

# South Bay Cities Council of Governments

September 23, 2021

TO: SBCCOG Board of Directors  
 FROM: SBCCOG Legislative Committee  
 RE: Bills to Monitor and for Action – Status as of September 14, 2021

Adherence to Strategic Plan:  
 Goal B: Regional Advocacy. Advocate for the interests of the South Bay

NOTE: **BOLD recommendation & status**  
 indicates bill added since last Board meeting

## BROADBAND

<p><a href="#">AB 14</a> (Aguiar-Curry)</p>	<p><b>Communications: California Advanced Services Fund: deaf and disabled telecommunications program: surcharges.</b>          Eliminates the sunset of the California Advanced Services Fund (CASF), deletes existing law allowing VoIP providers to establish alternative methods for calculating contributions to CASF, establishes \$100M cap on the max amount of annual funding the CPUS can collect to fund the Daf and Disable Telephone Program, and requires each internet service provider to report on specified information regarding each free, low-cost, income-qualified, or affordable service plan offered.</p>	<p>SUPPORT (2/25/21)  (Ltr sent 6/18/21)  LCC POSITION: SUPPORT</p>	<p>9/9/21 Ordered to engrossing and enrolling</p>
<p><a href="#">AB 41</a> (Wood)</p>	<p><b>Broadband Infrastructure.</b> Would state the intent of the Legislature to enact future legislation that will improve California’s “Dig Once” policy and expedite the deployment of broadband infrastructure in communities that are currently unserved and underserved.</p>	<p>SUPPORT (3/8/21)  (Ltr sent 6/18/21)  LCC POSITION: WATCH</p>	<p>9/10/21 Ordered to engrossing and enrolling</p>

<p><a href="#">SB 4</a> (Gonzalez)</p>	<p><b>Communications: California Advanced Services Fund.</b> Would require the Governor’s Office of Business and Economic Development, known as “GO-Biz, to coordinate with other relevant state and local agencies and national organizations to explore ways to facilitate streamlining of local land use approvals and construction permit processes for projects related to broadband infrastructure deployment and connectivity.</p>	<p>SUPPORT (2/25/21)  (Ltr sent 6/18/21)  LCC POSITION: SUPPORT</p>	<p>9/9/21 Ordered to engrossing and enrolling</p>
<p><a href="#">SB 556</a> (Dodd)</p>	<p><b>Street light poles, traffic signal poles, utility poles, and support structures: attachments.</b> This bill would prohibit a local government or local publicly owned electric utility from unreasonably denying the leasing or licensing of its street light poles or traffic signal poles to communications service providers for the purpose of placing small wireless facilities on those poles. Would require that street light poles and traffic signal poles be made available for the placement of small wireless facilities under fair, reasonable, and nondiscriminatory fees, subject to specified requirements, consistent with a specified decision of the Federal Communications Commission. Would specify time periods for various actions relative to requests for placement of a small wireless facility by a communications service provider on a street light pole or traffic signal pole. By placing additional requirements upon local publicly owned electric utilities and local governments, the bill would impose a state-mandated local program, but the bill would provide that no reimbursement is required.</p>	<p>OPPOSE (4/12/21)  (Ltr sent 6/18/21)  LCC POSITION: OPPOSE</p>	<p>9/9/21 Enrolled and presented to the Governor</p>

ENVIRONMENT

<p><a href="#">SB 83</a> (Allen)</p>	<p><b>California Infrastructure and Economic Development Bank: Sea Level Rise Revolving Loan Program.</b> Would create the Sea Level Rise Revolving Loan Program within the I-Bank to provide low-interest loans to local jurisdictions for the purchase of coastal properties in their jurisdictions identified as vulnerable coastal property. Would require the California Coastal Commission, before January 1, 2023, in consultation with the California Coastal</p>	<p>SUPPORT (2/25/21)  (Ltr sent 6/18/21)</p>	<p>9/9/21 Ordered to engrossing and enrolling</p>
--	---	--	---

	Commission, the State Lands Commission, and any other applicable state, federal, and local entities with relevant jurisdiction and expertise, to determine criteria and guidelines for the identification of vulnerable coastal properties eligible for participation in the program. Would authorize specified local jurisdictions to apply for, and be awarded, a low-interest loan under the program if the local jurisdiction develops and submits to the bank a vulnerable coastal property plan.	LCC POSITION: WATCH	
<a href="#">SB 619</a> (Laird)	<b>Organic waste: reduction regulations.</b> This bill, until January 1, 2023, would require CalRecycle and Recovery to only impose a penalty on a local jurisdiction, and would require a penalty to only accrue, for a violation of the SB 1383 regulations if the local jurisdiction did not make a reasonable effort, as determined by the department, to comply with the SB 1383 regulations.	SUPPORT (6/24/21)  (Ltr sent 6/25/21)  LCC POSITION: SUPPORT	9/9/21 Ordered to engrossing and enrolling

GOVERNANCE

<a href="#">AB 339</a> (Lee)	<b>State and local government: open meetings.</b> Would, until December 31, 2023, require all open and public meetings of a city council or a county board of supervisors that governs a jurisdiction containing least 250,000 people to include an opportunity for members of the public to attend via a telephonic option or an internet-based service option. The bill would require all open and public meetings to include an in-person public comment opportunity, except in specified circumstances during a declared state or local emergency. The bill would require all meetings to provide the public with an opportunity to comment on proposed legislation in person and remotely via a telephonic or an internet-based service option, as provided.	OPPOSE (4/22/21)  (Ltr sent 6/18/21)  LCC POSITION: OPPOSE	9/9/21 Ordered to engrossing and enrolling
<a href="#">AB 361</a> (Rivas)	<b>Open meetings: local agencies: teleconferences.</b> Would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a	<b>SUPPORT</b> <b>(9/13/21)</b>	<b>9/9/21</b> <b>Ordered to engrossing and enrolling</b>

	<p>meeting for the purpose of declaring or ratifying a local emergency, during a declared state or local emergency, as those terms are defined, when state or local health officials have imposed or recommended measures to promote social distancing, and during a declared local emergency provided the legislative body makes certain determinations by majority vote. The bill would require legislative bodies that hold teleconferenced meetings under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, as provided, to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body.</p>	<p><b>(Ltr sent 9/14/21)</b></p> <p>LCC POSITION: SUPPORT</p>	
--	---	---	--

#### HOMELESS

<p><a href="#">AB 816</a> (Chiu)</p>	<p><b>Homelessness: Housing Trust Fund: housing projects.</b> This bill would require HCD to prioritize funding for projects that serve people experiencing homelessness, to the extent that a sufficient number of projects exist. The bill would authorize the department to alter priority for funding to align eligibility for possible benefits, including Medi-Cal benefits that are intended to assist people experiencing homelessness.</p>	<p>MONITOR</p> <p>LCC POSITION: WATCH</p>	<p>9/10/21 Ordered to engrossing and enrolling</p>
--	---	---	--

#### HOUSING

<p><a href="#">AB 68</a> (Salas)</p>	<p><b>Department of Housing and Community Development: California Statewide Housing Plan: annual reports.</b> Current law establishes the California Statewide Housing Plan, which serves as a state housing plan for all relevant purposes, that incorporates a statement of housing goals, policies, and objectives, as well as specified segments. Current law requires the Department of Housing and Community Development to update and provide a revision of the plan to the Legislature every 4 years, as provided.</p>	<p>MONITOR – removed opposition (7/23/21)</p> <p>(Ltr sent 6/18/21)</p>	<p>9/9/21 Ordered to engrossing and enrolling</p> <p><i>Bill was amended to remove appeals process for developers, which was the SBCCOG's major</i></p>
--	--	---	---

	This bill would revise and recast those provisions related to the California Statewide Housing Plan. The bill would, starting with any update or revision to the plan on or after January 1, 2023, require the plan to include specified information, including, among other things, an inventory number of affordable units needed to meet the state's affordable housing needs and an identification of strategies to help individuals experiencing homelessness.	LCC POSITION: WATCH	<i>issue. The remaining aspects of the bill require HCD report/update the content of the Statewide Housing Plan in specified areas relating to affordable units and homelessness strategies.</i>
<a href="#">AB 215</a> (Chiu)	<b>Planning and Zoning Law: housing element: violations.</b> The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. That law requires a planning agency, before adopting its housing element or amendment to its housing element, to submit a draft element or draft amendment to the Department of Housing and Community Development, and requires the department to review the draft and report its written findings within 90 days of its receipt of the draft in the case of an adoption or within 60 days of its receipt in the case of a draft amendment. This bill would instead require the department to review the draft and report its written findings to the planning agency within 90 days of receiving the first draft submittal for each housing element revision or within 60 days of its receipt for a subsequent draft amendment or adoption.	OPPOSE (6/24/21)  (Ltr sent 6/25/21)  LCC POSITION: OPPOSE	9/10/21 Ordered to engrossing and enrolling
<a href="#">AB 602</a> (Grayson)	<b>Development fees: impact fee nexus study.</b> This bill, among other things, would require, on and after January 1, 2022, a city, county, or special district that conducts an impact fee nexus study to follow specific standards and practices, including, but not limited to, (1) that prior to the adoption of an associated development fee, an impact fee nexus study be adopted, (2) that the study identify the existing level of service for each public facility, identify the proposed new level of service, and include an explanation of why the new level of service is necessary, and (3) if the study is adopted after July 1, 2022, either calculate a fee levied or imposed on a housing development project proportionately to the square footage of the proposed units, or make specified findings	OPPOSE (8/9/21)  LCC POSITION: OPPOSE UNLESS AMENDED	9/8/21 Ordered to engrossing and enrolling

	explaining why square footage is not an appropriate metric to calculate fees.		
<a href="#">AB 787</a> (Gabriel)	<b>Planning and zoning: housing element: converted affordable housing units.</b> This bill would authorize a planning agency to include in its annual report the number of units in an existing multifamily building that were converted to deed-restricted rental housing for very low, low-, or moderate-income households by the imposition of affordability covenants and restrictions for the unit. The bill would apply only to converted units that meet specified requirements, including that the rent for the unit prior to conversion was not affordable to very low, low-, or moderate-income households and the initial post-conversion rent for the unit is at least 10% less than the average monthly rent charged over the 12 months prior to conversion. Would authorize a city or county to reduce its share of regional housing need for the income category of the converted units on a unit- for -unit basis, as specified.	MONITOR	9/9/21 Ordered to engrossing and enrolling
<a href="#">SB 9</a> (Atkins)	<b>Housing development: approvals.</b> Would require a proposed housing development containing no more than 2 residential units within a single-family residential zone to be considered ministerially, without discretionary review or hearing, if the proposed housing development meets certain requirements, including, but not limited to, that the proposed housing development would not require demolition or alteration of housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income, that the proposed housing development does not allow for the demolition of more than 25% of the existing exterior structural walls, except as provided, and that the development is not located within a historic district, is not included on the State Historic Resources Inventory, or is not within a site that is legally designated or listed as a city or county landmark or historic property or district.	OPPOSE (2/25/21)  (Ltr sent 8/2/21)  LCC POSITION: OPPOSE	9/3/21 Enrolled and presented to the Governor
<a href="#">SB 10</a> (Wiener)	<b>Planning and zoning: housing development: density.</b> Would, notwithstanding any local restrictions on adopting zoning ordinances, authorize a local government to pass an ordinance to zone any parcel for up to 10 units of residential density per parcel,	OPPOSE (3/8/21)	9/3/21 Enrolled and presented to the Governor

	<p>at a height specified in the ordinance, if the parcel is located in a transit-rich area, a jobs-rich area, or an urban infill site, as those terms are defined. In this regard, the bill would require the Department of Housing and Community Development, in consultation with the Office of Planning and Research, to determine jobs-rich areas and publish a map of those areas every 5 years, commencing January 1, 2022, based on specified criteria. The bill would specify that an ordinance adopted under these provisions is not a project for purposes of the California Environmental Quality Act. The bill would prohibit a residential or mixed-use residential project consisting of 10 or more units that is located on a parcel rezoned pursuant to these provisions from being approved ministerially or by right.</p>	<p>(Ltr sent 6/18/21)</p> <p>LCC POSITION: WATCH</p>	
--	---	--	--

TRANSPORTATION

<p><a href="#">AB 1147</a> (Friedman)</p>	<p><b>Regional transportation plan: Active Transportation Program.</b> Would require the Strategic Growth Council convene key state agencies, MPOs, and local governments to assist in completing a report on the overview of the California Transportation Plan. Would require that the report be completed by July 1, 2023, and additionally assess barriers to the achievement of, and recommend actions at the state, regional, and local level to achieve, state and regional greenhouse gas emissions reduction targets related to the California Transportation Plan and all sustainable communities strategies and alternative planning strategies.</p>	<p>MONITOR</p> <p>LCC POSITION: WATCH</p>	<p>9/10/21 Enrolled and presented to the Governor</p>
<p><a href="#">SB 44</a> (Allen)</p>	<p><b>California Environmental Quality Act: streamlined judicial review: environmental leadership transit projects.</b> Would establish specified procedures for the administrative and judicial review of the environmental review and approvals granted for an environmental leadership transit project, as defined, proposed by a public or private entity or its affiliates. Would require the Judicial Council, on or before April 1, 2022, to adopt rules of court establishing procedures requiring actions or proceedings seeking judicial review pursuant to CEQA or the granting of project approvals, including any appeals to the court of appeal or the</p>	<p>MONITOR</p> <p>LCC POSITION: WATCH</p>	<p>9/9/21 Enrolled and presented to the Governor</p>

	Supreme Court, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court to an action or proceeding seeking judicial review of the lead agency's action related to an environmental leadership transit project. Would require the environmental leadership transit project to meet certain labor requirements.		
--	--	--	--

CANNABIS

<a href="#">AB 1138</a> (Rubio, Blanca)	<b>Unlawful cannabis activity: enforcement.</b> Would impose a civil penalty on persons aiding and abetting unlicensed commercial cannabis activity of up to \$30,000 for each violation. The bill would prohibit filing an action for civil penalties brought against a person pursuant to MAUCRSA 3 years after the first date of discovery of the violation by a licensing authority or a participating agency, whichever is earlier or earliest.	MONITOR  LCC POSITION: WATCH	9/9/21 Ordered to engrossing and enrolling
<a href="#">AB 45/</a> (Aguiar-Curry) formerly <a href="#">SB 235</a> (Allen)	<b>Industrial hemp products.</b> Would require a manufacturer of dietary supplements and food that includes industrial hemp to be able to demonstrate that all parts of the plant used come from a state or country that has an established and approved industrial hemp program, as defined, that inspects or regulates hemp under a food safety program or equivalent criteria to ensure safety for human or animal consumption and that the industrial hemp cultivator or grower is in good standing and compliance with the governing laws of the state or country of origin.	OPPOSE UNLESS AMENDED  (Ltr sent 6/18/21)  LCC POSITION: WATCH	9/9/21 Ordered to engrossing and enrolling  <i>Final amendments were favorable to SBCCOG concerns</i>

FEDERAL

<a href="#">HR 2307</a> (Deutsch)	<b>Energy Innovation &amp; Carbon Dividend Act.</b> Imposes a fee on the carbon content of fuels, including crude oil, natural gas, coal, or any other product derived from those fuels that will be used so as to emit greenhouse gases into the atmosphere. The fee is imposed on the producers or importers of the fuels and is equal to the greenhouse gas content of the fuel multiplied by the carbon fee rate. The rate begins at \$15 in 2021, increases by \$10	REQUEST TO CONGRESSM AN LIEU TO SUPPORT RE- INTRODUCING (12/8/20)	4/1/21 Introduced in House  Previously supported in last session
--------------------------------------	--	--	---



	each year, and is subject to further adjustments based on the progress in meeting specified emissions reduction targets.	(Ltr sent 12/22/20)	
<a href="#">HR 1019</a> (Panetta)	<b>Electric Bicycle Incentive Kickstart for the Environment (E-BIKE) Act.</b> Creates a consumer tax credit that covers 30% of the cost of an electric bicycle (up to \$1,500 credit); applies to new electric bicycles that cost less than \$8,000; is fully refundable, allowing lower-income workers to claim the credit.	SUPPORT (3/8/21)	2/11/21 Introduced and referred to Committee on Ways and Means

#### NEW LAWS

Bill Number	Description	Subject Area	SBCCOG Position
<a href="#">AB 246</a> (Quirk)	<b>Contractors: disciplinary actions.</b> Would authorize the Contractors' State License Board to include illegal dumping to the list of violations that constitute a cause for disciplinary action against a contractor by the Board.	Environment	Support

#### BILLS THAT DID NOT PASS

Bill Number	Title	SBCCOG Position
<a href="#">AB 538</a> (Muratsuchi)	California Aerospace Commission: establishment.	SUPPORT
<a href="#">AB 78</a> (O'Donnell)	San Gabriel and Lower Los Angeles Rivers & Mountains Conservancy: territory: Dominguez Channel watershed & Santa Catalina Island.	SUPPORT
<a href="#">ACA 1</a> (Aguiar-Curry)	Local government financing: affordable housing and public infrastructure: voter approval.	MONITOR
<a href="#">AB 500</a> (Ward)	Local planning: permitting: coastal development: housing.	MONITOR
<a href="#">AB 989</a> (Gabriel)	Housing Accountability Act: appeals: Office of Housing Appeals.	OPPOSE
<a href="#">AB 1199</a> (Gipson)	Homes for Families and Corporate Monopoly Transparency Excise Tax: qualified property: reporting requirements.	MONITOR

<a href="#">AB 1401</a> (Friedman)	Residential and commercial development: remodeling, renovations, and additions: parking requirements.	OPPOSE
<a href="#">ACA 7</a> (Muratsuchi)	Local government: police power: municipal affairs: land use and zoning.	SUPPORT
<a href="#">SB 679</a> (Kamlager)	Los Angeles County: affordable housing.	MONITOR
<a href="#">AB 1435</a> (Carillo)	Noncannabis cannabinoids.	MONITOR

### State Legislative Calendar

Oct. 10 Last day for Governor to sign or veto bills passed by the Legislature before Sept. 10 and in the Governor's possession by Sept. 10