



Date: November 21, 2017

To: State Legislative Committee

From: Patrick H. West, City Manager *T.M.W.*

Subject: **Year End 2017 State Legislative Report**

Attached for your information is a comprehensive report on the 2017 State Legislative Session. This report summarizes key policy issues regarding transportation funding, affordable housing, cap-and-trade, the State park bond, and provides a final status update on bills the City supported, opposed, and watched throughout the 2017 State Legislative Session.

If you have questions or comments, please contact Diana Tang, Manager of Government Affairs, at 8-6506.

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City of Long Beach

LEGISLATIVE HIGHLIGHTS 2017 LEGISLATIVE YEAR

November 7, 2017

**Prepared by:
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This report provides an overview of actions taken on behalf of the City of Long Beach (City) by DiMare, Brown, Hicks & Kessler, LLC (DBHK) during the first half of the 2017-18 Legislative Session in Sacramento. The report is broken down into key issue areas, with a synopsis of major actions taken by the Legislature in relevance to the guiding principles and practices of the City. The report also covers bills on which the City had a “sponsor”, “support,” “oppose” or “watch” position and the subsequent outcomes of such measures. To the greatest extent possible, this report strives to provide the City with insight, perspective, and behind-the-scenes information that will shape the City and DBHK’s state advocacy strategies moving forward.

2017 Legislative Overview

The first half of the 2017 legislative session brought several high-profile issues to the State Capitol, particularly with respect to local government. Overall, there were many high stakes deals made between the Legislature and Governor’s Administration on controversial measures such as: the transportation infrastructure package, which included several tax and fee increases; an affordable housing reform package, which included a bond and a real estate transaction fee increase; Cap-and-Trade, which will keep California on track with its environmental goals; immigration reform in response to the Trump Administration; and a parks, water quality and flood protection bond. Any one of these policies taken alone would be considered a major win – together they make 2017 one of the most prolific years in the last decade.

California’s elected officials set their priorities this year with the intent to position California as the foil to the Federal Administration. Based on the myriad of legislative successes we have witnessed over the past

few months, we can surmise that the State will continue to aggressively push a political agenda that matches California's progressive priorities while combating onerous federal changes coming out of the Trump Administration.

The second half of the legislative session will also bring a change in leadership. Come January, we expect leadership to begin shifting as the Governor and Senate President Kevin De León serve out the final years of their terms.

We can expect 2018 to be a vibrant political year with the November elections resulting in a new Governor. We will also witness the transition of the Senate President and subsequent leadership/committee changes. The Assembly, which houses a number of newly elected members in recent years, appears to be more static. We may see a few "musical chairs" in the Assembly where vacancies create special elections, but most races will center on the Senate in the years to come.

Summary of Major Policy Issues

Transportation

California tackled its crumbling transportation infrastructure this year by passing SB 1 (Beall), the Road Repair and Accountability Act of 2017. This legislation will double the amount of revenues that cities receive from the state for their local street maintenance and rehabilitation needs. \$500-650 will go to cities annually, allocated on a per capita basis. The City of Long Beach can expect to receive \$110,980,000 over the course of the next ten years. Cities will have to prioritize fixing their existing infrastructure before having flexibility to spend the funds as they desire, pursuant to the requirements of the Road Maintenance and Rehabilitation Account that was established in tandem with the legislation.

SB 1 increases revenue through a series of new taxes that the state will start collecting in November of 2017, including a gasoline excise tax, a diesel excise tax, a diesel sales tax, and a price-based gas tax. Other funds will result from fees and loan repayment. Overall, the transportation package will generate over \$5 billion in state and local funding for transportation infrastructure needs.

Affordable Housing

The Legislature took steps to confront California's housing crisis this year with a set of bills to increase funding for homeless veterans, families, seniors and people with disabilities who have the most acute housing needs. Three measures, SB 2, 3 and 35 are the key components of the housing package. Under SB 2, authored by Senator Toni Atkins, those refinancing their homes of filing other real estate documents will start paying a real estate transaction fee of \$75 with a maximum of \$225 paid per transaction. The measure is expected to generate about \$250 million for affordable housing needs.

Cap-and-Trade

In a major victory for Governor Brown, state lawmakers this year approved a ten-year extension for California's signature but embattled cap-and-trade program. The program had languished in recent years due to poor auction outcomes and legal challenges, so it's extension was no small feat. The vote, which required 2/3rds majority, came with bi-partisan support, a significant shift from previous years when climate policies fell squarely along party lines. Notably, the negotiations headed up by Assembly Member Chad Mayes and six of his colleagues, were met with subsequent opposition by fellow Republican Caucus members. Shortly after the bill was signed into law, Assembly Member Mayes' Republican Caucus members voted to remove him as Republican Minority Leader. It should be noted that the legislation

garnered the support from many in the business community, including the California Chamber of Commerce, the California Manufacturers and Technology Association, and the Western States Petroleum Association, who believed the program was a better alternative to a command and control regulatory scheme.

Two key bills made up the cap-and-trade package. AB 398 by Assembly Member Eduardo Garcia, continues the program allowing companies to buy permits to release greenhouse gas emissions until 2030. A companion bill, AB 617, by Assembly Member Cristina Garcia, took steps to improve air quality in polluted communities and was part of the overall deal to give attention to local air quality issues rather than simply focusing on greenhouse gas emissions that have no localized benefit for communities in California.

Park Bond

California voters have not had an opportunity to approve a statewide general obligation bond for parks since 2002. With Senate President Pro Tem Kevin De León's bill, SB 5, a \$4 billion plan will be placed on the June 2018 ballot to address park access, water quality and flood protection. The legislation allocates the funds in several categories, including clean drinking water, drought preparedness, climate change, and several new parks initiatives.

Sanctuary State

Following threats of deportations by the Trump Administration, the California Legislature took steps to extend the model of sanctuary cities to the state as a whole. The California Values Act, SB 54, which represented a compromise in its final form between Democratic legislators, law enforcement, and the Governor, is intended to provide a measure of security for all those living in California, while continuing to ensure that law enforcement agencies have the ability to enforce State and local laws.

City of Long Beach Sponsored Legislation

This year, the City sponsored two pieces of legislation, working closely with members of the Long Beach legislative delegation.

AB 655, authored by Assembly Member Patrick O'Donnell and co-sponsored by the City of Long Beach and Covanta, would have enabled electricity generated by the SERRF facility to be considered renewable energy. The bill would have directly supported the economic viability of the Southeast Resource Recovery Facility (SERRF) in the Port of Long Beach. Unfortunately, the bill failed passage in the Assembly Natural Resources Committee by a 6-4 vote. It has however, started a renewed discussion about the use of waste-to-energy technology in California, in the absence of private markets willing to support a higher re-use of municipal solid waste.

With SB 174, authored by Senator Ricardo Lara and sponsored by the City of Long Beach, we took steps to appropriate moneys resulting from a settlement between Southern California Edison Company and the California Public Utilities Commission (CPUC) for power outages that occurred in the City of Long Beach in the summer of 2015 to the City for certain public infrastructure projects located in, or benefitting, areas affected by the outages. The bill required a 2/3rds majority as an emergency measure attempting to allocate funding before the settlement was approved. SB 174 advanced through both the Senate Energy and Utilities Committee and the Senate Appropriations Committee, and passed off the Senate Floor with a 36-4 vote. However, the bill ultimately stalled in the Assembly with Assembly

Leadership neglecting to set it for a hearing in policy committee ahead of applicable deadlines.

Notably, similar legislation, AB 524 by Assembly Member Bigelow, that would have also appropriated CPUC settlement money for a specific district purpose, was vetoed by the Governor. However, a notable comparison to our sponsored legislation would be SB 801 by Senator Stern. This bill would require certain moneys collected by the Public Utilities Commission from a gas corporation serving the Los Angeles Basin pursuant to an administrative enforcement or legal proceeding relating to the well failure at the Aliso Canyon natural gas storage facility to be deposited in the Aliso Canyon Recovery Account instead of going to the General Fund. The bill would authorize moneys in the Aliso Canyon Recovery Account, created by the bill, to be allocated upon appropriation by the Legislature, for purposes of mitigating impacts on local air quality, public health, and ratepayers resulting from the well failure at Aliso Canyon. This measure was the culmination of several years of work, and followed a number of failed past legislative efforts. SB 801 was tailored for the residents of Aliso Canyon and was very similar to the work we were trying to accomplish with SB 174. This bill was signed into law by the Governor.

City of Long Beach Administrative Advocacy Issues

DBHK worked on behalf of the City to attempt to resolve issues related to unfunded pension liabilities with the Department of Finance (DOF). Currently, the City is waiting to receive \$5,344,800 from the Redevelopment Property Tax Trust Fund pursuant to an April 2016 letter from DOF. Subsequently, however, in a March 2017 letter, DOF disputed that the City can collect these funds, finding that the amounts due were for project expenses rather than enforceable pension obligations. DBHK engaged with the DOF staff, the Speaker's Officer, as well as the Governor's Office on this matter. We found that about 40 other cities are experiencing similar problems. It is likely that resolution of this issue may require legislation in 2018 or a budget trailer bill. We will continue working with the Speaker's Office, Governor's office, and other cities going forward.

City of Long Beach Priority Bills for the 2017 Legislative Session

SUPPORT

SB 1 (Beall) - Transportation Funding

This bill created the Road Maintenance and Rehabilitation (RMR) Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program.

Status: Signed by the Governor

SB 2 (Atkins) - Building Homes and Jobs Act

This bill enacted the Building Homes and Jobs Act. The bill makes legislative findings and declarations relating to the need for establishing permanent, ongoing sources of funding dedicated to affordable housing development. The bill imposes a fee of \$75 to be paid at the time of the recording of every real estate instrument, paper, or notice required or permitted by law to be recorded, per each single transaction per single parcel of real property, not to exceed \$225.

Status: Signed by the Governor

SB 3 (Beall) - Veterans and Affordable Housing Bond Act of 2018

This bill enacted the Veterans and Affordable Housing Bond Act of 2018, which, if adopted by voters, would authorize the issuance of bonds in the amount of \$4 million pursuant to the State General Obligation Bond Law. Of the proceeds from the sale of these bonds, \$3 million would be used to finance existing housing programs, as well as infill infrastructure financing and affordable housing matching grant programs; and \$1 million would be used to provide additional funding for farm, home, and mobile home purchase assistance for veterans.

Status: Signed by the Governor

SB 6 (Hueso) - State Funded Program for Legal Counsel to Immigrants in Removal Proceedings: Changed to Tribal Gaming

This bill 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. The City originally supported this legislation when it was specific to providing State funding for legal representation benefiting individuals facing deportation.

Status: Signed by the Governor

SB 31 (Lara) - California Religious Freedom Act

This bill would prohibit a state or local agency or a public employee acting under color of law from providing or disclosing to the federal government personal information regarding a person's religious beliefs, practices, or affiliation when the information is sought for compiling a database of individuals based on religious belief, practice, or affiliation, national origin, or ethnicity for law enforcement or immigration purposes.

Status: Signed by the Governor

SB 54 (de Leon) - Religious Freedom Act

Current law provides that when there is reason to believe that a person arrested for a violation of specified controlled substance provisions may not be a citizen of the United States, the arresting agency shall notify the appropriate agency of the United States having charge of deportation matters. This bill repeals those provisions. DBHK worked closely with the authors office on amendments to ensure the City's position was allied with the Police Departments views.

Status: Signed by the Governor

SB 174 (Lara) - Public Utilities: Settlement: 2015 Power Outages: City of Long Beach

This bill sought to appropriate moneys resulting from a settlement agreement between Southern California Edison Company and the Public Utilities Commission for power outages that occurred in the City of Long Beach in the summer of 2015 to the City of Long Beach for certain public infrastructure projects located in, or benefitting, areas affected by the outages. This bill made legislative findings and declarations as to the necessity of a special statute for the City of Long Beach.

Status: Failed Deadline

SB 231 (Hertzberg) - Local Government: Fees and Charges

The California Constitution generally require that assessments, fees, and charges be submitted to property owners for approval or rejection after the provision of written notice and the holding of a public hearing. Current law, the Proposition 218 Omnibus Implementation Act, prescribes specific procedures and parameters for local jurisdictions to comply with the California Constitution as it relates to setting and raising fees. This bill defines the term "sewer" for these purposes, and include in it, stormwater.

Status: Signed by the Governor

SB 268 (Mendoza) - LA County Metropolitan Transportation Authority

This bill proposed to require the Los Angeles County Metropolitan Transportation Authority, the Los Angeles County Division of the League of California Cities, the California Contract Cities Association, and the Los Angeles County City Selection Committee to prepare and provide to the Legislature by December 1, 2018, a plan agreed to by at least 3 of these entities, for reorganizing the membership of the authority to include 22 members, and to provide equitable and proportional voting representation for each area of the county on the authority, including more representation for cities other than the City of Los Angeles. The bill would have required the plan to provide for the reconstitution of the authority no later than January 1, 2020. DBHK had numerous meeting with the authors office and we were able to obtain amendments to ensure this bill included a seat for the City of Long Beach.

Status: Failed Deadline

SB 396 (Lara) - Employment: Gender Identity: Gender Orientation

This bill requires employers with 50 or more employees to include, as a component of sexual harassment training and education for supervisors, training to prevent harassment based on gender identity, gender expression, and sexual orientation.

Status: Signed by the Governor

SB 687 (Skinner) - Emergency Rooms

This bill proposed to require a non-profit corporation that operates an emergency center to obtain the consent of the Attorney General (AG) prior to a planned elimination or reduction in the level of emergency medical services provided. *Status: Vetoed by the Governor*

Veto Message: To the Members of the California State Senate: I am returning Senate Bill 687 without my signature. This bill requires a nonprofit hospital to receive approval from the Attorney General prior to reducing or eliminating services in its emergency department. A hospital's decision to reduce or eliminate emergency services poses real challenges for a community. This is why current law requires public notice prior to a hospital taking such an action. Removing a hospital's authority to determine emergency service needs, however, will not solve the underlying financial issues that typically force these decisions. An Attorney General decision to prohibit a reduction or elimination of these services may hasten the reduction of other services or closure of the entire hospital. For this reason, I cannot sign this bill.

SB 755 (Hueso)- Local Agencies: Capital Investment Incentive Program

Current law, until January 1, 2018, authorizes a county, city and county, or city to establish a capital investment incentive program, pursuant to which the county, city and county, or city is authorized to pay a capital investment incentive amount to the proponent of a qualified manufacturing facility for up to 15 consecutive years. This bill extends that authorization to January 1, 2019.

Status: Signed by the Governor

SB 705 (Allen) - Solid Waste: Expanded Polystyrene Food Service Containers

This bill would have enacted the Ocean Pollution Reduction Act of 2017. The bill proposed to prohibit all food vendors from dispensing prepared food to a customer in an expanded polystyrene food service container after January 1, 2022.

Status: Failed Deadline

AB 1 (Frazier) - Transportation Funding-Turned into Every Kid Counts

This bill created the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program.

Status: Part of the adopted transportation package

AB 210 (Santiago) - Multi-Disciplinary Personnel Team Info Cross-sharing

Current law authorizes counties to establish a child abuse multidisciplinary personnel team to allow provider agencies to share confidential information in order to investigate reports of suspected child abuse or neglect or for the purpose of child welfare agencies making detention determinations. This bill authorizes counties to also establish a homeless adult and family multidisciplinary personnel team with the goal of facilitating the expedited identification, assessment, and linkage of homeless individuals to housing and supportive services within that county and to allow provider agencies to share confidential information for the purpose of coordinating housing and supportive services to ensure continuity of care.

Status: Signed by the Governor

AB 391 (Chiu) - Medi-Cal Asthma Preventive Services

This bill would have included asthma preventive services as a covered benefit under Medi-Cal.

Status: Vetoed by Governor

Governor's Veto Message: To the Members of the California State Assembly: I am returning Assembly Bills 391 and 447 without my signature. These bills expand benefits in the Medi-Cal program, one for asthma preventative services and one for continuous glucose monitor medical devices. The Department of Health Care Services, however, has considerable administrative authority to make changes to benefits based upon new medical evidence and clinical guidelines. Therefore, these statutory changes are unnecessary. Sincerely, Edmund G. Brown Jr.

AB 422 (Arambula) - CSU: Doctor of Nursing Program

Current law, until July 1, 2018, establishes the Doctor of Nursing Practice Degree Pilot Program, under which the California State University is authorized to establish a Doctor of Nursing Practice degree pilot program at 3 campuses to award Doctor of Nursing Practice degrees, subject to specified program and enrollment requirements. This bill deletes the expiration date to allow the programs to continue in perpetuity.

Status: Signed by the Governor

AB 485 (O'Donnell) - Dogs and Cats: Adoptions and Retail Sales

This bill prohibits, on and after January 1, 2019, a pet store operator from selling a live dog, cat, or rabbit in a pet store unless the dog, cat, or rabbit was obtained from a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group, as defined, that is in a cooperative agreement with at least one private or public shelter, as specified. The bill requires all sales of dogs and cats authorized by this provision to be in compliance with laws requiring the spaying or neutering of animals.

Status: Signed by the Governor

AB 655 (O'Donnell) - California Renewables Portfolio Standard Program

This bill would have classified energy produced at the Southeast Resource Recovery Facility (SERRF) in Long Beach, as renewable energy, thus making the commodity more marketable and increasing the economic value of the facility.

Status: Failed Passage

AB 699 (O'Donnell) - Immigration Status Discrimination Protection in Schools

Current law requires the State Department of Education to assess whether local educational agencies have taken certain actions related to educational equity, including adopting a policy that prohibits, and adopting a process for receiving and investigating complaints of, discrimination, harassment, intimidation, and bullying based on those actual or perceived specified characteristics. This bill expressly includes immigration status in the specified characteristics for purposes of those provisions.

Status: Signed by the Governor

AB 1111 (Garcia) - Removing Barriers to Employment Act: Breaking Barriers to Employment Initiative

This bill enacts the Removing Barriers to Employment Act, which establishes the Breaking Barriers to Employment Initiative administered by the California Workforce Development Board. The bill specifies that the purpose of the initiative is to create a grant program to provide individuals with barriers to employment the services they need to enter, participate in, and complete broader workforce preparation, training, and education programs aligned with regional labor market needs.

Status: Signed by the Governor

AB 1180 (Holden) - California Tire Fee: Stormwater Compliance Fund

This bill authorizes the Los Angeles County Flood Control District to levy a tax to pay the costs and expenses of carrying out projects and programs to increase stormwater capture and reduce stormwater and urban runoff pollution in the district.

Status: Signed by the Governor

AB 1406 (Gloria and Chiu) - Homeless Youth Advocacy

This bill proposed to establish the Homeless Youth Housing Program to award grants to up to 10 Continuums of Care that demonstrate the ability to contract with service providers capable of providing housing assistance and supportive services to homeless youth with the goal of transitioning youth towards self-sufficiency.

Status: Failed Deadline

OPPOSE

AB 252 (S. Ridley-Thomas) - Prohibition on Local Govt sales or User Tax for Video Streaming Services and Utility.

This bill proposed to prohibit the imposition by a city, city and county, or county, including a chartered city, city and county, or county, of a tax on video streaming services, including, but not limited to, any tax on the sale or use of video streaming services or any utility user tax on video streaming services.

Status: Failed Deadline

AB 1146 (Flora) - Cities and Counties: Legal Services: Contingency Fee Contracts

The City of Long Beach opposed this legislation when language in the bill proposed to make it near impossible for local governments to partner and share costs with other jurisdictions on class action lawsuits.

Status: Failed Deadline

SB 649 (Hueso) - Wireless Telecommunication Facilities

Current federal law recognizes the authority of a state or local government to manage public rights-of-way or to require fair and reasonable compensation from telecommunications providers, on a competitively neutral and nondiscriminatory basis, for the use of public rights-of-way on a nondiscriminatory basis. This bill proposed to remove a local government's authority to issue small cell and cable permits on a discretionary basis. DBHK and the City of Long Beach met with the proponents of this bill on numerous occasions to address local governments concerns, after numerous meetings the City was unable to come to an agreement on the bill with the author and took an oppose position. DBHK lobbied with the opposition coalition and ultimately, the bill was vetoed on 10/16, which was the last day for the Governor to take legislative action on bills.

Status: Vetoed by Governor

Veto Message: To the Members of the California State Senate: I am returning Senate Bill 649 without my signature. This bill establishes a uniform permitting process for small cell wireless equipment and fixes the rates local governments may charge for placement of that equipment on city or county owned property, such as streetlights and traffic signal poles. There is something of real value in having a process that results in extending this innovative technology rapidly and efficiently. Nevertheless, 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. Sincerely, Edmund G. Brown

WATCH

SB 5 (de Leon) - California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018

This bill enacts the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of \$4 million pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program.

Status: Signed by the Governor

SB 35 (Wiener) - Planning and Zoning: Affordable Housing: Streamlined Approval Process

This bill establishes a number of criteria, which if met, would enable housing developers to utilize a ministerial permitting process for project approval, rather than work through a discretionary process with the local jurisdiction, as is current practice.

Status: Signed by the Governor

SB 44 (Beth-Jackson) - State Lands: Coastal Hazard and Legacy Oil and Gas Well Removal and Remediation Program

This bill will, upon appropriation of moneys by the Legislature, require the State Lands Commission to, within 2 years, administer a coastal hazard and legacy oil and gas well removal and remediation program. The bill also authorizes the Commission to seek and accept on behalf of the state any gift, bequest, devise, or donation whenever the gift and the terms and conditions thereof will aid in actions undertaken to administer that program.

Status: Signed by the Governor

SB 167 (Skinner) - Housing Accountability Act

The Housing Accountability Act, among other things, prohibits a local agency from disapproving, or conditioning approval in a manner than renders infeasible, a housing development project for very low, low-, or moderate-income households or an emergency shelter unless the local agency makes specified written findings based upon substantial evidence in the record. This bill requires the findings of the local agency to instead be based on a preponderance of the evidence in the record.

Status: Signed by Governor

SB 182 (Bradford) - Transportation Network Company: Participating Drivers: Single Business License

This bill prohibits any local jurisdiction that requires a driver to obtain a business license, as defined, to operate as a driver for a transportation network company, from requiring that driver to obtain more than a single business license, as specified, regardless of the number of local jurisdictions in which the driver operates. The bill would require the driver to obtain a business license in the local jurisdiction in which the driver is domiciled. The bill would require each transportation network company to notify its drivers of the obligations set forth in these provisions.

Status: Signed by the Governor

SB 188 (Jackson) – State lands: Leasing: Oil and Gas

This bill would have prohibited the State Lands Commission and the local trustees of granted public trust lands from entering into any new lease or other conveyance or from entering into any lease renewal, extension, or modification that authorizes a lessee to engage in new or additional exploration, development, or production of oil or natural gas upon lands owned by the state and under the jurisdiction of the commission that are located seaward of the ordinary high water mark for tidal waterways and the ordinary low water mark for navigable nontidal waterways that would result in the increase of oil or natural gas production from federal waters. The City and DBHK worked with the authors office to remove language that would have a negative impact on the city's gas lands.

Status: Failed Passage

SB 229 (Wieckowski) - Accessory Dwelling Units

This bill authorizes a local agency to provide by ordinance for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily use. The bill also authorizes the ordinance to prohibit the sale or other conveyance of the unit separate from the primary residence.

Status: Signed by the Governor

SB 285 (Atkins) - Public Employers: Union Organizing

This bill prohibits a public employer from deterring or discouraging public employees from becoming or remaining members of an employee organization.

Status: Signed by the Governor

SB 384 (Wiener) - Sex Offenders: Registration: Criminal Offender Record Information Systems

Current law requires the Department of Justice to make available to the public information concerning registered sex offenders on an Internet Web site. Current law requires that information to include, among other things, whether the offender was subsequently incarcerated for another felony. Current law also authorizes a person to file an application for exclusion from the Internet Web site and establishes the requirements for exclusion. This bill instead, commencing January 1, 2021, establishes 3 tiers of registration based on specified criteria, for periods of at least 10 years, at least 20 years, and life, respectively, for a conviction of specified sex offenses, and 5 years and 10 years for tiers one and two, respectively, for an adjudication as a ward of the juvenile court for specified sex offenses.

Status: Signed by the Governor

SB 431 (Bates) - Planning and Zoning: Building Codes: Accessory Dwelling Units

This bill proposed to authorize a local building inspector for 5-years following adoption of the ordinance or resolution to waive some or all requirements of an applicable building code with respect to an accessory dwelling unit constructed prior to January 1, 2008, for the purpose of issuing a building permit for that accessory dwelling unit.

Status: Failed Passage

SB 523 (Hernandez) - Medi-Cal: Emergency Medical Transport Providers: Quality Assurance Fee

This bill, commencing July 1, 2018, and subject to federal approval and the availability of federal financial participation, imposes a quality assurance fee for each emergency medical transport provided by an emergency medical transport provider. The bill authorizes the Director of Health Care Services to exempt categories of emergency medical transport providers from the quality assurance fee if necessary to obtain federal approval.

Status: Signed by Governor

SB 540 (Roth) - Workforce Housing Opportunity Zone

This bill authorizes a local government to establish a Workforce Housing Opportunity Zone by preparing an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA) and adopting a specific plan that is required to include text and a diagram or diagrams containing specified information. The bill requires a local government that proposes to adopt a Workforce Housing Opportunity Zone to hold public hearings on the specific plan.

Status: Signed by Governor

SB 541 (Allen) - School Facilities: Water Capture

This bill requires the State Water Resources Control Board, in consultation with the regional water quality control boards, and the Division of the State Architect within the Department of General Services to recommend best design and use practices for storm water and dry weather runoff capture practices that can generally be applied to all new, reconstructed, or altered public schools, including school grounds.

Status: Signed by Governor

SB 568 (Lara) - Primary Elections: Election Date

This bill, 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 continues the requirement that those elections be consolidated.

Status: Signed by Governor

SB 589 (Hernandez) - Stormwater Financial Hardship Environmental Quality

Current law requires the State Water Resources Control Board or the regional boards to issue waste discharge requirements that apply and ensure compliance with the federal Clean Water Act and any more stringent effluent standards or limitations necessary to implement water quality control plans, or for the protection of beneficial uses, or to prevent nuisance. This bill proposed to require the state board, in conjunction with an educational institution, to establish financial capability assessment guidelines for municipal separate storm sewer system permittees.

Status: Failed deadline

SB 693 (Mendoza) - Lower San Gabriel Recreation and Park District

This bill authorizes the establishment of the Lower San Gabriel River Recreation and Park District, by petition or resolution submitted to the Los Angeles County Local Agency Formation Commission before January 1, 2020. The bill authorizes specified city councils and the Los Angeles County Board of Supervisors to appoint members to, and the executive officer of the conservancy to serve as a member on, the initial board of directors of the district.

Status: Signed by Governor

SB 724 (Lara) - Oil and Gas: Wells and Production Facilities

Current law requires the operator of a well to file a written notice of intention to commence drilling with, and prohibits any drilling until approval is given by, the supervisor or district deputy. Under existing law, the notice is deemed approved if the supervisor or district deputy fails to respond to the notice in writing within 10 working days from receipt and is deemed canceled if operations have not commenced within one year of receipt. This bill extends the time period to commence operations from one year to 24 months before the notice is deemed canceled, would prohibit the notice from being extended.

Status: Signed by Governor

AB 18 (E. Garcia) - State Park Bond

Under current law, programs have been established pursuant to bond acts for, among other things, the development and enhancement of state and local parks and recreational facilities. This bill would enact the California Clean Water, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of \$4 million pursuant to the State General Obligation Bond Law to finance a clean water, climate, coastal protection, and outdoor access for all program.

Status: Park Bond Legislative Package

AB 59 (Thurmond) - Local Housing Trust Fund Matching Grant Program

Under the Local Housing Trust Fund Matching Grant Program, the department is authorized to make matching grants available to cities, counties, cities and counties, and existing charitable nonprofit organizations that have created, funded, and operated housing trust funds. This bill would have recast those provisions to instead authorize the department to make grants to eligible recipients, defined as cities that meet specified criteria and charitable nonprofit organizations organized under certain provisions of the Internal Revenue Code that apply jointly with a qualifying city, that have created or are operating or will operate housing trust funds.

Status: Failed Passage

AB 71 (Chiu) - Income Taxes: Credits: Low-Income Housing: Farmworker Housing

This bill proposes under laws governing the taxation of insurers, the Personal Income Tax Law, and the Corporation Tax Law, for calendar years beginning in 2018, to increase the aggregate housing credit dollar amount that may be allocated among low-income housing projects by an additional \$300 million.

Status: Two- year bill

AB 72 (Santiago) – Housing

Current law prescribes requirements for the preparation of the housing element, including a requirement that a planning agency submit a draft of the element or draft amendment to the element to the Department of Housing and Community Development prior to the adoption of the element or amendment to the element. Current law requires the department to review the draft and report its written findings, as specified. This bill requires the department to also review any action or failure to act

by the city, county, or city and county that it determines is inconsistent with an adopted housing element or a specified provision and to issue written findings whether the action or failure to act substantially complies with the housing element.

Status: Signed by the Governor

AB 74 (Chiu) – Housing

Current law establishes the Department of Housing and Community Development in the Business, Consumer Services, and Housing Agency. This bill requires the department, on or before January 1, 2019, to establish the Housing for a Healthy California Program to create supportive housing opportunities through grants to counties for capital and operating assistance, as specified, or operating reserve grants and capital loans to developers, or both.

Status: Signed by the Governor

AB 73 (Santiago) – Housing

This bill requires the State Department of Housing and Community Development to review any action or failure to act by the city, county, or city and county that it determines is inconsistent with an adopted housing element or a specified provision and to issue written findings.

Status: Signed by the Governor

AB 190 (Steinorth) - Local Government: Development Permits: Design Review

This bill would have required a lead agency, where an ordinance requiring design review applies to a development project, to approve or disapprove the design of the development project within 30 days of the application being determined to be complete. The bill would provide, that if the lead agency has not approved or disapproved the design of the development project within that 30-day period, the project is deemed to be approved on the 31st day.

Status: Failed deadline

AB 245 (Quirk) - Hazardous Waste: Enforcement

This bill increases the maximum allowable administrative and civil penalties to \$70,000 for violations of the California Hazardous Waste Control Act (HWCA).

Status: Signed by the Governor

AB 291 (Chiu) - Housing: Immigration

This bill prohibits a landlord from threatening to disclose information regarding or relating to the immigration or citizenship status of a tenant, occupant, or other person known to the landlord to be associated with a tenant or occupant, for the purpose of influencing a tenant to vacate a dwelling. The bill also enables any person to file suit to enforce these protections.

Status: Signed by the Governor

AB 686 (Santiago) - Housing discrimination: Affirmatively Further Fair Housing

This bill would have required a public agency to administer its programs and activities relating to housing and community development in a manner to affirmatively further fair housing, and to not take any action that is inconsistent with this obligation. The bill would make it unlawful under the California Fair Employment and Housing Act for a public agency to fail to meet its obligation to affirmatively further fair housing, and would provide that failure would constitute housing discrimination under the act.

Status: Failed Passage

AB 678 (Bocanegra) - Housing Accountability Act

The Housing Accountability Act, among other things, prohibits a local agency from disapproving, or conditioning approval in a manner than renders infeasible, a housing development project for very low, low-, or moderate-income households or an emergency shelter unless the local agency makes specified written findings based upon substantial evidence in the record. This bill requires the findings of the local agency to instead be based on a preponderance of the evidence in the record.

Status: Signed by the Governor

AB 694 (Ting) – Bicycles

Current law requires any person operating a bicycle under specified conditions to ride as close as practicable to the right-hand curb or edge of the roadway, except under specified conditions. This bill would recast those provisions to instead require a person operating a bicycle to ride in the right-hand lane or bicycle lane, if one is present, and would additionally require a person operating a bicycle in a lane that is wide enough for a vehicle and bicycle to travel safely side by side within the lane to ride far enough to the right in order to allow vehicles to pass, except when it is reasonably necessary to avoid conditions that make it hazardous to continue along the right-hand edge of the lane, and when approaching a place where a right turn is authorized.

Status: Failed Deadline

AB 727 (Nazarian) - Mental Health Services Act: Housing Assistance

Current law specifies the manner in which counties are to use the funds distributed from the Mental Health Services Fund, including using the majority of the funds for services provided by county mental health programs. Current law specifies a target population for these programs, including seriously emotionally disturbed children or adolescents and adults or older adults who have a serious mental disorder. This bill clarifies that counties may spend MHSA moneys on housing assistance for people in the target population.

Status: Signed by the Governor

AB 824 (Lackey) - Transitional Housing for Homeless Youth Grant Program

This bill would have established the Transitional Housing for Homeless Youth Grant Program to be administered by the Office of Emergency Services to award grants to qualified nonprofit entities to provide transitional living services, such as long-term residential services, access to resources, and counseling services, to homeless youth ages 18 to 24 years of age, inclusive, for a period of up to 36 months. The bill would require the office, in consultation with specified stakeholders, to establish minimum standards and procedures for awarding the grant moneys.

Status: Failed Passage

AB 879 (Grayson) - Planning and Zoning: Housing Element

This bill requires cities to report in their annual Housing Element update, the number of housing development applications received in the prior year, units included in all development applications in the prior year, units approved and disapproved in the prior year, and a listing of sites rezoned to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on specified sites.

Status: Signed by the Governor

AB 932 (Ting) - Shelter Crisis: Homeless Shelters

Current law authorizes a governing body of a political subdivision, as defined, to declare a shelter crisis if the governing body makes a specified finding. This bill, until January 1, 2021, upon a 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, authorizes emergency housing to include homeless shelters in the City of Berkeley, Emeryville, Los Angeles, Oakland, or San Diego, the County of Santa Clara, or the City and County of San Francisco, respectively. The bill, in lieu of compliance with local building approval procedures or state housing, health, habitability, planning and zoning, or safety standards, procedures, and laws, also authorizes those jurisdictions to adopt by ordinance reasonable local standards for homeless shelters.

Status: Signed by the Governor

AB 982 (Bloom) - Residential Real Property: Rent Control: Withdrawal of Accommodations

The Ellis Act generally prohibits public entities from adopting any statute, ordinance, or regulation, or taking any administrative action, to compel the owner of residential real property to offer or to continue to offer accommodations in the property for rent or lease. Current law qualifies this prohibition by, among other things, permitting a public entity to require an owner to provide notice that he or she has initiated actions to terminate tenancies and, in this situation, the date of withdrawal of accommodations would be 120 days from the delivery of the notice. Current law extends the term for the withdrawal of accommodations, in this context, to one year if the tenant or lessee is 62 years of age or older, or disabled, and other conditions are met. This bill would have extended the term for withdrawal of accommodations to one year for all tenants and lessees without regard to age or disability.

Status: Failed Passage

AB 1069 (Low) - Taxicab Transportation Services

This bill begins to erode upon local control of taxi cab ordinances, and attempts to deregulate the taxi cab industry so that it may be more competitive with Transportation Network Companies such as Uber and Lyft.

Status: Signed by the Governor

AB 1408 (Calderon) - Crimes: Supervised Release

This bill would have required the Board of Parole Hearings to consider the entire criminal history of an inmate, and not just the most recent commitment of offence; limited the number of intermediate sanctions State Probation Department could impose against a person on post-release community supervision; and improved communications between the State and local law enforcement in an effort to stabilize the transition in and out of local communities, of individuals on parole.

Status: Vetoed by the Governor

Veto Message: To the Members of The California State Assembly: I am returning Assembly bill 1408 without my signature. This bill - among other requirements placed on both the local and state correctional systems - would limit local probation departments' ability to use intermediate sanctions for individuals under post release community supervision. This bill was introduced as a response to the senseless and horrifying murder of a Whittier police officer, an event that shocked and saddened our entire state. Unfortunately - as history has taught us repeatedly - legislative responses to specific individual crimes often do not produce the intended results, and more often than not are found to be counterproductive once they are implemented. I believe this is such a bill, and while I appreciate the author's sincere attempt to respond to a truly terrible crime, I do not agree that a three-strikes and you're out approach is the correct solution. This measure would undermine the sound discretion of local probation authorities who, by training and sworn responsibility, are in the best position to make determinations on what type of sanctions or punishment should be imposed. Sincerely, Edmund G. Brown Jr.

AB 1129 (Stone) - Coastal Resources: Structures: Beach Access and Protection

The California Coastal Act of 1976 requires the permitting of revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. This bill would have required that the permitted construction of those structures be consistent with the policies of the act, including policies regarding protection of public access, shoreline ecology, natural landforms, and other impacts on coastal resources, and would define the term “existing structure” for the purposes of those provisions.

Status: Failed deadline

AB 1156 (Ting) - Planning and Zoning: Housing Element

The Planning and Zoning Law requires the housing element to include an analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition. This bill would have required the analysis to include documentation on the percentage of residents who pay more than 30% and more than 50% of their income towards the cost of housing. By increasing the duties of local officials, this bill would impose a state-mandated local program.

Status: Failed Passage

AB 1193 (Gloria) - Property Tax: Welfare Exemption: Low-Income Housing

This bill, in the case of an owner of property that is eligible for the specified described federal low-income housing tax credit, provides that a unit may continue to be treated as occupied by a lower income household if the occupants were lower income households on the lien date in the fiscal year in which occupancy of the unit commenced and the unit continues to be rent restricted, notwithstanding an increase in the income of the occupants of the unit to 140% of area median income, but that the unit would cease to be treated as a lower income unit if the income of the occupants of the unit increases above 140% of area median income. The bill would provide that its provisions would be operative only from the 2018–19 fiscal year through the 2027–28 fiscal year.

Status: Signed by the Governor

AB 1250 (Jones-Sawyer) - Counties: Contracts for Personal Services

This bill attempted to establish specific standards for the use of personal services contracts by counties. The bill would have required county agencies to demonstrate through extensive and excessive studies for each and every county contract, that the contract is not an attempt to shift away from county unionized labor. By placing new duties on local government agencies, the bill would impose a state-mandated local program. DBHK worked closely with the opposition to ensure this bill failed passage.

Status: Failed Deadline

AB 1397 (Low) - Local Planning: Housing Element: Inventory of Land for Residential Development

The Planning and Zoning Law requires each city, county, and city and county to prepare and adopt a general plan that contains certain mandatory elements, including a housing element. Current law requires the housing element to contain, among other things, an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment. This bill requires the inventory of land to be available for residential development in addition to being suitable for residential development and to include vacant sites and sites that have realistic and demonstrated potential for redevelopment during the planning period to meet the locality’s housing need for a designated income level.

Status: Signed by the Governor

AB 1505 (Bloom) - Land Use: Zoning Regulations

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

Status: Signed by the Governor

AB 1515 (Daly) - Planning and Zoning: Housing

Current law under the Housing Accountability Act prohibits a local agency from disapproving or conditioning approval in a manner that renders infeasible a housing development project for very low, low-, or moderate-income households or an emergency shelter unless the local agency makes specified findings. This bill provides that a project is deemed consistent if there is substantial evidence that would allow a reasonable person to conclude the project is consistent.

Status: Signed by the Governor

AB 1521 (Bloom) - Land Use: Notice of Proposed Change: Assisted Housing Developments

This bill requires the owner of an assisted housing development that is within 3 years of a scheduled expiration of rental restrictions to provide notice of the scheduled expiration of rental restrictions to any prospective tenant at the time he or she is interviewed for eligibility, and to existing tenants by posting the notice. The bill would additionally specify that injunctive relief may include, but is not limited to, the re-imposition of prior restrictions, as specified, and restitution of rent increases that were collected improperly.

Status: Signed by the Governor

AB 1533 (O'Donnell) - Pupil Instruction: College Promise Partnership Act

Current law establishing the College Promise Partnership Act expired June 30, 2017. This bill repeals that expiration date indefinitely to allow the Long Beach College Promise to continue in perpetuity.

Status: Signed by the Governor

AB 1558 (Garcia) - Los Angeles River: River Ranger Program

This bill requires the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy and the Santa Monica Mountains Conservancy to collaborate with the State Department of Parks and Recreation, the California Conservation Corps, and the State Lands Commission to develop a river ranger program to provide a network of river rangers who assist the public at sites along the Los Angeles River and its tributaries.

Status: Signed by the Governor

AB 1568 (Bloom) - Enhanced Infrastructure Financing Districts

This bill enacts the Neighborhood Infill Finance and Transit Improvements Act, which authorizes a city, county, or city and county to adopt a resolution, at any time before or after the adoption of the infrastructure refinancing plan, to allocate specified tax revenues to the district under specified circumstances. This bill would require the legislative body of a city or county establishing an enhanced infrastructure financing district that will allocate those revenues to adopt an ordinance to establish the procedure by which the city or county will calculate the amount of revenues that will be dedicated to the proposed district.

Status: Signed by the Governor

AB 1598 (Mullin) - Affordable Housing Authorities

This bill authorizes a city, county, or city and county to adopt a resolution creating an affordable housing authority with power limited to providing low- and moderate-income housing and affordable workforce housing funded through a low- and moderate-income housing fund.

Status: Signed by the Governor