designated by a local governing body and may include a local law enforcement or fire agency, a joint powers authority, or other local agency. The local implementing agency must coordinate with emergency management agencies, unified program agencies, first response agencies, and the public in developing this system.

Chapter 589, Statutes of 2017
This measure requires a local air district to install a community air monitoring and an owner or operator of a refinery to install fence-line monitoring systems on and near petroleum refineries by January 1, 2020 to measure and record air pollutant concentrations in the air. This bill also requires the air district and the owner or operator to provide collected real-time data to the public, to the extent feasible.

AB 1649 (Muratsuchi) Oil Refineries. Public Safety.
Chapter 590, Statutes of 2017
This measure requires the California Environmental Protection Agency (CalEPA), in coordination with state and local agencies, to examine ways to improve public and worker safety through enhanced oversight of refineries and strengthen emergency preparedness. This bill also requires CalEPA to hold at least two public meetings annually.

ACR 71 (Flora) International Firefighters Day.
Resolution Chapter 62, Statutes of 2017
This measure recognizes May 4, 2017 as International Firefighters’ Day for the purpose of honoring the sacrifices made by firefighters in California and around the world.

SB 302 (Mendoza) Joint Powers Agencies. Orange County Fire Authority. Funds.
Chapter 807, Statutes of 2017
This measure requires specified property tax transfers to be approved by Orange County, the Orange County Fire Authority (OCFA), and a majority of cities that are members of OCFA. This measure adds a condition to existing law governing property tax transfers between cities, counties or special districts, by requiring that the transfer of SFF property tax revenues, as specified, be approved by the board of supervisors of Orange County, the city councils of a majority of OCFA member cities, and the OCFA, as long as the transfer does not violate existing law that requires SFF revenues to be expended by the OCFA for fire protection purposes.
SB 432 (Pan) Emergency Medical Services.
Chapter 426, Statutes of 2017
This measure revises the required communicable disease exposure notification procedure for emergency medical services (EMS) providers by requiring a health facility to immediately notify an EMS provider’s designated officer upon determining that a person to whom emergency medical services were provided is diagnosed with a reportable disease. This measure is in addition to the existing requirement that provides notification to the county health officer who in turn notifies the EMS provider.

Chapter 670, Statutes of 2017
This measure requires newly constructed or remodeled swimming pools at private, single-family residences to incorporate a minimum of two out of seven specified drowning safety measures. It also includes home inspections occurring upon the transfer of such properties to include an assessment of whether the pool is equipped with adequate state-specified safety measures. They are:

- An enclosure isolating the pool from the home;
- Removable mesh fencing meeting specified standards with a self-closing, self-locking gate that can accommodate a key lockable device;
- An approved pool safety cover;
- Exit alarms on the doors of the single-family home that provide direct access to the pool;
- A self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor of the door providing direct access to the pool;
- An alarm that when placed in the pool will sound upon accidental or unauthorized entrance into the water; and
- Other means of protection, if verified as meeting specified safety standards.

Chapter 773, Statutes of 2017
This bill imposes a quality assurance fee (QAF) on each transport provided by an emergency medical transport (EMT) provider in accordance with a prescribed methodology. This bill requires the resulting revenue to be placed in a continuously appropriated fund to be used to provide an add-on increase to the SB 523. Medi-Cal fee-for-service (FFS) EMT rate for three emergency transport reimbursement codes, to pay for state administrative costs, and to provide funding for health care coverage for Californians. This will result in some jurisdictions seeing a net increase in revenue, with others seeing a net loss.

Chapter 286, Statutes of 2017
This measure authorizes probation officers to display a blue warning light on their authorized emergency vehicles, if the officer completes a four-hour training course regarding the operation of emergency vehicles certified by the Standards and Training for Corrections Division of the Board of State and Community Corrections (BSCC).
**SCR 69 (Cannella) Firefighter Appreciation Month and California Firefighters Memorial Day.**

**Resolution Chapter 181, Statutes of 2017**

This measure proclaims the month of September 2017 as Firefighter Appreciation Month and September 30, 2017 as California Firefighters Memorial Day. It also makes various legislative findings, including but not limited to the following: That each of the more than 1,300 names engraved on the brushed limestone walls of the California Firefighters Memorial serves as a timeless tribute to the finest and bravest of California who have made the ultimate sacrifice as firefighters. Many of those whose names are etched into the Memorial Wall suffered and ultimately succumbed to diseases, such as occupational cancer, as a result of the hazardous nature of their work.

**SR 40 (Morrell) Relative to First Responder Day.**

This measure declares September 23, 2017 as First Responder Day, in honor of the contributions and dedication of first responders.

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**F. Gaming/Gambling**

**AB 1378 (Gray) Tribal Gaming. Compact Ratification.**

**Chapter 450, Statutes of 2017**

This measure ratifies an amendment to the tribal-state gaming compact entered into between the State of California and the San Manuel Band of Mission Indians, on August 18, 2017. It also exempts certain actions from the definition of “project” for purposes of the California Environmental Quality Act (CEQA), in deference to tribal sovereignty; it also stipulates that (except as expressly provided) 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 1606 (Cooper) Tribal Gaming. Compact Ratification.**

**Chapter 453, Statutes of 2017**

This measure ratifies a tribal-state gaming compact entered into between the State of California and the Wilton Rancheria Tribe executed on July 19, 2017. 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, 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 6 (Hueso) Tribal Gaming. Compact Ratification.**

**Chapter 455, Statutes of 2017 (Urgency)**

This measure ratifies the tribal-state gaming compact entered into between the State of California and the Quechan Tribe of the Fort Yuma Indian Reservation executed on August 31, 2017. This measure provides that, in keeping with tribal sovereignty, certain actions related to the compact are not projects for purposes of CEQA.
SB 585 (McGuire) Tribal Gaming. Compact Ratification.
Chapter 464, Statutes of 2017 (Urgency)
This measure ratifies the tribal-state gaming compact entered into between the State of California and the Dry Creek Rancheria Band of Pomo Indians, executed on August 18, 2017. It also provides that, in deference to tribal sovereignty, certain actions are not deemed projects for purposes of the California Environmental Quality Act (CEQA), and stipulates that (except as expressly provided) none of the provisions shall be construed to exempt a city, county, or city and county, or the Department of Transportation, or any state agency or local jurisdiction, from CEQA requirements.

SB 626 (Dodd) Tribal Gaming. Compact Ratification.
Chapter 465, Statutes of 2017 (Urgency)
This measure ratifies amendments to the tribal-state gaming compact (Compact amendment) entered into between the State of California and the Federated Indians of Graton Rancheria, executed on August 18, 2017. It conforms provisions of the 2012 Compact regarding workers’ compensation and authorized gaming activities to those of more recent and ratified compacts, and specifies that all other provisions of the 2012 Compact remain intact and valid until December 31, 2033. It also provides that, in deference to tribal sovereignty, certain actions are not deemed projects for purposes of the California Environmental Quality Act (CEQA), and stipulates that (except as expressly provided) none of the provisions shall be construed to exempt a city, county, or city and county, or the Department of Transportation, or any state agency or local jurisdiction, from CEQA requirements.

*SB 654 (Dodd) Local Moratorium. Gambling Tables.
Chapter 244, Statutes of 2017
This measure authorizes a city, county, or city and county to amend its local ordinance to increase the operating hours of a gambling establishment to up to 24 hours a day, 7 days a week.

G. Immigration

AB 21 (Kalra) Public Postsecondary Education. Access to Higher Education for Every Student.
Chapter 488, Statutes of 2017
This measure requires the California State University, California Community Colleges, and each Cal Grant-eligible independent institution of higher education, and requests the University of California, to establish specific policies and take specific actions that safeguard against immigration enforcement activities on post-secondary education campuses.

Chapter 194, Statutes of 2017
This measure prohibits law enforcement agencies from detaining a crime victim or witness solely for an actual or suspected immigration violation, where that individual is
not charged with or convicted of committing any crime under state law. It also clarifies that law enforcement agencies are authorized to turn an individual over to immigration authorities pursuant to a judicial warrant.

**AB 699 (O’Donnell) Educational Equity. Immigration and Citizenship Status.**
Chapter 493, Statutes of 2017
This measure requires the Attorney General to publish model policies limiting assistance to immigration enforcement authorities at public schools, and requires local educational agencies (LEAs) to adopt the model policies or equivalent policies, and provides education and support to immigrant students and their families. It prohibits public school officials and employees of an LEA (except as may be required by state or federal law, or required to administer a state or federally supported educational program) from collecting information or documents regarding citizenship or immigration status of pupils or their family members. It also clarifies that the prohibition of discrimination on the basis of specified characteristics includes immigration status pursuant to the definition of hate crimes in the California Penal Code. Imposes additional regulations on public schools in regard to immigration enforcement.

**AB 1690 (Comm. on the Judiciary) Personal Rights. Compensatory Relief.**
Chapter 160, Statutes of 2017
This measure clarifies that for purposes of enforcing state consumer protection laws, a person’s immigration status is irrelevant to the issue of liability, and in proceedings or discovery undertaken to enforce those state laws, no inquiry shall be permitted into a person’s immigration status, except where the person seeking to make this inquiry has shown by clear and convincing evidence that the inquiry is necessary in order to comply with federal immigration law.

**HR 4 (Rendon) Relative to Immigration.**
Adopted
This measure proclaims that the Assembly condemns in the strongest terms bigoted, racist, or misinformed descriptions of the immigrant community that serve only to foment hatred and violence and supports a comprehensive and workable approach to solving our nation’s historically broken immigration system.

**HR 15 (Gomez) Relative to United States Immigration Policy.**
Adopted
This measure states the California State Assembly rejects all of the provisions contained in the presidential executive order, titled “Protecting the Nation From Foreign Terrorist Entry Into the United States,” signed on January 27, 2017, that limits travel and immigration and discontinues the Syrian Refugee program.

**SB 29 (Lara) Law Enforcement. Immigration.**
Chapter 494, Statutes of 2017
This measure establishes, after January 1, 2018, contracting restrictions and new notice and public hearing requirements for local governments and local law enforcement agencies. It prohibits local law enforcement agencies that do not already have a
contract with the federal government or any federal agency from entering into a contract to house or detain noncitizens for purposes of civil immigration custody. This measure also prohibits local agencies from entering into contracts, building permits, and other official actions involving the federal government, federal agencies, or private corporations seeking to expand the maximum number of contract beds that could be utilized to house or detain noncitizens for purposes of civil immigration custody. Lastly, this measure prohibits local agencies from approving or signing a deed or issuing a permit for the building or reuse of existing buildings to house or detain noncitizens for the purposes of civil immigration proceedings unless the local agency has provided specified notice and solicited public comment.


Chapter 826, Statues of 2017 (Urgency)

This measure directs California state and local governments to refrain from initiating, participating in, or assisting with any program to create a religious list, registry, or database, or using information about people's national origin or ethnicity to achieve the same basic purpose.

**SB 54 (de León) Law Enforcement: Sharing Data.**

Chapter 495, Statutes of 2017

This measure repeals existing law stating that when there is reason to believe that a person arrested for a violation of a controlled substance may not be a citizen of the United States, the arresting agency shall notify the appropriate agency of the United States who has charge of deportation matters. It also prohibits state and local law enforcement agencies from using money or personnel to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes.

The measure requires, by October 1, 2018, the Attorney General to publish model policies limiting assistance with immigration enforcement to the fullest extent possible for use by public schools, public libraries, health facilities operated by the state or a political subdivision of the state, and courthouses. It requires, among others, all public schools, health facilities operated by the state to implement the model policy.

It requires law enforcement agencies choosing to participate in a joint law enforcement task force to submit a report annually pertaining to task force operations to the Department of Justice.

The measure requires the Attorney General, by March 1, 2019, and annually thereafter, to report on the types and frequency of joint law enforcement task forces, and to post those reports and additional specified information on the Attorney General’s Website. It also requires law enforcement agencies to report to the department annually regarding transfers of persons to immigration authorities. It also requires the Attorney General to publish guidance, audit criteria, and training recommendations regarding state and local law enforcement databases, for purposes of limiting the availability of information for immigration enforcement.
This measure requires the Department of Corrections and Rehabilitation to provide a specified written consent form in advance of any interview between a person in department custody and the United States Immigration and Customs Enforcement regarding civil immigration violations.

**SB 613 (de León) Immigration Status.**
**Chapter 774, Statutes of 2017**
This measure repeals longstanding requirements in the Welfare and Institutions Code that require the Division of Juvenile Justice, the Department of State Hospitals, and the Department of Developmental Services to cooperate with federal immigration authorities in arranging for the deportation of all aliens who are confined in their respective institutions.

**SR 7 (de León) Relative to Immigration.**
**Adopted on December 5, 2016**
This measure urges President-elect Trump to continue President Obama’s Deferred Action for Childhood Arrivals (DACA) program; implores the President-elect not to pursue mass deportation strategies; declares support for a comprehensive approach to immigration reform; implores the President-elect and Congress to develop rational immigration policies recognizing the contributions of immigrants to the nation, and are humane to immigrant families and children. It also condemns bigoted descriptions of the immigrant community that serve to foment hatred and violence.

**SR 16 (de León) Relative to Immigration.**
**Adopted on January 30, 2017**
This resolution does the following:
- Makes numerous findings regarding President Trump’s Executive Order that bans individuals from seven predominately Muslim countries from entering the United States for 90 days;
- Publicly condemns the Executive Order as an affront to religious freedom and a discriminatory overreach illegally targeting immigrants based on their national origin and religion;
- Documents the shameful history of the United States in turning away immigrants and refugees via exclusionary laws;
- Urges the President to immediately rescind the Executive Order;
- Urges the Department of Homeland Security to comply with related federal court orders;
- Commends attorneys who provide pro bono services to ensure immigrants due process and equal protection rights are observed; and
- Commends those who have peacefully protested to uphold American values.
**H. Judicial Processes and Criminal Procedure**

**AB 208 (Eggman) Deferred Entry of Judgment. Pre-Trial Diversion.**  
Chapter 778, Statutes of 2017  
This measure converts the existing deferred entry of judgment program for specified drug possession offenses into a pre-trial drug diversion program, and establishes eligibility requirements for the latter. It limits harsh consequences to immigrants by allowing pre-trial diversion for non-violent, misdemeanor drug offenses, avoiding federal consequences such as deportation if the defendant is undocumented. It also limits federal consequences for U.S. citizens, including loss of federal housing and educational benefits.

**AB 264 (Low) Protective Orders.**  
Chapter 270, Statutes of 2017  
This measure requires a court to consider issuing a restraining order for up to 10 years in cases involving gang activity. It also expands the court’s authority to issue post-conviction restraining orders to cover witnesses to the qualifying crimes, if it can be established by clear and convincing evidence that a witness has been harassed. Finally, it defines the term “harassment” for purposes of determining whether a witness has been the target of such activity.

**AB 290 (Salas) Collateral Recovery. Repossession Agencies.**  
Chapter 271, Statutes of 2017  
This measure repeals a January 1, 2018 sunset date that would restore a prohibition on dealers of agriculture, forestry, lawn care and construction equipment from directly repossessing financed equipment after a default. It also defines a repossession agency to permanently exclude from that definition specified banks; attorneys; owners of collateral; officers or employees of the U.S. government, states, or other political subdivisions; a dealer or its employee regularly involved in the sale of collateral designed primarily for agricultural use; and a qualified certificate or license holder.

**AB 368 (Muratsuchi) Criminal Procedure. Jurisdiction of Public Offenses.**  
Chapter 379, Statutes of 2017  
This measure authorizes the consolidation into a single trial of specified sex offenses against a child ten years of age or younger that occur in different counties, if the district attorneys with jurisdiction agree.

**AB 411 (Bloom) Witness Testimony. Therapy and Facility Dogs.**  
Chapter 290, Statutes of 2017  
This measure authorizes the use of a support dog during the testimony of specified victims and child witnesses in court proceedings.
**AB 413 (Eggman) Confidential Communications. Domestic Violence.**  
Chapter 191, Statutes of 2017  
This measure allows a party to a confidential communication (such as a communication between spouses) to record the conversation for purposes of obtaining evidence reasonably believed to relate to the crime of domestic violence.

**AB 539 (Acosta) Search Warrants.**  
Chapter 342, Statutes of 2017  
This measure expands the grounds justifying the issuance of a search warrant to include evidence of a misdemeanor violation of disorderly conduct. Specifically, it provides that a search warrant may be issued when the property or material to be seized tends to show a violation of disorderly conduct laws, including using an instrumentality to view the interior of specified rooms in which there may be a reasonable expectation of privacy; or using specified devices to view or record an identifiable person through or under their clothing, without the person’s knowledge or consent, under conditions in which the person has a reasonable expectation of privacy.

**AB 556 (Limón) County Ordinances. Violations. Fines.**  
Chapter 405, Statutes of 2017  
This measure increases the fine amounts that counties are authorized to assess for a violation of an event permit that constitutes an infraction, enhancing counties’ enforcement powers against unpermitted, professionally organized events. Specifically, it allows counties to impose a fine of $1,000 for a first-time violation, $2,500 for a second violation if it occurs within 5 years, and $5,000 for a subsequent violation within five years of the first violation.

**AB 562 (Muratsuchi) California State Auditor. Interference.**  
Chapter 406, Statutes of 2017  
This measure subjects and officer, employee or person who commits an act constituting obstruction of the California State Auditor in the performance of duties related to an audit, to a fine of up to $5,000.

**AB 611 (Dababneh) Mandated Reporters of Suspected Financial Abuse of an Elder or Dependent Adult. Powers of Attorney.**  
Chapter 408, Statutes of 2017  
This measure authorizes a mandated reporter of elder financial abuse (such as an officer or employee of a financial institution) to refuse to honor a power of attorney with respect to an attorney-in-fact (the person acting as the agent of the elder individual) if the mandated reporter has made a report that the principal may be subject to elder financial abuse by the person exercising the power of attorney.

**AB 683 (E. Garcia) Prisoners. Support Services.**  
Chapter 45, Statutes of 2017  
This measure authorizes the counties of Alameda, Imperial, Los Angeles, Riverside, San Diego, Santa Clara, and San Joaquin to implement re-entry pilot programs for inmates during or after their incarceration in a county jail. It also specifies requirements
for each pilot program established under this act, including but not limited to a mentorship program, support services for participating inmates who are parents, services to address mental health issues, a Youth Advisory Council, and the provision of services before and after the recipient’s release from county jail. It also requires each county that implements a pilot program to conduct a study and report to the Legislature on or before January 1, 2023, evaluating the program’s effectiveness.

**AB 712 (Bloom) Civil Actions. Change of Venue.**
Chapter 316, Statutes of 2017
This measure clarifies that a court that is transferring jurisdiction over a family law action or proceeding to another court, retains jurisdiction, prior to the time the transferee court takes over jurisdiction, for the purpose of issuing emergency orders to: a) help prevent immediate danger or irreparable harm to either a party or the children involved in the matter; or b) to help prevent immediate loss of or damage to property that is subject to disposition in the case. This measure requires the Judicial Council, by January 1, 2019, to adopt a rule of court establishing timeframes for when a court transferring jurisdiction over a family law action must do so, and for when a court to which such jurisdiction has been transferred must assume jurisdiction over the action or proceeding.

**AB 720 (Eggman) Inmates. Psychiatric Medication. Informed Consent.**
Chapter 347, Statutes of 2017
This measure applies the rules regarding involuntary medication of a person in county jail post-sentencing for a criminal conviction to other categories of inmates in county jail, including those awaiting trial, arraignment, or sentencing. It also requires counties to report to the Legislature on the involuntary medication of inmates awaiting trial, arraignment, or sentencing, if the county has such a practice. It includes a sunset date of January 1, 2022.

**AB 730 (Quirk) Transit Districts. Prohibition Orders.**
Chapter 46, Statutes of 2017
This measure repeals the sunset that allows the San Francisco Bay Area Rapid Transit District (BART) to issue prohibition orders, as specified. Current law grants BART the authority to issue a prohibition order to any person who, on at least three separate occasions within a period of 90 consecutive days, is cited for an infraction committed in or on a vehicle, bus stop, or light rail station of the transit district. These infractions include, but are not limited to, interfering with the operation of a transit vehicle and engaging in behavior that cause harm or injury to a person or property.

**AB 789 (Rubio) Criminal Procedure. Release on Own Recognizance.**
Chapter 554, Statutes of 2017
This measure allows a court to approve, without a hearing, the release of a defendant on their own recognizance under a court-operated or court-approved pre-trial release program for arrestees of specified felony offenses, including those involving domestic violence and the infliction of great bodily injury, where the individual has had three or more prior failures to appear within the past three years.
Chapter 349, Statutes of 2017
This measure authorizes specified persons to request information on file in the recorder’s index of record to be corrected upon supplying sufficient evidence. It requires the recorder to correct such indexing errors within 30 business days of the time such evidence has been provided. It also clarifies that the recorder is liable to an aggrieved party for any resulting damages, if specified conditions are satisfied.

AB 828 (Obernolte) Civil Actions. Fee Recovery.  
Chapter 583, Statutes of 2017
This measure expands the list of allowable costs that a prevailing party in a civil action may recover upon an entry of judgment to include certain electronic exhibits. Specifically, it provides that if a court allows the electronic presentation of exhibits, the costs of presentation rental equipment and electronic formatting may be allowable costs, provided that the exhibits are reasonably helpful to the jury.

AB 976 (Berman) Electronic Filing and Service.  
Chapter 319, Statutes of 2017
This measure expands permissive electronic filing and service to additional categories of legal actions, and clarifies rules about electronic filing and service relating to electronic signatures, timing, notice, and transmission. Specifically, it provides for electronic filing and service of process in probate proceedings, juvenile proceedings, and criminal actions. It establishes a variety of provisions regulating electronic service, including, but not limited to, mandates binding on the Judicial Council to develop appropriate rules and forms, methods for proof of service, and a rule that electronic service of a document is not authorized unless a party has expressly consented to receive electronic service in that specific action, or the court has ordered electronic service on a represented party.

AB 984 (Calderon) Courts. Frivolous Actions or Tactics.  
Chapter 169, Statutes of 2017
This measure clarifies the standards, conditions and procedures that a trial court must follow when it orders sanctions against a party and/or a party’s attorney resulting from an action or tactic employed in bad faith. Specifically, it requires that a court consider whether a party seeking sanctions has exercised due diligence, requires that the party being sanctioned is given both notice and an opportunity to respond, and requires an order for sanctions to be limited to what is sufficient to deter similar future actions or tactics, and imposes additional conditions.

Chapter 204, Statutes of 2017
This measure requires a court to disclose all or part of the transcript of an indictment proceeding, excluding the grand juries private deliberations and voting, when the grand jury decides not to return an indictment for an offense involving a peace officer shooting or use of excessive force resulting in the death of a detainee or an arrestee. The disclosure will be made only upon a request of the district attorney, a legal
representative of the deceased, or a representative of the news media or the public. It specifies that disclosure need not be made if the court finds there is an overriding interest outweighing the right of public access to the record which supports sealing the record, that that interest will be prejudiced if the record is not sealed, and the proposed sealing is narrowly tailored so that no less restrictive means exists to protect the overriding interest.

**AB 1093 (Chen) Service of Process.**
*Chapter 129, Statutes of 2017*
This measure provides guidelines for effective service of process on a person when the only known address is a private mailbox obtained through a commercial mail receiving agency. It clarifies that service of process can be accomplished on the first delivery attempt to a commercial mail receiving agency, and that such service constitutes reasonable diligence.

**AB 1443 (Levine) Court Records.**
*Chapter 172, Statutes of 2017*
This measure updates California law governing the retention and destruction of court records, in part by deleting obsolete provisions of law. It also updates retention requirements consistent with recent changes in criminal law regarding marijuana. It provides guidelines for the retention of gun violence restraining orders, and eliminates the requirement that courts provide a listing of all destroyed records to the Judicial Council.

**AB 1450 (Obernolte) Court Reporters. Electronic Transcripts.**
*Chapter 532, Statutes of 2017*
This measure requires the official court reporter to deliver its transcripts to parties and the court in electronic form in compliance with the California Rules of Court, unless one of the following apply:
- The party requests the transcript in paper form;
- Prior to January 1, 2023, the court lacks the technical ability to use or store a transcript in the required electronic form, and provides advance notice to the official reporter; or
- Prior to January 1, 2023, the official reporter lacks the technical ability to deliver a transcript in the required electronic form, and provides advance notice to the court, party, or person entitled to the transcript.

**AB 1541 (Kalra) Examination of Prospective Jurors.**
*Chapter 302, Statutes of 2017*
This measure prohibits a court from imposing specific unreasonable or arbitrary time limits, or establishing an inflexible time limit policy, for voir dire. It also provides that during jury selection in a criminal case, the court shall permit liberal and probing examination calculated to discover bias or prejudice with regard to the circumstances of the particular case or the parties before the court. Specifically, it requires trial judges to permit supplemental time for questioning prospective jurors based on their individual responses or conduct that may evince attitudes inconsistent with suitability to serve as a
fair and impartial juror. It provides that the fact that a topic has been included in the trial judge's examination shall not preclude appropriate follow-up questioning in the same area by counsel, and requires a trial judge to permit counsel to conduct voir dire examination without requiring prior submission of the questions.

**AB 1692 (Comm. on the Judiciary) Judiciary Omnibus.**
**Chapter 330, Statutes of 2017**
This measure seeking to improve the handing of family law issues in California. Specifically, it ratifies the authority of the Judicial Council to convert 10 subordinate judicial officer positions (SJOs) to judgeships in 2017-18, provided that the conversion of these positions will result in judges being assigned to family or juvenile law assignments previously presided over by an SJO. It also provides that this authority is in addition to the existing authority provided to convert 16 SJOs to judges, and is intended to create a net addition of 26 judges to the bench. This measure also permits a court, until January 1, 2020, to calendar a custody or visitation issue for mediation, at a party’s request, and prior to the filing of a child custody or visitation petition.

**AB 1693 (Comm. on the Judiciary) Civil Actions. Intervention.**
**Chapter 131, Statutes of 2017**
This measure provides that a person seeking to intervene in an ongoing legal action shall seek permission of the court by setting forth the grounds for the intervention, and by lodging a complaint, an answer or both. It also provides that after a party has been granted leave to intervene by the court, that party shall separately file specified documents with the court, and serve a copy of the order, or notice of the court’s decision regarding the order, on the parties to the action.

**SB 157 (Wieckowski) Invasion of Privacy. Distribution of Sexually Explicit Materials.**
**Chapter 233, Statutes of 2017**
This measure enhances protections for the confidentiality of plaintiffs who file civil actions due to harm suffered as a result of the dissemination of “revenge porn.” Specifically, it expands the definition of an “identifying characteristic” that may be redacted from court pleadings and documents, and extends the redaction requirements to documents sought and obtained as part of the pre-trial discovery process. It requires the use of pseudonyms, confidential information forms, and authorizes the clerk of the court to allow plaintiffs and other persons access to court files upon an order from the court supported by a showing of good cause, unless a plaintiff has successfully moved to seal the records. Finally, it requires the Judicial Council to revise the appropriate rules and forms.

**SB 204 (Dodd) Domestic Violence. Protective Orders.**
**Chapter 98, Statutes of 2017**
This measure enacts the Uniform Recognition and Enforcement of Canadian Domestic Violence Protective Orders Act, and authorizes the enforcement of a Canadian domestic violence protective order by California courts under specified conditions. It further authorizes the registration of such a protective order in the Domestic Violence Restraining Order System, and requires California law enforcement officers to enforce a
protection order upon a determination that there is probable cause to believe that a valid protection order exists and has been violated. It also identifies the criteria for determining the validity of such a protection order.

**SB 217 (Wieckowski) Evidence. Admissibility.**
*Chapter 60, Statutes of 2017*
This measure enacts a minor change in the mediation privilege that protects the confidentiality of statements and disclosures made during mediation proceedings. The mediation privilege provides that no evidence of statements or admissions made for the purpose of a mediation is admissible or subject to discovery, and disclosure of the evidence shall not be compelled, in any arbitration, administrative adjudication, civil action, or other noncriminal proceeding in which testimony can be compelled to be given.

**SB 230 (Atkins) Evidence. Commercial Sexual Offenses.**
*Chapter 805, Statutes of 2017*
This measure expands the definition of “sexual offense” to include specified offenses related to human trafficking for purposes of applying an Evidence Code exception to the rule on inadmissible evidence. Specifically, it includes acts related to depriving or violating the personal liberty of another person, or inducing, causing, or persuading another person to engage in a commercial sex act, within the definition of “sexual offense,” and makes evidence of prior acts of that type admissible to prove similar conduct in a current prosecution for a sexual offense.

**SB 238 (Hertzberg) Criminal Procedure. Arrests and Evidence.**
*Chapter 566, Statutes of 2017 (Urgency)*
This measure authorizes, in addition to a photographic record, a digital record of an exhibit to be taken and retained by the clerk of the court. This bill also authorizes law enforcement to release an arrested person from custody to urgent care centers for low-level offenders suffering from an acute mental health crisis.

**SB 331 (Jackson) Evidentiary Privileges. Domestic Violence Counselor-Victim Privilege.**
*Chapter 178, Statutes of 2017*
This measure expands the definition of “domestic violence victim services organization” for purposes of applying the domestic violence victim-counselor evidentiary privilege. Specifically, it broadens the definition beyond merely domestic violence shelter-based programs, to include non-governmental organizations or entities that provide shelter, programs or services to victims of domestic violence and their children, and programs on the campus of public or private institutions of higher education whose primary mission is to provide support or advocacy services to domestic violence victims.

**SB 403 (Cannella) Sale of County Courthouses.**
*Chapter 358, Statutes of 2017*
This measure authorizes the Judicial Council to sell seven courthouses for superior courts that have been permanently closed, on terms the Judicial Council deems to be in
the best interest of the state, and to have the net proceeds of the sale flow to the Immediate and Critical Needs Account of the State Court Facilities Construction Fund.

**SB 658 (Wiener) Jury Selection.**

**Chapter 337, Statutes of 2017**

This measure limits the discretion of trial judges in conducting voir dire in civil cases. It also revises the provisions governing voir dire and provides certain factors that a court must consider in exercising its discretion. Specifically, it requires a court to permit liberal and probing examination calculated to discover bias or prejudice with regard to the circumstances of the particular case. It also requires the court to consider and discuss with counsel the form and subject matter of voir dire questions at the final status conference or at the first practical opportunity prior to voir dire, whichever comes first. Finally, it prohibits trial judges from imposing specific unreasonable or arbitrary time limits or establishing an inflexible time limit policy for voir dire.

**SB 684 (Bates) Incompetence to Stand Trial. Conservatorship. Treatment.**

**Chapter 246, Statutes of 2017**

This measure cures a deficiency in existing law under which courts do not have sufficient legal options to handle a mentally ill defendant who has been declared incompetent to stand trial and whose competence has not been restored. Specifically, it allows a conservatorship to be established when a defendant has been found incompetent to stand trial after being charged with a violent offense, by establishing upon a court’s approval a process for the district attorney to request a determination of probable cause to believe the defendant committed the offense alleged, solely for the purpose of meeting the criteria for a person deemed gravely disabled to be eligible for a conservatorship. It provides that a conservatorship may be established where the following conditions are met:

- The complaint charges a felony involving death, great bodily harm, or a serious threat to the well-being of another;
- A judge has made a finding of probable cause that the defendant committed the felony, and the complaint has not been dismissed;
- As a result of a mental health disorder, the defendant is unable to understand the nature and purpose of the proceedings taken against him, and to assist counsel in the conduct of his defense;
- The defendant has been found mentally incompetent to stand trial; and
- The defendant represents a substantial danger of physical harm to others due to a mental disease, defect, or disorder.

**SB 725 (Jackson) Veterans. Pre-Trial Diversion. Driving Privileges.**

**Chapter 179, Statutes of 2017**

This measure authorizes a trial court to grant pre-trial diversion on a misdemeanor charge of driving under the influence (DUI) to a defendant who is a veteran or current member of the military who is suffering from sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health problems as a result of his or her military service. It also clarifies that a defendant’s participation in the military
diversion program does not limit the authority of the Department of Motor Vehicles to take administrative action against an individual’s driver’s license.

**SB 755 (Beall) Civil Discovery. Mental Examination.**
Chapter 133, Statutes of 2017
This measure limits a mental examination of a child, in any civil action where there is credible evidence that the child has been sexually abused, to psychological testing of no more than three hours, including any breaks. It provides that a court may extend the examination beyond three hours for good cause. It addition, the measure require the examiner to have expertise in child abuse and trauma.

**SB 756 (Stern) Restitution. Non-Economic Losses. Child Sexual Abuse.**
This measure authorizes non-economic restitution (i.e., restitution for non-economic losses) in cases where a person is convicted of continuous sexual child abuse or sexual acts with a child 10 years of age or younger. This measure extends an existing provision of law which allows for such restitution for sex crimes against a minor that are felony offenses, to include any such acts, irrespective of whether they are felonies under current law. Specifically, it expressly adds the crimes of continuous sexual abuse of a child and sexual acts with a child 10 years of age or younger to the statute authorizing non-economic restitution for lewd and lascivious acts against a child under age 14.

### I. Public Health

**AB 1102 (Rodriguez) Health Facilities. Whistleblower Protections.**
Chapter 275, Statutes of 2017
This measure increases the maximum criminal fine, from $20,000 to $75,000, for violations of whistleblower protection laws that apply to patients, employees and other health care workers of hospitals.

**SB 239 (Wiener) Infectious and Communicable Diseases. HIV and AIDS. Criminal Penalties.**
Chapter 537, Statutes of 2017
This measure modifies criminal penalties related to human immunodeficiency virus (HIV) that specify higher punishment than those that apply to other communicable diseases. Specifically, this measure, among other things, repeals existing provisions of law that punish more harshly specified acts when those acts are committed by a person who has been diagnosed with AIDS or HIV.
J. Public Safety Professionals

AB 585 (Gipson) Public Officers.
Chapter 107, Statutes of 2017
This measure clarifies that a police security officer includes an officer employed by the sheriff of a county, the police chief of a city police department, or a police chief of a police division within a city department that operates independently of the city’s police department, whose primary duty is the security of locations or facilities as directed by the sheriff or police chief.

AB 1440 (Kalra) Peace Officers.
Chapter 116, Statutes of 2017
This measure clarifies that United States Immigration and Customs Enforcement (ICE) officers and border protection officers are not peace officers.

K. Sex Offender Management

Chapter 39, Statutes of 2017
This measure specifies that courts must look beyond the “county of domicile” standard and consider an inmate’s connections to the community when designating the placement of a sexually violent predator (SVP) in a county for conditional release. Specifically, it directs the court to consider whether and how long the person has previously resided or been employed in the county, and whether the person has next of kin in the county.

AB 484 (Cunningham) Sex Offenses. Registration.
Chapter 526, Statutes of 2017
This measure adds rape accomplished by fraud, and rape under threat of the authority of a public official (including but not limited to that threat of incarceration of deportation of the victim) to the list of offenses that require lifetime registration as a sex offender.

AB 872 (Chau) School Employees. Employment. Sex Offenses.
Chapter 167, Statutes of 2017
This measure updates the list of sex offenses requiring the Commission on Teacher Credentialing to suspend a person’s credential by referencing the offenses in the California Penal Code that require registration as a sex offender. It effectively adds several offenders that currently do not require suspension of an individual’s teaching credential.
*SB 384 (Wiener) Sex Offenders. Registration. Criminal Offender Record Information.
Chapter 541, Statutes of 2017
This measure creates a three-tiered system of registration and supervision for sex offenders based on the seriousness of the offense, the individual risk of recidivism, and the individual’s criminal history. Tier 1 requires 5 years’ supervision if an offender is a ward of the juvenile court, and 10 years’ supervision if the offender is convicted as an adult; Tier 2 requires 10 years’ supervision for wards of the court, and 20 years’ supervision for those convicted as adults; and Tier 3 requires lifetime registration and supervision. It also creates a process for offenders to petition a superior court for release from the registry once the period of supervision is completed, with an opportunity for input from the district attorney.

L. Juvenile Justice

AB 529 (Stone) Juveniles. Sealing of Records.
Chapter 685, Statutes of 2017
This measure requires the juvenile court to seal all records relating to dismissed or unsustained juvenile court petitions alleging wardship that are in the custody of the juvenile court and other government agencies. It clarifies that its scope applies to both diversion and supervision programs.

AB 1308 (Stone) Youth Offender Parole Hearings.
Chapter 675, Statutes of 2017
This measure requires the Board of Parole Hearings to conduct youth offender parole hearings for offenders sentenced to state prison who committed specified crimes when they were 25 years of age or younger. The bill would require the board to complete, by January 1, 2020, all youth offender parole hearings for individuals who were sentenced to indeterminate life terms and have had their parole suitability considered on the effective date of the bill.

SB 312 (Skinner) Juveniles. Sealing of Records.
Chapter 679, Statutes of 2017
This measure authorizes the court to order the sealing of records for certain serious or violent offenses committed when a juvenile was 14 years of age or older. Existing law prohibits a court from sealing the record of a juvenile who has committed a serious violent crime, such as murder. This measure authorizes the court to order the sealing of records for certain serious or violent offenses, such as voluntary manslaughter, committed when a juvenile was 14 years of age or older.

SB 394 (Lara) Parole. Youthful Offender Parole Hearings.
Chapter 684, Statutes of 2017
This measure seeks to ensure eventual eligibility for parole for minors who commit an offense for which a court imposed the longest possible term of imprisonment. Specifically, it provides that a person who was convicted of such an offense that was
committed before the person reached the age of 18, and for which the sentence is life without possibility of parole (LWOP) shall be eligible for release on parole by the Board of Parole Hearings during his or her 25th year of incarceration at a youth offender parole hearing. It also creates an exception to this provision where the individual is entitled to an earlier parole consideration hearing pursuant to other statutory provisions, or has previously been released.

SB 395 (Lara) Custodial Interrogation. Juveniles
Chapter 681, Statutes of 2017
This measure requires that a youth 15 years of age or younger consult with legal counsel in person, by telephone, or by video conference prior to a custodial interrogation and before waiving his or her Miranda rights. This measure has a sunset date of January 1, 2025.

Chapter 462, Statutes of 2017
This measure authorizes access to information in a juvenile delinquency case file, including a sealed case file, as required by state or federal law or by a grant requirement or for research purposes, provided no personally identifiable information is released. Entities with access under this law include law enforcement agencies, probation departments, courts, the Department of Justice, or another state or local agency that has custody of the case file and juvenile record for the limited purpose of complying with data collection or data reporting requirements imposed by the authorities cited above.

SB 625 (Atkins) Juveniles. Honorable Discharge.
Chapter 683, Statutes of 2017
This measure re-establishes a mechanism for honorable discharges for persons discharged from the Division of Juvenile Facilities. This measure authorizes the Board of Juvenile Hearings to make honorable discharge determinations and to grant an honorable discharge to a person discharged from Division of Juvenile Facilities, who has proven the ability to stop criminal behavior and to initiate a successful transition into adulthood.

M. Juvenile Welfare

AB 878 (Gipson) Juveniles. Restraints
Chapter 660, Statutes of 2017
This measure limits the use of restraints to transport a minor from a juvenile detention facility and clarifies the circumstances under which restraints can be used in juvenile court. Specifically, it authorizes the use of restraints on a minor during transport only if the probation department has made a determination, in consultation with the transporting agency, that mechanical restraints are necessary to prevent physical harm to the juvenile or another person, or due to a substantial risk of flight. It mandates that the least restrictive restraints be used once such a determination is made, and directs
that restraints in juvenile court are authorized only if the juvenile’s behavior in court or in custody demonstrate a manifest need to prevent physical harm to the juvenile or another person, or to preclude flight.

**AB 953 (Baker) Protective Orders. Personal Information of Minors.**

*Chapter 384, Statutes of 2017*

This measure authorizes a court to make information about a minor contained in a civil harassment or domestic violence protective order confidential, subject to a balancing test. Specifically, it allows a minor or the minor’s legal guardian to petition a court to request that the personal information, including but not limited to the minor’s name, address, and circumstances surrounding the protection order, be held as confidential. It allows a court to grant the petition if it finds the following:

- The minor’s right to privacy overcomes the right of public access to the record;
- There is a substantial probability that the minor’s interests will be prejudiced if the information is not kept confidential;
- The proposal to keep the information confidential is narrowly tailored; and
- There is no less restrictive means of protecting the minor’s privacy.

**AB 1332 (Bloom) Juveniles. Dependents. Removal.**

*Chapter 665, Statutes of 2017*

This measure requires that in order to remove a child from the custody of a non-custodial parent (a parent with whom the child did not reside at the time the dependency petition was filed), a juvenile court must make a finding that there is clear and convincing evidence that allowing the parent to live with or have physical custody of the child poses a substantial danger to the physical health, safety, protection, or emotional well-being of the child. The court must also make a finding that there are no reasonable means by which to protect the child’s physical and emotional health without removing the child from the parent’s physical custody.

**AB 1371 (Stone) Juveniles. Ward, Dependent, and Non-Minor Dependent Parents.**

*Chapter 666, Statutes of 2017*

This measure expands the rights of, and adds procedural protections for, juveniles who are parents and also wards or non-minor dependents in the child welfare and juvenile justice systems. Specifically, it expands the requirement that a parent must have consulted with counsel before a social worker can begin a program of voluntary supervision for a child, to include parents who are wards or non-minor dependents. “Voluntary supervision” includes both family reunification and family maintenance. It also provides that if a ward is not represented by counsel in a dependency proceeding, that the ward have an opportunity to consult with counsel in a wardship proceeding. It requires that where one or both parents are wards, and a party is seeking foster care placement of a child or termination of parental rights over that child, to demonstrate that reasonable efforts were made to provide remedial services to prevent the removal of the child, and that those efforts were not successful. Finally this measure requires a parent who is a dependent, non-minor dependent, or ward of the court to be informed of his/her right, and have the opportunity to consult with legal counsel before a social worker or
probation officer can either recommend that a non-parent seek legal guardianship, or arrange for a custody agreement that involves any relinquishment of parental custody.

**AB 1401 (Maienschein) Juveniles. Protective Custody Warrant.**
Chapter 262, Statutes of 2017
This measure allows a protective custody warrant for the protection of a child under specified circumstances when the child is not already the subject of a dependency petition. Specifically, it authorizes a court to issue a protective custody warrant without filing a petition identifying the child as a dependent of the court if the child fits the criteria outlined in the dependency statute (including but not limited to: substantial risk that the child will suffer serious physical harm or illness, is being sexually trafficked, is suffering serious emotional damage, or is suffering from willful neglect or failure of the parent or guardian to adequately supervise him or her), there is a substantial danger to the safety, or to the physical or emotional health of the child, and there are no reasonable means to protect the child’s safety or physical health without removal from the child’s current environment. It also requires that any child taken into protective custody pursuant to such a warrant be immediately delivered to a social worker who shall investigate the child’s circumstances.

**AB 1410 (Wood) Penalty Assessments. Emergency Services and Children’s Health Care Coverage Funding.**
Chapter 718, Statutes of 2017
This measure extends the sunset date of the Emergency Medical Air Transportation Act (EMATA) to January 1, 2022, and renames the EMATA Fund as the Emergency Medical Air Transportation and Children’s Coverage Fund (EMATCC Fund). It also authorizes the Department of Health Care Services to use money from the EMATCC Fund, upon appropriation by the Legislature, to fund children’s health care coverage in addition to specified purposes related to emergency medical air transportation. Finally it extends until January 1, 2020, the $4 assessment of penalties collected from every conviction for a violation of the Vehicle Code or local ordinance adopted pursuant to the Vehicle Code, other than a parking offense, to be used for purposes of the EMATCC Fund.

**ACR 8 (Jones-Sawyer) Adverse Childhood Experiences. Post-Traumatic “Street” Disorder.**
Resolution Chapter 139, Statutes of 2017
This measure recognizes adverse childhood experiences, also known as post-traumatic “street” disorder in communities of color, as having lasting negative outcomes to both physical and mental health with growing implications for our state.

**SB 190 (Mitchell) Juveniles.**
Chapter 678, Statutes of 2017
This bill limits the authority of county agencies to assess and collect specified fees against families of persons subject to the juvenile delinquency system. This measure includes, but is not limited to, authorizing the county board of supervisors to designate a county officer to make financial evaluations of defendants and other persons liable for
reimbursement costs; authorizing a financial-evaluation officer to make financial evaluations, including evaluations of parental liability, and collect monies; authorizing a financial-evaluation officer to reduce, cancel, or remit specified juvenile court costs, except as otherwise ordered by the juvenile court; authorizing adults and minors who are home detention participants to be held financially liable for a county-assessed administrative fee and supervision fee; and authorizing assessment of a reasonable fee to cover the cost of drug testing of minors granted probation for drug offenses.

**SB 213 (Mitchell) Placement of Children. Criminal Records Check.**
*Chapter 733, Statutes of 2017*
This measure streamlines the background check process for prospective foster and adoptive parents by establishing a list of non-exemptible crimes, a list of crimes for which an exemption may be granted and a list of crimes for which exemptions must be granted, absent a reasonable belief that the person is not of good character at present. More notably, this measure restructuring the background check approval process for foster, adoptive and resource families, including adding families screened under the newly implemented resource family approval process to statutory requirements for background checks and exemptions.

**SB 438 (Roth) Juveniles. Legal Guardianship. Successor Guardian.**
*Chapter 307, Statutes of 2017*
This measure authorizes the assessment of a legal guardian for a foster child to also include the naming of a prospective successor guardian, if one is identified. It also authorizes the named successor guardian to be assessed and appointed pursuant to the existing procedures that govern the appointment of a legal guardian, in the event of the death or incapacity of an appointed guardian.

**SCR 16 (Leyva) Teen Dating Violence Awareness and Prevention Month.**
*Resolution Chapter 13, Statutes of 2017*
This measure proclaims the month of February 2017 as Teen Dating Violence Awareness and Prevention Month, and encourages all Californians to observe Teen Dating Violence Awareness and Prevention Month with programs and activities raising awareness about teen dating violence.

**N. Miscellaneous**

**AB 908 (Dababneh) Hospitals. Seismic Safety.**
*Chapter 350, Statutes of 2017*
This measure authorizes Providence Tarzana Medical Center in Los Angeles to request an additional extension from the Office of Statewide Health Planning and Development, until October 1, 2022, to obtain a certificate of occupancy verifying that the seismic safety requirement that a hospital building has been rebuilt or retrofitted and is incapable of withstanding an earthquake.
HR 18 (Ridley-Thomas) Relative to Season for Nonviolence.
Adopted March 30, 2017
This measure proclaims January 30, 2017, to April 4, 2017, as the 20th annual Season for Nonviolence and encourages all citizens to participate in local, national, and global educational and community campaigns to honor those who are using nonviolence to build communities that respect the dignity and worth of every human being.

HR 32 (Ridley-Thomas) Relative to the 25th Anniversary of the Los Angeles Civil Unrest.
Adopted June 29, 2017
This measure states the Assembly seeks to acknowledge the 25th anniversary of the Los Angeles civil unrest as a dark chapter in California’s history that catalyzed significant reforms to police-community relations.
VI. Revenue and Taxation

A. FY 2017-18 Budget Bills

**AB 97 (Ting) Budget Act of 2017.**
**Chapter 14, Statutes of 2017 (Urgency)**
This measure contains the FY 2017-18 Budget Act and outlines $125.1 billion in General Fund (GF) expenditures:

**Transportation Funding**
- $1.5 billion in local assistance and capital funding for projects for transportation programs under SB 1.
- Revises the Governor’s ten-year annual expenditure and funding proposals for transportation programs from $4.2 billion to $5 billion annually.
- Modifies the Administration’s proposed provisional language that will provide initial funding of up to $20 million State Highway Account funds (matched with up to $20 million federal funds) for its zero-emission vehicle project.
- $3.8 million in 2017-18 and $7.8 million in 2018-19 from the Road Maintenance and Rehabilitation Account for additional costs of credit card transaction fees due to the implementation of SB 1.

**Housing**
- Provides $20 million for navigation centers, which are flexible dormitory style facilities where case managers connect individuals experiencing homelessness to permanent housing.
- Provides funding to HCD, State Treasurer’s Office, and the California Health Facilities Financing Authority to continue to implement the No Place Like Home program.
- Includes $8 million to the Weingart Center Association in Los Angeles, for permanent supportive and transitional housing to serve homeless and low-income individuals and families.
- Provides $250,000 to the Napa County Housing Authority for the support of migrant worker housing.
- Provides additional resources for addressing homelessness including: $20 million for the Emergency Solutions Grant Program; $40 million for navigation centers; $7.5 million for Sam and Bonnie Pannell Community Center; Youth and Wind Services, and Emergency Youth Shelter; and $250,000 for the Napa County migrant worker housing program.

**Economic Development: Small Business Assistance**
- Provides $3 million for Go-Biz to draw down federal funds made available to the California Small Business Development Center network efforts to expand small businesses in California, $1 million above the May Revision.
Public Employment Relations Board
- Provides $750,000 General Fund monies to address the board’s budgetary pressures and provide appropriate level of funding to support existing permanent positions.

State Retirement Contributions
- Includes $5.2 billion ($2.8 billion General Fund) for state contributions to California Public Employees Retirement System (CalPERS) for state pension costs.
- Adopts the recommendation outlined in the Governor’s May Revise which allocated a one-time $6 billion (loan from the Surplus Money Investment Fund) supplemental payment to CalPERS in 2017-18. This action doubles the state’s annual payment and will mitigate the impact of the increasing pension contributions and the CalPERS board’s recent action to lower its assumed investment rate of return from 7.5 percent to 7 percent.

After School Program Funding
- Provides $50 million in ongoing Prop. 98 funding for the After School Education and Safety program to address the increased costs due to the minimum wage.

Safe Drinking Water
- $8 million for the State Water Resources Control Board (SWRCB) for the following safe drinking water activities:
  - Replace failed wells;
  - Emergency repairs to community water systems that lack the funds to make immediate repairs or for replacement of failed system components; and
  - Connect homes to public wastewater treatment, including construction of wastewater mains and wastewater service, fees charged by wastewater systems, onsite connection of homes, and abandonment of septic or other waste disposal infrastructure.
- $4 million to the Department of Water Resources (DWR) for the replacement of domestic wells from drought and other emergencies. This includes connecting homes to community water systems if a private well has failed or is contaminated.

Air Resources Board
- $15 million ongoing to DWR to assist the implementation of the Sustainable Groundwater Management Act and supporting local agencies to achieve regional sustainability.

Emergency Response
- $10 million to Department of Forestry and Fire Protection (CALFIRE) for fire prevention grants including grants to local entities to address tree mortality.

Protecting Fish and Wildlife
- $2.6 million to the Department of Fish and Wildlife for legacy drought response activities including at-risk fish acoustic monitoring in the Delta and maintenance of infrastructure procured during the drought.
- $3.5 million to DWR for Delta Smelt Resiliency Strategy implementation.
Flood Control and Repair

- Appropriates $111 million in additional funding is provided to DWR for flood protection and repair. This funding must be spent in accordance with the 2017 Central Valley Flood Protection Plan update and the Central Valley Flood Protection Plan Conservation Strategy. Eligible project types shall include levee setbacks, repairs or enhancements to existing levees and other flood management infrastructure, creation or enhancement of floodplains and bypasses, groundwater recharge projects in floodplains, and land acquisition and necessary easements for these projects. Funding allocations include the following:
  - $20 million for Delta Levee Subventions;
  - $10 million for Delta Special Projects;
  - $20 million for Delta “System wide” Flood Risk Reduction;
  - $5 million for Delta Emergency Response;
  - $9 million for Coastal Watershed Flood Risk Reduction;
  - $40 million for Central Valley Tributary Program; and
  - $7 million for Central Valley “System wide” Flood Risk Reduction.

Enhancing Dam Safety

- Loans $6.5 million to the Dam Safety Fund for DWR to carry out dam safety activities. This loan will be repaid by revenues collected by the Dam Safety Program.
- The resources trailer bill (SB 92) requires dams (except for low-risk dams) to have an emergency action plan that is updated every ten years, updated inundation maps every ten years, or sooner if specific circumstances change, and provide DWR with enforcement tools, including fines and operational restrictions for failure to comply.

Department of Parks and Recreation

- Includes a number of appropriations related to parks. Among the major allocations is $52 million to the State Parks and Recreation Fund for the following activities: $26.6 million in reimbursement authority; $1 million from the Off-Highway Vehicle Trust Fund; and $1 million from the Abandoned Watercraft Abatement Fund to fix parks, establish partnerships to improve access to parks, build a recruitment and training program, fund local parks, and to support off-highway vehicle recreation. Additional allocations include $32.4 million on a one-time basis and $119.2 million ongoing from special and federal funds for various local assistance programs. State park assistance to maintain the existing level of service includes $12.6 million from the State Parks Recreation Fund and $4 million from the California Environmental License Plate Fund, on a one-time basis.

Local Public Safety

- CalGRIP Funding. Provides $9.5 million General Fund for the California Violence Intervention and Prevention Grant Program (CalVIP, formerly named CalGRIP) and requires that the Board of State and Community Corrections report to the Legislature once per funding cycle on the overall effectiveness of the program.
- Post Release Community Supervision. Increase of $4.4 million (for a total of $15.4 million) General Fund for county probation departments to supervise the
temporary increase in the average daily population of offenders on Post Release Community Supervision as a result of the implementation of court-ordered measures and Prop. 57.

- Arts Programming. $750,000 General Fund for the California Arts Council’s JUMP StArts program to increase programs in the community and provide arts programming at the state’s three juvenile facilities.
- Local Violence Reduction Programs. $20 million to Orange County for local violence reduction programs.
- Local Public Safety Funding. $100,000 to the city of Ione for maintenance of local public safety efforts.

**Corrections and Rehabilitation**

- Total Funding. Provides total funding of $11.4 billion ($11.1 billion General Fund and $308 million other funds) for department operations and $7 million General Fund and 44 positions to address high vacancy rates in the state prisons by hiring telemedicine providers and creating regional support teams.
- Rehabilitation Funding. $5 million to provide equipment and technology to meet the needs for career technical education for incarcerated adults. Continues $5.5 million General Fund, ongoing, for restorative justice and offender responsibility programming targeted at long-term offenders.
- Proposition 47 Savings. Estimates the Prop. 47 net savings to be $45.6 million when comparing 2016-17 and 2013-14, an increase of $3.5 million over the estimated savings in 2015-16 and an increase of $2.6 million over the January estimate for 2016-17. Savings are currently estimated to increase to approximately $75 million by 2019-20.
- Board of Parole Hearings. Increases the number of Commissioners for the Board of Parole Hearings from 14 to 15 and revises the term of office for existing commissioners.

**AB 98 (Comm. on Budget) Budget Act of 2016. Augmentation.**

**Chapter 12, Statutes of 2017 (Urgency)**

This measure provides a supplemental appropriation from the General Fund to address unexpected state expenses. Notably:

- Allocates $29,693 to pay local governments for the costs of homicide trials in Lassen and Maricopa counties;
- Allocates $14.6 million to California Department of Corrections and Rehabilitation (CDCR) for medical services to adults; and
- Allocates $216,000 to CDCR for ancillary health care services.

**AB 99 (Comm. on Budget) School Finance. Education Omnibus Trailer Bill.**

**Chapter 15, Statutes of 2017 (Urgency)**

This measure contains statutory changes to implement the 2017-18 budget relating to K-12 education. Notably:

- Allocates $1.36 billion in ongoing Prop. 98 funding to further implement the Local Control Funding Formula (LCFF) for school districts and charter schools, bringing the total amount provided for LCFF to $57.2 billion in the 2017-18 fiscal year.
- Extends the date by which the State Board of Education may revise the Local Control and Accountability Plan (LCAP) template under the state’s open meeting law rather than through the formal regulatory process from Jan. 31 to Dec. 31, 2018.

**AB 102 (Comm. on Budget) The Taxpayer Transparency and Fairness Act of 2017. California Department of Tax and Fee Administration. Office of Tax Appeals. State Board of Equalization.**

**Chapter 16, Statutes of 2017 (Urgency)**

This measure enacts statutory changes related to the duties and organization of the State Board of Equalization (BOE) and establishes new entities to carry out tax assessment, collection, and appeals. Specifically:

- Enacts the “The Taxpayer Transparency and Fairness Act of 2017;”
- Removes BOE’s elected member oversight of day-to-day operations of the organization. Instead, the board will be focused on its constitutional responsibilities such as reviewing, equalization, or adjusting property tax assessments, assessing taxes on insurers, and assessing and collecting excise on alcoholic beverages;
- Establishes the Department of Tax and Fee Administration to assume all other duties, powers, and responsibilities of the BOE. The state will continue to assess and collect taxes according to current law; and
- Establishes the Office of Tax Appeals to assume all duties, powers, and responsibilities of the board necessary or appropriate to conduct tax appeal hearings. Provides that there shall be three tax appeal panels around the state each consisting of three administrative law judges.

**AB 103 (Comm. on Budget) Public Safety. Omnibus.**

**Chapter 17, Statutes of 2017 (Urgency)**

This measure contains necessary statutory and technical changes to implement the Budget Act of 2017 related to Public Safety. Notably:

- Drivers License Suspension Program: Removes the ability for courts to impose a driver’s license suspension for failure to pay (this is directly linked to a provision in the January Budget, which repealed the Driver’s License Suspension Program).
- State Penalty Fund: Revises the structure of the State Penalty Fund to work within limits of current revenues. The Governor’s January Budget cut off funding from the State Penalty Fund for the following programs:
  - California Gang Reduction, Intervention and Prevention Program (GRIP) with Board of State and Community Corrections;
  - Internet Crimes Against Children Task Forces, Office of Emergency Services (OES);
  - Local Public Prosecutors and Public Defenders Training Program, OES; and
  - Motorcyclist Safety Program, California Highway Patrol.
- The 2017-18 Budget preserved funding for the following programs:
  - Driver Training Program;
- Peace Officer Standards and Training;
- Standards and Training for Corrections;
- Victim Witness and Assistance Programs;
- Restitution Fund;
- CA Witness Relocation and Protection Program;
- Traumatic Brain Injury Program; and
- Fish and Game Prevention Program.

- Post-Release Community Supervision. Defines residence for the purpose of Post-Release Community Supervision as one or more locations at which a person regularly resides, and requires that if a person has no residence, he or she must inform the supervising county agency that he or she is transient.

- Local Detention Facilities.
  - Prohibits a local detention facility that provided in-person visitation as of Jan. 1, 2017, from converting to only video visitation. Prohibits a local detention facility from charging for visitation when visitors are onsite and participating in either in-person or video visitation. Requires a local detention facility that does not offer in-person visitation to provide the first hour of remote video visitation each week free of charge.
  - Requires inspections of local detention facilities to be conducted, at a minimum, every two years and requires that inspections address components relating to the availability of visitation and relating to the receipt of state funds for jail construction.

- Sentence Reductions. Not Guilty by Reason of Insanity. Authorizes a person who is committed to a state hospital after being found not guilty by reason of insanity to petition the court to have the maximum term of commitment reduced to what it would have been had Prop. 36 or Prop. 47 been in effect at the time of the original determination, as specified. The bill would also require the petitioner to show that he or she would have been eligible to have his or her sentence reduced under the relevant proposition and to file the petition prior to Jan. 1, 2031, or at a later date with a showing of good cause.

- Firearms. Prohibits a person who has an outstanding warrant for a felony from owning, purchasing, receiving, or possessing a firearm, and would make a violation of this prohibition punishable as a felony. Also prohibits a person who has an outstanding warrant for certain misdemeanors from owning, purchasing, receiving, or possessing a firearm within 10 years of the issuance date of the outstanding warrant. Extends the deadline to register a weapon in order to be exempted from the prohibition of assault weapons that do not have a fixed magazine from Jan. 1 to July 1, 2018.

- Immigration Detention Facilities. Increases the Department of Justice's oversight of detention facilities used to detain immigrants. Prohibits a city or county or local law enforcement agency from, on or after June 15, 2017, entering into a contract with the federal government or any federal agency to house or detain an adult noncitizen in a locked detention facility for purposes of civil immigration custody. Prohibits a city, county or local law enforcement agency that entered into such a contract on or before June 15, 2017, from modifying or renewing that contract so
as to expand the maximum number of contract beds that may be used to house
or detain an adult noncitizen for purposes of civil immigration custody.

- Court Documents. Disability Access. Requires a system for the electronic filing
and service of documents to be accessible to individuals with disabilities. The bill
would require a trial court that contracts with an entity for the provision of a
system for the electronic filing and service of documents to include certain
requirements in its contract with the entity, including a requirement that the entity
test and verify that the entity’s system is accessible.

**AB 107 (Comm. on Budget) Development Services.**
Chapter 18, Statutes of 2017 (Urgency)
This measure makes various statutory changes to implement budget provisions
affecting the Department of Developmental Services. Notably, it allows an individualized
family service planning team for infants and toddlers, eligible under the California Early
Intervention Services Act, to determine that necessary medical services, not available
through the family’s private health insurance policy, can be funded by a regional center.

Chapter 249, Statutes of 2017 (Urgency)
This measure is one of two bills that enact the Greenhouse Gas Reduction Fund
(GGRF) Expenditure Plan. This measure appropriates $700 million for a number of
priorities including funding to implement a new air quality program created by AB 617,
health forests and fire prevention, agricultural programs, waste diversion and recycling
infrastructure, the Transformational Climate Communities program, and adaptation and
natural resource restoration including urban forestry and urban greening. *(The League
has prepared a comprehensive summary of this measure in Appendix A of this
document.)*

*AB 111 (Comm. on Budget) State Government.
Chapter 19, Statutes of 2017 (Urgency)
This measure makes various changes related to the Budget Act of 2017 to implement
mental and public health services. Notably, this measure:

- Broadens the purpose for which cities and counties may use funds from the
Community Based Transitional Housing Program to allow:
  - Cities and counties to provide a portion of their program funds to the
    facility operator, if the facility operator agrees to use those funds for facility
    operations and services to residents. There is no limit on the amount the
    city and county may provide to the facility operator; and
  - Cities and counties to use program funds for other purposes that their
    governing boards determine are in furtherance of the program’s goals as
    long as the proposed uses are specific in the application.

**AB 114 (Comm. on Budget) Public Health.**
Chapter 38, Statutes of 2017 (Urgency)
This measure makes various changes related to the Budget Act of 2017 to implement
mental and public health services. Notably, this measure:
• Reallocates unspent funds subject to reversion as of July 1, 2017 to the county of origin for the purposes for which they were originally allocated;
• Extends the sunset date of the Umbilical Cord Blood Collection Program until January 1, 2023; and
• Extends the sunset date of the California Health Benefits Review Program (CHBRP) for three years.

*AB 115 (Comm. on Budget) Transportation.  
Chapter 20, Statutes of 2017 (Urgency)  
This measure makes various technical amendments to the Road Repair and Accountability Act of 2017, SB 1 (Beall, Chapter 5, Statutes of 2017). Specifically:
• Requires the Department of Transportation and the California State Transportation Agency to post formal draft guidelines, hold at least two public workshops, and notify the fiscal and appropriate policy committees of the Legislature prior to formally adopting any program guidelines related to the Road Repair and Accountability Act of 2017, also known as SB 1 (Beall), Chapter 5, Statutes of 2017).
• Amends the Active Transportation Program to provide authority for the California Transportation Commission to approve “Letters of No Prejudice” that would provide project sponsors with a tool to initiate projects with their own resources prior to the year in which they would receive state funding they had been awarded.

*AB 119 (Comm. on Budget) State Government.  
Chapter 21, Statutes of 2017 (Urgency)  
This measure requires state and local public employers to provide the exclusive representative access to new employees for the purpose of a new employee orientation. Specifically:
• Time, place and manner of the orientation including frequency, duration, compensated time, in-person or not would be decided locally through the bargaining process;
• Should impasse occur, parties would then go to binding interest arbitration whereby both parties would evenly split such costs;
• The public employer has the option to go through PERB but would then default to current law whereby the employer is responsible for all costs; and
• Employer must provide information for new and existing employees every 30 days or in conjunction with payroll. Information includes: Work phone, work address, email, home phone and home address. (Note: This information is already available for exclusive representatives under the California Public Records Act).

(The League has prepared a comprehensive summary of this measure in Appendix A of this document)
AB 120 (Ting) Budget Act of 2017.
Chapter 22, Statutes of 2017 (Urgency)
This measure makes adjustments to three budget items that will allocate $1.3 billion in tobacco tax revenue to fund expenditures in the Medi-Cal program pursuant to the California Healthcare, Research and Prevention Tobacco Tax Act of 2016 (Prop. 56). The measure also makes corresponding adjustments to the General Fund and federal fund appropriations for Medi-Cal. Provides that, should certain conditions be met, DOF may augment allocations of tobacco tax revenue for physician payments or dental payments.

AB 126 (Comm. on Budget) Health and Human Services.
Chapter 65, Statutes of 2017 (Urgency)
The measure contains necessary changes related to development services within the Budget Act of 2017. Notably:
- Appropriates $100,000 from the Federal Trust Fund to the Department of Developmental Services for community respite services, and
- Removes the caps on in-home and out-of-home respite services that a regional center may purchase for a consumer.

AB 129 (Comm. on Budget) Education Finance.
Chapter 250, Statutes of 2017
This measure makes clarifying and technical changes to early education, K-12 and higher education related to the 2017-18 budget act. Notably:
- Updates the income eligibility requirements for state subsidized child care and preschool, and
- Clarifies that the California Energy Commission is exempt from the Administrative Procedure Act related to guidelines for the Clean Energy Job Creation (Prop. 39) program.

AB 130 (Comm. on Budget) Health and Human Services.
Chapter 251, Statutes of 2017
This measure makes clarifying and technical changes to the health and human services budget trailer bills included in the overall 2017 budget package. Notably:
- Clarifies the General Fund appropriation of $5.4 million by the Department of Social Services (DSS) shall be made in a single payment to the City of San Jose for purposes of assisting homeless and low-income individuals displaced by the Coyote Creek flooding that occurred in February 2017, and, as a condition of receiving these funds, require the City of San Jose to provide quarterly reports to DSS; and
- Provides $20 million to DSS for immigration services funding, which will be available to existing providers for work on behalf of DACA clients.

*AB 131 (Comm. on Budget) Office of Tax Appeals.
Chapter 252, Statutes of 2017 (Urgency)
This measure makes several clarifications related to the Office of Tax Appeals created in conjunction with the previous transfer of numerous duties from the Board of
Equalization (BOE) to the newly created California Department of Tax and Fee Administration (CDTFA). In brief, the bill:

- States in legislative intent that because the Office of Tax Appeals is an administrative body and not part of the judicial branch that taxpayers may choose their representatives, including certified public accountants and others;
- Requires appeals conferences with department staff to be conducted in the same manner as prior to the transfer of responsibility from the BOE. The applicable regulations shall remain in effect, but the Department may amend, repeal and add regulations as necessary;
- Clarifies that a person denied requested relief at an appeals conference may request a hearing before a tax appeals panel;
- Grants the ability of the CDTFA and BOE to obtain copies of photographs of drivers’ licenses for regulatory purposes; and
- Prohibits the disclosure of proprietary business information, as specified;
- Makes other minor related changes.

*AB 133 (Comm. on Budget) Cannabis.  
Chapter 253, Statutes of 2017 (Urgency)  
This measure enacts a host of regulatory changes to facilitate the onset of state licensing of commercial cannabis businesses in January 2018. Its provisions include but are not limited to authorizing a single entity to hold both an adult use license and a medicinal license; providing that applicants who submit evidence of local approval will be presumed to be in compliance with local ordinances unless local jurisdictions notify the state licensing entity otherwise; requiring state licensing entities to notify local governments when an applicant submits evidence of local approval; allowing the Bureau to set requirements for the purchase of cannabis by primary caregivers; assigning the newly created Department of Tax and Fee Administration the responsibility for cannabis-related state tax collection; and increasing the limit on lawful possession of concentrated cannabis from 4 grams to 8 grams.

*AB 134 (Comm. on Budget) Budget Act of 2017.  
Chapter 254, Statutes of 2017 (Urgency)  
This measure is the second of two bills that enact the Greenhouse Gas Reduction Fund (GGRF) Expenditure Plan. This measure appropriates $900 million for a number of vehicle replacement programs, including the Carl Moyer programs, the Hybrid and Zero-Emission Truck and Bus Voucher program, the Clean Vehicle Rebate program, and the Enhanced Fleet Modernization program. The appropriations also include $10 million for higher education financial aid programs. (The League has prepared a comprehensive summary of this measure in Appendix A of this document.)

*AB 135 (Comm. on Budget) Transportation.  
Chapter 255, Statutes of 2017 (Urgency)  
This measure codifies the ability for cities and counties to use their own funds to pay for transportation repair, maintenance, and rehabilitation projects and reimburse those expenditures with revenues generated from the Road Repair and Accountability Act of 2017. The bill also gives cities and counties a 90-day grace period to submit their
project list to the California Transportation Commission (CTC) to establish funding eligibility. The bill also allows agencies implementing the Transit and Intercity Rail Program (TIRP), the Congested Corridors Program, Trade Corridor Investments, and the Local Partnership Program to expend their own funds for projects programmed by the CTC and get reimbursed for eligible projects. The bill also allows the Secretary of Transportation to assume the federal government’s responsibility for federal environmental review for railroad, public transportation, or multimodal projects.

SB 84 (Comm. on Budget and Fiscal Review) Public Employees’ Retirement Fund. State Employer Contributions. Supplemental Payment.
Chapter 50, Statutes of 2017 (Urgency)
This measure makes various statutory changes to implement the debt payment on state pension obligations provided in the Budget Act of 2017. Specifically:
- Requires the Department of Finance (DOF) to establish a schedule of payments in 2017-18 to borrow up to $6 billion from the Surplus Money Investment Funds and other funds within the Pooled Money Investment Account (PMIA) to make a supplemental employer contribution to the Public Employees’ Retirement Fund (PERF).
- Requires payments from the PERF to various state employee member categories to be distribute as follows:
  - $3.6 million to state miscellaneous member category;
  - $100 million to state industrial member category;
  - $300 million to state safety member category;
  - $1.5 billion to state peace officer/firefighter member category; and
  - $500 million to patrol member category.
- Requires DOF to submit a report to the Legislature by September 1, 2017, that describes the actual impact on contribution rates for each state employee member category receiving a supplemental payment.

SB 85 (Comm. on Budget and Fiscal Review) Education.
Chapter 23, Statutes of 2017 (Urgency)
This measure makes statutory changes to implement the 2017-18 budget relating to higher education. Notably:
- Creates the “Hunger-Free Campus” program to incentive the University of California, California State University, and California Community College campuses to develop programs to reduce food insecurity among students;
- Requires the University of California to use employees to operate all new buildings built with state funding, with a seven-year sunset;
- Appropriates $2 million one-time Proposition 98 General Fund to Norco Community College to expand the veterans resource center and establish a program to award course credit for military experience; and
- Appropriates $11.3 million one-time Proposition 98 General Fund to Compton Community College District to support costs associated with regaining accreditation.
SB 88 (Comm. on Budget and Fiscal Review) State Government.
Chapter 51, Statutes of 2017 (Urgency)
This measure makes various statutory changes necessary to implement the general government-related provisions of the Budget Act of 2017. Notably:

- Requires copies of personal email addresses of state paid In-Home Supportive Service (IHSS) providers to be made available to an exclusive bargaining agent and to any labor organization seeking representation rights; and
- Authorizes the Capitol Area Development Authority (CADA) to enter into a financing arrangement for the development, design, and construction of a parking structure in the City of Sacramento through the California Infrastructure and Economic Development Bank (IBANK).

SB 89 (Comm. on Budget and Fiscal Review) Human Services.
Chapter 24, Statutes of 2017 (Urgency)
This measure makes statutory changes to implement actions taken affecting Department of Social Services, Department of Child Support Services, Department of Community Services and Development, Department of Health Care Services, and the Office of Systems Integration within the Health and Human Services Agency. Notably:

- Establishes the California CalWORKs Outcomes and Accountability Review (Cal-OAR) to facilitate an accountability system that fosters continuous quality improvements in county CalWORKs programs;
- Provides additional flexibility to counties on the use of mental health and substance abuse funding;
- Creates the CalWORKs Educational Opportunity and Attainment Program to provide CalWORKs recipients with a one-time education incentive award of $100 for completion of a high school diploma and allows recipients to receive a one-time education stipend totaling $1,000 for enrollment in an education or training program leading to a career technical education program certificate or college degree; and
- Creates the Safe Drinking Water Supplemental Benefit Pilot Program to provide additional CalFresh nutrition benefits to residents of disadvantaged communities that are served by failing public water systems.

Chapter 25, Statutes of 2017 (Urgency)
This measure makes various statutory changes to implement budget provisions related to the In-Home Supportive Services program administered by the Department of Social Services and implemented by the counties. Notably:

-Eliminates the prior IHSS MOE and replaces with a new MOE that includes a new base for county costs that includes both services and administration costs;
-Returns collective bargaining to counties and maintains the 35 percent county share of negotiated increases;
-Allows IHSS workers to appeal to the Public Employment Relations Board if bargaining stalls; and
• Provides a state participation cap $1.10 above the minimum wage and be tagged to inflation after minimum wage reaches $15 per hour.

**SB 92 (Comm. on Budget and Fiscal Review) Public Resources.**
**Chapter 26, Statutes of 2017 (Urgency)**

This measure makes changes to various resources programs necessary to implement the 2017-18 budget. Notably:

- Dam Safety. Requires dams (except for low-risk dams) to have an emergency action plan that is updated every ten years, updated inundation maps every ten years, or sooner if specific circumstances change, and provide DWR with enforcement tools, including fines and operational restrictions for failure to comply;
- Establishes the Natural Resources Preservation Fund;
- Authorizes the Central Valley Flood Protection Board, after holding at least one public hearing, to set and charge fees sufficient to cover the reasonable cost for the services it provides;
- Small Watercraft Facilities Loan and Grants Program. Removes the requirement that the Division of Boating and Waterways in the Department of Parks and Recreation must submit recommendations to the Governor for inclusion in the budget bill before it makes any loans or grants;
- Revises the purpose of the Agricultural Protection Planning Grant Program to incorporate climate change goals and increases the grant limits from $500,000 to $750,000;
- Recycling Programs at State Agencies. Removes the requirement for state agencies to obtain approval from the Department of Resources Recycling and Recovery prior to contracting for recycling services and authorizes state agencies to retain revenues received;
- GGRF Clean-up. Clarify that provisional language regarding grants from the 2016 Budget Act in the California Department of Food and Agriculture’s budget only applies to dairy digesters grants. Also, provides an Administrative Procedure Act exemption to Greenhouse Gas Reduction Funds appropriated in the 2016 Budget Act;
- PUC Clean-up. Changes the amount of funding available for the Multifamily Affordable Housing Solar Roofs Program as provided for in AB 693 (Eggman, Chapter 582, Statutes of 2015) from 10 percent of the 15 percent of Investor Owned Utilities (IOU) auction allowance revenue to 10 percent of the total IOU consignment allowance auction revenue;
- Delta Stewardship Council Term Extension. Adopts an extension of the length of time a member of the Delta Stewardship Council is authorized to serve as chairperson from four to six years. This extension will revert back to four years in 2019;
- Sacred Lands File Research. Authorizes the Native American Heritage Commission to establish fees to recover the costs of providing Sacred Lands File searches;
- Parks Expenditures Reporting Requirement. Revises the annual report that the Department of Parks and Recreation must submit to the Legislature describing
the allocation and expenditure of funds made available to the Department of Parks and Recreation from the Harbors and Watercraft Revolving Fund;

- Dig Safe Act of 2016 Clean-up. Clarifies the intent and requirements for an “area of continual excavation” and extend the dates by which the California Underground Facilities Safe Excavation Board is required to complete their regulations and begin enforcement – from November 2017 to July 2020, and other technical changes;

- Commercial Landing Fees. Renames the “landing tax” as a “landing fee” and revises the rate schedule by increasing certain fees while decreasing other fees to specified amounts;

- Milk Pooling. Authorizes the California Department of Food and Agriculture to establish a stand-alone milk quota program;

- Air Pollution Grants. Requires the Air Resources Board, in addition to UCs, to consider CSUs when awarding contracts for air pollution research;

- Timber Harvest Plan Report. Delays the report required by AB 1958 (Wood, Chapter 583, Statutes of 2016) by one year and specifies that the report shall include an analysis of exemption use, whether the exemptions are having the intended effect, any barriers for small forest owners, and measures that might be taken to make exemptions more accessible to small forest owners; and

- Loan Repayment Extension. Extends from June 30, 2019 to June 30, 2020, the repayment date of the loan from the Oil Spill Response Trust Fund.

*SB 94 (Comm. on Budget and Fiscal Review) Cannabis. Medicinal and Adult Use. Chapter 27, Statutes of 2017 (Urgency)*

This measure enacts statutory changes related to a single system of administration for state licensing entities to implement a regulatory framework for the cannabis law in California.

Medical Cannabis Regulation and Safety Act (MCRSA): Incorporates various provisions of the MCRSA that do not conflict with Prop. 64, the Adult Use of Marijuana Act (AUMA), including:

- Retaining statutory definition of “volatile solvent” supporting local regulation and enforcement activities vis-à-vis cannabis manufacturing facilities;
- Retaining the State Medical Marijuana ID Card Program;
- Codifying general local regulatory and enforcement authority in re: to the MCRSA and the AUMA, including enforcement of the Fire and Building Codes, right to conduct inspections and audits;
- Retaining environmental protection provisions to regulate illegal diversion of waterways and use of illegal pesticide in cannabis cultivation;
- Allowing non-storefront retail operations;
- Mandating minimum state agency response time once notified of revocation of a local permit;
- Retention of regulations re: testing laboratories;
- Impaired Driving Study;
- Guidance re: reporting requirements in event of inventory discrepancies, theft, breach of security; and applying general transportation regulations to cannabis transport.
- Single Regulatory System. Creates one regulatory system for all commercial cannabis activity, called the “Medicinal and Adult-Use of Cannabis Regulatory and Safety Act.” Requires all businesses to choose between applying for a license for either Medical or Adult-Use (Recreational) cannabis.
- Local Control. Clarifies that the state regulatory structure does not limit the authority of cities, counties, or cities and counties under any provision of law, including Section 7 of Article XI of the California Constitution.
- Local Verification Process. Requires local jurisdictions to provide the bureau a copy of any ordinance or regulation related to commercial cannabis activity and a contact to serve as a liaison between the state licensing entities and the local jurisdiction. Outlines a process by which locals and the state licensing authorities will communicate regarding an applicant for licensure.
- Vertical Integration with Quality Insurance Inspectors. Allows cannabis businesses to perform their own product distribution and in-house testing, with oversight from state quality insurance inspectors who will perform random inspections.
- Testing Laboratories. Requires product testing by independent testing labs. Requires chain of custody protocols and use of standard operating procedure to confirm or refute bad test results. Requires destruction of the remains of the testing samples, and notice to Bureau of Cannabis Regulation within 24 hours of any change in the testing labs accreditation.
- Advertising. Requires that technology platforms and outdoor advertising companies ensure that a licensee who wishes to advertise include its state license number on any advertising.
- Open Container. Creates a new definition for containers of cannabis or cannabis products in a car. Creates a new infraction if a person has opened cannabis or cannabis products in the car. Creates an exemption for a qualified patient who is carrying either a state Medical identification (ID) card or a physician’s recommendation.
- Driving Under the Influence of Drugs Task Force. Creates a DUID Task Force with a balanced membership to make recommendations regarding prevention of impaired driving, means of identifying impaired driving, and responses to impaired driving that reduce reoccurrence.
- Cultivation and Excise Taxes. Creates a methodology to implement the two taxes imposed by Prop. 64, the cultivation tax ($9.35 per dry weight ounce for flowers and $2.75 for leaves) and excise tax (15 percent of the sales price). Clarifies that the cultivation tax shall be imposed when the cannabis or cannabis products enter the commercial marketplace. Requires the distributor to collect and remit the cultivation tax at the time of distribution and create a tax liability for the excise tax at the same time. Provides that the excise tax is due and payable 90-days after the transfer of the products. Allows BOE, or its successor agency, to determine refund policies to ensure that there is no overpayment of tax. Does not
change the incidence of tax and requires that BOE, or its successor agency, determine the actual tax.

- **Cannabis Cooperatives.** Specifies that certain license types may pool their resources for cannabis farming of no more than four acres total, and that all members of the cooperative must be disclosed to the licensing agencies. Specifically, the cooperatives must include three or more members (that have not been licensed to operate a cannabis business in another state or country) and form an association for specific purposes: cultivation, marketing, selling, harvesting, curing, drying, trimming, packing, storing and handling of the product, manufacturing or selling to its members machinery, equipment or supplies.

- **Temporary Event License.** Authorizes the bureau to issue a state temporary event license at a county fair or district agricultural association, where people 21 years of age or older could sample cannabis and cannabis products. Temporary event licenses shall only be issued in local jurisdictions that authorize such events.

**SB 96 (Comm. on Budget and Fiscal Review) State Government.**

*Chapter 28, Statutes of 2017 (Urgency)*

This measure requires the Secretary of State to notify a county elections official that a petition received a sufficient number of signatures to initiate a recall election and allows for a 30-day period for voters to withdraw their signatures. Notably:

- If a sufficient number of verified signatures are ultimately obtained, this requires the Department of Finance (DOF) in consultation with affected elections officials and the Secretary of State to estimate the costs of the recall election;
- If it is held as a special election, or as part of the next regularly scheduled election this bill requires the DOF to post this information on its website and requires the Joint Legislative Budget Committee to review this information; and
- Appropriates $5 million to remit specified costs of conducting a recall election to affected counties.

**SB 97 (Comm. on Budget and Fiscal Review) Health.**

*Chapter 52, Statutes of 2017 (Urgency)*

This measure is the health trailer bill that contains revisions affecting health programs necessary to implement the Budget Act of 2017. Notably:

- Provides budget authority of $20 million to the California Health Facilities Financing Authority from the fund balance supporting the Health Expansion Loan Program (HELP) II to provide grants for the operational costs of non-profit, small, or rural health centers in critical service areas or at risk of losing federal funding;
- Transitions individuals receiving home and community-based services in the San Francisco Community Living Support Benefit Waiver into the Assisted Living Waiver, which will be expanded to include the city and county of San Francisco; and
- Requires the Department of Health Care Services to develop and implement a program to provide a community-living support benefit to eligible Medi-Cal beneficiaries, focused on homeless and chronically homeless individuals.
*SB 103 (Comm. on Budget and Fiscal Review) Transportation.  
Chapter 95, Statutes of 2017 (Urgency)
This measure makes transportation related statutory changes necessary to implement the Budget Act of 2017. Notably:

- Authorizes the Department of Transportation (Caltrans) to implement the Advance Mitigation Program, including purchasing or funding the purchase of mitigation credits from mitigation banks, conservation banks, or in-lieu fee programs approved by one or more regulatory agencies to pay for the mitigation of environmental impacts of transportation projects;
- Revises the requirements of the currently-existing Trade Corridors Improvement Fund and makes them applicable to the Trade Corridor Enhancement Account created by SB 1 (Beall, Chapter 5, Statutes of 2017), and applies those requirements to both state freight funds and federal funds apportioned to the state for freight projects;
- Requires the California Transportation Commission to allocate 60 percent of available funding to eligible projects nominated by regional transportation agencies, with the remaining 40 percent allocated for eligible projects nominated by Caltrans; and
- Prohibits the funding of projects that include the purchase of fully-automated cargo handling equipment. Requires funded projects to be consistent with Article XIX of the California Constitution.

*SB 106 (Comm. on Budget and Fiscal Review) State Government.  
Chapter 96, Statutes of 2017 (Urgency)
This measure makes the following statutory changes to implement the 2017-18 Budget Act:

- Authorizes the Department of Housing and Community Development (HCD) to adopt guidelines to improve the federal State Community Development Block Grant (CDBG) program for non-entitlement local government jurisdictions;
- Requires HCD to ensure potential applicants have access to instructions that allow them to successfully compete for CDBG funds set aside for economic development purposes;
- Expands the Earned Income Tax Credit (EITC) by extending the income eligibility up to $22,300 in annual earnings, including net earnings from self employment; and
- Extends the sunset date of statutes exempting Marin County from meeting certain housing density requirements from 2023 to 2028.

Chapter 53, Statutes of 2017 (Urgency)
This measure makes various changes to the 2016-17 Budget including a clarification that funds appropriated for the Riverside County Transportation Efficiency Corridor may be made available directly to the project sponsor or to the Riverside County Transportation Commission.
This measure amends the Budget Act of 2017 to incorporate changes required to implement provisions of the State Administration, namely two trailer bills, AB 102 (Committee on Budget); and Cannabis, SB 94 (Committee on Budget and Fiscal Review). Specifically:

- Clarifies resources available to the four members of the Board of Equalization, to ensure that each member is authorized the same number of staff for FY 2017-18, as they employed as of June 15, 2017;
- Requires the Department of Finance to report to the Legislature with an evaluation of the Board’s ongoing staffing needs;
- Provides funds to individual state agencies, in the form of a loan from the General Fund, to implement responsibilities associated with SB 94, the cannabis trailer bill, as follows:
  - $3 million to the Bureau of Cannabis Control;
  - $250,000 to the Department of Public Health; and
  - $2.3 million to the Department of Food and Agriculture.
- The responsibilities include establishing quality assurance and tax verification inspectors, maintaining the state medical cannabis identification card, and establishing an office to meet the needs of residents of the north coast. This measure specifies that all funds provided for cannabis regulation are to be repaid from the Cannabis Control Fund;
- Shifts $6 million associated with local tree mortality grants from the Office of Emergency Services to the Department of Forestry and Fire Protection; and
- Appropriates $98 million from the Proposition 1 Water Bond, $49 million for the Santa Monica Mountains Conservancy and an additional $49 million for the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy for specified projects.

SB 110 (Comm. on Budget and Fiscal Review) Clean Energy Job Creation Program and Citizen Oversight Board. Chapter 55, Statutes of 2017 (Urgency)
This measure appropriates the remaining funds in the Clean Energy Job Creation Program (Prop. 39) to local education agencies, and community colleges for energy efficiency improvements, clean energy generation, school bus retrofits and replacement. This measure also establishes a new Clean Energy Job Creation Program beginning in fiscal year 2018-19 with grants for local education agencies and community colleges, subject to appropriation by the Legislature.

SB 112 (Comm. on Budget and Fiscal Review) State Government. Chapter 363, Statutes of 2017 (Urgency)
This measure makes statutory changes to the state administration-related provisions of the Budget Act of 2017. Notably:

- Appropriates $2,625,000 to the Office of Emergency Services to reimburse local fire departments for activities related to the October 2016 Little Valley Fire;
Clarifies that the arbitrator selection process must start within 14 days of a party’s demand for compulsory interest arbitration, and requires that the arbitration be completed with 30 days for cases regarding exclusive representatives mandatory access to its new employee orientations for public employers;

Clarifies that elected officials may continue to receive their ‘37 Act County retirement benefits while they hold public office. This clarification provides parity to retired CalPERS members who receive retirement benefits while serving in public office and receiving a salary;

Requires the state fire marshal to adopt regulations establishing minimum standards for the prevention of fire and the protection of life and property for building being used as community correctional reentry facilities and residential housing facilities for parolees;

Clarifies that the ban on federal immigration detention contracts applies to facilities that are owned and operated by local law enforcement agencies;

Clarifies the prohibition on individuals with current felony warrants or prohibiting misdemeanor warrants against owning a firearm does not apply to persons who do not have knowledge of the outstanding warrants;

Exempts the California Gambling Control Commission from the requirement to deny a license when an applicant has been convicted of a felony for the possession of cannabis, when the facts of which would not constitute a felony or misdemeanor under California law on the date the application for a license is submitted; and

Requires the Public Utilities Commission, no later than January 31, 2018, to open a proceeding to eliminate the use of the Aliso Canyon natural gas storage facility no later than January 1, 2028.

Chapter 181, Statutes of 2017 (Urgency)
This measure makes various appropriations and technical changes to the 2017 Budget. Notably:

- Appropriates $50 million for After School Education and Safety Programs;
- Authorizes a $100.7 million transfer to the Cannabis Control Fund;
- Reduces the amount of the supplemental payment to the state’s retirement contributions, due to increased resources directed to reduce outstanding budgetary debt related to weight fee payments; and
- Appropriates $5 million for local assistance for the purpose of reimbursing local governments for recall elections expenses.
  - Up to $1 million is to be used for county signature verification and withdrawal expenses; and
  - Up to $4 million is to be used for county recall expense

SB 117 (Comm. on Budget and Fiscal Review) Elections.
Chapter 180, Statutes of 2017 (Urgency)
This measure makes statutory changes related to recall petition procedures and voter turnout initiatives. Specifically:
• Allows the Secretary of State to contract with a qualified person or organization to conduct outreach associated with the implementation of voter centers, as adopted in SB 450 (Allen);

• Reenacts the following provisions of SB 96 (Senate Budget and Fiscal Review, Chapter 28, Statutes of 2017), related to special election certification:
  o Requires the Secretary of State to notify all county elections officials that a petition received a sufficient number of signatures to initiate a recall election. After this notice has been provided, the bill provides for a period of 30 business days in which voters who signed the petition may withdraw their signatures. Within 10 business days after this period ends the elections officials must report to the Secretary of State the total number of withdrawn signatures;
  o Requires the Department of Finance to estimate costs of recall elections within 30 business days of receipt of the Secretary of State’s notice of sufficient signatures, and submission of that estimate to the Governor, Secretary of State, and Chairperson of the Joint Legislative Budget Committee (JLBC). Allows a 30-day period for the JLBC to review and comment on this information;
  o Authorizes the Department of Finance to direct the State Controller to remit specified costs of conducting recall elections to specified counties but only after the time period for JLBC review has ended;
  o Requires elections officials to submit to the Secretary of State specified information 30 days after a recall has been initiated and every 30 days thereafter; and
  o Repeals provisions that allow for the use of random sampling as a method of verifying signatures for a recall petition.

This measure modifies the Vehicle License Fee (VLF) adjustment and increases the amount on a continuing basis of property taxes that are received by four cities that incorporated after 2004 and before 2012. The change reflects the following:
  • For the 2017-18 fiscal year, the city’s base VLF adjustment amount is calculated by multiplying the city’s population by the per capita amount of countywide VLF annual adjustment funding received by cities in the county; and
  • For each fiscal year thereafter, the prior year’s VLF adjustment amount is recalibrated to reflect the year-to-year change in assessed property values within the city.

SB 132 (Comm. on Budget and Fiscal Review) Budget Act of 2016. Chapter 7, Statutes of 2017 (Urgency)
This measure makes adjustments to the 2016 Budget Act related to specific transportation projects. Specifically:
  • Appropriates $400 million from the Public Transportation Account to Caltrans’ Local Assistance Program. Specifies that these funds are for the extension of the
Altamont Corridor Express to Ceres and Merced, including associated system improvements, and are from the Transit and Intercity Rail Capital Program;

- Appropriates $427 million from the State Highway Account to the Riverside County Transportation Efficiency Corridor for five projects:
  - $180 million for the 91 Toll Connector to Interstate 15 North project;
  - $108.4 million for the Jurupa Avenue Grade Separation project;
  - $84.45 million for the McKinley Grade Separation project;
  - $48 million for the Interstate 15 / Limónite Interchange project; and
  - $6.3 million is for the Hamner Bridge Widening; and

- Appropriates $50 million from the Trade Corridor Enhancement Account to the Air Resources Board's Zero/Near-Zero Emission Warehouse Program.

**B. Tax Increment Financing**

*AB 733 (Berman) Enhanced Infrastructure Financing Districts. Climate Change. Chapter 657, Statutes of 2017*  
This measure adds climate change projects to the list of projects that may be financed by cities or counties through an Enhanced Infrastructure Financing Districts (EIFD). Climate change projects include higher average temperatures, decreased air and water quality, the spread of infectious and vector-borne diseases, other public health impacts, extreme weather events, sea level rise, flooding, heat waves, wildfires, and drought.

*AB 1568 (Bloom) Enhanced Infrastructure Financing Districts. Sales Tax and Housing. Chapter 562, Statutes of 2017*  
This measure authorizes a city or county to dedicate revenue, including sales tax revenue, to an Enhanced Infrastructure Financing District (EIFD) that is coterminous with the boundaries of the city or county that established it, for the purposes of the Neighborhood Infill Finance and Transit Improvements Act, established by this bill, subject to the following limitations:

- 20 percent of the revenue dedicated must be used for assisting the construction of units benefiting low and very low income households, with at least six percent allocated to very low income households and at least nine percent allocated to low income housing, with affordability covenants of 55 years for rental housing and 45 years for owner-occupied. The EIFD plan must ensure that these requirements are made every 10 years;
- The area to be financed must be an infill site, defined as not being previously developed for urban uses and immediately adjacent to parcels developed with qualified urban uses, as defined;
- Prohibits funds to be used for highway and highway interchanges; and
- Prohibits the termination of an EIFD if it has not complied with its housing obligations under this Act.
*AB 1598 (Mullin) Local Housing Authorities. Financing.
Chapter 764, Statutes of 2017
This measure authorizes a city or county to create by resolution an affordable housing authority coterminous with its boundaries with various powers and dedicate a portion of its property tax increment, sales tax and other revenues to develop affordable housing. Additional features include:

- Focus of the authority would be on developing housing affordable to various income categories up to 120 percent of area median income, with affordability covenants of 55 years for rental housing and 45 years for owner-occupied;
- An authority may issue bonds, borrow, receive funds and coordinate and receive funds from with other entities, remove hazardous substances, provide seismic retrofits, loan funds to owners and tenants to repair, improve or rehabilitate buildings in the plan area, and other actions. The authority also is provided broad property acquisition and disposal authority, including eminent domain. Adoption of the plan or bond issuance does not require a public vote;
- Governance of and authority is a board comprised of between 5 to 7 members. A minimum of three members must be members of the city council or board of supervisors that formed the authority, with one public member. If formed as a joint powers authority between a city and a county, at least three city council members and three county supervisors shall serve on the board;
- Boundaries may be coterminous with the city or county that formed the authority, but must be coterminous if sales tax revenue is dedicated to the authority;
- If revenues from another local taxing entity (county or special district) are to be dedicated to the purposes of the authority, those entities must consent. Tax increment from the school share of property tax cannot be included;
- The authority is required to create a low and moderate income housing fund, develop a fiscal analysis of estimated revenues and expenses including any plans to issue bonds, develop estimates of deposits into the fund over a five-year period. Estimates must also be developed for the number of units to be created, and how the fund will allocate expenditures over a 10-year horizon to develop housing affordable to various income levels proportionate to the city or county’s allocation of regional housing needs. An audit is required every five years commencing in the calendar year in which the authority has allocated a cumulative total of more than one million dollars in revenue;
- The time limit for the authority is 45 years;
- A relocation plan must be developed for families and persons temporarily or permanently displaced from housing facilities by activities of the authority; Permanent replacement housing shall be made available for displaced persons or families within two years;
- Requires the authority to receive priority assistance in state housing programs; and
- Limits administrative costs to five percent of revenues. Authorizes the transfer of housing responsibilities to another housing authority or a city or county housing department if determined that combining funding streams will reduce administrative burdens or expedite the construction of affordable housing.
C. Sales and Use Tax

AB 467 (Mullin) Local Transportation Authorities. Transactions and Use Taxes. Chapter 640, Statutes of 2017
This measure exempts county elections officials from including adopted transportation expenditure plans in the voter information guides as long as the authority posts the plan on its website and can make the entire plan available to voters electronically or hard copy per the voter’s request at no cost.

AB 1593 (Ridley-Thomas) Personal Income Tax. Chapter 563, Statutes of 2017
This measure requires the Franchise Tax Board (FTB) to revise the income tax returns to require a taxpayer to enter a number on the use tax line of the personal income tax return and to indicate either that the taxpayer owes no use tax or that the taxpayer has remitted his or her use tax obligation for the taxable year directly to the State Board of Equalization (BOE).

AB 1717 (Comm. on Revenue and Taxation) Sales and Use Taxes. Acceptable Tax Return. Chapter 175, Statutes of 2017
This measure removes the requirement that an income tax return be timely filed for a taxpayer to avoid late payment penalties from BOE in cases where the use tax reported on the income tax return is used to satisfy underpaid income taxes.

SB 703 (Skinner) Transactions and Use Taxes. Authority to Increase. Chapter 651, Statutes of 2017
This measure authorizes three individual local agencies to place proposed increases to their local transaction and use tax rates on the ballot when those increases exceed the statutory cumulative 2 percent cap that applies within each county. Specifically, the City of Santa Fe Springs is authorized to propose a 1 percent increase, the County of Alameda a 0.5 percent increase, and the County of Santa Clara a 0.65 percent increase. If increases have not been approved in the individual jurisdiction by December 31, 2022, then the authority granted by this measure is repealed.

SB 797 (Hill) Peninsula Corridor Joint Powers Board. Transactions and Use Taxes. Chapter 653, Statutes of 2017
This measure authorizes the Peninsula Corridor Joint Powers Board to impose retail transactions and use tax at a rate not to exceed 0.125 percent via two-thirds voter approval.
D. Local Government Finance

AB 218 (Bonta) Local Agencies. Airport. Customers Facility Charges. 
Chapter 311, Statutes of 2017
This measure authorizes airports, until January 1, 2023, to collect customer facility charges from car rental customers to finance improvements to airport car rental facilities without using bonds or incurring other forms of indebtedness. If also clarifies that an airport shall not require a car rental company to collect a customer facility charge from a consumer if that requirement would result in the rental company collecting more than one charge from that consumer in connection with a single rental.

AB 525 (Aguiar-Curry) State Board of Equalization. California Department of Tax and Fee Administration. Offer in Compromise Extension. 
Chapter 272, Statutes of 2017
This measure extends until January 1, 2022, the authority of Board of Equalization’s (BOE) executive director and chief counsel to compromise a final tax liability for an open business under the Offer in Compromise program. This measure applies to the Sales and Use Tax Law, Use Fuel Tax Law, Cigarette and Tobacco Products Tax Law, Alcoholic Beverage Tax Law, Emergency Telephone Users Surcharge Act, Oil Spill Response, Prevention, and Administration Fees Law, Underground Storage Tank Maintenance Fee Law, Fee Collection Procedures Law, and Diesel Tax Law.

AB 804 (C. Garcia) State Controller Audits. Internal Controls. 
Chapter 317, Statutes of 2017
This measure authorizes the State Controller to audit any local agency for purposes of determining whether the agency’s internal controls are adequate to detect and prevent financial errors and fraud. States that existing law which requires the Controller to establish advisory internal control guidelines for local agencies is an issue of statewide concern that applies to charter cities.

AB 1194 (Dababneh) Elections. Local Bond Measures. Tax Rate Statement. 
Chapter 795, Statutes of 2017
This measure requires the fiscal statement that is required to be included in the sample ballot for local bond measures to include the best estimate from official sources of the average annual tax rate that would be required to be levied to fund the bond issue over the entire duration of the bond debt service. This measure also requires the estimate to identify the final fiscal year in which the tax is anticipated to be collected.

AB 1286 (Friedman) Airports. Alternative Customers Facility Charges. 
Chapter 325, Statutes of 2017
This measure reauthorizes airports, until 2025, to seek authority to charge the "alternative customer facility charge", distinct from and may be charged in addition to the standard customer facility charge, to customers of car rental companies at California airports.
*ACA 5 (Frazier) Motor Vehicle Fees and Taxes. Restriction on Expenditures. Chapter 30, Statutes of 2017*
This measure is a ballot measure to be placed on the June 2018 statewide ballot that would amend the Constitution to protect revenues from the increased transportation related tax and new fee for transportation purposes only. Specifically:
- Requires diesel fuel sales tax revenues to be deposited into the Public Transportation Account (PTA) and prohibit the Legislature from diverting or appropriating those funds for purposes other than transportation planning and mass transportation;
- Require revenues derived from a proposed Transportation Improvement Fee to be used solely for transportation purposes, prohibit those revenues from being used to pay for previously authorized transportation bond debt service, and prohibit the Legislature from borrowing or using those revenues for unauthorized purposes; and
- Exempts appropriations of revenues generated as part of the proposed Road Repair and Accountability Act of 2017, SB 1 (Beall) Chapter 5, Statutes of 2017, from counting towards the state appropriation limit (Gann Limit).

*SB 182 (Bradford) Transportation Network Company Drivers. Business Licenses. Chapter 769, Statutes of 2017*
This measure limits local taxation authority by prohibiting local agencies from requiring drivers for transportation network companies (TNCs) to obtain a business license to operate unless the driver is domiciled in the jurisdiction and has operated for more than 30 days in the preceding fiscal year. In addition, the bill:
- Requires a TNC driver to obtain a business license in the jurisdiction where they are domiciled. Provides that if the local jurisdiction does not require a business license to operate as a TNC driver, the driver shall not be required to obtain a business license for any other jurisdiction;
- Defines “business license” as including any license, certificate, fee, or equivalent payment that is required or collected by a local jurisdiction annually, or on some other fixed cycle, as a condition of providing prearranged transportation services in the local jurisdiction;
- Provides that a business license issued to a driver by a local jurisdiction pursuant to this chapter shall be valid for the period determined by the local jurisdiction by law or regulation;
- Prohibits a local jurisdiction from requiring a driver to obtain a business license that applies for a period before January 1, 2018, or imposes any penalty or fee on a driver related to the driver’s failure to obtain a business license for providing transportation network services for a period before January 1, 2018;
- Prohibits the disclosure of personally identifiable information about an individual driver on a publicly accessible Internet Website, which includes, but is not limited to: a first and last name; a residential address including a street and city name; an email address; a telephone number; a social security number; and driver income or tax information; and
- Requires each TNC company to notify its drivers of the obligations detailed in the bill.
**SB 231** (Hertzberg) Local Government. Fees and Charges.  
Chapter 536, Statutes of 2017  
This measure clarifies that the definition of “sewer” includes stormwater for the purpose of the Proposition 218 Omnibus Implementation Act. This measure also includes related findings and declarations.

**SB 450** (Hertzberg) Bonds. Public Notice.  
Chapter 625, Statutes of 2017  
This measure requires a public agency (other than a state entity) to disclose all of the following information in a meeting open to the public prior to the issuing bonds for a term greater than 13 months:

- The true interest cost of the bonds, the finance charge, the amount of proceeds received as a result of sale, and the total payment amount, as those terms are defined;
- Authorizes the information provided to be derived from a good-faith estimate provided by an underwriter, financial advisor or private lender; and
- If the public body issuing the bonds is a conduit issuer, the third-party borrower (governing board, official or committee designated by its governing board, or, if no governing board, the individual with authority to obligate the third party) shall receive a good-faith estimate provided by an underwriter, financial advisor or private lender.

**SB 742** (Moorlach) City Treasurers. Bonds and GAAP Accounting.  
Chapter 77, Statutes of 2017  
This measure requires a city treasurer, if the city has issued bonds, to use a system of accounting and auditing that adheres to generally accepted accounting principles (GAAP).

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**E. Property Tax Administration**

**AB 652** (Flora) Property Taxation. Base Year Value. New Construction.  
Chapter 80, Statutes of 2017  
This measure specifies that the value of new construction in progress is not a base year value until completed. This measure also specifies that new construction in progress is appraised on each lien date until completed, at which time the assessor appraises the value of the property, and that value becomes the base year value.

**AB 1130** (Bocanegra) Heavy Equipment Rentals.  
Chapter 505, Statutes of 2017  
This measure establishes a rebuttable presumption that in a heavy equipment rental agreement the parties agreed to the addition of estimated personal property tax reimbursement to the heavy equipment rental price if the charge is expressly stated in the rental agreement.
**AB 1193** (Gloria) Property Tax. Low-Income Housing. Welfare Exemption.  
Chapter 756, Statutes of 2017  
This measure raises the property tax exemption for affordable properties to match the federal requirement of 140 percent area median income. This measure expands eligibility of the welfare exemption from property tax for property owners of units occupied by individuals who meet income limits when they begin occupying a unit.

**AB 1718** (Committee on Revenue and Taxation) Property Taxation. Separate Appraisal. Leach Pads, Tailing Facilities, and Settling Ponds.  
Chapter 592, Statutes of 2017  
This measure repeals the requirement for assessors to value separately any leach pads, tailing facilities, and settling ponds on mining or mineral property. As a result, the property would be valued as a single assessment unit.

**SB 447** (Nielsen) Multicounty Assessment Appeals Boards.  
Chapter 132, Statutes of 2017  
This measure implements a process for two or more county board of supervisors to create a multicounty assessment appeals board. This authority sunsets on January 1, 2028.

**SB 624** (Galgiani) Property Tax Liens. Low Dollar Amounts.  
Chapter 164, Statutes of 2017  
This measure authorizes a county board of supervisors to adopt an ordinance that instructs the tax collector not to file a tax lien against a property when the outstanding tax owed is an amount established by the ordinance of less than $200, excluding interest.

**SB 653** (Moorlach) Tax Collector Notices. Internet Publication.  
Chapter 336, Statutes of 2017  
This measure requires county tax collectors to place notices that are required to be published in a newspaper also on the tax collector’s regularly maintained website.

**SB 812** (Committee on Governance and Finance) Tax Defaulted Property  
Chapter 601, Statutes of 2017  
This measure prohibits the owner of tax defaulted property from purchasing the property at a tax lien sale for an amount that is less than the outstanding tax liens, penalties and other costs applicable to the property.

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**F. Miscellaneous**

**AB 132** (Jones-Sawyer) Public Contracts. 2028 Olympic Games and Paralympic Games  
Chapter 251, Statutes of 2017  
This measure authorizes the Governor to execute contracts, not to exceed $270 million, in connection with the site selection process for the City of Los Angeles to become the

host for the 2028 Olympic Games and Paralympic Games that accept financial liability to provide the state security for amounts owed by the Organizing Committee for the Olympic Games (OCOG).

**AB 149 (Jones-Sawyer) Personal Income Taxes. Habitat For Humanity Voluntary Tax Contribution Fund.**
*Chapter 398, Statutes of 2017*
This measure establishes the Habitat for Humanity Voluntary Tax Contribution Fund (Fund) and allows individuals to make a contribution to the Fund through the state personal income tax (PIT) return.

**AB 454 (Ridley-Thomas) Personal Income Taxes. Exclusion. Wrongfully Incarcerated Individuals.**
*Chapter 655, Statutes of 2017*
This measure excludes from taxation any monetary awards received by individuals wrongfully convicted of a crime and incarcerated in connection with their wrongful incarceration.

**AB 688 (Calderon) Enforcement of Money Judgments. Exemptions.**
*Chapter 529, Statutes of 2017*
This measure exempts funds in an Achieving a Better Life Experience (ABLE) account, not to exceed $100,000, from a money judgment. This measure shall become operative on September 1, 2018.

**AB 1499 (Gray) Horse Racing. State Designated Fairs. Allocation of Revenues.**
*Chapter 798, Statutes of 2017*
This measure requires retailers when filing returns to California Department of Tax and Fee Administration (CDTFA) to segregate the gross receipts of the seller and the sales price of tangible personal property when the place of sale or use is on or within the real property of a state-designated fair. This measure also includes sales on property at a state-designated fair but leased to another party.

**AB 1550 (Limón) School Finance. School Bonds. Small School District.**
*Chapter 451, Statutes of 2017*
This measure authorizes two or more small school districts that have had the issuance of bonds authorized by the voters to form a joint powers authority (JPA) for the purpose of issuing or selling those bonds. This measure defines "small school district" as a school district with fewer than 2,501 units of average daily attendance (ADA).

**AB 1714 (Comm. on Housing and Economic Development) Income Taxes. Farmworker Housing**
*Chapter 418, Statutes of 2017*
This measure is the Assembly Committee on Housing and Community Development’s annual omnibus bill that makes numerous technical and non-controversial changes to housing law. Notable changes include:
- Amends the definition of "at risk of conversion" that is contained in specified Revenue and Taxation Code Sections to include projects that have received financing from the United States Department of Agriculture (USDA) and HCD;
- Expands the definition of occupancy assumptions when determining rent in Housing Authority financed projects; and
- Includes loans from HCD's Multifamily Housing Program in the list of loan programs eligible for the Loan Portfolio Restructuring Program.

**AB 1719 (Comm. on Revenue and Taxation) Taxation.**
Chapter 592, Statutes of 2017
This measure changes penalty provisions in state law in the following ways:
- Allows the Franchise Tax Board (FTB) to waive the S-Corporation and partnership late filing penalty under the VDP program;
- Repeals the “failure to keep records” penalty in Revenue and Taxation Code Section 19174; and
- Provides that the penalty that applies to Real Estate Investment Trusts (REITs) equal to $50,000 for each failure under the Internal Revenue Code does not apply for state purposes, effective for the 2005 taxable year.

**AB 1720 (Comm. on Revenue and Taxation) Franchise Tax Board. Electronic Communication.**
Chapter 177, Statutes of 2017
This measure extends the sunset date of the law authorizing the FTB to use alternative forms of communications from January 1, 2018 to January 1, 2025, including the use of the “MyFTB” web-based computer interface that allows a taxpayer or a taxpayer’s representative to file a protest, notification, or other communication in a secure manner.

**ACA 1 (Mayes) Greenhouse Gas Reduction Reserve Funds.**
Chapter 105, Statutes of 2017
This measure places a Constitutional Amendment on the June 2018 ballot that would require a special two-thirds vote of the Legislature to appropriate certain funds. If approved by voters, this measure requires that the first appropriation of Cap and Trade revenues after January 1, 2024 be subject to a two-thirds majority vote of the Legislature. This measure also suspends the manufacturing sales and use tax exemption beginning January 1, 2024 until the effective date of the two-third vote legislation. (*The League has prepared a comprehensive summary of this measure in Appendix A of this document.*)

**SB 205 (Comm. on Governance and Finance) Local Government Omnibus Act of 2017.**
Chapter 387, Statutes of 2017
This measure is the annual local government omnibus bill that makes non-controversial changes to state laws affecting local agencies’ powers and duties. Notably:
- Requires the State Controller, when a lien is filed for the purposes of the Senior Citizens and Disabled Citizens Property Tax Postponement Law (PTP), to send a copy of the lien to the tax collector, as well as the county assessor;
• Clarifies that repayments on a lien filed under the PTP by the claimant be first applied to any interest on the loan. Second, repayments will be applied to the principal property tax amount. Third, the remaining balance, if any, shall go to administrative fees.

• Specifies that public officers and elected officials must take the oath of office following any election or appointment;

• Expands Merced County’s authority over the former Castle Air Force Base lands to include an authorization to enter into a lease, concession, or managerial contract;

• Specifies, for purposes of approving uniform accounting procedures, that five members of the Committee on County Accounting Procedures (CCAP) may be county auditors or county officers in equivalent positions;

• Replaces the requirement for consultation with "the city attorney or county counsel" with "legal counsel for the entity," in order to allow local agencies to consult with their agency’s legal counsel for purposes of completing sexual harassment prevention training consultations;

• Allows a local agency to either post a copy of the Local Appointments List (LAL) online or continue posting the physical copy at the designated public library;

• Allows Sacramento Area Flood Control Agency (SAFCA) to acquire any interests in real property; and

• Changes the Vallejo Sanitation and Flood Control District’s name to the Vallejo Flood and Wastewater District, beginning January 1, 2018, and makes corresponding changes to the District’s name throughout the District’s Act.

SB 206 (Comm. on Governance and Finance) Validations.
Chapter 57, Statutes of 2017 (Urgency)
This measure enacts the First Validating Act of 2017 which validates the organization, boundaries, acts, and bonds of state and local agencies. Validating Acts protect investors from the chance that a minor error might undermine the legal integrity of a public agency’s bond.

SB 207 (Comm. on Governance and Finance) Validations.
Chapter 58, Statutes of 2017 (Urgency)
This measure enacts the Second Validating Act of 2017 which validates the organization, boundaries, acts, and bonds of state and local agencies. Validating Acts protect investors from the chance that a minor error might undermine the legal integrity of a public agency’s bond.

SB 208 (Comm. on Governance and Finance) Validations.
Chapter 59, Statutes of 2017
This measure enacts the Third Validating Act of 2017 which validates the organization, boundaries, acts, and bonds of state and local agencies. Validating Acts protect investors from the chance that a minor error might undermine the legal integrity of a public agency’s bond.
**SB 751 (Hill) School District Reserve Caps.**
**Chapter 674, Statutes of 2017**

This measure increases the amount of the state cap on school district reserve funds from six to 10 percent, under specified conditions. Exempts small school districts and basic aid districts from the cap.
VII. Transportation, Communication, and Public Works

A. Transportation

Chapter 4, Statutes of 2017 (Urgency)
This measure reinstates California’s Department of Transportation (Caltrans) authority to waive its 11th Amendment right to sovereign immunity from lawsuits brought in federal court, allowing Caltrans to assume the role of the United State Department of Transportation (U.S. Dot) for the purposes of fulfilling responsibilities and compliance with the National Environmental Policy Act (NEPA), also referred to as California’s NEPA delegation. This measure sunsets on January 1, 2020.

*AB 135* (Comm. on Budget) Transportation.
Chapter 255, Statutes of 2017 (Urgency)
This measure codifies the ability for cities and counties to use their own funds to pay for transportation repair, maintenance, and rehabilitation projects and reimburse those expenditures with revenues generated from the Road Repair and Accountability Act of 2017. The bill also gives cities and counties a 90-day grace period to submit their project list to the California Transportation Commission (CTC) to establish funding eligibility. Agencies implementing the Transit and Intercity Rail Program (TIRP), the Congested Corridors Program, Trade Corridor Investments, and the Local Partnership Program may expend their own funds for projects programmed by the CTC and get reimbursed for eligible projects. Authorizes the Secretary of Transportation to assume the federal government’s responsibility for federal environmental review for railroad, public transportation, or multimodal projects.

*AB 179* (Cervantes) California Transportation Commission.
Chapter 737, Statutes of 2017
This measure requires the Governor to consider socioeconomic background, professional experience and experience in representing disadvantaged communities when appointing members to the CTC. The bill also requires the State Air Resources Board (ARB) to hold at least two joint meetings per calendar year to coordinate implementation of transportation policies.

*AB 188* (Salas) Vehicle Retirement and Replacement.
Chapter 629, Statutes of 2017
This measure requires ARB to update the guidelines for the enhanced fleet modernization program to apply the same miles per gallon standard for minivans applicable to light-duty pickup trucks.
*AB 332 (Bocanegra) Vehicles. Local Regulations. Street Closures.
Chapter 34, Statutes of 2017
This measure authorizes local governments to temporarily close a highway or arterial street to through traffic to curb illegal dumping if the closure can be accomplished without a significant impact on the flow of traffic. The closure shall be based upon a recommendation from the sheriff’s department or California Highway Patrol when any of the following concerns exist:
- Serious and continual criminal activity; and
- Serious and continual illegal dumping.

*AB 390 (Santiago) Pedestrian Crossing Signals.
Chapter 402, Statutes of 2017
This measure allows pedestrians to proceed crossing a street when prompted by a “DON’T WALK,” “WAIT,” or “Upraised Hand” symbol with a countdown as long as the pedestrian finishes crossing before the countdown is over.

*AB 467 (Mullin) Local Transportation Authorities. Transactions and Use Taxes.
Chapter 640, Statutes of 2017
This measure exempts county elections officials from including adopted transportation expenditure plans in the voter information guides as long as the authority posts the plan on its website and can make the entire plan available to voters electronically or hard copy per the voter’s request at no cost.

*AB 503 (Lackey) Vehicles. Parking Violations. Registration or Driver’s License Renewal.
Chapter 741, Statutes of 2017
This measure requires local governments to offer payment plans and fee waivers to “indigent” drivers to pay parking ticket obligations before filing an itemization of delinquent penalties with the Department of Motor Vehicles (DMV).

AB 515 (Frazier) State Highway System Management Plan.
Chapter 314, Statutes of 2017
This measure requires Caltrans to prepare a draft State Highway System Management Plan for both the 10-year state highway rehabilitation plan and the 5-year maintenance plan. Caltrans is required to make the draft plan available to regional transportation agencies for review and comment and to include those comments in the final plan submitted to the CTC by February 15 of each odd-numbered year and transmit it to the Governor and Legislature by June 1 of each odd-numbered year.

AB 544 (Bloom) Vehicles. High-Occupancy Vehicle Lanes.
Chapter 630, Statutes of 2017
This measure allows federal inherently low emission vehicles (ILEVs) and transitional zero-emission vehicles (TZEVs) access to high-occupancy vehicle (HOV) lanes regardless of occupancy level for a four-year period. This bill also makes HOV access decals issued before January 1, 2017 expire on January 1, 2019 and decals issued within that time frame, expire in 2022. The decals issued after January 1, 2019 are good
on a one-time basis for up to four years. Buyers are prohibited from participating in both the HOV access program and Clean Vehicle Rebate Program, unless the buyer’s annual gross income falls below $150,000 - $300,000 depending on how the person files their taxes (i.e. single, head of household, joint). This measure sunsets on September 30, 2025.

**AB 695 (Bocanegra) Avoidance of On-Track Equipment.**
*Chapter 110, Statutes of 2017*
This measure adds on-track equipment, such as a locomotive, car, rolling stock, equipment, or other device operated on stationery rails to the vehicle and pedestrian safety requirements when approaching/crossing a railroad, rail transit grade crossing, or a railroad grade crossing.

**AB 758 (Eggman) Transportation. Tri-Valley-San Joaquin Valley Regional Rail Authority.**
*Chapter 747, Statutes of 2017*
This measure creates the Tri-Valley-San Joaquin Valley Regional Rail Authority to oversee the planning, development, and delivery of a connection between the Bay Area Rapid Transit (BART) and the Altamont Corridor Express (ACE) in the Tri-Valley region. To achieve its mission, the newly created authority has powers to:
- Accept funds from federal, state, local governments, and private entities.
- Acquire property through purchase or eminent domain.
- Incur indebtedness.
- Contract with public and private entities for planning, design, and construction.
- Enter into cooperative or joint development agreements with local governments or private entities to share costs, sell or lease land, air or development rights.
- Relocate utilities.

**AB 866 (Cunningham) State Highways. Gateway Monuments.**
*Chapter 201, Statutes of 2017*
This measure authorizes a city or county to display the U.S. or California flag, or both, as part of a gateway monument if the flags are maintained by the city or county. The bill defines a gateway monument as a freestanding structure or sign, or non-integral/non-required highway feature constructed within the state’s right-of-way that communicates the name of a city or county.

*AB 1069 (Low) Local Government. Taxicab Transportation Services.**
*Chapter 753, Statutes of 2017*
This measure requires taxicab companies and taxicab drivers to obtain a permit and be subject to a business license only in the jurisdiction in which it is "substantially located" and where it has a physical business address. The bill defines "substantially located" as the jurisdiction where a taxicab company or driver conducts the largest share of its business or in jurisdictions where cities and/or counties have entered into a joint powers agreement or agreement with a transit agency to regulate taxicab companies and/or drivers that operate within their boundaries. The bill also prohibits cities or counties from issuing permits or subjecting taxicab companies or drivers to a business license if the
taxis are not “substantially located” within their jurisdictions as defined above. The bill also authorizes cities and counties to enforce limited ordinances as it relates to taxicab stands, street hails, and equal accessibility ordinances. The bill also requires taxicab companies and/or drivers to obtain trip data beginning January 1, 2018 through January 1, 2019 for purposes of identifying jurisdictions where they are “substantially located.”

**Chapter 149, Statutes of 2017**  
This measure extends the CEQA exemption for bicycle transportation plans and bicycle lane restriping projects in urbanized areas from January 1, 2018 to January 1, 2021. This measure sunsets on January 1, 2021.

**AB 1282** (Mullin) Transportation Permitting Task Force.  
**Chapter 643, Statutes of 2017**  
This measure requires the Secretary of Transportation, in consultation with the Secretary of the Natural Resources Agency, to establish a Transportation Permitting Task Force to develop a process for early engagement in the development of transportation projects and deadlines for permit approvals by April 1, 2018 and report their findings to the Legislature.

***AB 1625** (Rubio) Inoperable Parking Meters.  
**Chapter 352, Statutes of 2017**  
This measure prohibits local governments from ticketing cars parked at broken meters, but allows local governments to impose four-hour time limits at metered spaces for which tickets can still be issued even if a meter is broken and car is parked longer than the allowed time frame. The bill also defines broken meters as meters that cannot physically accept payment.

**AB 1633** (Frazier) State Highways. Exit Information Signs.  
**Chapter 158, Statutes of 2017**  
This measure adds businesses offering electric vehicle charging facilities to the list of specific roadside business eligible to be placed on an exit information sign.

**ACA 5** (Frazier) Motor Vehicle Fees and Taxes. Restriction on Expenditures.  
**Chapter 30, Statutes of 2017**  
This measure is a ballot measure to be placed on the June 2018 statewide ballot that would amend the Constitution to protect revenues from the increased transportation related tax and new fee for transportation purposes only. Specifically:
- Requires diesel fuel sales tax revenues to be deposited into the Public Transportation Account (PTA) and prohibit the Legislature from diverting or appropriating those funds for purposes other than transportation planning and mass transportation;
- Require revenues derived from a proposed Transportation Improvement Fee to be used solely for transportation purposes, prohibit those revenues from being used to pay for previously authorized transportation bond debt service, and
prohibit the Legislature from borrowing or using those revenues for unauthorized purposes; and

- Exempts appropriations of revenues generated as part of the proposed Road Repair and Accountability Act of 2017, SB 1 (Beall) Chapter 5, Statutes of 2017, from counting towards the state appropriation limit (Gann Limit).

**SB 1 (Beall) Transportation Funding.**

**Chapter 5, Statutes of 2017 (Urgency)**

This measure generates $5.2 billion annually upon full implementation for California’s transportation network. Of the $5.2 billion, cities and counties will receive approximately $1.5 billion for local streets and roads, with $750 million of the city share distributed to cities statewide on a per capita (population) basis.

In addition to the funding for local streets and roads, this bill provides funding for the programs below on an annual basis:

- $1.5 billion for the state highway system;
- $1.5 billion for local streets and roads,
  - 50% to counties
  - 50% to cities

Money for other types of transportation projects, include:

- $769 million for transit;
- $400 million for bridge and culvert repair;
- $300 million for goods movement;
- $250 million for congested corridors;
- $200 million for self-help counties;
- $100 million for active transportation projects;
- $82.4 million for regional transportation improvement plans;
- $27.5 million for interregional transportation improvement plans;
- $25 million for freeway service patrol;
- $25 million for local planning grants;
- $7 million for UC and CSU transportation research; and
- ($706 million is available over the first three years for loan repayment to cities, counties, and transit agencies on a one-time basis).

These revenues are generated by the following sources, all of which are adjusted for inflation according to the consumer price index:

- 12 cent/gallon increase to the gasoline excise tax beginning November 2017;
- 17.3 cent/gallon reset to the price-based gas tax rate beginning July 2019;
- 20 cent/gallon increase to the diesel fuel excise tax beginning November 2017;
- 4 percent addition to the diesel sales tax rate beginning November 2017;
- $25-$175 transportation improvement fee on vehicles beginning in 2018 in the following increments:
  - $25/year for cars less than $5,000 in value.
  - $50/year for cars between $5,000 and $25,000 in value.
  - $100/year for cars between $25,000 and $35,000 in value.
o $150/year for cars between $35,000 and $60,000 in value.
o $175/year for cars over $60,000 in value.
• $100 zero-emission vehicle fee starting in 2020.

For SB 1 moneys deposited into the newly created Road Maintenance and Rehabilitation Account (RMRA), cities and counties can spend these funds on the following types of projects (including, but not limited to):
  • Road maintenance and rehabilitation;
  • Safety projects;
  • Railroad grade separations;
  • Complete streets components, including active transportation (in addition to ATP grant moneys), pedestrian and bicycle safety projects, transit facilities, drainage, and stormwater capture in conjunction with an allowable project;
  • Traffic control devices;
  • To satisfy state or federal funding match requirements for allowable projects; and
  • Other transportation priorities when a city exceeds a pavement condition index score of 80.

In addition to the revenue generated by these sources, SB 1 also contains constitutional protections and reforms, notably:
  • ACA 5 (Frazier), a constitutional measure subject to voter approval in June 2018 that would constitutionally protect SB 1 revenues for transportation purposes only;
  • Creates the Office of the Inspector General with audit and investigatory oversight over Caltrans;
  • An advanced mitigation program to mitigate environmental impacts earlier in an effort to reduce time and costs for transportation projects;
  • Annual project reporting requirements for cities and counties to be eligible for SB 1 funding; and
  • A maintenance of effort requirement for cities and counties that requires general fund and other discretionary expenditures spent on transportation to be equal to an average of the three fiscal years, inclusive of 2009 – 2012.

(The League has prepared a comprehensive summary of this measure in Appendix A of this document.)

SB 52 (Newman) State Route 39.
Chapter 423, Statutes of 2017
This measure authorizes the CTC to relinquish to the City of Anaheim the portion of State Route 39 within the city limits of that city if they agree to do so with Caltrans.

SB 150 (Allen) Regional Transportation Plans.
Chapter 646, Statutes of 2017
This measure updates the factors ARB must consider when setting regional greenhouse gases (GHG) emissions reduction targets to include the state target of reducing GHG emissions to 40 percent below 1990 levels by 2030. This bill also requires the ARB to report, by September 1, 2018 and every four years, an assessment of progress made
by each metropolitan planning organization (MPO) to meet targets, including changes to GHG emissions in each region, data-supported metrics for strategies used to meet the targets, and best practices and challenges faced by MPOs in meeting the targets.

**SB 400 (Portantino) Highways. Surplus Residential Property.**
Chapter 568, Statutes of 2017
This measure prohibits Caltrans from increasing the rent of tenants in surplus residential property located within the State Route 710 corridor in Los Angeles County that participate in the department’s Affordable Rent Program.

**SB 595 (Beall) Metropolitan Transportation Commission. Toll Bridge Revenues. BART Inspector General. Santa Clara Valley Transportation Authority. High-Occupancy Toll Lanes.**
Chapter 650, Statutes of 2017
This measure requires the City and County of San Francisco and the other eight Bay Area counties to conduct a special election to increase the toll rate charged on state-owned bridges within the region.

**SB 672 (Fuller) Traffic-Actuated Signals. Motorcycles and Bicycles.**
Chapter 432, Statutes of 2017
This measure deletes the January 1, 2018 sunset for the requirement for the first placement of a traffic-actuated signal or replacement of the loop detector to detect lawful bicycle or motorcycle traffic on the roadway, indefinitely extending the provisions of this law.

**SB 797 (Hill) Peninsula Corridor Joint Powers Board. Transactions and Use Tax.**
Chapter 653, Statutes of 2017
This measure authorizes the Peninsula Corridor Joint Powers Board to impose retail transactions and use tax at a rate not to exceed 0.125 percent via two-thirds voter approval.

**B. Public Transit**

**AB 25 (Nazarian) Tour buses. Modified Tour Buses.**
Chapter 310, Statutes of 2017
This measure adds modified tour buses, including buses with its roof substantially modified or removed to the definition of “tour bus”. The bill authorizes local governments to adopt rules and regulations via ordinance for these buses, including route restrictions and prohibitions on loudspeakers or public-address systems.

**AB 468 (Santiago) Transit Districts. Prohibition Orders.**
Chapter 192, Statutes of 2017
This measure adds the Los Angeles County Metropolitan Transportation Authority (Metro) to the transit districts authorized to issue prohibition orders to passengers committing certain illegal behavior, including but not limited to assaults on drivers and
other acts of violence. Specifically, it extends to the Metro existing law which authorizes the barring of specific individuals from entering the property, facilities or vehicles of a transit district for a finite period linked to infractions, misdemeanors, and felony offenses.

**AB 730 (Quirk) Transit Districts. Prohibition Orders.**

*Chapter 46, Statutes of 2017*

This measure repeals the sunset that allows the San Francisco Bay Area Rapid Transit District (BART) to issue certain prohibition orders. Current law grants BART the authority to issue a prohibition order to any person who, on at least three separate occasions within a period of 90 consecutive days, is cited for an infraction committed in or on a vehicle, bus stop, or light rail station of the transit district. These infractions include, but are not limited to interfering with the operation of a transit vehicle and engaging in behavior that cause harm or injury to a person or property.

**AB 1453 (E. Garcia) Schoolbuses. Adult Volunteer Transportation.**

*Chapter 173, Statutes of 2017*

This measure authorizes school districts to use school buses to transport adult volunteers to and from educational activities. It amends the definition of “schoolbus” in the Vehicle Code to clarify that the reference to the transportation of students and list of exceptions to the definition are not to be construed to prohibit the use of a schoolbus for any activity authorized by the Education Code.

**SB 20 (Hill) Vehicles. Buses. Seatbelts.**

*Chapter 593, Statutes of 2017*

This measure as of July 1, 2018, requires bus drivers and passengers over the age of 16 to wear seat belts in buses that are equipped with them. It also requires drivers to notify passengers of this requirement and the $20 fine for not wearing a seat belt either before departure or with posted signs or placards.

**SB 680 (Wieckowski) San Francisco Bay Area Rapid Transit.**

*Chapter 100, Statutes of 2017*

This measure extends the distance from one-quarter mile to one-half mile from a transit facility that the San Francisco Bay Area Rapid Transit District (BART) can engage in Transit Oriented Development (TOD) projects.

**C. Vehicles**

**AB 630 (Cooper) Vehicles. Retirement and Replacement.**

*Chapter 636, Statutes of 2017*

This measure codifies the existing Enhanced Fleet Modernization Program’s Plus-Up Pilot Project and renames it the Clean Cars 4 All Program, administered by the ARB, to achieve air quality improvements and benefit low-income residents by replacing high-polluter vehicles with cleaner and more efficient vehicles or a mobility option.
AB 739 (Chau) State Vehicle Fleet. Purchases.
Chapter 639, Statutes of 2017
This measure requires that at least 15 percent of new vehicles purchased by the California Department of General Services (DGS) and other state agencies that weigh more than 19,000 pounds to be zero emission beginning on December 31, 2025 and 30% by December 31, 2030.

*AB 1073 (E. Garcia) California Clean Truck, Bus, and Off-Road Vehicle and Equipment.
Chapter 632, Statutes of 2017
This measure extends by two years, until January 1, 2020, the requirement that the California Air Resources Board dedicate 20 percent of California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program to support early commercial deployment of existing zero- and near-zero-emission heavy-duty trucks, with priority given to projects benefiting disadvantaged communities.

AB 1082 (Burke) Transportation Electrification. Electric Vehicle Charging Infrastructure. School Facilities and Other Educational Institutions.
Chapter 637, Statutes of 2017
This measure authorizes an electrical corporation to file with the California Public Utilities Commission (PUC) by July 30, 2018 a pilot program proposal for the installation of electric charging stations at school facilities and other educational institutions, giving priority to school facilities and other educational institutions located in disadvantaged communities.

AB 1083 (Burke) Transportation Electrification. Electric Vehicle Charging Infrastructure. State Parks and Beaches.
Chapter 638, Statutes of 2017
This measure authorizes an electrical corporation to file with the PUC by July 30, 2018 a pilot program proposal for the installation of electric charging stations at state parks and beaches.

Chapter 555, Statutes of 2017
This measure lowers the base fine for a red light traffic violation at a highway on-ramp to $35 instead of the $100 base fine imposed for red light traffic violations at an intersection.

*AB 1222 (Quirk) Vehicles. Electronic Wireless Communications Devices.
Chapter 297, Statutes of 2017
This measure excludes the terms “specialized mobile radio device” and “two way messaging device” from the definition of the term “electronic wireless communications device” for the purpose of prohibiting the use of certain devices while driving, in part to acknowledge the use of such devices by public works and public utilities personnel.
**AB 1303** (McCarty) Vehicles. Window Tinting.
Chapter 210, Statutes of 2017
This measure allows a person to install window tinting to block UV rays with a lower light transmittance rating than currently allowed on a vehicle with a signed note from a dermatologist.

**AB 1444** (Baker) Livermore Amador Valley Transit Authority. Demonstration Project.
Chapter 719, Statutes of 2017
This measure authorizes the Livermore Amador Valley Transit Authority (LAVTA) to conduct a demonstration project for the testing of fully autonomous vehicles without a gas pedal, brake pedal, steering wheel, or driver in the driver's seat.

**AB 1452** (Muratsuchi) Parking. Exclusive Electric Charging and Parking on Public Streets.
Chapter 635, Statutes of 2017
This measure authorizes a local jurisdiction, by ordinance or resolution, to designate on-street parking spaces for the exclusive purpose of EV charging provided the vehicle is connected for electric charging purpose and that specified requirements are posted. This measure also authorizes local jurisdictions to remove a vehicle parked in a designated on-street EV parking space if the vehicle does not meet specified requirements and requires that the posting required for on-street EV parking be consistent with the California Manual of Uniform Traffic Control Devices.

Chapter 725, Statutes of 2017 (Urgency)
This measure repeals a provision that requires the Department of Motor Vehicles to notify the Legislature upon receipt of an application to operate an autonomous vehicle capable of operating without the presence of a driver and it repeals a 180-day delay of an approved application.

**SB 159** (Allen) Off-Highway Vehicles.
Chapter 456, Statutes of 2017 (Urgency)
This measure deletes the January 1, 2018 sunset that imposes a service fee of $7 for the issuance or renewal of identification of off-highway motor vehicles and a special fee of $33 paid at the time of payment of the service fee to be deposited in the Off-Highway Vehicle Trust Fund.

Chapter 459, Statutes of 2017
This measure extends indefinitely the off-highway vehicle program which was established to manage off-highway vehicle recreation in a way that protects California’s natural and cultural resources and gives access to the public for this sort of recreation.
Chapter 392, Statutes of 2017
This measure allows blood transport vehicles an exemption to be able to use HOV lanes, regardless of the number of occupants.

Chapter 628, Statutes of 2017
This measure requires that at least 50 percent of the light-duty vehicles purchased by the Department of General Services (DGS) for the state vehicle fleet each fiscal year beginning in fiscal year 2024-25 are zero-emission vehicles.

D. Communications

*AB 1145 (Quirk) Conversion of Existing Overhead Electric and Communication Facilities to Underground Locations. Cable Television Corporations and Cable Operators.
Chapter 792, Statutes of 2017
This measure adds cable television facilities and operators to laws that require cities to reimburse utilities for costs of undergrounding of city-owned overhead electric or communications facilities when the city initiates the conversion.

*AB 1665 (E. Garcia) Telecommunications. California Advanced Services Fund.
Chapter 851, Statutes of 2017 (Urgency)
This measure authorizes the PUC to collect an additional $330 million through a $66 million annual surcharge on all intrastate telephone users beginning January 1, 2018 through 2022. Funds will be deposited into the California Advanced Services Fund, which was established to address the digital divide.

ACR 62 (Quirk) 5G Wireless Technology.
Chapter 93, Statutes of 2017
This measure urges federal, state, and local government policy makers to work in cooperation to streamline the processes for the rapid deployment of small cell wireless infrastructure that supports 5G wireless networks.

Chapter 151, Statutes of 2017
This measure urges the President of the United State and Members of the United States Congress to protect net neutrality, open internet access, the federal Lifeline program’s discounted telephone service for low-income consumers, and the E-rate discounted telecommunications program on behalf of the Legislature.
E. Public Works

*AB 92 (Bonta) Public Contracts. Payment
Chapter 37, Statutes of 2017
This measure extends from January 1, 2018 to January 1, 2023 the sunset date that prohibits public agencies from retaining more than 5 percent of a contract price until final completion of a project, unless the project is substantially complex. This measure sunsets on January 1, 2023.

AB 851 (Caballero) Local Agency Contracts.
Chapter 821, Statutes of 2017
This measure extends until January 1, 2023 the authority for counties to use construction manager at-risk contracting for projects in excess of $1 million, extends the authority to the City of San Diego, and allows the Santa Clara Valley Water District to use the design-build procurement method.

AB 994 (Muratsuchi) Health Care Districts. Design-Build.
Chapter 321, Statutes of 2017
This measure authorizes the Beach Cities Health District to use the design-build procurement method for construction of their facilities. This measure sunsets on January 1, 2023.

AB 1066 (Aguiar-Curry) Public Works. Definition.
Chapter 616, Statutes of 2017
This measure adds tree removal work, when performed in the execution of a public works construction project, to be included in the definition of public works.

AB 1127 (Calderon) Baby Diaper Changing Stations.
Chapter 755, Statutes of 2017
This measure requires state and local agencies and private facilities open to the public, such as a theater, sports arena, or library to install and maintain at least one baby diaper changing state per building that is open to the public that is available to both men and women.

AB 1523 (Olbernolte) San Bernardino County Transportation Authority. Design-Build.
Chapter 154, Statutes of 2017
This measure authorizes the San Bernardino County Transportation Authority (SBCTA) to use the design-build procurement method for the Mt. Vernon Avenue Viaduct Project in the City of San Bernardino.

SB 373 (Cannella) Public Contracts. Design-Build. Stanislaus Regional Water Authority.
Chapter 391, Statutes of 2017
This measure allows the Stanislaus Regional Water Authority to utilize design-build to construct its proposed surface water supply project.
Chapter 238, Statutes of 2017
This measure clarifies that lead user service lines requirements apply to community water systems and adds certain requirements. Specifically, this bill:

- Requires a community water system to compile an inventory of lead user service lines in its distribution system and identify areas that may have lead user service lines by July 1, 2018;
- Requires a community water system to provide a timeline for the replacement of known lead service lines in its distribution system to the State Water Resources Control Board (SWRCB) by July 1, 2020;
- Clarifies the process by which SWRCB and the community water system must agree on a timeline for replacing user service lines known to contain lead; and
- Authorizes SWRCB to enforce provisions of the California Safe Drinking Water Act related to lead in service lines of a public water system and a community water system.

*SB 496 (Cannella) Indemnity. Design Professionals. 
Chapter 8, Statutes of 2017
This measure limits the legal defense costs for design professionals, such as architects and engineers, to just their proportional share of fault arising out of, or pertaining to, the design professional’s negligence, recklessness, or willful misconduct. It is unclear how proportional percentages of fault would be determined since it is typically unknown which parties are responsible for certain claims or lawsuits, likely resulting in litigation over liability and defense costs responsibility until proportionately is determined and apportioned. The measure also requires design professionals to enter into a meet and confer process if one or more defendants to a claim are unable to pay their share of defense costs resulting from bankruptcy or dissolution of the business. The measure excludes the provisions of this measure from applying to design professional services where project-specific general liability policies insure all project participants.
Appendix A – Additional Resources
Appendix A – Additional Resources

Cap-and-Trade Extension and New Air Quality Program
AB 617 (C. Garcia), AB 398 (E. Garcia), ACA 1 (Mayes)

This year the Legislature and the Administration enacted a plan to extend the state’s cap-and-trade system beyond its current authority to operate through 2020. This action represents a compromise among stakeholders advocating for environmental causes, environmental justice, business, agriculture, and other interests. As part of the extension negotiations, lawmakers and the Governor agreed to certain reforms, including a new air quality program and a constitutional amendment giving voters a chance to consider expenditure priorities for the cap-and-trade revenues.

The state’s cap-and-trade system remains a cornerstone of the state’s plan to meet its greenhouse gas (GHG) emissions reductions targets, first implemented by AB 32 (Núñez, Pavley, Chapter 488, Statutes of 2006) and expanded by SB 32 (Pavley, Chapter 249, Statutes of 2016). SB 32 requires the Air Resources Board (ARB) to ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by 2030. However, the authority of the ARB to operate a cap-and-trade program expires in 2020.

Cap-and-Trade Extension

Governor Brown, administrative officials, and legislative leaders negotiated a compromise deal to extend the state’s cap-and-trade system with several reforms. To ensure the state can meet its GHG emissions reductions targets set by AB 32 and SB 32, AB 398 (E. Garcia, Chapter 135, Statutes of 2017) extends the state’s cap-and-trade system through December 31, 2030 with declining emissions limits. The bill also requires the Air Resources Board (ARB) to set new cost containment measures to prevent allowance prices from rising too quickly.

In addition, AB 398 establishes legislative priorities for how the revenues will be spent until January 1, 2031 as follows:

- Air toxic and criteria pollutants from stationary and mobile sources;
- Low and zero-carbon transportation alternatives;
- Sustainable agricultural practices that promote the transitions to clean technology, water efficiency, and improved air quality;
- Healthy forests and urban greening;
- Short-lived climate pollutants (such as methane); and
- Climate adaptation and clean energy research.

Further, AB 398 extends an exemption from the state portion of sales and use taxes for certain purchases of property used for electric power generation until July 1, 2030. However, this provision does not affect the collection of local shares of city and county sales and use taxes. AB 398 also contains a number of other provisions, including measures to protect against job loss concerns, a prohibition against local air quality management districts adopting additional emissions reduction requirements for stationary sources, elimination of the existing fire prevention fees paid by rural
landowners, and requiring the ARB to develop a revised Scoping Plan by January 1, 2018. The ARB’s Scoping Plan is important because it outlines requirements and changes needed to meeting the SB 32 GHG reduction goals, including for industry, agriculture, transportation, and recommendations for local government.

New Air Quality Program

The second key part of the legislative package negotiated by lawmakers is a new air monitoring and air quality program. This program, established by AB 617 (C. Garcia, Chapter 136, Statutes of 2017), begins to address concerns expressed by disadvantaged and environmental justice communities regarding disproportionately poor air quality.

Air monitoring: AB 617 requires the ARB to prepare a monitoring plan for criteria air pollutants and toxic air contaminants by October 1, 2018. It also requires stationary sources to annually report emissions of criteria air pollutants and toxic air contaminants. Based on the monitoring plan, the ARB must determine high priority locations for deployment of community monitoring systems and then local air districts must deploy community monitoring systems in those areas. Community monitoring systems measure and record air pollutant concentrations to estimate health risks, determine trends over time, and support enforcement efforts.

Local air districts are also authorized to require stationary sources in high priority areas to implement fence-line monitoring systems. Fence-line monitoring systems measure and record air pollutant concentrations near a stationary source to detect pollutants from the source, including the quantity of fugitive emissions, and support enforcement efforts.

Air emissions reductions: The ARB must prepare a statewide strategy to reduce toxic air contaminants and criteria pollutants in communities affected by high exposure by October 1, 2018, with updates every five years. The statewide strategy must include a methodology for identifying sources and quantities of air pollution and assessments of (1) communities with high cumulative exposure burdens, (2) whether local air districts should implement risk reduction audits and emissions reductions plans for a facility, and (3) best available control technology (BACT) and best available retrofit control technology (BARCT).

The ARB must also select locations for community emissions reductions programs. Within one year of selection, local air districts must implement community emissions reductions programs that are consistent with the statewide strategy and that result in emissions reductions.

Constitutional Amendment to Require GGRF Expenditure Plan Check-In Vote

The third component of the cap-and-trade extension package is a constitutional amendment related to cap-and-trade revenues. ACA 1 (Mayes, Chapter 105, Statutes of
2017) places a constitutional amendment on the June 2018 ballot that would require a special two-thirds vote of the Legislature to appropriate GGRF funds in 2024.

If approved by voters, this measure requires that the first appropriation of cap-and-trade revenues after January 1, 2024 be subject to a two-thirds majority vote of the Legislature. To do this, ACA 1 would establish the Greenhouse Gas Reduction Reserve Fund, in which all cap-and-trade revenues would be deposited beginning January 1, 2024. A bill to appropriate those funds must be passed by a two-thirds vote of the Legislature. ACA 1 would also suspend the manufacturing sales tax exemption until the two-thirds vote legislation takes effect. Upon passage of the two-thirds vote appropriation bill, expenditure of cap-and-trade revenues would again return to the current process: revenues would be deposited in the existing GGRF account and may be appropriated by a majority vote of the Legislature with the Governor’s signature.

Greenhouse Gas Reduction Fund Expenditure Plan for Fiscal Year 2017-18

New state revenues are created from the cap-and-trade auction for the purchase of allowances to emit GHGs. Revenues from the cap-and-trade auctions are deposited into the state’s Greenhouse Gas Reduction Fund (GGRF), which have been appropriated on an annual basis.

This year, two bills work together to enact the $1.5 billion GGRF expenditure plan: AB 109 (Ting, Chapter 249, Statutes of 2017) and AB 134 (Comm. on Budget, Chapter 254, Statutes of 2017). Together, AB 109 and AB 134 appropriate funding for a number of priorities, including the new air quality program enacted by AB 617, healthy forests and fire protection, sustainable agriculture, vehicle replacement programs, and other competitive grant programs. Continuous appropriations of GGRF funds are also made to the Affordable Housing and Sustainable Communities program, transit capital and operations, and High Speed Rail.

Local governments are eligible recipients of many of the programs that have traditionally been funded with GGRF funds. The state also relies heavily on actions taken by local governments in quantifying progress toward meeting climate change goals. Cities stand to benefit from a number of programs that receive funding from AB 109 and AB 134. Below are some of the highlights for local governments:

- $284 million continuous appropriation projection for the Affordable Housing and Sustainable Communities Program;
- $213 million continuous appropriation projection for transit capital and operations;
- $26 million to the Natural Resources Agency for urban greening programs;
- $20 million to CalFIRE for urban forestry programs;
- $220 million to CalFIRE for fire prevention and forest health;
- $40 million to CalRecycle for waste diversion;
- $18 million to the Dept. of Community Services and Development for low-income multifamily, solar, and farmworker weatherization programs;
Appendix A – Additional Resources
Cap-and-Trade Extension and New Air Quality Program

- $180 million to the Air Resources Board for the Hybrid and Zero Emission Truck and Bus Voucher Incentive Program (HVIP);
- $140 million to the Air Resources Board for the clean vehicle rebate program;
- $100 million to the Air Resources Board for enhanced fleet modernization, the plus-up pilot program, to replace school buses, clean vehicle rebates for low-income;
- $10 million to the Strategic Growth Council for the Transformative Climate Communities Program; and
- $11 million to the Strategic Growth Counsel for clean energy, adaptation and resiliency research grants.

Next Steps

The ARB has until January 1, 2018 to approve a revised Scoping Plan. The Scoping Plan outlines the action the state intends to take to achieve the AB 32/SB 32 GHG emissions reductions goals. It will include the newly extended and reformed cap-and-trade system.

The ARB and local air districts will begin to implement the AB 617 air quality program.

Now that GGRF funds have been appropriated, these funds will begin to flow to the appropriate state agencies for the various programs outlined above. For the competitive grant programs, cities are encouraged to contact the appropriate agency or review application deadlines and documentations on each state agency website.

ACA 1 heads to the June 2018 statewide ballot for a decision by the voters.
SB 1 Checklist– What Cities Need To Do

Below is a checklist that the League created and distributed to cities in order to help them successfully submit their project lists to the California Transportation Commission.

SB 1 project lists were supposed to be submitted to the California Transportation Commission by October 16, 2017. However, with the passage of League sponsored AB 135 (Committee on Budget), cities that were unable to submit a project list by the deadline have a grace period of 90 days, extending until Sunday, January 14, 2018.

Given the CTC’s willingness to work with cities to establish their eligibility, however, cities should submit their project lists much sooner to have time to resolve any potential discrepancies in their project list submittals. Here’s what cities need to do:

- Email to LSR@dot.ca.gov
- CTC’s 2017 local streets and roads funding annual reporting guidelines are here.
- Please note: The CTC does not “approve” or “deny” project lists, they simply gather all of the city project lists. Please make sure to submit a project list to the CTC by the deadline to establish eligibility for funding.

Use the CTC’s project list template to submit your project lists. Here is a link to the form for your convenience: Local Streets and Roads Proposed Project List Template. It is also available on the CTC’s website.

- Make sure to include supporting documents that show the project list is adopted by resolution at a public meeting.
- Each project listed must include the following statutorily required information:
  1. a description and the location of each proposed project;
  2. a proposed schedule for the project’s completion; and
  3. the estimated useful life of the improvement.

Send a copy of your finalized project list to the League’s Legislative Policy Analyst, Derek Dolfie at ddolfie@cacities.org.

Reach out to your local print media with press releases on your project list.

- League’s SB 1 press tool kit with sample press releases, op-eds, tweets, and more are here.
- Post, tweet, and share the benefit SB 1 dollars will have in your community based on project list.

Confirm your city’s maintenance of effort numbers. On August 31, the State Controller’s Office sent letters to cities with their official MOE estimates. The letter includes contact information for the SCO if you have questions about the calculation.

- The League has created a frequently asked questions about city MOE’s.
- The State Controller’s Office has also created a frequently asked questions about city MOE’s.
• Additional questions regarding your MOE number or calculation can be directed to the State Controller’s Office.

The League and CSAC’s clean up language, AB 135, for SB 1 was signed into law by the Governor on 9/15/17 and will take effect immediately. The following new changes will help cities expedite SB 1 projects:

• Allow reimbursement to expedite project delivery by giving cities the express authority to spend other funds now and reimburse themselves once SB 1 funds start to flow;
• Flexibility in project list adoption by allowing cities to adopt a project list at a regularly scheduled public hearing instead of in an adopted budget;
• Establish a grace period for project list submittal of 90 days;
• Have complete fiscal year expenditure reporting by allowing cities to report on the expenditure of all SB 1 local streets and roads funds in a given fiscal year instead of just completed projects; and
• More details on this trailer bill can be found in this issue of CCA.

Review the League’s transportation funding page and FAQ’s for more information. To find estimates for your city, please visit: http://californiacityfinance.com/LSR1704.pdf

If you have questions regarding the submission of your city’s lists, please contact the League’s Legislative Policy Analyst, Derek Dolfie at ddolfie@cacities.org.
SB 5 (De León) places a $4 billion bond on the June 2018 statewide ballot for parks, water, and climate and environmental programs. If the voters approve SB 5, local governments will receive funding for local park improvements and will be eligible for numerous grants to fund water, local parks, coastal and climate resiliency projects. The following is breakdown of funding in the bond:

**Parks Funding (Total $1.283 billion)**

- $725 million for competitive grants for safe neighborhood parks
- $200 million for per capita grants to cities, counties, and parks districts for local park improvement and rehabilitation
- $15 million for competitive grants to urbanized counties
- $30 million for competitive grants for state park facilities in regional parks districts
- $40 million for per capita grants to local agencies that obtained voter approval for revenue measures between November 1, 2012 and November 30, 2016
- $218 million for restoration of existing state park facilities, including $5 million for urgent needs of local agencies that operate a unit of the state park system
- $30 million for competitive grants for non-motorized infrastructure development
- $25 million for competitive grants through the Roberti-Z' Berg-Harris (RZH) Urban Open Space and Recreation Program

**Water Funding (Total $1.19 billion)**

- $250 million for competitive grants for clean drinking water programs
- $550 million for flood protection and repair, including $100 million for stormwater, mudslide and flash-flood-related protections and $100 million for multibenefit flood management projects and storm water capture in urbanized areas
- $290 million for competitive grants and loans for drought and groundwater regional sustainability
- $100 million for grants or loans for water recycling programs

**Climate and Environmental Programs Funding (Total $1.547 billion)**

- $443 million for competitive grants for climate adaptation and resiliency programs
- $162 million for the California River Parkways Program for grants to enhance urban creeks
- $567 million for state conservancies and the Wildlife Conservation Board
- $200 million for Salton Sea restoration activities and habitat
- $175 million for coastal and ocean protection resources, including $30 million for grants for lower cost coastal accommodations
Key Housing Legislation 2017

In response to the ongoing housing supply and affordability crisis gripping many regions of California, over 130 bills related to housing and land use were introduced in the 2017 Legislative Session. Many of these proposals sought to limit or restrict local authority and discretion. On September 29, 2017, the Governor signed a package of about 15 housing bills intended to provide more funding for housing and require ‘streamlining’ of housing approvals by cities. This appendix describes some of the more significant changes to state housing laws and identifies areas of ambiguity in the new law.

The Legislature’s Objectives of the New Legislation

A. Strengthen housing element requirement to identify sites that provide for a city’s share of the Regional Housing Need Allocation (RHNA) for all income levels.

B. Enforce the housing element requirement to identify sites by connecting that requirement to actual approval of housing development on those sites at those income levels.
   1. Monitor all city/county approval of housing developments by income level through annual general plan report.
   2. Require by-right approval of certain types of housing projects if RHNA progress is not made.
   3. Require rezoning or identification of additional sites if insufficient sites remain to accommodate RHNA allocation at each income level.

C. Plug perceived “holes” in the Housing Accountability Act by:
   1. Requiring cities to identify development application’s inconsistencies with planning documents;
   2. Changing the standard of review; and
   3. Creating new court remedies: mandatory fines; court approval of land use applications.

D. Authorize inclusionary housing ordinance for rental housing (“Palmer fix”).

E. Allow the Department of Housing and Community Development (HCD) to reconsider housing element compliance during the planning period.

F. Provide state funding for planning and housing production.
Housing Accountability Act (HAA)
Section 65589.5

I. Existing Law

The HAA restricts cities’ ability to deny, reduce the density of, or make infeasible all housing development projects, whether affordable or market rate, and places the burden of proof on the city to justify one of these actions. (§ 65589.6.) While different provisions apply to affordable and market-rate projects, cities should consider the possible applicability of the HAA whenever any housing project is proposed.

A “housing development project” under the HAA includes: (1) residences only; (2) transitional or supportive housing; or (3) mixed-use projects where the only nonresidential uses are “neighborhood commercial” uses limited to the first floor of buildings that have two or more stories. (§ 65589.5(h)(2)). It is applicable to charter cities. (§ 65589.5(g).)

Note that in contrast to “by-right” approvals required by other statutes, a city must make all findings required by CEQA prior to considering a housing development project under the HAA. All projects must also comply with the Coastal Act and any congestion management program.

A. Provisions applicable to very low, low, or moderate income housing development projects:

1. 65589.5(d): A city must approve a housing project for very low, low, or moderate income households or an emergency shelter unless one of five specific findings can be made.

2. 65589.5(i): If a city denies approval or imposes restrictions on a housing development project (including reducing density) that have a “substantial adverse effect on the viability or affordability of a housing development for very low, low, or moderate income households, the burden of proof is on the city to show that the decision is consistent with findings described in section 65589.5(d) and that such findings are supported by substantial evidence.

B. Provisions applicable to all housing development projects:

1. 65589.5(f): A city may require a housing project to comply with “objective, quantifiable, written development standards, conditions and policies appropriate to and consistent with meeting city’s share of RHNA.”

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1 Section 65589.5(h)(3): At least 20% sold or rented to lower income; or 100% sold or rented to moderate income or middle income

2 But see section 65589.5(e) [“Nothing in this section shall be construed to relieve the local agency from complying with . . . the California Coastal Act of 1976 . . . Neither shall anything in this section be construed to relieve the local agency from making one or more of the findings required by [CEQA].”]
2. **65589.5(j):** If a housing project complies with all “applicable, objective general plan and zoning standards and criteria, including design review standards,” and the city proposes to disapprove the project or approve it at a lower density, the city council must make findings supported by substantial evidence that: (1) the project would have a specific adverse impact upon the public health or safety unless the project is disapproved or approved at a lower density; and (2) there is no feasible method to mitigate or avoid the impact other than disapproval or development at lower density.

3. **65589.5(l):** If a court finds that a local agency acted in bad faith when it disapproved or conditionally approved a housing development and failed to carry out the court’s order or judgment within 60 days, the court may impose fines.

II. Changes in the Law [SB 167/AB 678/AB 1515]:

A. Modifies definition of mixed-use development to apply where at least two-thirds of the square footage is designated for residential use. (65589.5(h)(2)(B).)

B. The findings required by section 65589.5 subdivisions (d), (i) and (j) must be supported by a preponderance of the evidence, rather than by substantial evidence.

C. Defines “lower density” to mean “any conditions that have the same effect or impact on the ability of the project to provide housing.” (65589.5(i) and (j)(4).)

D. Requires an applicant to be notified if the city considers a proposed housing development project to be inconsistent, not in compliance, or not in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision. The city must provide such notice within 30 days of the application being determined complete for a project with 150 or fewer housing units, and within 60 days for project with more than 150 units. If the city fails to provide the required notice, the project is deemed consistent, compliant, and in conformity with the applicable plan, program, policy ordinance, standard, requirement or other similar provision. (65589.5(j)(2).)

E. A housing development project is “deemed consistent, compliant, and in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision if there is substantial evidence that would allow a reasonable person to conclude that the housing development project is consistent, compliant or in conformity.” (65589.5(f)(4).)

F. Remedies: Authority of Court [65589.5(k), (l)]:

1. If a court finds that (1) a city’s findings under section 65589.5, subdivision (d) are not supported by a preponderance of the evidence; or (2) a city’s findings under section 65589.5, subdivision (j) are not supported by a preponderance of the
Appendix A – Additional Resources
Key Housing Legislation 2017

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1. The court must issue an order compelling compliance within 60 days. The court may issue an order directing the city to approve the housing development project if the court finds that the city acted in bad faith when it disapproved or conditionally approved the housing development project.

2. If a city fails to comply with the court order within 60 days, the court must impose fines on the city at a minimum of $10,000 per unit in the housing development project on the date the application was deemed complete.

3. If a city fails to carry out a court order within 60 days, the court may issue further orders including an order to vacate the decision of the city and to approve the housing development project as proposed by the applicant at the time the city took the action determined to violate the HAA along with any standard conditions.

4. If the court finds that a city acted in bad faith when it disapproved or conditionally approved a housing project and failed to carry out the court’s order or judgment within 60 days, the court must multiply the $10,000 per unit fine by a factor of five. “Bad faith includes but is not limited to an action that is frivolous or otherwise entirely without merit.”

Annual General Plan Report
Government Code\(^3\) Section 65400

I. Existing Law

By April 1 of each year, general law cities must send an annual report to their respective city councils, the Office of Planning and Research (OPR), and HCD that includes information relating to the implementation of the general plan, including:

A. The city’s progress in meeting its share of RHNA;
B. The city’s progress in removing governmental constraints to the maintenance, improvement, and development of housing; and
C. Actions taken by the city towards completion of the programs identified in its housing element and the status of the city’s compliance with the deadlines in its housing element.

HCD has adopted regulations including forms for use in preparing the Annual Reports.

II. Changes in the Law [AB 879/SB 35/SB 540]

The requirement for an annual report has been extended to charter cities. Additional information that will be required each April 1 includes:

A. The number of housing development applications received in the prior year;

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\(^3\) All subsequent references are to the Government Code unless otherwise specified.
B. The number of units included in all development applications in the prior year;
C. The number of units approved and disapproved in the prior year;
D. A listing of sites rezoned to accommodate that portion of the city’s RHNA for each income level that could not be accommodated in its housing element inventory and any additional sites identified under the 'no net loss' provisions (discussed below);
E. The number of net new units of housing that have been issued a "completed entitlement," building permit, or certificate of occupancy thus far in the housing element cycle (identified by APN), and the income category that each unit of housing satisfied (distinguishing between rental and for sale units);
F. The number of applications submitted under the new processing provided for by section 65913.4 (enacted by SB 35), the location and number of developments approved pursuant to this new process, the total number of building permits issued pursuant to this new process, and total number of units constructed pursuant to this new process
G. The number of units approved within a Workforce Housing Opportunity Zone.

HCD is exempt from the Administrative Procedures Act in adopting standards, forms, and definitions to implement the new requirements.

**No Net Loss**

**Section 65863**

I. **Existing Law**

A. A general law city must ensure that its housing element inventory in conjunction with its housing element program to rezone to make sites available can accommodate its share of RHNA for each income category throughout the planning period.

B. A city may not take any action to reduce, require, or permit the reduction of residential density for any parcel, or allow development of any parcel at a lower residential density unless the city makes findings supported by substantial evidence that reduction is consistent with the city’s adopted general plan and remaining sites identified in its housing element are adequate to accommodate the city’s share of RHNA. (§ 65863(b).)

C. But if reduction in density would result in remaining sites not being adequate to accommodate the city’s share of RHNA, the city may reduce density if it identifies sufficient additional, adequate, and available sites with an equal or greater residential density, so that there is no net loss of residential unit capacity. (§ 65863(c).)

D. Reduction in residential density means allowing fewer units on the site than were projected in the housing element inventory or on sites that were rezoned as part of housing element program. (§ 65863(g)(1).)
II. Changes in the Law [SB 166]

A. A city must ensure that its housing element inventory can accommodate its “unmet” share of the RHNA throughout the planning period. (§ 65863(a).)

B. Findings under section 65863(b)(1) must include quantification of the remaining unmet need at each income level and the remaining capacity of sites identified in the housing element to accommodate that need by income level. (§ 65863(b)(1)(B).)

C. If city allows development with either lower density or fewer units by income category than identified in housing element, the city must make written findings supported by substantial evidence as to whether or not remaining sites identified in housing element can accommodate city’s share of RHNA. Such findings must include a quantification of the remaining unmet need at each income level and the remaining capacity of sites identified in the housing element to accommodate that need by income level. (§ 65863(b)(2).)

D. If approval of a project results in fewer units by income category than are identified in a city’s housing element, and remaining sites in the housing element cannot accommodate the RHNA for that income category, the city must, within 180 days, “identify and make available” additional adequate sites to accommodate the jurisdiction’s share of the RHNA by income level. (§ 65863(c)(2).)

E. "Nothing in this section shall authorize a city …to disapprove a housing development project on the basis that approval of the housing project" would require the city to find an additional site. (§ 65863(c)(2).)

F. 65863(h) addresses CEQA and 65863(c)(2): Nothing in this subdivision shall be construed as a determination as to whether or not the action to identify and make available additional adequate sites is a “project” for purposes of CEQA. City is not “obligated” to include any subsequent rezoning needed to provide additional sites in its CEQA review of the project.

SB 35
Streamlined HousingApprovals
Developer-Requested
Section 65913.4

I. New Law

A. New Information to be added to annual production report (§ 65400) in April, 2018 [see page 2 above].

B. Developer-requested streamlined process.
C. Eligibility for new process:

A. HCD determines city-by-city eligibility for streamlined approval process: If the number of units that have been issued building permits is less than locality’s share of the RHNA by income category for that reporting period, the locality is required to streamline. Locality remains eligible for four years; AND

B. Either:

- Not enough above-moderate: Production report reflects that there were fewer units of above-moderate income housing “approved” than were required for that reporting period; or no production report submitted. If this alternative is selected by developer and project contains more than 10 units of housing, project must dedicate 10% of total to households with 80% of median income or below. [City can enforce higher percentage through local ordinance]; or

- Not enough affordable to 80% and below: Production report reflects that there were fewer units of housing affordable to 80% or below “approved” than were required for that reporting period; or no production report submitted. If this alternative is selected by developer then project must dedicate 50% of total number of units to housing affordable to 80% or below. [City can enforce higher percentage through local ordinance].

D. Certain sites are excluded. Exclusions include: (65913.4(a)(6))

1. Coastal Zone;
2. Wetlands;
3. Delineated earthquake fault zone;
4. Flood plain or floodway;
5. Lands under conservation easement;
6. Sites where any housing occupied by tenants in past 10 years;
7. Projects involving subdivisions unless pay prevailing wages and use "skilled and trained workforce"; and
8. Many others.

E. Development is consistent with “objective zoning standards and objective design review standards” in effect at time application is submitted. Objective standards involve “no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official."

Development is “deemed consistent” with housing density if density is “compliant with maximum density.” (65913.4(a)(5)(B).)

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4 If the production report reflects either of the above, then developer may select either of the above.
Appendix A – Additional Resources

Key Housing Legislation 2017

If city determines that development is in conflict with "objective planning standards," then must provide written documentation within 60 days of submittal if development contains 150 or fewer housing units and within 90 days of submittal if more than 150 housing units.

F. Development must be “public work" or otherwise paying prevailing wages. May also be required to use a "skilled and trained workforce” etc.

G. Approval must be ministerial, not subject to CEQA. Can hold hearing on development application but cannot “inhibit, chill, or preclude” the ministerial approval. Must be completed within 90 days of submittal of application (not determination that application is complete) if 150 or fewer units or within 180 days if more than 150 units.

H. Parking requirements. No parking requirements can be imposed on a streamlined development if located within ½ mile of public transit; located within an architecturally and historically significant historic district; when on-street parking permits are required but not offered to the occupants of the development; or when there is a car share vehicle located within one block of the development. One parking space per unit can be required of all other streamlined developments 65913.4(d).

I. Expiration of Approval. (65913.4(e).)

1. No expiration if project includes public investment in housing affordability beyond tax credits where 50% of units are affordable to households making below 80% of area median income.

2. If project does not include 50% of units affordable to below 80% of AMI, approval automatically expires in 3 years except for one-year extension if significant progress made preparing development construction ready (such as filing building permit application).

3. All approvals remain valid for 3 years and so long as vertical construction has begun and is in progress.

HCD may adopt guidelines to clarify the bill's provisions.
Workforce Housing Opportunity Zone (WHOZ)
Streamlined Housing Approvals
City-Initiated
Sections 65620 et seq.

I. New Law

A. WHOZ: An area of contiguous or non-contiguous parcels that were identified on a city’s housing element land inventory. Development within the WHOZ must be consistent with the adopted SCS/APS.

B. Process for establishing WHOZ

1. Adoption of a specific plan (EIR);
2. 100 – 1500 units within the WHOZ;
3. Not more than 50% of its RHNA in the WHOZ;
4. Uniformly applied mitigation measures for traffic, water quality, natural resource protection, etc.;
5. Uniformly applied development policies such as parking ordinances, grading ordinances, habitat protection, public access, reduction of Greenhouse Gas emissions;
6. Design review standards; and
7. Source of funding for infrastructure and services.

C. Plan reviewed every 5 years, including Public Resources Code section 21166 CEQA analysis.

D. Requirements for housing within the WHOZ:

1. Consistent with SCS;
2. Compliance with specific plan for the WHOZ;
3. At least 30% affordable to moderate or middle income; 15% affordable to lower income; 5% for very low income. No more than 50% for above moderate. [zone-wide requirements; not project specific]
4. Development affordable to families of above moderate must include 10% of units for lower income unless local ordinance requires higher percentage.
5. Development complies with “public work” standards.

E. Mandatory approval of development that satisfies all requirements (#4 above) unless city identifies physical condition that would have a specific, adverse impact upon public health or safety. If development does not include a majority of units affordable to families of lower income, approval expires within 3 years if construction has not begun.

F. HCD funding might be available for initial planning efforts.
Appendix A – Additional Resources
Key Housing Legislation 2017

Inclusionary Housing ("Palmer Fix")
Section 65850; 65850.1

I. Background

The court in Palmer/Sixth Street Properties L.P. v. City of Los Angeles (2009) 175 Cal. App. 4th 1396, invalidated a Los Angeles inclusionary housing requirement contained in a specific plan for an area of the city as applied to rental units on the basis that its pricing controls violated the Costa-Hawkins Act, which outlawed traditional rent control in new buildings in the state. The Court reasoned that the Costa-Hawkins Act pre-empted the application of inclusionary housing ordinances to rental housing. As a result of the decision, many cities with inclusionary housing ordinances suspended or amended their ordinances as applied to rental units; some adopted affordable housing rental impact fees. AB 1505 offers a solution and response to the Palmer decision.

II. NEW Law (AB 1505)

A. A city may adopt an ordinance that requires a development to include a certain percentage of residential rental units affordable to and occupied by households with incomes that do not exceed limits for very low, extremely low, low, or moderate income households. Such an ordinance must provide alternative means of compliance (in-lieu fees, off-site construction, etc.). (§ 65850(g).)

B. HCD Review:

1. HCD may review a city’s inclusionary housing ordinance adopted after September 15, 2017 if the city (1) requires more than 15% to be occupied by households at 80% or less of area median income; and (2) failed to either (a) meet at least 75% of its share of its above moderate income RHNA (prorated based on the length of time within the planning period); or (b) submit an annual report under section 65400. (§ 65850.01(a).)

2. Based on a finding under section 65850.01(a), HCD may request an economic feasibility study with evidence that the ordinance does not unduly constrain the production of housing. (§ 65850.01(b).)

3. Within 90 days of submission of the economic feasibility study, HCD must decide whether the study meets the section’s requirements. If not, the city must limit ordinance to 15% low income. (§ 65850.01(d).)
I. Existing Law

The Planning and Zoning Law requires a city to include including a housing element for the preservation, improvement, and development of housing in its general plan. The housing element must contain, among other things, an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment. (Sections 65583 and 65583.2.) Existing law prescribes requirements for the preparation of the housing element, including a requirement that a city submit a draft of the element to HCD before adopting the element. Existing law requires HCD to review the draft and report its written findings, including a determination of whether the draft substantially complies with the housing element. A city may change the draft element in response to HCD’s findings or adopt the draft element without changes based upon written findings which explain the reasons the city council believes that the draft element substantially complies with the law despite the findings of HCD (Section 65585(f)).

II. NEW Authority for HCD (AB 72):

   Section 65585

   A. Requires HCD to review “any action or failure to act by a city” that it determines is “inconsistent” with an adopted housing element or Section 65583, including any failure to implement any program actions included in the housing element. (§ 65585(i)(a).)

   B. Requires HCD to issue written findings to the city as to whether the city’s action or failure to act complies with the city’s housing element or Section 65583; provides no more than 30 days for the city to respond to such findings. If HCD finds that the city does not comply, then HCD can revoke its findings of compliance until the city comes into compliance. (§ 65585(j).)

   C. HCD may notify AG that city is in violation of HAA, Section 65863, 65915, 65008. (§ 65585(j).)

III. New Housing Element Content (AB 879)

   Section 65583

   A. A city’s analysis of governmental constraints must include local ordinances that “directly impact the cost and supply of residential development.” (65583(a)(5).)

   B. A city’s analysis of nongovernmental constraints must include requests to develop housing at densities below those anticipated in site inventory; length of time between receiving approval for housing development and submittal of an application for
building permit. (§ 65583(a)(6).) Must include policies to remove nongovernmental constraints.

IV. Housing Element Site Inventory (AB 1397)

Section 65583.2

A. Restrictions on using nonvacant sites as part of the housing element inventory. (§ 65583.2(c), (g).)

B. Requirement that parcels have sufficient water, sewer, and dry utilities or part of a mandatory program to provide such utilities. (§ 65583.2(b)(5)(B).)

C. Sites must be “available” for residential development and have “realistic and demonstrated” potential for redevelopment. (§ 65583(a)(3).)

D. Limitations on continuing identification of nonvacant sites and certain vacant sites that have not been approved for housing development. (§ 65583.2(c).)

E. Lower income sites must be between ½ acre and 10 acres in size unless evidence provided that smaller or larger site is adequate. (§ 65583.2(c)(2).)

Building Homes and Jobs Act (SB 2)

Section 27388.1

Health & Safety Code section 50470

New recording fee on every real estate transaction ($75 - $225). Money is deposited into Building Homes and Jobs Trust Fund.

Use of Funds collected from 1/1/18 through 12/31/18:

- 50% of Fund to local governments to update planning documents and zoning ordinances in order to streamline housing production. HCD will prepare guidelines.
- 50% of Fund made available to assist persons experiencing or at risk of homelessness.

Use of funds collected on and after 1/1/19:

- 20% of all funds in all categories must be expended for affordable owner-occupied workforce housing
- 70% available to local governments (90% based upon CDBG formula; 10% allocated equitably to jurisdictions in nonentitlement areas)
- 30% to HCD for state incentive programs (5%); farmworker housing (10%); mixed income multifamily housing (15%).
Possible Next Steps  

1. Review housing element inventory to become familiar with distribution of RHNA by income category. Review housing development approvals since the beginning of the planning period\(^6\) to analyze status of “unmet” need by income category on remaining parcels. Review inclusionary requirements to maximize actual production of affordable housing.

2. Develop new information required for Annual General Plan Report (possibly due on April 1, 2018).

3. Prepare lists of “objective planning standards” to be applied to projects under SB 35 and the HAA. Determine whether new standards should be added. Develop SB 35 eligibility checklist and process for reviewing applications where SB 35 is invoked.

4. Analyze relationship between Permit Streamlining Act and new provisions of HAA to determine appropriate process for notifying applicant of inconsistencies between housing development project and city plans.

5. Develop process for evaluating whether development is a “public work” or, if not, whether construction workers will be paid at least the general prevailing rate of wages for the type of work and geographic area.

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\(^5\) Many of these steps will be taken in conjunction with the city planning department.  
\(^6\) The “planning period” is the time period between the due date for one housing element and the due date for the next housing element (65588(f)(1)).
Appendix B – League Resources
## League Legislative Staff

### LEGISLATIVE REPRESENTATIVES

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Contact Information</th>
<th>Policy Committees</th>
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| Dan Carrigg       | Deputy Executive Director, Legislative Director | (916) 658-8222  carriggd@cacities.org                                               | Fiscal Reform  
Revenue  
State Budget  
Taxation  
Revenue and Taxation Policy Committee |
| Tim Cromartie     | Legislative Representative                 | (916) 658-8252  tcromartie@cacities.org                                             | Public Safety  
Revenue and Taxation  
Revenue and Taxation Policy Committee  
Public Safety Policy Committee  
Fire Chiefs Department |
| Jason Rhine       | Legislative Representative                 | (916) 658-8264  jrhine@cacities.org                                                 | CEQA  
Housing  
Planning & Land Use  
Floods (Back-up)  
Economic Development  
Housing, Community and Economic Development Policy Committee |
| Rony Berdugo      | Legislative Representative                 | (916) 658-8283  rberdugo@cacities.org                                               | Public Works  
Transportation  
Telecommunications  
Transportation, Communication and Public Works Policy Committee |
| Dane Hutchings    | Legislative Representative                 | (916) 658-8210  dhutchings@cacities.org                                             | Federal Issues  
Brown Act/Public Records  
Conflict of Interest  
Personnel  
Tort Reform  
Workers Compensation Issues  
Governance, Transparency, and Labor Relations Policy Committee |
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<th>Name</th>
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<td>Erin Evans-Fudem</td>
<td>Legislative Representative</td>
<td>- Environmental Issues (Air, Water, Solid Waste, Climate Change, etc.)</td>
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<td>Meghan McKelvey</td>
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Note: With the exception of those addresses listed, and unless otherwise instructed, mail may be sent to:
League of California Cities
1400 K Street, 4th Floor
Sacramento, CA 95814
Fax: (916) 658-8240
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](http://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](http://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.
City of Anywhere  
P.O. Box 123  
Anywhere, CA 90000  
April 2, 2008

Assembly Member Susan Jones  
California State Assembly  
State Capitol, Room 2344  
Sacramento, CA 95814

RE: AB 1357 (Jones), Landfill Landscaping.  
NOTICE OF CITY OPPOSITION

Dear Assembly Member Jones:

I am writing on behalf of the City Council of the City of Anywhere to respectfully oppose AB 1357 (Jones). AB 1357 would require that landfills and solid waste transfer stations be landscaped so that they cannot be seen from the air at an altitude of 2,000 feet and that the landscaping be completed and the facility be in compliance within 120 days of the bill’s enactment.

The City of Anywhere opposes AB 1357 for several reasons. First, the landscaping requirement will be extremely costly, both to the city as the landfill operator and to the citizens served by the landfill. We estimate that the cost to landscape our existing landfill and the two transfer stations operated by Acme Disposal will be about $300,000. This does not include the annual operating and maintenance costs associated with the requirement.

Second, even if we were able to afford the cost, it would not be possible for the facilities to be in compliance within 120 days. Our Parks and Recreation Department personnel have been unable to identify any permanent vegetation that grows quickly enough to meet this deadline.

Third, we believe that the landscaping requirement is unrealistic as amended. The closest commercial airport to Anywhere is 150 miles away, and the closest general aviation airport is 70 miles away. We estimate that no more than three flights per day cross our air space and, because much of the year we are covered by clouds, we question the advisability of the legislation.

We believe that the decision of whether or not to landscape a landfill should be left to the local authorities and should be based upon local conditions. For example, in many instances it would be a wiser use of limited resources to landscape the facility with automobile, not air, traffic in mind.

For these reasons, the City of Anywhere opposes AB 1357. For more details about the City of Anywhere’s position, please contact Joe Barnes at (000)123-4567.

Sincerely,

Janet Gohvole  
Mayor, City of Anywhere

cc: Members and Consultant, Assembly Natural Resources Committee  
Your Assembly Member  
Your Senator  
League of California Cities
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