

South Bay Cities Council of Governments

September 13, 2021

TO: SBCCOG Legislative Committee

FROM: Jacki Bacharach, SBCCOG Executive Director
David Leger, Analyst

RE: Bills to Monitor and for Action – Status as of September 2, 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

AEROSPACE

<p>AB 538 (Muratsuchi)</p>	<p>California Aerospace Commission: establishment. Would establish, within the office, the California Aerospace Commission consisting of 15 members, as specified, to serve as a central point of contact for businesses engaged in the aerospace industry and to support the health and competitiveness of this industry in California. The bill would require the commission to make recommendations on legislative and administrative action that may be necessary or helpful to maintain or improve the state's aerospace industry and would authorize the commission to engage in various other activities in undertaking its mission and responsibilities, as specified.</p>	<p>SUPPORT (4/22/21) (Ltr sent 6/18/21) LCC POSITION: WATCH</p>	<p>8/26/21 Senate Appropriations, held under submission <i>Previously supported in prior sessions</i></p>
--	---	---	--

BROADBAND

<p>AB 14 (Aguiar-Curry)</p>	<p>Communications: California Advanced Services Fund: deaf and disabled telecommunications program: surcharges. 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</p>	<p>SUPPORT (2/25/21) (Ltr sent 6/18/21)</p>	<p>9/3/21 Senate Appropriations, amended, ordered to third reading</p>
---	---	--	--

	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.	LCC POSITION: SUPPORT	
AB 41 (Wood)	Broadband Infrastructure. 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.	SUPPORT (3/8/21) (Ltr sent 6/18/21) LCC POSITION: WATCH	8/31/21 Senate Appropriations, amended, ordered to third reading
SB 4 (Gonzalez)	Communications: California Advanced Services Fund. 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.	SUPPORT (2/25/21) (Ltr sent 6/18/21) LCC POSITION: SUPPORT	9/2/21 Assembly Appropriations, amended, ordered to third reading
SB 556 (Dodd)	Street light poles, traffic signal poles, utility poles, and support structures: attachments. 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	OPPOSE (4/12/21) (Ltr sent 6/18/21) LCC POSITION: OPPOSE	9/2/21 Ordered to engrossing and enrolling

	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.		
--	---	--	--

ENVIRONMENT

<p>AB 78 (O'Donnell)</p> <p>Co-author - Gipson</p>	<p>San Gabriel and Lower Los Angeles Rivers & Mountains Conservancy: territory: Dominguez Channel watershed & Santa Catalina Island. Existing law establishes the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy in the Natural Resources Agency and prescribes the functions and duties of the conservancy with regard to the protection, preservation, and enhancement of specified areas of the Counties of Los Angeles and Orange located along the San Gabriel River and the lower Los Angeles River and tributaries along those rivers. Existing law, for purposes of those provisions, defines "territory" to mean the territory of the conservancy that consists of those portions of the Counties of Los Angeles and Orange located within the San Gabriel River and its tributaries, the lower Los Angeles River and its tributaries, and the San Gabriel Mountains, as described.</p> <p>This bill would additionally include the Dominguez Channel watershed and Santa Catalina Island, as described, within that definition of territory, and would make various related changes to the boundaries of that territory.</p> <p>This bill would require the conservancy to update the San Gabriel and Lower Los Angeles Parkway and Open Space Plan to include the priorities for conservation and enhanced public use within the Dominguez Channel watershed and Santa Catalina Island.</p>	<p>SUPPORT (12/14/20)</p> <p>(Ltr sent 6/18/21)</p>	<p>8/26/21 Senate Appropriations, held under submission</p> <p>Previously supported in last session</p>
<p>SB 83 (Allen)</p>	<p>California Infrastructure and Economic Development Bank: Sea Level Rise Revolving Loan Program. 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 Commission, the State Lands Commission, and any other applicable state, federal, and local entities with relevant jurisdiction</p>	<p>SUPPORT (2/25/21)</p> <p>(Ltr sent 6/18/21)</p> <p>LCC POSITION: WATCH</p>	<p>9/2/21 In Senate, concurrence in Assembly amendments pending</p>

	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.		
SB 619 (Laird)	Organic waste: reduction regulations. 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	9/3/21 Assembly Appropriations, amended, ordered to third reading

FINANCE

ACA 1 (Aguiar-Curry)	Local government financing: affordable housing and public infrastructure: voter approval. The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements.	MONITOR LCC POSITION: WATCH	4/22/21 Referred to Assembly Local Government and Appropriation Committees
---	--	--	---

GOVERNANCE

<p>AB 339 (Lee)</p>	<p>State and local government: open meetings. 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.</p>	<p>OPPOSE (4/22/21) (Ltr sent 6/18/21) LCC POSITION: OPPOSE</p>	<p>9/3/21 Senate Appropriations, amended, ordered to second reading</p>
<p>AB 361 (Rivas)</p>	<p>Open meetings: local agencies: teleconferences. 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 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>MONITOR LCC POSITION: WATCH</p>	<p>9/3/21 Senate Appropriations, amended, ordered to second reading</p>

HOMELESS

<p>AB 816 (Chiu)</p>	<p>Homelessness: Housing Trust Fund: housing projects. 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>9/1/21 Re-referred to Senate Housing and Community Development Committee pursuant to Assembly Rule 77.2</p>
--	---	---	--

HOUSING

<p>AB 68 (Salas)</p>	<p>Department of Housing and Community Development: California Statewide Housing Plan: annual reports. 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. 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.</p>	<p>MONITOR – removed opposition (7/23/21)</p> <p>(Ltr sent 6/18/21)</p> <p>LCC POSITION: WATCH</p>	<p>9/3/21 Senate Appropriations, ordered to special consent calendar</p> <p><i>Bill was amended to remove appeals process for developers, which was the SBCCOG’s major 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></p>
<p>AB 215 (Chiu)</p>	<p>Planning and Zoning Law: housing element: violations. 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</p>	<p>OPPOSE (6/24/21)</p> <p>(Ltr sent 6/25/21)</p>	<p>8/31/21 Assembly Appropriations, ordered to third reading</p>

	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.	LCC POSITION: OPPOSE	
AB 500 (Ward)	Local planning: permitting: coastal development: housing. This bill would additionally require that housing opportunities for persons and families of low and moderate income, as defined, be protected, encouraged, and provided under those provisions. The bill would prohibit the California Coastal Commission from expressly demonstrating preference for housing projects or policies that directly compete with visitor-serving facilities.	Monitor LCC POSITION: OPPOSE	9/1/21 Re-referred to Senate Governance & Finance Committee
AB 602 (Grayson)	Development fees: impact fee nexus study. 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 explaining why square footage is not an appropriate metric to calculate fees.	OPPOSE (8/9/21) LCC POSITION: OPPOSE UNLESS AMENDED	8/30/21 Senate Appropriations ordered to third reading

<p>AB 787 (Gabriel)</p>	<p>Planning and zoning: housing element: converted affordable housing units. 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. The bill 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.</p>	<p>MONITOR</p>	<p>9/1/21 Senate Appropriations, ordered to special consent calendar</p>
<p>AB 989 (Gabriel)</p>	<p>Housing Accountability Act: appeals: Office of Housing Appeals. This bill would establish a housing appeals panels, consisting of administrative law judges with specific qualifications, within the office.</p>	<p>OPPOSE (6/24/21) (Ltr sent 6/25/21) LCC POSITION: OPPOSE</p>	<p>8/26/21 Senate Appropriations ordered to third reading</p>
<p>AB 1199 (Gipson)</p>	<p>Homes for Families and Corporate Monopoly Transparency Excise Tax: qualified property: reporting requirements. Would require annual reports to the Secretary of State by qualified entities owning qualified properties of specified information about those properties. Would impose an annual excise tax upon a qualified taxpayer, as defined, for the privilege of renting or leasing out qualified property, as defined at a rate of 25% of the gross receipts of the qualified taxpayer that are derived from rental income. Would require those funds collected be deposited into the Homes for Families Fund which the bill would create to be used for specified purposes relating to rental assistance, homelessness, affordable housing, and housing counseling services.</p>	<p>MONITOR LCC POSITION: WATCH</p>	<p>4/6/21 Re-referred to Assembly Revenue and Taxation Committee</p>

<p>AB 1401 (Friedman)</p>	<p>Residential and commercial development: remodeling, renovations, and additions: parking requirements. Would prohibit a local government from imposing a minimum parking requirement, or enforcing a minimum parking requirement, on residential, commercial, or other development if the development is located on a parcel that is within one-half mile walking distance of public transit, as defined, or located within a low-vehicle miles traveled area, as defined. When a project provides parking voluntarily, nothing in this section shall preclude a local government from imposing requirements on that voluntary parking to require spaces for car share vehicles. Would not preclude any requirement imposed on a new multifamily or nonresidential development to provide EV parking spaces or those that are accessible by persons with disabilities.</p>	<p>OPPOSE (4/22/21) (Ltr sent 6/18/21) LCC POSITION: OPPOSE</p>	<p>8/26/21 Senate Appropriations ordered to third reading</p>
<p>ACA 7 (Muratsuchi)</p>	<p>Local government: police power: municipal affairs: land use and zoning. Would provide that a county or city ordinance or regulation enacted under the police power that regulates the zoning or use of land within the boundaries of the county or city would prevail over conflicting general laws, with specified exceptions. The measure, in the event of the conflict with a state statute, would also specify that a city charter provision, or an ordinance or regulation adopted pursuant to a city charter, that regulates the zoning or use of land within the boundaries of the city is deemed to address a municipal affair and prevails over a conflicting state statute, except that the measure would provide that a court may determine that a city charter provision, ordinance, or regulation addresses either a matter of statewide concern or a municipal affair if it conflicts with specified state statutes. The measure would make findings in this regard and provide that its provisions are severable.</p>	<p>SUPPORT (4/22/21) (Ltr sent 4/23/21)</p>	<p>3/17/21 from printer</p>
<p>SB 9 (Atkins)</p>	<p>Housing development: approvals. 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</p>	<p>OPPOSE (2/25/21) (Ltr sent 8/2/21)</p>	<p>9/3/21 Enrolled and presented to the Governor</p>

	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.	LCC POSITION: OPPOSE	
SB 10 (Wiener)	Planning and zoning: housing development: density. 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, 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.	OPPOSE (3/8/21) (Ltr sent 6/18/21) LCC POSITION: WATCH	9/3/21 Enrolled and presented to the Governor
SB 679 (Kamlager)	Los Angeles County: affordable housing. This bill, the Los Angeles County Regional Housing Finance Act, would establish the Los Angeles County Affordable Housing Solutions Agency and would state that the agency's purpose is to increase affordable housing in Los Angeles County by providing for significantly enhanced funding and technical assistance at a regional level for renter protections, affordable housing preservation, and new affordable housing production, as specified.	MONITOR LCC POSITION: WATCH	8/23/21 Referred to Assembly Housing & Community and Development Committee, amended and re-referred to Committee for second reading.

	The bill would require a board composed of 13 voting members from Los Angeles County, as specified, to govern the agency.		
--	---	--	--

TRANSPORTATION

AB 1147 (Friedman)	Regional transportation plan: Active Transportation Program. 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.	MONITOR LCC POSITION: WATCH	9/1/21 Ordered to engrossing and enrolling
SB 44 (Allen)	California Environmental Quality Act: streamlined judicial review: environmental leadership transit projects. 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 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.	MONITOR LCC POSITION: WATCH	9/3/21 Ordered to engrossing and enrolling

CANNABIS

AB 1138 (Rubio, Blanca)	Unlawful cannabis activity: enforcement. 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	MONITOR	9/3/21
--	--	---------	--------

	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.	LCC POSITION: WATCH	Senate Appropriations, amended, ordered to second reading
AB 1435 (Carillo)	Noncannabis cannabinoids. Would impose testing and labeling requirements on products that are, or contain, one or more psychoactive or nonpsychoactive cannabinoids that are derived from a plant that is not cannabis, referred to as noncannabis cannabinoids or NCCs. The bill would require the State Department of Public Health to review each noncannabis cannabinoid in use in products for sale in the state to determine whether the NCC is psychoactive and to determine the safety and efficacy of the substance. The bill would require the department to publish a list that categorizes NCCs as approved psychoactive, approved, nonpsychoactive, or not approved, as specified.	MONITOR LCC POSITION: WATCH	3/11/21 Assembly Revenue & Taxation Committee and Business & Professions Committee
AB 45/ (Aguiar-Curry) formerly SB 235 (Allen)	Industrial hemp products. 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	9/3/21 Senate Appropriations, ordered to third reading

FEDERAL

HR 2307 (Deutsch)	Energy Innovation & Carbon Dividend Act. 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)	
HR 1019 (Panetta)	Electric Bicycle Incentive Kickstart for the Environment (E-BIKE) Act. 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
AB 246 (Quirk)	Contractors: disciplinary actions. 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

State Legislative Calendar

- Aug. 16 Legislature reconvenes from Summer Recess
- Aug. 27 Last day for fiscal committees to meet and report bills
- Aug. 30-
- Sept. 10 Floor session only. No committee may meet for any purpose except Rules Committee, bills referred pursuant to A.R. 77.2, and Conference Committees
- Sept. 3 Last day to amend bills on the floor
- Sept. 10 Last day for any bill to be passed. Interim Recess begins upon adjournment
- 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