REGULAR MEETING
LEGISLATIVE ACTION COMMITTEE

CITIES ASSOCIATION OF SANTA CLARA COUNTY

City Council Building
Council Chambers
17555 Peak Avenue
Morgan Hill, CA 95037

AUGUST 8, 2024
5:30 PM

Meeting Information:

- *Board meetings are open to the public at the location shown above.*
- *Members of the public* may use the information below to join the webinar:
  - **Webinar ID: 823 1430 2917**
  - **Passcode: 254352**
- *More information on public comment and accessibility is given at the end of the agenda.*

The following members will attend via teleconference from City Council Conference Room, 18th Floor, Room #1854, 200 E. Santa Clara Street, San Jose, CA 95113. This teleconference location is open to the public and any member of the public may address the Board of Directors members from the teleconference location.

- Cupertino Vice Mayor J.R. Fruen
- San Jose Councilmember Peter Ortiz
- Santa Clara Councilmember Kathy Watanabe

WELCOME & CALL TO ORDER – (Walia)

ROLL CALL (Sirkay)

ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

This portion of the meeting is reserved for persons wishing to address the Legislative Action Committee on any matter not on the agenda. State law prohibits the Legislative Action Committee from discussing and/or acting on nonagendized items.

AGENDA

1. **Consent Agenda (Walia)**
    a. Approve Minutes from Legislative Action Committee Meetings on April 11, 2024, May 9, 2024, and June 13, 2024
2. **Guest Speaker:**
    a. Assemblymember Gail Pellerin, Assembly District 28
3. **Update Regarding Legislative Status of Bills Previously Considered By Legislative Action Committee (Walia)**
    a. Carly Shelby, Senior Associate, Townsend Public Affairs, Inc.
4. **Discussion of Artificial Intelligence Bills (Walia)**
    a. Carly Shelby, Senior Associate, Townsend Public Affairs, Inc.
5. **Bills for Legislative Action Committee Consideration: Tentative List for Discussion & Possible Action (Walia)**
    a. AB 2513 (Pellerin)
    b. SB 1130 (Bradford)
    c. SB 892 (Padilla)

ADJOURN (Walia)

PUBLIC COMMENT

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REGULAR MEETING
Legislative Action Committee

Sunnyvale City Hall
Sycamore Conference Room (Room 306)
456 W. Olive Avenue
Sunnyvale, CA 94086

APRIL 11, 2024
5:30 PM

MINUTES IN BLACK/AGENDA IN RED

Meeting Information:

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WELCOME & CALL TO ORDER – (Walia)

Meeting called to order at 5:35 PM

ROLL CALL (Sirkay)

LAC Members Present (12):

Campbell	Sergio Lopez
Cupertino	J.R. Fruen
Los Altos	Pete Dailey (at 6:40 pm)
Los Altos Hills	Stanley Mok
Los Gatos	Rob Moore
Milpitas	Carmen Montano (at 5:49 pm)
Monte Sereno	Javed Ellahie (at 5:52 pm)
Morgan Hill	Mark Turner
Mountain View	Pat Showalter

Santa Clara	Kathy Watanabe
Saratoga	Tina Walia
Sunnyvale	Alyssa Cisneros

LAC Members Absent: (2)

Palo Alto	Greer Stone
San Jose	Peter Ortiz

Staff Present (1):

Shali Sirkay	Executive Director

Members of the Public Present (13):

Josh Becker	State Senate District 13
Neysa Fligor	Councilmember, Los Altos
Suds Jain	Councilmember, Santa Clara
Victoria Ketell	City Manager's Officee, Sunnyvale
Alex Kobayashi	Office of State Senator Josh Becker
Christina Gilmore	Asst. to the City Manager, Mountain View
Brisa Moreno	Office of SJ Councilmember Peter Ortiz
Steve Preminger	Director, Community and Civic Engagement for SCC

AGENDA

1. Consent Agenda (Walia)
    a. Approve Minutes from Legislative Action Committee Meeting on March 14, 2024

    Motion to *approve consent agenda* by Turner

    Second by Lopez

    AYE: 8

    NAY: 0

    ABSTAIN: 0

    ABSENT: 1 (Los Altos present but absent for vote)

    MOTION PASSES 8-0-01

2. Tentative List of Bills for Legislative Action Committee Consideration: Discussion & Possible Action (Walia)
    a. SB 1164 (Newman)
    b. AB 2814 (Low)
    c. AB 1820 (Schiavo)
    d. AB 1886 (Alvarez)

DRAFT

e. SB 21 (Umberg)
f. AB 1779 (Irwin)
g. SB 1095 (Becker)
h. SB 1130 (Bradford)
i. AB 1999 (Irwin)
j. AB 1772 (Ramos)
k. AB 2619 (Connolly)
l. AB 817 (Pacheco)
m. AB 1794 (McCarty)

(1) Motion to *recommend to the Cities Association of Santa Clara County Board of Directors to support AB 2814 (Low)* by Mok
Second by Fruen
AYE: 11
NAY: 0
ABSTAIN: 0
ABSENT: 1
MOTION PASSES 11-0-0-1

(2) Motion to *recommend to the Cities Association of Santa Clara County Board of Directors to oppose unless amended AB 1820 (Schaivo) by modifying the measuring date to 30 days which would only apply only to standardized general fees and non-binding estimates on preliminary applications* by Fruen
Second by Mok
AYE: 10
NAY: 1
ABSTAIN: 0
ABSENT: 1 (Los Altos absent for vote)
MOTION PASSES 10-1-0-1

(3) Motion to *allow Los Altos Vice Mayor Pete Dailey to participate in the Legislative Action Committee meeting remotely as per AB 1846* by Ellahie
Second by Moore
AYE: 11
NAY: 0
ABSTAIN: 0
ABSENT: 0

DRAFT

MOTION PASSES 11-0-0-0

(4) Motion to *recommend to the Cities Association of Santa Clara County Board of Directors to support AB 1886 (Alvarez) if amended to remove provisions related to the builder's remedy* by Fruen
Second by Cisneros

(4a) Substitute motion to *recommend to the Cities Association of Santa Clara County Board of Directors to oppose AB 1886 (Alvarez) and to call on the legislature to place restrictions on HCD so it moves forward certifying housing elements in a timely manner* by Ellahie
Second by Montano
AYE: 6

NAY: 4

ABSTAIN: 2

ABSENT: 0

MOTION PASSES 6-4-2-0

3. Guest Speaker (Walia)
    a. Sen. Josh Becker, Senate District 13, *Legislative Priorities and 2024 Authored Bills*

PUBLIC COMMENT ON NONAGENDIZED ITEMS

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ADJOURN (Walia)

Meeting adjourned at 6:58 PM

Respectfully submitted on May 9, 2024,

Vaishali Sirkay

Vaishali Sirkay
Executive Director
Cities Association of Santa Clara County

PUBLIC COMMENT GUIDELINES

DRAFT

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DRAFT

REGULAR MEETING
Legislative Action Committee

Los Altos Community Center
Sequoia Room
97 Hillview Avenue
Los Altos, CA 94022

MAY 9, 2024
5:30 PM

AGENDA IN BLACK/MINUTES IN RED

Meeting Information:

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DRAFT

WELCOME & CALL TO ORDER – (Walia)

Meeting called to order at 5:33 PM

ROLL CALL (Sirkay)

LAC Members Present (12):

Campbell	Anne Bybee
Cupertino	J.R. Fruen
Los Altos	Pete Dailey
Los Gatos	Rob Moore
Milpitas	Carmen Montano
Monte Sereno	Javed Ellahie
Morgan Hill	Mark Turner
Palo Alto	Greer Stone
San Jose	Peter Ortiz
Santa Clara	Kathy Watanabe
Saratoga	Tina Walia
Sunnyvale	Larry Klein (at 6:10 PM)

LAC Members Absent: (2)

Los Altos Hills	Stanley Mok
Mountain View	Ellen Kamei

Staff Present (1):

Shali Sirkay	Executive Director

Members of the Public Present (13):

Neysa Fligor	Councilmember, Los Altos
Brisa Moreno	Office of San Jose Councilmember Peter Ortiz
Jannie Quinn	Renne Public Law Group

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AGENDA

1. **Consent Agenda (Walia)**
    a. Approve Minutes from Legislative Action Committee Meeting on April 11, 2024

    Consent continued to June 13, 2024 Legislative Action Committee Meeting

2. **Update on League of Cities City Leaders Summit (Fligor)**

DRAFT

3. **Tentative List of Bills for Legislative Action Committee Consideration: Discussion & Possible Action (Walia)**

    a. SB 21 (Umberg)
    b. AB 1779 (Irwin)
    c. SB 1095 (Becker)
    d. AB 1772 (Ramos)
    e. AB 1794 (McCarty)
    f. AB 3209 (Berman)
    g. AB 817 (Pacheco)
    h. SB 1037 (Wiener)
    i. SB 1130 (Bradford)
    j. AB 1999 (Irwin)

ADJOURN (Walia)

Meeting Adjourned at 6:55 PM

Respectfully submitted on June 13, 2024,

Vaishali Sirkay

Vaishali Sirkay
Executive Director
Cities Association of Santa Clara County

DRAFT

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DRAFT

REGULAR MEETING
Legislative Action Committee

Los Altos Community Center
Sequoia Room
97 Hillview Avenue
Los Altos, CA 94022

JUNE 13, 2024
5:30 PM

AGENDA IN BLACK/MINUTES IN RED

Meeting Information:

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WELCOME & CALL TO ORDER – (Walia)

Meeting called to order at 5:32 PM

ROLL CALL (Sirkay)

LAC Members Present (7):

Campbell	Anne Bybee
Monte Sereno	Javed Ellahie
Morgan Hill	Mark Turner
Mountain View	Ellen Kamei
San Jose	Peter Ortiz
Santa Clara	Kathy Watanabe
Saratoga	Tina Walia

LAC Members Absent: (7)

Cupertino	J.R. Fruen
Los Altos	Pete Dailey
Los Altos Hills	Stanley Mok
Los Gatos	Rob Moore
Milpitas	Carmen Montano
Palo Alto	Greer Stone
Sunnyvale	Alyssa Cisneros

****QUORUM NOT MET****

Staff Present (1):

Shali Sirkay	Executive Director

Members of the Public Present (14):

Zane Barnes	Chief Intergovernmental Relations Officer, San Jose
Bena Chang	Silicon Valley Clean Energy
Jay Davis	Office of San Jose Councilmember Peter Ortiz
Monica Padilla	CEO, Silicon Valley Clean Energy

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AGENDA

1. **Consent Agenda (Walia)**
    a. Approve Minutes from Legislative Action Committee Meeting on April 11, 2024 and May 9, 2024
2. **Climate and Sustainability Legislation (Walia)**

a. Guest Speakers from Silicon Valley Clean Energy (SVCE)

Monica Padilla, CEO, SVCE

Bena Chang, Director of Government and Legislative Affairs, SVCE

3. **Bills for Legislative Action Committee Consideration: Tentative List for Discussion & Possible Action (Walia)**

   a. AB 2513 (Pellerin)
   b. SB 1130 (Bradford)

ADJOURN (Walia)

Meeting Adjourned at 6:19 PM

Respectfully submitted on August 8, 2024

Vaishali Sirkay

Vaishali Sirkay
Executive Director
Cities Association of Santa Clara County

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CITIES ASSOCIATION
OF SANTA CLARA COUNTY

Legislative Update:

Measures with Positions and Artificial Intelligence Legislation

August 8, 2024

Presentation Overview

Update on Priority Legislation

Artificial Intelligence Legislation

Looking Forward

Priority Legislation: Housing and Land Use

Fees and Exactions: AB 1820 (Schiavo)

Requires local agencies to provide developers with more information on fees and exactions at various stages of the housing development approval process.

Position: Oppose

Status: Fiscal Committee

Compliance: AB 1886 (Alvarez)

Clarifies that HCD's determination of compliance is the trigger for the Builder's Remedy

Position: Oppose

Status: Fiscal Committee

Enforcement: SB 1037 (Wiener)

Imposes civil penalties against local agencies in actions brought by the AG to enforce housing laws.

Position: Oppose

Status: Assembly Floor

Priority Legislation: Public Safety

Data Collection: AB 1772 (Ramos)

Requires DOJ to report the number of misdemeanor convictions for a crime of theft from a retail establishment during the COVID-19 state of emergency.

Position: Support

Status: Dead

Case Consolidation: AB 1779 (Irwin)

Allows consolidation of theft charges across multiple counties into a single trial, pending DA consent.

Position: Support

Status: Senate Floor

Prosecutorial Streamlining : AB 1984 (McCarty)

Enhances theft crime reporting processes by authorizing County DAs to establish a CAL Fast Pass Program and authorizes the aggregation of theft crimes.

Position: Support

Status: Fiscal Committee

Priority Legislation: Public Safety (Cont.)

Unlawful Entry: AB 2814 (Low)

Creates a new crime making it unlawful to enter the curtilage of a dwelling with the intent to steal a package, punishable as an alternate misdemeanor felony.

Position: Support

Status: Dead

Employee Protection: AB 3209 (Berman)

Allows a court to issue a ban from entering a retail establishment and/or a restraining order against an individual who has been convicted of a violent theft crime.

Position: Support

Status: Senate Floor

Controlled Substances: SB 21 (Umberg)

Creates a written admonishment for those convicted of fentanyl-related furnishing crimes for the establishment of implied malice in subsequent crimes.

Position: Support

Status: Pending Committee Assignment

Priority Legislation: Open Meetings

Teleconferencing for Subsidiary Bodies: AB 817 (Pacheco)

Allows subsidiary bodies of a local agency to teleconference meetings without having to notice and make publicly accessible each teleconference location or have at least a quorum participate from locations within the boundaries of the agency.

Position: Support
Status: Dead

Priority Legislation: Energy Efficiency

Building Decarbonization: SB 1095 (Becker)

Makes specified changes to housing laws to facilitate the installation of electric water heaters, space heating systems, and appliances in manufactured homes, mobilehomes, and homes within a common interest development. Requires HCD to develop and revise related rules and regulations by July 1, 2026.

Position: Support
Status: Dead

Priority Legislation Questions?

Carly Shelby
Senior Associate
cshelby@townsendpa.com

California Advocacy | Federal Advocacy | Grant Writing

www.TownsendPA.com | (949) 399-9050

Artificial Intelligence Legislation: Overarching Themes

- Consumer Protection
- Establishment of Regulatory Regimes
- Discrimination
- Security
- Intellectual Property
- Disinformation

Artificial Intelligence Legislation: Local Impacts and Uses

- Cybersecurity/ Cyberattacks
- Emergency Response
- Workforce Development
- Smart City Technology
- Budgeting and Financial Management
- Environmental/ Public Health Monitoring
- Traffic and Waste Management
- Urban Planning

Artificial Intelligence Legislation: Key Measures

AI Regulation: SB 1047 (Wiener)

Requires AI developers to implement measures such as cybersecurity protections, safety assessments, and a full shutdown capability to prevent unauthorized access and misuse of AI models. Creates the *Frontier Model Division* within the California Department of Technology to ensure oversight and enforcement of these protocols.

Support: Harvard, Chapman, (other scholar group and research institutions)

Oppose: Chamber of Commerce (other business and venture capital groups)

Status: Fiscal Committee

Election Information Integrity: AB 2655 (Berman)

Establishes the *Defending Democracy from Deepfake Deception Act of 2024*, which requires a large online platform to block and label the posting of deceptive and digitally modified content related to elections during periods before and after elections.

Support: AFSCME, SEIU, SF Board of Supervisors, NorCal Recycling Association.

Oppose: ACLU, Chamber of Commerce, Technet

Status: Fiscal Committee

Artificial Intelligence Legislation: Key Measures

Public Contracts: SB 892 (Padilla)

Charges the California Department of Technology with crafting a procurement standard for the acquisition of automated decision tools (ADTs) that have an impact on an individual's life relating to employment or benefits. Establishes a moratorium on the procurement of ADTs until standards are in place.

Support: City of Long Beach, City of San Jose, San Diego Regional Chamber of Commerce

Oppose: None

Status: Fiscal Committee

Employer Discrimination: AB 2930 (Bauer-Kahan)

Regulates the use of "automated decision tools" (ADTs) to prevent "algorithmic discrimination." This includes requirements on developers and deployers that make and use these tools to make consequential decisions to perform impact assessments on ADTs. Establishes the right of individuals to know when an ADT is being used, the right to opt out of its use, and an explanation of how it is used.

Support: CA Employment Lawyers Association (and other labor organizations)

Oppose: Google, Kaiser Permanente, California Life Sciences

Status: Fiscal Committee

Artificial Intelligence Legislation: Action Item

Public Contracts: SB 892 (Padilla)

Charges the California Department of Technology with crafting a procurement standard for the acquisition of automated decision tools (ADTs) that have an impact on an individual's life relating to employment or benefits. Establishes a moratorium on the procurement of ADTs until standards are in place.

This measure seeks to use California's purchasing power to influence the development of appropriate standards around automated decision making systems, which could result in enhanced and unbiased tools available to streamline workforce development processes.

Recommendation: Support

Looking Forward

- Legislature returned from Summer Recess August 5 with all legislative action to conclude August 31.
- Final weeks to feature fiscal and floor action, with the potential of last minute policy and budget proposals.
- Appropriations Committee Suspense File (aka the state's "fiscal filter") to impact the number of bills to progress
- Governor has until September 30 to sign or veto legislation.
- Statutes take effect January 2025.

Townsend Public Affairs, Inc.

California Advocacy, Featuring:

Niccolo De Luca
Vice President
ndeluca@townsendpa.com

Casey Elliott
Vice President
celliott@townsendpa.com

Carly Shelby
Senior Associate
cshelby@townsendpa.com

Federal Advocacy, Featuring:

Ben Goldeen
Fed. Advocacy Director
bgoldeen@townsendpa.com

Joseph Melo
Senior Associate
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Sammi Maciel
Fed. Funding Associate
smaciel@townsendpa.com

Grant Writing, Featuring:

Alex Gibbs
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Anastasia Heaton
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Senior Associate
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California Advocacy | Federal Advocacy | Grant Writing

www.TownsendPA.com | (949) 399-9050

CASCC Bills

7/30/2024

Wednesday, 07/31/2024
Sorted by: Measure

AB 817 | **Pacheco (D)** | **HTML** | **PDF**

Open meetings: teleconferencing: subsidiary body.

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Bill information

Summary: Existing law, the Ralph M. Brown Act, requires, with specified exceptions, each legislative body of a local agency to provide notice of the time and place for its regular meetings and an agenda containing a brief general description of each item of business to be transacted. The act also requires that all meetings of a legislative body be open and public, and that all persons be permitted to attend unless a closed session is authorized. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. Existing law authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency (emergency provisions) and, until January 1, 2026, in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met (nonemergency provisions). Existing law imposes different requirements for notice, agenda, and public participation, as prescribed, when a legislative body is using alternate teleconferencing provisions. The nonemergency provisions impose restrictions on remote participation by a member of the legislative body and require the legislative body to provide specific means by which the public may remotely hear and visually observe the meeting. This bill, until January 1, 2026, would authorize a subsidiary body, as defined, to use similar alternative teleconferencing provisions and would impose requirements for notice, agenda, and public participation, as prescribed.
The bill would require at least one staff member of the local agency to be present at a designated primary physical meeting location during the meeting. The bill would require the local agency to post the agenda at the primary physical meeting location. The bill would require the members of the subsidiary body to visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, as specified. The bill would also require the subsidiary body to list a member of the subsidiary body who participates in a teleconference meeting from a remote location in the minutes of the meeting. In order to use teleconferencing pursuant to this act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter. This bill contains other related provisions and other existing laws. (Based on 05/29/2024 text)

Location: 07/02/2024 - Senate DEAD

AB 1772 | **Ramos (D)** | **HTML** | **PDF**

Theft.

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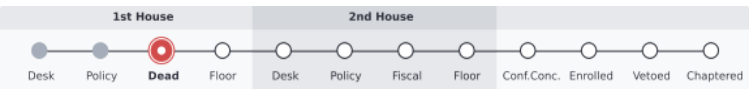

Bill information

Summary: Existing law makes theft a crime, and distinguishes between grand theft and petty theft. Existing law makes the theft of money, labor, or property petty theft punishable as a misdemeanor, whenever the value of the property taken does not exceed $950. Under existing law, if the value of the property taken exceeds $950, the theft is grand theft, punishable as a misdemeanor or a felony. Existing law makes a first conviction for petty theft involving merchandise taken from a merchant's premises punishable by a mandatory fine and as a misdemeanor. This bill would require the Department of Justice to determine the number of misdemeanor convictions for a crime of theft for which the property was taken from a retail establishment during the Governor's declared state of emergency related to the COVID-19 pandemic, and to report that information to the Legislature on or before January 1, 2026. (Based on 04/03/2024 text)

Location: 05/16/2024 - Assembly DEAD

AB 1779 | **Irwin (D)** | **HTML** | **PDF**

Theft: jurisdiction.

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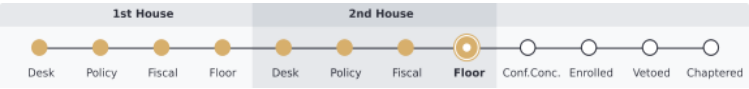

Bill information

Summary: Existing law defines types of theft, including petty theft, grand theft, and shoplifting. Existing law also defines the crimes of robbery and burglary. Existing law sets forth specific rules relating to the jurisdiction for the prosecution of theft by fraud, organized retail theft, and receiving stolen property, including that the jurisdiction for prosecution includes the county where an offense involving the theft or receipt of the stolen merchandise occurred, the county in which the merchandise was recovered, or the county where any act was done by the defendant in instigating, procuring, promoting, or aiding or abetting in the commission of a theft offense or other qualifying offense. Existing law jurisdictionally limits prosecution of each of the above to criminal actions brought by the Attorney General. This bill would no longer limit the jurisdictional rules for the above crimes to criminal actions brought by the Attorney General. If a case is brought by someone other than the Attorney General and multiple offenses are committed by the same defendant in multiple jurisdictions, the bill would allow a criminal action to be brought in any of those jurisdictions subject to a hearing on consolidation of the offenses, as specified. The bill would require the prosecution to present written evidence at the hearing that all district attorneys in counties with jurisdiction over the offenses agree to the venue. The bill would require charged offenses from jurisdictions where there is not a written agreement from the district attorney to be returned to that jurisdiction. (Based on 06/29/2024 text)

Location: 07/01/2024 - Senate THIRD READING

AB 1794 | **McCarty (D)** | **HTML** | **PDF**

Crimes: larceny.

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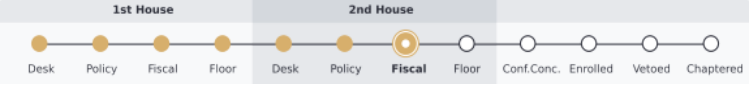

Bill information

Summary: Existing law, the Safe Neighborhoods and Schools Act, enacted as an initiative statute by Proposition 47, as approved by the electors at the November 4, 2014, statewide general election, makes the theft of money, labor, or property petty theft punishable as a misdemeanor, whenever the value of the property taken does not exceed $950. Under existing law, if the value of the property taken exceeds $950, the theft is grand theft, punishable as a misdemeanor or a felony. Proposition 47 requires shoplifting, defined as entering a commercial establishment with the intent to commit larceny if the value of the property taken does not exceed $950, to be punished as a misdemeanor. Under existing law, if the value of all property taken over the course of distinct but related acts motivated by one intention, general impulse, and plan exceeds $950, those values may be aggregated into a single charge of grand theft. This bill would clarify that those values may be aggregated even

though the thefts occurred in different places or from different victims. The bill would also, declarative of existing law, provide that circumstantial evidence may be used to prove that multiple thefts were motivated by one intention, general impulse, and plan. The bill would also authorize counties to operate a program to allow retailers to submit details of alleged shoplifting, organized retail theft, or grand theft directly to the county district attorney through an online portal on the district attorney's internet website. The bill would require counties that participate in the program to conduct an evaluation and collect specified information, and to report that information to the Assembly and Senate Public Safety Committees and the Board of State and Community Corrections, as specified. This bill contains other related provisions and other existing laws. (Based on 04/11/2024 text)

Location: 06/11/2024 - Senate APPR.

AB 1820 | **Schiavo (D)** | **HTML** | **PDF**

Housing development projects: applications: fees and exactions.

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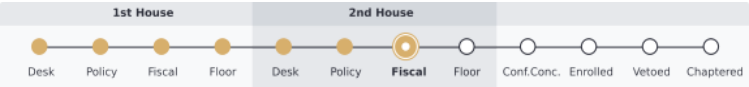

Bill information

Summary: Existing law requires a city or county to deem an applicant for a housing development project to have submitted a preliminary application upon providing specified information about the proposed project to the city or county from which approval for the project is being sought. Existing law requires a housing development project be subject only to the ordinances, policies, and standards adopted and in effect when the preliminary application was submitted. This bill would authorize a development proponent that submits a preliminary application for a housing development project to request a preliminary fee and exaction estimate, as defined, and would require a city, county, or city and county to provide the estimate within 30 business days of the submission of the preliminary application. For development fees imposed by an agency other than a city, county, or city and county, the bill would require the development proponent to request the fee schedule from the agency that imposes the fee without delay. The bill would specify that the preliminary fee and exaction estimate is for informational purposes only and does not affect the scope, amount, or time of payment of any fee or exaction, as specified. This bill contains other related provisions and other existing laws. (Based on 06/05/2024 text)

Location: 07/03/2024 - Senate APPR.

AB 1886 | **Alvarez (D)** | **HTML** | **PDF**

Housing Element Law: substantial compliance: Housing Accountability Act.

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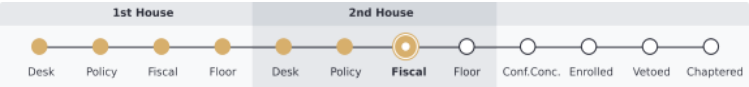

Bill information

Summary: 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. Existing law, commonly referred to as the Housing Element Law, prescribes requirements for a city's or county's preparation of, and compliance with, its housing element, and requires the Department of Housing and Community Development to review and determine whether the housing element substantially complies with the Housing Element Law, as specified. If the department finds that a draft housing element or amendment does not substantially comply with the Housing Element Law, existing law requires the legislative body of the city or county to either (A) change the draft element or amendment to substantially comply with the Housing Element Law or (B) adopt the draft housing element or amendment without changes and make specified findings as to why the draft element or amendment substantially complies with the Housing Element Law despite the findings of the department. Existing law requires a planning agency to promptly submit an adopted housing element or amendment to the department and requires the department to review the adopted housing element or amendment and report its findings to the planning agency within 60 days. This bill would require a planning agency that makes the above-described findings as to why a draft housing element or amendment

substantially complies with the Housing Element Law despite the findings of the department to submit those findings to the department. The bill would require the department to review those finding in its review of an adopted housing element or amendment. The bill would create a rebuttable presumption of validity for the department's findings as to whether the adopted element or amendment substantially complies with the Housing Element Law. Because the bill would require planning agencies to submit specified findings to the department with an adopted housing element or amendment, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 07/01/2024 text)

Location: 06/19/2024 - Senate APPR.

AB 2814 | **Low (D)** | **HTML** | **PDF**

Crimes: unlawful entry: intent to commit package theft.

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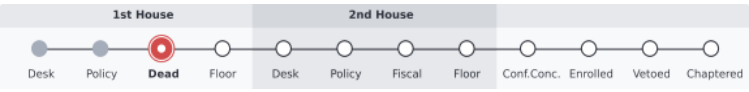

Bill information

Summary: Under existing law, a person who enters a house, room, apartment, or other specified structure, with intent to commit larceny or any felony, is guilty of burglary in the first or 2nd degree, as specified. Burglary in the first degree is punishable by imprisonment in the state prison for 2, 4, or 6 years, and burglary in the 2nd degree is punishable as a misdemeanor by imprisonment in a county jail not exceeding one year, or as a felony by imprisonment in a county jail for 16 months, or 2 or 3 years. This bill would prohibit a person from entering the curtilage of a home, as defined, with the intent to commit theft of a package shipped through the mail or delivered by a public or private carrier. The bill would make a violation of that prohibition punishable as either a misdemeanor or a felony, as specified. By creating a new crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 02/15/2024 text)

Location: 05/16/2024 - Assembly DEAD

AB 3209 | **Berman (D)** | **HTML** | **PDF**

Crimes: theft: retail theft restraining orders.

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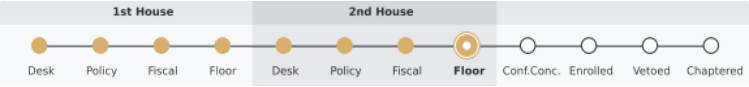

Bill information

Summary: Existing law prohibits the theft of merchandise from a retail establishment. Existing law authorizes a court, upon sentencing a person for specified offenses, including stalking and elder abuse, to issue a criminal protective order prohibiting the person from contacting any victim of their offense. This bill would authorize a court, when sentencing a person for an offense involving theft from a retail establishment, vandalism of a retail establishment, or battery of an employee of a retail establishment, to issue a criminal protective order prohibiting a person from entering the retail establishment, including any parking lots and including other franchise or chain locations of the retail establishment, as specified. The bill would also authorize a prosecuting attorney, city attorney, county counsel, or attorney representing a retail establishment to file a petition for the issuance of a criminal protective order of this type against a person who has been arrested, including, but not limited to, the issuance of a citation in lieu of a custodial arrest, 2 or more times for any of the offenses at the same retail establishment, as specified. The bill would also make conforming changes. The bill would make a violation of these orders punishable as a misdemeanor. By creating a new crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on 06/29/2024 text)

Location: 07/01/2024 - Senate THIRD READING

SB 21 | **Umberg (D)** | **HTML** | **PDF**

Controlled substances.

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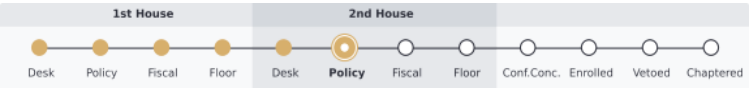

Bill information

Summary: Existing law makes it a crime to possess for sale or purchase for purpose of sale, transport, or sell, various controlled substances, including, among others, fentanyl. Existing law requires the court, when granting probation after conviction of any controlled substance offense, as specified, to order as a condition of probation that the defendant secure education or treatment from a local community agency and requires the court or probation department to refer defendants to controlled substance education or treatment programs that adhere to specified standards. Existing law permits a defendant to withdraw their plea of guilty or plea of nolo contendere and enter a plea of not guilty and authorizes a court to set aside a verdict of guilty, if the defendant has met certain requirements. This bill would require a person who is convicted of, or who pleads guilty or no contest to, the above-described crimes as they relate to fentanyl to receive a written advisory of the danger of distribution of controlled substances and that, if a person dies as a result of that action, the distributor can be charged with homicide or murder. The bill would require that the fact the advisory was given be on the record and recorded on the abstract of the conviction. This bill contains other related provisions. (Based on 05/02/2024 text)

Location: 05/02/2024 - Assembly RLS.

SB 1037 | **Wiener (D)** | **HTML** | **PDF**

Planning and zoning: housing element: enforcement.

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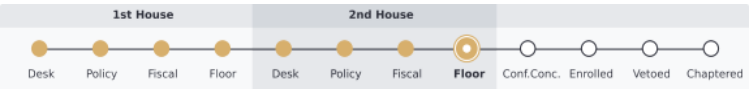

Bill information

Summary: Existing law, 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. The Planning and Zoning Law requires the Department of Housing and Community Development (HCD) to determine whether the housing element is in substantial compliance with specified provisions of that law. The Planning and Zoning Law requires HCD to notify a city, county, or city and county, and authorizes HCD to notify the office of the Attorney General, that the city, county, or city and county is in violation of state law if the local government has taken action in violation of specified provisions of law. The Planning and Zoning Law also requires, among other things, that an application for a housing development be subject to a specified streamlined, ministerial approval process if the development satisfies certain objective planning standards. This bill, in any action brought by the Attorney General, on behalf of HCD or in an independent capacity, to enforce the adoption of housing element revisions, as specified, or to enforce any state law that requires a city, county, or local agency to ministerially approve any planning or permitting application related to a housing development project, as specified, would subject the city, county, or local agency to specified remedies, including a civil penalty of, at minimum, $10,000 per month, and not exceeding $50,000 per month, for each violation, as specified. The bill would require that the penalties set forth in its provisions only apply when the local agency's acts or omissions, as described, are arbitrary, capricious, or entirely lacking in evidentiary support, contrary to established public policy, unlawful, or procedurally unfair. The bill would require these civil penalties, as specified, to be deposited into the Building Homes and Jobs Trust Fund for the sole purpose of supporting the development of affordable housing located in the affected jurisdiction, except as provided, and would require that expenditure of any penalty moneys deposited into the fund under these provisions be subject to appropriation by the Legislature. In the event a city, county, or local agency fails to pay civil penalties imposed by the court, the bill would authorize the court to require the Controller to intercept any available state and local funds and direct those funds to the Building Homes and Jobs Trust Fund to correct the jurisdiction's failure to pay, as specified. This bill contains other related provisions. (Based on 06/13/2024 text)

Location: 07/03/2024 - Assembly THIRD READING

SB 1095 | **Becker (D)** | **HTML** | **PDF**

Cozy Homes Cleanup Act: building standards: gas-fuel-burning appliances.

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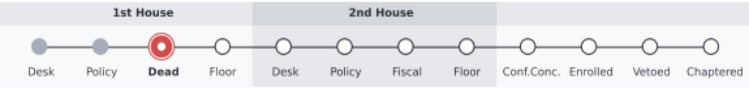

Bill information

Summary: Existing law, the Manufactured Housing Act of 1980 (the “act”), requires the Department of Housing and Community Development to enforce various laws pertaining to the structural, fire safety, plumbing, heat-producing, or electrical systems and installations or equipment of a manufactured home, mobilehome, commercial coach, or special purpose commercial coach. The act defines “manufactured home” and “mobilehome” to mean a structure that meets specified requirements, including that the structure is transportable in one or more sections and is 8 body feet or more in width, or 40 body feet or more in length, in the traveling mode, or, when erected onsite, is 320 or more square feet, and includes the plumbing, heating, air-conditioning, and electrical systems contained within the structure. The act specifies that it does not prohibit the replacement of water heaters or appliances for comfort heating in manufactured homes or mobilehomes with fuel-gas-burning water heaters or fuel-gas appliances for comfort heating that are not specifically listed for use in a manufactured home or mobilehome, as specified. This bill would extend those provisions to also apply to electric water heaters and electric appliances for comfort heating that are not specifically listed for use in a manufactured home or mobilehome. This bill would provide that the act, including any regulation, rule, or bulletin adopted pursuant thereto, does not prohibit the installation of plumbing, heating, or air-conditioning systems for manufactured homes, mobilehomes, or multifamily manufactured homes from being located outside of the home if necessary to replace an existing fuel-gas-burning water heater. This bill contains other related provisions and other existing laws. (Based on 04/08/2024 text)

Location: 05/16/2024 - Senate DEAD

Total Measures: 11
Total Tracking Forms: 166

AB 2513 (Pellerin): Gas stoves and ranges: warning label

Summary: Would prohibit a person from selling, attempting to sell, or offering to sell to a consumer in this state a gas stove, as defined, that is manufactured or sold online on or after January 1, 2025, or sold in a store on or after January 1, 2026, unless the gas stove bears a label attached in a conspicuous location and, for online sales, unless the internet website prominently posts a warning, that sets forth a specified statement relating to air pollutants that can be released by gas stoves, among other requirements.

SB 892 (Padilla)

SB 892 requires the state to establish a procurement standard for the acquisition of automated decision tools (commonly used in medical and hiring practices) to ensure there are standards in place to protect people from medical malpractice and job discrimination, among other items. This bill is supported by San Jose and other local government entities.

SB 1130 (Bradford) Electricity: Family Electric Rate Assistance: reports

This bill expands eligibility for an existing electric utility bill discount program to households with fewer than three members and requires specified reporting by electrical corporations about enrollment in the program.

Summary: Existing law vests the Public Utilities Commission with regulatory authority over public utilities, including electrical corporations. Existing law requires the commission to continue a program of assistance to residential customers of the state's 3 largest electrical corporations consisting of households of 3 or more persons with total household annual gross income levels between 200% and 250% of the federal poverty guideline level, which is referred to as the Family Electric Rate Assistance or FERA program.

This bill would expand eligibility for the FERA program by eliminating the requirement that a household consist of 3 or more persons. The bill would require the commission, by March 1, 2025, and each year thereafter, to require the state's 3 largest electrical corporations to report on their efforts to enroll customers in the FERA program. This bill would require the commission, by June 1, 2025, and each year thereafter, to review each electrical corporation's report to ensure it has sufficiently enrolled eligible households in the FERA program commensurate with the proportion of households the commission determines to be eligible within the electrical corporation's service territory. If the commission, in its review of a report, determines an electrical corporation has not sufficiently enrolled eligible households in the FERA program, the bill would require the commission to require the electrical corporation to develop a strategy and plan to sufficiently enroll eligible households within 3 years of the adoption of the strategy and plan. This bill contains other related provisions and other existing laws.