

Legislative Report

A COMPILATION OF 2018 STATUTES



League of California Cities® 2018 Legislative Report

Additional copies of the Legislative Report may be purchased for:

**City Officials \$15.00
Non-City Officials \$25.00**

Price includes sales tax and shipping
Ten percent discount on orders of five or more copies

Please mail payment to: League of California Cities
Publications Department
1400 K Street, Suite 400
Sacramento, CA 95814

Publications: Phone: (916) 658-8200
Fax: (916) 658-8240
www.cacities.org

This document will be available on the League's website in December 2018:
<http://www.cacities.org/legresources>

About the League

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

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

Legislative Report

2018

Please note: Legislation marked with an asterisk (*) has been identified as high priority by League staff.

Copyright 2018. All rights reserved. This publication is the work product of the League of California Cities® and is being provided to city officials in its member cities in electronic form to assist their efforts to track legislation. If information is taken from this document and is used by city officials in member cities for informational and other purposes, the League requests that the information be attributed to the League of California Cities.

This publication, or parts thereof, may not be reproduced in any form by any person not employed by a member city without the express permission of the League of California Cities.

TABLE OF CONTENTS

Glossary of Terms	viii
2018 Legislative and Ballot Year in Review	1
I. Community Services.....	16
A. Parks and Recreation	16
B. Animals.....	17
C. Child Care.....	18
D. Children	19
E. Natural Disaster Services and Property Insurance	20
F. Mental Health and Homelessness	24
G. Miscellaneous.....	26
H. Tobacco.....	27
II. Environmental Quality	28
A. Climate Change.....	28
B. Air Quality.....	30
C. California Environmental Quality Act (CEQA)	33
D. Energy and Utilities.....	34
E. Solid Waste and Recycling	38
F. Hazardous Waste	41
G. Water.....	42
H. Water – Drinking Water	48
I. Water – Quality.....	48
J. Wildfire Prevention & Forest Management	49
K. Miscellaneous.....	53
III. Governance, Transparency and Labor Relations.....	57
A. California Public Records Act (CPRA).....	57
B. Elections.....	57
C. Fair Political Practices Commission (FPPC).....	62
D. Personnel and Labor Relations	63
E. Privacy, Technology and Transparency	69
F. Public Employee Retirement System	73
G. Workers’ Compensation	76
H. Healthcare	77
I. General Administration/Tort Reform	82
IV. Housing, Community and Economic Development.....	87
A. Housing and Housing Finance.....	87
B. Homelessness	90
C. Land Use/Planning	94
D. Local Agency Formation Commissions	101
E. Community and Economic Development.....	102
F. Disability Access.....	105
G. Common Interest Developments	106

H. Landlord-Tenant	106
I. Mobilehomes	107
J. Care Facilities	108
K. Miscellaneous	110
V. Public Safety.....	113
A. Alcoholic Beverage Regulation.....	113
B. Cannabis	114
C. Controlled Substances	117
D. Crimes, Crime Victims and Corrections	119
E. Firearms and Other Weapons	127
F. Fire Service, Emergency and Disaster Response	129
G. Gaming/Gambling.....	132
H. Immigration.....	132
I. Judicial Processes and Criminal Procedure	133
J. Public Health	137
K. Public Safety Professionals	137
L. Sex Offender Management.....	140
M. Juvenile Justice	141
N. Juvenile Welfare	141
O. Miscellaneous.....	142
VI. Revenue and Taxation.....	149
A. 2017 Budget Act Trailer Bills	149
B. Tax Increment Financing	163
C. Sales and Use Tax	164
D. Local Government Finance	165
E. Property Tax Administration	166
F. Miscellaneous.....	168
VII. Transportation, Communication, and Public Works	172
A. Transportation	172
B. Transit	174
C. Active Transportation.....	175
D. Taxis, Ridesharing, and Autonomous Vehicles	175
E. Parking	177
F. Infrastructure	177
G. Public Works and Contracting	180
H. Telecommunications.....	181
I. Billboards.....	183
Appendix A - Additional Resources	
SB 901 (Dodd) Wildfires	185
AB 1912 (Rodriguez) Public Employees' Retirement.	190
Joint Powers Agreements. Liability	190
Proposition 1 – The Veterans and Affordable Housing Act	191
Proposition 2 - No Place Like Home Act of 2018	192
Key Housing Legislation 2018.....	194

Appendix B - League Resources

League Legislative Staff	208
Regional Public Affairs Managers	210
10 Tips for Cities Lobbying the California Legislature	211
Effective Letter Writing Techniques.....	212
Index of Chaptered Bills	214

ATTACHMENT 1

Glossary of Terms

ABC	Alcohol Beverage Control
ADA	Americans with Disabilities Act
ADDS	Automated Drug Delivery System
AED	Automated External Defibrillator
AFFH	Affirmatively Further Fair Housing
APSA	Aboveground Petroleum Storage Act
CARB	California Air Resources Board
ASES	After School Education and Safety
AUMA	Adult Use of Marijuana Act
AWMP	Agricultural Water Management
BART	Bay Area Rapid Transit
BATA	Bay Area Toll Authority
BCC	Bureau of Cannabis Control
BOE	State Board of Equalization
CAL FIRE	Department of Forestry and Fire Protection
CalARP	California Accidental Release Prevention program
CalCAP/ADA	California Americans with Disabilities Act Small Business Capital Access Loan Program
CalCAP/Seismic Safety	California Seismic Safety Capital Access Loan Program
CalEPA	California Environmental Protection Agency
CalHFA	California Housing Finance Agency
CalHR	California Department of Human Resources
CalOES	California Office of Emergency Services
CalPERS	California Public Employees Retirements System
CalRecycle	California Department of Resources Recycling and Recovery
CalSTA	California State Transportation Agency
CalSTRS	California State Teachers' Retirement System
Caltrans	Department of Transportation
CalWORK	California Work Opportunity and Responsibility for Kids
CAMTC	California Massage Therapy Council
CARS	Cal-Access Replacement System
CASp	Certified Access Specialist
CAV	Clean Air Vehicle
CCA	Community Choice Aggregators
CDCR	California Department of Corrections and Rehabilitation
CDE	California Department of Education
CDSS	California Department of Social Services
CDT	California Department of Technology
CDTFA	California Department of Tax and Fee Administration
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CFC	California Film Commission
CFD	Community Facilities District

CHP	California Highway Patrol
CLETS	California Law Enforcement Telecommunications System
CM	Construction Manager
CMIA	Confidentiality of Medical Information Act
CPRA	California Public Records Act
CPUC	California Public Utilities Commission
CRIA	Community Revitalization and Investment Authority
CSD	Community Service District
CSPP	California State Preschool Programs
CTC	California Transportation Commission
CUPA	Certified Unified Program Agency
CURES	Controlled Substance Utilization Review and Evaluation System
CVRA	California Voting Rights Act of 2001
DA	Direct Access
DCA	Department of Consumer Affairs
DDS	Department of Developmental Services
CDFA	California Department of Food and Agriculture
DHCS	Department of Health Care Services
DIR	Department of Industrial Relations
DJJ	Division of Juvenile Justice
DMHC	Department of Managed Health Care
DMV	Department of Motor Vehicles
DNA	Deoxyribonucleic Acid
DOI	Department of Insurance
DOJ	Department of Justice
DPA	Department of Personnel Administration
DPH	Department of Public Health
DPR	Department of Parks and Recreation
DSA	Division of the State Architect
DSH	Department of State Hospitals
DUI	Driving Under the Influence
DWC	Division of Workers' Compensation
DWR	Department of Water Resources
EIFD	Enhanced Infrastructure Financing District
EIR	Environmental Impact Report
EITC	Earned Income Tax Credit
EMSA	Emergency Medical Services Agency
ESP	Energy Service Providers
ETP	Employment Training Panel
EV	Electric Vehicle
FAC	Fraud Assessment Commission
FBI	Federal Bureau of Investigation
FEHA	Fair Employment Housing Act
FI\$Cal	Financial Information System for California
FPPC	Fair Political Practices Commission

FQHC	Federally Qualified Health Center
FTB	Franchise Tax Board
GC	General Contractor
GGRF	Greenhouse Gas Reduction Fund
GHG	Greenhouse Gas
GO-Biz	Governor's Office of Business and Economic Development
GovOps	Secretary of the Government Operations
GVRO	Gun Violence Restraining Order
HCD	Department of Housing and Community Development
HCG	Human Chorionic Gonadotropin
HIV	Human Immunodeficiency Virus
HOV	High-Occupancy Vehicle
HRLGAAP	High-Risk Local Government Agency Audit Program
IBank	Infrastructure and Economic Development Bank
IEPR	Integrated Energy Policy Report
IHSS	In-Home Supportive Services
ILG	Institute for Local Government
IOU	Investor Owned Utilities
ISCC	Invasive Species Council of California
ISP	Internet Service Provider
ITI	International Trade and Investment
JLAC	Joint Legislative Audit Committee
JPA	Joint Powers Authority
LACERA	Los Angeles County Employees Retirement System
LAFCO	Local Agency Formation Commission
LAO	Legislative Analyst's Office
LCTOP	Low Carbon Transit Operations Program
LHMP	Local Hazard Mitigation Plan
MAUCRSA	Medicinal and Adult Use Cannabis Regulation and Safety Act
MDT	Multidisciplinary Personnel Team
MHK	Microenterprise Home Kitchen
MHP	Multifamily Housing Program
MLR	Medical Loss Ratio
MOU	Memorandum of Understanding
MPM	Mobilehome Park Maintenance
MRL	Mobilehome Residency Law
MRLP	Mobilehome Residency Law Protection Program
MWELO	Model Water Efficient Landscaping Ordinance
NAMI California	National Alliance on Mental Illness California
NIFTI-2	Second Neighborhood Infill and Transit Improvements Act
NMS	National Mortgage Settlement
NPLH	No Place Like Home
NWMA	Noxious Weed Management Account
OAA	Outdoor Advertising Act
OEC	Office of Elections Cybersecurity

OSHA	Occupational Safety and Health Administration
OZ	Opportunity Zone
PACE	Property Assessed Clean Energy
PAGA	Private Attorneys General Act
PBM	Pharmacy Benefit Manager
PG&E	Pacific, Gas & Electric
POST	Peace Officers Standards and Training
POU	Publicly-Owned Utilities
PTP	Property Tax Postponement
PZ	Promise Zone
RFT	Recovery or Treatment Facilities
RHC	Rural Health Clinic
RHNA	Regional Housing Needs Allocation
RMRA	Road Maintenance and Rehabilitation Account
RPD	Recreation and Park District
RPOSD	Regional Park and Open Space District
RPS	Renewable Portfolio Standard
RR	Recovery Residences
RUC	Road Usage Charge
SCO	State Controller's Office
SCVWD	Santa Clara Valley Water District
SFM	State Fire Marshal
SGC	Strategic Growth Council
SGIP	Self-Generation Incentive Program
SIMM	Statewide Information Management Manual
SLC	State Lands Commission
SOS	Secretary of State
SPC	Seismic Performance Category
SPCB	Structural Pest Control Board
SR	State Route
SRA	State Responsible Area
SUD	Substance Use Disorder
SVP	Sexually Violent Predator
SWRCB	State Water Resources Control Board
TNC	Transportation Network Companies
TOU	Time-Of-Use
UC	University of California
VBM	Vote by Mail Ballot
VHFHS	Very High Fire Hazard Severity
VIG	Voter Information Guide
VMB	Veterinary Medical Board
VSP	Vision Service Plan
WRD	Water Replenishment District
ZAP	Zero-Emission Assurance Project

2018 Legislative Year in Review

ATTACHMENT 1

2018 Legislative and Ballot Year in Review

Despite a booming economy, low unemployment and a prosperous state budget, the 2018 California legislative year was clouded by several factors. Harassment investigations led to the resignations of three legislators, and a mid-year recall of an Orange County senator eroded the Democratic supermajority. The clash between California's progressive policies and President Trump continued on issues ranging from climate and energy to immigration, offshore oil drilling and net neutrality. Smoke filled the skies as wildfires raged and legislators debated how to mitigate dangers and allocate responsibility, liability and costs. Ballot measure sponsors leveraged legislators into enacting unwanted laws, and frustration grew over increasing poverty, skyrocketing housing costs and growing numbers of homeless people on our streets.

Further evidence of political uneasiness was reflected on the November ballot, with Proposition 9 proposing to split California into three states (a court removed this measure from the ballot), Prop. 5 proposing to grant up to \$2 billion annually in property taxes breaks to inspire seniors to move, Prop. 10 proposing to restore authority for local rent control and Prop. 6 proposing to repeal the 2017 landmark transportation funding package.

For the League, activity on ballot measures dominated much of the year. Ballot-related activities included opposing the Business Roundtable's destructive proposal to undermine local revenue authority, which was subsequently pulled from the ballot; working with a coalition of local governments, transit agencies, construction companies and labor to defeat Prop. 6; and supporting the successful passage of Propositions 1 and 2 to provide additional affordable housing and homelessness resources. The League also supported the passage of three other measures on the June ballot to protect transportation funding and provide funding for parks and water infrastructure and incentives for rainwater capture systems.

In other areas, the League:

- Successfully advocated for \$500 million in additional homelessness funding;
- Documented and advocated for solutions to the growing city pension crisis;
- Protected cities from being allocated liability for utility-caused wildfires; and
- Limited the damage in what has become an increasing effort by the Legislature to impose top-down solutions on housing issues.

The “Me Too” Movement, Recall and Other Legislative Changes

Following the revelations of pervasive sexual harassment in the movie industry, a group of female lobbyists, staffers and legislators signed a letter in fall 2017 challenging the Capitol's culture of sexual harassment. That letter launched multiple allegations and investigations and led to the resignations of three legislators: Sen. Tony Mendoza (D-Artesia) and Assembly Members Matt Dababneh (D-Woodland Hills) and Raul Bocanegra (D-Pacoima). Other legislators were investigated and reprimanded. By early February, the Legislature passed AB 403 (Melendez), which provides whistleblower

protection to Capitol staff who report misconduct. The Legislature also established a more independent process for reviewing sexual harassment allegations.

The resignations also affected the Capitol's balance of power. In 2017, Democrats aggressively wielded their two-thirds supermajority power to enact major policies, but the resignations of three Democratic legislators in 2018 eroded the party's supermajority status until special elections could refill the seats. Republican operatives also saw an opportunity to further erode that margin. With the Senate Democratic supermajority already at the minimum 27 seats, Republicans launched a recall effort against Sen. Josh Newman (D-Fullerton) over his vote for the transportation funding package. Sen. Newman was considered vulnerable because he had beaten his Republican rival, former Assembly Member Ling Ling Chang, in 2016 by only 2,500 votes. Despite a massive effort by Senate Democrats to defend the seat, Senator Newman lost the recall and was replaced by Sen. Ling Ling Chang (R-Diamond Bar).

Leadership changes occurred in the Senate with former Assembly Speaker Toni Atkins (D-San Diego) replacing termed-out Senator Kevin de León as President pro Tempore, and Assembly Member Marie Waldron (R-Escondido) replacing Assembly Member Brian Dahle (R-Bieber) as Assembly Republican Leader. Unlike the turnover that accompanied shorter term limits, existing legislative leadership could remain stable given their term limits: President pro Tem Atkins (2024), Senate Republican Leader Pat Bates (R-Laguna Niguel) (2022), Assembly Republican Leader Marie Waldron (2024) and Assembly Speaker Anthony Rendon (2024).

State Budget Builds Healthy Reserves; Dedicates Funding for Homelessness

The final budget largely corresponded with Gov. Jerry Brown's May Budget Revise with \$137.7 billion in General Fund spending, out of a total budget of \$199.7 billion. Building state reserves was the central feature. The Rainy Day Fund is projected to grow to \$13.8 billion by the end of the 2018–19 fiscal year. Additional revenues were set aside in two new savings funds — a \$200 million reserve for safety net programs and the Budget Deficit Savings Account that will hold a portion (\$2.6 billion of the Rainy Day Fund) until after May 31, 2019.

The budget also addressed one of the League's 2018 strategic priorities, with \$500 million in one-time Homeless Emergency Aid Block Grants. Achieving this result required significant work. The League's executive officers initially raised the homelessness issue with Gov. Brown at a meeting in January. Subsequently the League worked on this issue with a coalition that included mayors representing the state's largest cities. These efforts resulted in \$250 million being included in the May Revise; the final budget doubled that amount. AB 1827, a League-supported trailer bill, placed Prop. 2 on the ballot to resolve legal ambiguities associated with dedicating mental health funding to build 10,000 housing units for homeless Californians.

Ballot Measures Dominate League's Focus

The greatest threats to local control in 2018 emanated from two ballot proposals: one that proposed permanently hamstringing local governments' ability to fund basic

services by imposing a two-thirds vote requirement on all local revenue measures; and the other was a partisan-motivated effort to attempt to protect Republican congressional seats by wiping away vital transportation funding needed to maintain the state's deteriorating streets, roads and bridges.

Combatting the Tax Fairness, Transparency and Accountability Act of 2018.

Sponsored by the Business Roundtable and labeled "The Corporate Tax Trick" by the League and other opponents, the Tax Fairness, Transparency and Accountability Act was slated to appear on the November 2018 ballot. The measure would have limited local ability to fund services by requiring all local taxes to be subject to a two-thirds vote, repealing 25 measures approved in June by local voters and placing onerous conditions on the imposition of local fees. Major funding for the measure came from the soda, oil, insurance, pharmaceutical and other industries that spent over \$7 million to gather signatures; the American Beverage Association (ABA) was the largest funder. (The ABA had already spent over \$25 million in California trying unsuccessfully to defeat local soda tax initiatives intended to prevent childhood obesity and improve the health of communities. Only four cities statewide, however, had imposed such a tax.)

The League helped form an opposition coalition of local government and union groups. Pressure generated by our opposition yielded results. Several days before the June 28 legislative deadline to remove a measure from the ballot, the ABA offered a legislative deal to pull the measure in exchange for the passage of a budget trailer bill, AB 1838, which pre-empts the ability of cities and other local agencies from levying any new tax, fee or assessment on groceries and soda for 12 years.

While the legislative deal was distasteful, it was the lesser evil. Nevertheless, the League submitted an "oppose" letter for the record, due to a provision that would withhold all sales taxes if a charter city or its voters validly exercised their existing constitutional right to address local municipal affairs, which includes deciding whether or not to levy a soda tax. Charter city authority would be quickly eroded if other interest groups used this precedent in an effort to undermine this important constitutional right.

The wisdom of the soda industry's gambit remains to be seen. Many Democratic legislators, concerned about the health impacts of soda, were angry about being leveraged in this way. This action puts the industry on the legislative radar, and a ballot measure sponsored by doctors and dentists to impose a statewide soda tax has been proposed for 2020.

Protecting Transportation Funding: Supporting Prop. 69 (June) and Opposing

Prop. 6 (November). Shortly after SB 1 passed, political consultants advising congressional Republicans devised a repeal of the gas tax as a strategy aimed at driving Republican turnout in vulnerable congressional districts. Their efforts led to Prop. 6 being placed on the ballot to repeal SB 1 (Beall, Chapter 5, Statutes of 2017), the landmark 2017 transportation funding package.

4

The League was compelled to fully commit to defeating this ill-advised measure. We had worked too long and diligently to improve transportation funding for cities to allow this effort to succeed. Transportation is a core issue for cities. In fact, improving roads was the original reason cities came together to form the League in 1898. SB 1 is a comprehensive \$5 billion funding package focused primarily on maintaining existing transportation networks, including the state highway system, transit and local streets, roads and bridges. The funding package also placed Prop. 69 on the June 2018 ballot. Prop. 69, passed by 80 percent of the state's voters, ensures that the Legislature cannot divert new transportation funding sources for other uses.

Funding for cities in SB 1 did not happen by accident. For 10 years, the League and California State Association of Counties (CSAC) advocated for a comprehensive transportation funding solution that addressed not only the \$59 billion backlog in work for the state highway system but also the \$70 billion funding shortfall for the local transportation network, which was documented in a series of biennial reports. This painstaking and costly effort demonstrated how the condition of our local transportation infrastructure was deteriorating due to inadequate funding. The contributing factors were obvious: available revenues for maintenance were eroding, the gas tax (last increased in the 1990s) had never been indexed for inflation, more efficient vehicles meant less per-gallon revenue and electric vehicles were not contributing any revenue whatsoever.

The most recent *2018 Local Streets and Roads Needs Assessment* found that SB 1 will reduce the funding shortfall for cities and counties by \$18 billion over the next 10 years while bringing over two-thirds of the local network into a state of good repair. In its first year alone, more than 6,500 local and state transportation safety and improvement projects are already underway, with thousands of additional projects forecasted beyond the first year.

Prop. 6 would have eliminated these projects and more than \$52 billion in dedicated transportation funding authorized by SB 1 for the state highway system, transit and local streets and roads. And \$26 billion of the SB 1 total was dedicated for local transportation networks, including \$15 billion in direct subventions to cities and counties throughout the state, which doubles the amount these agencies were receiving prior to SB 1.

The League sincerely thanks California voters. In rejecting Prop. 6, voters demonstrated their support for maintaining infrastructure as a worthwhile public investment and validated the work of the Legislature to craft a balanced package on a tough issue, while avoiding an even greater infrastructure crisis. Cities can now move forward and use these funds to improve the conditions and safety of their roads and bridges. The League also thanks Gov. Brown and our many allies in business, labor, local government and transit who jointly committed so much time and extensive resources to battling Prop. 6 — and to making sure California voters fully understood that this proposal would have halted more than 6,000 transportation improvement projects,

threatened driver and pedestrian safety, increased traffic congestion, cost jobs and hurt taxpayers. Bravo!

Building Affordable Housing and Homeless Housing: Supporting Propositions 1 and 2 (November). Despite the Legislature's significant policy focus on affordable housing in recent decades, state funding is hard to find when it comes to offering subsidies to build affordable units for low-income households and homeless individuals and families. And though housing elements and the local zoning, development and approval processes are debated in great detail, the reality is that many individuals — absent public subsidies — are too poor to afford private-sector rents. The reduction of federal affordable housing construction programs, which began in the 1980s, compounded these challenges. The Legislature also eliminated local redevelopment agencies that provided the single largest state source of affordable housing, averaging over \$1 billion per year. The absence of funding for affordable housing has certainly contributed to the current affordable housing and homelessness crisis.

For these reasons, the League aggressively supported numerous proposals that will provide funding to build units — and served on the steering committee for the coalition to pass Prop. 1, a \$4 billion affordable housing bond, and Prop. 2, a \$2 billion funding proposal to help construct 10,000 housing units for homeless individuals with mental illness. These measures are sorely needed, but much more must be done.

Improving Park and Water Infrastructure: Prop. 68 (June) and Prop. 3 (November). As California's population grows, state and local agencies face increasing challenges in keeping up with infrastructure demands. Local government also face a higher vote threshold (two-thirds) than the state (which needs only a simple majority) when seeking voter approval of bonds that improve infrastructure; local school construction is the only exception (requiring 55 percent voter approval). Though the League has long supported a lower vote threshold for such investments, including sponsoring ACA 4 (Aguiar-Curry) in the 2017–18 legislative session, such measures have difficulty moving in the Legislature. As a result, it much more difficult to fund such investments via local efforts.

- **Prop. 68, Park and Water Bond:** The League supported SB 4 (DeLeon), a \$4 billion park and water bond, that was placed as Prop. 68 on the June ballot and passed by the voters with 57.4 percent of the vote. Under the measure, each city receives at least \$200,000 for its parks and will also be eligible to apply for hundreds of millions of dollars in additional funding for local parks and water upgrades, including safe drinking water, recycling, flood protection and climate change adaptation projects.
- **Prop. 3, Supply and Water Quality Bond:** The League also supported Prop. 3, a proposed \$8.877 billion general obligation bond to improve water infrastructure. Perhaps influenced by the earlier approval in June of Prop. 68, voters rejected this proposal by a narrow margin.

Propositions 5 and 10 Both Defeated. Although the League analyzed and debated Prop. 5 and Prop. 10 in its policy committees, after significant discussion the League board opted not to engage on these two ballot measures; voters defeated both by heavy margins. Prop. 5, sponsored by the California Association of Realtors, would have provided up to \$2 billion in annual property tax breaks as an incentive for seniors to move. Prop. 10, sponsored by housing advocacy groups, would have restored local authority to enact rent control after the Legislature pre-empted cities with the 1996 Costa Hawkins Act.

Lessons Learned From the 2018 Ballot Leverage Game

History is a great teacher, and many stakeholder groups took notice of the successful efforts of two 2018 ballot proponents to leverage concessions from the Legislature. The tactic they used was simple: Draft a proposed ballot measure that has a good chance of passing unless tens of millions are spent in a campaign to defeat it, collect enough signatures to qualify it for the ballot, wait until the statutory deadline to pull measures from the ballot arrives in late June and see who blinks. In 2018, three ballot proponents employed this strategy:

- The American Beverage Association (ABA) paid for most of the signature gathering for the Business Roundtable's Tax Fairness, Transparency and Accountability Act and then the weekend before the deadline offered a legislative deal to pull the ballot measure in exchange for a 12-year ban on local soda taxes;
- Proponents of the California Consumer Privacy Act of 2018, a measure giving consumers aggressive tools to control the use of personal information by companies using or providing internet services, similarly leveraged the passage of AB 375 (Chau), a narrower version of the ballot measure; and
- Paint companies, facing litigation over lead paint, attempted to forge a legislative agreement to cap their liability after qualifying the Healthy Homes and Schools Act but were unsuccessful in leveraging an alternative — possibly because their ballot measure didn't poll sufficiently well.

Expect more stakeholder groups to explore using this strategy to advance their priorities as positioning begins for the 2020 ballot.

Over-Weighted Focus on Local Housing and Land Use

An October USC-Los Angeles *Times* poll asked California voters about the contributing causes to the state's housing crisis. Besides voters rejecting more state intervention in local land use, only 9 percent of voters agreed that local zoning rules are a major cause of the state's housing affordability problems. The voters also seemed to recognize that many other factors affect housing prices and rents, yet in the halls of the state Capitol, it often appears safest to heap most of the blame on local planning and resident input.

The appetite for top-down planning and control edicts is growing in the Capitol. Accompanying this trend is the perception that existing residents — who engage in local

government decision-making in an open and transparent process under the Brown Act and other laws — should have their issues and concerns dismissed and overridden to expedite development projects. State agencies and local governments are just beginning to implement the 15-bill housing package adopted in 2017 — much of which focused on local land use planning. Nevertheless, legislators introduced another 300 bills pertaining to nearly every aspect of housing and land use law in California. Thus, for the League, 2018 was a year of constant defense against efforts to limit or remove local authority. Fortunately, many bills died or were amended to resolve important issues, but others got through.

SB 827 (Wiener) would have effectively rezoned all land within a half-mile radius of a “major transit stop” or a quarter-mile radius of a transit stop on a “high quality transit corridor” but was halted in the Senate. Various second-unit bills, including SB 831 (Wieckowski) that would have prohibited cities from imposing any fees on these units, stalled as well. Similar measures will likely be introduced.

Still other bills passed, including:

- SB 828 (Wiener) and AB 1771 (Bloom), which make comprehensive changes to the Regional Housing Needs Assessment (RHNA) process;
- AB 2162 (Chiu), which requires that supportive housing be a “use by right” in zones where multiple dwelling uses are permitted, including mixed-use zones; and
- AB 2923 (Chiu and Grayson), which provides the Bay Area Rapid Transit (BART) land use authority over its property.

While such bills reflect the frustration of legislators with housing costs and a desire to push for solutions, the isolated focus on local government planning also reflects political reality. In the USC-*Los Angeles Times* poll, voters ranked the lack of rent control, inadequate funding for low-income housing, environmental regulation, foreign buyers, influence of the tech industry and other factors as bigger contributors to the state’s housing problems than local zoning rules, but legislators often prefer to sidestep such issues as politically difficult. Furthermore, other actions supported by environmental organizations and developers conflict with stated objectives of increasing housing supply and lowering costs.

Developers often cite litigation against housing filed under the California Environmental Quality Act as a key barrier, but seriously addressing the issue is a nonstarter in the Capitol. A booming economy enables apartment owners to rapidly increase rents in desirable areas, but AB 1506 (Bloom), which was supported by housing advocates and tenant groups and that would have restored local authority to enact rent control, stalled in its first committee and the development industry spent approximately \$80 million to defeat Prop. 10. Legislators and developers make demands for local governments to reduce fees, eliminate parking requirements and cut back on design criteria but there is no accompanying requirement for those benefiting from such cost reductions to actually reduce the price of homes sold or rented. Local fees are criticized for adding to housing costs, but little legislative resistance occurred in May when the Building Standards

Commission required solar panels on all new homes built after 2020 — at an estimated additional cost of \$9,500 per unit. Developers and housing advocates raise concerns about the need to expand housing supply and locals are blamed for the lack of housing production, but then the Legislature adopts conflicting bills like AB 2913 (Wood) that doubles the time from six to 12 months before a developer with local permits must commence work, and AB 2973 (Gray) that authorizes developers with approved tentative maps, parcel maps or vesting tentative maps to request to further delay housing development for an additional two years.

The voters surveyed in the USC-*Los Angeles Times* poll are correct in asserting that many factors contribute to housing development prices and rents. And other areas should also be examined — such as increasing poverty levels, young adults saddled with student debt, meager savings of aging baby boomers, increasing mortgage rates, inadequate supplies of skilled construction labor and developers slowing production of inventory to keep profits up — blaming residents and local governments only goes so far and does not move the discussion forward. And although the passage of the housing bond is helpful, it barely begins to fill the massive void in affordable housing funding created by the elimination of redevelopment. It's time for the Legislature to take a broader look and address other factors contributing to a slower housing market recovery.

Wildfire Response

The devastating wildfires of 2017 — including the Tubbs Fire in Santa Rosa that destroyed over 5,000 homes — triggered more than 70 bills responding to issues including forestry management, homeowner insurance policies, pre-positioning of fire suppression equipment and efforts to shift liability for utility-caused fires by reversing the long-established principle of inverse condemnation. To prepare for these issues, the League worked through its policy committees to update and clarify its policies and then engaged as a major player in the successful effort to improve fire safety and prevention and to protect fire victims and cities from absorbing increased liability for utility-caused fires.

A comprehensive legislative package was developed in a conference committee and amended into SB 901 (Dodd). The measure:

- Includes over \$1 billion over five years for forest management and fire prevention;
- Streamlines procedures associated with forest thinning and fuel reduction;
- Increases energy production from biomass fuels;
- Expands the mutual aid system to allow for advance placement of firefighters and equipment and fuel reduction;
- Requires utilities to adopt wildfire mitigation plans and provides some additional flexibility for utilities to securitize wildfire-related debts and recover costs from ratepayers; and
- Establishes the Commission on Wildfire Cost Recovery.

In related efforts, the League worked in partnership with the California Fire Chiefs Association to secure \$50 million for pre-positioning emergency equipment and supported SB 833 (McGuire), which improves emergency notifications.

Addressing Pensions, California Cities' Sleeping Giant

In February, the League released a comprehensive study revealing the hard truths that many cities are grappling with as they are forced to shift ever-growing shares of their General Fund revenues to cover dramatic increases in pension costs. To better understand the cost drivers behind the increasing local employer contribution rates and the impacts on cities, the League commissioned a leading California actuarial firm serving only public sector agencies to analyze anticipated pension contribution rates for cities as a percentage of payroll and determine how those future contribution rates would impact cities' General Funds. This study was limited only to pension liability and did not reflect costs associated with active or other post-employment benefits such as health care. This study found that rising pension costs will require cities to nearly double the percentage of their General Fund dollars they pay to the California Public Employees' Retirement System (CalPERS) over the next seven years, with 10 percent of cities projected to spend 21 percent or more of General Fund revenues on towards pension costs. For many cities, these costs will soon reach unsustainable levels.

Pension cost increases affect city budgets much more than the state budget. Cities spend a large portion of their budgets for police, fire and other municipal services. Also, unlike the state budget, which has recovered significantly since the Great Recession thanks to voter-approved tax increases, many cities have not experienced a financial rebound. With local pension costs outstripping revenue growth, cities face difficult choices that will be compounded in the next recession. Under current law, cities have two choices — attempt to increase revenue or reduce services. When local cuts occur, public safety — including response times — will likely be impacted.

As expected, the Legislature had little appetite in 2018 to lead an effort to identify sustainable pension solutions. Gov. Brown, who understood and was vocal about these challenges, filed a comprehensive legal brief on the pending *Cal Fire* case at the California Supreme Court. He urged the court to revise its previous interpretations of the "California Rule" to provide additional flexibility for public agencies to address unsustainable costs. In April, the League also filed a brief with the court, and oral arguments are scheduled in December, 2018.

The League also continued increasing the presence of cities at CalPERS meetings and strengthening relations with its board members and executive staff. It is vital to expand their awareness of the impacts on cities of the board's decisions, including divestment proposals that would weaken the fund's returns. The League's Executive Officers met with CalPERS leaders in April to further convey the challenges cities are facing. To ensure that city employees were better informed about the positions of the candidates for the board seat representing active employees, the League also conducted a candidate survey and distributed the results to cities. In October, public employees rejected the incumbent and choose a police officer from the City of Corona — a city that

is suffering from significant pension challenges — as a new CalPERS board representative. In the Legislature, the League also engaged on many bills affecting employers and was instrumental in negotiating a tailored solution to the challenge of pension liabilities of joint powers agencies in AB 1912 (Rodriguez).

Renewed Discussions on Tax Reform

Gov. Brown successfully avoided getting drawn into the abyss of tax reform in the Capitol during his eight-year tenure, likely influenced by his experience with Prop. 13 during his first terms as Governor. The issues are controversial and complicated.

Solutions require two-thirds legislative votes and possibly ballot measures, and any changes will leave some stakeholders bitter and unhappy. But such obstacles do not stop the discussions.

For the past several years, Sen. Bob Hertzberg has been introducing legislative proposals to reduce state revenue volatility by expanding the base of sales taxes to apply to various services in exchange for reducing the state income tax. While these bills triggered some discussions, they stalled due to the Governor's lack of engagement on the issue.

The enactment of the federal tax reform package was viewed as punitive to high-tax states like California because it caps federal deductions for state and local taxes at \$10,000. It sparked the introduction of several proposals that explored allowing state taxpayers to convert their tax obligations into charitable deductions under federal law, but these stalled after the Internal Revenue Service issued a mid-year advisory warning that it would reject such tactics.

Sen. Steve Glazer's introduction of SCA 20, a proposed constitutional amendment to allocate local sales tax derived from online purchases to the destination where the customers receive the product, highlighted a growing trend of consumer purchases using e-commerce. The changing retail landscape, with fewer brick and mortar stores, however, is not a new issue for the League. Since 2015, the League has been having internal policy discussions on sales taxes and convened a working group of city managers in fall 2017 to attempt to find common ground on sales tax allocations from internet sales. After numerous meetings in 2018, the group made several recommendations to be considered by the League policy committees in January 2019, including a need for better data from the California Department of Tax and Fee Administration on the effects on individual cities of a potential shift to destination allocation.

A major related development occurred in late June when the U.S. Supreme Court decision in *South Dakota v. Wayfair* reversed several prior cases and held that states and local governments may require retailers with no in-state physical presence to collect sales and use tax. The California Department of Tax and Fee Administration is expected to issue an implementation memo in late 2018.

Several factors ensure that tax reform discussions will accelerate in the Capitol in 2019:

- The qualification of the “split-roll” ballot measure for the November 2020 ballot, proposing to change Prop. 13 to require periodic property tax reassessments of commercial properties;
- The Realtors’ expected efforts to craft a revised version of the recently failed Prop. 5; and
- A new Governor who touts the benefit of having “big hairy audacious goals.”

Public Safety and Criminal Justice Tensions Continue

Gov. Jerry Brown’s eight-year tenure was accompanied by a massive reversal of previous state policy approaches to public safety and criminal justice. These changes have resulted in thousands of former state prisoners and smaller-time criminals who once were in county jails but are now on the streets.

California’s radical changes to criminal justice policies include:

- The shift of state prisoners to county jails under realignment in 2011 to reduce state prison overcrowding in response to court orders;
- Prop. 47 (2014), which reduced criminal penalties associated with various crimes;
- Prop. 57 (2016), which made more felons eligible for earlier parole; and
- Prop. 64 (2016), which legalized recreational cannabis.

Throughout his tenure, Gov. Brown also vetoed most bills that proposed additional penalties and sentence enhancements for various crimes. These actions reflected his policy concern that criminal justice laws and penalties had grown overly punitive and dismissive of opportunities for individual rehabilitation. But there were obvious financial motivations as well — reducing the state prisoner population saved costs for a state budget recovering from massive deficits. In 2018, the deconstruction of the state’s criminal justice system continued with the passage of SB 10 (Hertzberg), which eliminated the state’s pre-trail bail system in exchange for a “risk assessment” process. The bail industry, however, is gathering signatures for a referendum to place this issue before state voters in 2020.

At the local level, city officials, police chiefs and business owners have expressed intensifying concern about increasing crime and a growing attitude among perpetrators that criminal behavior has few consequences. A resolution sponsored at the League’s 2017 Annual Conference by the City of Whittier, where a habitual felon killed a police officer, called “upon the Governor and Legislature to enter into discussion with League and other public safety stakeholders to identify and implement strategies that will relieve the unintended negative impacts of existing criminal law.” Efforts by the League and California Police Chiefs Association to seek legislative action or a negotiated resolution with Gov. Brown went nowhere.

The California Police Chiefs Association and California Grocers Association turned their attention to gathering signatures for a ballot measure. The ballot measure, the Reducing

Crime and Keeping California Safe Act of 2018, has qualified for the November 2020 ballot and is supported by the League. This measure would:

- Broaden the definition of violent felonies;
- Address serial theft by facilitating prosecution for repeat offenses;
- Address organized retail theft;
- Alter the rules for granting parole to nonviolent offenders;
- Authorize DNA collection upon arrest for specified misdemeanors; and
- Enact changes to the management of the post-release community supervision population of offenders.

Absent a compromise with incoming Gov. Gavin Newsom, whose past criminal justice philosophy mirrors that of Gov. Brown, voters will decide the issue. But it could be a costly and difficult campaign. Former Gov. Brown, who adamantly opposes the measure he views as rolling back some of his previous reforms, retains a multimillion-dollar war chest that could be used to combat the measure.

In other areas, legislative concern continued over police use of force, exacerbated by the police shooting of a suspect in Sacramento, and subsequent civic demonstrations that filled the streets around the Capitol. The League convened a dialogue in its Public Safety Committee and published a comprehensive interview in the October issue of *Western City* magazine with Sacramento Police Chief Daniel Hahn on strategies to build stronger relationships between the community and local law enforcement.

In the Legislature, the debate was contentious over AB 931 (Weber), which proposed to change the legal standards associated with police use of deadly force; the bill was halted in the Senate during the final days of the session, but the issue is expected to return. In related actions, Gov. Brown vetoed AB 3131 (Gloria), a League-opposed bill that would have overly restricted access by local law enforcement to surplus military equipment, but signed SB 1421 (Skinner), which exposes peace officers to the risk of having their identity revealed for non-sustained or exonerated incidents.

Cannabis Implementation; Industry-BCC End-Run on Deliveries

The fledgling regulatory framework to implement the Adult Use of Marijuana Act authorized by Prop. 64 took effect Jan. 1, 2018. But rather than allowing the law to settle, legislative and administrative efforts continued to change the law, often at the behest of those looking to expand access to and profit from cannabis. Over 30 bills were introduced, and 18 passed.

Though many cities enacted ordinances to permit cannabis activity in their jurisdictions, within months cannabis advocates were arguing that more must be done to accelerate market expansion and access. SB 1302 (Lara) was proposed as an end-run around local authority by allowing statewide cannabis delivery — in conflict with local ordinances. The League and other groups opposed the bill. That opposition, plus a two-thirds vote requirement, caused the measure to stall on the Senate floor. Shortly afterward, however, a similar delivery proposal appeared as part of a 100-plus-page set of proposed regulatory changes advocated by the Bureau of Cannabis Control (BCC). The League, other groups and nearly 100 cities opposed it as conflicting with both the

letter of Prop. 64 and representations made to the voters. Despite the obvious conflicts, the BCC's proposal continued to move forward. The next step will be review by the Office of Administrative Law, but the timing of this is uncertain. Should this regulation take final effect, it would eviscerate local authority over cannabis deliveries and likely result in legal challenges. This experience also raises questions about the growing influence of the cannabis industry on the BCC.

Energy, Climate and Recycling

Over the past decade, California has established itself as a global policy leader in renewable energy, greenhouse gas reduction and other programs responding to global warming. The state established many ambitious goals, which include reducing greenhouse gas emissions 40 percent below 1990 levels by 2030, increasing renewable electricity production by 50 percent, reducing petroleum use in vehicles by 50 percent, doubling energy efficiency in existing buildings, limiting indoor water use to 55 gallons per person, reducing short-lived climate pollutants and more. The pragmatic obstacles and massive costs associated with such rapid change are daunting. Nevertheless, each year, administrative agencies and legislators strive to increase these goals. In 2018, SB 100 (de León) ratcheted up the state's renewable energy objective to 100 percent renewables by 2045, and the Building Standards Commission required solar energy panels on every new housing unit built after 2020. AB 1745 (Ting), which proposed banning the Department of Motor Vehicles from accepting new registrations for any non-zero emission vehicle after 2040, stalled. While such efforts are laudable, at some point a reality check will occur about how willing California residents are to alter their lifestyles and how employers and millions of households will afford all the additional costs.

In other energy and environmental areas, SB 901 (Dodd) established biomass purchasing thresholds for utilities, and SB 237 (Hertzberg) increased the ability of commercial and industrial energy users to purchase energy directly from suppliers rather than through the applicable utility or community choice aggregation. With regard to recycling, SB 212 (Jackson) established a new program to require pharmaceutical and medical sharps manufacturers and distributors to create recycling programs for their products to divert these harmful products from municipal waste streams.

Issues for 2019

Any discussion of issues for 2019 starts with the tone that will be set and policies established by incoming Gov. Gavin Newsom. Based on his record as the former mayor of San Francisco, his experience in business, the books and reports he has published, the contents of his campaign website and his statements made when interviewed by the press and various stakeholder organizations, it is fair to expect he will set a very ambitious and aggressive agenda on some of the major policy challenges facing California, including addressing the widening economic gap between the haves and have-nots, crafting a better health care solution and improving both educational achievement and housing affordability.

Gov. Brown deserves major credit for cleaning up the state's disastrous finances, including eliminating a \$26 billion deficit, repaying many state debts and obligations, convincing state voters to approve a tax increase, enacting pension reform for new hires and stubbornly resisting many legislative spending requests while accumulating a \$14 billion Rainy Day Fund. But at some point, the economy will stall, perhaps accelerated by increasing interest rates and global tariff battles. When it does, the Legislative Analyst's Office predicts that without cuts, the state's Rainy Day Fund would be quickly absorbed, followed by several years of budget deficits that could exceed \$15 billion annually. Despite the present political tensions, the importance of federal funding for state health and welfare, disaster response and other programs cannot be ignored; it will be important for Gov. Newsom and legislators to maintain a working relationship with Congress and the Trump administration.

Robust tax reform discussions are guaranteed with the qualification of the split-roll property tax proposal for the 2020 ballot, the expectation of another ballot proposal by the Realtors to reduce property tax impacts on seniors who move, implementation of sales tax collections under the *Wayfair* decision and renewed debate over how to allocate local sales tax from internet sales. Criminal justice policies will be at the forefront as well, with an expected referendum on bail reform and the California Police Chiefs Association and California Grocers Association's criminal justice ballot proposal qualified for 2020.

Public pensions will continue to create challenges for local agencies as costs increase. A favorable decision by the California Supreme Court may open avenues for additional flexibility. Any judicial ruling modifying the California Rule, however, would likely require state legislation to provide direction and or authority to state and local governments. If not, expect increasing limitations on local services.

Housing supply and affordability will continue to be a focus. The many changes to local land use laws enacted over the past two years should be given time to take effect before more are piled on. Simplistic concepts such as mandating local governments to "build" housing need to take into account economic reality, when the means of production rely on private market decisions and the availability of public subsidies. Recent polling also suggests state voters would reject aggressive efforts to insert the state into local development decisions. In a time of such political division, collaborative approaches should be explored rather than exacerbating the anti-city, anti-resident tone of recent years.

California cities are centers of innovation, commerce and quality-of-life services for 83 percent of the state's population. The variety and unique aspects of our communities reflect the history, priorities and aspirations of our residents. The state's economic success and progress on its climate goals require collaboration with cities rather than confrontation. For cities, restoring workable tax-increment financing and establishing much more aggressive state funding commitments for affordable housing would be a huge step forward.

As 2019 commences, there is much to celebrate about California and the continued promise of its future. The Golden State serves as beacon not only for the nation but for the world. California cities and the League remain committed to our belief in the principles of local democracy, civic engagement and the innovative approaches we take to delivering services and building communities that reflect our residents' needs and desires. The League stands ready to work collaboratively with our new Governor and legislators to continue advancing and improving the quality of life for our residents whom we collectively serve.

ATTACHMENT 1

2018 Statutes

ATTACHMENT 1

I. Community Services

A. Parks and Recreation

AB 1330 (Reyes) Park Property. Ayala Park.

Chapter 476, Statutes of 2018 (Urgency)

This measure allows the Bloomington Recreation and Park District to dispose of property used for park purposes at Ayala Park, if the following conditions are met: (1) any property acquired in exchange for Ayala Park must be used for park purposes and (2) property of equal or greater value must be acquired at no cost to the state. Additionally, this bill allows the BRPD to dispose of Ayala Park property even if it was acquired with grant moneys pursuant to the following Acts:

- The California Park and Recreational Facilities Act of 1984;
- The Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (also known as the Villaraigosa-Keeley Act);
- The Roberti-Z'berg-Harris Urban Open-Space and Recreation Program Act (RZH Act); or
- The Community Parklands Act of 1986.

AB 1762 (Steinorth) State Parks. Visitors. Animals. Dogs.

Chapter 908, Statutes of 2018

This measure requires the Department of Parks and Recreation (DPR) to establish and maintain on its website a list of state parks with information on whether the park or a portion of the park is open to dogs.

AB 2137 (Mayes) Regional Park and Open-Space Districts. General Manager. Powers.

Chapter 278, Statutes of 2018

This measure allows the board of a park or open space district in a public meeting to raise the limit by which the general manager may bind the district to \$50,000 for supplies, materials, labor, construction or other valuable consideration.

AB 2600 (Flora) Regional Park and Open-Space Districts.

Chapter 218, Statutes of 2018

This measure would authorize the formation of a regional park district, regional park and open-space district, or regional open-space district by the adoption of a resolution of application by the legislative body of any county or city that contains the territory proposed to be included in the district. The resolution of application must contain all of the following: (1) the methods by which the district will be financed, including, but not limited to, special taxes and fees; (2) the proposed name for the district and the reasons for forming it; and (3) a description of the territory to be included in the district. The legislative body must conduct a public hearing before adopting a resolution of application and provide public notice, among other things.

AB 2615 (Carrillo) State Highway System. Parks and Recreation. Accessibility for Bicycles and Pedestrians.**Chapter 496, Statutes of 2018**

This measure requires the Department of Transportation (Caltrans), to the extent possible, feasible and cost effective, to partner with appropriate public agencies, including the DPR, federal agencies, regional or local public entities, to develop strategies and plans to improve access for bicycles and pedestrians to federal, state, regional, and local parks adjacent to or connected to the state highway system.

B. Animals**AB 2349 (Chen) Humane Officers. Authorization to Carry a Wooden Club or Baton.****Chapter 20, Statutes of 2018**

This measure authorizes a humane officer to carry a wooden club or baton if he or she is authorized by the appointing society and has completed a course certified by the Commission on Peace Officer Standards and Training (POST).

AB 2445 (O'Donnell) Public Health. Retail Sale of Dogs, Cats, and Rabbits.**Chapter 145, Statutes of 2018**

This measure requires pet store operators to (1) maintain records to document the health, status, and disposition of each animal it sells for two years and (2) to provide to the prospective purchaser of any animal the veterinary medical records and the pet store return policy including the circumstances, if any, under which the pet store will provide follow-up veterinary care for the animal in the event of illness. Upon request by the pet store operator, this measure requires that an animal control agency or shelter or a rescue group that supplies an animal to the pet store provide (1) the terms under which the animal is being transferred to the pet store, including policies on returning a sick animal and (2) information related to the animal, including its origin and any veterinary records.

AB 2774 (Limón) Animal Shelters. Adoption Application. Crimes.**Chapter 877, Statutes of 2018**

This measure authorizes an animal shelter, humane society, society for the prevention of cruelty to animals, animal rescue, or animal adoption organization to ask an individual who is attempting to adopt an animal if they are prohibited from owning or possessing an animal due to animal abuse related misdemeanor or felony violations.

AB 2791 (Muratsuchi) Stray Animals. Impoundment. Puppies. Kittens.**Chapter 194, Statutes of 2018**

This measure permits a puppy or kitten under eight weeks of age that is reasonably believed to be unowned and is impounded in a public or private shelter to be immediately made available for release to a nonprofit animal rescue or adoption organization before euthanasia of the animal.

SB 1249 (Galgiani) Animal Testing. Cosmetics.**Chapter 899, Statutes of 2018**

This measure makes it unlawful for a manufacturer of cosmetic products to import for profit or to sell in this state, any cosmetic developed or manufactured using an animal test on or after January 1, 2020. This includes manufacturing that was conducted or contracted by the manufacturer, or any supplier of the manufacturer. This measure also provides that violations are punishable by an initial \$5,000 fine and an additional \$1,000 for each day the violation continues. Lastly, this measure provides that no county or political subdivision of the state may establish or continue any prohibition on or relating to animal tests that is not identical to the prohibitions set forth in this bill.

SB 1305 (Glazer) Emergency Medical Services Providers. Dogs and Cats.**Chapter 900, Statutes of 2018**

This measure permits an emergency responder to provide basic first aid, to a dog or a cat, without being in violation of the Veterinary Medicine Practice Act.

C. Child Care**AB 605 (Mullin) Child Day Care Facilities. Infant to Schoolage License.****Chapter 574, Statutes of 2018**

This measure requires the Department of Social Services (CDSS), in consultation with stakeholders, to adopt regulations on or before January 1, 2021, to create a child care center license to serve infant, toddler, preschool, and schoolage children. Before January 1, 2024, this measure requires all day care centers to be licensed as child care centers. The regulations must include components for infant, toddler, preschool, and schoolage children, health and safety standards for children in care, and enhanced ability to transition children from one age group to the next.

AB 2370 (Holden) Lead Exposure. Child Day Care Facilities. Family Day Care Homes.**Chapter 676, Statutes of 2018**

This measure requires licensed child day care facilities to, upon enrolling any child, provide parents or guardians with written information related to the risks and effects of lead exposure and blood lead testing recommendations and requirements. This bill also requires licensed child day care centers to test lead water levels, including testing drinking water for lead contamination after January 1, 2020 and before January 1, 2023, and every five years thereafter.

AB 2626 (Mullin) Child Care Services.**Chapter 945, Statutes of 2018**

This measure makes changes to subsidized child care and California State Preschool Programs (CSPP) as of July 1, 2019. These changes include, among other things, raising the income eligibility threshold for families initially applying for subsidized child care services; removing certain age restrictions; providing for staff training for providers

of contracted center-based care; and increasing flexibility in funding adjustments for contractors.

AB 2698 (Rubio) California State Preschool Programs. General Child Care and Development Programs. Mental Health Consultation Services. Adjustment Factors.

Chapter 946, Statutes of 2018

This measure encourages the provision of early childhood mental health consultation services in subsidized early care and education programs and provides that the costs of providing these services are reimbursable. Specifically, this measure defines early childhood mental health consultation service, declares Legislative intent encouraging the provision of such services in CSPP, general child care and development programs, and family child care home education networks funded by a general child care and development program, and requires the application of a reimbursement rate adjustment for children served in programs where these services are provided.

D. Children

AB 2622 (Dahle) After School Education and Safety Program.

Chapter 265, Statutes of 2018

This measure authorizes an After School Education and Safety (ASES) Program that operates at a school site located in an area with low population density (less than 11 persons per square mile) to end operating hours one hour earlier than other ASES programs. Under this bill, low population density programs may end not earlier than 5:00 p.m., whereas other ASES programs are required to operate until at least 6:00 p.m. on every regular school day. Additionally, this bill authorizes the California Department of Education (CDE) to terminate the ASES grant of a school in a program, operating in the same population density area, that fails for three consecutive years to attain 55% (instead of 75%) of its proposed attendance level after having had its program reviewed and grant level adjusted by the CDE.

SB 1041 (Leyva) Childhood Lead Poisoning Prevention.

Chapter 690, Statutes of 2018

This measure requires the California Department of Public Health (DPH) to annually notify health care providers who perform periodic health assessments for children about the risks and effects of childhood lead exposure, and the requirement that children enrolled in Medi-Cal receive blood screening tests. This measure also requires those health care providers to inform parents and guardians about the requirement to test children on Medi-Cal for lead exposure. Lastly, this bill requires DPH to include additional publicly releasable information about the number of children enrolled in Medi-Cal who have and have not received blood lead screening tests.

SB 1097 (Hueso) Lead Poisoning.**Chapter 691, Statutes of 2018**

This measure requires the DPH's mandated report regarding the effectiveness of appropriate lead poisoning case management efforts to include additional data and information, including, but not limited to, the total number of children tested for risk of lead poisoning, the results of blood lead testing by ranges of lead levels, and identified sources of lead exposure for those children having lead poisoning.

E. Natural Disaster Services and Property Insurance**AB 1772 (Aguiar-Curry) Fire Insurance. Indemnity.****Chapter 627, Statutes of 2018 (Urgency)**

This measure extends the minimum time limit for an insured person to collect full replacement cost of a loss related to a "state of emergency" from 24 to 36 months. Insured persons may also extend coverage for six additional months for good cause, including delay in approval or reconstruction of the home. This bill would also require that policy forms issued by an insurer comply with these changes on and after July 1, 2019.

AB 1797 (Levine) Residential Property Insurance.**Chapter 205, Statutes of 2018**

This measure requires residential property insurers to provide policyholders with an estimate of the cost to rebuild or replace the insured dwelling every other year at the time of the offer to renew the policy, subject to certain exceptions. These exemptions include (1) when an insurer offers the policyholder, on an every other year basis, the right to have a replacement cost estimate that complies with the Department of Insurance (DOI) regulation, and (2) when the insurer includes a cost of construction inflation factor to the coverage limit for the dwelling with the offer to renew. These provisions become active on July 1, 2019.

AB 1799 (Levine) Insurance. Policy Documents.**Chapter 69, Statutes of 2018**

This measure requires, when a fire insurer provides a free copy of the policy within 30 days of a request after a covered loss, that the copy of the policy be a complete copy in effect at the time of the loss and shall include the full policy, any endorsements to the policy, and the policy declarations page.

AB 1800 (Levine) Fire Insurance. Indemnity.**Chapter 628, Statutes of 2018 (Urgency)**

This measure clarifies the law that authorizes a policyholder who suffers a total loss to residential property to rebuild or replace the dwelling at a different location, using the full benefits of the policy.

AB 1875 (Wood) Residential Property Insurance.**Chapter 629, Statutes of 2018**

This measure, in response to the large number of underinsured victims of the devastating 2018 wildfires, requires the DOI to establish the California Home Insurance Finder on its Internet Web site to help homeowners connect with an insurance agent or broker for residential property insurance. This tool will help homeowners find insurers that are offering homeowner's policies in their area. This measure also requires an insurer that refuses to offer or renew a homeowner's insurance policy or doesn't offer or declined to offer extended replacement cost coverage to refer the homeowner to the DOI home insurance finder. DOI is required to make this tool available by July 1, 2020.

AB 2229 (Wood) Residential Property Insurance. Disclosures.**Chapter 75, Statutes of 2018**

This measure requires a California Residential Property Insurance Disclosure that is provided on or after January 1, 2020 to include any fire safety-related discounts offered by the insurer.

AB 2576 (Aguiar-Curry) Emergencies. Health Care.**Chapter 716, Statutes of 2018**

This measure authorizes the Governor, during a state of emergency, to direct all state agencies to utilize state personnel, equipment, and facilities to perform activities that allow community clinics and health centers to provide and receive reimbursement for services provided during or immediately following the emergency. This measure authorizes any agency directed by the Governor to perform those activities to expend moneys appropriated to it in order to perform those activities, irrespective of the purpose for which the moneys were originally appropriated.

AB 2594 (Friedman) Fire Insurance.**Chapter 639, Statutes of 2018 (Urgency)**

This measure extends the statute of limitations for a homeowner to sue their insurer for losses from 12 to 24 months, if the loss is related to a declared state of emergency.

AB 2898 (Gloria) Emergency Services. Local Emergencies.*Chapter 395, Statutes of 2018**

This measure extends the amount of time that a governing body has to review the need for continuing a local emergency from 30 days to 60 days.

AB 2941 (Berman) Health Care Coverage. State of Emergency.**Chapter 196, Statutes of 2018**

This measure requires a health plan or insurer to provide an insured who has been displaced by a state of emergency, as declared by the Governor, access to medically necessary health care services. This measure also requires a health plan or insurer to file information with regulators, including:

- A notification describing whether the plan has experienced delays or expects to experience any disruption to the operation of the plan or insurer;

- An explanation of how the plan or insurer is communicating with potentially impacted enrollees; and
- A summary of the actions the plan has taken or is in the process of taking to ensure that the health care needs of enrollees or insureds are met.

AB 3078 (Gallagher) Theft. Burglary. Natural or Manmade Disasters.**Chapter 132, Statutes of 2018**

This measure expands the crime of looting to include theft that occurs while an area is under an evacuation order.

SB 30 (Lara) Insurance. Climate Change.**Chapter 614, Statutes of 2018**

This measure requires the Insurance Commissioner to convene a working group to identify, assess, and recommend incentives that promote investment in natural infrastructure to reduce the risks of climate change to California communities. Potential incentives include mitigation incentives for private investment to lessen exposure and reduce climate risks to public safety, property, utilities and infrastructure.

SB 824 (Lara) Insurers. Declared Disaster. Homeowners' Insurance Policies.**Chapter 616, Statutes of 2018**

This measure prohibits an insurer from canceling or refusing to renew a homeowners' insurance policy for one year from the date of a declaration of a state of emergency. Eligible homeowners must live in a zip code within, or adjacent to, a fire perimeter. This bill also requires insurers with at least \$10 million in written premiums in California to twice a year report to the DOI specific fire risk information on residential property policies. This information includes:

- Fire- or wildfire-incurred losses, if any, reported by property coverage category and the date of the loss;
- The public protection class or its equivalent, if utilized by the insurer;
- The specific numerical or other fire risk score and source of fire risk score;
- Premium; and
- ZIP Code.

SB 833 (McGuire) Emergencies. Office of Emergency Services. Guidelines. Alert and Warning Systems.*Chapter 617, Statutes of 2018**

This measure requires the California Office of Emergency Services (CalOES) to consult with the League, CSAC, and other stakeholders starting July 1, 2019 in developing guidelines for alerting and warning the public of an emergency, including:

- Timelines for sending alerts during an emergency;
- Practices for sending advance warnings of an impending threat;
- Practices for testing, training, and exercising a city's or county's alert warning system; and
- Coordinating alerts with neighboring jurisdictions.

The measure also requires CalOES to share these guidelines with all cities and counties and can impose guideline conditions on any city or county's funding applications for these emergency communications purposes.

SB 894 (Dodd) Property Insurance.

Chapter 618, Statutes of 2018

This measure requires an insurer to do the following after a total loss of a home in a declared disaster area:

- Renew residential property insurance for two annual renewal periods or 24 months, whichever is greater;
- Extend alternative living expenses from 24 to 36 month if the insured acting in good faith encounters a delay in reconstruction;
- Allow the insured to combine payments for primary dwelling and other structures up to policy limits; and
- Pay full replacement value without replacement of the other structures.

SB 917 (Jackson) Insurance Policies.

Chapter 620, Statutes of 2018

This measure provides that if loss or damage results from a combination of threats, one of which is a landslide, mudslide, mudflow, or debris flow, an insurer shall provide coverage if an insured threat is the efficient proximate cause of the loss or damage and coverage would otherwise be provided for the insured threat. This bill also provides that this is declaratory of existing law.

SB 969 (Dodd) Automatic Garage Door Openers. Backup Batteries.

Chapter 621, Statutes of 2018

This measure requires, beginning July 1, 2019, an automatic garage door opener that is manufactured for sale, sold, or installed in a residence to have a battery backup function that is designed to operate during an electrical outage. This measure would create a civil penalty of \$1,000 for violating this provision and would, on and after July 1, 2019, prohibit a replacement residential garage door from being installed that does not meet these requirements.

SB 1040 (Dodd) In-Home Supportive Services. Natural Disasters.

Chapter 789, Statutes of 2018

This measure makes adjustments to the In-Home Supportive Services (IHSS) program where, in the event of a state of emergency, it will allow recipients to continue receiving services and providers to obtain replacement payroll checks, if their checks were damaged or uncashed as a result of the emergency. This measure specifies that recipients of IHSS services are among the low-income persons given first priority for loans from the Predevelopment Loans Fund in the event of a natural disaster. This measure also requires a county, at the next update to its emergency plan, to integrate and require the assessment and provision of supportive services to IHSS recipients.

SB 1181 (Hueso) Emergency Services. Certified Community Conservation Corps. Chapter 623, Statutes of 2018

This measure authorizes CalOES to directly enter into an agreement with one or more certified community conservation corps, to perform emergency or disaster response services.

F. Mental Health and Homelessness

AB 1893 (Maienschein) Maternal Mental Health. Federal Funding.

Chapter 140, Statutes of 2018

This measure requires DPH to investigate and apply for federal funding opportunities for maternal mental health.

AB 2112 (Santiago) Federal 21st Century Cures Act. Community-Based Crisis Response Plan. Grant.

Chapter 315, Statutes of 2018

This measure requires the Department of Health Care Services (DHCS) to develop and submit an application to solicit a grant authorized under the federal 21st Century Cures Act to develop a community-based crisis response plan.

AB 2178 (Limon) Limited Service Charitable Feeding Operations.

Chapter 489, Statutes of 2018

This measure establishes a limited service charitable feeding operation as a new category of regulated food facility, whose food service is limited to storage and distribution of nonpotentially hazardous foods or commercially prepared or packaged hazardous foods, or limited service of commercially prepared foods, and exempts these charitable feeding operations from many, but not all, of the requirements that apply to other food facilities. This measure requires limited service charitable feeding operations to register with the local enforcement agency. The local enforcement agency may charge a fee that does not exceed the reasonable costs of administering and enforcing this bill.

SB 519 (Beall) State Highways. Property Leases.

Chapter 444, Statutes of 2018

This measure authorizes Caltrans to offer leases to the cities of Los Angeles and San Jose, on a right of first refusal basis, for any airspace under a freeway or certain real property acquired for highway purposes located in each city for purposes of operating an emergency shelter or feeding program. The lease amount, for up to 10 parcels, shall be \$1 per month, and a payment of an administrative fee shall not exceed \$500 per year.

SB 918 (Wiener) Homeless Youth Act of 2018.

Chapter 841, Statutes of 2018

This measure establishes the Homeless Youth Act of 2018 to better serve the state's homeless youth population and requires the Homeless Coordinating and Financing

Council (Council) to take on additional related responsibilities that are focused on addressing the needs of youth experiencing homelessness.

The Council is required to set and measure progress towards goals to prevent and end homelessness among youth in California by doing the following:

- Setting specific, measurable goals aimed at preventing and ending homelessness among youth in the state. These goals shall include, but not be limited to:
 - Measurably decreasing the number of young people experiencing homelessness in the state;
 - Measurably increasing permanency rates among young people experiencing homelessness by decreasing the length and occurrences of young people experiencing homelessness caused by a youth's separation from family or a legal guardian;
 - Decreasing the duration and frequency of experiences of homelessness among California's youth; and
 - Decreasing barriers to services through promoting cross-systems partnerships to expedite access to services, including social services, child welfare services, regional center services, and mental health services.
- Defining outcome measures and gathering data related to the goals.

SB 1004 (Wiener) Mental Health Services Act. Prevention and Early Intervention.

Chapter 843, Statutes of 2018

This measure requires the Mental Health Services Oversight and Accountability Commission (Commission) to establish priorities for the use of Mental Health Services Act prevention and early intervention funds. Some of the priorities include childhood trauma prevention and early intervention, early psychosis and mood disorder detection and intervention, and strategies targeting the mental health needs of older adults. This bill also directs the Commission by January 1, 2020 to develop a statewide strategy for monitoring the implementation and effectiveness of prevention and early intervention programs. Lastly, the bill requires the Commission to establish a strategy for technical assistance, support, public education, and evaluation to support the successful implementation of the bill.

***SB 1045 (Wiener) Conservatorship. Serious Mental Illness and Substance Use Disorders.**

Chapter 845, Statutes of 2018

This measure authorizes the County of Los Angeles, the County of San Diego, and the City and County of San Francisco, upon Board of Supervisors approval, to place in a conservatorship a person who is chronically homeless and incapable of caring for their own health and well-being due to serious mental illness and substance use disorder. This bill outlines program requirements, including the following:

- This program may only be used after a Board of Supervisors (1) finds that other mental health services will not be reduced as a result, (2) holds a public meeting to discuss the new program, and (3) identifies funding for supportive housing with wraparound services, public conservators, mental health services, substance abuse disorder services, among others;

- A person may be eligible for conservatorship if the person is incapable of caring for the person's own health and well-being due to a serious mental illness and substance use disorder, as evidenced by "frequent detention for evaluation and treatment" under 72-hour involuntary holds (at least eight times in the last 12 months);
- Conservatorship may be recommended by certain county officials, including the sheriff or the directors of the mental health or social services departments, and considered by a court in a process outlined in the bill; and
- Each county that participates in this program must establish a working group, comprised of representatives of local agencies, labor unions, and disability rights groups, to conduct an evaluation of the effectiveness of the implementation of the conservatorship, and each working group must report to the Legislature.

This measure sunsets on January 1, 2024.

SB 1152 (Hernandez) Hospital Patient Discharge Process. Homeless Patients.
Chapter 981, Statutes of 2018

This measure requires each hospital to include, as part of its hospital discharge policy, a written homeless patient discharge planning policy and process. This measure prohibits a hospital from discharging a homeless patient to a location other than where the patient identifies as his or her residence unless to another licensed facility, or to a social services agency or provider that has agreed to accept the patient, and requires certain conditions to be met prior to discharging the homeless patient.

SB 1363 (Moorlach) Personal Income Taxes. Voluntary Contributions. National Alliance on Mental Illness California Voluntary Tax Contribution Fund.
Chapter 359, Statutes of 2018

This measure authorizes the addition of the National Alliance on Mental Illness California Voluntary Tax Contribution Fund as a voluntary contribution fund on the personal income tax return. After administrative costs, all funding will be disbursed to the National Alliance on Mental Illness California (NAMI) to fund the Crisis Intervention Team program that trains peace officers to assist, and engage safely with, persons living with mental illness.

G. Miscellaneous

***AB 1766 (Maienschein) Swimming Pools. Public Safety.**
Chapter 270, Statutes of 2018

This measure requires certain public swimming pools to provide Automated External Defibrillators (AEDs) during pool operations. This measure applies to public swimming pools that (1) provide lifeguard services and (2) charge a direct fee.

AB 1782 (Muratsuchi) Surfing.**Chapter 162, Statutes of 2018**

This measure establishes surfing as the official state sport.

AB 2456 (Bloom) Arts Council. Peer Review Groups.**Chapter 869, Statutes of 2018**

This measure authorizes the Arts Council to appoint peer review panels whenever necessary. At the discretion of the Council, the peer review panels may receive a per diem, an honorarium, and reimbursement for expenses.

AB 2760 (Wood) Prescription Drugs. Prescribers. Naloxone Hydrochloride and**Other FDA-Approved Drugs.****Chapter 324, Statutes of 2018**

This measure requires a prescriber to offer a prescription for naloxone hydrochloride or another federally approved drug for the complete or partial reversal of opioid depression for patients when certain conditions are present. This measure also requires a prescriber to provide education to those patients and about how these drugs may be used to prevent an overdose.

H. Tobacco**SB 1408 (Pan) Cigarettes. Seizure.****Chapter 613, Statutes of 2018**

This measure deletes the exemption authorizing a person or entity to manufacture or sell cigarettes that do not meet California fire safety standards if the cigarettes are from outside of the state or not meant for sale in the United States. This bill also revises the definition of cigarettes in violation of the Act as contraband and authorizes California Department of Tax and Fee Administration or law enforcement to dispose of cigarettes discovered to be in violation of the Act.

II. Environmental Quality

A. Climate Change

***AB 1775 (Muratsuchi) State Lands. Leasing. Oil and Gas.**

Chapter 310, Statutes of 2018

This measure limits the expansion of offshore oil and natural gas production off the California coast. Specifically, this bill prohibits the State Lands Commission (SLC) or a local trustee from approving new leases for new construction of oil and gas-related infrastructure within state offshore waters. For a lease renewal, extension, amendment or modification, the SLC or a local trustee must follow a new process and consider additional factors.

AB 1796 (Muratsuchi) Rental Property. Electric Vehicle Charging Stations.

Chapter 163, Statutes of 2018

This measure removes the exemption that allows lessors of dwellings subject to a residential rent control ordinance to deny requests of lessees to install electric vehicle (EV) charging stations at parking spaces. A tenant is provided a right to install an EV charging station in residential properties subject to rent control with leases executed, extended, or renewed on or after January 1, 2019.

***AB 1933 (Maienschein) Greenhouse Gas Reduction Fund. Recycling**

Infrastructure Projects.

Chapter 808, Statutes of 2018

This measure expands the list of eligible projects for Greenhouse Gas Reduction Fund (GGRF) waste diversion grant funding to include recovery of food for human consumption and food waste prevention, as well as expansion of facilities that process recyclable materials and improve quality of recycled materials.

AB 2063 (Aguiar-Curry) California Financing Law. PACE Program Administrators.

Chapter 813, Statutes of 2018

This measure establishes additional requirements for Property Assessed Clean Energy (PACE) administrators, solicitors, and consumers. Specifically, this bill requires PACE administrators to establish a process for enrolling, promoting, and evaluating the compliance of, and for canceling the enrollment of, PACE solicitors and PACE solicitor agents that is acceptable to the Commissioner of Business Oversight.

AB 2195 (Chau) Natural Gas. Out-of-State Sources. Greenhouse Gases.

Chapter 371, Statutes of 2018

This measure, beginning January 1, 2020, will require the California Air Resources Board (CARB) to quantify and publish annually the amount of greenhouse gas (GHG) emissions resulting from the loss or release of uncombusted natural gas to the atmosphere and emissions from natural gas flares during all processes associated with the production, processing, and transporting of natural gas imported into the state from out-of-state sources.

AB 2864 (Limón) Coastal Resources: Oil Spills.**Chapter 311, Statutes of 2018**

This measure requires, in the event of an oil spill affecting coastal resources, the Administrator of the Office of Oil Spill Prevention and Response request that the California Coastal Commission or the San Francisco Bay Area Conservation and Development Commission provide state natural resources trustees with a written assessment of the extent, value, and level of damage or injury to coastal resources within their jurisdiction.

AB 3012 (Gallagher) State Coastal Conservancy. Grants. Climate Change**Projects.****Chapter 657, Statutes of 2018**

This measure directs the State Coastal Conservancy to add to the list of projects that address the impacts of climate change it prioritizes for grant funding for public agencies and nonprofit organizations. The additional projects are those that reduce flood risk and enhance fish and wildlife habitat, including projects that remove sediment where excavated material can be used to enhance shorelines or ecosystems.

AB 3232 (Friedman) Zero-Emissions Buildings and Sources of Heat Energy.**Chapter 373, Statutes of 2018**

This measure requires the California Energy Commission (CEC) to develop a plan to ensure that all new residential and nonresidential buildings be zero-emission buildings and have a strategy to achieve a 40% reduction in GHG emissions generated by the state's residential and nonresidential building stock by January 1, 2030. Additionally, this measure establishes several deadlines related to the achievement of this bill's goals, including:

- February 1, 2019, directing the CEC to open a proceeding to consider load management standards and strategies needed to optimize building energy use in a manner that reduces GHG emissions; and
- January 1, 2020, directing the CEC to assess the potential for the state to reduce GHG emissions by the state's residential and commercial building stock by at least 40% below 1990 levels by January 1, 2030;

Beginning in 2021, this measure requires the Integrated Energy Policy Report to include a report on the GHG emissions associated with the supply of energy to residential and commercial buildings by fuel type and by geographic area.

SB 834 (Jackson) State Lands. Leasing. Oil and Gas.*Chapter 309, Statutes of 2018**

This measure limits the expansion of offshore oil and natural gas production off the California coast. Specifically, this bill would prohibit the SLC or a local trustee from approving new leases for new construction of oil and gas-related infrastructure within state offshore waters. For a lease renewal, extension, amendment or modification, the SLC or a local trustee must follow a new process and consider additional factors.

SB 1087 (Roth) PACE Program. Program Administrators.

Chapter 798, Statutes of 2018

This measure makes various technical and clarifying changes to the PACE program.

Specifically, these changes include, but are not limited to:

- Requiring the program administrator to maintain the process of enrollment and canceling enrollment for PACE solicitors and solicitor agents in writing;
- Requiring a program administrator that is unable to verify the property owner's income before the assessment contract is executed, to verify that information in a timely manner following the completion of the contract;
- Prohibiting work to commence under a home improvement contract or perform any services other than obtaining building permits preliminary to the commencement of work; and
- Making a home improvement contract unenforceable, if a property owner enters into a home improvement contract based on the reasonable belief that the work will be covered by the PACE program and the property owner applies for but is not approved for PACE financing in the amount they request.

SB 1147 (Hertzberg) Offshore Oil and Gas Wells.

Chapter 607, Statutes of 2018

This measure directs the State Oil and Gas Supervisor and the SLC to work in coordination to take certain actions to help pay for offshore oil and gas wells and associated infrastructure decommissioning if the operator goes bankrupt.

SB 1477 (Stern) Low-Emissions Buildings and Sources of Heat Energy.

Chapter 378, Statutes of 2018

This measure requires the CEC to develop a statewide market transformation initiative to transform the state's market for low-emission space and water heating equipment for new and existing residential and nonresidential buildings and to develop an incentive program to fund near-zero emission technology for new residential and commercial buildings.

B. Air Quality

AB 193 (Cervantes) Zero-Emission Assurance Project.

Chapter 363, Statutes of 2018

This measure requires CARB to establish the Zero-Emission Assurance Project (ZAP) to encourage purchases of used zero and near-zero emission vehicles by providing rebates for the replacement of a battery, fuel cell, or related components for an eligible used vehicle. This measure sunsets on July 31, 2025.

AB 2006 (Eggman) Charge Ahead California Initiative. Agricultural Worker Vanpool Programs.

Chapter 364, Statutes of 2018

This measure requires CARB to ensure existing agricultural vanpool programs serve disadvantaged and low-income communities. This measure also requires CARB to

allocate a minimum of 25% of the moneys appropriated for agricultural vanpool programs to low-income communities.

AB 2127 (Ting) Electric Vehicle Charging Infrastructure. Assessment.

Chapter 365, Statutes of 2018

This measure requires CEC to assess the amount of electric vehicle (EV) infrastructure needed to meet the goals of putting at least five million zero-emission vehicles on the road and reducing greenhouse gas emissions 40 percent below 1990 levels by 2030.

AB 2145 (Reyes) Vehicular Air Pollution.

Chapter 672, Statutes of 2018

This measure modifies and updates the Clean Truck, Bus, and Off-Road Vehicle and Equipment Program. Among other changes, this measure adds projects that support grid integration and integrated storage solutions and charging management demonstration and analytics to the list of eligible projects for this program.

AB 2381 (Carrillo) Vehicles. Emissions. Certification, Auditing, and Compliance.

Chapter 713, Statutes of 2018

This measure requires CARB to enhance its certification, audit, and compliance activities for new motor vehicles to detect defeat devices or other software used to evade emissions testing. The bill also authorizes CARB to impose a fee on the manufacturers of new motor vehicles to cover the costs of these activities.

AB 2885 (Rodriguez) Air Quality Improvement Program. Clean Vehicle Rebate Project.

Chapter 366, Statutes of 2018

This measure requires CARB, for the purpose of the Clean Vehicle Rebate Project, to (1) provide outreach to low-income households and communities to increase consumer awareness of the rebate project and (2) prioritize rebate payments to low-income applicants. This measure sunsets on January 1, 2022.

SB 1000 (Lara) Transportation Electrification. Electric Vehicle Charging Infrastructure.

Chapter 368, Statutes of 2018

This measure prohibits cities and counties from restricting which types of electric vehicles may access an electric vehicle charging station that is both publicly accessible and received any funding from the state or ratepayers.

SB 1014 (Skinner) California Clean Miles Standard and Incentive Program. Zero-Emission Vehicles.

Chapter 369, Statutes of 2018

This measure requires CARB to establish a baseline for emissions of greenhouse gases for transportation network company (TNC) and charter party carrier vehicles on a per-passenger-mile basis by January 1, 2020 and require CARB to establish annual reduction targets and goals under that baseline for emissions of greenhouse gases by 2023, implemented by the California Public Utilities Commission CPUC.

SB 1016 (Allen) Common Interest Developments. EV-Dedicated TOU Meters.**Chapter 376, Statutes of 2018**

This measure prohibits common interest developments from restricting or prohibiting a homeowner from installing or using an EV charging station, also known as a time-of-use meter (TOU). This measure also requires a homeowner to pay for installation of the charging station placed in a common area or an exclusive use common area, maintain liability coverage, and provide the association with a certificate of insurance.

SB 1072 (Leyva) Regional Climate Collaborative Program. Technical Assistance.*Chapter 377, Statutes of 2018**

This measure establishes a regional climate collaborative program to be administered by the Strategic Growth Council (SGC) to assist disadvantaged and low-income communities in gaining access to statewide public and other grant moneys. This measure requires SGC to develop guidelines for selecting communities that are eligible for the program. Entities that are eligible to participate in the regional collaborative include community-based organizations, nonprofits and foundations, small businesses, local government agencies, joint powers authorities, tribal governments, and other organizations with a history of providing community-based outreach and technical assistance. A regional collaborative must submit one application to the SGC. The SGC may award grants to collaboratives to conduct at least the following capacity-building and technical assistance activities to:

- Conduct outreach and build awareness of competitive grant programs;
- Convene stakeholders to discuss community needs regarding potential climate change mitigation and adaptation projects eligible for statewide competitive grant programs with specific allocations for under-resourced communities;
- Develop community and project plans, including climate action plans, demonstrating local needs and identifying multiple-benefit projects for implementation;
- Support the development of partnerships between stakeholders and potential public and private funding sources;
- Provide policy, program, and technical advice to stakeholders to develop and align multibenefit projects with potential funding sources;
- Serve as an intermediary between community stakeholders and technical assistance programs within relevant agencies and coordinate scientific and technical support from outside experts;
- Coordinate and implement assistance and training to stakeholders in grant application development, project management, implementation, and monitoring; and
- Assist in the development of local job training and anti-displacement programs and policies.

SB 1403 (Lara) California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program.**Chapter 370, Statutes of 2018**

This measure requires CARB to adopt a three-year investment strategy for zero- and near zero-emission heavy-duty vehicles beginning in the 2019-20 fiscal year. This

investment strategy will describe the role of public investments in supporting the demonstration and deployment of advanced technologies, provide an assessment of available funding and the investment needed, and provide a description of CARB's portfolio of investments.

C. California Environmental Quality Act (CEQA)

AB 734 (Bonta) California Environmental Quality Act. Oakland Sports and Mixed-Use Project.

Chapter 959, Statutes of 2018

This measure establishes special procedures for California Environmental Quality Act (CEQA) review, additional conditions for certification, and expedited (270 day) judicial review for the proposed Oakland baseball park and mixed-use development.

AB 987 (Kamlager-Dove) California Environmental Quality Act. Sports and Entertainment Project.

Chapter 961, Statutes of 2018

This measure establishes special procedures for CEQA review, additional conditions for certification, and expedited (270 day) judicial review for a proposed basketball arena and related development in the City of Inglewood. If the lead agency fails to certify an environmental impact report (EIR) for the project before January 1, 2025, this measure will sunset on January 1, 2025.

AB 1804 (Berman) California Environmental Quality Act. Exemption. Residential or Mixed-Use Housing Projects.

Chapter 670, Statutes of 2018

This measure exempts from CEQA residential or mixed-use housing projects located in unincorporated areas of a county meeting certain requirements. This measure requires a lead agency, if the lead agency determines that a residential or mixed-use housing project is exempt from CEQA, to file a notice of exemption with the Office of Planning and Research and the county clerk in the county in which the project is located. This measure sunsets on January 1, 2025.

AB 2341 (Mathis) California Environmental Quality Act. Aesthetic Impacts.

Chapter 298, Statutes of 2018

This measure eliminates consideration of aesthetic effects under CEQA for specified projects. These projects involve the refurbishment, conversion, repurposing, or replacement of an existing abandoned, dilapidated, or vacant building, provided the new structure does not substantially exceed the height of the existing structure or create a new source of substantial light or glare. This measure sunsets on January 1, 2024.

AB 2782 (Friedman) California Environmental Quality Act.

Chapter 193, Statutes of 2018

This measure authorizes lead agencies, when describing and evaluating projects under CEQA, to consider specific economic, legal, social, technological, or other benefits of

the proposed project, including regionwide or statewide environmental benefits. This measure also authorizes the lead agency to consider the negative impacts of denying the project. Any benefits or negative impacts considered must be based on substantial evidence in light of the whole record.

D. Energy and Utilities

AB 1879 (Santiago) Gas Corporation. Service Connections.

Chapter 481, Statutes of 2018 (Urgency)

This measure requires the CPUC, if it determines that a moratorium on new natural gas service connections is necessary to prevent substantial and imminent harm or to ensure gas system reliability, to provide a report stating the need for the action to (1) the Assembly Committee on Utilities and Energy, (2) the Senate Committee on Energy, Utilities and Communications, and (3) the affected gas corporation.

AB 3187 (Grayson) Biomethane. Gas Corporations. Rates. Interconnection.

Chapter 598, Statutes of 2018

This measure requires the CPUC open a proceeding not later than July 1, 2019 to consider options to promote the in-state production and distribution of biomethane.

***SB 100 (de León) California Renewables Portfolio Standard Program. Emissions of Greenhouse Gases.**

Chapter 312, Statutes of 2018

This measure, the 100 Percent Clean Energy Act of 2017, establishes state policy that renewable portfolio standard (RPS)-eligible and zero-carbon resources supply 100% of all retail sales of electricity to California end-use customers no later than December 31, 2045. This measure requires the CPUC, CEC, CARB, and other state agencies to incorporate this policy into planning and to ensure that the agencies do the following:

- Maintain safety, reliability, and balancing of the electric system;
- Prevent unreasonable impacts to customer rates and bills;
- Ensure equity in greenhouse gas emissions reductions between the electricity sector and other sectors to the extent legal and feasible;
- Ensure equivalent RPS and integrated resource plan rules and requirements for all retail sellers and publicly-owned utilities (POUs); and
- Utilize existing programs to achieve the policy and jointly report to the Legislature by January 1, 2021 and every four years.

This measure also accelerates the RPS obligations for investor-owned utilities (IOUs), community choice aggregators (CCAs), energy service providers (ESPs), and POUs as follows:

- 40 percent to 44 percent by 2024;
- 45 percent to 52 percent by 2027; and
- 50 percent to 60 percent by 2030.

This measure also reduces a POUs' obligation to procure renewable resources for the subsequent year, if the POU receives more than 40% of its retail sales from large hydroelectric generation (reduced from existing threshold of 50%) under certain circumstances.

***SB 237 (Hertzberg) Electricity. Direct Transactions.**

Chapter 600, Statutes of 2018

This measure directs the CPUC to make changes to the existing direct access (DA) service program, which authorizes direct energy transactions between electricity suppliers and retail end-use customers. Specifically, this bill:

- Requires the CPUC to expand the permissible capacity of the DA program by 4,000 gigawatt hours apportioned across the service territories of electrical corporations;
- Requires that all DA customers enrolled in the program on January 1, 2019 remain eligible to participate in the program;
- Requires the CPUC to report to the Legislature by June 1, 2020 on further expansion of the program and specifically include phase-in periods for all remaining nonresidential customer accounts; and
- Requires that the CPUC recommendations be consistent with the state's greenhouse gas emission goals, not increase criteria air pollutants and toxic air contaminants, ensure electric system reliability, and not cause undue cost shifting.

SB 700 (Wiener) Self-Generation Incentive Program.

Chapter 839, Statutes of 2018

This measure extends the sunset date for the Self-Generation Incentive Program (SGIP) from December 31, 2019 to December 31, 2024, requires the CPUC to adopt requirements for storage systems to ensure that they reduce greenhouse gas emissions, and prohibits generation technologies using non-renewable fuels from obtaining SGIP incentives as of January 1, 2020.

SB 782 (Skinner) Energy Data Transparency.

Chapter 684, Statutes of 2018

This measure expands the types of buildings covered by the CEC's Building Energy Benchmarking Program to include cottage-style buildings and requires utilities to accept a customer's electronic signature as consent to obtain access to the customer's energy use data. The Building Energy Benchmarking Program is a building energy use benchmarking and public disclosure program.

SB 1028 (Hill) Public Utilities. Rates. Federal Tax Law Changes.

Chapter 411, Statutes of 2018

This measure requires the CPUC to evaluate, for each public utility it regulates, the effect of recent changes to federal law governing taxes on corporations. If the CPUC finds that the changes materially affect the utility's projected expenses and tax liabilities, this measure requires the CPUC to adjust the rates the utility collects from its ratepayers.

SB 1076 (Hertzberg) Emergency Preparedness. Electrical Utilities.

Electromagnetic Pulse Attacks and Geomagnetic Storm Events.

Chapter 353, Statutes of 2018

This measure requires CalOES to develop preparedness recommendations to harden the critical infrastructure of the electrical utilities against an electromagnetic pulse attack, geomagnetic storm event, or other long-term outage.

SB 1090 (Monning) Diablo Canyon Nuclear Powerplant.

Chapter 561, Statutes of 2018

This measure would require the CPUC to approve collection of ratepayer funds for previously denied elements of a Pacific, Gas & Electric (PG&E) application to the CPUC. This measure modifies the CPUC's decision and will facilitate and support the retirement of the Diablo Canyon Nuclear Power Plant.

SB 1110 (Bradford) Energy. California Renewables Portfolio Standard Program.

Local Publicly Owned Electric Utilities.

Chapter 605, Statutes of 2018

This measure provides certain POUs with additional flexibility in complying with the state's requirements to procure renewable energy. Specifically, this measure authorizes certain POUs to mitigate against the loss of public revenues if complying with the state's RPS would lead to decreased generation from a power plant with outstanding public indebtedness that meets specified criteria. This measure only applies to a gas-fired powerplant that is located inside the state, is owned by and serves the electrical demands of a single local POU.

SB 1131 (Hertzberg) Electrical and Gas Corporations. Energy Efficiency.

Financing Options. Industrial and Agricultural Processes. Custom Projects.

Chapter 562, Statutes of 2018

This measure requires the CPUC to authorize investor-owned utilities incentives for customized industrial, agricultural, commercial, residential, and public sector energy efficiency projects based on nationally recognized measurement and verification standards and establishes new requirements and timelines for the CPUC's review of these projects effective July 1, 2019.

SB 1135 (Bradford) Electric Service Rates. Family Electric Rate Assistance

Program.

Chapter 413, Statutes of 2018

This measure codifies the requirements of an existing low-income electric rate discount program, known as the Family Electric Rate Assistance program, for the state's three largest electrical corporations and increase the program discount from 12 percent to 18 percent line-item discount on a low-income customer's electric utility bill.

SB 1136 (Hertzberg) Electricity. Load-Serving Entities. Resource Adequacy Requirements.**Chapter 851, Statutes of 2018**

This measure requires the CPUC, in consultation with the California Independent System Operator, to establish resource adequacy requirements that ensure the reliability of electrical service in California while advancing, to the extent possible, the state's goals for clean energy, reducing air pollution, and reducing emissions of greenhouse gases.

SB 1338 (Hueso) Electrical and Gas Corporations. Rates.**Chapter 518, Statutes of 2018**

This measure prohibits IOUs from disconnecting gas or electric service where a physician assistant certifies that gas or electric service is medically necessary to sustain the life of a customer or to prevent deterioration of that person's medical condition. This measure would also require the CPUC to develop rules requiring each of the four largest IOUs to demonstrate that they are working with the medical community to increase outreach to persons eligible for the medical baseline allowance.

SB 1339 (Stern) Electricity. Microgrids. Tariffs.**Chapter 566, Statutes of 2018**

This measure requires the CPUC, in consultation with the CEC, and the Independent System Operator, to take specified actions by December 1, 2020, to facilitate the commercialization of microgrids for distribution customers of large electrical corporations. This measure requires the governing board of a local POU to develop and make available a standardized process for the interconnection of a customer-supported microgrid, including separate electrical rates and tariffs.

SB 1358 (Hueso) Public Utilities Commission. Proceedings. Hearings.**Chapter 519, Statutes of 2018**

This measure requires the assigned commissioner, rather than the full CPUC to determine whether a proceeding requires a hearing. This measure also establishes that a quiet period begins three days before the CPUC's scheduled vote on a decision.

SB 1369 (Skinner) Energy. Green Electrolytic Hydrogen.**Chapter 567, Statutes of 2018**

This measure requires the CPUC, CARB, and CEC to consider green electrolytic hydrogen as an eligible form of energy storage and consider other potential uses of green electrolytic hydrogen.

SB 1374 (Hueso) State Energy Resources Conservation and Development Commission. Alternative and Renewable Fuel Vehicle Technology Program. Assessments and Forecasts. Integrated Energy Policy Report.**Chapter 611, Statutes of 2018**

This measure deletes outdated reporting requirements for the integrated energy policy report (IEPR). Specifically, this bill deletes the California Consumer Power and Conservation Financing Authority from the IEPR reporting requirements. This measure

sunsets a requirement to include recommendations every four years for maximizing the benefits from natural gas in 2025.

SB 1440 (Hueso) Energy. Biomethane. Biomethane Procurement.

Chapter 739, Statutes of 2018

This measure requires the CPUC, in consultation with CARB, to consider adopting specific biomethane procurement targets or goals for each gas corporation. This measure requires the CPUC to take actions in regards to the development of the targets or goals and the procurement of the biomethane to meet those targets or goals.

E. Solid Waste and Recycling

AB 1884 (Calderon) Food Facilities. Single-Use Plastic Straws.

Chapter 576, Statutes of 2018

This measure prohibits a full-service restaurant from providing single-use plastic straws to consumers unless requested by the consumer. The bill specifies that the first and second violations of these provisions would result in a notice of violation and any subsequent violation would result in a fine of \$25 for each day the full-service restaurant is in violation.

AB 1981 (Limón) Organic Waste. Composting.

Chapter 633, Statutes of 2018

This measure adds the Department of Forestry and Fire Protection (CAL FIRE) to the departments that the California Environmental Protection Agency (CalEPA) consult with when developing and implementing policies relating to meeting the state's organic waste recycling goals and to encouraging the use of compost. This measure sunsets on January 1, 2026.

AB 2097 (Acosta) Carpet Recycling. Annual Reports.

Chapter 340, Statutes of 2018

This measure extends the date by which carpet manufacturers must submit their annual report to California Department of Resources, Recycling and Recovery (CalRecycle) from July 1 to September 1 of each year.

AB 2411 (McCarty) Solid Waste. Use of Compost. Planning.

Chapter 238, Statutes of 2018

This measure requires CalRecycle to develop and implement a plan, by December 31, 2019 to maximize the use of compost for slope stabilization and establishing vegetation in the course of providing debris removal services following a wildfire. It also requires CalRecycle, in coordination with Caltrans, to identify best practices regarding cost-effective use of compost along roadways and to develop a plan to implement those best practices in each of the 12 Caltrans districts.

AB 2493 (Bloom) Beverage Container Recycling. Recycling Centers and Payments.**Chapter 715, Statutes of 2018**

This measure allows payments made under the California Beverage Container Recycling and Litter Reduction Act to be made electronically and provides that a recycling center that uses reverse vending machines or unmanned automated equipment that accepts all types of empty beverage containers is not required to have an employee present during operating hours.

AB 2676 (Gipson) Weighmasters. Junk Dealers and Recyclers. Licenses.**Additional Application Information and Fee.****Chapter 392, Statutes of 2018**

This measure extends the current requirements until January 1, 2024 for a junk dealer or recycler to submit information to the Department of Food and Agriculture (CDFA) when applying for a weighmaster's license, along with the payment of an additional \$500 for each fixed location.

AB 2832 (Dahle) Recycling. Lithium-Ion Vehicle Batteries. Advisory Group.**Chapter 822, Statutes of 2018**

This measure requires the Secretary for Environmental Protection to convene a Lithium-Ion Car Battery Recycling Advisory Group by April 1, 2019. By April 1, 2022, this measure requires the Advisory Group to make recommendations to the Legislature regarding reuse or recycling of lithium-ion vehicle batteries in a safe and cost-effective manner. This measure sunsets on January 1, 2027.

AB 3036 (Cooley) Solid Waste. Byproducts from the Processing of Food or Beverages.*Chapter 832, Statutes of 2018**

This measure clarifies the handling of agricultural materials by prohibiting a local government's franchise agreement to manage solid waste from including byproducts from the processing of food or beverages under certain conditions. Specifically, this bill prohibits cities, counties, districts, and local governmental agencies from subjecting the hauling of byproducts from the processing of food or beverages to an exclusive franchise, contract, license, or permit, if those byproducts: (1) originate from agricultural or industrial sources, (2) do not include animal, including fish, processing byproducts, (3) are source separated by the generator of the byproducts, (4) are not discarded, and (5) are used as animal feed.

SB 212 (Jackson) Solid Waste. Pharmaceutical and Sharps Waste Stewardship.*Chapter 1004, Statutes of 2018**

This measure requires each manufacturer or distributor of drugs or sharps to establish, either separately or jointly, a statewide stewardship program for disposal of medical and sharps waste to be overseen by CalRecycle. The stewardship plan must include a program for the collection, transportation, and disposal of covered products. This measure:

- Requires a stewardship plan for covered drugs to meet certain requirements including at least 5 collection sites per county or 1 collection site per 50,000 residents (whichever is greater) with a reasonable geographic spread, a mail-back program, an alternative form of collection from a user who is homeless, homebound, or disabled, and a service schedule that meets the needs of a collection site so that it is serviced often enough to avoid reaching capacity;
- Requires a stewardship plan for home-generated sharps waste to be a mail-back program that provides containers and materials at no cost to the user at the point of sale, maintain a website and toll-free number for providing information about the program, and upon request provide reimbursement to local agencies for transportation and disposal costs;
- Requires CalRecycle to adopt regulations for implementation no later than January 1, 2021;
- Requires the stewardship program to submit a plan to CalRecycle for approval within six months of adoption of regulations;
- Requires covered entities to pay all administrative and operational costs of the stewardship program;
- Establishes enforcement provisions and sets the administrative penalty at up to \$10,000 per day for violations of the bill, except intentional, knowing or reckless violations are subject to a penalty of up to \$50,000 per day;
- Allows existing local programs that took effect before April 18, 2018 to continue to operate, but if that ordinance is repealed covered entities must be in compliance with this bill within 270 days;
- Prohibits new local stewardship programs with an effective date on or after April 18, 2018; and
- Outlines a process with timelines for the program and CalRecycle to follow.

SB 1335 (Allen) Solid Waste. Food Service Packaging. State Agencies, Facilities, and Property.

Chapter 610, Statutes of 2018

This measure prohibits, for the first time, a state food service facility from dispensing prepared food using food service packaging unless the packaging is on a list maintained by CalRecycle and has been determined to be reusable, recyclable, or compostable. CalRecycle is required to adopt regulations to implement this on or before January 1, 2021, publish a list of approved types of food service packaging on its website, and evaluate that list at least once every five years. This bill does not preempt the authority of a city, county, or city and county to adopt and enforce additional single-use take-out food packaging ordinances, regulations, or policies that are more restrictive than the bill.

F. Hazardous Waste

AB 1980 (Quirk) Statute of Limitations. Hazardous Materials.

Chapter 141, Statutes of 2018

This measure extends the statute of limitations for commencing civil enforcement actions for Aboveground Petroleum Storage Act (APSA) violations from one to five years.

AB 2370 (Holden) Lead Exposure. Child Day Care Facilities. Family Day Care Homes.

Chapter 676, Statutes of 2018

This measure requires licensed child day care facilities to, upon enrolling any child, provide parents or guardians with written information related to the risks and effects of lead exposure and blood lead testing recommendations and requirements. This bill also requires licensed child day care centers to test lead water levels, including testing drinking water for lead contamination after January 1, 2020 and before January 1, 2023, and every five years thereafter.

AB 2902 (Comm. on Environmental Safety and Toxic Materials) Hazardous Substances.

Chapter 721, Statutes of 2018

This measure makes technical changes to the APSA, the Underground Storage Tank Act, and the Hazardous Materials Business Plan Program. This measure also provides the State Water Resources Control Board (SWRCB) with “red tag” enforcement authority that is currently only provided to local agencies known as Certified Unified Program Agencies (CUPAs).

AB 2928 (Chen) Hazardous Waste. Used Oil.

Chapter 440, Statutes of 2018

This measure allows a narrow exemption for used oil with certain characteristics to not be managed as hazardous waste and authorizes generators of highly controlled used oil to test their used oil once per year for the purposes of determining if the used oil is a hazardous waste.

AB 3138 (Muratsuchi) Hazardous Materials. Management. Civil Liability.

Chapter 308, Statutes of 2018

This measure restructures civil and administrative penalties for California Accidental Release Prevention (CalARP) program violations that occur on or after January 1, 2019. Specifically, this measure:

- Raises the maximum civil or administrative penalty for CalARP violations from \$2,000 to \$5,000 per violation per day;
- Changes the criteria a CalARP violation must meet to be subject to a maximum penalty of \$25,000 per violation per day such that any person or stationary source that “knowingly” violates CalARP is subject to this higher penalty; and

- Exempts from certain CalARP penalty provisions violations that are the result of a failure of a local implementing agency's integrated alerting and notification system or are otherwise enforced by the Labor Commissioner.

G. Water

AB 747 (Caballero) State Water Resources Control Board. Administration Hearing Office.

Chapter 668, Statutes of 2018

This measure establishes an Administrative Hearings Office within the State Water Resources Control Board (SWRCB) to preside over water rights proceedings, including water-related cannabis enforcement matters. This measure also establishes procedures and timelines the office must follow.

AB 1270 (Gallagher) Dams and Reservoirs. Inspections and Reporting.

Chapter 3, Statutes of 2018 (Urgency)

This measure requires the Department of Water Resources (DWR) to inspect dams, reservoirs, and appurtenant structures once per fiscal year, except low hazard potential dams which must be inspected at least every two fiscal years. This measure also requires the owner of a dam to operate critical outlets and spillways on an annual basis and to demonstrate full operability to DWR every three years, or as directed by DWR. By January 1, 2019, this bill requires DWR to propose amendments to dam safety inspection and reevaluation protocols to incorporate best practices to ensure public safety.

***AB 1668 (Friedman) Water Management Planning.**

Chapter 15, Statutes of 2018

This measure requires the SWRCB, in coordination with DWR, to adopt long-term standards for the efficient use of water and performance measures by June 30, 2022. Additionally, this bill requires:

- Sets efficient water use standards for indoor residential use, outdoor residential use, outdoor irrigation for landscape with dedicated irrigation meters for commercial, institutional, and industrial water use;
- Urban water use objectives that are the aggregate of the above bullet based on previous year water use and reported annually;
- Requires DWR and the SWRCB to recommend guidelines and objectives for calculating urban water use objectives no later than October 1, 2021;
- Requires the indoor water use standard to be set at 55 gallons per capita daily until 2025, 52.5 gallons per capita daily until 2030, and 50 gallons per capita daily beginning January 1, 2030;
- Requires DWR and the SWRCB to study, investigate, and recommend outdoor water use standards for adoption by SWRCB by October 1, 2021. SWRCB must provide urban retail water suppliers with data to apply the standard and verify accuracy at the parcel level, and an urban retail water supplier may alternative data if it demonstrates that alternative data are equivalent or superior;

- Requires DWR and the SWRCB to study, investigate, and recommend performance measures for commercial, institutional, and industrial water use for adoption by SWRCB by October 1, 2021; and
- Includes enforcement provisions.

AB 1794 (Limón) Ojai Basin Groundwater Management Agency. Southern California Water Company.

Chapter 68, Statutes of 2018

This measure changes the composition of the board of directors for the Ojai Basin Groundwater Management Agency by deleting the requirement that one of the five-member board of directors be a representative of the Southern California Water Company, and instead, requires that one director be chosen by the board as the Community Facilities District Resident Director for a term of three years.

AB 1889 (Caballero) Santa Clara Valley Water District.

Chapter 251, Statutes of 2018

This measure amends the Santa Clara Valley Water District (SCVWD) Act. Specifically: the SCVWD act authorizes the district provide residential tax exemptions to taxpayers that are at least 65 years of age, or who qualify as totally disabled, if the household income is less than an amount approved by the voters of the district. This measure authorizes the district to require information relating to the verification of age, disability status, and income of those seeking an exemption. This measure also makes changes to the structure, requirements, and salaries of those serving on the district's board of directors.

AB 1944 (E. Garcia) Sustainable Groundwater Management. San Luis Rey Valley Groundwater Basin.

Chapter 255, Statutes of 2018

This measure divides the San Luis Rey Valley Groundwater Basin into an upper and lower sub-basin and designates the sub-basins as medium priority until DWR reassesses the basin prioritization. This bill also requires water beneath the surface of the upper sub-basin to be included within the definition of groundwater for purposes of the Sustainable Groundwater Management Act.

AB 2179 (Gipson) Municipal Corporations. Public Utility Service. Water and Sewer Service.

Chapter 863, Statutes of 2018

This measure authorizes a "municipal corporation," defined as a city or a city and county, to utilize alternative procedures to lease, sell, or transfer a municipal utility used for furnishing sewer service. Specifically, this bill:

- Authorizes a municipal corporation owning and operating sewer service utility that provides sewer service outside the boundaries of the municipal corporation, to lease, sell or transfer the portion of the utility located outside the boundaries of such municipal corporation to another public entity or utility upon a majority vote of the board, provided there is adequate justification for the sale or transfer;

- Authorizes a municipal corporation owning a public utility for furnishing sewer service to sell the public utility within its boundaries with a majority vote of its legislative body and a majority vote of the electorate;
- Requires the municipal corporation, public agency, water corporation, or sewer system corporation that is proposing to acquire sewer service from a municipal corporation to provide to the customers of the system to be acquired a written statement that includes (1) a summary of the price and terms, (2) a comparison of applicable sewer charges before and after the proposed acquisition, and (3) the estimated savings to be achieved or additional costs to be expected to result from the proposed acquisition; and
- Authorizes a municipal corporation to lease a sewer service utility by a resolution adopted by a majority of its legislative body and without lease term or other restrictions.

AB 2339 (Gipson) Water Utility Service. Sale of Water Utility Property by a City.
Chapter 866, Statutes of 2018

This measure authorizes the cities of El Monte, Montebello, and Willows, until January 1, 2022, to sell their water systems in order to consolidate their water systems with another public water system without obtaining voter approval.

AB 2371 (Carrillo) Water Use Efficiency. Landscape Irrigation.
Chapter 867, Statutes of 2018

This measure requires the implementation of policies that affect outdoor landscape water use efficiency, including but not limited to:

- Requiring the Contractors State Licensing Board to revise the landscaping contractor's license examination (C-27) to, among other things, include questions on water efficient landscape practices;
- Requiring updating the model water efficient landscaping ordinance (MWELO) to include, provisions to reduce water use, a provision that each plant or representative number of each plant type installed at a new landscape be identifiable at the time of inspection;
- Requiring the Secretary of the CDFA to, by June 30, 2019, convene a working group. The working group is required to examine currently available consumer information available on landscape plant water use, and to explore options for improving consumer information on landscape plant water use. The working group, by January 1, 2020, is required to provide a written overview of its findings and recommendations; and
- Requiring on or before January 1, 2020, and at least every three years thereafter, the DWR consider and propose revisions to the Water Use Classification of Landscape Species (WUCOLS).

AB 2516 (Eggman) Dams. Reservoir Restrictions.
Chapter 543, Statutes of 2018

This measure requires DWR to post on its website and annually update a report of reservoir restrictions. The report must contain the name of each reservoir that is subject to a restriction and the associated downstream hazard potential classification, the

effective date on the restriction, the reason for the restriction, and any actions by the dam owner reports to address the restriction.

AB 2975 (Friedman) Wild and Scenic Rivers.

Chapter 221, Statutes of 2018

This measure requires the Secretary of Natural Resources, under two circumstances, to determine whether the state should protect a river or segment of a river that has lost or will lose protection under the federal wild and scenic rivers system is in the best interests of the state. The two circumstances are: (1) if the federal government enacts a statute to remove a river or segment that is in the national wild and scenic rivers systems but not in the state wild and scenic rivers system; or (2) the Secretary determines that the federal government has exempted a river or segment that is not in the state wild and scenic river system from federal protections. If the Secretary determines that state protection is in the best interests of the state, the Secretary is required to add the river or segment to the state wild and scenic rivers system until December 31, 2025.

SB 606 (Hertzberg) Water Management Planning.

Chapter 14, Statutes of 2018

This measure revises Agricultural Water Management Plan (AWMP) requirements to require AWMPs to quantify measures to increase agricultural water use efficiency, include an annual water budget, and include drought planning, among other things.

SB 881 (Wieckowski) Flood Control. County of Santa Clara. South San Francisco Bay Shoreline Project.

Chapter 685, Statutes of 2018

This measure authorizes the state to provide subvention funds to SCVWD for the South San Francisco Bay Shoreline Project if (1) the project is constructed in accordance with the federal Water Infrastructure Improvements for the Nation Act and (2) substantially in accordance with the recommendations of the Engineers Report developed by the U.S. Army Corps of Engineers Chief of Engineers. This bill also specifies that the state assumes no liability for damages that may result from the project, except for damages resulting from activities of the State Coastal Conservancy.

SB 955 (Nielsen) Oroville Dam. Citizens Advisory Commission.

Chapter 509, Statutes of 2018

This measure creates the Citizens Advisory Commission for Oroville Dam as an independent entity within the DWR and specifies, among other things, membership, term limits, and meeting requirements.

SB 959 (Beall) Water Corporation. Advice Letters.

Chapter 409, Statutes of 2018

This measure requires a water corporation, with more than 10,000 service connections, to maintain on its website an archive of all pending, approved, or rejected advice letters filed with the CPUC on or after January 1, 2019. The advice letter must do all of the following things:

- Provide a direct link from its website to each advice letter;
- Maintain advice letters in numerical order; and
- Include a link to the commission's index of advice letters on the water corporation's website.

SB 963 (Allen) Water Replenishment Districts.**Chapter 351, Statutes of 2018**

This measure repeals certain limitations on the reserve funds of the Water Replenishment District of Southern California (WRD). Among other things, this measure (1) deletes provisions that require WRD to establish an annual reserve fund not to exceed \$10 million and limitations on the reserve; (2) requires WRD to have an independent audited financial statement no later than 180 days after the end of the fiscal year; and (3) revises rules regarding the audited financial statement.

SB 998 (Dodd) Discontinuation of Residential Water Service. Urban and Community Water Systems.*Chapter 891, Statutes of 2018**

This measure changes the practice of water purveyors as it relates to discontinuation of residential water service for nonpayment. Specifically, this measure:

- Requires public water systems with more than 200 connections to have a written policy on discontinuation of residential water service (shutoff) and provide that policy in multiple languages;
- Prohibit shutoff until the bill has been delinquent for 60 days;
- Prohibits shutoff for nonpayment if all of the following conditions are met: (1) the customer, or tenant, submits a certification of a primary care provider that discontinuation of residential service will be life threatening or pose a serious threat to the health and safety of a resident, (2) the customer demonstrates that he or she is financially unable to pay within the normal billing cycle, and (3) the customer is willing to enter into an amortization agreement, alternative payment schedule, or plan for deferred or reduced payment for all delinquent charges;
- Requires the water system to provide information on how to restore residential service and petition for a waiver of reconnection fees;
- Requires the water system to waive reconnection fees and offer a reduction or waiver of interest on delinquent bills once every 12 months for a residential customer who shows an income below 200% of the federal poverty line;
- Caps reconnection fees at \$50 or less, with the fee not to exceed the actual cost of reconnection;
- Requires the water system to make every good faith effort to inform a tenant by written notice when the owner's account is in arrears and service is going to be terminated, and requires continued service if the tenant assumes responsibility to the satisfaction of the water system; and
- Authorizes the SWRCB to enforce the requirements and the Attorney General to bring an action for temporary or permanent injunction.

SB 1073 (Dodd) Flood Control. Napa River.**Chapter 412, Statutes of 2018**

This measure authorizes the state to fund construction of the unconstructed phases of the Napa River Flood Control Project when there are no available federal funds for the project. The funding would be cost-shared between the state and local sponsor as previously authorized, except that the state share cannot exceed the state share if project funding was available.

SB 1084 (Berryhill) Mono County Tri-Valley Groundwater Management District.

Chapter 111, Statutes of 2018

This measure makes changes to the board and duties of the Mono County Tri-Valley Groundwater Management District. This bill's changes include, but are not limited to:

- Increasing the membership of the district's board to eight by adding an additional member that must be a resident and property owner within the district;
- Providing for the election of the board member at the November 3, 2020, election and allows the other board members to appoint a temporary board member to fill the vacancy until the election, and repeals the ability of a board member to appoint another person to sit on the board in his or her place; and
- Converting the board member that is a member of the board of supervisors to an ex-officio, non-voting member.

SB 1126 (Portantino) Upper Los Angeles River and Tributaries Working Group.

River Ranger Program.

Chapter 895, Statutes of 2018 (Urgency)

This measure adds the Arroyo Seco Tributary to the list of waterways that must be included in a revitalization plan for the Upper Los Angeles River.

***SB 1215 (Hertzberg) Provision of Sewer Service. Disadvantaged Communities.**

Chapter 982, Statutes of 2018

This measure grants new authority to the regional water boards to order local governments to extend sewer service to disadvantaged communities that have inadequate sewage treatment systems. Additionally, this bill:

- Defines "onsite sewage treatment system" as including, but not limited to, a septic tank, cesspool, leach field, and seepage pit;
- Defines "inadequate onsite sewage treatment system" as an onsite sewage treatment system that has the reasonable potential to cause a violation of water quality objectives, to impair present or future beneficial uses of water, or to cause pollution, nuisance, or contamination of waters of the state;
- Authorizes extension of sewer service can be undertaken by (1) annexation by a special district, (2) extension of service by a city, county, or special district, or (3) additional service provided within a city, county, or special district;
- Allows property owners of an affected residence to opt out for up to five years if their onsite sewage treatment system was installed within 10 years of the issuance of the order and it is not an inadequate onsite sewage treatment system;
- Outlines a process by which the regional water board may undertake this action, including a public meeting, and prohibits the order if the receiving sewer service is more than three miles away from the disadvantaged community; and

- Requires the SWRCB to make funds available, upon appropriation by the Legislature, to the receiving sewer system for the costs of completing the provision of sewer service.

H. Water – Drinking Water

AB 2501 (Chu) Drinking Water. State Administrators. Consolidation and Extension of Service.

Chapter 871, Statutes of 2018

This measure revises existing law to expand the authority of the SWRCB to order the consolidation of, and appoint an administrator for, drinking water systems that serve disadvantaged communities and consistently fail to provide safe, affordable drinking water.

AB 2541 (Salas) Safe Drinking Water State Revolving Fund. Project Financing. Severely Disadvantaged Communities.

Chapter 217, Statutes of 2018

This measure authorizes the SWRCB, to the extent allowed by federal law, to provide up to 100% grant funding, principal forgiveness and 0% financing on loans from the Safe Drinking Water State Revolving Fund to a project for a water system that serves a severely disadvantaged community.

AB 2900 (Comm. on Environmental Safety and Toxic Materials) Proposed New Public Water System. Preliminary Technical Report.

Chapter 195, Statutes of 2018

This measure authorizes the SWRCB to approve, before the end of a six-month waiting period, a preliminary technical report and allow construction to proceed on a proposed new public water system.

I. Water – Quality

***SB 966 (Wiener) Onsite Treated Nonpotable Water Systems.**

Chapter 890, Statutes of 2018

This measure establishes a regulatory framework for onsite treatment and reuse of nonpotable water. Specifically, this bill:

- Requires the SWRCB by December 1, 2022, in consultation with the California Building Standards Commission and the Department of Housing and Community Development (HCD) to adopt regulations for risk-based water quality standards for the onsite treatment and reuse of nonpotable water;
- Requires a city, county, or city and county that elects to establish a program for onsite treated nonpotable water systems to (1) adopt, through ordinance, a local program that includes the risk-based water quality standards established by the SWRCB and (2) consult with the local water or sewer service provider; and

- Requires HCD, in consultation with SWRCB, to develop and propose any necessary corresponding building standards to support the risk-based water quality standards established by SWRCB by December 1, 2023.

SB 1133 (Portantino) Water Quality Control Plans. Funding.**Chapter 355, Statutes of 2018**

This measure authorizes a regional water quality control board to accept and spend donations of moneys from a permittee for updating a water quality control plan.

SB 1263 (Portantino) Ocean Protection Council. Statewide Microplastics Strategy.**Chapter 609, Statutes of 2018**

This measure requires, on or before December 31, 2024, the Ocean Protection Council, in collaboration with the SWRCB and the Office of Environmental Health Hazard Assessment, to adopt and implement a Statewide Microplastics Strategy. This bill also authorizes those entities to enter into contracts with marine research institutes for the provision of research services that would contribute directly to the development of the Statewide Microplastics Strategy.

SB 1367 (Atkins) San Diego River Conservancy. San Diego Watershed**Consortium Program.****Chapter 738, Statutes of 2018**

This measure requires the San Diego River Conservancy to establish the San Diego Rivers Watershed Consortium Program, including the establishment of advisory panels for each of the neighboring Sweetwater, Otay, and Tijuana River watersheds with specified membership, meeting and planning requirements, and the establishment of the San Diego Rivers Watershed Consortium Account which may be spent by the San Diego River Conservancy for purposes of the program.

SB 1422 (Portantino) California Safe Drinking Water Act. Microplastics.**Chapter 902, Statutes of 2018**

This measure requires the SWRCB, on or before July 1, 2021, to adopt requirements for the testing and reporting of the amount of microplastics in drinking water.

J. Wildfire Prevention & Forest Management**AB 1954 (Patterson) Timber Harvest Plans. Exemption. Reducing Flammable Materials.****Chapter 207, Statutes of 2018**

This measure extends the sunset date for an exemption from timber harvest plan's requirements for defensible space surrounding a habitable structure and deletes a duplicative reporting requirement. This measure sunsets on January 1, 2022.

AB 1956 (Limón) Fire Prevention Activities. Local Assistance Grant Program.
Chapter 632, Statutes of 2018

This measure establishes a local assistance grant program through CAL FIRE to improve fire prevention in California and ensure that fire prevention activities happen year round. This bill also requires local agencies, resource conservation districts, fire safety councils, the California Conservation Corps, certified local conservation corps, University of California (UC) Cooperative Extension, Native American tribes, and qualified nonprofit organizations to be eligible for grants.

AB 2091 (Grayson) Fire Prevention. Prescribed Burns. Insurance Pool.
Chapter 634, Statutes of 2018

This measure expresses the intent of the Legislature to enact legislation to increase the pace and scale of the use of prescribed fire and to reduce barriers for conducting prescribed burns. This bill also requires the Forest Management Task Force, in coordination with the DOI, to develop recommendations for an insurance pool or other mechanism to assist prescribed burn managers and reduce the cost of conducting prescribed fire.

AB 2126 (Eggman) California Conservation Corps. Forestry Corps Program.
Chapter 635, Statutes of 2018

This measure requires the Directors of the California Conservation Corps to establish a forestry corps program by July 1, 2019 with one crew in place in the Central Valley, one in the Inland Empire, and two in state responsibility areas or a very high hazard fire zone by January 1, 2020. Forest health projects undertaken by the program may include, but are not limited to, fuels reduction and hazardous fuels removal, seedling and tree planting, cone and seed collection, tree mortality and tree felling, tree nursery and arborist training, forestry and conservation awareness and educational outreach, participation in forestry pilot programs, and wildlands forest firefighting training.

AB 2380 (Aguiar-Curry) Fire Protection. Privately Contracted Private Fire Prevention Resources.

Chapter 636, Statutes of 2018

This measure requires CALOES, in collaboration with CAL FIRE, to develop standards and regulations for any privately contracted fire prevention resources operating during an active fire incident in the state.

AB 2551 (Wood) Forestry and Fire Prevention. Joint Prescribed Burning Operations. Watersheds.

Chapter 638, Statutes of 2018

This measure authorizes the director of CAL FIRE to enter into agreements with landowners or public agencies that have authority over wildland to conduct prescribed burning operations that serve the public interest and are beneficial to the state. This measure also authorizes the California Natural Resources Agency and CalEPA to develop and submit to the Legislature a plan for forest and watershed restoration investments for the drainages that supply the Oroville, Shasta, and Trinity Reservoirs,

and to develop and propose a pilot project for certain watershed restoration activities in those areas.

AB 2889 (Caballero) Timber Harvest Plans. Guidance and Assistance.

Chapter 640, Statutes of 2018 (Urgency)

This measure requires CAL FIRE to provide guidance and assistance to ensure the uniform and efficient implementation of procedures regulating the filing, review, approval, required modification, completion, and appeal of decisions relating to timber harvesting plans.

AB 2911 (Friedman) Fire Safety.

Chapter 641, Statutes of 2018

This measure makes various changes to fire safety planning efforts, defensible space requirements, and electrical transmission or distribution lines' vegetation clearance requirements with the intent to improve the fire safety of California communities.

Specifically, this measure:

- Requires a local agency to transmit a copy of its adopted ordinance designating very high fire hazard severity (VHFHS) zones to the Board of Forestry and Fire Protection (Board);
- Removes exemptions from requirement that a local agency designate, by ordinance, very high fire hazard severity zones in its jurisdiction within 120 days of receiving recommendations from the director of CAL FIRE;
- Requires, no later than January 31, 2020, the State Fire Marshal (SFM), in consultation with CAL FIRE and the HCD to recommend building standards that provide for comprehensive site and structure fire risk reduction to protect structures from fire risk, based on information learned from the 2017 wildfire season;
- Requires, no later than January 31, 2020, the SFM, in consultation with CAL FIRE and HCD to develop a list of low-cost retrofits that provide for comprehensive site and structure fire risk reduction to protect structures from fire risk;
- Requires CAL FIRE to incorporate the list in its fire prevention education and outreach efforts;
- Requires, before July 1, 2020, the Office of Planning and Research to update the guidance document entitled "Fire Hazard Planning General Plan Technical Advice Series" and update not less than once every eight years;
- Authorizes the Board, within 15 days of receipt of notification that its fire prevention recommendations will not be accepted by the local government, to request a consultation, prior to approval of the draft element or amendment, conducted in person, electronically, or by phone;
- Requires on or before July 1, 2021, and every five years thereafter, the Board, in consultation with the SFM, to survey local governments to identify existing subdivisions in SRA or VHFHS zones without a secondary egress route that are at significant fire risk; and
- Authorizes owners of any electrical transmission or distribution line to traverse land as necessary, regardless of land ownership or permission from the owner,

after providing notice and an opportunity to be heard to the land owner, to prune trees to maintain and to abate, by pruning or removal, any hazardous, dead, rotten, diseased, or structurally defective live trees.

***SB 465 (Jackson) Property Assessed Clean Energy Program. Wildfire Safety Improvements.**

Chapter 837, Statutes of 2018

This measure expands, until January 1, 2029, PACE financing to allow cities and counties in very high fire hazard severity zones to authorize contractual assessments for property owners to finance wildfire safety improvements. Eligible wildfire safety improvements are improvements identified by CAL FIRE at a specified website that can be fixed to an existing residential, commercial, industrial, agricultural or other building or structure, including ember-resistant roofs, dual-paned windows, driveways, and various ignition-resistant products such as walls, decks, and patio covers. This measure outlines a procedure to be taken by the local agency before PACE financing can be used for wildfire improvements, as follows:

- Authorizes the legislative body of any public agency that has accepted the designation of very high fire hazard severity zones to designate an area within which authorized public agency officials and property owners may enter into these PACE agreements; and
- Requires the legislative body to adopt a resolution indicating its intention to establish this program and requires the resolution to identify the kinds of wildfire safety improvements that may be financed, among other things.

***SB 901 (Dodd) Wildfires.**

Chapter 626, Statutes of 2018

This measure addresses numerous issues concerning wildfire prevention and recovery, including forest management and fuel reduction, mutual aid, wildfire mitigation planning by electric utilities, and cost recovery for wildfire-related damages. (*The League has prepared a comprehensive summary of this measure in Appendix A of this document.*)

SB 1079 (Monning) Forest Resources. Fire Prevention Grants. Advance Payments.

Chapter 622, Statutes of 2018 (Urgency)

This measure authorizes CAL FIRE to make advance payments to grantees, including local governments, from specified grants it administers. This bill limits these payments to 25% of the total grant award and requires CAL FIRE to report to the Legislature on the program by January 1, 2023. This measure sunsets on January 1, 2024.

SB 1181 (Hueso) Emergency Services. Certified Community Conservation Corps.

Chapter 623, Statutes of 2018

This measure authorizes CalOES to directly enter into an agreement with one or more certified community conservation corps, to perform emergency or disaster response services.

SB 1260 (Jackson) Fire Prevention and Protection. Prescribed Burns.**Chapter 624, Statutes of 2018**

This measure is an omnibus fire prevention and forestry management bill with the intent of promoting long-term forest health and wildfire resiliency. It makes various changes related to local fire planning, prescribed fire requirements, and broader fire prevention efforts, including the following:

- Requires a local agency to transmit a copy of its adopted ordinance designating VHFHS zones to the Board within 30 days of adoption;
- Removes exemptions from the requirement that a local agency designate, by ordinance, VHFHS in its jurisdiction within 120 days of receiving recommendations from the director of CAL FIRE;
- Authorizes the Board to recommend changes to a planning agency's safety element for methods and strategies accepted as best practices in the most recent guidance document entitled "Fire Hazard Planning, General Plan Technical Advice Series";
- Requires a city or county that contains either SRA or VHFHS zones to notify the Board if it adopts or amends the safety element of its general plan;
- Requires, upon approving a tentative map or a parcel map for an area located in either the SRA or VHFHS zone, the local agency to transmit a copy of the minimum fire safety standards findings required and accompanying maps to the Board;
- Authorizes the air pollution control officer of Los Angeles County to permit open outdoor fires to dispose of agricultural wastes, wood waste from trees, vines, bushes, or other wood debris free of non-wood materials, in a mechanized burner to limit air contaminants;
- Authorizes a person with a CAL FIRE burn permit to use fire to abate a fire hazard;
- Prescribes rules for CAL FIRE to authorize prescribed burns under certain conditions, execute burn agreements with the federal government, and enhance public education regarding fire prevention and public safety; and
- Requires CAL FIRE and the CARB, in coordination with local air districts, to develop and fund a program to enhance air quality and smoke monitoring and to provide a public awareness campaign regarding prescribed burns, subject to appropriation by the Legislature.

K. Miscellaneous**AB 1423 (Chiu) Tidelands and Submerged Lands. City and County of San****Francisco. Seawall Lots. Affordable Housing.****Chapter 526, Statutes of 2018**

This measure, for the purpose of seawall lot 322-1 in the City and County of San Francisco, (1) revises the definition of "affordable housing" to include a structure that provides housing for persons and families of low or moderate income, persons and families from very low-income households, or persons and families from extremely low-

income households and (2) provides that affordable housing includes certain incidental or ancillary uses.

AB 2062 (Maienschein) State Highways. Landscaping.

Chapter 165, Statutes of 2018

This measure requires Caltrans, when appropriate, to include California native wildflowers and climate-appropriate vegetation in planting projects, with priority given to those species of wildflowers that will help rebuild pollinator populations.

AB 2441 (Frazier) Sacramento-San Joaquin Delta. Removal of Abandoned Commercial Vessels.

Chapter 540, Statutes of 2018

This measure requires the SLC, by July 1, 2019, to develop a plan for the removal of abandoned commercial vessels for lands in the Sacramento-San Joaquin Delta (Delta).

AB 2450 (Quirk) Electrically Conductive Balloons.

Chapter 262, Statutes of 2018

This measure requires manufacturers of balloons constructed of electrically conductive material in California to permanently mark each balloon with a warning about the dangerous risk of fires if a balloon comes in contact with an electrical power line. This bill also makes violating requirements related to selling or distribution of electrically conductive material balloons subject to civil, rather than criminal, penalties.

AB 2470 (Grayson) Invasive Species Council of California.

Chapter 870, Statutes of 2018

This measure codifies the Invasive Species Council of California (ISCC) and allows ISCC to establish the California Invasive Species Advisory Committee to assist in a comprehensive effort to suppress and eradicate invasive species in California. This measure also makes changes to the allocation of grant funds from the Noxious Weed Management Account (NWMA) and establishes a framework for local and state agencies and other stakeholders to coordinate efforts to suppress and eradicate diseases associated with the spread of invasive shot hole borers.

AB 2901 (Comm. on Environmental Safety and Toxic Materials) Cleaning Product Right to Know Act of 2017.

Chapter 28, Statutes of 2018

This measure updates and corrects references to certain names of entities and substances within the Cleaning Product Right to Know Act of 2017.

AB 2998 (Bloom) Consumer Products. Flame Retardant Materials.

Chapter 924, Statutes of 2018

This measure prohibits, on or after January 1, 2020, a person from selling or distributing any reupholstered furniture or any new juvenile products, mattresses, or upholstered furniture that contain flame retardant chemicals above certain levels.

AB 3133 (Berman) State Public Works Board.**Chapter 242, Statutes of 2018**

This measure adds the Secretary of the Natural Resources Agency as a member of the State Public Works Board for the purpose of hearing and deciding matters related to the acquisition of properties or construction of projects under the jurisdiction of the Natural Resources Agency. This measure also requires the chairperson of the board, when the Secretary is serving as a board member, to cast the deciding vote in the case of a vote that results in a tie.

AB 3257 (Comm. on Natural Resources) Natural Resources.**Chapter 349, Statutes of 2018**

This measure makes a number of changes to provisions governing the operation of the Surface Mining and Reclamation Act of 1975 (SMARA). These changes include authorizing a civil servant with a Forester I classification to be certified as a Forest Officer, deleting references to obsolete sections of the Public Resources Code, and requiring CAL FIRE to additionally submit its report on fire prevention activities to the appropriate policy committees, including the Assembly and Senate budget and fiscal committees.

SB 473 (Hertzberg) California Endangered Species Act.**Chapter 329, Statutes of 2018**

This measure makes technical changes to the California Endangered Species Act arising after consultation with academic, conservation, and business organizations and technical assistance provided by the Department of Fish and Wildlife. Among the changes are a requirement that the listing of endangered or threatened species be based solely upon the best available scientific information, clarification that public agencies are covered under the act, authorization for the Department of Fish and Wildlife to develop and implement recovery plans for threatened and endangered species, and definition of routine and ongoing agricultural activities for the purposes of the accidental take exemption.

SB 854 (Comm. on Budget and Fiscal Review) Public Resources.**Chapter 51, Statutes of 2018 (Urgency)**

This measure makes various statutory changes to implement the resources, environmental protection, energy, and agriculture budget actions. This bill contains numerous statutory changes that do the following:

- Clarifies the process for dam owners where there is an existing or partial Emergency Action Plan or inundation map as of March 1, 2017. Also requires dam owners with partial Emergency Action Plans or inundation maps to develop a timeline by which they will develop the comprehensive Emergency Action Plan and inundation maps;
- Authorizes CARB to make advance payments to grantees of a grant program if the advance payments are necessary to meet the purposes of the program and additional criteria are met;

- Clarifies the authority of the California Highway Patrol (CHP) to arrest individual transporters who illegally transport out-of-state empty containers for redemption in California;
- Extends the sunset date on the Plastic Market Development Program to July 1, 2022; and
- Requires the Office of Environmental Health Hazard Assessment (Office) to publish public health goals for drinking water contaminants since 1998. This measure requires each public health goal to be reviewed at least once every five years unless the Office determines that there has not been a detection of the corresponding contaminant.

SB 1481 (Hill) Structural Pest Control. Certification. Fumigation. Penalties.

Chapter 572, Statutes of 2018

This measure makes various changes to the Structural Pest Control Act intended to improve oversight of entities regulated by the Structural Pest Control Board (SPCB) and subjects the SPCB to review by the appropriate policy committees of the Legislature in four years.

III. Governance, Transparency and Labor Relations

A. California Public Records Act (CPRA)

AB 2561 (Flora) Vital Records. Local Registrar. Copy of Records.

Chapter 147, Statutes of 2018

This measure requires each local registrar of births and deaths to transmit a copy of each original birth certificate and death certificate to the county recorder for the special county record and forward the original certificates to the State Registrar. This measure requires (rather than permitting under existing law) local registrars, after two years (rather than one year in existing law) from the date of registration to dispose of its copies of the records if the original copies of the records are on file in the office of the State Registrar; and copies of the records are on file in the office of the county recorder.

***SB 1244 (Wieckowski) Public Records Disclosure.**

Chapter 463, Statutes of 2018

This measure places the term “plaintiff” with the term “requester” in the California Public Records Act (CPRA) to clarify that the court shall award court costs and reasonable attorney’s fees to the requester should the requester prevail in litigation. Additionally, this measure clarifies that the court shall award court costs and reasonable attorney fees to the public agency if the court finds that the requester’s case is clearly frivolous. Attorney fees and cost awards in reverse-CPRA actions are not impacted by this measure.

B. Elections

AB 216 (Gonzales Fletcher) Vote by Mail Ballots. Identification Envelopes. Prepaid Postage.

Chapter 120, Statutes of 2018

This measure requires the postage on return envelopes for vote by mail (VBM) ballots to be prepaid. This measure adds an elections-related mandate by requiring local election officials to prepay the return postage for VBM ballots.

AB 306 (Gonzales Fletcher) Vote by Mail Ballots.

Chapter 203, Statutes of 2018

This measure requires a person who is designated by a VBM voter to return the voter’s ballot in person or to put it in the mail no later than three days after receiving it from the voter. This measure prohibits disqualifying a ballot from being counted solely because it was returned or mailed more than three days after the designated person received it from the voter, provided that the ballot is returned by the designated person before the close of polls on Election Day.

AB 666 (Aguiar-Curry) Elections. Voter Information Guides. Candidate Statements.**Chapter 160, Statutes of 2018**

This measure requires a county elections official, if they post a form on the Internet that candidates may use to submit candidate statements, to accept that form if it is submitted in accordance with timelines and procedures in state law. This measure is intended to ease the candidate filing process for State Senate and Assembly candidates.

AB 1013 (Low) Remote Accessible Vote by Mail System.**Chapter 906, Statutes of 2018**

This measure requires, beginning in 2020, a county elections official to permit a voter with a disability, or a military or overseas voter, to cast their ballot using a certified remote VBM system. This does not apply in counties using vote centers, instead of polling places, pursuant to the California Voter's Choice Act.

AB 1407 (McCarty) California New Motor Voter Program. Voter Registration.*Chapter 4, Statutes of 2018**

This measure pre-registers every eligible person to vote automatically when that person applies for a driver's license or state identification card, unless the person opts out. The 2015 California New Motor Voter Program did this for voter registration. This measure expands this program to pre-register those who are under 18 years of age.

AB 1678 (Berman) Elections. Voter Registration Information. Security. Campaign Literature and Communications.**Chapter 96, Statutes of 2018 (Urgency)**

This measure requires the Secretary of State (SOS) to adopt regulations describing best practices for storage and security of voter registration information received by an applicant. The measure requires a person or entity who has received voter registration information pursuant to an application to disclose a breach in the security of the storage of the information to the Secretary of State. This measure makes it a misdemeanor to distribute specified false or misleading information regarding elections and voting with actual knowledge and intent to deceive.

AB 2095 (Quirk-Silva) Congressional and Legislative Vacancies.**Chapter 210, Statutes of 2018**

This measure states that a special election to fill a vacancy in the office of Representative in Congress, State Senator, or Assembly may be conducted within 180 days following the Governor's election proclamation in order to consolidate the election or primary election with any regularly scheduled statewide or local election.

AB 2123 (Cervantes) District-Based Elections.*Chapter 277, Statutes of 2018**

This measure provides up to an additional 90 days upon mutual agreement between a prospective plaintiff and a city to convert to district-based elections through the

ordinance process. This measure is an expansion of the safe harbor provisions granted through AB 350 (Alejo, Chapter 737, 2016).

AB 2172 (Weber) Redistricting. Inmates.

Chapter 232, Statutes of 2018

This measure makes various changes to provisions of state law regarding the determination of where individuals who are in the custody of the California Department of Corrections and Rehabilitation (CDCR) are counted for the purposes of drawing district lines for Congress, the State Legislature, and the State Board of Equalization (BOE).

AB 2218 (Berman) Vote by Mail Ballot Tracking.

Chapter 432, Statutes of 2018

This measure requires the SOS, no later than January 1, 2020, to establish a system that counties may use that allows a VBM voter to track their VBM ballot as it moves through the mail system and receive information as the VBM ballot is processed by the county elections official.

***AB 2540 (Mullin) State Facilities and Public Buildings. Vote Centers and Polling Places.**

Chapter 343, Statutes of 2018

This measure requires a governing body with jurisdiction over public buildings to allow those buildings to be used as vote centers beginning up to 10 days prior to an election day. This is already current law for polling places.

AB 2592 (Berman) Secretary of State. Census Outreach and Education.

Chapter 652, Statutes of 2018

This measure requires the SOS to include in public election materials, produced by the SOS, messages that promote awareness and encourage participation in the census.

AB 2665 (Salas) Absentee Ballots. Processing.

Chapter 282, Statutes of 2018

This measure clarifies that any jurisdiction having the necessary computer capability may start processing write-in votes on VBM ballots on the 10th business day before an election for the purpose of tallying the votes.

AB 2835 (Calderon) Elections Ballots.

Chapter 57, Statutes of 2018

This measure makes changes to ballot layout provisions of law to accommodate new voting technologies. In doing so, this measure provides more flexibility for elections administrators to decide ballot layout and how to integrate new technology with voting systems. This measure is permissive and updates the law to allow for new voting technologies.

AB 3258 (Comm. on Elections and Redistricting) Elections.**Chapter 269, Statutes of 2018**

This measure makes various minor, technical, and corresponding changes to the Elections Code. This measure:

- Requires county elections officials when notifying the SOS that specified information is available about the number of registered voters in the county, that the notification prior to a presidential general election include voters who are registered on the 123rd day before the election, instead of including voters who are registered before the 123rd day before the election as is currently required; and
- Repeals provisions of law that require county elections officials to mail state voter information guides (VIGs) to voters in certain circumstances, and instead requires SOS to mail all state VIGs directly to postal addresses at which one or more persons are registered to vote as of the 29th day before a statewide election.

AB 3259 (Comm. on Elections and Redistricting) Elections.**Chapter 58, Statutes of 2018**

This measure makes various minor, technical, and corresponding changes to the Elections Code. This measure:

- Deletes provisions of law that require an elections official to return insufficient municipal initiative and referendum petitions, and local recall petitions, to the proponents, and instead requires an elections official to take no further action on petitions with an insufficient number of signatures;
- Deletes the space on the voter notification form for a voter's signature; and
- Updates the date blocks on election-related forms from "19__" to "20__".

SB 25 (Portantino) Elections. Alternate Ballot Order. Los Angeles County Pilot Program.*Chapter 927, Statutes of 2018**

This measure requires the county elections official for the County of Los Angeles to conduct elections using a revised ballot order so that local offices and measures appear first. The new order shall begin with city/local candidates and end with state/federal. A truncated example is listed below:

Under the heading City/Local:

- Mayor;
- Member, City Council;
- Unified School District Board Members;
- High School District Board Members;
- Elementary School District Board Members;
- College District Governing Board Members;
- Other offices in alphabetical order by the title of the office;
- Candidates or nominees to the State Senate;
- Candidates or nominees to the State Assembly;
- Candidates or nominees to the House of Representatives of the

- United States;
- City local initiatives and ballot measures; and
- Local school district initiatives and ballot measures.

SB 759 (McGuire) Elections. Vote by Mail Ballots.**Chapter 446, Statutes of 2018 (Urgency)**

This measure permits a voter whose signature on his or her vote by mail (VBM) ballot identification envelope does not match the signature on file in the voter's record to return a completed signature verification statement in order to have their ballot counted.

SB 1018 (Allen) Elections. State and Local Reapportionment.**Chapter 462, Statutes of 2018**

This measure permits a general law city or a county to establish a hybrid redistricting commission to use a hybrid redistricting commission and modifies the requirements for serving on a local redistricting commission. This measure permits a school district, community college district, or a special district to establish an advisory, hybrid, or independent redistricting commission. This measure also modifies some of the requirements for serving on a local redistricting commission.

SB 1153 (Stern) Local Initiative Review.*Chapter 155, Statutes of 2018**

This measure authorizes the proponent of a county, municipal, or district initiative to withdraw the initiative at any time before the 88th day prior to the election, whether or not the petition has qualified for the ballot.

SB 1171 (Stern) Electors. Conditional Voter Registration.**Chapter 113, Statutes of 2018**

This measure authorizes a county elections official to use a provisional ballot envelope as an affidavit of registration and updates the definition of an "elector" to be a resident of an election precinct in California on or before the day of an election.

SB 1239 (Hertzberg) Political Reform Act of 1974. Campaign Disclosures.**Chapter 662, Statutes of 2018**

This measure makes numerous changes related to the procedures associated with filing campaign and lobbying reports through the state's new online campaign and lobbying activity disclosure system, also known as the Cal-Access Replacement System (CARS). This measure:

- Removes dollar thresholds for those who file online;
- Updates campaign and lobbying provisions to eliminate references to paper filing and copies;
- Requires transactions to only be reported once;
- Permits a local government agency to transition to the new system's standardized record format;
- Changes the payment date for the committee registration fee from January 15 to April 30; and
- Requires the e-mail addresses of filers.

SB 1250 (Bradford) Voting. Domicile.**Chapter 911, Statutes of 2018**

This measure specifies, for the purposes of determining the domicile of a Member of the Legislature or a Representative in Congress for voting purposes, that the existence of certain conditions at one of the person's residences do not override an existing conclusive presumption that establishes the person's domicile.

AB 2125 (Quirk) Election Results. Risk-Limiting Audits.**Chapter 913, Statutes of 2018**

This measure authorizes county elections officials to use risk-limiting audits in lieu of the 1% manual tally beginning with the March 3, 2020 statewide primary election. This measure requires SOS to adopt regulations to implement and administer risk-limiting audits. This measure has as sunset date of January 1, 2021.

AB 2707 (Mullin) Voter Information Internet Website.**Chapter 920, Statutes of 2018**

This measure requires the SOS to establish a voter information Internet web site that provides voters information on their elected federal, state, and local officials. In doing so, SOS will establish a single online database where voters can locate all contact information for their federal, state, and local elected officials by searching their address.

C. Fair Political Practices Commission (FPPC)***AB 2155 (Mullin) Political Reform Act of 1974. Campaign Disclosures.****Chapter 777, Statutes of 2018**

This measure makes various changes to state law governing the content and format of disclosure statements that are required to appear on communications sent by state and local candidates and committees. This measure clarifies and makes technical changes to last year's AB 249 (Mullin, Chapter 546, 2017).

AB 2188 (Mullin) Political Reform Act of 1974. Campaign Disclosures.*Advertisements.****Chapter 754, Statutes of 2018**

This measure modifies the disclosures required for electronic media advertisements. This measure requires online social media platforms to disclose information regarding the funders of political advertisements and to keep a database of the political ads they run. This measure builds upon AB 249 (Mullin, Chapter 546, 2017) by ensuring that campaign finance regulations also apply to ads appearing on social media platforms. This measure applies to state and local candidates and committees.

AB 2880 (Harper) Political Reform Act of 1974. Local Enforcement.*Chapter 394, Statutes of 2018**

This measure authorizes local governments to contract with the Fair Political Practices Commission (FPPC) for the administration and enforcement of local campaign finance and government ethics laws. This measure sunsets on January 1, 2026.

D. Personnel and Labor Relations**AB 403 (Melendez) Legislature. Legislative Employee Whistleblower Protection Act.****Chapter 2, Statutes of 2018 (Urgency)**

This measure protects California state legislative employees who make disclosures about misconduct by Members and fellow employees of the Legislature by prohibiting interference with an employee making a "protected disclosure" and prohibiting retaliation in response to such a disclosure. This measure does so by establishing a specific process for legislative employees who report legal and ethical violations, so that they may do so without fear of retribution.

AB 1654 (Rubio) Labor Code Private Attorneys General Act of 2004. Construction Industry.**Chapter 529, Statutes of 2018**

This measure exempts construction workers from the Private Attorneys General Act (PAGA) who are covered by a collective bargaining agreement, if that agreement expressly provides for a grievance and binding arbitration procedure to redress violations that would have been remedied under PAGA. This measure sunsets on January 1, 2028.

AB 1888 (Salas) Peace Officers. Basic Training Requirements.**Chapter 17, Statutes of 2018**

This measure deletes the January 1, 2019 sunset date on provisions of law that allow a deputy sheriff assigned to custodial duties to be reassigned to the general enforcement of the criminal laws of the state within five years of completing the basic peace officer training course if the deputy sheriff has been continuously employed by the same department and has maintained perishable skills training required by the Commission on Peace Officer Standards and Training (POST).

AB 1976 (Limón) Employment. Lactation Accommodation.*Chapter 940, Statutes of 2018**

This measure establishes new mandates regarding lactation accommodations in the State of California. This measure amends current California law by requiring that the employer provide a location other than a "bathroom", rather than a "toilet stall", for the employee to express breastmilk. AB 1976 applies to all employers regardless of size and contains a hardship exemption and clarifying language regarding what temporary spaces are appropriate as lactation accommodations.

AB 2055 (Levine) Legislative Ethics. Harassment. Education. Lobbying.
Chapter 964, Statutes of 2018

This measure requires that the lobbying ethics courses taught by the Assembly and Senate Legislative Ethics Committees include information on policies against harassment, including sexual harassment.

AB 2076 (Rodriguez) County Employees' Retirement. Disability. Date of Retirement.

Chapter 97, Statutes of 2018

This measure authorizes the Los Angeles County Employees Retirement System (LACERA) to correct a prior board decision determining the effective date of retirement for a member permanently incapacitated for disability that was made between January 1, 2013, and December 31, 2015, if the decision was based upon an error of law existing at the time of the decision. This measure authorizes a member seeking correction under these provisions to file an application with the board no later than one year from the date these provisions become operative.

AB 2282 (Eggman) Salary History Information.

Chapter 127, Statutes of 2018

This measure clarifies changes to provisions regarding the use of a job applicant's prior salary to prohibit use of prior salary to justify any disparity in compensation. Specifically, this measure:

- Clarifies that an employer may make a compensation decision based on a current employee's existing salary, if the wage differential resulting from that compensation decision is justified; and
- Specifies that the prohibition on asking a job applicant about prior salary does not forbid an employer from asking the applicant about his or her salary expectations.

AB 2327 (Quirk) Peace Officers. Misconduct. Employment.

Chapter 966, Statutes of 2018

This measure requires peace officers seeking employment with a law enforcement agency to give written permission for the hiring law enforcement agency to view his or her general personnel file and any separate disciplinary file. This measure also requires each law enforcement agency to make a record of any investigations of misconduct involving a peace officer in his or her general personnel file or a separate file designated by the department or agency.

AB 2334 (Thurmond) Occupational Injuries and Illness. Employer Reporting Requirements. Electronic Submission.

Chapter 538, Statutes of 2018

This measure permits the Office of Self-Insurance Plans of the Department of Industrial Relations to use individually identifiable information as necessary to carry out its duties. Specifically, this measure:

- Authorizes the Department of Industrial Relations (DIR) to publish certain cost and performance information regarding public self-insured employers' workers' compensation programs;
- Provides that workplace recordkeeping violations continue until corrected or discovered;
- Requires the formation of an advisory committee if a federal rule for employer electronic reporting of injuries and illnesses is eliminated; and
- Requires that in the event the federal Improve Tracking of Workplace Injuries and Illnesses Rule is eliminated, the Division of Occupational Safety and Health (Cal/OSHA) shall, within 120 days, convene an advisory committee to identify the changes necessary to protect the goals of the rule rather than have the Division adopt regulations to collect the information from employers.

AB 2770 (Irwin) Privileged Communications. Communications by Former Employer. Sexual Harassment.

Chapter 82, Statutes of 2018

This measure codifies California defamation case law as it relates to allegations of workplace sexual harassment. Specifically, this measure states:

- Employees who report sexual harassment to their employer are not liable for any resulting injury to the alleged harasser's reputation if the communication is made based on credible evidence;
- Communications between employers and anyone with an interest in a sexual harassment complaint, such as victims and witnesses, are not liable for any resulting damage to the alleged harasser's reputation, as long as the communication is made without malice; and
- Former employers are not liable for any resulting injury to a former employee's reputation if, in response to inquiries from prospective employers, the former employers indicate that they would not rehire the former employee based on a determination that the former employee engaged in sexual harassment, so long as the statement is made without malice.

SB 224 (Jackson) Personal Rights. Civil Liability and Enforcement.

Chapter 951, Statutes of 2018

This measure adds elected official, lobbyist, investor, and director or producer to the list of specific examples of the types of business, service, or professional relationships that are necessary to bring a cause of action for harassment under Civil Code Section 51.9. Specifically, this measure:

- Extends the situations when business, service, or professional relationships can exist between the plaintiff and the defendant to include cases in which the defendant holds himself or herself out as being able to help the plaintiff establish a business, service, or professional relationship with the defendant or a third party;
- Removes the requirement in existing law for a plaintiff, in order to bring a cause of action under Civil Code Section 51.9, to prove that there is an inability by the plaintiff to easily terminate the relationship;

- Authorizes the Department of Fair Employment and Housing to receive, investigate, conciliate, mediate, and prosecute complaints alleging a violation related to the Civil Code Section 51.9 which provides a cause for action for sexual harassment when there is a business, professional, or service relationship between the plaintiff and the defendant; and
- Adds Civil Code Section 51.9 to the list of statutes in the Fair Employment and Housing Act (FEHA) that create rights which, if a person were to deny or to aid, incite, or conspire in the denial of those rights, are an unlawful practice under FEHA.

***SB 820 (Leyva) Settlement Agreements. Confidentiality.**

Chapter 953, Statutes of 2018

This measure prohibits a provision within a settlement agreement that prevents the disclosure of factual information related to specified claims or complaints. Plaintiffs in such actions retain the right to request provisions in settlement agreements that shield their identity. The intent of this legislation is to prevent secret settlements when sexual harassment is involved.

***SB 846 (Comm. on Budget and Fiscal Review) Employment.**

Chapter 405, Statutes of 2018 (Urgency)

This measure offers public employers legal protections against claims made under state law associated with their collection of “fair share fees” from public employees in the wake of the Supreme Court’s *Janus* decision. In addition, this measure:

- Requires state agencies to review and report on their reasonable accommodation policies in addition to affirmative action;
- Requires the Department of General Services to update its contracting manual; and
- Makes clarifying changes affecting the Kern County Employees Retirement Association.

***SB 866 (Comm. on Budget and Fiscal Review Budget) Employment.**

Chapter 53, Statutes of 2018 (Urgency)

This measure, as part of a state employment law omnibus, makes various changes affecting public employers relating to the recent US Supreme Court’s *Janus* decision:

- Requires public employers to direct employee requests to cancel or change deductions to the employee organization;
- Requires public employers to honor requests by employee organizations for employee payroll deductions to pay dues;
- Requires public employers to honor employee authorizations for dues deductions, and states that the revocability of the authorization is determined by the terms of that authorization;
- Requires the employee organization to rely on information provided by the employee organization as to whether a request is made in conformity with the authorization, and indemnify the public employer for any claims made by an employee over deductions made in reliance on that information;

- Authorizes public employers to deduct reasonable costs from the amount transmitted to the employee organization;
- Prohibits public employers from discouraging or deterring applicants or existing employees from becoming or remaining members of an employee organization; and
- Prohibits the time, date or place of a new public employee orientation from being disclosed to anyone other than the employees, the exclusive representative and a vendor contracted to provide services at the orientation.

This measure makes numerous other changes affecting state civil service employment.

SB 970 (Atkins) Employment. Human Trafficking Awareness.

Chapter 842, Statutes of 2018

This measure amends FEHA to require specified employers, beginning January 1, 2020, to provide at least 20 minutes of prescribed training and education regarding human trafficking awareness to employees who are likely to interact or come into contact with victims of human trafficking.

SB 1053 (Beall) Presentation of Claims. Local Public Entities. Childhood Sexual Abuse.

Chapter 153, Statutes of 2018

This measure allows victims of childhood sexual abuse to seek compensation from the local public entity responsible. The Government Claims Act exempts certain claims against local public entities from claims made pursuant to the recovery of damages suffered as a result of childhood sexual abuse and arising out of conduct occurring on or after January 1, 2009. This measure specifically exempts from that authorization for procedures prescribed by local enactment claims against a local public entity made pursuant to the above-described existing law for the recovery of damages suffered as a result of childhood sexual abuse.

This measure is intended to address the *Shirk* decision by expressly providing that childhood sexual abuse actions against public entities are exempted from government tort claims requirements and the six-month notice requirement. This measure provides that it is declaratory of existing law and that this measure clarifies and codifies previous legislation such as SB 1779 (Burton, Chapter 149, 2002) and SB 640 (Simitian, Chapter 383, 2008).

***SB 1085 (Skinner) Public Employees. Leaves of Absence. Exclusive Bargaining Representative Service.**

Chapter 893, Statutes of 2018

This measure requires public employers to grant a reasonable leave of absence without loss of compensation or other benefits for the purpose of enabling employees to serve as stewards or officers of the exclusive representative.

SB 1113 (Monning) Mental Health in the Workplace. Voluntary Standards.**Chapter 354, Statutes of 2018**

This measure permits the Mental Health Services Oversight and Accountability Commission (MHSOAC) to establish a framework and voluntary standard for mental health in the workplace and to provide guidance to California's employer community to support the mental health and wellness of employees.

SB 1252 (Pan) Wages. Records. Inspection and Copying.**Chapter 464, Statutes of 2018**

This measure clarifies that when an employee makes a request to inspect and copy employment records, the employer is required to make the copies.

SB 1300 (Jackson) Unlawful Employment Practices. Discrimination and Harassment.*Chapter 955, Statutes of 2018**

This measure lowers the legal standard for actionable harassment claims, limits the ability to summarily adjudicate harassment claims, and limits the use of non-disparagement agreements and general releases.

SB 1343 (Mitchell) Employers. Sexual Harassment Training. Requirements.*Chapter 956, Statutes of 2018**

This measure provides training and information on sexual harassment prevention, how to recognize harassment, and who to contact if they believe they are a sexual harassment victim. SB 1343 requires the Department of Fair Employment and Housing to develop or obtain an online training course on the prevention of sexual harassment in the workplace and to post it on the department's web site. This measure requires the department to provide additional materials to make it easier for cities to provide their employees with an adequate amount of information and training without incurring large costs.

SB 1412 (Bradford) Applicants for Employment. Criminal History.**Chapter 987, Statutes of 2018**

This measure requires employers only consider convictions relevant to the job which they are applying for when screening job applicants using a criminal background check. This measure provides the necessary assurances for local agencies who work in sensitive populations, serve in law enforcement, and handle taxpayer dollars.

SB 1500 (Comm. on Veterans Affairs) Prohibited Discrimination Against Service Members.**Chapter 117, Statutes of 2018**

This measure updates references to specific military rank categories to clarify that all members of the state or federal military forces are protected against discrimination in employment and public accommodation.

SB 1504 (Comm. on Public Employment and Retirement) Public Employment.**Retirement Savings Plans, Employment Conditions, and Training.****Chapter 903, Statutes of 2018**

This measure makes technical, non-controversial changes to several code provisions to update references from the Department of Personnel Administration (DPA) to the California Department of Human Resources (CalHR). This measure also makes technical changes to the Savings Plus Program to conform to federal tax law.

The measure also clarifies that the 80 hours of new supervisor training shall address among other topics, all employment laws and that the training shall be completed within six months of the employee's initial appointment, but no later than the term of the probationary period.

E. Privacy, Technology and Transparency**AB 375 (Chau) Privacy. Personal Information. Businesses.****Chapter 55, Statutes of 2018**

This measure enacts the California Consumer Privacy Act of 2018. Beginning January 1, 2020, the measure grants a consumer a right to request a business to disclose the categories and specific pieces of personal information that it collects about the consumer, the categories of sources from which that information is collected, the business purposes for collecting or selling the information, and the categories of 3rd parties with which the information is shared. This measure requires a business to make disclosures about the information and the purposes for which it is used. Although there is a local government exemption, the businesses that contract with local governments are regulated under this measure.

AB 748 (Ting) Peace Officers. Video and Audio Recordings. Disclosure.*Chapter 960, Statutes of 2018**

This measure sets strict disclosure requirements for the release of law enforcement audio or video recordings related to critical incidents. The requirements set forth in this measure fail to adequately protect ongoing investigations and place burdens on local agencies through an unfunded statewide-mandate.

AB 2225 (Limón) State Government. Storing and Recording. Public Records.*Chapter 535, Statutes of 2018**

This measure requires SOS, in consultation with the California Department of Technology (CDT), to approve and adopt appropriate uniform statewide standards for the purpose of storing and recording public records in electronic media or in a cloud computing storage service. It also clarifies the limited circumstances when local government entities must comply with additional standards articulated in the State Administrative Manual (SAM) and Statewide Information Management Manual (SIMM) for using a cloud computing storage service. A local government entity must comply with the state standards if it has a system interconnection or data exchange with a state agency.

Prospectively only, a state agency must first enter into a written agreement with a local government entity for the purpose of establishing mutually agreeable terms that protect relevant public records prior to establishing an information technology system interconnection or data exchange with that local government.

AB 2490 (Chiu) Vital Records. Homeless Persons.

Chapter 541, Statutes of 2018

This measure expands existing law by requiring the State Registrar, local registrars and county recorders, to issue a certified record of live birth without a fee to any person who can verify his or her status as a homeless person. This measure reduces the barriers and provides more access to identification documents, such as a birth certificate, to homeless individuals.

AB 2658 (Calderon) Secretary of The Government Operations Agency. Working Group. Blockchain.

Chapter 875, Statutes of 2018

This measure establishes a blockchain working group, appointed by the Secretary of the Government Operations (GovOps) Agency, which is to include the State Chief Information Officer among others to evaluate the uses of blockchain by California's businesses and state government. This measure defines "blockchain" for these purposes to mean a mathematically secured, chronological, and decentralized ledger or database, but also requires the working group's report to include recommendations for modifications to this definition of blockchain and recommendations for amendments to other code sections that may be impacted by the deployment of blockchain. This measure sunsets on January 1, 2022.

AB 2813 (Irwin) California Cybersecurity Integration Center.

Chapter 768, Statutes of 2018

This measure establishes the California Cybersecurity Integration Center within the California Office of Emergency Services (CalOES) and requires it to develop a cybersecurity strategy for California.

AB 3075 (Berman) Office of Elections Cybersecurity.

Chapter 241, Statutes of 2018

This measure creates within the Secretary of State the Office of Elections Cybersecurity (OEC) to coordinate efforts between the Secretary of State and local elections officials to reduce the likelihood and severity of cyber incidents. OEC must coordinate with federal, state, and local agencies the sharing of information on threats to election cybersecurity, risk assessment, and threat mitigation in a timely manner and in a manner that protects sensitive information. They also will develop best practices in conjunction with federal, state and local officials.

AB 3229 (Burke) California Right to Financial Privacy Act.**Chapter 288, Statutes of 2018**

This measure adds the Department of Justice (DOJ) to the list of agencies that may receive financial records from a financial institution, provided that a crime report involving fraud has been filed.

SB 244 (Lara) Privacy. Personal Information.**Chapter 885, Statutes of 2018**

This measure requires that information or documents obtained by a local agency for the purpose of issuing a local identification card be used only for the purposes of administering the identification card program or policy.

SB 532 (Dodd) Emergency Services. State of Emergency. Cyber Terrorism.**Chapter 557, Statutes of 2018**

This measure adds “cyberterrorism” to the list of conditions that are named in the California Emergency Services (Act) that may be cited to support the proclamation of a state of emergency or local emergency. This measure will provide the Governor and local governments with a necessary tool to quickly respond to a cyber-attack.

SB 978 (Bradford) Law Enforcement Agencies. Public Records.*Chapter 978, Statutes of 2018**

This measure requires, starting January 1, 2020, the Commission on POST and each local law enforcement agency to conspicuously post on their Internet web sites all current standards, policies, practices, operating procedures, and education and training materials that would otherwise be available if a request was made pursuant to the California Public Records Act (CPRA).

SB 1001 (Hertzberg) Bots. Disclosure.**Chapter 892, Statutes of 2018**

This measure, beginning July 1, 2019, makes it unlawful for any person to use a bot to communicate or interact with another person in California online with intent to mislead the other person about its artificial identity for the purpose of knowingly deceiving the person about the content of the communication in order to incentivize a purchase or sale of goods or services in a commercial transaction or to influence a vote in an election. A bot is a software application that runs automated tasks on a network, such as the Internet, that can interact with computers systems or users.

SB 1121 (Dodd) California Consumer Privacy Act of 2018.*Chapter 735, Statutes of 2018 (Urgency)**

This measure amends the recently enacted California Consumer Privacy Act of 2018 AB 375 (Chau, Chapter 55, 2018). This measure makes a series of amendments to comport with various provisions of federal and state law governing medical information and other information collected by covered entities. This measure provides that the Act does not apply to:

- Medical information, that is governed by the Confidentiality of Medical Information Act (CMIA) or protected health information, that is collected by a

covered entity or business associate, governed by the privacy, security, and breach notification rules issued by the United States Department of Health and Human Services, pursuant to the Health Insurance Portability and Accountability Act of 1996 and the Health Information Technology for Economic and Clinical Health Act;

- A provider of health care governed by CMIA or a covered entity governed by the privacy, security, and breach notification rules issued by the United States Department of Health and Human Services, established pursuant to the Health Insurance Portability and Accountability Act of 1996, to the extent the provider or covered entity maintains patient information in the same manner as medical information or protected health information as described in the preceding paragraph; or
- Information collected as part of a clinical trial subject to the Federal Policy for the Protection of Human Subjects, also known as the Common Rule, pursuant to good clinical practice guidelines issued by the International Council for Harmonisation or pursuant to human subject protection requirements of the United States Food and Drug Administration.

This measure makes changes to comport with the Gramm-Leach-Bliley Act and the Driver's Privacy Protection Act of 1994. It additionally exempts information that is collected, processed, sold, or disclosed pursuant to the California Financial Information Privacy Act.

This measure also extends the date by which the Attorney General is required to adopt regulations to implement the Act from January 1, 2020, to July 1, 2020. It also eliminates the requirement that specified rules and procedures be established within one year of passage of the Act. This measure also restricts the Attorney General from bringing an enforcement action until six months after publication of final regulations or July 1, 2020, whichever is sooner.

SB 1196 (Jackson) Personal Identifying Information. Unlawful Use. Business Entity Filings.

Chapter 696, Statutes of 2018

This measure authorizes a person who has learned or reasonably suspects that their personal identifying information has been used unlawfully in a business entity filing, and has obtained a police report to petition a court for a determination of unlawful use of their personal identifying information in the filing. Upon making that determination, this measure requires the court to order that the name and personal identifying information in the business entity filing be redacted or labeled to show the data is impersonated and to order the removal of, or label, the personal identifying information from publicly accessible electronic indexes and databases.

SB 1274 (McGuire) Developmental Services. Data Exchange.

Chapter 466, Statutes of 2018

This measure requires the California Department of Social Services (CDSS) to provide information to the State Department of Developmental Services (DDS) about DDS

consumers' participation in California Work Opportunity and Responsibility for Kids (CalWORKs) and CalFresh in order to monitor and evaluate the effectiveness of the state's Employment First Policy.

***SB 1421 (Skinner) Peace Officers. Release of Records.**

Chapter 988, Statutes of 2018

This measure provides for the release of police personnel files in three general categories: job-related dishonesty, sexual assault against a member of the public, and specified use-of-force incidents via the CPRA. The first two – dishonesty and sexual assault – SB 1421 only allows the release of information when there is a “sustained finding,” meaning that it was determined through an internal or criminal investigation that the incident not only occurred, but that the officer was found to have violated department policy or statute. This measure also states that a public agency may redact or delay a record disclosure if the public interest served by not disclosing the information clearly outweighs the public interest served by disclosing the information under circumstances specified in the bill.

SCR 38 (Atkins) Recording Legislative Meetings.

Chapter 163, Statutes of 2018

This measure adopts rules regulating the placement and use of equipment for recording or broadcasting California Legislative meetings that are open and public.

SR 74 (de León) Relative to Net Neutrality.

Adopted on February 12, 2018

This resolution urges the Federal Communications Commission (FCC) to reinstate the 2015 Open Internet Order, and urges the United States Congress to intervene to protect net neutrality and codify its principles in statute.

F. Public Employee Retirement System

***AB 1912 (Rodriguez) Public Employees' Retirement. Joint Powers Agreements.**

Liability.

Chapter 909, Statutes of 2018

This measure imposes an equitable apportionment scheme related to retirement related obligations for any current or former member of a Joint Powers Authority (JPA) throughout its existence. The apportionment applies only when a JPA dissolves, ceases operations, or has its contract with the retirement system terminated. This measure provides clarity, direction and more flexibility for the member agencies of a JPA to negotiate amongst themselves on the best approach to apportionment. (*The League has prepared a comprehensive summary of this measure in Appendix A of this document.*)

AB 2004 (Obernolte) Big Bear Fire Agencies Pension Consolidation Act of 2018.
Chapter 72, Statutes of 2018 (Urgency)

This measure enacts the Big Bear Fire Agencies Pension Consolidation Act of 2018, which provides that all safety employees currently employed by the Big Bear Lake Fire Protection District shall become employees of the Big Bear Fire Authority which shall assume all associated retirement liabilities. This measure solves the final administrative issue for fully consolidated fire services in the Big Bear area.

AB 2196 (Cooper) Public Employees' Retirement. Service Credit. Payments.
Chapter 168, Statutes of 2018

This measure discontinues service credit purchase installment payments into retirement. This measure requires a member that elects to purchase or convert service credit on or after January 1, 2020, to pay any remaining balance by their retirement date, or elect to have their monthly allowance reduced by the actuarial equivalent of the unpaid balance. These same payment choices will also apply to the survivor or beneficiary of a member who makes a service credit purchase in the future, and passes away prior to retirement. This measure also allows a member that retires on or after January 1, 2020 and elected to purchase or convert service credit before that date, the ability to elect to have his or her monthly allowance reduced by the actuarial equivalent of any remaining unpaid balance, in lieu of making installment payments into retirement.

AB 2310 (Aguiar-Curry) Public Employees' Retirement System. Contracting Members.

Chapter 213, Statutes of 2018

This measure provides greater flexibility to contracting agencies that wish to adopt member cost sharing provisions in a memorandum of understanding (MOU) by modifying California Public Employees' Retirement System (CalPERS) contract amendment procedures to accept an MOU that specifies the methodology for calculating a cost-sharing rate instead of the existing CalPERS requirement that the MOU list an exact percentage of member compensation that the members shall pay toward the current service cost of the benefits. This measure also requires the contracting agency to provide CalPERS notice of any change in cost sharing rates as calculated by the methodology by submitting a signed side letter ratified by the employee bargaining unit and the agency indicating the exact percentage at least 90 days prior to the effective date of the cost-sharing rate as set forth in the signed side letter.

AB 2388 (Chu) Employment. Minors.
Chapter 261, Statutes of 2018

This measure clarifies and modernizes the labor code sections establishing that additional regulations for minors in the entertainment industry do not prohibit minors from appearing in specified digital exhibitions.

AB 2415 (Calderon) Public Employees' Retirement System. Officers and Directors. Appointment and Compensation.**Chapter 916, Statutes of 2018**

This measure allows the CalPERS Board of Administration to establish compensation rates for the Chief Health and Chief Operating Officers, respectively.

AB 2696 (Rodriguez) Public Employees' Retirement System. Limited Term Appointments.**Chapter 767, Statutes of 2018**

This measure clarifies the calculation of employer penalties to be paid to CalPERS for violating the 960-hour per fiscal year limit on out-of-class appointments. The penalty to be paid is three times the difference between the compensation paid for the out-of-class appointment and the compensation that would have been paid and reported to the CalPERS had the position not been vacant.

SB 964 (Allen) Public Employees' Retirement Fund and Teachers' Retirement Fund. Investments. Climate-Related Financial Risk.**Chapter 731, Statutes of 2018**

This measure requires CalPERS and California State Teachers' Retirement System (CalSTRS) to analyze climate-related financial risk to the extent that the respective pension boards identify climate-related financial risk as a material risk to their respective funds. CalPERS and CalSTRS must publicly report by January 1, 2020, and every three years thereafter. Their respective analysis must include the climate-related financial risk of its public market portfolio, including the alignment of the fund with the Paris climate agreement and California climate policy goals and the exposure of the fund to long-term risks. This measure sunsets on January 31, 2035.

SB 1022 (Pan) Public Employees' Retirement System. Administration.*Chapter 732, Statutes of 2018**

This measure requires terminating entities to notify past and present employees who are members within seven days of the adoption of the resolution giving notice of intention to terminate and to make notification of a pending vote to terminate at least 90 days before the date of vote. This measure states that the contracting agency shall not be liable for failure to provide the notice required to a member if the contact information data received for that member is incomplete or incorrect.

SB 1413 (Nielsen) Public Employees' Retirement. Pension Prefunding.*Chapter 665, Statutes of 2018**

This measure enables CalPERS to set up a section 115 trust through the California Employers' Pension Prefunding Trust Program for its member-agencies. This program allows state and local public agency employers that provide a defined benefit pension plan to their employees to prefund their required pension contributions (similar to the one for Other Post Employment Benefits (OPEB)).

G. Workers' Compensation

***AB 1749 (Daly) Workers' Compensation. Off-Duty Peace Officer.**

Chapter 707, Statutes of 2018

This measure originates from the tragic Las Vegas, Nevada, mass shooting in October 2017. This measure makes clear certain peace officers injured out of state while performing defined law enforcement duties are eligible to receive workers' compensation benefits, at the discretion of the employing agency. This measure permits each city to determine the policy of awarding workers' compensation benefits for out-of-state and off-duty peace officers based in California. This measure applies retroactively to the agencies whose off-duty officers were at the October 1, 2017 Las Vegas Shooting and to all future off-duty workers compensation claims.

AB 2046 (Daly) Workers' Compensation Insurance Fraud Reporting.

Chapter 709, Statutes of 2018

This measure requires data sharing between governmental agencies involved in combatting workers' compensation fraud, and grants the Fraud Assessment Commission (FAC) discretion to augment an assessment with unused funds from a prior year's assessment. This measure is intended to adopt two of the recommendations made by the State Auditor in its December 2017 Audit Report on the State's workers' compensation fraud program. Specifically, this measure:

- Requires that a governmental agency in possession of information relating to workers' compensation fraud shall, upon request of another governmental agency that uses the information for purposes of investigation, prosecution, or detection of workers' compensation fraud provide that information to the requesting agency. There are exceptions for information sharing if it would violate federal law or compromise an investigation; and
- Authorizes the FAC to augment, rather than offset, its annual assessment on employers to fund the workers' compensation fraud program with unused funds from previous assessments.

AB 2587 (Levine) Disability Compensation. Paid Family Leave.

Chapter 80, Statutes of 2018

This measure removes language in the California Unemployment Insurance Code referencing a code section that no longer exists.

SB 880 (Pan) Workers' Compensation.

Chapter 730, Statutes of 2018

This measure authorizes an employer, with the written consent of the employee, to deposit disability indemnity payments for the employee in a prepaid card account, rather than a paper check. This measure requires employers to provide all necessary aggregated data on their prepaid account programs to the Commission on Health and Safety and Workers' Compensation upon request. It also requires the commission to issue a report on or before December 1, 2022, to the Legislature regarding payments made to those prepaid card accounts. This measure will sunset on January 1, 2023.

SB 1086 (Atkins) Workers' Compensation. Firefighters and Peace Officers.**Chapter 206, Statutes of 2018**

This measure extends in perpetuity the window of time during which the family of a public safety officer whose death is attributable to specified work-related illnesses is eligible to collect survivor death benefits from 240 weeks to 420 weeks.

SB 1123 (Jackson) Disability Compensation. Paid Family Leave.*Chapter 849, Statutes of 2018**

This measure, beginning January 1, 2021, expands the scope of the family temporary disability insurance program to include time off to participate in a qualifying urgent need related to an active duty individual's spouse, domestic partner, child, or parent in the armed forces of the United States. This measure allows paid family leave (PFL) claims because a family member is on active duty with some restrictions.

H. Healthcare

AB 315 (Wood) Pharmacy Benefit Management.**Chapter 905, Statutes of 2018**

This measure requires pharmacy benefit managers (PBMs) to register with the Department of Managed Health Care (DMHC) to disclose, upon a purchaser's request, information with respect to prescription product benefits. DMHC must convene a Task Force on PBM reporting to determine what information related to pharmaceutical costs it should require to be reported by health care service plans (health plan) or their contracted PBMs. This measure also establishes a pilot project in Riverside and Sonoma Counties to assess the impact of health plan and PBM prohibitions that prohibit the dispensing of certain amounts of prescription drugs by network retail pharmacies. In doing so, this measure ensures that purchasers will receive standard information from the PBM that is specific to the purchaser. Purchasers will be provided tools to enhance their negotiating ability and assist them in properly evaluating whether the PBM's services are delivering the anticipated savings promised. The pilot program in this measure sunsets on January 1, 2023, and the taskforce provision sunsets on February 1, 2020.

AB 595 (Wood) Health Care Service Plans. Mergers and Acquisitions.**Chapter 292, Statutes of 2018**

This measure requires a health care service plan that intends to merge or consolidate with, or enter into an agreement resulting in its purchase, acquisition, or control by, any entity to give notice to, and secure prior approval from, the Director DMHC. This measure requires the health care service plan to meet specified requirements and to provide information necessary for the director to make the determination to approve, conditionally approve, or disapprove the transaction or agreement. Consolidation in the health insurance industry can often mean fewer choices and competition, with little to no benefit for consumers or purchasers. This measure allows the state to ensure these mergers are good for California consumers.

AB 1092 (Cooley) Health Care Service Plans. Vision Care Services. Provider Claims. Fraud.**Chapter 525, Statutes of 2018**

This measure allows Vision Service Plan (VSP) to continue to use statistical extrapolation to investigate suspected fraud and to recover over payments made as a result of fraud, if specified requirements are met. VSP reviews claims from over 38,000 doctors nationwide serving nearly 80 million patients.

AB 1860 (Limón) Health Care Coverage. Cancer Treatment.**Chapter 427, Statutes of 2018**

This measure increases the \$200 copayment and coinsurance limit to \$250 for prescribed, orally administered anticancer medications and deletes the current sunset on the law that establishes this limit on the coinsurance and copayment amount for prescribed, orally administered anticancer medications and extends the sunset to January 1, 2024. This measure sunsets on January 1, 2024, and makes other technical changes.

AB 2180 (Kalra) Long-Term Care and Disability Insurance.**Chapter 98, Statutes of 2018**

This measure expands the required information to be included in long-term care policies regarding the threshold for establishing eligibility for home care benefits and the provision of an alternate plan of care. This measure clarifies or redrafts provisions related to three types of insurance benefits designed to provide care for individuals suffering from a chronic illness.

AB 2428 (Gonzales Fletcher) Federally Qualified Health Centers. Rural Health Clinics.**Chapter 762, Statutes of 2018**

This measure allows a federally qualified health center (FQHC) or rural health clinic (RHC) that adds a physical plant to its primary care license to elect to have the reimbursement rate for each new plant be billed at and reimbursed at the same rate as the FQHC or RHC. This measure facilitates the ability for health centers to consolidate new facilities under their existing licenses by giving them the option to include the additional facility under the existing licensed facility's prospective payment system (PPS) rate. By giving health centers the option to include new facilities under an existing site's PPS rate, health centers are able to measure accordingly, and are able to provide services to the communities who need it most in a timely and efficient manner.

AB 2472 (Wood) Health Care Coverage.**Chapter 677, Statutes of 2018**

This measure requires the Council on Health Care Delivery Systems (Council) to prepare an analysis and evaluation, known as a feasibility analysis, to determine the feasibility of a public health insurance plan option to increase competition and choice for health care consumers. The Council must submit the feasibility analysis to the Legislature and the Governor on or before October 1, 2021. This measure also states

the intent of the Legislature to look at options to improve competition in areas with limited health plan choices.

AB 2499 (Arambula) Health Care Coverage. Medical Loss Ratios.

Chapter 678, Statutes of 2018

This measure requires Medical Loss Ratios (MLRs) to be implemented as described in federal law and any rules or regulations in effect on January 1, 2017. This measure codifies the existing standards of 80% individual market and 85% in the large group market. This measure also preserves federal regulations that dictate what counts as medical expenses, losses, or quality improvement activities, and what counts as insurance company overhead and profit. The MLR standards have helped to curb excessive health insurer profits and administrative costs by capping these expenses. The MLR standard provides a floor for how much insurers must spend on actual medical care.

AB 2674 (Aguiar-Curry) Health Care Services Plans. Disciplinary Actions.

Chapter 303, Statutes of 2018

This measure requires DMHC to review complaints filed by a provider who believes a plan is engaging in an unfair payment pattern, and authorizes DMHC to conduct an audit and an enforcement action pursuant to existing regulations. This measure requires the department to review complaints of unfair payment patterns on or before July 1, 2019, and at least annually thereafter.

AB 2861 (Salas) Medi-Cal. Telehealth. Alcohol and Drug Use Treatment.

Chapter 500, Statutes of 2018

This measure requires a drug Medi-Cal certified provider to receive reimbursement for individual counseling services provided through telehealth by a licensed practitioner of the healing arts or certified alcohol or other drug counselor. Reimbursements must be medically necessary and in accordance with the Medicaid state plan, to the extent federal financial participation is available and any necessary federal approvals have been obtained. This measure explicitly extends the benefits of telehealth services for substance use disorders (SUDs) to the residents of all California counties. The Department of Health Care Services (DHCS) must adopt regulations by July 1, 2022, to implement this measure.

AB 2863 (Nazarian) Health Care Coverage. Prescriptions.

Chapter 770, Statutes of 2018

This measure limits the amount a health care service plan or health insurer may require an enrollee or insured to pay at the point of sale for a covered prescription to the lesser of the applicable cost-sharing amount or the retail price. This measure requires a pharmacy to inform a customer whether the retail price for a prescription drug is lower than the applicable cost-sharing amount for the prescription drug.

This measure prohibits a health plan or health insurer from requiring an enrollee or insured to pay the applicable cost-sharing amount for a prescription medication if the cost-sharing amount is greater than the retail price.

AB 2941 (Berman) Health Care Coverage. State of Emergency.**Chapter 196, Statutes of 2018**

This measure requires a health care service plan or health insurer to provide its enrollees or insured who have been displaced by a state of emergency access to medically necessary health care services. This measure requires a health care service plan or health insurer, within 48 hours of a declaration of emergency by the Governor that displaces or has the immediate potential to displace enrollees or insureds, to file a notification with the appropriate department, containing information regarding how the plan or insurer is addressing the needs of its enrollees or insureds during the state of emergency.

AB 3032 (Frazier) Maternal Mental Health Conditions.**Chapter 773, Statutes of 2018**

This measure requires a general acute care hospital or special hospital that has a perinatal unit to develop and implement a program relating to maternal mental health conditions including postpartum depression by January 1, 2020. The measure requires the program to include education and information about maternal mental health conditions for women, families, and hospital perinatal unit employees.

AB 3189 (Cooper) Consent by Minors to Treatment for Intimate Partner Violence.**Chapter 1003, Statutes of 2018**

This measure allows minors who are 12 years of age or older who state they are injured as a result of intimate partner violence to consent to medical care for injuries and imposes a number of requirements on health practitioners who provide care to them.

SB 910 (Hernandez) Short-Term Limited Duration Health Insurance.**Chapter 687, Statutes of 2018**

This measure, commencing January 1, 2019, prohibits a health insurer from issuing, selling, renewing, or offering a short-term limited duration health insurance policy for health care coverage in this state.

SB 997 (Monning) Health Care Service Plans. Physician to Enrollee Ratios.**Chapter 152, Statutes of 2018**

This measure deletes the January 1, 2019, sunset date on existing requirements that a health plan ensure a minimum ratio of primary care providers to enrollees. In doing so, this measure continues the operation of these provisions indefinitely. By extending the operation of these requirements, the willful violation of which is now a crime.

SB 1021 (Wiener) Prescription Drugs.**Chapter 787, Statutes of 2018**

This measure continues a copay cap for prescription drugs for the prevention of HIV infection and AIDS and extends the sunset on that provision from January 1, 2020 to January 1, 2024. This measure also prohibits health plans from having drug formularies with more than four tiers, and codifies a DMHC regulation which caps drug copays at the retail price.

SB 1034 (Mitchell) Health Care. Mammograms.**Chapter 332, Statutes of 2018**

This measure extends the sunset date to January 1, 2015, in an existing law that requires health facilities where mammography is performed to provide a notice informing the patient that they have dense breasts, if a patient is categorized by the facility as having dense breasts.

SB 1108 (Hernandez) Medi-Cal. Conditions of Eligibility or Coverage.**Chapter 692, Statutes of 2018**

This measure authorizes the DHCS to seek waivers of federal Medicaid requirements demonstrating projects that aim to either increase the number of Medi-Cal beneficiaries or enhance the medical assistance provided to beneficiaries. This measure requires a waiver proposed by the department, which offers nonmedical benefits to Medi-Cal beneficiaries, to offer these benefits on a voluntary basis, and not as a condition of receiving medical assistance.

SB 1195 (Portantino) Public Employees' Medical and Hospital Care Act. Health**Benefit Plans.****Chapter 1009, Statutes of 2018**

This measure authorizes the Peace Officers Research Association of California Insurance and Benefits Trust to offer different health benefit plan designs with varying premiums in different areas of the state. The trustees are prohibited from using geographic regions that are different from the geographic regions established by the board for the regional premiums authorized for contracting agencies.

SB 1245 (Leyva) Covered California.**Chapter 417, Statutes of 2018**

This measure extends the emergency regulatory authority of the board governing Covered California, until January 1, 2022, with two re-adoptions until January 1, 2027. The measure also requires the board to discuss the regulations during at least one properly noticed board meeting prior to its adoption by Covered California. This emergency rulemaking authority allows Covered California to adapt and respond to federal law.

SB 1287 (Hernandez) Medi-Cal. Medically Necessary Services.**Chapter 855, Statutes of 2018**

This measure revises the Medi-Cal definition of "medically necessary" for purposes of an individual under 21 years of age to federal standards related to Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) services. This measure ensures the correct medical necessity standard is used for health coverage for children under age 21 in the Medi-Cal program and updates California law to codify the required federal EPSDT standard, and specifically including substance use disorders as being included within the correct standard.

SB 1375 (Hernandez) Health Insurance. Small Employer Groups.**Chapter 700, Statutes of 2018**

This measure prohibits employer group health benefit plans from being issued, marketed, or sold to a sole proprietorship or partnership without employees. This measure requires only individual health benefit plans to be sold to any entity without employees. This measure revises the definition of “eligible employee” for purposes of all small employer health plan contracts and health insurance policies to exclude sole proprietors or their spouses, and partners or their spouses. This measure intends to make California law clear that Affordable Care Act rules apply even if individuals or small employers join together in an association.

SB 1495 (Comm. on Health) Health.**Chapter 424, Statutes of 2018**

This measure makes several minor changes to various provisions of health law, including revising the reporting structure of law enforcement personnel at state hospitals, revising mental health services performance contract requirements, and requiring the Department of Public Health (DPH) to license hospice providers who are accredited by an approved accrediting organization. This measure also extends the review period, when a local health emergency has been declared, from at least every 14 days, to at least every 30 days, for a board of supervisors or city council to determine whether the local emergency needs to be continued or can be terminated.

SB 1447 (Hernandez) Pharmacy. Automated Drug Delivery Systems.**Chapter 666, Statutes of 2018**

This measure revises the requirements for the operation and licensing of an automated drug delivery system (ADDS) after July 1, 2019. The measure requires an ADDS to meet specified requirements in order to be installed, leased, owned, or operated in the state, including a license for the ADDS issued by the California State Board of Pharmacy to the holder of a current, valid, and active pharmacy license of a pharmacy located and licensed in the state.

I. General Administration/Tort Reform**AB 807 (Chu) Elimination of Daylight Savings Time.****Chapter 60, Statutes of 2018**

This measure gives California voters the choice to ratify the repeal of daylight savings time on the November ballot.

AB 1041 (Levine) Bay Area Toll Authority and Oversight Committee. Conflict of Interest.**Chapter 16, Statutes of 2018**

This measure prohibits any of the following persons from being appointed as a representative to the oversight committee of the Bay Area Toll Authority (BATA), if they have within the year been a:

- Current member or former member of the commission or the authority;

- Current staff or former staff of the commission or the authority;
- Current employee or person of any organization that has received funding from the commission or the authority; and/or
- Former employee or person who has contracted with any organization or person that has received or is receiving funding from the commission or authority.

AB 1584 (Gonzales Fletcher) Criminal Law. DNA Collection. Minors.**Chapter 745, Statutes of 2018**

This measure, unless required under the Deoxyribonucleic Acid (DNA) Act or pursuant to a court order or search warrant, prohibits a law enforcement entity from collecting DNA sample from a minor without first obtaining written consent of the minor and approval of the minor's consent by a parent, legal guardian, or attorney. The measure also prohibits a minor's voluntarily given DNA from being searched, analyzed, or compared to DNA or profiles related to crimes other than the one for which it was taken.

AB 2184 (Chiu) Business Licenses.*Chapter 388, Statutes of 2018**

This measure requires a city to accept a California driver's license or identification number, individual taxpayer identification number, or municipal identification number in lieu of a social security number if the city otherwise requires a social security number for the issuance of a business license.

AB 2230 (Berman) Civil Actions.**Chapter 317, Statutes of 2018**

This measure, beginning January 1, 2020, extends each of the periods described below to 75 days and makes non-substantive, technical changes to these provisions.

Specifically, this measure:

- Extends the timeline for filing a motion to set aside or vacate a jury verdict from 60 to 75 days; and
- Extends the timeline for filing a motion for a new trial from 60 to 75 days.

AB 2286 (Chen) Civil Actions. Service of Notice or Other Paper.**Chapter 212, Statutes of 2018**

This measure extends the hours provided for leaving notice or other papers with an adult at a party to litigation's home. This measure extends the hours that any attempt at serving of notice or other papers on a party at the party's home must occur from 8 a.m. to 6 p.m. to between 8 a.m. to 8 p.m.

AB 2329 (Obernolte) Special Districts. Board of Directors. Compensation.**Chapter 170, Statutes of 2018**

This measure increases the amount of compensation board members of certain special districts can receive per month. Specifically, this measure

- Increases the number of meetings, from four to six, which board members from fire protection, airport, and public cemetery districts can be compensated for in each calendar month;

- Increases the number of meetings, from five to six, which board members from healthcare districts can be compensated for in each calendar month; and
- Specifies that recreation and park district (RPD) and regional park and open space district (RPOSD) board members can receive compensation for a maximum of six meetings per month.

AB 2769 (Cooper) Privacy. Driver's License Information.**Chapter 548, Statutes of 2018**

This measure authorizes businesses to scan driver's licenses and identification cards for the same purposes and under the same limitations that current law allows for the swiping of such documents. Current law prohibits a business that swipes a driver's license or identification card in an electronic device from maintaining or using that information for any other purpose.

AB 2799 (Jones-Sawyer) Adult-Use Cannabis and Medicinal Cannabis. License Application. OSHA Training.**Chapter 971, Statutes of 2018**

This measure requires an applicant for a state license under the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) to provide a statement that the applicant employs, or will employ within one year of receiving a license, an employee who has successfully completed a training course offered by a training provider authorized by an OSHA Training Institute Education Center.

AB 2822 (Obernolte) California State Auditor. High-Risk Local Government Agency Audit Program.*Chapter 498, Statutes of 2018**

This measure allows the California State Auditor (Auditor) to review publicly available information when identifying local government agencies that are high risk under the Auditor's high-risk local government agency audit program (program). Technical changes are included to avoid chaptering conflicts with SB 1293 (Lara, Chapter 515, 2018) of the current legislative session.

AB 2867 (Gonzales-Fletcher) Criminal Procedure. Postconviction Relief.*Chapter 825, Statutes of 2018**

This measure clarifies the timing and procedural requirements of motions for post-conviction relief that are based on a legal error regarding a defendant's comprehension of immigration consequences stemming from his or her conviction. Specifically, the measure:

- Requires a court to find that a motion for post-conviction relief is timely if it is filed at any time in which the person is no longer in criminal custody;
- Requires that the motion be filed with reasonable diligence after the person filing the motion receives notice of one of the following, whichever comes later:
 - Notice from immigration authorities that assert the conviction or sentence is the basis for removal (deportation), the denial of an immigration benefit, lawful status or naturalization; or

- Notice that a final order of removal has been issued against the person filing the motion based on the existence of the conviction or sentence the person is seeking to vacate.
- Clarifies that a court may find that defense counsel was legally ineffective, but does not have to do so, in order to grant a motion to vacate a conviction or sentence that was obtained despite the defendant's inability to understand, defend against, or knowingly accept adverse immigration consequences;
- Clarifies that a court can grant a motion to vacate the conviction or sentence without a hearing if the prosecution has no objection;
- Clarifies that the person filing the motion must establish that the conviction or sentence is causing, or has the potential to cause adverse immigration consequences;
- Clarifies that the only finding the court is required to make is that there was an error that damaged the moving party's ability to meaningfully understand, defend against, or knowingly accept the actual or potential adverse immigration consequences of a plea of guilty or nolo contendere;
- Clarifies that the moving party's defense attorney does not need to be served with notice of the motion unless it specifically alleges that the attorney was legally ineffective and that the state bar should only be notified if there was an express finding of legal ineffectiveness.
- Creates a presumption that the conviction or sentence is invalid if the person filing the motion pled guilty or no contest to an offense based upon a statute that provided that if the defendant completed certain requirements the arrest and conviction would be deemed never to have occurred, and despite the fact that the defendant completed all those requirements the conviction or sentence is nonetheless being used or could be used as a basis for adverse immigration consequences.

AB 3019 (Reyes) Deposition Notices.**Chapter 268, Statutes of 2018**

This measure requires a notice of oral deposition to be written in at least 12-point type and makes other technical changes.

SB 419 (Portantino) Legislature. Whistleblower Protection and Retaliation Prevention.**Chapter 952, Statutes of 2018 (Urgency)**

This measure prohibits the California State Senate and Assembly from discriminating against a legislative advocate or legislative employee because that person has opposed any practices forbidden by FEHA or if that person filed a harassment complaint, testified regarding harassment or assisted in any proceeding related to a harassment complaint made under FEHA. This measure further requires the California Senate and Assembly to keep a record of each discriminatory harassment complaint for at least 12 years after the complaint is made.

SB 929 (McGuire) Special Districts. Internet Web sites.

Chapter 408, Statutes of 2018

This measure, beginning on January 1, 2020, requires every independent special district to maintain an Internet web site that clearly lists contact information for the special district.

SB 1041 (Leyva) Childhood Lead Poisoning Prevention.

Chapter 690, Statutes of 2018

This measure requires the DPH to annually notify health care providers who perform periodic health assessments for children about the risks and effect of childhood lead exposure and the requirement that children enrolled in Medi-Cal receive blood screening tests. This measure requires DPH to include additional publicly releasable information about the number of children enrolled in Medi-Cal who have and have not received blood lead screening tests. County health departments are required to provide data to the Department for purposes of creating a biennial report regarding lead poisoning.

***SB 1293 (Lara) California State Auditor. High-Risk Local Government Agency Audit Program.**

Chapter 515, Statutes of 2018

This measure authorizes the California State Auditor (Auditor), after first notifying the Joint Legislative Audit Committee (JLAC), to conduct initial assessments when determining if an entity is high risk under the Auditor's high risk local government agency audit program (program). This measure allows the High-Risk Local Government Agency Audit Program (HRLGAAP) to continue to function as it was designed and agreed to in 2011. The intent of this measure is to prevent the unnecessary erosion of public trust in the local agencies that serve them by ensuring that the State Auditor does not prematurely request a full-audit in a statewide setting that is unneeded and unwarranted.

SCR 128 (Nguyen) American Flag.

Chapter 125, Statutes of 2018

This measure declares that the American flag represents the values of freedom and liberty, calls upon the state and local government to prohibit any government entity in the state from banning the American flag from public property, and recognizes June 14, 2018, as Flag Day.

IV. Housing, Community and Economic Development

A. Housing and Housing Finance

AB 448 (Daly) Joint Powers Authorities. Orange County Housing Finance Trust.
Chapter 336, Statutes of 2018

This measure authorizes the creation of the Orange County Housing Finance Trust (Trust), a joint powers authority, for the purposes of funding housing specifically assisting the homeless population and persons and families of extremely low, very low, and low income within the County of Orange. The board of directors of the Trust will consist of elected officials representing Orange County or representative cities that are parties to the agreement.

***AB 829 (Chiu) Local Government. Funding. State-Assisted Projects.**
Chapter 800, Statutes of 2018

This measure prohibits cities and counties from requiring a letter of acknowledgment or similar document prior to applying for state assistance for any housing development. State assistance includes, any state funds, a state tax credit, or a federal tax credit administered by the state.

AB 1768 (Steinorth) The County of San Bernardino. Housing Authority. Middle-Income Housing Projects.

Chapter 66, Statutes of 2018

This measure expands a pilot program that allows the City of San Diego and the County of Santa Clara to provide gap financing for housing projects that include middle-income units to now include the County of San Bernardino. This measure sunsets on January 1, 2022.

***AB 2035 (Mullin) Affordable Housing Authorities.**

Chapter 862, Statutes of 2018

This measure makes a number of changes affecting Affordable Housing Authorities, which include:

- Providing a definition of “property tax increment” that permits a base year to be defined no more than five years prior to the effective date of the authorizing resolution. Prohibits the inclusion of properties that were part of a former redevelopment agency until all of the obligations of that agency have been retired and the successor agency fully dissolved.
- Clarifying the membership of the governing board if the authority is created by a city, a county, as a joint powers authority between a city and county, or by a city and county.
- Providing additional clarification of the process whereby a city, county or special district dedicating property tax increment funds can withdraw such contributions to an affordable housing authority with a 90-day notice, including providing that revenue obligated to the repayment of debt shall continue to be allocated until the debt is repaid.

- Expands the menu of options available for expenditure of funds for affordable housing.
- Authorizes an authority to finance infrastructure necessary to support the development of affordable housing.
- Requires an action challenging the validity of the resolution authorizing the creation of an authority, the adoption of an affordable housing plan, allocation of tax revenues to an authority, or the issuance of bonds to be commenced within 30 days. Authorizes an authority that receives revenues to bring a validation action in superior court.

AB 2562 (Mullin) Department of Housing and Community Development Loans.**Chapter 765, Statutes of 2018**

This measure authorizes the Department of Housing and Community Development (HCD) to change interest rates on loans issued to low-income rental housing projects. Specifically, this measure revises the conditions a rental housing development must meet in order for HCD to reduce the interest rate on its loan; modifies the authority for HCD to change the current interest rate pursuant to a loan extension request associated with an award of federal or state LIHTCs made on or after January 1, 2014, by specifying that HCD can use the applicable federal rate in effect at the time of the project closing rather than the most recent rate published by the IRS; and specifies that the Multifamily Housing Program (MHP) and other multi-family loans under HCD are eligible for a loan extension, subordination of the loan to existing debt, or an investment of tax credit equity.

AB 2887 (Aguiar-Curry) Migrant Farm Labor Centers.**Chapter 999, Statutes of 2018**

This measure makes numerous changes to the operation of migrant farm labor centers. Changes include: requiring, rather than authorizing, a center to establish a capital reserve account with excess funds from the annual operating contract provided by HCD at the end of each fiscal year; allowing HCD to enter into multi-year operating contracts with entities and provide funding annually by making an amendment to that contract; and requiring the Director of HCD to consider data contained in annual reports centers are required to submit to the determine the needs of residents served in centers and how to better serve those needs.

AB 3194 (Daly) Housing Accountability Act. Project Approval.*Chapter 243, Statutes of 2018**

This measure makes two important changes to the Housing Accountability Act. These changes are as follows:

- Provides that a proposed project is not inconsistent with applicable zoning standards and criteria, and shall not require a rezoning, if the proposed project is consistent with objective general plan standards and criteria but the local agency's adopted zoning for the project site is inconsistent with the general plan; and
- Allows a local agency to require a proposed project to comply with objective standards and criteria of the zoning consistent with the general plan, but requires

the standards and criteria to be applied to facilitate and accommodate development at the density allowed on the site by the general plan and proposed by the project. Requires the local agency to provide the applicant with written documentation identifying the provision or provisions that are not in compliance, and explaining the reasons why, pursuant to existing law.

SB 912 (Beall) California Housing Finance Agency. Management Compensation.

Chapter 661, Statutes of 2018

This measure revises the list of management positions for which the California Housing Finance Agency (CalHFA) board has discretion to establish salaries. The revised list now allows the board to establish salaries for the director of enterprise risk management and compliance, and the risk manager.

SB 1078 (Comm. on Transportation and Housing) Housing.

Chapter 957, Statutes of 2018

This measure makes numerous non-controversial and technical changes to sections of law relating to housing. This measure makes changes to the following housing related laws:

- Enhanced Infrastructure Financing Districts (EIFD);
- Regional Housing Needs Allocation;
- Clarifying Definition of Planning Period;
- Changing the Name of the Mobilehome Ombudsman;
- California Housing Finance Agency;
- Swimming Pool Safety Act; and
- Drafting Errors in AB 1397 (Low, Chapter 375, 2017).

SB 1115 (Hill) Property Taxation. Welfare Exemption. Low Income Housing.

Chapter 694, Statutes of 2018

This measure increases the cap from \$10 to \$20 million on the existing property tax exemption for non-public financed rental housing properties owned by a non-profit corporation where 90 percent of the residents are low income. In addition, the bill:

- Requires any outstanding ad valorem tax in excess of the \$10 million cap, and related interest or penalty, imposed on and after January 1, 2017, and before January 1, 2019, to be canceled if a qualified claim was filed, to the extent the amount canceled does not result in a total exemption amount in excess of \$20 million allowed to a qualified taxpayer; and
- Provides a process for taxpayers to file a claim to have any outstanding taxes or escape assessments cancelled.

SB 1201 (Jackson) Contracts. Consumer Protection. Residential Mortgage Lending.

Chapter 356, Statutes of 2018

This measure requires a supervised financial organization that negotiates the modification of any of the terms of a loan or extension of credit secured by residential real property primarily in Spanish, Chinese, Tagalog, Vietnamese, or Korean and that offers a borrower a final loan modification in writing, to deliver to that borrower, at the

time the final loan modification offer is made, a specified form summarizing the modified loan terms in the same language as the negotiation.

B. Homelessness

***AB 1827 (Comm. on Budget) No Place Like Home Act of 2018.**

Chapter 41, Statutes of 2018 (Urgency)

This measure establishes the No Place Like Home (NPLH) Act of 2018, which amends provisions previously enacted as part of the NPLH program. This measure amends the Mental Health Services Act (MHSA) to permit the Legislature to appropriate funds from the Mental Health Services Fund to support the NPLH program. This measure also places the NPLH Act of 2018 on the Nov. 2018 ballot for voter approval.

AB 2490 (Chiu) Vital Records. Homeless Persons.

Chapter 541, Statutes of 2018

This measure expands existing law by requiring the State Registrar, local registrars and county recorders, to issue a certified record of live birth without a fee to any person who can verify his or her status as a homeless person. This measure reduces the barriers and provides more access to identification documents, such as a birth certificate, to homeless individuals.

AB 2629 (Eggman) Department of Transportation. Airspace Under State Highways. Leases.

Chapter 436, Statutes of 2018

This measure eliminates the renewal restrictions for an existing airspace lease, for an emergency shelter or feeding program, between the California Department of Transportation (Caltrans) and the City of Stockton in San Joaquin County under the interchange of State Route (SR) 4 and Interstate 5 (I-5) for an emergency shelter or feeding program.

AB 3139 (Bonta) State Highways. Property Leases.

Chapter 443, Statutes of 2018

This measure requires any airspace under a freeway, or real property acquired for highway purposes, in the City of Oakland, that is not excess property, to be offered by Caltrans for lease on a right of first refusal to the city, or to a political subdivision of the city, for purposes of an emergency shelter or feeding program. This measure also requires, for up to 10 parcels, the lease amount for emergency shelter or feeding programs to be \$1 per month.

SB 519 (Beall) State Highways. Property Leases.

Chapter 444, Statutes of 2018

This measure authorizes Caltrans to offer leases to the cities of Los Angeles and San Jose, on a right of first refusal basis, for any airspace under a freeway or certain real property acquired for highway purposes located in each city for purposes of operating

an emergency shelter or feeding program. The lease amount, for up to 10 parcels, shall be \$1 per month, and a payment of an administrative fee shall not exceed \$500 per year.

***SB 850 (Budget) Housing.**

Chapter 48, Statutes of 2018 (Urgency)

This measure makes various statutory changes to implement budget provisions related housing and homelessness. In brief, this bill:

- Makes clarifying changes to SB 35 (Wiener, Chapter 366, 2017), related to building permits; building site exclusions; and skilled workforce requirements.
- Creates the Homelessness Emergency Aid Program for the purpose of providing localities with one-time flexible block grant funds to address immediate homelessness challenges. Appropriates \$250 million and distributes the funds through the continuum of care (COC) process as outlined by the federal Department of Housing and Urban Development. Funds are allocated as follows:
 - \$40 million to COCs with a homeless point-in-time count of over 20,000 persons;
 - \$60 million to COCs with a homeless point-in-time count between 4,000 and 19,999 persons;
 - \$30 million to COCs with a homeless point-in-time count between 2,500 and 3,999 persons;
 - \$48 million to COCs with a homeless point-in-time count between 1,800 and 2,499 persons;
 - \$18 million to COCs with a homeless point-in-time count between 1,500 and 1,799 persons;
 - \$32 million to COCs with a homeless point-in-time count between 1,000 and 1,499 persons;
 - \$12 million to COCs with a homeless point-in-time count between 750 and 999 persons;
 - \$7 million to COCs with a homeless point-in-time count between 250 and 749 persons; and
 - \$2 million to COCs with a homeless point-in-time count of less than 250 persons.
 - Allocates \$100 million to COCs. Funds are distributed based proportionate share of total homeless population based on the 2017 homeless point-in-time count.
 - Allocates \$150 million to cities with a population over 330,000 based on the proportionate share of the total homeless population.
 - Allocates \$5 million to the Bridges at Kraemer Place emergency shelter, located in Orange County.
 - Allocates \$5 million to the County of Merced to create a homeless navigation center.
- Establishes the Emergency Solutions and Housing Program to provide:
 - Rental assistance and housing relocation and stabilization services to ensure housing affordability to people experiencing homelessness or at risk of homelessness;

- Operating subsidies in the form of 15-year capitalized operating reserves for new and existing affordable permanent housing units for homeless individuals and families;
- Flexible housing subsidy funds for local programs that establish or support the provision of rental subsidies in permanent housing to assist homeless individuals and families;
- Operating support for emergency housing interventions; and
- Support for activities necessary to maintain a comprehensive homeless services and housing delivery system, including data collection, reporting, and homelessness planning activities.
- Allows 50 percent of the first year of the real estate recording fee created by SB 2 (Atkins, Chapter 364, 2017), to be allocated to the Housing for a Healthy California program;
- Makes statutory changes to the Office of Migrant Services; and
- Moves the Homeless Coordinating and Financing Council from the Housing and Community and Economic Development (HCD) to the Business, Consumer Services and Housing Agency. Increases the membership of the council from 15 to 17. The two new members are formerly homeless youth who live in California.

SB 918 (Wiener) Homeless Youth Act of 2018.**Chapter 841, Statutes of 2018**

This measure establishes the Homeless Youth Act of 2018 to better serve the state's homeless youth population and requires the Homeless Coordinating and Financing Council (Council) to take on additional related responsibilities that are focused on addressing the needs of youth experiencing homelessness.

The Council is required to set and measure progress towards goals to prevent and end homelessness among youth in California by doing the following:

- Setting specific, measurable goals aimed at preventing and ending homelessness among youth in the state. These goals shall include, but not be limited to:
 - Measurably decreasing the number of young people experiencing homelessness in the state;
 - Measurably increasing permanency rates among young people experiencing homelessness by decreasing the length and occurrences of young people experiencing homelessness caused by a youth's separation from family or a legal guardian;
 - Decreasing the duration and frequency of experiences of homelessness among California's youth; and
 - Decreasing barriers to services through promoting cross-systems partnerships to expedite access to services, including social services, child welfare services, regional center services, and mental health services.
- Defining outcome measures and gathering data related to the goals.

SB 1012 (Delgado) Homeless Multidisciplinary Personnel Team.**Chapter 786, Statutes of 2018**

This measure allows personnel of a city within a county that has established a homeless adult and family multidisciplinary personnel team (MDT) to request to participate in that MDT and requires the county to allow for city personnel participation, unless the county determines that such participation would hinder compliance with the requirements and obligations of the MDT or otherwise conflict with the county's goals and objectives. By allowing cities to participate in a MDT, cities and counties will be able to share confidential information to ensure continuity of care for individuals experiencing homelessness.

SB 1045 (Wiener) Conservatorship. Serious Mental Illness and Substance Use Disorders.*Chapter 845, Statutes of 2018**

This measure authorizes the County of Los Angeles, the County of San Diego, and the City and County of San Francisco, upon Board of Supervisors approval, to place in a conservatorship a person who is chronically homeless and incapable of caring for their own health and well-being due to serious mental illness and substance use disorder. The conditions in which one of these counties may place a person in a conservatorship is evident by frequent dentition for evaluation and treatment under 72-hour involuntary holds. This bill only authorizes the application of this program after a Board of Supervisors finds that other mental health services will not be reduced as a result, they hold a public meeting to discuss the new program, and identify adequate funding sources for specified services. Lastly, this bill would require each county to establish a working group, comprised of representatives of local agencies, labor unions, and disability rights groups, to conduct an evaluation of the effectiveness of the implementation of the conservatorship, and requires each working group to prepare and submit a preliminary and a final report on its findings and recommendations to the Legislature no later than January 1, 2021, and January 1, 2023. This measure sunsets on January 1, 2024.

SB 1152 (Hernandez) Hospital Patient Discharge Process. Homeless Patients.*Chapter 981, Statutes of 2018**

This measure requires each hospital to include, as part of its hospital discharge policy, a written homeless patient discharge planning policy and process. This measure prohibits a hospital from discharging a homeless patient to a location other than where the patient identifies as his or her residence unless to another licensed facility, or to a social services agency or provider that has agreed to accept the patient, and requires certain conditions to be met prior to discharging the homeless patient.

C. Land Use/Planning

AB 565 (Bloom) Building Standards. Live/Work Units.

Chapter 573, Statutes of 2018

This measure requires HCD, in the next triennial cycle of the building code, to develop and submit clarifications to the California Building Code and Residential Building Code pertaining to the construction of live/work units after January 1, 2019.

***AB 626 (E. Garcia) California Retail Food Code. Microenterprise Home Kitchen Operations.**

Chapter 470, Statutes of 2018

This measure establishes "microenterprise home kitchens" (MHKs) as a new category of retail food facility, that cities or counties would have discretion to authorize and permit, to be operated by a resident in a private home, subject to specified requirements. This measure subjects MHKs to the requirements of a restricted food service facility, with numerous exemptions from these requirements primarily to accommodate the differences between a home kitchen and a commercial kitchen. This measure also limits MHKs to selling food directly to consumers, but specifies that the sale of food through an Internet food service intermediary is considered a direct sale to consumers, and establishes requirements on these intermediaries. *(The League has prepared a comprehensive summary on this measure in Appendix A of this document.)*

***AB 686 (Santiago) Housing Discrimination. Affirmatively Further Fair Housing.**

Chapter 958, Statutes of 2018

This measure requires a public agency to administer its programs and activities relating to housing and community development in a manner to affirmatively further fair housing (AFFH), and to not take any action that is not in a manner to AFFH. This measure requires a city's or county's housing element to promote and affirmatively further fair housing opportunities and promote housing throughout the community for all individuals regardless of characteristics protected by the California Fair Employment and Housing Act (FEHA).

***AB 1771 (Bloom) Planning and Zoning. Regional Housing Needs Assessment.**

Chapter 989, Statutes of 2018

This measure makes numerous changes to the regional housing needs allocation (RHNA) process including: plan objectives, methodology, distribution, and appeals process. *(The League has prepared a comprehensive summary on this measure in Appendix A of this document.)*

AB 1804 (Berman) California Environmental Quality Act. Exemption. Residential or Mixed-Use Housing Projects.

Chapter 670, Statutes of 2018

This measure exempts from the California Environmental Quality Act (CEQA), residential or mixed-use housing projects located in unincorporated areas of a county meeting certain requirements. The measure requires a lead agency, if the lead agency determines that a residential or mixed-use housing project is exempt from CEQA, to file

a notice of exemption with the Office of Planning and Research and the county clerk in the county in which the project is located. This measure sunsets on Jan. 1, 2025.

AB 2132 (Levine) Building Permit Fees. Waiver.

Chapter 386, Statutes of 2018

This measure authorizes cities and counties to waive or reduce all building permit fees for improvements to the home of seniors (at least 60 years of age) with a qualifying disability that are made to accommodate that disability. This measure defines "qualifying disability" as a physical or mental disability as defined in subdivisions (j) and (m) of Section 12926 of the Government Code.

***AB 2162 (Chiu) Planning and Zoning. Supportive Housing.**

Chapter 753, Statutes of 2018

This measure requires that supportive housing be a use by right in zones where multiple family and mixed uses are permitted, including in non-residential zones permitting multifamily uses, if the proposed housing development meets specified criteria and would require a local government to approve a supportive housing development that complies with these specified requirements. *(The League has prepared a comprehensive summary on this measure in Appendix A of this document.)*

AB 2263 (Friedman) Designated Historical Resource. Conversion or Adaptation.

Required Parking.

Chapter 234, Statutes of 2018

This measure requires a local agency to provide for a reduction in parking requirements when a development project that is designated as a historical resource is being converted or adapted to another use. Specifically, this measure:

- Provides that for a development project that is converting to a residential use within one-half mile of a major transit stop a local agency shall not require more parking spaces than the number of parking spaces that existed on the project at the time the project application was submitted;
- Provides for a project that is being converted to a non-residential use a local agency shall provide a 25% reduction in the amount of parking spaces that would otherwise be required; and
- Defines "qualified historical resource" to mean a property officially designated on a local register of historical resources, the California Register of Historical Resources, or the National Register of Historic Places.

AB 2372 (Gloria) Planning and Zoning. Density Bonus. Floor Area Ratio Bonus.

Chapter 915, Statutes of 2018

This measure authorizes a city council or county board of supervisors to establish a procedure by ordinance to grant a developer of an eligible housing development, upon the request of the developer, a floor area ratio bonus, calculated as provided, in lieu of a density bonus awarded on the basis of dwelling units per acre. The measure defines "eligible housing development" as a development that meets specified criteria related to residential use or mixed use, location, zoning, replacement of units, and affordability.

AB 2485 (Chau) Code Enforcement. Financially Interested Parties.**Chapter 263, Statutes of 2018**

This measure prohibits local inspection officials from being accompanied by financially interested persons during inspections of commercial properties or businesses. This measure also clarifies that a person who has, or operates under, an existing contract with the local government of the local official to provide inspection, abatement, legal, or remediation services and has been directed by a local official to perform services at that particular inspected property or business may accompany a local inspection official.

AB 2753 (Friedman) Density Bonuses. Density Bonus Application.**Chapter 921, Statutes of 2018**

This measure makes several changes to the density bonus application process.

Specifically, this measure:

- Requires a city, county, or city and county to provide a developer, at the time an application for a density bonus is deemed complete, a determination as to the following:
 - The amount of density bonus for which a development is eligible;
 - If the applicant requests a parking ratio, the ratio for which the applicant is eligible; and
 - If the applicant requests incentives, concessions, or waivers or reductions in development standards, whether the applicant provided adequate information for the city, county, or city and county to make a determination as to those incentives, concessions, or waivers or reductions.
- Provides that the determination of completeness is based on the development project at the time the application is deemed complete and the city, county, or city and county shall adjust the amount of density bonus and parking ratios awarded based on any changes during the course of the development.

AB 2797 (Bloom) Planning and Zoning. Density Bonuses.**Chapter 904, Statutes of 2018**

This measure requires any density bonus, concessions, incentives, waivers, or reductions of development standards, and parking ratios to which the applicant is entitled to under the statutes related to density bonuses to be permitted in a manner that is consistent with Density Bonus Law and the California Coastal Act of 1976. This measure also contains uncodified language that states that it is the intent of Legislature in amending subdivision (m) of Section 65915 of the Government Code to supersede the holding and dicta in Kalnel Gardens, LLC v. City of Los Angeles that Section 65915 is subordinate to the California Coastal Act of 1976 (Public Resources Code Division 20 (commencing with Section 30000)). The Legislature's intent is that the two statutes be harmonized.

AB 2911 (Friedman) Fire Safety.*Chapter 641, Statutes of 2018**

This measure makes various changes to fire safety planning efforts, defensible space requirements, and electrical transmission or distribution lines' vegetation clearance

requirements with the intent to improve the fire safety of California communities.

Specifically, this measure:

- Requires a local agency to transmit a copy of its adopted ordinance designating very high fire hazard severity (VHFHS) zones to the Board of Forestry and Fire Protection;
- Removes exemptions from requirement that a local agency designate, by ordinance, very high fire hazard severity zones in its jurisdiction within 120 days of receiving recommendations from the director of the California Department of and Fire Protection (CAL FIRE);
- Requires, no later than January 31, 2020, the State Fire Marshal (SFM), in consultation with the CAL FIRE and the HCD to recommend building standards that provide for comprehensive site and structure fire risk reduction to protect structures from fire risk. Based on information learned from the 2017 wildfire season;
- Requires, no later than January 31, 2020, the SFM, in consultation with CAL FIRE and HCD to develop a list of low-cost retrofits that provide for comprehensive site and structure fire risk reduction to protect structures from fire risk. Requires CAL FIRE to incorporate the list in its fire prevention education and outreach efforts;
- Requires, before July 1, 2020, the Office of Planning and Research to update the guidance document entitled "Fire Hazard Planning General Plan Technical Advice Series" and update not less than once every eight years;
- Authorizes the Board, within 15 days of receipt of notification that its fire prevention recommendations will not be accepted by the local government, to request a consultation, prior to approval of the draft element or amendment, conducted in person, electronically, or by phone;
- Requires on or before July 1, 2021, and every five years thereafter, the Board, in consultation with the SFM, to survey local governments to identify existing subdivisions in the state responsible area (SRA) or VHFHS zones without a secondary egress route that are at significant fire risk; and
- Authorizes owners of any electrical transmission or distribution line to traverse land as necessary, regardless of land ownership or permission from the owner, after providing notice and an opportunity to be heard to the land owner, to prune trees to maintain and to abate, by pruning or removal, any hazardous, dead, rotten, diseased, or structurally defective live trees.

***AB 2913 (Wood) Building Standards. Building Permits Expiration.**

Chapter 655, Statutes of 2018

This measure requires a building permit to be valid for 12 months if work authorized by the permit has not commenced from the date a permit is issued, unless the permittee requests an extension; authorizes a local building official to grant one or more extensions of up to 180 days each, provided the extension is requested in writing and demonstrates justifiable cause; and provides that a local ordinance adding or modifying building standards for residential occupancies do not apply to a permit that is subsequently deemed expired because construction has not commenced within 12

months of the date of issuance or the permittee has abandoned the work authorized by the permit.

***AB 2923 (Chiu) San Francisco Bay Area Rapid Transit District. Transit-Oriented Development.**

Chapter 1000, Statutes of 2018

This measure gives the San Francisco Bay Area Rapid Transit (BART) land use authority over BART owned land within one-half mile of an existing or planned BART station. Where local zoning is inconsistent with the BART Transit Oriented Development (TOD) zoning standards for a station, this measure requires the local jurisdiction to adopt a local zoning ordinance that conforms to the BART TOD zoning standards within two years of the date that the BART TOD zoning standards are adopted by the board for a station, or by July 1, 2022, if the board has not adopted TOD zoning standards for the station. This measure will sunset on January 1, 2029. *(The League has prepared a comprehensive summary on this measure in Appendix A of this document.)*

AB 2973 (Gray) Land Use. Subdivision Map Act. Expiration Dates.

Chapter 830, Statutes of 2018

This measure extends, by 24 months, the expiration date of any tentative map, vesting tentative map, or parcel map for which a tentative map or vesting tentative map that relates to the construction of single or multifamily housing, if all the following conditions are met:

- The map was approved on or after January 1, 2002, and not later than July 11, 2013;
- The map was extended pursuant to provisions contained in AB 1303 (Gray, Chapter 751, 2015); and
- The map has not expired on or before this bill's effective date.

This measure also reduces, from five years to three years, the period of time after the approval or conditional approval of a tentative map, or recordation of a parcel map, during which a city or county is prohibited, with exceptions, from imposing specified conditions on a building permit or equivalent permit for maps that were extended by AB 1303 (Gray, Chapter 751, 2015).

***SB 721 (Hill) Building Standards. Decks and Balconies Inspections.**

Chapter 445, Statutes of 2018

This measure requires exterior elevated elements that include load-bearing components in all buildings containing three or more multifamily dwelling units to be inspected. The inspection shall be performed by a licensed architect; licensed civil or structural engineer; a building contractor holding any or all of the "A," "B," or "C-5" license classifications issued by the Contractors' State License Board, with a minimum of five years' experience, as a holder of the aforementioned classifications or licenses, in constructing multistory wood frame buildings; or an individual certified as a building inspector or building official from a recognized state, national, or international association, as determined by the local jurisdiction.

“Exterior elevated element” means the following types of structures, including their supports and railings: balconies, decks, porches, stairways, walkways, and entry structures that extend beyond exterior walls of the building and which have a walking surface that is elevated more than six feet above ground level, are designed for human occupancy or use, and rely in whole or in substantial part on wood or wood-based products for structural support or stability of the exterior elevated element.

This measure requires a written report of the evaluation be stamped or signed by the inspector presented to the owner of the building or the owner’s designated agent within 45-days of completion of the inspection. This measure also requires the initial inspection to be completed by January 1, 2025, and every six years thereafter.

***SB 765 (Wiener) Planning and Zoning. Housing.**

Chapter 840, Statutes of 2018

This measure makes various technical changes to SB 35 (Wiener, Chapter 366, Statutes of 2017), which established a streamlined process for approving local housing developments that meet specified standards, and to AB 932 (Ting, Chapter 786, Statutes of 2017), which amended the Shelter Crisis Act to authorize emergency housing, upon declaration of a shelter crisis by specified cities and counties, to include homeless shelters.

***SB 828 (Wiener) Land Use. Housing Element.**

Chapter 974, Statutes of 2018

This measure makes numerous changes to the RHNA process. These changes include:

- Modifying existing codified intent language to remove the acknowledgement that cities may not meet RHNA; and
- Altering the methodology to account for overcrowding; jobs/housing imbalance; and “cost burdened.”

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

***SB 946 (Lara) Sidewalk Vendors.**

Chapter 459, Statutes of 2018

This measure decriminalizes sidewalk vending and establishes various requirements for local regulation of sidewalk vendors. This measure prohibits a city, county, or city and county from regulating sidewalk vendors, except in accordance with the provisions of the bill. This measure applies to a charter or general law city, county, or city and county. *(The League has prepared a comprehensive summary on this measure in Appendix A of this document.)*

***SB 1035 (Jackson) General Plans.**

Chapter 733, Statutes of 2018

This measure requires a city, county, or city and county to revise the safety element to identify new information on fire hazards, flood hazards, and climate adaptation and resiliency strategies applicable to the city, county, or city and county that was not available during the previous revision of the safety element. This measure also requires

this revision to occur upon each revision of the housing element or local hazard mitigation plan (LHMP), but not less than every eight years.

***SB 1202 (Stone) Land Use. Development Fees.**

Chapter 357, Statutes of 2018

This measure requires local governments that have not completed a required report on mitigation fees for three consecutive years to pay the costs of requested audits of their Mitigation Fee funds.

SB 1226 (Bates) Building Standards. Building Permits.

Chapter 1010, Statutes of 2018

This measure requires HCD to propose the adoption of a building standard to authorize a local enforcement official to determine the date of construction of a residential unit, apply the building standards in effect of that date of construction, and issue a retroactive building permit when a record of the issuance of a building permit for the construction of an existing residential unit does not exist.

***SB 1227 (Skinner) Density Bonuses.**

Chapter 937, Statutes of 2018

This measure requires cities and counties to grant a 35% density bonus when an applicant for a housing development of five or more units seeks and agrees to construct a project that will contain at least 20% of the total units for lower-income students in a student housing development. *(The League has prepared a comprehensive summary on this measure in Appendix A of this document.)*

***SB 1333 (Wieckowski) Planning and Zoning. General Plan. Zoning Regulations. Charter Cities.**

Chapter 856, Statutes of 2018

This measure applies specified provisions in the Government Code pertaining to local planning and zoning requirements to charter cities. Specifically, this measure applies the following provisions to charter cities:

- Requirements for the legislative body of a city or county to adopt or amend a general plan by resolution (Government Code Section (GC) 65356);
- Legislative findings and declarations about accessory dwelling units (GC 65852.150);
- Provisions to prohibit local agencies from enacting or enforcing any ordinance, regulation, or resolution that would prohibit the reconstruction, restoration, or rebuilding of a multifamily dwelling that is involuntarily damaged or destroyed by a catastrophic event, except as specified (GC 65852.25);
- Consistency of county or city zoning ordinances (GC 65860);
- Requirements for cities and counties to make the inventory of housing sites available at all times in the planning period (GC 65863);
- Provisions related to local ordinances and balancing of housing needs with services (GC 65863.6);
- Provisions related to mobilehome conversions (GC 65863.8);

- Provisions related to development agreements (GC 65866, GC 65867.5, and GC 65869.05);
- Provisions related to elements in the General Plan(GC 65300.5);
- Provisions related to the adoption of a General Plan and its elements as a legislative act (GC 65301.5);
- Provisions related to specific plans (GC 65359, 65450, 65454, and 65455);
- Provisions related to Transit Village Plans (GC 65460.8);
- Provisions related to Low and Moderate Income Housing in the Coastal Zone(GC 65590 and 65590.1); and
- Housing Elements (GC Article 10.6, commencing with Section 65580).

D. Local Agency Formation Commissions

AB 2238 (Aguiar-Curry) Local Agency Formation. Regional Housing Need Allocation. Fire Hazards. Local Health Emergencies. Hazardous and Medical Waste.

Chapter 990, Statutes of 2018

This measure makes a number of minor changes to local agency formation commission (LAFCO) law, RHNA law, and the law that governs public health emergencies.

Additionally, this measure addresses chartering conflicts with AB 1771 (Bloom, Chapter 989, 2018) and SB 828 (Wiener, Chapter 974, 2018), deletes provisions related to the Subdivision Map Act, and make several technical changes.

AB 3254 (Comm. on Local Government) Local Government Organization. Omnibus.

Chapter 86, Statutes of 2018

This measure makes several non-controversial changes to LAFCO statutes, which govern local government organization and reorganization. These changes include:

- Inserting into the definition of "affected territory" those situations that refer to extension of service, as well as changes of organization, reorganization, and sphere of influence changes;
- Changing the remaining Government Code Sections that refer to the term "subject territory" to "affected territory;"
- Providing a separate definition of "uninhabited territory" to ensure that a definition of both terms can be found separately and distinctly, within the Cortese-Knox-Hertzberg Local Government Reorganization Act (Act), for any inquiring party searching for either term independently of the other term; and
- Altering the process by which representatives of independent special districts on each LAFCO are elected or appointed.

E. Community and Economic Development

***AB 1445 (Reyes) Designated Qualified Opportunity Zones. Sale or Lease of Property.**

Chapter 380, Statutes of 2018

This measure requires a city or county leasing or selling property to a qualified opportunity zone fund to collect specific information regarding timelines, employment, and the local workforce.

AB 1547 (Quirk-Silva) State Finance. Financing Authorities.

Chapter 645, Statutes of 2018. (Urgency)

This measure abolishes the California Industrial Development Financing Advisory Commission, while retaining the California Debt Limit Allocation Committee with substantially overlapping duties relative to industrial development bonds.

This measure makes the following definitional changes:

- Revises the definition of “small business” or “qualified business” for the purposes of qualifying for the California Americans with Disabilities Act Small Business Capital Access Loan Program (CalCAP/ADA) to be a business that is independently owned and operated and not dominant in its field with: (a) 30 or fewer, rather than 15 fewer, full-time equivalent employees or less than \$5 million in total gross annual income from all sources; and (b) not providing overnight accommodations;
- Adds “strengthening a building’s lateral load resisting system” to the list of procedures that qualifies as “seismic retrofit construction” for the purposes of the California Seismic Safety Capital Access Loan Program (CalCAP/Seismic Safety); and
- Revises the definition of “qualified building” for the purposes of CalCAP/Seismic Safety to mean a residential or commercial building that is identified by the local building code official for the jurisdiction in which the building is located as: (a) a building in need of seismic retrofitting; and (b) either a building of a type that is potentially vulnerable in the event of a catastrophic earthquake or a building constructed before 1981.

This measure also makes a change to the Sales and Use Tax Exclusion program to allow a contractor or other designated party to utilize the exemption when purchasing equipment for the approved project.

AB 1561 (Quirk-Silva) Economic Development. Infrastructure. Logistic Hubs.

Chapter 313, Statutes of 2018

This measure requires the Director of the Governor’s Office of Business and Economic Development (GO-Biz) to expand and update the elements of the state’s international trade and investment strategy (ITI Strategy) to include the role of logistical hubs and inland ports by July 1, 2019, while authorizing the California Infrastructure and Economic Development Bank (IBank) to finance inland port facilities.

AB 2252 (Limon) State Grants. State Grant Administrator.**Chapter 318, Statutes of 2018**

This measure enacts the Grant Information Act of 2018, requiring the California State Library, on or before July 1, 2020, to create a funding opportunities Internet Web portal that provides a centralized location for grant seekers to find state grant opportunities. The measure additionally requires each state agency, on or before July 1, 2020, to register every grant the state agency administers with the California State Library prior to commencing a solicitation or award process for distribution of the grant. Finally, this measure requires each state agency, on or before July 1, 2020, to provide for the acceptance of electronic applications for any grant administered by the state agency, as appropriate.

AB 2420 (Quirk-Silva) Workforce Development. Soft Skills Training.**Chapter 216, Statutes of 2018**

This measure authorizes the Employment Training Panel (ETP) to include “soft skills” in the type of job-related basic and literacy skills training for which a training contract may be provided. “Soft skills” is defined as behaviors and competencies to allow people to navigate professional environments, work well with colleagues, and perform up to standards for professional success, including, but not limited to, all of the following:

- Social skills, including, but not limited to, respectful personal interactions, context appropriate behavior, and conflict resolution;
- Competency in oral, written, nonverbal, and listening skills;
- Problem solving, critical thinking, and decision-making skills, including, but not limited to, identifying issues and evaluating options in order to reach a reasonable conclusion; and
- Self-regulation of behavior and the exercise of delayed gratification or directing focus or attention, or both.

AB 2524 (Wood) California Retail Food Code.**Chapter 493, Statutes of 2018**

This measure expands the definition of a food facility to include a catering operation and a host facility, and allows a catering operation to serve food at specified host facilities, breweries, wineries, or other locations approved by the local enforcement agency.

AB 2915 (Caballero) Workforce Development Boards. Mutual Disaster Aid**Assistance. Memorandum of Understanding.****Chapter 722, Statutes of 2018**

This measure requires the California Workforce Development Board to develop, in conjunction with the Employment Development Department and with input from local workforce development boards, a policy regarding mutual aid agreements between local boards to enable them to effectively respond to disasters.

SB 635 (Hueso) Governor's Office of Business and Economic Development. Local Economic Development Liaison Services.**Chapter 888, Statutes of 2018**

This measure authorizes GO-Biz to develop content for public dissemination to provide information and resources informing the general public about place-based and other geographically targeted economic development programs, including, but not limited to, California Promise Zones (PZs) and California Opportunity Zones (OZs) and requires GO-Biz to convene representatives from various programs and agencies across the state and from various federal programs and agencies to discuss how California can leverage PZs and OZs to meet state and local community and economic development needs.

SB 961 (Allen) Enhanced Infrastructure Financing Districts.*Chapter 559, Statutes of 2018**

This measure authorizes local sales tax revenues to be allocated to an Enhanced Infrastructure Financing District (EIFD) which adopts a Second Neighborhood Infill and Transit Improvements Act (NIFTI-2) program (established by this Act) that meets the following requirements:

- The boundaries of the district are coterminous with the city or county that established the district;
- The area to be financed is within one-half mile from a major transit stop;
- If local Bradley Burns sales and use taxes are to be used, the city or county has received the consent of any impacted local transportation agency. No local sales and use tax or transaction and use tax adopted by voters for a special purpose may be allocated to a district;
- 40 percent of the total funds received pursuant to this section are dedicated to the development of housing for household with incomes below 60 percent of area median income, of which half must be spent on households below 30 percent of median income. Residency priority in this housing is first for those displaced from the district, and second to a household with a member employed within two miles of the district;
- 10 percent of the total funds must be spent on parks, urban forestry, urban greening, or pedestrian or bicycle facilities, including connectivity to transit;
- Remaining revenues may be spent on:
 - Multi-family affordable housing with commercial space on ground floor;
 - Transit capital projects;
 - Transit-oriented development projects;
 - Capital projects that implement a complete streets programs; and
 - Parking structures in lieu of onsite parking for proposed developments.
- Bonds issued by an EIFD pursuant to this section are exempt from voter approval requirements if the EIFD complies with an extensive public protest process that mirrors the protest process currently required for the formation of a Community Revitalization Investment Authority; and
- The Governor's Office of Planning and Research is required to complete a study by January 1, 2021, on the effectiveness of this tool, and other specified recently created tax increment tools, for increasing housing production.

***SB 1145 (Leyva) Enhanced Infrastructure Financing Districts. Maintenance. Chapter 563, Statutes of 2018.**

This measure allows EIFD's to finance ongoing or capitalized maintenance costs for public facilities financed in whole or by part by the EIFD. Additionally, this measure prohibits the EIFD from using bonds to finance maintenance.

F. Disability Access

AB 3002 (Grayson) Disability Access Requirements. Information.

Chapter 680, Statutes of 2018

This measure promotes disability access at commercial businesses and places of public accommodation by requiring local government agencies to provide building permit applicants with an advisory about federal and state disability access laws, encouragement to obtain an inspection from a Certified Access Specialist (CASp), information about how to contact a CASp, and notice regarding the availability of state and federal programs to assist small businesses with disability access expenditures. Specifically, this measure requires each city, county, or city and county to provide all of the following information to commercial building permit and business license applicants:

- General information on the compliance requirements pursuant to the Americans with Disabilities Act (ADA) and Unruh Act;
- An advisory that encourages commercial building permit applicants to consult with a CASp prior to alteration or construction to ensure that the property will be in compliance with the laws after the work is performed, and that encourages commercial building permit applicants to obtain a CASp inspection after alteration or construction in order to obtain the legal benefits associated with such an inspection;
- An advisory that encourages business license applicants to consult with a CASp prior to engaging in business on the premises to ensure compliance with disability access laws, and that encourage business license applicants to obtain a CASp inspection after beginning to engage in business in order to obtain the legal benefits associated with such an inspection;
- Information about how to locate a CASp, including a link to the Division of the State Architect (DSA) Web site where information about CASps doing business in specific areas, and how to obtain their services;
- A notice about specified federal and state programs that are available to assist small businesses with disability compliance and access expenditures; and
- A link to the home page and the resource page of the California Commission on Disability Access.

This measure applies to all cities, including charter cities, and makes the following legislative findings and declarations: promoting uniform statewide compliance with construction-related accessibility requirements set forth in the ADA (Title 42 United States Code Section 12101 et seq.) and state disability law is a matter of statewide concern and is not a municipal affair as that term is used in the California Constitution, Article XI, Section 5.

G. Common Interest Developments

SB 261 (Roth) Common Interest Developments. Governance.

Chapter 836, Statutes of 2018

This measure provides that a homeowner association (HOA) in a common interest development (CID) may provide a document by electronic means if the recipient has consented by email and reduces the notice requirement of a proposed rule change by the HOA board from 30 days to 28 days.

SB 1016 (Allen) Common Interest Developments. EV-Dedicated TOU Meters.

Chapter 376, Statutes of 2018

This measure prohibits common interest developments from restricting or prohibiting a homeowner from installing or using an electric vehicle (EV) charging station, also known as a time-of-use meter (TOU). This measure also requires a homeowner to pay for installation of the charging station placed in a common area or an exclusive use common area, maintain liability coverage, and provide the association with a certificate of insurance.

SB 1173 (Vidak) Common Interest Developments. Annual Notices. Time-Share Plan Interests.

Chapter 91, Statutes of 2018

This measure deems a common interest development association, which includes time-share plan interests that are part of a mixed-use project, to have complied with the notice requirements under the Davis-Stirling Common Interest Development Act if, at least once annually, it obtains from the time-share plan association a copy of the list of owners in the time-share plan and enters that data into its books and records.

H. Landlord-Tenant

AB 2173 (Santiago) Commercial Real Property. Termination of Tenancy.

Disposition of Personal Property.

Chapter 74, Statutes of 2018

This measure increases the threshold amount that triggers a commercial landlord's duty to auction off personal property left behind when a commercial tenant vacates from \$750 or \$1 per square foot to \$2,500 or one month's rent. In addition, this measure makes findings and declarations highlighting the difference between commercial and residential tenancies and justifying, on that basis, setting a higher threshold amount for the disposal of abandoned personal property in the commercial context.

AB 2219 (Ting) Landlord-Tenant. 3rd-Party Payments.

Chapter 233, Statutes of 2018

This measure requires a landlord or landlord's agent to allow a tenant to pay rent through a third party, except there is no requirement to accept the rent payment tendered by a third party, unless the third party has provided a signed acknowledgment stating that they are not currently a tenant of the premises for which the rent payment is

being made, and that acceptance of the rent payment does not create a new tenancy with the third party.

AB 2343 (Chiu) Real Property. Possession. Unlawful Detainer.

Chapter 260, Statutes of 2018

This measure enacts various procedural changes to landlord-tenant law, including specified extensions of time for tenants to respond to notices and eviction papers. Specifically, this measure clarifies that the three-day notice period for unlawful detainer for a tenant to address curable breaches of the lease, including nonpayment of rent and failure to perform certain duties under the lease, shall be counted so as to exclude weekends and judicial holidays; clarifies that the five-day period in which the defendant may file his or her answer in response to a notice of summons in an unlawful detainer case shall be counted so as to exclude weekends and judicial holidays; and establishes a delayed operative date of September 1, 2019 for these provisions.

I. Mobilehomes

AB 1943 (Waldron) Mobilehome Financing.

Chapter 254, Statutes of 2018 (Urgency)

This measure allows a registered owner of a mobilehome in a mobilehome park that is converted or proposed to be converted to a resident-owned park to submit written evidence of ownership as proof that they own, hold title to, or are purchasing the real property where the mobilehome is to be installed. This measure remedies an inadequacy in the law and makes it easier for mobilehome owners to finance the rebuilding of their property after a wildfire or other natural disaster.

AB 2056 (E. Garcia) Mobilehomes. Loans and Grants.

Chapter 750, Statutes of 2018

This measure authorizes HCD to make loans from the Mobilehome Park Rehabilitation and Purchase Fund to a qualified nonprofit housing sponsor or a local public entity to acquire or rehabilitate a mobilehome park where no less than 30% of residents at the time that the loan application is filed are low income. This measure also authorizes the department to make loans or grants from the fund to a resident organization, nonprofit housing sponsor, or public local entity to assist park residents with needed repairs or accessibility upgrades. Additionally, this measure requires, for those loans issued on or after January 1, 2019, loan payments to be deferred for the full term of the loans.

AB 3066 (Stone) Mobilehome Residency Law Protection Act.

Chapter 774, Statutes of 2018

This measure establishes the Mobilehome Residency Law Protection (MRLP) program, beginning July 1, 2020, within HCD to help coordinate the resolution of complaints from homeowners relating to the Mobilehome Residency Law (MRL). This measure also requires HCD, on January 1, 2023, to submit a written report to the Legislature outlining data collected on the MRLP program. The MRLP sunsets on January 1, 2024.

SB 46 (Leyva) Mobilehomes. Enforcement Actions. Sunset Provision.**Chapter 835, Statutes of 2018**

This measure extends the sunset on the Mobilehome Park Maintenance (MPM) inspection program and associated fees from January 1, 2019 to January 1, 2024.

SB 1130 (Leyva) Property Tax Postponement. Manufactured Homes.**Chapter 896, Statutes of 2018**

This measure revises current Property Tax Postponement (PTP) law to update definitions, add references to security agreements, and alter the definition of "residential dwelling" to include manufactured homes in PTP law necessary for owners of manufactured homes to apply for PTP using most of the current requirements in law that apply to owners of traditional homes. The State Controller is required to, on July 1, 2019, and on July 1 each year thereafter, make up to 1% of the amount available in the existing Senior Citizens and Disabled Citizens Property Tax Postponement Fund (PTP Fund) available for residential dwellings that are manufactured homes.

J. Care Facilities**AB 3098 (Friedman) Residential Care Facilities for the Elderly. Emergency and Disaster Plans.****Chapter 348, Statutes of 2018**

This measure requires a residential care facility for the elderly to have an emergency and disaster plan. The emergency and disaster plan shall include the following:

- At least two shelter locations for housing residents during an evacuation, with one of the locations being outside of the immediate area;
- Plans for the facility to be self-reliant for a period of not less than 72 hours immediately following any emergency or disaster, including, but not limited to, a short-term or long-term power failure;
- Procedures for the storage and preservation of medications, including the storage of medications that require refrigeration;
- Training on the emergency plan to each staff member upon hire, and annually thereafter; and
- Procedures for those that want to shelter in place, including plans to address the loss of one or more utilities, including water, sewer, gas, or electricity.

This measure also requires the facility to make the emergency plan available on site to residents, and upon request, to any responsible party of a resident and the local long-term care ombudsman.

AB 3162 (Friedman) Alcoholism or Drug Abuse Treatment Facilities.*Chapter 775, Statutes of 2018**

This measure helps maintain residential neighborhoods as a therapeutic environment for the social integration of disabled persons, including recovering alcoholics and addicts by reforming outdated regulations for the licensing of residential drug and alcohol treatment facilities. Specifically, this measure:

- Requires new single licenses to operate an alcoholism or drug abuse recovery or treatment facility (treatment facility) to be provisional for one year;
- Permits, during the term of the provisional license, the Department of Health Care Services (DHCS) to revoke the license for good cause, where "good cause" means failure to operate in compliance with statutes and regulations regarding treatment facilities;
- Prohibits a licensee from reapplying for an initial license for five years following a revocation of a provisional license;
- Requires that all programs and services offered or provided by a treatment facility to be specified in the license application and provided exclusively within the licensed facility or within any facilities identified on a single license by street address, and only to residents of the licensed alcoholism or drug abuse recovery or treatment facility;
- Increases the civil penalty assessed by DHCS when a treatment facility is operating without a license to a limit of \$2,000, as determined by DHCS, for every day the treatment facility continues to provide services beyond the date that the license was revoked by DHCS;
- Increases all other civil penalties (up to \$1,000) for violations of this chapter; and
- Requires DHCS, on or before July 1, 2022, to adopt regulations to implement this bill in accordance with the Administrative Procedure Act.

SB 823 (Hill) Alcohol and Drug Treatment Abuse Recovery and Treatment Facilities.

Chapter 781, Statutes of 2018

This measure requires DHCS to adopt the American Society of Addiction Medicine treatment criteria as the minimum standard of care for licensed residential alcoholism or drug abuse recovery or treatment facilities (RTF). This measure also requires a licensed RTF to maintain those standards with respect to the level of care to be provided by the licensed RTF. DHCS is permitted to implement, interpret, or make specific the provisions in this bill by means of plan or provider bulletins or similar instructions until regulations are adopted. DHCS must adopt regulations by January 1, 2023.

SB 992 (Hernandez) Alcoholism or Drug Abuse Recovery or Treatment Facilities.

Chapter 784, Statutes of 2018

This measure implements several provisions to improve care in, and increase oversight of, substance use disorder (SUD) treatment facilities. Specifically, this measure:

- Requires all DHCS-licensed RTFs and certified outpatient programs to disclose ownership of, financial interest in, or control over "recovery residences" (RR), and any contractual relationship with an entity that regularly provides services to clients of the licensed or certified program;
- Permits DHCS to suspend or revoke the license or certification of a program that fails to disclose the information; and
- Requires RTFs to develop a plan to address when a resident relapses. The plan shall include details of how the treatment stay and treatment plan of the resident will be adjusted to address the relapse episode and how the resident will be treated and supervised while under the influence.

SB 1228 (Lara) Alcoholism or Drug Abuse Recovery and Treatment Services. Referrals.**Chapter 792, Statutes of 2018**

This measure prohibits the following persons, programs, or entities from giving or receiving remuneration or anything of value for the referral of a person who is seeking alcoholism or drug abuse recovery and treatment services, including:

- A licensed alcoholism or drug abuse recovery and treatment facility;
- An owner, partner, officer, or director, or shareholder who holds an interest of at least 10 percent in a licensed alcoholism or drug abuse recovery and treatment facility licensed;
- A person employed by, or working for, a licensed alcoholism or drug abuse recovery and treatment facility;
- An alcohol or other drug program certified by the department in accordance with the alcohol or other drug certification standards established pursuant to Section 11830.1;
- An owner, partner, officer, or director, or shareholder who holds an interest of at least 10 percent in an alcohol or other drug program certified by the department in accordance with the alcohol or other drug certification standards established pursuant to Section 11830.1; and
- A person employed by, or working for, an alcohol or other drug program certified by the department in accordance with the alcohol or other drug certification standards established pursuant to Section 11830.1.

SB 1280 (Roth) Small House Skilled Nursing Facilities.**Chapter 115, Statutes of 2018**

This measure extends the operation of the Small House Skilled Nursing Facilities Pilot Program (SHSNF PP), from 2020 to 2026. The SHSNF PP authorizes the development and operation of up to 10 small house skilled nursing facilities that are licensed to provide skilled nursing care and supportive care to patients in small, homelike, residential settings that incorporate emerging patient-centered health care concepts.

K. Miscellaneous**AB 1796 (Muratsuchi) Rental Property. Electric Vehicle Charging Stations.****Chapter 163, Statutes of 2018**

This measure removes the exemption that allows lessors of dwellings subject to a residential rent control ordinance to deny requests of lessees to install electric vehicle (EV) charging stations at parking spaces. This measure extends a tenant's right to install an EV charging station to residential properties subject to rent control with leases executed, extended, or renewed on or after January 1, 2019.

AB 1875 (Wood) Residential Property Insurance.**Chapter 629, Statutes of 2018**

This measure, in response to the large number of underinsured victims of the devastating 2018 wildfires, requires the Department of Insurance (DOI) to establish the

California Home Insurance Finder on its Internet Web site to help homeowners connect with an insurance agent or broker for residential property insurance. This tool will help homeowners find insurers that are offering homeowner's policies in their area. This measure also requires an insurer that refuses to offer or renew a homeowner's insurance policy or doesn't offer or declined to offer extended replacement cost coverage to refer the homeowner to the DOI home insurance finder. DOI is required to make this tool available by July 1, 2020.

AB 1919 (Wood) Price Gouging. State of Emergency.

Chapter 631, Statutes of 2018

This measure, upon the proclamation or declaration of an emergency, makes it a misdemeanor for a person, business, or other entity to increase the rental price for housing to an existing or prospective tenant by more than 10%. The measure extends the prohibition with regards to housing for any period that the proclamation or declaration is extended. This measure additionally makes it a misdemeanor for a person, business, or entity to evict a housing tenant after the proclamation of a state of emergency and then rent or offer to rent to another person at a rental price higher than the evicted tenant could be charged.

Additionally, CalOES must include, on an appropriate Internet Web site, information about price gouging, including information for property owners about the effect of a declaration of emergency by the Governor on rental house pricing.

***AB 2164 (Cooley) Local Ordinances. Fines and Penalties. Cannabis.**

Chapter 316, Statutes of 2018

This measure allows a city or county by local ordinance to impose immediate administrative fines or penalties for violations of building, plumbing, electrical, or other similar health and safety, or zoning requirements if the violation exists as a result of, or to facilitate, the illegal cultivation of cannabis.

***AB 2598 (Quirk) Cities and Counties. Ordinances. Violations.**

Chapter 970, Statutes of 2018

This measure enhances tools that assist local governments protect the health and safety of their residents through code enforcement, by increasing fine amounts for violations of local building and safety codes, as follows:

- Increases initial fine amount from \$100 to \$130;
- Increases fine for a second violation within one year from \$500 to \$700;
- Increases fine for a third violation within one year from \$1,000 to \$1,300;
- Adds a new category of fine for up to \$2,500, for each violation occurring within two years of the initial violation, for the failure of a commercial property owner with existing buildings to remove visible refuse or prohibit unauthorized use of the property; and
- Requires local agencies levying fines for second or third violations to establish a process for granting a hardship waiver based upon a showing by the responsible party of a bona fide effort to comply with the first violation and that payment of the full amount of the fine would result in a financial hardship.

AB 3232 (Friedman) Zero-Emissions Buildings and Sources of Heat Energy.**Chapter 373, Statutes of 2018**

This measure requires the California Energy Commission (CEC) to develop a plan to ensure that all new residential and nonresidential buildings be zero-emission buildings and have a strategy to achieve a 40% reduction in greenhouse gas emissions generated by the state's residential and nonresidential building stock by January 1, 2030. Additionally, this bill establishes several deadlines related to the achievement of this bill's goals, including:

- February 1, 2019, directing the CEC to open a proceeding to consider load management standards and strategies needed to optimize building energy use in a manner that reduces GHG emissions;
- January 1, 2020, directing the CEC to assess the potential for the state to reduce GHG emissions by the state's residential and commercial building stock by at least 40% below 1990 levels by January 1, 2030; and
- Beginning in 2021, requiring the Integrated Energy Policy Report to include a report on the GHG emissions associated with the supply of energy to residential and commercial buildings by fuel type and by geographic area.

SB 1480 (Hill) Professions and Vocations.*Chapter 571, Statutes of 2018**

This measure makes a number of substantive changes to various boards and bureaus within the Department of Consumer Affairs (DCA), and modifies the requirements for certification by the California Massage Therapy Council (CAMTC). This measure suspends the requirement that applicants for certification by CAMTC must pass an examination until January 1, 2021. By suspending the requirement to pass an examination, massage therapists can be certified by CAMTC and lawfully practice massage therapy without fully demonstrating competency.

V. Public Safety

A. Alcoholic Beverage Regulation

AB 1890 (Levine) Alcoholic Beverage Licensees. Craft Distillers, Winegrowers, and Beer Manufacturers.

Chapter 293, Statutes of 2018

This measure adds a licensed craft distiller to a current exemption in the Alcohol Beverage Control Act (Act) that allows a licensed winegrower and a licensed small beer manufacturer, whose premises of production are immediately adjacent to each other, to share a common area in which the consumption of alcoholic beverages is permitted, under the following specified circumstances:

- Shared common area is adjacent and contiguous to the premises of the licensees;
- Premises of the licensees are not branch offices;
- Shared common area must be readily accessible from the premises of the licensees without having to use a public street, alley, or sidewalk;
- Alcoholic beverages that may be consumed in the shared common area must be purchased by the consumer only from the winegrower, the beer manufacturer, or the licensed craft distiller; and
- Winegrower, beer manufacturer, and craft distiller are jointly responsible for compliance with the provisions of this bill and for any violation that may occur within the shared common licensed area.

AB 1891 (Levine) Alcoholic Beverage Licensees. Instructional Tastings. Craft Distillers.

Chapter 273, Statutes of 2018

This measure adds a craft distiller license to the definition of licensees who are allowed to instruct consumers and conduct tastings at an on-sale and off-sale retail licensed premises, subject to limitations on the amounts that may be provided to consumers. Under existing law, for the instruction of consumers, individuals are limited to a maximum of three tastings in one day. To clarify, a single tasting of distilled spirits may not exceed one-fourth of one ounce and a single tasting of wine may not exceed one ounce.

AB 1986 (Cunningham) Craft Distillers. Alcoholic Beverage Licensees. Donations.

Chapter 579, Statutes of 2018

This measure expands an existing Tied-house exception within the Alcoholic Beverage Control Act to allow licensed craft distillers to give or sell distilled spirits to nonprofit organizations for the purpose of assisting in fundraising efforts.

AB 2914 (Cooley) Cannabis in Alcoholic Beverages.

Chapter 827, Statutes of 2018

This measure prohibits the simultaneous ownership of alcohol and cannabis licenses and prohibits the sale of infused cannabis into an alcoholic beverage.

SB 973 (Dodd) Alcoholic Beverages. Annual License Fees. Surcharge. Distilled Spirits Manufacturers. Free or Discounted Rides.**Chapter 689, Statutes of 2018**

This measure increases from \$5 to \$10 the annual surcharge that the Department of Alcoholic Beverage Control (ABC) collects from each type of alcoholic beverage licensee for the California Highway Patrol's (CHP) Designated Driver Program, and authorizes a distilled spirits manufacturer to provide consumers a free or discounted ride for the purpose of furthering public safety. The measure prohibits the distilled spirits manufacturer from conditioning a free or discounted ride upon the purchase of an alcoholic beverage.

SB 1164 (Skinner) Craft Distillers.**Chapter 695, Statutes of 2018**

This measure makes various changes to the craft distiller's license, including eliminating the requirement that a person must attend a tasting before being able to purchase prepackaged containers of the licensee's spirits directly from the craft distiller, and increasing the maximum amount of distilled spirits that a craft distiller is permitted to manufacture from 100,000 gallons to 150,000 gallons.

SB 1283 (Bradford) Brewpub-Restaurant Licensees. Beer Sales.**Chapter 736, Statutes of 2018**

This measure authorizes a brewpub-restaurant licensee to label, bottle, package, or refill any container with beer produced on their licensed premises and to sell that beer for consumption off the premises. Additionally, it makes various changes to the brewpub-restaurant license to allow for greater enforcement by ABC and limit the number of brewpub-restaurant licenses.

B. Cannabis**AB 873 (Lackey) Department of Food and Agriculture. Commercial Cannabis Activity Inspectors. Peace Officer Duties.****Chapter 138, Statutes of 2018**

This measure specifies that persons who are not peace officers, but are employed by the California Department of Food and Agriculture (CDFA) and designated by the CDFA Secretary as an investigator whose primary duty is enforcement of commercial cannabis, have the powers of arrest and to serve warrants.

AB 1527 (Jones-Sawyer) Cannabis. Cannabis Control Appeals Panel.**Chapter 95, Statutes of 2018 (Urgency)**

This measure eliminates the Legislature's power to remove a member of the Cannabis Control Appeals Panel and instead provides that members of the panel may be removed from office by their appointing authority.

AB 1741 (Bonta) Cannabis. Taxation. Electronic Funds Transfer.**Chapter 228, Statutes of 2018**

This measure temporarily allows a commercial cannabis licensee to remit cannabis excise taxes, cannabis cultivation taxes, and sales and use taxes stemming from cannabis sales by means other than electronic funds transfer, if approved by the California Department of Tax and Fee Administration (CDTFA). The measure only allows this exemption until January 1, 2022.

AB 1793 (Bonta) Cannabis Convictions. Resentencing.*Chapter 993, Statutes of 2018**

This measure establishes a process to expedite the identification, review, and notification of individuals who may be eligible for recall or dismissal, dismissal and sealing, or redesignation of specified cannabis-related convictions. Specifically, this measure:

- Requires the Department of Justice (DOJ), by July 1, 2019, to review the records in the state summary criminal history information database and to identify past convictions that are potentially eligible for recall or dismissal of sentence, dismissal and sealing, or redesignation pursuant to the Adult Use of Marijuana Act. (AUMA);
- Requires DOJ to notify the prosecution of all cases in their jurisdiction that are eligible for recall or dismissal of a sentence, dismissal and sealing, or redesignation; and
- Requires the prosecution, by July 1, 2020, to review all cases and determine whether to challenge the resentencing, dismissal and sealing, or redesignation.

AB 2020 (Quirk) Cannabis. Local Jurisdiction Licensees. Temporary Event License.*Chapter 749, Statutes of 2018**

This measure authorizes the Bureau of Cannabis Control (BCC) to issue a temporary state event license for a venue that has been expressly approved by a local jurisdiction. In addition, this measure:

- Clarifies that those engaged in onsite retail sales must be licensed and in compliance with applicable regulations;
- Requires an application for a temporary event license to be submitted to BCC at least 60 days prior to an event and include a listing of all participating licensees. BCC is required to be notified of any changes to the listing, and those not listed cannot participate;
- Authorizes the BCC to impose civil penalties of up to three times the license fee for each violation;
- Authorizes BCC or local law enforcement to require the event and all participants to cease operations without delay if deemed necessary to protect the immediate public health and safety of the people; and
- Clarifies that existing state protections for workers from impacts of secondhand smoking in the workplace continue to apply for cannabis.

AB 2164 (Cooley) Local Ordinances. Fines and Penalties. Cannabis.*Chapter 316, Statutes of 2018**

This measure allows a city or county by local ordinance to impose immediate administrative fines or penalties for violations of building, plumbing, electrical, or other similar health and safety, or zoning requirements if the violation exists as a result of, or to facilitate, the illegal cultivation of cannabis.

AB 2215 (Kalra) Veterinarians. Cannabis. Animals.**Chapter 819, Statutes of 2018**

This measure expands the intent of the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) to control and regulate cannabis and cannabis products for medicinal use on pets. The measure defines “cannabis products” to include products intended for medicinal use on a pet. The measure prohibits a licensed veterinarian from dispensing or administering cannabis or cannabis products, but allows a veterinarian to discuss the use of cannabis on an animal for medicinal purposes without being disciplined or denied, revoked or suspended by the Veterinary Medical Board (VMB). Under the measure, the VMB has until July 1, 2019 to promulgate guidelines for veterinarians to follow when discussing the use of cannabis. Lastly, the measure clarifies that a cannabis product for use on a pet may only be sold to an adult 21 years of age or over by a licensee who has been issued a retailer license, as specified.

AB 2402 (Low) Cannabis. Personal Information.**Chapter 583, Statutes of 2018**

This measure prohibits a licensee under the MAUCRSA from disclosing a consumer's personal information to a third party without the consumer's consent.

AB 2721 (Quirk) Cannabis. Testing Laboratories.**Chapter 546, Statutes of 2018**

This measure authorizes cannabis testing laboratories to receive and test samples for cannabis or cannabis products from a person over 21 years of age when the cannabis has been grown by that person and will be used solely for his or her personal use.

AB 2799 (Jones-Sawyer) Adult-Use Cannabis and Medicinal Cannabis. License**Application. OSHA Training.****Chapter 971, Statutes of 2018**

This measure requires an applicant for a state license under the MAUCRSA to provide a statement that the applicant employs, or will employ within one year of receiving a license, an employee who has successfully completed a training course offered by a training provider authorized by an Occupational Safety and Health Administration (OSHA) Training Institute Education Center.

AB 2899 (Rubio) Cannabis. Advertisements.**Chapter 923, Statutes of 2018**

This measure prohibits a cannabis licensee from publishing or disseminating advertising or marketing while the licensee's license is suspended.

AB 3067 (Chau) Internet. Marketing. Minors. Cannabis.**Chapter 347, Statutes of 2018**

This measure adds cannabis, cannabis products, cannabis businesses, and cannabis paraphernalia to the list of products subject to advertising restrictions in the Privacy Rights for the California Minors in the Digital World.

SB 311 (Pan) Commercial Cannabis Activity. Licensed Distributors.**Chapter 556, Statutes of 2018 (Urgency)**

This measure authorizes a distributor to transport cannabis and cannabis products that are fit for sale to the premises of another licensed distributor.

SB 1294 (Bradford) Cannabis. State and Local Equity Programs.*Chapter 794, Statutes of 2018**

This measure seeks to create opportunities and assistance to enter California's cannabis industry for those who have been most negatively affected by its criminalization. Named the California Cannabis Equity Act of 2018, the measure does the following:

- Authorizes BCC to provide technical assistance to local equity applicants or local equity licensees;
- Authorizes local jurisdictions to apply for grants to assist equity applicants and licensees through that local jurisdiction's equity program;
- Requires an eligible local jurisdiction that receives grant funds pursuant to these provisions to submit an annual report to the bureau that contains specified information on the use of the grant funds and specified demographic data; and
- Requires, on or before July 1, 2019, the bureau to, among other things, publish approved local equity ordinances and model equity ordinances created by advocacy groups and experts, as specified.

SB 1459 (Cannella) Cannabis. Provisional License.*Chapter 857, Statutes of 2018 (Urgency)**

This measure allows state licensing agencies to issue provisional commercial cannabis licenses to businesses that are currently in the process of becoming licensed at both the state and the local level.

C. Controlled Substances**AB 710 (Wood) Cannabidiol.****Chapter 62, Statutes of 2018 (Urgency)**

This measure provides that if cannabidiol—a compound contained in cannabis—is federally rescheduled or otherwise made a legally prescribable controlled substance, it must also be legal to prescribe under state law.

AB 1751 (Low) Controlled Substances. CURES Database.**Chapter 478, Statutes of 2018**

This measure authorizes the DOJ to enter into an agreement with an entity operating an interstate data share hub for the purposes of participating in interjurisdictional information sharing between prescription drug monitoring programs across state lines.

AB 1753 (Low) Controlled Substances. CURES Database.**Chapter 479, Statutes of 2018**

This measure authorizes the DOJ to reduce or limit the number of approved controlled substance prescription security printers, as specified, and to require prescription forms for controlled substance prescriptions to have a uniquely serialized number, as specified.

AB 1948 (Jones-Sawyer) Interception of Electronic Communications.**Chapter 294, Statutes of 2018**

This measure adds fentanyl to the list of controlled substances for which interception of wire or electronic communications may be ordered.

AB 2086 (Gallagher) Controlled Substances. CURES Database.**Chapter 274, Statutes of 2018**

This measure authorizes a prescriber of controlled substances to review a list of patients for whom they are listed as being the prescriber.

AB 2589 (Bigelow) Controlled Substances. Human Chorionic Gonadotropin.**Chapter 81, Statutes of 2018**

This measure exempts human chorionic gonadotropin (hCG) from the regulations associated with Schedule III controlled substances when possessed by, sold to, purchased by, transferred to, or administered by a licensed veterinarian, or a licensed veterinarian's designated agent, exclusively for veterinary use.

AB 2760 (Wood) Prescription Drugs. Prescribers. Naloxone Hydrochloride and Other FDA-Approved Drugs.**Chapter 324, Statutes of 2018**

This measure requires a prescriber to offer a prescription for naloxone hydrochloride or another federally approved drug for the complete or partial reversal of opioid depression for patients when certain conditions are present. This measure also requires a prescriber to provide education to those patients and about how these drugs may be used to prevent an overdose.

AB 2783 (O'Donnell) Controlled Substances. Hydrocodone Combination**Products. Schedules.****Chapter 589, Statutes of 2018**

This measure reschedules specified hydrocodone combination products from Schedule III to Schedule II controlled substances.

AB 3112 (Grayson) Controlled Substances. Butane.**Chapter 595, Statutes of 2018**

This measure makes it unlawful for a manufacturer, wholesaler, reseller or retailer to sell nonodorized butane to a customer, but would exempt from the prohibition certain consumer items such as lighters and small containers of non-odorized butane used to refill these items. The measure authorizes the assessment of a civil penalty for the violations specified.

SB 1109 (Bates) Controlled Substances. Schedule II Drugs. Opioids.**Chapter 693, Statutes of 2018**

This measure enhances education and awareness for opioid prescribers and patients. Specifically, this measure:

- Requires that existing trainings for prescribers related to pain management include addiction risks associated with Schedule II drugs;
- Requires additional warning labeling about the risks of addiction and overdose for opioid prescriptions;
- Requires school districts, charter schools, and private schools that offer athletics programs, as well as youth sports organizations, to provide an information sheet to participants about the risk of opioid addiction that parents must sign and return; and
- Requires prescribers to discuss risks and dangers of opioids and opioid addiction with minors and their parents or guardians.

D. Crimes, Crime Victims and Corrections**AB 282 (Jones-Sawyer) Aiding, Advising, or Encouraging Suicide. Exemption from Prosecution.****Chapter 245, Statutes of 2018**

This measure prohibits a person whose actions are compliant with the End of Life Option Act from being prosecuted for deliberately aiding, advising, or encouraging suicide.

AB 324 (Kiley) Crimes. Disorderly Conduct.**Chapter 246, Statutes of 2018**

This measure defines the term “identifiable” as “capable of identification, or capable of being recognized, meaning that someone could identify or recognize the victim, including the victim herself or himself” for:

- The crimes of using a camera or similar device to photograph or record an identifiable person under or through their clothing;
- The purpose of viewing their body or undergarments;
- The purpose of sexual gratification; or
- To record an identifiable person without their consent, who is in a state of full or partial undress in an area in which they have a reasonable expectation of privacy.

AB 372 (M. Stone) Domestic Violence. Probation.**Chapter 290, Statutes of 2018**

This measure, effective July 1, 2019, and until July 1, 2022, authorizes the counties of Napa, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, and Yolo to offer an alternative program, for individuals convicted of domestic violence, based on a risk and needs assessment. The alternative program is required to meet the all of the following conditions:

- The county develops the program in consultation with the domestic violence service providers and other relevant community partners;
- The county performs a risk and needs assessment utilizing an assessment demonstrated to be appropriate for domestic violence offenders for each offender entering the program;
- The offender's treatment within the program is based on the findings of the risk and needs assessment;
- The program includes components that are evidence-based or promising practices;
- The program has a comprehensive written curriculum that informs the operations of the program and outlines the treatment and intervention modalities;
- The offender's treatment within the program is for not less than one year in length, unless an alternative length is established by a validated risk and needs assessment completed by the probation department or an organization approved by the probation department;
- The county collects all of the following data for participants in the program:
 - The offender's demographic information, including age, gender, race, ethnicity, marital status, familial status, and employment status; and
 - The offender's criminal history;
- The offender's risk level as determined by the risk and needs assessment:
 - The treatment provided to the offender during the program and if the offender completed that treatment; and
 - The offender's outcome at the time of program completion, and six months after completion, including subsequent restraining order violations, arrests and convictions, and feedback provided by the victim if the victim desires to participate.
- The county reports all of the following information annually to the Legislature:
 - The risk and needs assessment tool used for the program;
 - The curriculum used by each program;
 - The number of participants with a program length other than one year, and the alternative program lengths used;
 - Individual data on the number of offenders participating in the program; and
 - Individual data for the items described under the section for data the county collects for participants in the program.

AB 929 (Rubio) Spousal Support Factors. Domestic Violence.**Chapter 938, Statutes of 2018**

This measure adds additional factors that a court must consider regarding domestic violence between the parties when deciding whether to order spousal support.

Specifically, this measure requires a court to consider all documented evidence of any history of domestic violence, between the parties or perpetrated by either party against either party's child, when deciding whether to order spousal support. This includes, but is not limited to:

- Issuance of a protective order after a hearing under the Domestic Violence Prevention Act; and
- A finding by a court during the pendency of a divorce, separation, or child custody proceeding, or other proceeding, as specified, that the spouse has committed domestic violence.

***AB 1065 (Jones-Sawyer) Theft. Aggregation. Organized Retail Theft**

Chapter 803, Statutes of 2018

This measure creates the crime of organized retail theft, defining the term as follows:

- Acting in concert with one or more persons to steal merchandise from one or more merchants' premises or online marketplace with the intent to sell, exchange or return the merchandise for value;
- Acting in concert with two or more persons to receive, purchase, or possess merchandise stolen from one or more merchant's premises or online marketplace knowing or believing it to have been stolen;
- Acting as an agent of another individual or group of individuals to steal merchandise from one or more merchant's premises or online marketplaces as part of an organized plan to commit theft; and
- Recruiting, coordinating, organizing, supervising, directing, managing, or financing another to undertake any of the acts described in the provisions above regarding acting in concert or any other statute defining theft of merchandise.

This measure also:

- Specifies the penalties for violations of these new provisions;
- Expands and clarifies the jurisdiction where cases of theft or receipt of stolen merchandise can be prosecuted;
- Requires the CHP to convene a regional property task force;
- Authorizes a grant program, upon appropriation by the Legislature, to create demonstration projects to reduce recidivism to high-risk misdemeanor probationers; and
- Establishes a sunset date of January 1, 2021, for the provisions of this measure.

AB 1619 (Berman) Sexual Assault. Statutes of Limitations on Civil Actions.

Chapter 939, Statutes of 2018

This measure extends the statute of limitations for any civil action from two to ten years for recovery of damages suffered as a result of sexual assault and adds a delayed discovery provision. Specifically, the measure establishes a statute of limitations specific to sexual assault or attempted sexual assault that occurs on or after a plaintiff's 18th birthday. It also specifically provides that the time for commencement of such action is the later of the following:

- Within 10 years from the date of the last act, attempted act, or assault with the intent to commit an act of sexual assault, as defined; or

- Within three years from the date the plaintiff discovers or reasonably should have discovered that an injury or illness resulted from an act, attempted act, or assault with the intent to commit an act of sexual assault.

AB 1639 (E. Garcia) Crime Victims. The California Victim Compensation Board.**Chapter 161, Statutes of 2018**

This measure prohibits the California Victim Compensation Board from denying an application made to the California Victim Compensation Program solely because of a victim's or victim's family member's connection or suspected connection with a gang, or a victim's or victim's family member's immigration status.

AB 1735 (Cunningham) Protective Orders. Human Trafficking. Pimping.**Pandering.****Chapter 805, Statutes of 2018**

This measure requires the court to consider issuing a protective order in all cases in which a defendant has been convicted of human trafficking, pimping or pandering.

AB 1896 (Cervantes) Sexual Assault Counselor-Victim Privilege.**Chapter 123, Statutes of 2018**

This measure makes clear that the existing sexual assault counselor-victim privilege extends to counselors operating on the campus of a public or private institution of higher education.

AB 1920 (Grayson) Impersonation. Search and Rescue Personnel.**Chapter 252, Statutes of 2018**

This measure provides that any person, other than an officer or a member of a government-agency managed or affiliated search and rescue team, who willfully wears, exhibits, or uses the authorized uniform, insignia, emblem, device, label, certificate, card or writing of a person on such a team is guilty of a misdemeanor when done in any of the following situations:

- With the intent of fraudulently impersonating a member of the search and rescue team;
- With the intent of fraudulently inducing the belief that he or she is a member of the search and rescue team; or,
- Using the same to obtain aid, money, or assistance within the state.

AB 1985 (Ting) Hate Crimes. Law Enforcement Policies.**Chapter 26, Statutes of 2018**

This measure clarifies that temporary, permanent, congenital disabilities or disabilities acquired by heredity, accidents, injuries, advanced age, or illness are protected under hate crime laws. The measure also provides that any local law enforcement agency that updates or adopts a new hate crime policy must include:

- The definitions of "hate crime" and associated factors, as specified;
- The content of the model policy framework that the Commission on Peace Officer Standards and Training (POST) developed;
- Information regarding bias motivation;

- Information regarding the general underreporting of hate crimes, particularly of anti-disability and anti-gender hate crimes;
- A protocol for reporting suspected hate crimes to (DOJ);
- A checklist of first responder responsibilities;
- A specific procedure for transmitting and periodically retransmitting the policy to all officers;
- The title(s)of the officer(s) responsible for the department's hate crime brochure; and
- A requirement that all officers be familiar and carry out the policy unless directed otherwise.

AB 2080 (Cervantes) Criminal Offender Record Information. Reporting.**Chapter 814, Statutes of 2018**

This measure specifies that detention facilities are required to report both inmate admissions and releases to the DOJ within 30 days of such an action.

AB 2105 (Maienschein) Punitive Damages: Minors.**Chapter 166, Statutes of 2018**

This measure allows for a recovery of up to three times the amount of an award in a civil action brought by, or on behalf of, or for the benefit of, a person who is a minor or nonminor dependent and is a victim of commercial sexual exploitation, "whenever a trier of fact is authorized by a statute to impose either a fine, or a civil penalty or other penalty, or any other remedy the purpose or effect of which is to punish or deter," if that trier of fact finds any specified factors exist. It would further authorize a court to award a civil penalty of \$10,000 to \$50,000 where the trier of fact is not authorized by statute to impose a civil penalty.

AB 2226 (Patterson) Crime Victims. Restitution and Compensation.**Chapter 142, Statutes of 2018**

This measure allows the court to order victim restitution to cover the costs of installing a residential security system in domestic violence cases.

AB 2302 (Baker) Child Abuse. Sexual Assault. Mandated Reporters. Statute of Limitations.**Chapter 943, Statutes of 2018**

This measure makes the failure to report an incident known to be sexual assault by a mandated reporter a continuing offense until an agency, as specified, discovers the offense.

AB 2413 (Chiu) Tenancy. Law Enforcement and Emergency Assistance.*Chapter 190, Statutes of 2018**

This measure essentially does two things:

- Allows tenants who are crime victims to utilize a third form of documentation – a joint statement signed by the tenant and a qualified third party service provider, such as a physician, psychologist, or domestic violence case worker – as the basis upon which to invoke legal protection against eviction; and

- Ensures that landlords do not evict or otherwise penalize tenants solely because law enforcement or other emergency services are summoned to the property to aid those tenants as victims of domestic violence, abuse, crime, or other emergencies.

***AB 2495 (Mayes) Prosecuting Attorneys. Charging Defendants for the Prosecution Costs of Criminal Violations of Local Ordinances.**

Chapter 264, Statutes of 2018

This measure makes it unlawful for a local city or county government to charge a person for the costs of investigation, prosecution, or appeal that that city or county sustains in a criminal case. The term “costs” refers to the salary, fees and hourly rate paid to attorneys, law enforcement, and inspectors for time spent either investigating or enforcing the charged crime. The measure maintains the authority of a probation department to assess and collect fees or other charges authorized by statute.

The measure does not apply to costs incurred in a civil action or civil proceeding, nor does it apply to specified provisions that specifically allow for recovery of the cost of prosecution.

AB 2526 (Rubio) Temporary Emergency Gun Violence Restraining Orders.

Chapter 873, Statutes of 2018

This measure allows a judicial officer to issue a temporary emergency gun violence restraining order (GVRO) orally based on the statements of the law enforcement officer and would allow a temporary GVRO to be obtained in writing and based on a declaration signed under penalty of perjury if time and circumstances permit.

AB 2595 (Obernolte) Wards. Confinement.

Chapter 766, Statutes of 2018

This measure prohibits the confinement of a ward in the Division of Juvenile Justice (DJJ) in excess of the term of confinement set by the committing court. The measure also authorizes a court to set a term that is necessary to rehabilitate the ward based upon the facts and circumstances of the matter that brought the ward under the jurisdiction of the court. The measure further provides that the limitations on the length of the physical confinement of a ward committed to DJJ do not limit the power of the Board of Juvenile Hearings to discharge a ward.

AB 2661 (Arambula) Mental Health. Sexually Violent Predators.

Chapter 821, Statutes of 2018

This measure clarifies that a person's subsequent conviction for an offense that is not a sexually violent offense, committed while in the custody of the California Department of Corrections and Rehabilitation (CDCR) or the Department of State Hospitals (DSH) while awaiting the resolution of a petition to have the person committed to the DSH as a Sexually Violent Predator (SVP), does not change the jurisdiction over the pending SVP petition, which is the county in which the person was convicted of the sexually violent offense that resulted in commitment to CDCR.

AB 2792 (Calderon) Termination of the Parent and Child Relationship. Severe Sexual Abuse.**Chapter 83, Statutes of 2018**

This measure clarifies that a prior finding of severe sexual abuse in the context of a juvenile dependency proceeding constitutes evidence of neglect or cruel treatment for the purposes of a separate proceeding to terminate parental rights.

AB 2801 (Salas) Crimes. Memorials. Veterans and Law Enforcement.**Chapter 549, Statutes of 2018**

This measure expands the crime of maliciously destroying or defacing law enforcement and firefighter memorials to include veterans' memorials.

AB 3078 (Gallagher) Theft. Burglary. Natural or Manmade Disasters.**Chapter 132, Statutes of 2018**

This measure expands the crime of looting to include theft that occurs while an area is under an evacuation order.

AB 3118 (Chiu) Sexual Assault. Investigations.**Chapter 950, Statutes of 2018**

This measure provides that each law enforcement agency, crime lab, medical facility, or other facility that receives or stores sexual assault kit evidence must conduct an audit of all untested kits in their possession and, by July 1, 2019, report to DOJ all of the following:

- The total number of untested kits in their possession; and
- For each kit reported, the following information, as applicable:
 - Whether or not the assault had been reported to a law enforcement agency;
 - The date the kit was collected;
 - The date a law enforcement agency had picked the kit up, for each agency which has taken custody of the kit;
 - The date the kit was delivered to a crime lab; and
 - The reason a kit has not been tested, if applicable.

SB 896 (McGuire) Aggravated Arson.**Chapter 619, Statutes of 2018**

This measure extends the sunset date on the state's aggravated arson statute until January 1, 2024, and increases the threshold amount of property damage required from \$7 million to \$7.3 million.

SB 941 (Lara) California Victim Compensation Board. Claims.**Chapter 13, Statutes of 2018 (Urgency)**

This measure appropriates \$1,958,740 to the Executive Officer of the California Victim Compensation Board (Board) for the payment of an erroneous conviction claim.

SB 1129 (Monning) Spousal Support Award. Convictions.**Chapter 850, Statutes of 2018**

This measure prohibits awards of spousal support, attorney fees, and community property interest in retirement benefits to individuals convicted of felony domestic violence against their spouses. It also creates a presumption against an award of similar benefits to those spouses convicted of misdemeanor domestic violence.

SB 1200 (Skinner) Firearms. Gun Violence Restraining Orders.**Chapter 898, Statutes of 2018**

This measure makes various changes to existing laws related to GVROs. Amongst the key changes, the measure:

- Expands the definition of a “firearm” include firearm parts or components that are clearly designed and intended to be used to assemble a functional weapon;
- Expands the definition of “ammunition” to include a magazine;
- Prohibits a filing fee for an application, responsive pleading, or an order to show cause that seeks to obtain, modify, or enforce a GVRO;
- Prohibits a fee for a subpoena filed in connection with that application, responsive pleading, or order to show cause;
- Requires a law enforcement officer, when serving a GVRO, to verbally ask the restrained person if he or she has any firearms, ammunition, or magazines in his or her possession or under his or her custody or control; and
- Requires the court to hold a hearing within 21 days of the issuance of a temporary emergency gun violence restraining order to determine if a GVRO, which is valid for one year, should be issued.

SB 1232 (Bradford) Victims of Crime. Application for Compensation.**Chapter 983, Statutes of 2018**

This measure extends the time limit for a minor victim to file an application for compensation under the California Victim Compensation Program to within three years after the victim turns 21 years of age, instead of 18 years of age.

SB 1355 (Hill) Unmanned Aircraft Systems. Correctional Facilities.**Chapter 333, Statutes of 2018**

This measure penalizes a person who knowingly and intentionally operates an unmanned aircraft system on or above the grounds of a state prison or jail, by making it an offense finable by \$500.

SB 1437 (Skinner) Accomplice Liability for Felony Murder.*Chapter 1015, Statutes of 2018**

The measure clarifies that a crime worthy of a felony murder charge must be done by an individual who willingly participated and acted with reckless indifference to human life. This measure allows individuals previously sentenced on a charge of felony murder to petition for resentencing if they meet specified qualifications.

E. Firearms and Other Weapons

AB 1192 (Lackey) Firearms. Retired Peace Officers.

Chapter 63, Statutes of 2018

This measure exempts retired Level I reserve peace officers who meet specified length of service requirements from the ban on possessing high-capacity magazines.

AB 1872 (Voepel) Firearms. Unsafe Handguns.

Chapter 56, Statutes of 2018

This measure exempts from the state prohibition relating to the sale or purchase of an unsafe handgun, sworn peace officers of a harbor or port district, including the San Diego Unified Port District Harbor Police and the Harbor Department of the City of Los Angeles, who have satisfactorily completed the Commission on POST firearms training course.

AB 1968 (Low) Mental Health. Firearms.

Chapter 861, Statutes of 2018

This measure prohibits a person who has been taken into custody more than once within a year because of mental health disorders, determined to cause a danger to themselves or others, from owning a firearm for the remainder their life. The measure allows an individual to petition a court to restore access to their firearms.

AB 1993 (Gipson) Secondhand Goods. Tangible Personal Property. Dealers.

Chapter 184, Statutes of 2018

This measure revises the current hold requirement from 30-days to seven-days for a secondhand dealer and coin dealer to hold tangible personal property (property), with the exception of firearms, prior to selling the property; and, additionally authorizes the secondhand dealer and coin dealer to sell the property after five days, if specified information is collected.

***AB 2103 (Gloria) Firearms. License to Carry Concealed.**

Chapter 752, Statutes of 2018

This measure requires the training for license to carry a concealed firearm to be at least 8 hours and to include firearm handling and shooting proficiency requirements.

AB 2176 (Jones-Sawyer) Firearms.

Chapter 185, Statutes of 2018

This measure makes various changes to the deadly weapons statutes of the Penal Code based on recommendations of the California Law Revision Commission.

Amongst these changes, the measure:

- Provides that a receipt given by an officer who takes custody of a firearm or other deadly weapon must include the name and residential mailing address of the person who possessed the firearm or other deadly weapon;
- Extends civil liability to a person who authorizes a minor's acquisition of tear gas by accompanying said minor at the time of acquirement; and

- Makes various technical, non-substantive changes to provisions of law related to deadly weapons.

AB 2222 (Quirk) Crime Prevention and Investigation. Informational Databases. Firearms.

Chapter 864, Statutes of 2018

This measure requires all law enforcement agencies in the state to input information regarding each firearm that has been reported stolen, lost, found, recovered, held for safekeeping, or under observation, into the DOJ's Automated Firearms System within three days after being notified. The measure also mandates that firearm information entered into the Automated Firearms System remain in the system until the reported firearm is found, recovered, no longer under observation, or determined to have been entered erroneously.

AB 2930 (Santiago) Unlawful Detainer. Nuisance. Unlawful Weapons and Ammunition.

Chapter 880, Statutes of 2018

This measure extends authority, until January 1, 2024, for two nuisance-eviction pilot programs that conditionally allows city attorneys and prosecutors in authorized cities (Los Angeles, Long Beach, Sacramento and Oakland) to bring eviction proceedings against tenants for committing nuisance violations involving unlawful weapons or controlled substances.

AB 3129 (Rubio) Firearms. Prohibited Persons.

Chapter 883, Statutes of 2018

This measure prohibits a person who is convicted on or after January 1, 2019, of a domestic violence-related misdemeanor that currently results in a 10-year prohibition against possessing a firearm, from ever possessing a firearm.

SB 746 (Portantino) Firearms and Ammunition. Prohibited Possession. Transfer to Licensed Dealer.

Chapter 780, Statutes of 2018

This measure establishes procedures for return of ammunition that has been seized by law enforcement or has been transferred to a licensed firearms dealer because of a temporary prohibition on ammunition possession. It also requires that eligibility to possess ammunition be established before ammunition can be returned. Finally, this measure requires DOJ to conduct inspections of firearm dealers at least every three years.

SB 1100 (Portantino) Firearms. Transfers.

Chapter 894, Statutes of 2018

This measure, as of February 1, 2019, increases the age for which a person can purchase a long-gun from a licensed dealer from 18 to 21 years of age.

SB 1346 (Jackson) Firearms. Multiburst Trigger Activators.**Chapter 795, Statutes of 2018**

This measure amends the definition of illegal “multiburst trigger activators” to include bump stock, bump fire stock, or other similar devices that are attached to, built into, or used in combination with a semiautomatic firearm to increase the rate of fire of that firearm.

SB 1382 (Vidak) Firearms. Vehicle storage.**Chapter 94, Statutes of 2018**

This measure authorizes the storage of a firearm in an unattended vehicle if the firearm is locked in a tool or utility box, as specified.

F. Fire Service, Emergency and Disaster Response**AB 1772 (Aguiar-Curry) Fire Insurance. Indemnity.****Chapter 627, Statutes of 2018 (Urgency)**

This measure extends the minimum time limit for an insured person to collect full replacement cost of a loss related to a “state of emergency” from 24 to 36 months. Insured persons may also extend coverage for six additional months for good cause, including delay in approval or reconstruction of the home.

AB 1877 (Limón) Office of Emergency Services. Communications. Notifications.**Translation.****Chapter 630, Statutes of 2018**

This measure requires the California Office of Emergency Services (CalOES) and the governing body of each political subdivision of the state to translate to the public any emergency communication into the most commonly spoken language other than English in the impacted county or counties. The measure authorizes CalOES to require a city, county, or city and county to translate emergency notifications as a condition of approving its application to receive any voluntary grant funds in connection to emergency management performance.

AB 1956 (Limón) Fire Prevention Activities. Local Assistance Grant Program.**Chapter 632, Statutes of 2018**

This measure establishes a local assistance grant program through the Department of Forestry and Fire Protection (CAL FIRE) to improve fire prevention in California and ensure that fire prevention activities happen year round. This bill also requires local agencies, resource conservation districts, fire safety councils, the California Conservation Corps, certified local conservation corps, University of California (UC) Cooperative Extension, Native American tribes, and qualified nonprofit organizations to be eligible for grants.

AB 2293 (Reyes) Emergency Medical Services. Report.**Chapter 342, Statutes of 2018**

This measure prohibits the Emergency Medical Services Authority (EMSA) from denying an emergency medical technician license, upon the finding by the EMSA Director of the occurrence of evidence of a threat to the public health, if the license holder demonstrates substantial rehabilitation, as defined. It also limits the criteria related to conduct that an employer, local emergency medical services agency, or EMSA can consider when denying an emergency medical technician license to conduct that directly relates to the course of employment, and authorizes an applicant to file a notice of defense within 30 days after service of an accusation. This measure sunsets on January 1, 2025.

AB 2380 (Aguiar-Curry) Fire Protection. Privately Contracted Private Fire**Prevention Resources.****Chapter 636, Statutes of 2018**

This measure requires CalOES, in collaboration with CAL FIRE, to develop standards and regulations for any privately contracted fire prevention resources operating during an active fire incident in the state.

AB 2576 (Aguiar-Curry) Emergencies. Health Care.**Chapter 716, Statutes of 2018**

This measure authorizes the Governor, during a state of emergency, to direct all state agencies to utilize state personnel, equipment, and facilities to perform activities that allow community clinics and health centers to provide and receive reimbursement for services provided during or immediately following the emergency. This measure authorizes any agency directed by the Governor to perform those activities to expend moneys appropriated to it in order to perform those activities, irrespective of the purpose for which the moneys were originally appropriated.

AB 2813 (Irwin) California Cybersecurity Integration Center.**Chapter 768, Statutes of 2018**

This measure establishes the California Cybersecurity Integration Center within the CalOES and requires it to develop a cybersecurity strategy for California.

AB 2898 (Gloria) Emergency Services. Local Emergencies.*Chapter 395, Statutes of 2018**

This measure extends the amount of time that a governing body has to review the need for continuing a local emergency from 30 days to 60 days.

AB 2961 (O'Donnell) Emergency Medical Services.**Chapter 656, Statutes of 2018**

This measure requires a local emergency medical services agency to report ambulance patient offload time to the Emergency Medical Services Agency (EMSA). It also requires EMSA to calculate averages of this data and report these averages to the Commission on Emergency Medical Services twice per year, and to submit a report to the Legislature by December 1, 2020.

SB 532 (Dodd) Emergency Services. State of Emergency. Cyberterrorism.**Chapter 557, Statutes of 2018**

This measure adds “cyberterrorism” to the list of conditions that are named in the California Emergency Services Act that may be cited to support the proclamation of a state of emergency or local emergency.

SB 821 (Jackson) Emergency Notification. County Jurisdictions.*Chapter 615, Statutes of 2018**

This measure authorizes counties to enter into an agreement to access the contact information of resident accountholders through the records of a public utility, as specified, for the sole purpose of enrolling county residents in a county operated public emergency warning system.

SB 1040 (Dodd) In-Home Supportive Services. Natural Disasters.**Chapter 789, Statutes of 2018**

This measure makes adjustments to the In-Home Supportive Services (IHSS) program where, in the event of a state of emergency, it will allow recipients to continue receiving services and providers to obtain replacement payroll checks, if their checks were damaged or uncashed as a result of the emergency. This bill specifies that recipients of IHSS services are among the low-income persons given first priority for loans from the Predevelopment Loans Fund in the event of a natural disaster. This bill also requires a county, at the next update to its emergency plan, to integrate and require the assessment and provision of supportive services to IHSS recipients.

SB 1181 (Hueso) Emergency Services. Certified Community Conservation Corps.**Chapter 623, Statutes of 2018**

This measure authorizes CalOES to directly enter into an agreement with one or more certified community conservation corps, as defined, to perform emergency or disaster response services.

SB 1260 (Jackson) Fire Prevention and Protection. Prescribed Burns.**Chapter 624, Statutes of 2018**

This measure authorizes federal, state, and local agencies to engage in collaborative forestry management, creates new opportunities for public and private land managers to mitigate wildfire risks, and enhances CAL FIRE's role in identifying wildfire hazards as local governments plan for new housing and neighborhoods.

SB 1305 (Glazer) Emergency Medical Services Providers. Dogs and Cats.**Chapter 900, Statutes of 2018**

This measure permits an emergency responder to provide basic first aid to a dog or a cat without being in violation of the Veterinary Medicine Practice Act.

G. Gaming/Gambling

***AB 1168 (Gipson) Gambling. Local Moratorium.**

Chapter 744, Statutes of 2018

This measure extends the gambling moratorium related to the expansion of legal gaming and the issuance of new gambling licenses, within any city, county, or city and county, from January 1, 2020, to January 1, 2023.

H. Immigration

AB 2867 (Gonzales Fletcher) Criminal Procedure. Postconviction Relief.

Chapter 825, Statutes of 2018

This measure clarifies the timing and procedural requirements of motions for post-conviction relief that are based on a legal error regarding a defendant's comprehension of immigration consequences stemming from his or her conviction. Specifically, the measure:

- Requires a court to find that a motion for post-conviction relief is timely if it is filed at any time in which the person is no longer in criminal custody;
- Requires that the motion be filed with reasonable diligence after the person filing the motion receives notice of one of the following, whichever comes later:
 - Notice from immigration authorities that assert the conviction or sentence is the basis for removal (deportation), the denial of an immigration benefit, lawful status or naturalization; or
 - Notice that a final order of removal has been issued against the person filing the motion based on the existence of the conviction or sentence the person is seeking to vacate.
- Clarifies that a court may find that defense counsel was legally ineffective, but does not have to do so, in order to grant a motion to vacate a conviction or sentence that was obtained despite the defendant's inability to understand, defend against, or knowingly accept adverse immigration consequences;
- Clarifies that a court can grant a motion to vacate the conviction or sentence without a hearing if the prosecution has no objection;
- Clarifies that the person filing the motion must establish that the conviction or sentence is causing, or has the potential to cause adverse immigration consequences;
- Clarifies that the only finding the court is required to make is that there was an error that damaged the moving party's ability to meaningfully understand, defend against, or knowingly accept the actual or potential adverse immigration consequences of a plea of guilty or nolo contendere;
- Clarifies that the moving party's defense attorney does not need to be served with notice of the motion unless it specifically alleges that the attorney was legally ineffective and that the state bar should only be notified if there was an express finding of legal ineffectiveness; and

- Creates a presumption that the conviction or sentence is invalid if the person filing the motion pled guilty or no contest to an offense based upon a statute that provided that if the defendant completed certain requirements the arrest and conviction would be deemed never to have occurred, and despite the fact that the defendant completed all those requirements the conviction or sentence is nonetheless being used or could be used as a basis for adverse immigration consequences.

SB 183 (Lara) Educational Equity. Immigration Status.**Chapter 779, Statutes of 2018**

This measure provides that under the Equity in Higher Education Act, it is the policy of the State of California to afford all persons, regardless of immigration status, equal rights and opportunities in the postsecondary educational institutions of the state.

SB 695 (Lara) Professions and Vocations. Applications and Renewals. Individual Tax Identification Number.**Chapter 838, Statutes of 2018**

This measure requires the Department of Public Health (DPH) and emergency medical technician certifying entities to permit the use of individual taxpayer identification numbers in lieu of social security numbers for purposes of applying for and renewing a certificate or license. It also prohibits these entities from denying a license or certificate solely because of citizenship or immigration status.

SB 785 (Wiener) Evidence. Immigration Status.**Chapter 12, Statutes of 2018 (Urgency)**

This measure prohibits the disclosure of a person's immigration status in open court unless the judge presiding over the matter first determines that the evidence is admissible in an in camera hearing. This measure sunsets on January 1, 2022.

I. Judicial Processes and Criminal Procedure**AB 1736 (Cunningham) Evidence. Hearsay. Prior Inconsistent Statements.****Chapter 64, Statutes of 2018**

This measure includes audio recordings as an acceptable means to admit into evidence prior unsworn statements. The measure also adds conditional examinations to the pre-trial proceedings, which allows for prior unsworn inconsistent statements to be admitted later.

AB 1746 (Cervantes) Criminal Procedure. Jurisdiction of Public Offenses.**Chapter 962, Statutes of 2018**

This measure adds sexual battery and statutory rape to the list of offenses that may be consolidated in a single trial in any county where at least one of the offenses occurred, if the defendant and the victim are the same for all of the offenses.

AB 1941 (Jones-Sawyer) Misdemeanors.**Chapter 18, Statutes of 2018**

This measure allows the court to reduce an offense punishable as either a felony or a misdemeanor to a misdemeanor upon successful completion of probation, regardless of whether the court had previously imposed a sentence.

AB 2133 (Weber) Criminal Justice. State Summary Criminal History Records.**Chapter 965, Statutes of 2018**

This measure clarifies that criminal defense attorneys representing defendants or juvenile delinquents on appeal and in postconviction proceedings are representing persons in a criminal case for purposes of obtaining information from the DOJ summary criminal history database. The measure eliminates the requirement that criminal defense attorneys have separate statutory or judicial authorization in order to receive information from the DOJ summary criminal history database.

AB 2243 (Friedman) Evidence. Admissibility.**Chapter 27, Statutes of 2018**

This measure provides that evidence that a victim of or a witness to extortion, stalking or a violent felony has engaged in an act of prostitution at or around the time he or she was a victim of or a witness to the crime is inadmissible to prove the victim or witness's criminal liability of the act of prostitution in a separate prosecution of that victim or witness.

AB 2532 (Jones-Sawyer) Infractions. Community Service.**Chapter 280, Statutes of 2018**

This measure requires a court to permit a person convicted of an infraction to perform community service in lieu of paying a fine upon demonstrated financial hardship, and sets an hourly rate for community service.

AB 2599 (Holden) Criminal Records.**Chapter 653, Statutes of 2018**

This measure requires detention facilities to provide information to arrestees about their right to petition for arrest record sealing and expungement relief. Specifically, the measure provides that a facility at which an arrestee is detained, must at the request of an arrestee upon release, provide the judicial council forms necessary to apply to have his or her arrest record sealed. The measure also requires a facility at which an arrestee is detained, to post a sign that reads, "A person who has been arrested but not convicted may petition the court to have his or her arrest and related record sealed. The petition form is available on the Internet or upon request in this facility."

AB 2710 (Obernolte) Warrants.**Chapter 176, Statutes of 2018**

This measure eliminates the requirement that a judge take the oath over the telephone when an officer makes an application for a search warrant or arrest warrant by fax, email, or computer server, and instead requires an officer to sign a declaration in support of a search or arrest warrant under penalty of perjury.

AB 2717 (Lackey) Driving Under the Influence. Blood Tests.*Chapter 177, Statutes of 2018**

This measure clarifies that the penalties for refusal to submit to a driving under the influence (DUI) test do not apply to a person who refuses to submit to or complete a blood test. Similar to the requirement that persons be informed that their refusal to take breath or urine test may subject them to criminal and administrative penalties, the measure provides that a person suspected of a DUI must also be told that his or her failure to submit to a blood test will result in administrative penalties. Finally, the measure changes the standard for requesting a blood test in a DUI from if the officer has *“a clear indication that the blood test will reveal evidence of the person being under the influence”* to *“if the officer has reasonable cause to believe that a blood test will reveal evidence of the person being under the influence.”*

AB 2845 (Bonta) Criminal Procedure. Pardons.**Chapter 824, Statutes of 2018**

This measure establishes a Pardon and Commutation Panel to review, investigate, and make recommendations to the Governor regarding pardon and commutation applications.

AB 2942 (Ting) Criminal Procedure. Recall of Sentencing.**Chapter 1001, Statutes of 2018**

This measure allows the court to recall and resentence an inmate upon the recommendation of the district attorney of the county in which a defendant was sentenced. The measure thereby creates a procedure for inmates sentenced to lengthy terms to submit a request to the district attorney for a recommendation for recall and ressentencing.

AB 2988 (Weber) Criminal Procedure. Disposition of Evidence.**Chapter 972, Statutes of 2018**

This measure requires a court, custodian, or other appropriate governmental entity to retain any object that contains or includes biological material collected in connection with a criminal case. Prior to disposal or destruction of the material, the measure also requires that the notice of intent to destroy be sent to the incarcerated person at the location where he or she is currently incarcerated.

SB 10 (Hertzberg) Pretrial Release or Detention. Pretrial Services.*Chapter 244, Statutes of 2018**

This measure revises the pretrial release system by limiting pretrial detention to specified persons, eliminating the use of bail schedules, and establishing pretrial services agencies tasked with conducting risk assessments on arrested persons and preparing reports with recommendations for conditions of release.

SB 215 (Beall) Diversion. Mental Disorders.*Chapter 1005, Statutes of 2018**

This measure amends Governor Brown’s 2018 pre-trial diversion program (AB 1810) in three ways:

- Eliminates certain offenses from consideration from diversion, including murder, manslaughter, rape, and other sex offenses;
- Requires courts, upon request, to conduct a hearing to determine whether restitution is owed to any victim as a result of the diverted offense; and
- Authorizes a court to request a *prima facie* hearing where a defendant must show they are potentially eligible for diversion.

***SB 923 (Wiener) Criminal Investigations. Eyewitness Identification.**

Chapter 977, Statutes of 2018

This measure requires all law enforcement agencies and prosecutorial entities to adopt regulations for conducting photo lineups and live lineups with eyewitnesses, and requires the regulations to be developed to ensure reliability and accurate suspect identifications. The measure provides that agencies comply with specified minimum requirements, including that prior to conducting the identification procedure, and as close in time to the incident as possible, the eyewitness provide the description of the perpetrator of the offense.

***SB 1054 (Hertzberg) Pretrial Release and Detention. Pretrial Services.**

Chapter 980, Statutes of 2018

This measure is a follow up to SB 10 (Hertzberg, Chapter 244, 2018), which created a risk-based non-monetary pre-arrainment and pretrial release system for people arrested for criminal offenses. It exempts the San Francisco Pretrial Diversion Project, until January 1, 2023, from the requirement that pretrial assessment services be performed by public employees. The measure also expands the offenses that SB 10 (Hertzberg, Chapter 244, 2018) makes ineligible for pre-arrainment release to include all sex offenses for which a person must register.

SB 1208 (Comm. on Judiciary) Courts. Judicial emergencies.

Chapter 201, Statutes of 2018

This measure updates and otherwise modifies statute regarding operation of the judicial branch during emergencies, natural disasters, and other threats to public safety. It also expands the circumstances under which the authorization would apply and provides additional flexibility to the Chairperson of the Judicial Council.

SB 1393 (Mitchell) Sentencing.

Chapter 1013, Statutes of 2018

This measure restores the court's discretion to strike a five-year sentence enhancement for each prior serious felony conviction on a person's record, when a person is currently convicted of a serious felony.

J. Public Health

SB 1408 (Pan) Cigarettes. Seizure.

Chapter 613, Statutes of 2018

This measure deletes the exemption authorizing a person or entity to manufacture or sell cigarettes that do not meet California fire safety standards if the cigarettes are from outside of the state or not meant for sale in the United States. This bill also revises the definition of cigarettes in violation of the Act as contraband and authorizes California Department of Tax and Fee Administration (CDTFA) or law enforcement to dispose of cigarettes discovered to be in violation of the Act.

K. Public Safety Professionals

***AB 87 (Ting) Vehicles. Removal. Autonomous Vehicles.**

Chapter 667, Statutes of 2018

This measure authorizes a peace officer or other specified public employee that enforces traffic or parking laws, to remove a vehicle that uses autonomous technology without an approved application or permit that is required to test, deploy or otherwise operate the autonomous vehicle on public roads.

AB 748 (Ting) Peace officers. Video and Audio Recordings. Disclosure.

Chapter 960, Statutes of 2018

This measure, commencing July 1, 2019, would authorize a law enforcement agency to withhold an audio or video recording that relates to a critical incident, as defined, for 45 calendar days if disclosure would substantially interfere with an active investigation, as specified. The measure essentially creates a standard for the release of body-worn camera footage captured by law enforcement agencies by balancing privacy interests with the public's interest in the footage.

If the public interest in withholding the video or audio recording clearly outweighs the public interest in disclosure, because the release would violate one's reasonable expectation of privacy, the measure allows for the recording to be redacted to protect that person's privacy interest. If the agency demonstrates that a person's reasonable expectation of privacy cannot adequately be protected through redaction, the measure requires that the recording be promptly disclosed to the person, his or her parent, guardian, or representative, or his or her heir, beneficiary, immediate family member, or authorized legal representative, if deceased.

AB 1888 (Salas) Peace Officers. Basic Training Requirements.

Chapter 17, Statutes of 2018

This measure deletes the January 1, 2019, sunset date on provisions of law that allow a deputy sheriff assigned to custodial duties to be reassigned to the general enforcement of the criminal laws of the state within five years of completing the basic peace officer training course if the deputy sheriff has been continuously employed by the same

department and has maintained perishable skills training required by the Commission on POST.

***AB 1973 (Quirk) Reporting Crimes.**

Chapter 164, Statutes of 2018

This measure extends mandated reporting duties to health practitioners employed by local government agencies, including emergency medical technicians and paramedics.

AB 2175 (Aguiar-Curry) Vessels. Removal.

Chapter 341, Statutes of 2018

This measure authorizes a peace officer or marine safety officer to remove a vessel from public property when the vessel has been used in a crime or provides evidence of a crime. It also states that a lien does not attach to a vessel impounded under this section unless it is determined that it was used in the commission of a crime with the express or implied consent of the owner. Finally, the measure allows the court to order a person convicted of a crime involving the use of the impounded vessel to pay for the costs of towing and storage, as well as any administrative charges related to the removal, impoundment, storage, or release of the vessel.

AB 2256 (Santiago) Law Enforcement Agencies. Opioid Antagonist.

Chapter 259, Statutes of 2018

This measure authorizes a pharmacy, wholesaler, or manufacturer to provide naloxone hydrochloride or another opioid antagonist to law enforcement agencies, under specified conditions.

AB 2327 (Quirk) Peace Officers. Misconduct. Employment.

Chapter 966, Statutes of 2018

This measure requires peace officers seeking employment with a law enforcement agency to give written permission for the hiring law enforcement agency to view his or her general personnel file and any separate disciplinary file. The measure also requires each law enforcement agency to make a record of any investigations of misconduct involving a peace officer in his or her general personnel file or a separate file designated by the department or agency.

AB 2349 (Chen) Humane Officers. Authorization to Carry a Wooden Club or Baton.

Chapter 20, Statutes of 2018

This measure authorizes a humane officer to carry a wooden club or baton if he or she is authorized by the appointing society and has completed a course certified by the Commission on POST.

AB 2504 (Low) Peace Officer Training. Sexual Orientation and Gender Identity.

Chapter 969, Statutes of 2018

This measure requires the Commission on POST to develop a training course in basic training for law enforcement officers and dispatchers regarding sexual orientation and gender identity.

AB 2669 (Jones-Sawyer) Peace Officers. Communications.**Chapter 175, Statutes of 2018**

This measure authorizes any peace officer of the Office of Correctional Safety of CDCR, and any peace officer of the Office of Internal Affairs of CDCR acting in the scope of his or her authority, to overhear or record any communication they could lawfully hear prior to the enactment of unauthorized eavesdropping provisions.

AB 2992 (Daly) Peace Officer Training. Commercial Sexual Exploitation of Children.**Chapter 973, Statutes of 2018**

This measure requires the Commission on POST to develop a course on commercially sexually exploited children and victims of human trafficking.

SB 978 (Bradford) Law Enforcement Agencies. Public Records.*Chapter 978, Statutes of 2018**

This measure requires, starting January 1, 2020, the Commission on POST and each local law enforcement agency to conspicuously post on their Internet web sites all current standards, policies, practices, operating procedures, and education and training materials that would otherwise be available if a request was made pursuant to the California Public Records Act (CPRA).

SB 1089 (Jackson) California Law Enforcement Telecommunications System.**Chapter 89, Statutes of 2018**

This measure clarifies that all protective orders subject to transmittal to the California Law Enforcement Telecommunications System (CLETS), are required to be transmitted.

SB 1205 (Hill) Fire Protection Services. Inspections. Compliance Reporting.*Chapter 854, Statutes of 2018.**

This measure requires local fire departments to annually report on their compliance with inspections currently mandated in statute. Specifically, the measure:

- Requires every city, county or district fire department to annually report to its administering authority on its compliance with the inspection requirement;
- Requires the report to occur when the administering authority discusses its annual budget, or at another time determined by the administering authority;
- Requires the administering authority acknowledge receipt of the report in a resolution or a similar formal document; and
- Defines “administering authority” as a city council, county board of supervisors, or district board.

SB 1217 (Morrell) Private Investigator Act. Firearms Qualification.**Chapter 791, Statutes of 2018**

This measure clarifies the requirements related to firearm certification and permitting for private investigators by copying specified provisions from the Private Security Services Act into the Private Investigator Act.

SB 1331 (Jackson) Peace Officers. Domestic Violence Training.**Chapter 137, Statutes of 2018**

This measure requires law enforcement officers be trained in procedures and techniques for assessing signs of lethal violence in domestic violence situations, as part of the Commission on POST.

SB 1421 (Skinner) Peace Officers. Release of Records.*Chapter 988, Statutes of 2018**

This measure provides for the release of police personnel files in three general categories: job-related dishonesty, sexual assault against a member of the public, and specified use-of-force incidents via the California Public Records Act (CPRA). The first two – dishonesty and sexual assault – SB 1421 only allows the release of information when there is a “sustained finding,” meaning that it was determined through an internal or criminal investigation that the incident not only occurred, but that the officer was found to have violated department policy or statute. This measure also states that a public agency may redact or delay a record disclosure if the public interest served by not disclosing the information clearly outweighs the public interest served by disclosing the information under circumstances specified in the bill.

L. Sex Offender Management

AB 1994 (Cervantes) Sex Offenders. County or Local Custodial Facilities.*Chapter 811, Statutes of 2018**

This measure requires the CDCR, a state mental institution, and both county and local custodial facilities to forward a sex offender registrant's change of address information to DOJ within 15 days of the person's admission and release.

SB 1050 (Lara) Exonerated Inmates.**Chapter 979, Statutes of 2018**

This measure relieves a person from the requirement of continuing to register as a sex offender if the person is exonerated. The measure requires CDCR to provide assistance with transitional services to persons who are exonerated while serving a state prison sentence, and requires exonerated persons to be paid \$1000 upon his or her release from incarceration.

SB 1199 (Wilk) Sex offenders. Release.*Chapter 226, Statutes of 2018**

This measure provides that when a sex offender is released on parole or post-release community supervision, he or she should be returned to either the city that was his or her last legal residence prior to incarceration, or a close geographic location in which he or she has family, social ties, or other economic ties, unless return to that location would violate any other law or pose a risk to his or her victim.

M. Juvenile Justice

AB 1617 (Bloom) Juvenile Case Files. Inspection.

Chapter 992, Statutes of 2018

This measure allows certain parties involved in appeals of juvenile court orders, who previously had been granted access to the juvenile case file pursuant to a court order, to access the case file for the appeals.

AB 2952 (M. Stone) Juvenile Records. Sealed Records. Access.

Chapter 1002, Statutes of 2018

This measure authorizes a prosecuting attorney to access, inspect, or utilize a juvenile record that has been sealed under the automatic sealing process in order to meet a statutory or constitutional obligation to disclose favorable or exculpatory evidence to a defendant in a criminal case.

SB 1281 (Stern) Juvenile Records.

Chapter 793, Statutes of 2018

This measure prohibits the destruction of a sealed juvenile record if an offense in that record has made the person subject to a firearm restriction, as specified, until he or she turns 33 years of age. The measure authorizes a prosecuting attorney or DOJ to access, inspect, or utilize those records for specified purposes relating to the enforcement of a firearm restriction.

SB 1391 (Lara) Juveniles. Fitness for Juvenile Court.

Chapter 1012, Statutes of 2018

This measure repeals the authority of a prosecutor to make a motion to transfer a minor from juvenile court to adult criminal court if the minor was alleged to have committed certain serious offenses when he or she was 14 or 15 years old.

N. Juvenile Welfare

AB 1214 (M. Stone) Juvenile Proceedings. Competency.

Chapter 991, Statutes of 2018

This measure revises the procedure used to determine the mental competence of a juvenile charged with a crime. Specifically, the measure:

- Requires the court to suspend all proceedings and make a determination of competence whenever the court has a doubt that a minor who is subject to any juvenile proceedings is mentally competent;
- Authorizes the district attorney or minor's counsel to retain or seek the appointment of additional qualified experts with regard to determining competency, as specified; and
 - Requires the Judicial Council to adopt a rule of court relating to the qualifications of those experts, as specified.

- Require the minor's competency to be determined at an evidentiary hearing, except as specified, and establish a presumption of competency, unless it is proven by a preponderance of the evidence that he or she is incompetent;
 - If the minor is found incompetent and the petition contains only misdemeanor offenses, the measure requires the petition to be dismissed; and
 - Requires the court, upon a finding of incompetency, to refer the minor to services designed to help the minor attain competency. If the court finds that competency cannot be achieved within the foreseeable future, the measure:
 - Authorizes the court to refer the minor to treatment services to assist in remediation; and
 - Requires the court to consider appropriate alternatives to juvenile hall confinement, as specified.
- Requires the presiding judge of a juvenile court, the probation department, the county mental health department, and other specified entities to develop a written protocol describing the competency process and a program to ensure that minors who are found incompetent receive appropriate remediation services.

AB 2639 (Berman) Pupil Suicide Prevention Policies. Reviews. Updates.**Chapter 437, Statutes of 2018**

This measure requires schools that serve students in grades 7 - 12 to review and, if necessary, update their policies on pupil suicide prevention at least every five years.

AB 3189 (Cooper) Consent by Minors to Treatment for Intimate Partner Violence**Chapter 1003, Statutes of 2018**

This measure allows minors to consent to medical care for injuries caused by intimate partner violence and imposes a number of requirements on health practitioners who provide care to them. It specifies that the provisions do not apply to a case in which a minor is an alleged victim of rape or is alleged to have been sexually assaulted. The measure also requires the health practitioner providing treatment to the minor to attempt to contact the minor's parent or guardian in the event that the health practitioner determines that the assault appears to constitute child abuse.

SB 439 (Mitchell) Jurisdiction of the Juvenile Court.**Chapter 1006, Statutes of 2018**

This measure prohibits the prosecution of children under the age of 12 years in juvenile court, except when a minor is alleged to have committed murder or rape by force.

O. Miscellaneous**AB 375 (Chau) Privacy Personal Information Businesses.****Chapter 55, Statutes of 2018**

This measure enacts the California Consumer Privacy Act of 2018. Beginning January 1, 2020, the measure grants a consumer a right to request a business to disclose the categories and specific pieces of personal information that it collects about the consumer, the categories of sources from which that information is collected, the

business purposes for collecting or selling the information, and the categories of 3rd parties with which the information is shared. This measure requires a business to make disclosures about the information and the purposes for which it is used. Although there is a local government exemption, the businesses that contract with local governments are regulated under this measure.

AB 998 (Grayson) Multidisciplinary teams. Human Trafficking and Domestic Violence.

Chapter 802, Statutes of 2018

This measure authorizes a city, county, city and county, or a nonprofit organization to establish domestic violence and human trafficking multidisciplinary personnel teams trained in the prevention, identification, management, or treatment of those cases. The measure makes discussions relating to the disclosure or exchange of information or records during team meetings confidential, unless required by law, and would prohibit testimony concerning those discussions from being admissible in any criminal, civil, or juvenile court proceeding.

***AB 1749 (Daly) Workers' Compensation. Off-Duty Peace Officer.**

Chapter 707, Statutes of 2018

This measure originates from the tragic Las Vegas, Nevada, mass shooting in October 2017. This measure makes clear certain peace officers injured out of state while performing defined law enforcement duties are eligible to receive workers' compensation benefits, in the discretion of the employing agency. This measure permits each city to determine the policy of awarding workers' compensation benefits for out-of-state and off-duty peace officers based in California. This measure applies retroactively to the agencies who's off-duty officers were at the October 1, 2017 Las Vegas Shooting and to all future off-duty workers compensation claims.

***AB 1755 (Steinorth) Bicycle Operation.**

Chapter 139, Statutes of 2018

This measure subjects bicyclists on a Class I bikeway, a completely separate pathway used exclusively by pedestrians and bicyclists, to all of the rights, responsibilities, requirements, and accident-related Vehicle Code provisions that apply to highway drivers in the event an accident causes injury or death, creating a new crime.

***AB 1766 (Maienschein) Swimming Pools. Public Safety.**

Chapter 270, Statutes of 2018

This measure requires certain public swimming pools to provide Automated External Defibrillators (AEDs) during pool operations. This measure applies to public swimming pools that (1) provide lifeguard services and (2) charge a direct fee.

AB 1798 (Chiu) Schoolbuses. Passenger Restraint Systems.

Chapter 206, Statutes of 2018

This measure requires all schoolbuses used in California to be equipped with passenger restraint systems by July 1, 2035.

AB 1861 (Rodriguez) Pupil Instruction. Human Trafficking. Use of Social Media and Mobile Device Applications.**Chapter 807, Statutes of 2018**

This measure adds to the required comprehensive sexual health education and HIV prevention education instruction on human trafficking for pupils in grades 7 to 12, information on how social media and mobile device applications are used for human trafficking.

AB 2009 (Maienschein) Interscholastic Athletic Programs. School Districts.**Written Emergency Action Plans. Automated External Defibrillator.****Chapter 646, Statutes of 2018**

This measure requires a school district or charter school that elects to offer an interscholastic athletic program, to establish a written emergency action plan in the event of a cardiac arrest and other related medical emergencies. Such schools are required to acquire and make available AEDs in such quantities to ensure that an AED is available to provide emergency care or treatment within three to five minutes of an emergency. This measure also makes clear that existing law providing conditional liability protections to those acquiring or using these AEDs would apply.

AB 2034 (Kalra) Human Trafficking. Notice.**Chapter 812, Statutes of 2018**

This measure requires a business or other establishment that operates intercity passenger rail or light rail stations, or bus stations to train specified employees in recognizing the signs of human trafficking and how to report those signs. DOJ is required to develop guidelines with which such trainings would have to be consistent.

AB 2138 (Chiu) Licensing Boards. Denial of Application. Revocation or Suspension of Licensure. Criminal Conviction.**Chapter 995, Statutes of 2018**

This measure limits the current discretion provided to regulatory entities within the Department of Consumer Affairs (DCA) to apply criminal history background, as it relates to denial of an application for licensure and suspension or revocation of an existing license, by specifying that these actions can be taken if the applicant or licensee was formally convicted of a crime substantially related to the qualifications, functions or duties for which the individual is seeking licensure or is licensed.

AB 2190 (Reyes) Hospital. Seismic Safety.**Chapter 673, Statutes of 2018**

This measure provides for an extension of the January 1, 2020, hospital seismic safety deadline of up to 30 months (until July 1, 2022) for hospitals that plan to replace or retrofit a building to at least the 2020 standard of Seismic Performance Category - 2 (SPC), and up to five years (January 1, 2025) for hospitals that plan to rebuild to SPC-4D or SPC-5 standards that meet 2030 standards.

AB 2234 (Jones-Sawyer) School districts. Employees. Dismissal or Suspension Administrative Proceedings. Testimony of Minor Witnesses. Pupil Contact Information.

Chapter 996, Statutes of 2018

This measure enacts discretionary protocols for the participation of minors as witnesses in administrative school employee discipline hearings when the allegations involve egregious misconduct. Specifically, the measure:

- Allows an administrative law judge to grant a request for a minor witness to testify via closed-circuit television or videotaped deposition, subject to certain specified conditions; and
- Requires an administrative law judge to allow or appoint a person to accompany and support the minor witness throughout the hearing.

***AB 2544 (Lackey) Parking Penalties.**

Chapter 494, Statutes of 2018 (Urgency)

This measure extends the payment plan requirements originally contained in AB 503 (Lackey, Chapter 741, 2017) to include all citations issued prior to May 1, 2018 and also require that previously accrued late fees be waived and require cities to verify indigent status for anyone requesting a payment plan for unpaid violations for any citation ever issued. This measure sunsets on January 1, 2027.

AB 2605 (Gipson) Rest Breaks. Petroleum Facilities. Safety-Sensitive Positions.

Chapter 584, Statutes of 2018 (Urgency)

This measure provides that petroleum facility employees in safety-sensitive positions who are covered by a valid collective bargaining agreement, as specified, are exempt from the requirement that employees be relieved of all duties during rest periods until January 1, 2021.

AB 2620 (Ting) Rental Passenger Vehicle Transactions.

Chapter 344, Statutes of 2018

This measure allows rental car companies to use, access, or obtain information relating to a renter's use of a rental vehicle obtained using electronic surveillance technology when the vehicle is not returned within 72 hours after the contracted return date or the end of any extension. The measure requires a disclosure in the rental agreement, specifically acknowledged by the renter, that electronic surveillance of the vehicle under these circumstances may take place. This measure sunsets on January 1, 2024.

AB 2769 (Cooper) Privacy. Driver's License Information.

Chapter 548, Statutes of 2018

This measure authorizes businesses to scan driver's licenses and identification cards for the same purposes and under the same limitations that current law allows for the swiping of such documents. Current law prohibits a business that swipes a driver's license or identification card in an electronic device from maintaining or using that information for any other purpose.

AB 2774 (Limón) Animal Shelters. Adoption Application. Crimes.
Chapter 877, Statutes of 2018

This measure authorizes an animal shelter, humane society, society for the prevention of cruelty to animals, animal rescue, or animal adoption organization to ask an individual who is attempting to adopt an animal if they are prohibited from owning or possessing an animal due to animal abuse related misdemeanor or felony violations.

AB 2876 (Jones-Sawyer) Vehicles. Removal and Impound Authority.
Chapter 592, Statutes of 2018

This measure allows for the warrantless vehicle removal for the purposes of officer seizure, community caretaking, safe flow of traffic, protection from theft or vandalism, if constitutionally reasonable under the Fourth Amendment and the California Constitution. The measure further provides that any removal and/or subsequent storage of a vehicle that is based on community caretaking is only reasonable if an individual's substantial interest in possessing their vehicle is outweighed by one or more of the following community caretaking justifications:

- Preventing a hazard to other drivers;
- Protecting the public from an unsafe driver; or
- Preventing theft or vandalism.

AB 2986 (Cunningham) Transportation Network Companies. Disclosure of Participating Drivers Information.

Chapter 286, Statutes of 2018

This measure requires transportation network companies (TNCs) to provide all of the following information to passengers through its online-enabled application or platform when passengers and drivers are matched:

- The driver's first name and a picture of the driver;
- An image of the make and model of the driver's vehicle; and
- The license plate number of the driver's vehicle.

AB 3205 (O'Donnell) School Facilities. Modernization Projects. Door Locks.
Chapter 401, Statutes of 2018

This measure requires school districts with modernization projects under the state School Facility Program, for school facilities constructed before January 1, 2012, to include interior locks as part of the project.

SB 931 (Hertzberg) Conservatorships. Custody Status.
Chapter 458, Statutes of 2018

This measure adds to the list of professional persons allowed to recommend a conservatorship, the person in charge of providing mental health treatment at a county jail, or their designee.

SB 970 (Atkins) Employment. Human Trafficking Awareness.
Chapter 842, Statutes of 2018

This measure amends the Fair Employment and Housing Act (FEHA) to require specified employers, beginning January 1, 2020, to provide at least 20 minutes of

prescribed training and education regarding human trafficking awareness to employees who are likely to interact or come into contact with victims of human trafficking.

SB 1055 (Bradford) Banks and Credit Unions: Savings Promotions.

Chapter 847, Statutes of 2018

This measure authorizes banks and credit unions to offer contest or promotions with designated prizes for the purpose of encouraging savings deposits. The measure prohibits these savings promotions from being considered a lottery or raffle with the meaning of any criminal provisions.

SB 1080 (Roth) Transportation Network Companies. Driver Requirements and Identification.

Chapter 511, Statutes of 2018

This measure allows non-California residents, active duty military members and/or their dependents to drive for a TNC if they possess a valid driver's license issued by the state or territory of the United States in which they reside.

SB 1104 (Roth) Pupil Safety. Human Trafficking Prevention Resources.

Chapter 848, Statutes of 2018

This measure requires the governing board of a school district and the governing body of a charter school to work with schools serving students in any of grades 6 - 12 to identify methods for informing parents and guardians of human trafficking prevention resources, and to implement these methods by January 1, 2020.

SB 1187 (Beall) Competence to Stand Trial.

Chapter 1008, Statutes of 2018

This measure reduces from three years to two years, the maximum term for commitment to a treatment facility when a defendant has been found incompetent to stand trial (IST) on a felony. It also specifies that when a defendant has been found IST and is held in a county jail treatment center while undergoing treatment for restoration to competency, that person is entitled to custody credits in the same manner as any other inmate confined to a county jail.

SB 1191 (Hueso) Crimes. Elder and Dependent Adult Abuse. Investigations.

Chapter 513, Statutes of 2018

This measure requires local law enforcement and long-term care ombudsman programs to revise their policy manuals to include references to crimes of elder and dependent adult abuse.

SB 1261 (Nielsen) Fire Prevention. Firefighting Aircraft. Pilot Death Benefits.

Chapter 625, Statutes of 2018 (Urgency)

This measure clarifies, relative to firefighting pilots that death benefits are not owed to pilots who fly their own aircraft or one owned by an entity other than CAL FIRE.

SB 1397 (Hill) Automated External Defibrillators. Requirement. Modifications to Existing Buildings.**Chapter 1014, Statutes of 2018**

This measure requires certain buildings that undergo significant modification to install an AED. Effective January 1, 2020, extends the requirement to buildings if the building is renovated with more than \$100,000 of improvements or any improvements in places of assembly such as auditoriums or theaters. Exempts buildings with AEDs already present in common areas.

SB 1409 (Wilk) Industrial Hemp.**Chapter 986, Statutes of 2018**

This measure updates California law pertaining to the production and cultivation of industrial hemp. Notably, this measure:

- Amends the definition of industrial hemp so that it is no longer defined as a fiber and oilseed crop;
- Deletes the requirement that hemp be grown only for fiber or oilseed;
- Deletes the requirement that an industrial seed cultivator be certified on or before January 1, 2013 in order to be on the approved list of cultivators;
- Allows agricultural commissioners or the counties, as appropriate, to retain the amount of a registration fee necessary to reimburse direct costs incurred by the commissioner in the collection of the fee; and
- Authorizes a city or county, by local ordinance to prohibit growers or seed breeders from conducting industrial hemp cultivation, regardless of whether growers meet, or are exempt from, the registration requirements or any other law.

VI. Revenue and Taxation

A. 2017 Budget Act Trailer Bills

AB 105 (Comm. on Budget) Budget Act of 2017

Chapter 5, Statutes of 2018 (Urgency)

This measure makes a minor amendment to a provision in the 2017-18 Budget Act that appropriated \$7 million in grants to cities and counties that participate in the federal Local Update of Census Addresses Program. The amendment allows the Department of Finance (DOF) to use five percent of those funds for administrative costs.

***AB 106 (Comm. on Budget) Cannabis. Licenses. Criminal Records.**

Chapter 6, Statutes of 2018 (Urgency)

This measure includes the following changes affecting cannabis licensing and administration:

- Makes a technical change to the list of state agencies that must require applicants to furnish fingerprints for conducting criminal background checks to reflect the name change from the Bureau of Medical Cannabis Regulation to the Bureau of Cannabis Control (BCC);
- Authorizes the BCC, Department of Food and Agriculture and the State Department of Public Health to request and receive criminal history information on applicants from the state Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI). Further, the measure requires DOJ to forward such requests to the FBI and then compile and disseminate responses to the licensing authority; and
- Appropriates an additional \$10.7 million to the Department of Food and Agriculture (DFA) for state costs to supply proprietary plant and package radio-frequency identification tags.

AB 108 (Comm. on Budget) Education. Child Care. Individualized County Child Care Subsidy Plans. The Every Kid Counts (EKC) Act.

Chapter 7, Statutes of 2018 (Urgency)

This measure moves the administration of the existing college savings account program from the Treasurer to the Student Aid Commission and consolidates several county child care pilot programs.

***AB 110 (Comm. on Budget) In-Home Supportive Services Provider Wages.**

Emergency Caregiver Payments for Foster Care. Civil Immigration Detainees.

Recording Fees.

Chapter 8, Statutes of 2018 (Urgency)

This measure

- Exempts liens documents and other real estate documents filed by public agencies from being subject to an additional tax used to fund affordable housing programs adopted by SB 2 (Atkins, Chapter 364, 2017);

- Narrows the existing prohibition on local law enforcement agencies for contracting with the federal government for facilities to house federal detainees to be limited to apply only federal detainees held for immigration custody; and
- Makes other changes affecting payments made to emergency caregivers and wage negotiations with in-home care workers.

Insert bills: 1808 - 1840

AB 1808 (Comm. on Budget) Education Finance. Education Omnibus Trailer Bill.
Chapter 32, Statutes of 2018 (Urgency)

This measure makes changes to early childhood education and K-12 education administration.

AB 1809 (Comm. on Budget) Higher Education Trailer Bill.
Chapter 33, Statutes of 2018 (Urgency)

This measure makes changes to the University of California (UC), California State University (CSU) and California Community College systems. It also includes a one-time \$10 million allocation to expand mental health services and training to community colleges.

***AB 1810 (Comm. on Budget) Health.**
Chapter 34, Statutes of 2018 (Urgency)

This measure makes technical and clarifying changes to the administration of health care and health care services. Several provisions, however, were included in this measure of particular interest to cities:

- Eliminating the sunset extension for needle exchange programs;
- Setting an application fee for certification to perform lead-related construction work in public and residential buildings; and
- Authorizes pre-trial diversion program for individuals with certain mental disorders alleged to have committed a misdemeanor or felony offense.

***AB 1811 (Comm. on Budget) Human Services Omnibus.**
Chapter 35, Statutes of 2018 (Urgency)

This measure makes changes to the California Work Opportunity and Responsibility to Kids (CalWORKs) program, Home Safe Program, and child welfare systems, and includes the following provisions:

- Increases the daily rate for CalWORKs temporary homeless assistance from \$65 to \$85 per day for shelter for families up to four members. With additional family members at \$15 each, the maximum allowable rate will be \$145. County welfare departments have authority to increase these amounts to secure additional bed space needed by the family;
- Increases CalWORKs grants by 10 percent commencing April 1, 2019; and
- Requires group homes to develop protocols designed to limit the frequency of law enforcement involvement arising out of incidents at group homes and other licensed residential facilities providing care for dependent children.

AB 1812 (Comm. on Budget) Public Safety Omnibus.*Chapter 36, Statutes of 2018 (Urgency)**

This measure makes technical changes to Department of Corrections and Rehabilitation (CDCR) administration processes and the juvenile justice reform system, which include:

- Allowing youths committed to the Division of Juvenile Justice on or after July 1, 2018, who would previously have been sentenced for up to seven years, to be released from custody in two years, or at age 23, whichever is later, unless an order for further detention has been made by a committing court; and
- Establishing an innovation grant program to develop law enforcement trainings to reduce officer-involved shootings.

AB 1817 (Comm. on Budget) State Government.*Chapter 37, Statutes of 2018 (Urgency)**

This measure includes the following changes related to various state programs of interest to cities.

Department of Housing and Community Development (HCD):

- Extends the 0.42 percent annual monitoring fee to the Veterans Housing and Homelessness Prevention Program and Affordable Housing and Sustainable Communities program and deposits those fees into a single fund to facilitate HCD's statutorily-required monitoring duties as projects funded by these programs transition into the long-term monitoring phase; and
- Requires HCD to maintain a 1.5 percent default reserve rate across programs, and allows HCD to expend default reserve funds across programs. The Multifamily Housing Program (MHP) currently includes a required annual 0.42 percent interest payment on the loan principal to fund HCD's long-term monitoring efforts.

Governor's Office of Business Development (GO-Biz):

- Creates the California Small Business Development Technical Assistance Expansion Program within GO-Biz for the purpose of assisting small businesses through free or low-cost one-on-one consulting and low-cost training by entering into grant agreements with one or more federal small business technical assistance centers;
- Requires, upon appropriation of funds by the Legislature, the office to make grants to federal small business technical assistance centers that the office determines meet specified eligibility criteria and requires a federal small business technical assistance center that receives funding under this program to provide periodic performance and financial reports;
- Requires Go-Biz, prior to finalizing contract negotiations and the committee hearing process, to provide information, so long as the information is not confidential, to the committee members regarding the potential awardees and allow the committee members to work through Go Biz to ask questions of the applicants if needed;
- Allows for investment in training opportunities offered by the taxpayer to be a factor that Go-Biz should consider;
- Requires LAO to do a detailed analysis of the economic effects and administration of the tax credit by Jan. 1, 2021;

- Approves \$20 million (General Fund) annually for five years for the Small Business Development Technical Assistance Expansion Program. Of this amount, \$3 million is for the California Small Business Development Center Program; and
- Authorizes an additional \$3 million (one-time General Fund) to be dedicated to for other federal small business technical assistance centers.

Cannabis

- Includes language to address a technical issue related to background checks

AB 1824 (Comm. on Budget) State Government.

Chapter 38, Statutes of 2018 (Urgency)

This measure contains language implementing the replacement of county voting systems funded by \$134.3 million from the General Fund, including funding for hardware, software, licenses and peripherals. The measure also allows counties to receive reimbursement for activities such as research and development of new voting systems, if the efforts result in the development of a voting system that is ultimately certified by the Secretary of State (SOS). In addition, the bill:

- Requires a master plan for veteran's homes to be prepared by the Veterans Department no later than Dec. 31, 2019, and updated every five years;
- Grants an extension for an application for compensation for victims of the "East Area Rapist," also known as the "Golden State Killer." This extension applies to a victim or derivative victim who incurs emotional harm as a result of preparing to testify and sunsets on Dec. 31, 2019; and
- Adds car muffler and exhaust design and noise violations to the list of findings where an officer can take appropriate enforcement action instead of issuing a "fix it ticket."

AB 1825 (Comm. on Budget) Education Finance. Constitutional Minimum Funding Obligation. Local Control Funding Formula.

Chapter 39, Statutes of 2018 (Urgency)

This measure contains various provisions related to the Prop. 98 guarantee for school funding.

AB 1826 (Comm. on Budget) State Capitol Building Annex. State Office Building.

Chapter 40, Statutes of 2018 (Urgency)

This measure specifies the process for replacing the existing state Capitol Annex building with a new structure. Legislative offices would first be housed in a new building near the state capitol until the replacement structure is completed.

***AB 1827 (Comm. on Budget) No Place Like Home Act of 2018.**

Chapter 41, Statutes of 2018 (Urgency)

This measure enacts the No Place Like Home Act of 2018 and provides for submission of the act to the voters at the Nov. 6, 2018 statewide general election. The voters are being asked to ratify the No Place Like Home program (NPLH), which proposes to fund the construction of 10,000 housing units available for the homeless and mentally ill, as being consistent with and in furtherance of the Mental Health Services Act (MHSA).

AB 1830 (Comm. on Budget) Budget Deficit Savings Accounts. Safety Net Reserve Fund.**Chapter 42, Statutes of 2018 (Urgency)**

This measure creates two new state budget reserve accounts:

- The Budget Deficit Savings Account, which allows the state to save additional funds when the Budget Stabilization Account is fully funded. The Budget Deficit Savings Account is used as a holding account for a \$1.747 billion discretionary deposit. In the event that higher revenues reduce the amount that is needed to fill the Rainy-Day Fund after May 31, 2019, half of the remaining balance would remain in this account and half would be transferred to the Safety Net Reserve CalWORKs Subaccount; and
- The Safety Net Reserve, allows the state to set aside savings from lower caseloads and costs during good economic times to help pay for increased caseload costs during future downturns. This account has a CalWORKs and a Medi-Cal subaccount to reflect these two major safety net programs. A total of \$200 million was deposited into the Safety Net Reserve CalWORKs Subaccount.

AB 1831 (Comm. on Budget) State Government. Appointments. Infrastructure.*Chapter 43, Statutes of 2018 (Urgency)**

This measure provides that up to \$415 million in excess of the 10 percent of the General Fund threshold for the Budget Stabilization Account shall be expended only on infrastructure and that any amount above that be split evenly on a continuous basis between a Rail Infrastructure Account and the HCD's Multifamily Housing Program for infrastructure.

AB 1834 (Comm. on Budget) Corrections. Omnibus.**Chapter 44, Statutes of 2018 (Urgency)**

This measure authorizes the State Public Works Board to issue an increase of \$43 million dollars in bonds towards the design and construction of new, or renovate existing, buildings and any necessary ancillary improvements, at facilities under the jurisdiction of the CDCR to provide medical, dental, and mental health treatment or housing. Allocations shall be approved by the State Public Works Board.

AB 1838 (Comm. on Budget) Local Government. Taxation. Prohibition. Groceries.*Chapter 61, Statutes of 2018 (Urgency)**

This measure prohibits a local government agency from imposing a tax on groceries for 12 years, and includes a provision that would withhold all sales taxes if a charter city, or their voters, exercise their existing constitutional right to enact a tax consistent with their municipal affairs. The enactment of this measure was demanded by major soda corporations in exchange for removing the Tax Fairness and Accountability Act measure from the November ballot. On June 28, the Governor signed AB 1838 and subsequently the Tax Fairness and Accountability Act measure was removed from the ballot. Shortly following the adoption of this measure, the Legislature adopted SB 872 (Comm. on Budget and Fiscal Review, Chapter 88, 2018) (Urgency), which clarified that cannabis was excluded from the definition of grocery products.

AB 1840 (Comm. on Budget) Education Finance.

Chapter 426, Statutes of 2018 (Urgency)

This measure contains multiple changes affecting schools and school finance.

SB 840 (Mitchell) Budget Act of 2018.

Chapter 29, Statutes of 2018 (Urgency)

This measure is the main budget act of 2018 for the 2018-19 fiscal year.

SB 841 (Comm. on Budget and Fiscal Review) Budget Act of 2017. Augmentation.

Chapter 31, Statutes of 2018 (Urgency)

This measure makes an \$890 million augmentation to the Budget Act of 2017 for various purposes.

***SB 846 (Comm. on Budget and Fiscal Review) Employment.**

Chapter 405, Statutes of 2018 (Urgency)

This measure offers public employers legal protections against claims made under state law associated with their collection of “fair share fees” from public employees in the wake of the Supreme Court’s *Janus* decision. In addition, this measure:

- Requires state agencies to review and report on their reasonable accommodation policies in addition to affirmative action;
- Requires the Department of General Services to update its contracting manual; and
- Makes clarifying changes affecting the Kern County Employees Retirement Association.

SB 847 (Comm. on Budget and Fiscal Review) Courts. Omnibus.

Chapter 45, Statutes of 2018 (Urgency)

This measure makes technical and clarifying changes to the court system.

***SB 848 (Comm. on Budget and Fiscal Review) Transportation.**

Chapter 46, Statutes of 2018 (Urgency)

This measure makes a number of technical and clarifying changes to several transportation issues. These include allowing self-help counties that have passed a county-wide sales tax measure for transportation projects to limit California Department of Transportation (CalTrans) administrative charges to 10 percent and giving cities and counties the ability to reimburse themselves for Road Maintenance and Rehabilitation Account (RMRA) funding expenditures across multiple fiscal years. In addition, this trailer bill also requires the Department of Motor Vehicles (DMV) to impose an additional \$1 transaction fee to cover its implementation costs.

SB 849 (Comm. on Budget and Fiscal Review) Medi-Cal.

Chapter 47, Statutes of 2018 (Urgency)

This bill measure makes technical and clarifying changes to health related programs including:

- Providing loan assistance payments to qualifying, recent graduate physicians and dentists that serve beneficiaries of existing health care programs; and

- Authorizing a medical-dental integration pilot program for Medi-Cal beneficiaries in San Mateo County as part of the Medi-Cal 2020 demonstration project.

SB 850 (Budget) Housing.*Chapter 48, Statutes of 2018 (Urgency)**

This measure makes various statutory changes to implement budget provisions related housing and homelessness. In brief, this bill:

- Makes clarifying changes to SB 35 (Wiener, Chapter 366, 2017), related to building permits; building site exclusions; and skilled workforce requirements.
- Creates the Homelessness Emergency Aid Program for the purpose of providing localities with one-time flexible block grant funds to address immediate homelessness challenges. Appropriates \$250 million and distributes the funds through the continuum of care (COC) process as outlined by the federal Department of Housing and Urban Development. Funds are allocated as follows:
 - \$40 million to COCs with a homeless point-in-time count of over 20,000 persons;
 - \$60 million to COCs with a homeless point-in-time count between 4,000 and 19,999 persons;
 - \$30 million to COCs with a homeless point-in-time count between 2,500 and 3,999 persons;
 - \$48 million to COCs with a homeless point-in-time count between 1,800 and 2,499 persons;
 - \$18 million to COCs with a homeless point-in-time count between 1,500 and 1,799 persons;
 - \$32 million to COCs with a homeless point-in-time count between 1,000 and 1,499 persons;
 - \$12 million to COCs with a homeless point-in-time count between 750 and 999 persons;
 - \$7 million to COCs with a homeless point-in-time count between 250 and 749 persons; and
 - \$2 million to COCs with a homeless point-in-time count of less than 250 persons.
- Allocates \$100 million to COCs. Funds are distributed based proportionate share of total homeless population based on the 2017 homeless point-in-time count.
- Allocates \$150 million to cities with a population over 330,000 based on the proportionate share of the total homeless population.
- Allocates \$5 million to the Bridges at Kraemer Place emergency shelter, located in Orange County.
- Allocates \$5 million to the County of Merced to create a homeless navigation center.
- Establishes the Emergency Solutions and Housing Program to provide:
 - Rental assistance and housing relocation and stabilization services to ensure housing affordability to people experiencing homelessness or at risk of homelessness;

- Operating subsidies in the form of 15-year capitalized operating reserves for new and existing affordable permanent housing units for homeless individuals and families;
- Flexible housing subsidy funds for local programs that establish or support the provision of rental subsidies in permanent housing to assist homeless individuals and families;
- Operating support for emergency housing interventions; and
- Support for activities necessary to maintain a comprehensive homeless services and housing delivery system, including data collection, reporting, and homelessness planning activities.
- Allows 50 percent of the first year of the real estate recording fee created by SB 2 (Atkins, Chapter 364, 2017), to be allocated to the Housing for a Healthy California program;
- Makes statutory changes to the Office of Migrant Services; and
- Moves the Homeless Coordinating and Financing Council from the Housing and Community and Economic Development (HCD) to the Business, Consumer Services and Housing Agency. Increases the membership of the council from 15 to 17. The two new members are formerly homeless youth who lives in California.

SB 852 (Comm. on Budget and Fiscal Review) State Public Employment.

Memorandum of Understanding. State Bargaining Unit 6. Approval.

Chapter 49, Statutes of 2018 (Urgency)

This measure provides legislative approval for a memorandum of understanding and associated pay increases negotiated by the state with state correctional peace officers.

SB 853 (Comm. on Budget and Fiscal Review) Developmental Services.

Chapter 50, Statutes of 2018 (Urgency)

This measure is the omnibus vehicle for various changes related to stet developmental services programs.

SB 854 (Comm. on Budget and Fiscal Review) Public Resources.

Chapter 51, Statutes of 2018 (Urgency)

This measure makes various statutory changes to implement the resources, environmental protection, energy, and agriculture budget actions. This bill contains numerous statutory changes that do the following:

- Clarifies the process for dam owners where there is an existing or partial Emergency Action Plan or inundation map as of March 1, 2017. Also requires dam owners with partial Emergency Action Plans or inundation maps to develop a timeline by which they will develop the comprehensive Emergency Action Plan and inundation maps;
- Authorizes the California Air Resources Board (CARB) to make advance payments to grantees of a grant program if the advance payments are necessary to meet the purposes of the program and additional criteria are met;

- Clarifies the authority of the California Highway Patrol (CHP) to arrest individual transporters who illegally transport out-of-state empty containers for redemption in California;
- Extends the sunset date on the Plastic Market Development Program to July 1, 2022; and
- Requires the Office of Environmental Health Hazard Assessment (Office) to publish public health goals for drinking water contaminants since 1998. This bill requires each public health goal to be reviewed at least once every five years unless the Office determines that there has not been a detection of the corresponding contaminant.

***SB 855 (Comm. on Budget and Fiscal Review) Taxation.**

Chapter 52, Statutes of 2018 (Urgency)

This measure extends and expands various state tax credit programs, as follows:

- Extends the California Competes Tax Credit Program, which provides incentives for employers to grow and retain high-wage jobs, until Jan. 1, 2030, and authorizes annual allocations of \$180 million in credits until FY 2022-23. Contains additional modifications to the program;
- Extends the existing state Hiring Tax Credit program, which offers tax credits to employers hiring individuals facing hiring challenges in various census tracts, until Jan. 1, 2026;
- Increases the amount of the state's Earned Income Tax Credit (EITC) and expands its application to additional individuals; and
- Removes the sunset date of Jan. 1, 2019, for the program which authorizes the Franchise Tax Board (FTB) and local governments to enter into data exchange agreements with the object of improving collection of applicable state and local taxes.

SB 856 (Comm. on Budget and Fiscal Review Budget) Budget Act of 2018.

Chapter 30, Statutes of 2018 (Urgency)

This measure appropriates a \$1.4 billion Greenhouse Gas Reduction Fund (GGRF) expenditure plan for FY 2018-19. As with previous expenditure plans, 60 percent of the Cap-and-Trade revenues in the GGRF will automatically be spent on continuous appropriations for High Speed Rail, the Affordable Housing and Sustainable Communities program, the Transit and Intercity Rail Capital program, and Low Carbon Transit Operations (LCTOP). The remaining 40 percent of GGRF funds are appropriated annually each year to numerous state agencies and grant programs.

Highlights for local governments of the \$1.4 billion expenditure plan include:

- \$25 million to the California Office of Emergency Services (CalOES) for local fire response to be used for procurement and maintenance of fire engines and support of the California Fire and Rescue Mutual Aid System;
- \$25 million to California Department of Resources Recycling and Recovery (CalRecycle) for waste diversion, which fund infrastructure grants to help meet new organic waste diversion rules and address declining recycling markets;

- \$40 million to the Strategic Growth Council for the Transformative Climate Communities program, which fund grants for neighborhood-level innovative projects that reduce Green House Gas (GHG) emissions in the most disadvantaged communities;
- \$20 million to the Natural Resources Agency for urban greening grant program;
- \$5 million to Department of Forestry and Fire Protection (CAL FIRE) for urban forestry grant program;
- \$2 million to the Strategic Growth Council (SGC) for technical assistance to disadvantaged communities, including \$1 million for which the Institute for Local Government (ILG) is eligible for the Beacon Program;
- \$160 million to CAL FIRE for healthy and resilient forests programs and projects primarily in or adjacent to state responsibility areas. Of this, \$155 million may be used for grants to local governments, Fire Safe Councils, certified local conservation corps, qualified nonprofits for programs and projects primarily in or adjacent to state responsibility areas. It also includes funding for inspections by CAL FIRE and local fire departments for compliance with defensible space requirements around habitable structures in or near state responsibility areas and in Very High Fire Severity Zones. At least 10 percent of these funds must be granted to cities, counties, or special districts;
- \$50 million to begin implementing the Administration's Forest Carbon Plan allocated as follows:
 - \$30 million to CAL FIRE for prescribed fire and other fuel reduction projects; and
 - \$20 million to the Natural Resources Agency for grants to expand the Sierra Nevada Conservancy's Watershed Improvement Program model to additional regions for vegetation management, healthy forests, prescribed burns, or other fuel treatment and forested watershed projects.
- \$10 million to the Department of Community Services and Development for low-income solar and multi-family weatherization programs, including at least \$2 million for farmworker housing.

SB 857 (Comm. on Budget and Fiscal Review Budget) In-home Supportive Services. Provider Orientation.

Chapter 87, Statutes of 2018 (Urgency)

This measure makes technical and clarifying changes to the In-Home Supportive Services (IHSS) program.

SB 861 (Comm. on Budget and Fiscal Review Budget) National Mortgage Settlement Fund. Allocations.

Chapter 331, Statutes of 2018 (Urgency)

This measure confirms that the allocations of funds from a special deposit fund to the General Fund in FY 2011–12, FY 2012–13, and FY 2013–14 were consistent with the direction given to the Director of Finance in SB 1006 (Comm. Budget and Fiscal Review, Chapter 32, 2012). SB 1006 established the National Mortgage Settlement Deposit Fund to receive the state's share of the 2012 National Mortgage Settlement (NMS), and authorized the use of NMS funds to offset relevant General Fund

expenditures in FY 2011–12, FY 2012–13, and FY 2013–14. This measure also appropriates \$25,000 from the DOF for legal fees and costs.

SB 862 (Comm. on Budget and Fiscal Review Budget) Budget Act of 2018.

Chapter 449, Statutes of 2018 (Urgency)

This measure makes numerous amendments to the 2018 budget and clarifies changes to the allocation of specific funds, including:

Governor's Office of Business and Economic Development (GO-Biz)

- Allocates \$3 million to be used to draw down federal funds in the California Small Business Development Center Program;
- Allocates \$17 million to be used for the California Small Business Development Technical Assistance Expansion Program until June 30, 2021; and
- Allocates \$3 million to be used for other federal small business technical assistance programs.

Office of Emergency Services (CalOES)

- Appropriates \$112.9 million for various specific regional grants; including but not limited to \$1.7 million for the City of Rialto to comply with the Americans with Disability Act (ADA), \$25 million for equipment and technology for the mutual aid system, and \$15 million for San Francisco to make public health and safety capital updates; and
- Allocates \$3.5 million, of the appropriated amount, to provide grants to install emergency water tank systems for homes that have had wells recently go dry, and to continue to supply water tanks with water and maintain and repair such systems as an emergency measure while households await new wells or connection to community water systems.

Department of Motor Vehicles (DMV)

- Authorizes the Director of Finance the ability to augment additional resources if needed to alleviate field office wait times, up to an additional \$16.6 million upon submission of a request by the DMV Director; and
- Provides the Legislature, until Dec. 31, 2020, monthly information about individual field office wait times.

Department of Forestry and Fire Protection (CAL FIRE)

- Appropriates \$3.6 million to the State Fire Marshall (SFM) to fireworks management and disposal.

Air Quality Improvement Fund

- Transfers \$15 million from the Air Quality Improvement Fund to the Alternative and Renewable Fuel and Vehicle Technology Fund. The Air Quality Improvement Fund focuses on providing competitive grants and low interest loans for projects that improve air quality. The Alternative and Renewable Fuel and Vehicle Technology Fund makes investments to accelerate the development of clean, efficient, low-carbon technologies to reduce greenhouse gas emissions and petroleum dependence. Local governments are eligible to apply for these funds.

State Water Resources Control Board (SWRCB)

- Appropriates \$3 million for a needs analysis of drinking water systems. Funds need to be expended by June 30, 2020;
- Appropriates \$31.3 million for local assistance grants, this includes, but is not limited to, \$9.5 million for emergency repairs to the Oxnard Waste Water Treatment Plant and \$6.8 million to the State Water Resources Control Board (SWRCB) Safe Drinking Water for Schools grant program;
- Allocates \$5 million to provide grants or contracts for drinking water testing for lead at licensed child care centers remediation of lead in plumbing and drinking water fixtures, and technical assistance for licensed childcare providers to apply for testing and remediation; and
- Allocates \$10 million to provide emergency relief grants to households to fund well replacement, septic system replacement, permanent connections to public systems, well or septic abandonment, point-of-use and point-of-entry treatment systems, and debt relief for households who have financed well replacement as a result of the drought emergency.

California Teleconnect Administrative Committee Fund

- Appropriates \$126.5 million from the California Teleconnect Administrative Committee Fund for local assistance through the California Public Utilities Commission (CPUC); and
- Allocates, of the appropriated amount, \$1.5 million for expanding 2-1-1 services to unserved and underserved areas, until June 30, 2023.

***SB 866 (Comm. on Budget and Fiscal Review Budget) Employment.**

Chapter 53, Statutes of 2018 (Urgency)

This measure, as part of a state employment law omnibus, makes various changes affecting public employers relating to the recent US Supreme Court's *Janus* decision:

- Requires public employers to direct employee requests to cancel or change deductions to the employee organization;
- Requires public employers to honor requests by employee organizations for employee payroll deductions to pay dues;
- Requires public employers to honor employee authorizations for dues deductions, and states that the revocability of the authorization is determined by the terms of that authorization;
- Requires the employee organization shall rely on information provided by the employee organization as to whether a request is made in conformity with the authorization, and indemnify the public employer for any claims made by an employee over deductions made in reliance on that information;
- Authorizes public employers to deduct reasonable costs from the amount transmitted to the employee organization;
- Prohibits public employers from discouraging or deterring applicants or existing employees from becoming or remaining members of an employee organization; and

- Prohibits the time, date or place of a new public employee orientation from being disclosed to anyone other than the employees, the exclusive representative and a vendor contracted to provide services at the orientation.

This measure makes numerous other changes affecting state civil service employment.

SB 867 (Comm. on Budget and Fiscal Review Budget) Legislative Counsel.

Workplace Conduct Services.

Chapter 450, Statutes of 2018 (Urgency)

This measure makes technical and clarifying changes relating to the Legislature's policies on workplace sexual harassment. It requires the Legislative Counsel to establish a unit to provide advice and investigation services to the Legislature related to workplace misconduct. This unit will accept and investigate reports and complaints of workplace misconduct. The measure appropriates \$1.5 million to the Legislative Counsel Bureau for implementation

SB 869 (Comm. on Budget and Fiscal Review Budget) County of San Diego. Local Elections.

Chapter 451, Statutes of 2018 (Urgency)

This measure clarifies an amendment to the charter of the County of San Diego, how the calculation of qualified electors is computed, and appropriates \$1 million from the Federal Trust Fund for the Secretary of State to secure and improve county election systems

SB 871 (Comm. on Budget and Fiscal Review Budget) Income Taxes. Credits.

Motion Pictures

Chapter 54, Statutes of 2018 (Urgency)

This bill extends the existing film production tax credit at \$330 million annually for five years from Jan. 1, 2020, through the end of FY 2024-2025. Tax credits of 20 percent or 25 percent of qualified expenditures are offered for the production of a qualified motion picture in this state, with additional credit amounts allowed for productions that return to California, and for original photography occurring outside the Los Angeles zone, as specified.

***SB 872 (Comm. on Budget and Fiscal Review Budget) Local Government.**

Taxation. Prohibition. Groceries.

Chapter 88, Statutes of 2018 (Urgency)

This measure was enacted shortly after the approval of AB 1838 (Comm. on Budget, Chapter 61, 2018), which preempted the ability of cities and other local agencies from levying any new tax, fee or assessment on groceries and soda for twelve years, to clarify that "cannabis" was not a grocery product. These bills reflected a legislative agreement that resulted in the removal by the sponsors of the Tax Fairness and Accountability Act—which would have dramatically restricted local tax and fee authority—from the November ballot.

SB 873 (Comm. on Budget and Fiscal Review Budget) State Public Employment.
Memorandum of Understanding. Approval. State Bargaining Units 9 and 10.
Chapter 452, Statutes of 2018 (Urgency)

This measure reflects the memorandum of understanding with state bargaining units representing engineers and scientists.

SB 875 (Comm. on Budget and Fiscal Review Budget) Public Resources.
Chapter 453, Statutes of 2018 (Urgency)

This measure makes technical and clarifying changes to the Public Resources Code related to markets for empty plastic beverage containers.

SB 876 (Comm. on Budget and Fiscal Review Budget) Human Services.
Chapter 454, Statutes of 2018 (Urgency)

This measure makes technical and clarifying changes to the Welfare and Institutions Code.

SB 877 (Comm. on Budget and Fiscal Review Budget) State Government.
Chapter 455, Statutes of 2018 (Urgency)

This measure makes technical and clarifying changes to the Health and Safety Code related to awarding public works contracts and backfilling federal loans to transit agencies.

SB 878 (Comm. on Budget and Fiscal Review Budget) Taxes. Credits. Qualified Motion Pictures.

Chapter 456, Statutes of 2018 (Urgency)

This measure changes the date by which the Legislative Analyst's Office (LAO) must prepare reports related to the effectiveness and administration of the film tax credits from on or before July 1, 2019 to on or before Jan. 1, 2023. This measure also defines "previously allocated credits not certified" and clarifies that the California Film Commission (CFC) may allocate such credits on or after July 1, 2025. This measure also appropriates \$5,000 General Fund to the CFC for work necessary to develop rules associated with the film tax credits.

SB 879 (Comm. on Budget and Fiscal Review Budget) Public Safety.

Chapter 457, Statutes of 2018 (Urgency)

This measure appropriates \$5.2 million of the \$17 million appropriated in the 2015 budget from the Peace Officers' Training Fund for allocation to cities, counties, and cities and counties for law enforcement training. In order to receive funding, cities must apply to Commission on Peace Officer Standards and Training (POST) and adhere to the standards set forth by the commission. These funds must be spent by June 30, 2019. This measure also makes a number of technical and clarifying changes related to public safety.

B. Tax Increment Financing

***AB 2035 (Mullin) Affordable Housing Authorities.**

Chapter 862, Statutes of 2018

This measure makes a number of changes affecting Affordable Housing Authorities, which include:

- Providing a definition of “property tax increment” that permits a base year to be defined no more than five years prior to the effective date of the authorizing resolution. Prohibits the inclusion of properties that were part of a former redevelopment agency until all of the obligations of that agency have been retired and the successor agency fully dissolved;
- Clarifying the membership of the governing board if the authority is created by a city, a county, as a joint powers authority between a city and county, or by a city and county;
- Providing additional clarification of the process whereby a city, county or special district dedicating property tax increment funds can withdraw such contributions to an affordable housing authority with a 90-day notice, including providing that revenue obligated to the repayment of debt shall continue to be allocated until the debt is repaid;
- Expanding the menu of options available for expenditure of funds for affordable housing;
- Authorizing an authority to finance infrastructure necessary to support the development of affordable housing; and
- Requiring an action challenging the validity of the resolution authorizing the creation of an authority, the adoption of an affordable housing plan, allocation of tax revenues to an authority, or the issuance of bonds to be commenced within 30 days. Authorizes an authority that receives revenues to bring a validation action in superior court.

***SB 961 (Allen) Enhanced Infrastructure Financing Districts.**

Chapter 559, Statutes of 2018

This measure authorizes local sales tax revenues to be allocated to an Enhanced Infrastructure Financing District (EIFD) which adopts a Second Neighborhood Infill and Transit Improvements Act (NIFTI-2) program (established by this Act) that meets the following requirements:

- The boundaries of the district are coterminous with the city or county that established the district;
- The area to be financed is within one-half mile from a major transit stop;
- If local Bradley Burns sales and use taxes are to be used, the city or county has received the consent of any impacted local transportation agency. No local sales and use tax or transaction and use tax adopted by voters for a special purpose may be allocated to a district;
- 40 percent of the total funds received pursuant to this section are dedicated to the development of housing for household with incomes below 60 percent of area median income, of which half must be spent on households below 30 percent of median income. Residency priority in this housing is first for those displaced

from the district, and second to a household with a member employed within two miles of the district;

- 10 percent of the total funds must be spent on parks, urban forestry, urban greening, or pedestrian or bicycle facilities, including connectivity to transit;
- Remaining revenues may be spent on:
 - Multi-family affordable housing with commercial space on ground floor;
 - Transit capital projects;
 - Transit-oriented development projects;
 - Capital projects that implement a complete streets programs; and
 - Parking structures in lieu of onsite parking for proposed developments.
- Bonds issued by an EIFD pursuant to this section are exempt from voter approval requirements if the EIFD complies with an extensive public protest process that mirrors the protest process currently required for the formation of a Community Revitalization Investment Authority; and
- The Governor's Office of Planning and Research is required to complete a study by January 1, 2021, on the effectiveness of this tool, and other specified recently created tax increment tools, for increasing housing production.

***SB 1145 (Leyva) Enhanced Infrastructure Financing Districts. Maintenance. Chapter 563, Statutes of 2018.**

This measure allows EIFD's to finance ongoing or capitalized maintenance costs for public facilities financed in whole or by part by the EIFD. Additionally, this measure prohibits the EIFD from using bonds to finance maintenance.

C. Sales and Use Tax

AB 2938 (Bloom) Sales and Use Taxes. Exemption. Bicycles. City of Santa Monica.

Chapter 397, Statutes of 2018 (Urgency)

This measure exempts from the state and local share of the Sales and Use Tax 500 bicycles purchased by the City of Santa Monica in 2015. The measure includes a finding stating the need to adapt to the rapidly changing bike-share landscape and sunsets January 1, 2025.

SB 1007 (Hertzberg) Sales and Use Taxes. Exemption. Military and Veteran Medical Facilities.

Chapter 785, Statutes of 2018 (Urgency)

This measure exempts from state and local sales and use tax the purchasing of building materials and supplies by nonprofit organizations for the construction of facilities used to care for military veterans and temporary housing for their families while the veterans are receiving treatment. The has a sunset date of January 1, 2025.

SB 1484 (Hernandez) Sales and Use Taxes. Exemption. Charitable Thrift Stores. Chapter 741, Statutes of 2018 (Urgency)

This measure extends the sunset date for the state and local sales and use tax exemption for retail items sold by stores operated by nonprofit organizations assisting persons with HIV or AIDS from January 1, 2019, to January 1, 2029.

D. Local Government Finance

***AB 1184 (Ting) City and County of San Francisco. Local Tax. Transportation Network Companies. Autonomous Vehicles.**

Chapter 644, Statutes of 2018

This measure authorizes both the city and county of San Francisco to impose a tax on each ride provided by a participating driver or an autonomous transportation vehicle originating from the City and County of San Francisco, not exceeding the following:

- One and one-half percent of net rider fares for a shared ride, with one or more passengers;
- Three and one quarter percent of net rider fares for other rides; and
- Authorizes San Francisco to set a lower tax rate for zero emission vehicles.

The measure defines “net rider fare” to exclude taxes, airport or venue fees, or other fees, and requires moneys collected to fund transportation operations and infrastructure improvements in the city. Sunsets a tax imposed pursuant to this section no later than November 5, 2045.

AB 1770 (Steinorth) Local Government. Investments.

Chapter 271, Statutes of 2018

This measure removes a requirement, associated with investments of local agency funds in various types of mortgage-backed securities rated AA or above, that the issuer must be in a rating category of A or above. This change is intended to allow local agencies access to AA rated securities that are currently ineligible for purchase by removing the issuer rating requirement.

***AB 1838 (Comm. on Budget) Local Government. Taxation. Prohibition. Groceries. Chapter 61, Statutes of 2018 (Urgency)**

This measure prohibits a local government agency from imposing a tax on groceries for 12 years, and includes a provision that would withhold all sales taxes if a charter city, or their voters, exercise their existing constitutional right to enact a tax consistent with their municipal affairs. The enactment of this measure was demanded by major soda corporations in exchange for removing the Tax Fairness and Accountability Act measure from the November ballot. On June 28, the Governor signed AB 1838 and subsequently the Tax Fairness and Accountability Act measure was removed from the ballot. Shortly following the adoption of this measure, the Legislature adopted SB 872 (Comm. on Budget and Fiscal Review, Chapter 88, 2018) (Urgency), which clarified that cannabis was excluded from the definition of grocery products.

SB 872 (Comm. on Budget and Fiscal Review) Local Government. Taxation.*Prohibition. Groceries.****Chapter 88, Statutes of 2018 (Urgency)**

This measure was enacted shortly after the approval of AB 1838 (Comm. on Budget, Chapter 61, 2018), which preempted the ability of cities and other local agencies from levying any new tax, fee or assessment on groceries and soda for twelve years, to clarify that “cannabis” was not a grocery product. These bills reflected a legislative agreement that resulted in the removal by the sponsors of the Tax Fairness and Accountability Act—which would have dramatically restricted local tax and fee authority—from the November ballot.

SB 1496 (Comm. on Governance and Finance) Validations.**Chapter 23, Statutes of 2018 (Urgency)**

This measure enacts the Second Validating Act of 2018, effective on September 1, 2018, which validates the organization, boundaries, acts, and bonds of state and local agencies. Validating Acts protect investors from the chance that a minor error might undermine the legal integrity of a public agency’s bond.

SB 1497 (Comm. on Governance and Finance) Validations.**Chapter 24, Statutes of 2018 (Urgency)**

This measure enacts the First Validating Act of 2018, effective June 1, 2018, which validates the organization, boundaries, acts, and bonds of state and local agencies. Validating Acts protect investors from the chance that a minor error might undermine the legal integrity of a public agency’s bond.

SB 1499 (Comm. on Governance and Finance) Validations.**Chapter 25, Statutes of 2018**

This measure enacts the Third Validating Act of 2018, Effective January 1, 2019, which validates the organization, boundaries, acts, and bonds of state and local agencies. Validating Acts protect investors from the chance that a minor error might undermine the legal integrity of a public agency’s bond.

E. Property Tax Administration**AB 2425 (Berman) Property Taxation. Property Records. Transmission by Mail or Electronic Format.****Chapter 968, Statutes of 2018**

This measure requires assessors to deliver information requested by a property owner or their designated representative by mail or in electronic format, if available, within a reasonable time. In addition, the measure authorizes an assessor to require a property owner to submit information, documents, or records necessary for property tax assessment purposes by mail or in an electronic format, if available.

AB 2663 (Friedman) Property Taxation. Change in Ownership. Exclusion. Local Registered Domestic Partners.**Chapter 919, Statutes of 2018 (Urgency)**

This measure authorizes individuals who were registered as domestic partners pursuant to local ordinances or policies between January 1, 2000 to June 26, 2015, who received a transfer of property related to that domestic partnership during that period to seek a prospective adjustment to their property tax obligations. For such properties, the assessor shall base the property tax assessment upon the value of the property in the year it was transferred with an inflation adjustment. Applications for this adjustment must be submitted by June 30, 2022.

AB 2746 (E. Garcia) Taxation. Tax-Defaulted Property Sales.**Chapter 284, Statutes of 2018**

This measure addresses tax sales of tax-defaulted property that are held via public auction to provide that the date of the commencement of the tax sale constitutes the actual sale date regardless of when the auction concludes and reaffirm that a property owner has lost all rights in the tax defaulted property being offered for auction for failure to redeem the property by the final redemption date during the set auction period.

SCA 9 (Glazer) Property Tax. New Construction Exclusion. Rain Water Capture System.**Resolution Chapter 1, Statutes of 2018**

This measure, which was approved by voters as Proposition 72 on the June 2018 statewide ballot, provides a property tax exclusion for the construction or addition of a rainwater capture system completed on or after January 1, 2019. A legislative companion measure, SB 558 (Glazer, Chapter 1, 2018), defines the exclusion to include the construction or addition of a rainwater capture system incorporated by the owner-builder in the initial construction of a new building that the owner-builder does not intend to occupy or use.

SB 558 (Glazer) Property Tax Exemption. Rainwater Capture System.**Chapter 1, Statutes of 2018**

This measure implements Proposition 72, approved by voters on the June 2018 statewide ballot, to provide a property tax exclusion for the construction or addition of a rainwater capture system completed on or after January 1, 2019. The measure defines the exclusion to include the construction or addition of a rainwater capture system incorporated by the owner-builder in the initial construction of a new building that the owner-builder does not intend to occupy or use.

SB 1115 (Hill) Property Taxation. Welfare Exemption. Low Income Housing.**Chapter 694, Statutes of 2018.**

This measure increases the cap from \$10 to \$20 million on the existing property tax exemption for non-public financed rental housing properties owned by a non-profit corporation where 90 percent of the residents are low income. In addition, the bill:

- Requires any outstanding ad valorem tax in excess of the \$10 million cap, and related interest or penalty, imposed on and after January 1, 2017, and before

January 1, 2019, to be canceled if a qualified claim was filed, to the extent the amount canceled does not result in a total exemption amount in excess of \$20 million allowed to a qualified taxpayer; and

- Provides a process for taxpayers to file a claim to have any outstanding taxes or escape assessments cancelled.

SB 1506 (Comm. on Governance and Finance) Property Taxation. Tax Collector. Chapter 119, Statutes of 2018

This measure removes an ambiguity between state statutes and federal bankruptcy laws by clarifying that notices sent by tax collectors to property owners of tax defaulted property constitute a notice of tax deficiency under federal bankruptcy law.

F. Miscellaneous

***AB 636 (Irwin) Local Streets and Roads. Expenditure Reports.**

Chapter 159, Statutes of 2018

This measure changes the date that city and county local street and road expenditure reports are due to the State Controller's Office (SCO) from October 1 of each year to December 1 of each year. It is important to note that this change does not apply to SB 1 expenditure reporting requirements, which are still due October 1 of each year.

AB 1547 (Quirk-Silva) State Finance. Financing Authorities.

Chapter 645, Statutes of 2018 (Urgency)

This measure abolishes the California Industrial Development Financing Advisory Commission, while retaining the California Debt Limit Allocation Committee with substantially overlapping duties relative to industrial development bonds.

This measure makes the following definitional changes:

- Revises the definition of "small business" or "qualified business" for the purposes of qualifying for the California Americans with Disabilities Act Small Business Capital Access Loan Program to be a business that is independently owned and operated and not dominant in its field with: (a) 30 or fewer, rather than 15 fewer, full-time equivalent employees or less than \$5 million in total gross annual income from all sources; and (b) not providing overnight accommodations;
- Adds "strengthening a building's lateral load resisting system" to list of procedures that qualifies as "seismic retrofit construction" for the purposes of the California Seismic Safety Capital Access Loan Program (CalCAP/Seismic Safety); and
- Revises the definition of "qualified building" for the purposes of CalCAP/Seismic Safety to mean a residential or commercial building that is identified by the local building code official for the jurisdiction in which the building is located as: (a) a building in need of seismic retrofitting; and (b) either a building of a type that is potentially vulnerable in the event of a catastrophic earthquake or a building constructed before 1981.

This measure also makes a change to the Sales and Use Tax Exclusion program to allow a contractor or other designated party to utilize the exemption when purchasing equipment for the approved project.

AB 1889 (Caballero) Santa Clara Valley Water District.

Chapter 251, Statutes of 2018

This measure amends the Santa Clara Valley Water District (SCVWD) Act. Specifically: the SCVWD act authorizes the district provide residential tax exemptions to taxpayers that are at least 65 years of age, or who qualify as totally disabled, if the household income is less than an amount approved by the voters of the district. This measure authorizes the district to require information relating to the verification of age, disability status, and income of those seeking an exemption. This measure also makes changes to the structure, requirements, and salaries of those serving on the district's board of directors.

AB 2198 (Obernolte) State Government Expenditures. Data

Chapter 186, Statutes of 2018

This measure adds special fund expenditures to the state expenditure data which the public is required to have internet-based access to under the state Financial Information System for California (FI\$Cal) System.

***AB 2350 (Obernolte) Unclaimed Property.**

Chapter 390, Statutes of 2018.

This measure creates in the Special Deposit Fund the Unclaimed Property Offset Account as a continuously appropriated fund for the payment of moneys to a state or local governmental entity to offset the moneys owed by a person claiming to be the owner of unclaimed property that has escheated to the state. Permits the State Controller (Controller) to transfer moneys from escheated properties to this account if the Controller has reason to believe that the owner has a debt to state or local government.

AB 2458 (Weber) Qualified Special Taxes. Exemption. Information.

Chapter 391, Statutes of 2018

This measure, beginning January 1, 2020, requires county tax collectors to post online information received from school districts about available parcel tax exemptions for senior and disabled taxpayers and to include a message about the available online information with the annual property tax bill.

AB 2777 (Daly) State Employees. Travel Reimbursements.

Chapter 719, Statutes of 2018

This measure extends, until January 1, 2022, the requirement that a state agency permit state employees traveling on official state business to use transportation provided by a transportation network company or lodging in a short-term rental.

AB 2954 (Bonta) School Districts. Special Taxes. Uniformity Requirement. Unimproved Property.

Chapter 305, Statutes of 2018

This measure provides an exception to the uniformity school districts impose special taxes and parcel taxes by allowing a district to impose a parcel tax with a lower rate on unimproved property.

AB 3041 (Cunningham) Real Estate Transfer Fees. Prohibition.

Chapter 306, Statutes of 2018

This measure prospective prohibits the imposition of Private Transfer Fees (PTF) unless the fee provides a direct benefit to the property consistent with specified federal regulations.

***SB 1498 (Comm. on Governance and Finance) Local Government Omnibus Act of 2018.**

Chapter 467, Statutes of 2018.

This measure is the annual local government omnibus bill that makes non-controversial changes to state laws affecting local agencies' powers and duties. Notably:

- Makes minor changes to EIFD statutes including:
 - Permits a simplified Resolution of Intent notice to be mailed to property instead of a full cop;
 - Requires the legislative body of the city or county to select a city or county official, as applicable, to mail resolution of intention or notice of intention to landowners and affected taxing entities; and
 - Corrects law containing incorrect references to an “ordinance” that should refer to a “resolution”.
- Adds gender-neutral changes to code sections describing the duties of city officials in the Government Code;
- Alters large special district reporting requirements by requiring that the Controller delete specific terminology in statute and replace it with information that is consistent with generally accepted accounting principles and Governmental Accounting Standards Board (GASB) statements;
- Increases the County purchasing agent authority threshold from \$100,000 to \$200,000 to account for changes in inflation;
- Standardizes the formerly inconsistent terminology to refer to instruments, papers, or notices throughout the sections of the Government Code that pertain to county recorders;
- Amends Mello-Roos debt reporting requirements to allow agencies to meet the requirements by posting a link to the State Treasurer’s website where the reported information can be located;
- Provides that statutory audit requirements for county assessors would be met as long as the largest taxpayer audits and discretionary audits are conducted over a rolling four-year period, beginning in the 2019-20 fiscal year, and simplifies the accounting for a “significant number of audits” that must be conducted over that time; and

- Repeals the requirement to enact a resolution of establishment as an amendment to the requirements set by the Property and Business Improvement District Law of 1994.

SB 1509 (Comm. on Governance and Finance) State Finance.

Chapter 931, Statutes of 2018

This measure exempts from the Administrative Procedure Act agreements the State Treasurer enters into in connection with the sale or administration of any evidence of indebtedness.

VII. Transportation, Communication, and Public Works

A. Transportation

AB 91 (Cervantes) High-Occupancy Vehicle Lanes.

Chapter 468, Statutes of 2018

This measure requires the California Department of Transportation (Caltrans) to report on the feasibility of limiting high-occupancy vehicle (HOV) lanes only during heavy commuter traffic on State Route (SR) 60, SR 91 between Interstate 15 (I-15) and (I-215) in Riverside County. The Caltrans report is due to the legislature by January 1, 2020.

***AB 636 (Irwin) Local Streets and Roads. Expenditure Reports.**

Chapter 159, Statutes of 2018

This measure changes the date that city and county local street and road expenditure reports are due to the State Controller's Office (SCO) from October 1 of each year to December 1 of each year. It is important to note that this change does not apply to SB 1 expenditure reporting requirements, which are still due October 1 of each year.

AB 1041 (Levine) Bay Area Toll Authority and Oversight Committee. Conflict of Interest.

Chapter 16, Statutes of 2018

This measure prohibits any of the following persons from being appointed as a representative to the oversight committee of the Bay Area Toll Authority (BATA), if they have within the year been a:

- Current member or former member of the commission or the authority;
- Current staff or former staff of the commission or the authority;
- Current employee or person of any organization that has received funding from the commission or the authority; and/or
- Former employee or person who has contracted with any organization or person that has received or is receiving funding from the commission or authority.

***AB 2061 (Frazier) Near-Zero-Emission and Zero-Emission Vehicles.**

Chapter 580, Statutes of 2018

This measure increases the 80,000 pound weight limit by 2,000 pounds for zero and low emission vehicles, for the portion of the vehicle that powers the unit (such as a natural gas engine or battery powered unit).

AB 2115 (Santiago) Vehicles. Passing and Overtaking. Waste Service Vehicles.

Chapter 710, Statutes of 2018

This measure requires drivers to switch lanes safely when approaching and overtaking a stopped waste service vehicle on a public street or highway. This measure becomes operative on January 1, 2020.

AB 2363 (Friedman) Zero Traffic Fatalities Task Force.*Chapter 650, Statutes of 2018**

This measure requires the Secretary of the California State Transportation Agency (CalSTA) to establish the Zero Traffic Fatalities Task Force to develop policies to reduce traffic fatalities and severe injury to zero by examining existing processes for setting speed limits and engineering recommendations for improving vehicular, pedestrian, and bicycle safety. This measure sunsets on January 1, 2023.

AB 2411 (McCarty) Solid Waste. Use of Compost. Planning.**Chapter 238, Statutes of 2018**

This measure requires the Department of Resources Recycling and Recovery (CalRecycle) to develop and implement a plan, by December 31, 2019 to maximize the use of compost for slope stabilization and establishing vegetation in the course of providing debris removal services following a wildfire. It also requires CalRecycle, in coordination with Caltrans, to identify best practices regarding cost-effective use of compost along roadways and to develop a plan to implement those best practices in each of the 12 Caltrans districts.

AB 2955 (Friedman) Traffic. Cities of Burbank, Glendale, and Los Angeles.**Chapter 398, Statutes of 2018**

This measure authorizes the cities of Burbank, Glendale, and Los Angeles to consider equestrian safety when conducting an engineering and traffic survey of the public streets within specified equestrian areas within each of the named cities.

SB 848 (Comm. on Budget and Fiscal Review) Transportation*Chapter 46, Statutes of 2018 (Urgency)**

This measure makes a number of technical and clarifying changes to several transportation issues. These include allowing self-help counties that have passed a countywide sales tax measure for transportation projects to limit Caltrans administrative charges to 10 percent and giving cities and counties the ability to reimburse themselves for Road Maintenance and Rehabilitation Account funding expenditures across multiple fiscal years. In addition, this trailer bill also requires the DMV to impose an additional \$1 transaction fee to cover its implementation costs.

SB 957 (Lara) Vehicles. High-Occupancy Vehicle Lanes.**Chapter 367, Statutes of 2018**

This measure allows, beginning January 1, 2020 for a new Clean Air Vehicle (CAV) sticker to be issued to the owner of a vehicle whose sticker has expired, if the owner has not previously obtained a CAV sticker or has a household income at or below 80% of the state median income, allowing single-occupancy for these vehicles in HOV lanes. This measure also requires the California Department of Motor Vehicles (DMV) to report to the legislature by June 1, 2023 how many owners obtained CAV stickers issued pursuant to this bill. The measure provides that these CAV stickers expire on January 1, 2024.

SB 1262 (Beall) Construction Manager/General Contract Project Delivery Method.
Department of Transportation.
Chapter 465, Statutes of 2018

This measure removes the cap on the number of projects that Caltrans is authorized to use the construction manager/general contractor (CM/GC) method.

***SB 1328 (Beall) Mileage-Based Road Usage Fee.**
Chapter 698, Statutes of 2018

This measure requires the California Transportation Commission (CTC) to continue the Road Usage Charge (RUC) Technical Advisory Committee in consultation with the Secretary of CalSTA for another four years, which was originally set to sunset at the beginning of next year. This measure sunsets on January 1, 2023.

SB 1387 (Beall) Vehicles. License Plate Pilot Programs.
Chapter 520, Statutes of 2018

This measure gives the DMV until January 1, 2020 to complete any active pilot programs that are evaluating the use of alternatives to stickers, tabs, license plates, and registration cards and to report to the Legislature regarding the pilot results by July 1, 2020.

B. Transit

AB 1798 (Chu) Schoolbuses. Passenger Restraint Systems.
Chapter 206, Statutes of 2018

This measure requires all schoolbuses used in California to be equipped with passenger restraint systems by July 1, 2035.

SB 1119 (Beall) Low Carbon Transit Operations Program.
Chapter 606, Statutes of 2018

This measure waives the requirement for transit agencies that are recipients of funds from the Low Carbon Transit Operations Program (LCTOP) from having to expend at least 50% of such funds on projects or services that benefit disadvantaged communities for the following types of transit activities:

- New or expanded transit service that connects with transit service serving disadvantaged communities or in low-income communities;
- Transit fare subsidies and network and fare integration technology improvements, including but not limited to, discounted or free student transit passes; and
- The purchase of zero-emission transit buses and supporting infrastructure.

C. Active Transportation

***AB 1755 (Steinorth) Bicycle Operation.**

Chapter 139, Statutes of 2018

This measure subjects bicyclists on a Class I bikeway, a completely separate pathway used exclusively by pedestrians and bicyclists, to all of the rights, responsibilities, requirements, and accident-related Vehicle Code provisions that apply to highway drivers in the event an accident causes injury or death, creating a new crime.

AB 2615 (Carrillo) State Highway System. Parks and Recreation. Accessibility for Bicycles and Pedestrians.

Chapter 496, Statutes of 2018

This measure requires Caltrans, to the extent possible, feasible and cost effective, to partner with appropriate public agencies, including the Department of Parks and Recreation (DPR), federal agencies, regional or local public entities, to develop strategies and plans to improve access for bicycles and pedestrians to federal, state, regional, and local parks adjacent to or connected to the state highway system.

***AB 2989 (Flora) Motorized Scooter. Use of Helmet. Maximum Speed.**

Chapter 552, Statutes of 2018

This measure imposes a 15 mile per hour speed limit for motorized scooters on all roadways and requires anyone under 18 years old to wear a helmet when operating a motorized scooter. The measure also authorizes local agencies to allow motorized scooters on roads with speed limits up to 35 miles per hour outside of a Class II or Class IV bikeway, bikeways that share the road but are separated through either lane striping or a physical barrier (i.e. parked cars), respectively.

D. Taxis, Ridesharing, and Autonomous Vehicles

***AB 87 (Ting) Vehicles. Removal. Autonomous Vehicles.**

Chapter 667, Statutes of 2018

This measure authorizes a peace officer or other specified public employee that enforces traffic or parking laws, to remove a vehicle that uses autonomous technology without an approved application or permit that is required to test, deploy or otherwise operate the autonomous vehicle on public roads.

***AB 939 (Low) Local Government. Taxicab Transportation Services.**

Chapter 472, Statutes of 2018

This measure revises, alters, and clarifies changes related to the local regulation of taxicab services made from recently enacted statutes, AB 1069 (Low, Chapter 753, 2017), such as:

- Revising the basis for determining where a taxicab is substantially located to either of the following;
 - Where it has its primary business address within a city or county's jurisdiction; or

- The total number of trips originate within a city or county's jurisdiction account for the largest share of the taxicab company's total trips within each county where operations occurred over the previous calendar year and the primary business address when a taxicab company is in its first year of operation for companies that begin operations after January 1, 2019; or
- After their first year, when starting post 2019, meet the same tests for establishing where it is substantially located as other taxicab companies.
- Requiring taxicab companies to collect trip data and documentation to determine where they are substantially located annually and to furnish that information to the appropriate jurisdiction;
- Requiring taxicab companies to be subject to annual inspection by the city or county in which it is substantially located at a facility certified by the National Institute for Automotive Service Excellence or facilities registered with the Bureau of Automotive Repair; and
- Revising and clarifying the authority of joint powers authorities (JPAs) and transit agencies for regulating taxicab companies that are substantially located within their jurisdictional boundaries, including the ability for JPAs to enter into agreements with cities or counties for the purpose of regulating this industry.

***AB 1184 (Ting) City and County of San Francisco. Local Tax. Transportation Network Companies. Autonomous Vehicles.**

Chapter 644, Statutes of 2018

This measure authorizes both the city and county of San Francisco to impose a tax on each ride provided by a participating driver or an autonomous transportation vehicle originating from the City and County of San Francisco, not exceeding the following:

- One and one-half percent of net rider fares for a shared ride, with one or more passengers;
- Three and one quarter percent of net rider fares for other rides; and
- Authorizes San Francisco to set a lower tax rate for zero emission vehicles.

The measure defines "net rider fare" to exclude taxes, airport or venue fees, or other fees, and requires moneys collected to fund transportation operations and infrastructure improvements in the city. Sunsets a tax imposed pursuant to this section no later than November 5, 2045.

*** AB 2986 (Cunningham) Transportation Network Companies. Disclosure of Participating Drivers Information.**

Chapter 286, Statutes of 2018

This measure requires transportation network companies (TNCs) to provide all of the following information to passengers through its online-enabled application or platform when passengers and drivers are matched:

- The driver's first name and a picture of the driver;
- An image of the make and model of the driver's vehicle; and
- The license plate number of the driver's vehicle.

SB 1014 (Skinner) California Clean Miles Standard and Incentive Program. Zero-Emission Vehicles.**Chapter 369, Statutes of 2018**

This measure requires the California Air Resources Board (CARB) to establish a baseline for emissions of greenhouse gases for TNC and charter party carrier vehicles on a per-passenger-mile basis by January 1, 2020, and requires the CARB to establish annual reduction targets and goals under that baseline for emissions of greenhouse gases by 2023, implemented by the California Public Utilities Commission (CPUC).

SB 1080 (Roth) Transportation Network Companies. Driver Requirements and Identification.**Chapter 511, Statutes of 2018**

This measure allows non-California residents, active duty military members and/or their dependents to drive for a TNC if they possess a valid driver's license issued by the state or territory of the United States in which they reside.

SB 1376 (Hill) Transportation Network Companies. Accessibility for Persons with Disabilities.*Chapter 701, Statutes of 2018**

This measure requires the CPUC to establish a program relating to accessibility for persons with disabilities to transportation network company services and to begin stakeholder workshop meetings beginning January 1, 2019 to determine supply and demand for these services. The measure also requires the CPUC to assess a minimum five-cent fee on TNC rides to fund accessible transportation services for persons with disabilities, while allowing TNC companies to offset the fee requirement if they provide a certain level of service and programming for persons with disabilities.

E. Parking***AB 2544 (Lackey) Parking Penalties.****Chapter 494, Statutes of 2018 (Urgency)**

This measure extends the payment plan requirements originally contained in AB 503 (Lackey, Chapter 741, 2017) to include all citations issued prior to May 1, 2018 and also require that previously accrued late fees be waived and require cities to verify indigent status for anyone requesting a payment plan for unpaid violations for any citation ever issued. This measure sunsets on January 1, 2027.

F. Infrastructure**AB 1270 (Gallagher) Dams and Reservoirs. Inspections and Reporting.****Chapter 3, Statutes of 2018 (Urgency)**

This measure requires the Department of Water Resources (DWR) to inspect dams, reservoirs, and appurtenant structures once per fiscal year, except low hazard potential dams which must be inspected at least every two fiscal years. This measure also

requires the owner of a dam to operate critical outlets and spillways on an annual basis and to demonstrate full operability to DWR every three years, or as directed by DWR. By January 1, 2019, this bill requires DWR to propose amendments to dam safety inspection and reevaluation protocols to incorporate best practices to ensure public safety.

AB 1561 (Quirk-Silva) Economic Development. Infrastructure. Logistic Hubs.

Chapter 313, Statutes of 2018

This measure requires the Director of the Governor's Office of Business and Economic Development (GO-Biz) to expand and update the elements of the state's international trade and investment (ITI) strategy to include the role of logistical hubs and inland ports by July 1, 2019, while authorizing the California Infrastructure and Economic Development Bank (IBank) to finance inland port facilities.

AB 1796 (Muratsuchi) Rental Property. Electric Vehicle Charging Stations.

Chapter 163, Statutes of 2018

This measure removes the exemption that allows lessors of dwellings subject to a residential rent control ordinance to deny requests of lessees to install electric vehicle (EV) charging stations at parking spaces. This measure extends a tenant's right to install an EV charging station to residential properties subject to rent control with leases executed, extended, or renewed on or after January 1, 2019.

AB 1831 (Comm. on Budget) State Government. Appointments. Infrastructure.

Chapter 43, Statutes of 2018

This measure provides that up to \$415 million in excess of the 10 percent of the General Fund threshold for the Budget Stabilization Account be expended only on infrastructure and that any amount above that be split evenly on a continuous basis between a Rail Infrastructure Account and HCD's Multifamily Housing Program for infrastructure.

AB 2127 (Ting) Electric Vehicle Charging Infrastructure. Assessment.

Chapter 365, Statutes of 2018

This measure requires the California Energy Commission (CEC) to assess the amount of EV infrastructure needed to meet the goals of putting at least five million zero-emission vehicles on the road and reducing greenhouse gas (GHG) emissions 40 percent below 1990 levels by 2030.

AB 2145 (Reyes) Vehicular Air Pollution.

Chapter 672, Statutes of 2018

This measure modifies and updates the Clean Truck, Bus, and Off-Road Vehicle and Equipment Program. Among other changes, this bill adds projects that support grid integration and integrated storage solutions and charging management demonstration and analytics to the list of eligible projects for this program.

SB 854 (Comm. on Budget and Fiscal Review) Public Resources.**Chapter 51, Statutes of 2018 (Urgency)**

This measure makes various statutory changes to implement the resources, environmental protection, energy, and agriculture budget actions. This bill contains numerous statutory changes that do the following:

- Clarifies the process for dam owners where there is an existing or partial Emergency Action Plan or inundation map as of March 1, 2017. Also requires dam owners with partial Emergency Action Plans or inundation maps to develop a timeline by which they will develop the comprehensive Emergency Action Plan and inundation maps;
- Authorizes the California Air Resources Board to make advance payments to grantees of a grant program if the advance payments are necessary to meet the purposes of the program and additional criteria are met;
- Clarifies the authority of the California Highway Patrol (CHP) to arrest individual transporters who illegally transport out-of-state empty containers for redemption in California;
- Extends the sunset date on the Plastic Market Development Program to July 1, 2022; and
- Requires the Office of Environmental Health Hazard Assessment (Office) to publish public health goals for drinking water contaminants since 1998. This bill requires each public health goal to be reviewed at least once every five years unless the Office determines that there has not been a detection of the corresponding contaminant.

SB 961 (Allen) Enhanced Infrastructure Financing Districts.*Chapter 559, Statutes of 2018**

This measure authorizes local sales tax revenues to be allocated to an Enhanced Infrastructure Financing District (EIFD) which adopts a Second Neighborhood Infill and Transit Improvements Act (NIFTI-2) program (established by this Act) that meets the following requirements:

- The boundaries of the district are coterminous with the city or county that established the district;
- The area to be financed is within one-half mile from a major transit stop;
- If local Bradley Burns sales and use taxes are to be used, the city or county has received the consent of any impacted local transportation agency. No local sales and use tax or transaction and use tax adopted by voters for a special purpose may be allocated to a district;
- 40 percent of the total funds received pursuant to this section are dedicated to the development of housing for household with incomes below 60 percent of area median income, of which half must be spent on households below 30 percent of median income. Residency priority in this housing is first for those displaced from the district, and second to a household with a member employed within two miles of the district;
- 10 percent of the total funds must be spent on parks, urban forestry, urban greening, or pedestrian or bicycle facilities, including connectivity to transit;
- Remaining revenues may be spent on:

- Multi-family affordable housing with commercial space on ground floor;
- Transit capital projects;
- Transit-oriented development projects;
- Capital projects that implement a complete streets programs; and
- Parking structures in lieu of onsite parking for proposed developments.
- Bonds issued by an EIFD pursuant to this section are exempt from voter approval requirements if the EIFD complies with an extensive public protest process that mirrors the protest process currently required for the formation of a Community Revitalization Investment Authority; and
- The Governor's Office of Planning and Research is required to complete a study by January 1, 2021, on the effectiveness of this tool, and other specified recently created tax increment tools, for increasing housing production.

***SB 1000 (Lara) Transportation Electrification. Electric Vehicle Charging Infrastructure.**

Chapter 368, Statutes of 2018

This measure prohibits cities and counties from restricting which types of electric vehicles may access an EV charging station that is both publicly accessible and received any funding from the state or ratepayers.

***SB 1145 (Leyva) Enhanced Infrastructure Financing District. Maintenance.**

Chapter 563, Statutes of 2018.

This measure allows EIFD's to finance ongoing or capitalized maintenance costs for public facilities financed in whole or by part by the EIFD. Additionally, this measure prohibits the EIFD from using bonds to finance maintenance.

G. Public Works and Contracting

AB 1914 (Cooley) Underground Installations. Excavations.

Chapter 708, Statutes of 2018

This measure allows excavators to use power-operated or boring equipment prior to determining the exact location of subsurface installations beginning on July 1, 2020 through regulations adopted by the California Underground Facilities Safe Excavation Board.

***AB 2249 (Cooley) Public Contracts. Local Agencies. Alternative Procedure.**

Chapter 169, Statutes of 2018

This measure codifies the California Uniform Construction Cost Accounting Commission recommendation to increase the no-bid cap from \$45,000 to \$60,000, the informal bid level for projects between \$45,000 and \$175,000 to a new range of \$60,000 and \$200,000, and continue formal bidding procedures for any project over \$200,000.

AB 2654 (Quirk-Silva) Design-Build. Orange County
Chapter 239, Statutes of 2018

This measure authorizes Orange County to use the design-build process for certain public works infrastructure projects on no more than one project per year in excess of \$5,000,000. It additionally authorizes the Orange County Flood District to use the design-build process for flood control protection improvements on no more than 12 projects through January 1, 2025, in excess of \$5,000,000.

AB 3133 (Berman) State Public Works Board.
Chapter 242, Statutes of 2018

This measure adds the Secretary of the Natural Resources Agency as a member of the State Public Works Board for the purpose of hearing and deciding matters related to the acquisition of properties or construction of projects under the jurisdiction of the Natural Resources Agency. This measure also requires the chairperson of the board, when the Secretary is serving as a board member, to cast the deciding vote in the case of a vote that results in a tie.

SB 914 (Dodd) Local Agency Contracts. Construction Manager At-Risk
Construction Contracts.
Chapter 108, Statutes of 2018

This measure expands current law to authorize a public entity, defined as members of a county board of supervisors that make up the members of the governing body of a public entity, to utilize construction manager at-risk contracts for any infrastructure projects owned by a county, excluding roads, and in excess of \$1,000,000. This measure sunsets on January 1, 2023.

H. Telecommunications

AB 1877 (Limón) Office of Emergency Services. Communications. Notifications.
Translation.

Chapter 630, Statutes of 2018

This measure requires the California Office of Emergency Services (CalOES) and the governing body of each political subdivision of the state to translate to the public any emergency communication into the most commonly spoken language other than English in the impacted county or counties. The measure authorizes CalOES to require a city, county, or city and county to translate emergency notifications as a condition of approving its application to receive any voluntary grant funds in connection to emergency management performance.

***AB 1959 (Wood) Telecommunications. Universal Service Programs.**
Chapter 256, Statutes of 2018 (Urgency)

This measure extends both the California High-Cost Fund-A and California High-Cost Fund-B subsidy programs for small independent and large telephone companies to provide service in rural and smaller metropolitan communities for four years. This measure sunsets on January 1, 2023.

AB 1999 (Chau) Local Government. Public Broadband Services.*Chapter 963, Statutes of 2018**

This measure allows counties to acquire, construct, improve, maintain, or operate broadband Internet access service to the list of services and facilities that a local government entity can provide within its jurisdiction, while requiring such entities to comply with the following net neutrality rules:

- Blocking lawful content, applications, services, or non-harmful devices;
- Impairing or degrading lawful Internet traffic on the basis of Internet content, application, or service, or use of a non-harmful device;
- Paid prioritization of Internet traffic; and
- Unreasonably interfering with an end user's ability to lawfully access Internet content, applications, services, or devices available to an end user.

The measure also eliminates the requirements that Community Services Districts (CSDs) sell or lease their broadband infrastructure to private companies if private entities are willing to provide services within the CSD jurisdiction at a similar cost, while retaining the CSDs authority to sell or lease its infrastructure on a permissive basis.

SB 821 (Jackson) Emergency Notification. County Jurisdictions.**Chapter 615, Statutes of 2018**

This measure authorizes counties to enter into an agreement to access the contact information of resident accountholders through the records of a public utility, as specified, for the sole purpose of enrolling county residents in a county operated public emergency warning system.

SB 822 (Wiener) Communications. Broadband Internet Access Service.*Chapter 976, Statutes of 2018**

This measure prohibits internet service providers (ISPs – i.e. phone and cable companies) from violating net neutrality principles, such as:

- Engaging in paid prioritization, such as fast lanes for certain edge providers, or providers that produce and generate significant amounts of content and/or data, such as video streaming;
- Engaging in zero-rating practices, such as providing free and/or unlimited access to customers for the ISPs own content or preferred content from its business partners, while capping or charging customers more to access non-preferred content;
- Misleading terms of agreements with their customers, such as providing unlimited plans that have caps or tiered speeds past certain thresholds;
- Blocking lawful content, apps, or services across their networks; and
- Impairing or degrading lawful content, apps, or services.

***SB 833 (McGuire) Emergencies. Office of Emergency Services. Guidelines. Alert and Warning Systems.**

Chapter 617, Statutes of 2018

This measure requires CalOES to consult with the League, CSAC, and other stakeholders starting July 1, 2019, in developing guidelines for alerting and warning the public of an emergency, including:

- Timelines for sending alerts during an emergency;
- Practices for sending advance warnings of an impending threat;
- Practices for testing, training, and exercising a city's or county's alert warning system; and
- Coordinating alerts with neighboring jurisdictions.

The measure also requires CalOES to share these guidelines with all cities and counties and to impose guideline conditions on any city or county's funding applications for these emergency communications purposes.

I. Billboards

AB 700 (Jones-Sawyer) Outdoor Advertising Displays. Arenas.

Chapter 337, Statutes of 2018

This measure extends for an additional two years, until January 1, 2019, sports arenas that have a current exemption from most provisions of the Outdoor Advertising Act (OAA) when they meet the following criteria:

- The arena is capable of providing a venue for professional sports on a permanent basis;
- The arena has a capacity of 15,000 or more seats;
- The advertising display is located on the premises of the arena;
- The advertising display has been authorized in accordance with a local ordinance, including specific plans or sign districts adopted in connection with the approval of the arena by the local agency;
- No more than two advertisements are displayed; and
- Meets any other locally imposed requirements or conditions.

AB 3168 (Rubio) Outdoor Advertising Displays. Publicly Owned Property.

Chapter 926, Statutes of 2018

This measure makes the following changes to the OAA for advertisements on city or county property:

- Clarifies the definition of landscaped freeway to exclude landscaping used to cover sound walls or fences;
- Limits the existing ban on advertising displays on property adjacent to a freeway to where there is at least an average width of 20 feet of landscaping on Caltrans property at the same or on an elevated grade to the main-traveled way;
- Allows Caltrans to impose a \$500 fee to make ban determinations on specific locations; and

- Expands the ability for local agencies to enter into relocation agreements, allowing for increased heights and conversions to changeable message signs and easier relocation for signs permitted through Caltrans.

Appendix A – Additional Resources

ATTACHMENT 1

SB 901 (Dodd) Wildfires
Chapter 626, Statutes of 2018
Comprehensive Legislation to Address Wildfire Issues

Throughout the 2018 legislative session, the Legislature spent considerable time and attention on issues arising from the unprecedented wildfire season California experienced in late 2017 and early 2018. Early this year, more than 70 bills were introduced that would have affected various aspects of law, including wildfire recovery and prevention, emergency services, forest management, vegetation management near utility equipment, utility liability, residential property insurance, and more.

SB 901 by Senator Dodd (D-Napa) stands out among the wildfire relate bills that were passed by the Legislature and signed by Governor Brown. It is a comprehensive measure negotiated by a conference committee of lawmakers, the Brown administration, and key stakeholders, including the League of California Cities (League). The following is a wrap up of the key provisions in SB 901.

This measure represents a compromise negotiated over several months by a joint Senate and Assembly Conference Committee on Wildfire Preparedness and Response. Major areas of focus in the bill include new safety and prevention measures, including new wildfire mitigation planning by electric utilities, forest management changes, language expanding mutual aid services that the League and fire services organizations have been seeking for all year, as well as tools to assist utilities in paying the costs of wildfires.

Safety Measures – The bill includes a new requirement that all electric utilities develop wildfire mitigation plans that must be evaluated by an independent party. Additional safety measures enable the state to be better prepared to fight wildfires and help reduce the severity of future events. Among the new safety rules, SB 901 requires:

- ***Wildfire Mitigation Plans***: Investor-owned and some publicly-owned utilities (IOUs and POUs) must develop new wildfire mitigation plans that include, among other things: (1) plans for vegetation management, (2) protocols for disabling reclosers and deenergizing portions of the electrical distribution system, (3) inspections of electrical infrastructure, and (4) identification of the wildfire risks, and (5) how the utility will restore service after a wildfire.
- **POU Rules**: Before January 1, 2020, and annually thereafter, POUs and electrical cooperatives must prepare wildfire mitigation measures if the utilities' overhead electrical lines and equipment are located in an area that has a significant risk of wildfire, except if the governing board determines that its federally approved fire prevention plan met the requirements. The plan must be presented in a public meeting, to other local and state agencies, and interested parties to verify that the plan complies with all applicable rules, regulations, and standards, as appropriate. The POU or electric cooperative must also contract with an independent evaluator to assess the comprehensiveness of the plan.

- IOU Rules: IOUs must have an independent evaluator review and assess compliance with wildfire mitigation plan. The California Public Utilities Commission (CPUC) is tasked with approving the plan, considering the independent evaluator's findings, and assess penalties on an electrical corporation that fails to substantially comply with its plan.
- *Board of Forestry and Fire Protection (Board)*: SB 901 expands the authority of the Board to regulate fire safety standards in very high fire hazard severity (VHFHS) zones. It also requires periodic updates to regulations for fuel breaks and greenbelts near communities to provide greater fire safety in both state responsibility areas and VHFHS zones, including a requirement to preserve undeveloped ridgelines.
- *New Fire Risk Adapted Community List*: Requires the Board to develop criteria and a list of local agencies that meet best practices for local fire planning, called a "Fire Risk Adapted Community" list, with consideration given to participation in Firewise USA or the Fire Adapted Communities programs, safety element improvements, and updates to community wildfire protection plans.

Mutual Aid – SB 901 expands ability to use \$50 million appropriated in this year's budget for the mutual aid system. Specifically, it revises State Budget to allow \$25 million to be used more broadly for the advance placement of firefighters and equipment ahead of fires, enabling better preparation to tackle wildfires.

Funding – SB 901 includes \$1 billion in funding over five years from the Greenhouse Gas Reduction Fund (GGRF) for forest health, fire prevention and fuel reduction projects.

Forest Management & Regulatory Streamlining – The bill includes comprehensive streamlining of landscape and forestry management practices that will enhance fire prevention activities. Most notably, SB 901 provisions include:

- Requiring the California Department of Forestry and Fire Protection (CAL FIRE) to prioritize local assistance to local agencies based on those who are on the "Fire Risk Reduction Community" list. By July 1, 2022, the Board must develop criteria and maintain the "Fire Risk Reduction Community" list of local agencies located in state responsibility areas or VHFHS zones that meet best practices for local fire planning.
- Conservation easements that involve at least some forest lands that are purchased with state funds must include a landowner agreement to maintain and improve forest health through promotion of a more natural tree density, species composition and long-term carbon sequestration.
- Creating in CAL FIRE the Wildfire Resilience Program to assist nonindustrial timber owners with wildfire resilience and assistance on permitting at CAL FIRE.
- Creating an exception to a prohibition on selling logs without authorization under the Timber Practices Act by allowing logs; specifically, this bill allows a public agency or nonprofit that received a grant for vegetation management and constructed a fuel break to sell the resulting logs.

- Creating the Small Timberland Owner Exemption in the Forest Practices Act that allows landowners of 100 acres or less to harvest trees smaller than 32 inches in diameter at stump height (except for most oaks greater than 26 inches in diameter). This exemption sunsets five years after the regulations are adopted.
- Creating the Forest Fire Prevention Exemption that allows for the construction of up to 600 feet of temporary roads for the purposes of treating and thinning overstocked forests. This exemption sunsets five years after regulations are adopted.
- Exempting from the California Environmental Quality Act (CEQA) fuel reduction activities in federal lands that have been analyzed under the National Environmental Policy Act (NEPA). This provision sunsets in 2023.
- Requiring the Forest Management Task Force to report to the Legislature on opportunities to streamline the Forest Practices Act and related rules by July 1, 2020.

Biomass – SB 901 provides for expanded use of biomass as an energy source to utilize the additional feedstock provided by the anticipated increase in forest management and thinning. Provisions include:

- *Investor-Owned Utilities*: As part of the California Renewables Portfolio Standard Program, the CPUC requires electrical corporations to procure a proportionate share of 125 megawatts of cumulative rated generating capacity from bioenergy projects. This bill expands the list feedstocks that are eligible to meet this requirement to include feedstocks from high hazard zones. It also requires the three largest electrical corporations allow bioenergy facilities under contract: (1) to report fuel or feedstock used to meet those contracts on a monthly or annual basis and (2) to opt out of the mandated fuel or feedstock usage levels in a month upon providing written notice to the electrical corporation.
- *IOUs, POUs, Community Choice Aggregators (CCAs)*: An electrical corporation, local electric POU, or CCA with a contract to procure electricity generated from biomass that expires on or before December 31, 2023, must seek to extend the contract for five years. This requirement would be limited to facilities sourcing fuel material in California and does not apply to facilities located in air basins categorized as federal severe or extreme nonattainment areas for particulate matter or ozone.

Wildfire Costs & Future Cost Recovery – SB 901 adds to CPUC considerations for determining cost recovery for fires that already occurred and it changes CPUC considerations for fires that occur after January 2019. These rules apply only to IOUs.

- *2017 Costs*: Under existing law, if an electrical corporation applies to the CPUC to recover costs and expenses, the CPUC must determine if those costs and expenses are just and reasonable. This measure also requires the CPUC to conduct a “stress-test” to establish the maximum amount the corporation can pay without harming ratepayers and maintaining adequate and safe service. The CPUC must ensure that the debt the utility must pay does not exceed the maximum amount.

- *Securitization:* SB 901 allows the CPUC, upon application by an electrical corporation, to issue recovery bonds to finance costs related to wildfires. Fines and penalties may not be securitized. This allows electrical corporations to securitize debt from reasonable actions and impose a surcharge on customers to sell long-term bonds to cover those costs.
- *Future Cost Recovery:* For fires occurring on or after January 2019, if an electrical corporation applies to the CPUC to recover costs and expenses, the CPUC may allow utilities to recover costs from ratepayers if their actions were just and reasonable. In considering the application, the CPUC must consider the conduct of the electrical corporation and relevant information submitted into the commission record, which may include the following factors:
 - (1) The nature and severity of the conduct of the electrical corporation and its officers, employees, contractors, and other entities with which the electrical corporation forms a contractual relationship, including systemic corporate defects;
 - (2) Whether the electrical corporation disregarded indicators of wildfire risk;
 - (3) Whether the electrical corporation failed to design its assets in a reasonable manner;
 - (4) Whether the electrical corporation failed to operate its assets in a reasonable manner;
 - (5) Whether the electrical corporation failed to maintain its assets in a reasonable manner;
 - (6) Whether the electrical corporation's practices to monitor, predict, and anticipate wildfires, and to operate its facilities in a reasonable manner based on information gained from its monitoring and predicting of wildfires, were reasonable;
 - (7) The extent to which the costs and expenses were in part caused by circumstances beyond the electrical corporation's control;
 - (8) Whether extreme climate conditions at the location of the wildfire's ignition, including humidity, temperature, or winds occurring during the wildfire, contributed to the fire's ignition or exacerbated the extent of the damages. The electrical corporation shall provide the commission with specific evidence and data demonstrating the impact of climate conditions on the severity of the wildfire;
 - (9) The electrical corporation's compliance with regulations, laws, commission orders, and its wildfire mitigation plans, including its history of compliance;
 - (10) Official findings of state, local, or federal government offices summarizing statutory, regulatory, or ordinance violations by any actor that contributed to the extent of the damages;
 - (11) Whether the costs and expenses were caused by a single violation or multiple violations of relevant rules;
 - (12) Other factors the commission finds necessary to evaluate the reasonableness of the costs and expenses, including factors traditionally relied upon by the commission in its decisions.

Commission on Wildfire Cost Recovery – The bill establishes within the Governor’s Office of Planning and Research a Commission on Catastrophic Wildfire Cost Recovery. Five Commissioners will be appointed by the Governor and legislative leaders and will hold at least four public meetings throughout the state. By July 2019, the Commission, in consultation with the CPUC and the Insurance Commissioner, must complete a report that: (1) assesses the issues surrounding catastrophic wildfire costs and the reduction of damage, and (2) makes recommendations to equitably distribute costs among affected parties, including socializing wildfire costs and establishing a fund to help pay for wildfire-related costs.

Other Provisions

- Requires the California Air Resources Board (CARB) to develop a standard approach to quantifying the direct carbon emissions from fuel reduction activities and a historic baseline of greenhouse gas (GHG) emissions from California’s natural fire regime before modern fire suppression
- Increases the maximum penalty to \$100,000, from \$50,000 for a violation of the Public Utilities Act or a failure to comply with CPUC order, decision, decree, rule, direction, demand, or requirement. Prohibits an electrical corporation from recovering a fine or penalty through a rate approved by the CPUC.
- Prohibits electric corporation utility officer salaries, bonuses, benefits or other compensation from being paid for by ratepayers, and requires compensation to be funded solely by shareholders of a utility.

**AB 1912 (Rodriguez) Public Employees’ Retirement.
Joint Powers Agreements. Liability
Chapter 909, Statutes of 2018**

This measure imposes an equitable apportionment scheme related to retirement related obligations for any current or former member of a Joint Powers Authority (JPA) throughout its existence. The apportionment applies only when a JPA dissolves, ceases operations, or has its contract with the retirement system terminated. This measure provides clarity, direction and more flexibility for the member agencies of a JPA to negotiate amongst themselves on the best approach to apportionment.

This measure applies to any current JPA formed under government code section 6508.1. The following three-step process has been established and will become effective January 1, 2019.

Step 1:

- Prior to a JPA dissolving, ceasing operations, and/or voluntarily or involuntarily terminating their retirement contract with the California Public Employees Retirement System (CalPERS) or any other California-based retirement agency, each current and former member of an agency shall mutually agree on an apportioned amount of said liabilities and must provide a copy of the agreement signed by all parties thereto, to the retirement system.

Step 2:

- If agencies cannot or are otherwise unable to mutually agree on an apportioned liability, CalPERS or appropriate retirement agency shall make an initial determination of liability based on the level of service that each member agency receives from the JPA and/or the population of each member agency.

Step 3:

- A member agency identified by the board for apportionment may, within 30 days of the determination, challenge the board's decision regarding the apportionment. A challenge of the apportionment will trigger arbitration between all named agencies. The arbitrator will be required to apportion 100% of the JPA's retirement liability among the member agencies, and permits apportionment to a former member agency.
- A decision by the arbitrator is final and binding and all costs of the arbitration are to be equally shared among the member agencies identified in the arbitration decision.

Proposition 1
The Veterans and Affordable Housing Act

This ballot measure authorizes a \$4 billion general obligation bond to fund affordable housing programs and the Veterans Homeownership Program (CalVet). Proposition 1 will fund the following existing programs:

- Multifamily Housing Program: \$1.5 billion, administered by the California Department of Housing and Community Development (HCD), to assist the new construction, rehabilitation and preservation of permanent and transitional rental housing for lower-income households through loans to local public entities and nonprofit and for-profit developers;
- Transit-Oriented Development Implementation Program: \$150 million, administered by HCD, to provide low-interest loans for higher-density rental housing developments close to transit stations that include affordable units and as mortgage assistance for homeownership. Grants are also available to cities, counties and transit agencies for infrastructure improvements necessary for the development;
- Infill Incentive Grant Program: \$300 million, administered by HCD, to promote infill housing developments by providing financial assistance for infill infrastructure that serves new construction and rehabilitates existing infrastructure to support greater housing density;
- Joe Serna, Jr. Farmworker Housing Grant Fund: \$300 million, administered by HCD, to help finance the new construction, rehabilitation and acquisition of owner-occupied and rental housing units for agricultural workers;
- Local Housing Trust Fund Matching Grant Program: \$300 million, administered by HCD, to help finance affordable housing by providing matching grants, dollar for dollar, to local housing trusts;
- CalHome Program: \$300 million, administered by HCD, to help low- and very low- income households become or remain homeowners by providing grants to local public agencies and nonprofit developers to assist individual first-time homebuyers. It also provides direct loan forgiveness for development projects that include multiple ownership units and provides loans for property acquisition for mutual housing and cooperative developments;
- Self-Help Housing Fund: \$150 million – Administered by HCD, this program assist low and moderate income families with grants to build their homes with their own labor; and
- CalVet Home Loan Program: \$1 billion, administered by the California Department of Veterans Affairs, provides loans to eligible veterans at below market interest rates with few or no down payment requirements.

Proposition 2
No Place Like Home Act of 2018

Background

In the November 2004 statewide general election, voters ratified Proposition (Prop.) 63, the Mental Health Services Act (MHSA). This act imposed a 1% tax on personal income on those earning more than \$1 million. The revenues generated from the 1% tax would be deposited in the Mental Health Services Fund (MHSF) where many mental health programs may be funded.

In 2016, the Governor signed the No Place Like Home (NPLH) measure authored by former President Pro Tempore Kevin de León, which earmarks a portion of Prop. 63 mental health dollars to fund a \$2 billion revenue bond to help house homeless mentally ill people. The funds will be allocated to counties as deferred payment loans to finance capital costs of permanent supportive housing for persons who are eligible for services under Prop. 63 and are homeless, chronically homeless, or at risk of chronic homelessness. The Legislature intends that the loans will not have to be repaid. The funding will be divided into a competitive program (\$1.8 billion) and a non-competitive program (\$190 million) for counties.

Due to the great deal of uncertainty as to whether the courts would validate using Prop. 63 funds to pay the debt service on the \$2 billion bond, the Governor introduced budget trailer bill language to place Prop. 2 on the November ballot, asking voting to allow Prop. 63 funds to be used.

Proposition 2

The NPLH Act of 2018 ratifies the usage of bonds towards the construction of housing to assist those experiencing homelessness, those at-risk, or those experiencing chronic homelessness and who are mentally ill.

Apart from the \$2 billion in bonds, the bill also appropriates \$6.2 million from the MHSF to the department to provide in technical assistance and authorizes a General Fund loan of \$1 million prior to receipt of bond funds.

In order to receive funding from NPLH, cities must partner with their counties who may apply for the funding. Counties shall submit applications to the Department of Housing and Community Development (HCD) along with any documentations needed for HCD to determine funding allocations. There will be two programs counties can apply to for funding. The \$2 billion bonds fund will be divided into a \$1.8 billion competitive program and a \$190 million non-competitive program. Funds will be issued as deferred payment loans by the California Health Facilities Financing Authority.

The funds awarded will be made available throughout four rounds of Notices of Funding Availability (NOFAs) with no later than one year after each prior funding rounds. The first round of funding will be issued no later than 150 days after the effective date of the program.

The Funding Breakdown

Counties will have the opportunity to apply for a competitive program funding or a non-competitive program funding.

\$1.8 Billion – Competitive Program

The competitive program funds will be dispersed to counties through multiple funding rounds. There will be two funding rounds per year. Counties will compete for funding and will be grouped into four categories based on populations-size: Los Angeles County, large counties, medium counties, and small counties. Distribution of competitive program funds from HCD will be dependent on the county's number of homeless individuals and take into consideration the minimum funding levels needed for permanent supportive housing development. Applicants to competitive funds will be evaluated using a point system with a total of 200 points available.

There is an alternate program fund where counties with 5% or more of the State's homeless population can acquire funding directly. These funds shall be awarded by the Department at least once annually.

\$190 Million – Non-competitive Program

For non-competitive funds, HCD will disperse over-the-counter funds based on U.S. Department of Housing and Urban Development (HUD) Point in Time Count Data or a minimum of \$500,000. Funding will be available continuously within 18 months of the first NOFA and used to finance the construction, rehabilitation, or preservation of permanent supportive housing.

\$6.2 Million – Technical Assistance Grant

HCD will also provide \$6.2 million in grants to provide technical assistance where up to 5 percent of funds will be used for state administrative costs. This can also include financial costs for hiring staff, partnering with service providers, collaborating with the Department and other agencies, and among other technical assistance. Funding for counties will be based on population size and any funds not used by the date set will be transferred back to the Department.

To begin program activities prior to the receipt of bond funds, there is a \$1 million General Fund loan to help with the program implementation.

General HCD Guidelines

HCD has provided updated detailed guidelines for funding. The guidelines include the terms and conditions, qualifications, requirements, application process, tenant selection, agreements and procedures, and reporting counties should be looking for when applying along with funding rounds, and the types of funding available.

For more information on the NPLH program visit HCD's website at www.hcd.ca.gov/grants-funding/active-funding/nplh.shtml.

Key Housing Legislation 2018

Even though lawmakers passed dozens of housing and land use bills in 2017, including the 15 bill “Housing Package”, the 2018 Legislative Session proved to be even more active, with nearly 300 housing and land use introduced. Fortunately, the most problematic measures were either defeated or amended to remove the harmful provisions. Below is a more comprehensive review of those significant measures, signed into law by Governor Brown, that will likely have some impact to nearly every city in the state.

***AB 626 (E. Garcia) California Retail Food Code. Microenterprise Home Kitchen Operations.**

Chapter 470, Statutes of 2018

This measure establishes “microenterprise home kitchens” (MHKs) as a new category of retail food facility, that cities or counties would have discretion to authorize and permit, to be operated by a resident in a private home. This measure subjects MHKs to the requirements of a restricted food service facility, with numerous exemptions from these requirements primarily to accommodate the differences between a home kitchen and a commercial kitchen. This measure also limits MHKs to selling food directly to consumers, but specifies that the sale of food through an Internet food service intermediary is considered a direct sale to consumers.

Specifically, this measure:

- Defines microenterprise MHK as a food facility that is operated by a resident in a private home where food is prepared for a consumer and meets all of the following requirements:
 - The operation has no more than one full-time equivalent food employee, not including a family member or household member;
 - Food is prepared, cooked, and served on the same day, picked up by the customer, or delivered within a safe time period based on holding equipment capacity;
 - Food preparation does not involve processes that require a Hazard Analysis Critical Control Point plan, or the production, service, or sale of raw milk or raw milk products;
 - There is no service and sale of raw oysters;
 - Food preparation is limited to no more than 30 individual meals per day, and no more than 60 individual meals per week, unless otherwise approved by the local enforcement agency (LEA) based on food preparation capacity of the operation; and
 - The operation has no more than \$50,000 in verifiable gross annual sales, as adjusted annually based on the California Consumer Price Index.
- Declares that MHKs do not include:
 - A catering operation; and
 - A cottage food operation, as defined in Health and Safety Code Section 113758.

- States that the governing body of a city or county, or city and county, shall have full discretion to authorize, by ordinance or resolution, the permitting of microenterprise home kitchen operations in accordance with this chapter. However, a permit issued by a county that has authorized the permitting of microenterprise home kitchen operations shall be valid in any city within the county regardless of whether the city has separately enacted an ordinance or resolution to authorize or prohibit the permitting of microenterprise home kitchen operations within that city.
- Exempts MHKs from the following:
 - Handwashing facilities requirements, as required in Section 113953, provided that a handwashing sink is supplied with warm water and located in the toilet room and supplied, as specified in Section 113953.2;
 - Any provision in this part relating to sinks, warewashing machines, and manual or machine sanitation, including but not limited to, Sections 114099, 114099.2, 114099.4, 114099.6, 114099.7, 114101.1, 114101.2, 114103, 114107, 114123, 114125, 114163, and 114279, provided that the sink in a microenterprise home kitchen operation has hot and cold water and is fully operable;
 - Prohibition on the presence of persons unnecessary to the food facility operation in the food preparation, food storage, or warewashing areas, as specified in Section 113945.1;
 - No smoking sign posting requirements, as specified in Section 11397;
 - Limitations on employee consumption of food, drink, or tobacco outside of designated areas, as specified in Sections 113977 and 114256;
 - Limitations on consumer access to the food facility through food preparation areas, as specified in Section 113984.1;
 - Display guard, cover, and container requirements, as specified in Section 114060, provided that any food on display that is not protected from the direct line of a consumer's mouth by an effective means is not served or sold to any subsequent consumer;
 - Limitations on outdoor display and sale of foods, as specified in Section 114069;
 - Requirements to provide clean drinking cups and tableware for second portions and beverage refills, as specified in Section 114075;
 - Requirements pertaining to the characteristics and certification of utensils and equipment, as specified in Sections 114130, 114130.1, and 114139, provided that utensils and equipment are designed to retain their characteristic qualities under normal use conditions;
 - Requirements pertaining to the characteristics, construction, and multiuse of food-contact and nonfood-contact surfaces, as specified in Sections 114130.1, 114130.3, and 114130.4, provided that food contact surfaces are smooth, easily cleanable, and in good repair;
 - Requirements pertaining to the characteristics, construction, and disassembly of clean in place (CIP) equipment, as specified in Section 114130.5;

- Limitations on the use of wood as a food contact surface and in connection with other equipment, as specified in Section 114132;
- Any provision in this part relating to ventilation, including, but not limited to, Article 2 (commencing with Section 114149) of Chapter 6, provided that gases, odors, steam, heat, grease, vapors, and smoke are able to escape from the kitchen;
- Requirements that cold or hot holding equipment used for potentially hazardous food be equipped with integral or permanently affixed temperature measuring device or product mimicking sensors, as specified in subdivision (c) of Section 114157;
- Requirements pertaining to the installation of fixed, floor-mounted, and table-mounted equipment, as specified in Section 114169;
- Dedicated laundry facility requirements, as specified in Section 114185.5, provided that linens used in connection with the microenterprise home kitchen operation shall be laundered separately from the household and other laundry;
- Requirements pertaining to water, plumbing, drainage, and waste, as specified in Sections 114193, 114193.1, and 114245.7;
- Any requirement that a microenterprise home kitchen operation have more than one toilet facility or that access to the toilet facility not require passage through the food preparation, food storage, or utensil washing areas, including, but not limited to, the requirements specified in Sections 114250 and 114276;
- Light intensity, light source, and lightbulb requirements, as specified in Sections 114252 and 114252.1, provided that food preparation areas are well lighted by natural or artificial light whenever food is being prepared;
- Requirements to provide and use lockers, storage facilities, and designated dressing areas, and that food facility premises be free of litter and items that are unnecessary to the operation, as specified in Sections 114256.1 and 114257.1, provided that personal effects and clothing not ordinarily found in a home kitchen are placed or stored away from food preparation areas and dressing takes place outside of the kitchen;
- Limitations on the presence and handling of animals, such as domestic, service, or patrol animals, as specified in Sections 114259.4 and 114259.5, provided that all animals, other than service animals, are kept outside of the kitchen and dining areas during food service and preparation;
- Requirements pertaining to floor, wall, and ceiling surfaces, as specified in Sections 114268, 114269, and 114271, provided that the floor, wall, and ceiling surfaces of the kitchen, storage, and toilet areas are smooth, of durable construction, and easily cleanable with no limitations on the use of wood, tile, and other nonfiber floor surfaces ordinarily used in residential settings;
- Any local evaluation or grading system for food facilities, as authorized by Section 113709;

- All prohibitions and limitations on the use of a kitchen in a private home as a food facility, including, but not limited to, prohibitions and limitations specified in Section 114285, provided that food is not prepared in designated sleeping quarters. Open kitchens adjacent to living and sleeping areas, kitchens in efficiency, studio, and loft-style residences, and kitchens without doors at all points of ingress and egress may be used in microenterprise home kitchen operations; and
- Planning and permitting provisions of Sections 114380, 114381, and 114381.2.
- Allows a MHK to operate an open-air barbecue or outdoor wood-burning oven, pursuant to the requirements of Section 114143.
- Requires the operator of a MHK to successfully pass an approved and accredited food safety certification examination, as specified in Section 113947.1.
- Requires any individual, other than the operator, who is involved in the preparation, storage, or service of food in a microenterprise home kitchen operation shall be subject to the food handler card requirements specified in Section 113948.
- Prohibits a MHK from operating unless it has obtained a permit issued from the local enforcement agency.
- Requires the Department to post on its Internet Web site the requirements for the permitting of a microenterprise home kitchen operation and any ordinance, resolution, or rules adopted by any city or county, or city and county, that has authorized the permitting of microenterprise home kitchen operations.
- Requires the applicant of a MHK to submit to the local enforcement agency written standard operating procedures that include all of the following information:
 - All food types or products that will be handled;
 - The proposed procedures and methods of food preparation and handling;
 - Procedures, methods, and schedules for cleaning utensils, equipment, and for the disposal of refuse;
 - How food will be maintained at the required holding temperatures, as specified in Section 113996, pending pickup by consumer or during delivery; and
 - Days and times that the home kitchen will potentially be utilized as a microenterprise home kitchen operation.
- Requires the local enforcement agency to issue a permit after an initial inspection has determined that the proposed MHK and its method of operation comply with the requirements of this chapter.
- Prohibits a local enforcement agency to require a MHK to comply with food safety requirements that are different from, or in addition to, the requirements of this chapter.
- Allows a local enforcement agency to require a MHK to renew its permit annually.
- Requires the permit, or an accurate copy thereof, to be retained by the operator onsite and displayed at all times the microenterprise home kitchen operation is in operation.

- Limits permit fees to the reasonable administrative costs by the local enforcement agency in issuing the permit.
- Requires the selection of a lead local agency, if there are multiple local agencies involved in the issuance of any type of permit, license, or other authorization to a MHK.
- Prohibits MHKs from being subject to routine inspections, except that a representative of a local enforcement agency may access, for inspection purposes, the permitted area of a microenterprise home kitchen operation after the occurrence of either of the following:
 - The representative has provided the microenterprise home kitchen operation with reasonable advance notice; and
 - The representative has a valid reason, such as a consumer complaint, to suspect that adulterated or otherwise unsafe food has been produced or served by the MHK, or that the MHK has otherwise been in violation of this part.
- Prohibits MHKs from being subject to more than one inspection per year, unless there is a valid reason.
- Provides that a city, county, or city and county shall not prohibit the operation of, require a permit to operate, require a rezone of the property for, or levy any fees on, or impose any other restriction on, a MHK in any residential dwelling for zoning purposes. A MHK shall be a permitted use of residential property in any residential dwelling for zoning purposes if the MHK complies with both of the following criteria:
 - Abstain from posting signage or other outdoor displays advertising the microenterprise home kitchen operation; and
 - Be in compliance with applicable local noise ordinances.
- Requires a person delivering food on behalf of a MHK to be an employee of the operation or a family member or household member of the permit holder, and, if the person drives a motor vehicle in the delivery of the food, the person shall have a valid driver's license.
- Defines an Internet food service intermediary (IFSI) as an entity that provides a platform on its Internet Website or mobile application through which a MHK may offer food for sale and from which the IFSI derives revenues, including, but not limited, revenues from advertising and fees for services offered to a MHK. Allows services to include, but are not limited to, allowing a MHK to advertise its food, and providing a means for consumers to arrange payment.
- Requires IFSI to be registered with the Department of Public Health.

AB 1771 (Bloom) Planning and Zoning. Regional Housing Needs Assessment. Chapter 989, Statutes of 2018

This measure makes numerous changes to the regional housing needs allocation (RHNA) process including: plan objectives, methodology, distribution, and appeals process.

Specifically, this measure:

- Requires Council of Governments (COGs) to consult with the Department of Housing and Community Development (HCD) when developing the methodology for the RHNA.
- Declares that the RHNA plan shall further certain objectives.
- Expands the RHNA objectives to include:
 - Achievement of the region's greenhouse gas reductions targets provided by the Air Resources Board pursuant to Section 65080;
 - Improving the balance between the number of low-wage jobs and the number of housing units affordable to low-wage workers in each jurisdiction; and
 - Affirmatively furthering fair housing. Defines "affirmatively furthering fair housing" to mean taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.
- Expands the scope of data the COG must provide to HCD to include the loss of units during a state of emergency that have yet to be rebuilt or replaced.
- Requires COGs to compile information for development of a methodology based on the Analysis of Impediments to Fair Housing Choice or Assessment of Fair Housing completed by any city or county within the COG's jurisdiction. Requires COGs to electronically report the results of this survey.
- Requires the COGs to distribute publicly, including on their website, an explanation of how the methodology furthers the statutory objectives.
- Adds the following data requirements to the COG methodology:
 - Adds, to the list of factors used to develop the methodology, a requirement to include an estimate, based on readily available data, of the number of low-wage jobs within the jurisdiction and how many housing units within the jurisdiction are affordable to workers at those wage levels, as well as an estimate, based on readily available data, of projected job growth and projected household growth by income level within each member jurisdiction during this planning period;
 - Adds to the list of factors used to develop the methodology, the rate of overcrowding, the loss of units during a state of emergency during the prior planning period that have yet to be rebuilt or replaced at the time of the analysis, and the region's greenhouse gas reduction targets;
 - Revises one of the factors used to develop the methodology to require the percentage of existing households at each income level that are paying more than 30% and more than 50% of their income in rent;

- Requires the COG to specify which of the objectives each additional factor is necessary to further, should any other factors be adopted by the COG. Allows a COG to adopt additional factors only if they do not undermine the objectives, are applied equally across all household income levels, and the COG makes a finding that the factor is necessary to address significant health and safety concerns; and
- Requires the COG to post its explanation of how each of the factors was incorporated into the methodology, how the methodology furthers the statutory objectives, and any other supporting materials used in determining the methodology, on its Web site.
- Requires the COG, after the public comment period on the proposed allocation methodology, and after making any revisions as a result of public comments and consultation with HCD, to post the draft allocation methodology on its Web site and submit it to HCD. HCD must determine within 60 days whether the methodology furthers, and does not undermine, the statutory objectives.
- Requires the COG, if HCD determines that the methodology does not further the statutory objectives, to consider HCD's findings and take one of the following actions:
 - Revise the methodology to further the statutory objectives and adopt a final RHNA methodology; or
 - Adopt the RHNA methodology without revisions and include within its resolution of adoption written findings, supported by substantial evidence, as to why it believes the methodology furthers the statutory objectives despite HCD's findings.
- States that if HCD's findings are not available within the time limits, the COG may act without them.
- Requires the COG to provide notice of the adoption of the methodology to the jurisdictions within the region, or delegate subregion, and to the department, and shall publish the adopted allocation methodology, along with its resolution and any adopted written findings, on its Internet Web site.
- Allows HCD 90 days to review the adopted methodology.
- Requires the COG to distribute the draft RHNA allocation to HCD, and to publish it on the COG's Web site, in addition to distributing it to the localities in its jurisdiction.
- Allows a local government, within 45 days of the draft RHNA allocation being distributed, to appeal to the COG for a revision of the proposed RHNA allocation. The appeal must include a statement as to why the revision is necessary to further the statutory objectives. The appeal must be limited to:
 - Failure to consider the survey information submitted by local governments in the region to inform the methodology;
 - Failure to determine the share of RHNA pursuant to the methodology defined in state law and in a manner that furthers and does not undermine the statutory objectives;
 - Significant and unforeseen changes in circumstances that occurred in the local jurisdiction or jurisdictions that merits a revision of the information submitted by local governments to inform the RHNA. Appeals on this

basis shall only be made by the jurisdiction or jurisdictions where the change in circumstances has occurred.

- Requires the COG to notify all other local governments within the region or delegate subregion and the department of all appeals and shall make all materials submitted in support of each appeal available on a publicly available Internet Web site. Local governments and the department may, within 45 days, comment on one or more appeals. If no appeals are filed, the draft allocation shall be issued as the proposed final allocation plan.
- Requires that no later than 30 days after the close of the comment period, and after providing all local governments within the region or delegate subregion at least 21 days prior notice, the COG shall conduct one public hearing to consider all appeals.
- Requires the COG, no later than 45 days after the hearing, to do both of the following:
 - Make a final determination that either accepts, rejects, or modifies each appeal for a revised share of the RHNA that includes written findings as to how the determination is necessary to the further statutory objectives; and
 - Issue a final allocation plan.
- Deletes the authority of two local governments to agree to an alternative distribution of appealed housing allocations between the affected local governments.

AB 2162 (Chiu) Planning and Zoning. Supportive Housing.

Chapter 753, Statutes of 2018

This measure requires that supportive housing be a use by right in zones where multiple family and mixed uses are permitted, including in non-residential zones permitting multifamily uses, if the proposed housing development meets specified criteria and would require a local government to approve a supportive housing development that complies with these specified requirements.

Specifically, this measure requires that supportive housing be a use by right in zones where multiple family and mixed uses are permitted if the proposed development satisfies the following:

- Units within the development are subject to a recorded affordability restriction for 55 years;
- One hundred percent of the units, excluding managers' units, within the development are dedicated to lower income households and are receiving public funding to ensure affordability of the housing to lower income Californians. For purposes of this paragraph, "lower income households" has the same meaning as defined in Section 50079.5 of the Health and Safety Code;
- At least 25 percent of the units in the development or 12 units, whichever is greater, are restricted to residents in supportive housing who meet criteria of the target population. If the development consists of fewer than 12 units, then 100 percent of the units, excluding managers' units, in the development shall be restricted to residents in supportive housing;

- The developer provides the planning agency with the information required by Section 65652;
- Nonresidential floor area shall be used for onsite supportive services in the following amounts:
 - For a development with 20 or fewer total units, at least 90 square feet shall be provided for onsite supportive services; and
 - For a development with more than 20 units, at least 3 percent of the total nonresidential floor area shall be provided for onsite supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.
- Units within the development, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator;
- The local government may require a supportive housing development to comply with objective, written development standards and policies; provided, however, that the development shall only be subject to the objective standards and policies that apply to other multifamily development within the same zone.
- If the proposed housing development is located within a city with a population of fewer than 200,000 or the unincorporated area of a county with a population of fewer than 200,000, and the city or the unincorporated area of the county has a population of persons experiencing homelessness of 1,500 or fewer, according to the most recently published homeless point-in-time-count, the development, in addition to the requirements of subdivision (a), shall consist of 50 units or fewer to be a use by right pursuant to this article. A city or county described in this subdivision may develop a policy to approve as a use by right proposed housing developments with a limit higher than 50 units.
- A developer of supportive housing shall provide the planning agency with a plan for providing supportive services, with documentation demonstrating that supportive services will be provided onsite to residents in the project, and describing those services, which shall include all of the following:
 - The name of the proposed entity or entities that will provide supportive services;
 - The proposed funding source or sources for the provided onsite supportive services; and
 - Proposed staffing levels.
- The local government shall notify the developer whether the application is complete within 30 days of receipt of an application to develop supportive housing in accordance with this article. The local government shall complete its review of the application within 60 days after the application is complete for a project with 50 or fewer units, or within 120 days after the application is complete for a project with more than 50 units.
- If the supportive housing development is located within one-half mile of a public transit stop, the local government shall not impose any minimum parking requirements for the units occupied by supportive housing residents.
- This article shall not be construed to do either of the following:

- Preclude or limit the ability of a developer to seek a density bonus from the local government pursuant to Section 65915; and
- Expand or contract the authority of a local government to adopt or amend an ordinance, charter, general plan, specific plan, resolution, or other land use policy or regulation that promotes the development of supportive housing.

SB 828 (Wiener) Land Use. Housing Element.**Chapter 974, Statutes of 2018**

This measure makes numerous changes to the regional housing needs allocation (RHNA) process. These changes include:

- Deleting existing codified intent language that acknowledges that cities may not meet RHNA and replaces it with language that states “reasonable actions should be taken by local and regional governments to ensure that future housing production meet, at a minimum, the regional housing need established for planning purposes. These actions shall include applicable reforms and incentives in Section 65582.1;” Section 65582.1 states that the Legislature finds and declares that it has provided reforms and incentives to facilitate and expedite the construction of affordable housing. Those reforms and incentives can be found in the following provisions:
 - Housing element law (Article 10.6 (commencing with Section 65580) of Chapter 3);
 - Extension of statute of limitations in actions challenging the housing element and brought in support of affordable housing (subdivision (d) of Section 65009);
 - Restrictions on disapproval of housing developments (Section 65589.5);
 - Priority for affordable housing in the allocation of water and sewer hookups (Section 65589.7);
 - Least cost zoning law (Section 65913.1);
 - Density bonus law (Section 65915);
 - Accessory dwelling units (Sections 65852.150 and 65852.2);
 - By-right housing, in which certain multifamily housing are designated a permitted use (Section 65589.4);
 - No-net-loss-in zoning density law limiting downzonings and density reductions (Section 65863);
 - Requiring persons who sue to halt affordable housing to pay attorney fees (Section 65914) or post a bond (Section 529.2 of the Code of Civil Procedure);
 - Reduced time for action on affordable housing applications under the approval of development permits process (Article 5 (commencing with Section 65950) of Chapter 4.5);
 - Limiting moratoriums on multifamily housing (Section 65858);
 - Prohibiting discrimination against affordable housing (Section 65008);
 - California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3);

- Community redevelopment law (Part 1 (commencing with Section 33000) of Division 24 of the Health and Safety Code, and in particular Sections 33334.2 and 33413);
- Streamlining housing approvals during a housing shortage (Section 65913.4); and
- Housing sustainability districts (Chapter 11 (commencing with Section 66200)).
- Expanding the scope of data the Council of Government (COG) must provide to HCD to include following:
 - The percentage of households that are overcrowded and the overcrowding rate for a comparable housing market. Defines “overcrowded rate for a comparable housing market” to mean the overcrowding rate is no more than the average overcrowding rate in comparable regions throughout the nation, as determined by the council of governments;
 - Declares that the vacancy rate for a healthy rental housing market shall be considered no less than 5 percent;
 - The percentage of households that are cost burdened and the rate of housing cost burden for a healthy housing market.
 - Defines “cost burdened” to mean the share of very low-, low-, moderate-, and above moderate-income households that are paying more than 30 percent of household income on housing costs; and
 - Defines the “rate of housing cost burden for a healthy housing market” to mean that the rate of households that are cost burdened is no more than the average rate of households that are cost burdened in comparable regions throughout the nation, as determined by the council of governments.
- Authorizing the methodology submitted by the department to be adjusted based on the region’s total projected households, which includes existing households as well as projected households;
- Providing that statutory changes enacted after the date HCD issues a final determination shall not be a basis for a revision of the final determination;
- Expanding the list of opportunities and constraints to the development of housing to include land zoned or designated for agricultural protection or preservation that is subject to a local ballot measure that was approved by the voters of that jurisdiction that prohibits or restricts conversion to nonagricultural uses; and
- Prohibiting a COG from lowering a jurisdiction’s share of regional housing need based on 1) prior underproduction of housing in a city or county from the previous regional housing need allocation; or 2) stable population numbers in a city or county from the previous regional housing needs cycle.

This measure also contains numerous provisions that address chaptering out issues with other bills.

***SB 946 (Lara) Sidewalk Vending.**

Chapter 459, Statutes of 2018

This measure decriminalizes sidewalk vending and establishes various requirements for local regulation of sidewalk vendors. Specifically, this measure: allows a local authority to adopt a sidewalk vending licensing program that requires a sidewalk vendor to obtain a license from the local authority before he or she is authorized to sell food or merchandise.

The local authority's licensing system shall comply with all of the following standards:

- A local authority shall not restrict the location of a licensed sidewalk vendor unless the restriction is directly related to objective health, safety, or welfare concerns.
- A local authority shall not prohibit a sidewalk vendor from selling food or merchandise in a park owned or operated by the local authority, except the local authority may prohibit stationary sidewalk vendors from vending in the park only if the operator of the park has signed an agreement for concessions that exclusively permits the sale of food or merchandise by the concessionaire.
- A local authority may adopt additional requirements regulating the time, place, and manner of sidewalk vending in a park owned or operated by the local authority if the requirements are any of the following:
 - Directly related to objective health, safety, or welfare concerns.
 - Necessary to ensure the public's use and enjoyment of natural resources and recreational opportunities.
 - Necessary to prevent an undue concentration of commercial activity that unreasonably interferes with the scenic and natural character of the park.
- A local authority shall not require a licensed sidewalk vendor to first obtain the consent or approval of any nongovernmental entity or individual before he or she can sell food or merchandise.
- A local authority shall not restrict sidewalk vendors to operate only in a designated neighborhood or area, except when that restriction is directly related to objective health, safety, or welfare concerns.
- A local authority may prohibit stationary sidewalk vendors in areas that are zoned exclusively residential, but shall not prohibit roaming sidewalk vendors.
- A local authority may prohibit sidewalk vendors in areas located within the immediate vicinity of a permitted certified farmers' market or a permitted swap meet during the limited operating hours of that certified farmers' market or swap meet.
- A local authority may restrict or prohibit sidewalk vendors within the immediate vicinity of an area designated for a temporary special permit issued by the local authority, provided that any notice, business interruption mitigation, or other rights provided to affected businesses or property owners under the local authority's temporary special permit are also provided to any sidewalk vendors specifically permitted to operate in the area, if applicable.
- A local authority shall not restrict the overall number of sidewalk vendor licenses issued unless the restriction is directly related to objective health, safety, or welfare concerns.

- Perceived community animus or economic competition does not constitute an objective health, safety, or welfare concern.
- A local authority may, by ordinance or resolution, adopt additional requirements regulating the time, place, and manner of sidewalk vending if the requirements are directly related to objective health, safety, or welfare concerns, including, but not limited to, any of the following:
 - Limitations on hours of operation that are not unduly restrictive. In nonresidential areas, any limitations on the hours of operation for sidewalk vending shall not be more restrictive than any limitations on hours of operation imposed on other businesses or uses on the same street.
 - Requirements to maintain sanitary conditions.
 - Requirements necessary to ensure compliance with the federal Americans with Disabilities Act of 1990 (Public Law 101-336) and other disability access standards.
 - Requiring the sidewalk vendor to obtain from the local authority a permit for sidewalk vending or a valid business license.
 - Requiring the sidewalk vendor to possess a valid California Department of Tax and Fee Administration seller's permit.
 - Requiring additional licenses from other state or local agencies to the extent required by law.
 - Requiring compliance with other generally applicable laws.
 - Requiring a sidewalk vendor to submit information on his or her operations, including, but not limited to, any of the following:
 - The name and current mailing address of the sidewalk vendor.
 - A description of the merchandise offered for sale or exchange.
 - certification by the vendor that to his or her knowledge and belief, the information contained on the form is true.
 - The California seller's permit number (California Department of Tax and Fee Administration sales tax number), if any, of the sidewalk vendor.
 - If the sidewalk vendor is an agent of an individual, company, partnership, or corporation, the name and business address of the principal.

A violation of a local authority's sidewalk vending program that complies with Section 51038 is punishable only by the following:

- An administrative fine not exceeding one hundred dollars (\$100) for a first violation.
- An administrative fine not exceeding two hundred dollars (\$200) for a second violation within one year of the first violation.
- An administrative fine not exceeding five hundred dollars (\$500) for each additional violation within one year of the first violation.
- A local authority may rescind a permit issued to a sidewalk vendor for the term of that permit upon the fourth violation or subsequent violations.

If a local authority requires a sidewalk vendor to obtain a sidewalk vending permit from the local authority, vending without a sidewalk vending permit may be punishable by the following:

- An administrative fine not exceeding two hundred fifty dollars (\$250) for a first violation.
- An administrative fine not exceeding five hundred dollars (\$500) for a second violation within one year of the first violation.
- An administrative fine not exceeding one thousand dollars (\$1,000) for each additional violation within one year of the first violation.
- Upon proof of a valid permit issued by the local authority, the administrative fines shall be reduced to the administrative fines set forth in paragraph (1).

Failure to pay an administrative fine shall not be punishable as an infraction or misdemeanor. Additional fines, fees, assessments, or any other financial conditions beyond those authorized in this measure shall not be assessed.

A violation of a local authority's sidewalk vending program that complies with Section 51038, or a violation of any rules or regulations adopted prior to January 1, 2019, that regulate or prohibit sidewalk vendors in the jurisdiction of a local authority, shall not be punishable as an infraction or misdemeanor, and the person alleged to have violated any of those provisions shall not be subject to arrest except when permitted under law. This shall apply to all pending criminal prosecutions under any local ordinance or resolution regulating or prohibiting sidewalk vendors. Any of those criminal prosecutions that have not reached final judgment shall be dismissed.

A local authority that has not adopted rules or regulations by ordinance or resolution that comply with Section 51037 shall not cite, fine, or prosecute a sidewalk vendor for a violation of any rule or regulation that is inconsistent with the standards described in subdivision (b) Section 51038.

“Sidewalk vendor” is a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance upon a public sidewalk or other pedestrian path.

“Roaming sidewalk vendor” means a sidewalk vendor who moves from place to place and stops only to complete a transaction.

“Stationary sidewalk vendor” means a sidewalk vendor who vends from a fixed location.

“Local authority” means a chartered or general law city, county, or city and county.

Appendix B – League Resources

ATTACHMENT 1

League Legislative Staff

LEGISLATIVE REPRESENTATIVES	
Dan Carrigg <i>Deputy Executive Director/Legislative Director</i> (916) 658-8222 carriggd@cacities.org	<ul style="list-style-type: none"> • Fiscal Reform • Revenue • State Budget • Taxation • Revenue and Taxation Policy Committee
Jason Rhine <i>Assistant Legislative Director</i> (916) 658-8264 jrhine@cacities.org	<ul style="list-style-type: none"> • CEQA • Housing • Planning & Land Use • Floods (Back-up) • Economic Development • Housing, Community and Economic Development Policy Committee
Rony Berdugo <i>Legislative Representative</i> (916) 658-8283 rberdugo@cacities.org	<ul style="list-style-type: none"> • Public Works • Transportation • Infrastructure • Public Contracting • Telecommunications • Autonomous Vehicles • Ride Sharing • Transportation, Communication and Public Works Policy Committee
Dane Hutchings <i>Legislative Representative</i> (916) 658-8210 dhutchings@cacities.org	<ul style="list-style-type: none"> • Brown Act/Public Records Act • Federal Issues Liaison • Personnel • Pension/OPEB Issues • Elections/Districting Issues • Census 2020 • Fair Political Practices Commission • Workers Compensation Issues • Governance, Transparency, and Labor Relations Policy Committee
Erin Evans-Fudem <i>Legislative Representative</i> (916) 658-8250 Eevans-fudem@cacities.org	<ul style="list-style-type: none"> • Environmental Issues (Air, Water, Solid Waste, Climate Change, etc.) • Community Services • Floods (Lead) • Utilities • Natural Disasters • Animal Issues • Environmental Quality Policy Committee • Community Services Policy Committee

<p>Charles Harvey <i>Legislative Representative</i> (916) 658-8252 charvey@cacities.org</p>	<ul style="list-style-type: none"> • Public Safety • Revenue and Taxation • Revenue and Taxation Policy Committee • Public Safety Policy Committee • Fire Chiefs Department
LEGISLATIVE ANALYSTS AND DEPARTMENT STAFF	
<p>Meg Desmond <i>Legislative & Policy Development Specialist</i> (916) 658-8224 mdesmond@cacities.org</p>	<ul style="list-style-type: none"> • Fire Chiefs Department • Policy Committees • Lobbyist FPPC Compliance • Annual Conference Resolutions
<p>Derek Dolfie <i>Legislative Policy Analyst</i> (916) 658-6218 ddolfie@cacities.org</p>	<ul style="list-style-type: none"> • Legislative Policy Research • Community Services Analyst • Environmental Quality Analyst • Public Safety Analyst • Transportation, Communications, and Public Works Analyst
<p>Johnnie Pina <i>Legislative Policy Analyst</i> (916) 658-8214 jpina@cacities.org</p>	<ul style="list-style-type: none"> • Legislative Policy Research • Revenue and Taxation Analyst • Housing, Community, and Economic Development Analyst • Governance, Transparency, and Labor Relations Analyst
<p>Carly Shelby <i>Legislative & Policy Development Assistant</i> (916) 658-8279 cshelby@cacities.org</p>	<ul style="list-style-type: none"> • Support for the Legislative Department • Support, Policy Committees • Research Assistant • Administrative Support

Regional Public Affairs Managers

Public Affairs Director

Bismarck Obando

1400 K Street, 4th Floor
Sacramento, CA 95814
Office: 916/658-8273
Cell: 916/612-9377
bismarck@cacities.org

Central Valley

Stephen Qualls

P.O. Box 785
Hughson, CA 95326
Cell: 209/614-0118
Fax: 209/883-0653
squalls@cacities.org

Channel Counties

David Mullinax

Cell: 805/797-3530
Fax: 805/962-9409
dmullinax@cacities.org

Desert Mountain, Inland

Empire

Laura Morales

Cell: 909/275-4110
lmorales@cacities.org

East Bay

Sam Caygill

1400 K Street, 4th Floor
Sacramento, CA 95814
Cell: 510/473-5418
scaygill@cacities.org

Peninsula

Seth Miller

Cell: 415-595-8629
smiller@cacities.org

Los Angeles County

Kristine Guerrero

P.O. Box 3482
Lakewood, CA 90711
Cell: 626/716-0076
kguerrero@cacities.org

Jennifer Quan

P.O. Box 1444
Monrovia, CA 91017
Cell: 626/786-5142
Fax: 626/301-0387
jquan@cacities.org

Jeff Kiernan

8149 Santa Monica Blvd. #206
West Hollywood, CA 90046
Cell: 310/630-7505
jkiernan@cacities.org

Monterey Bay

Deanna Sessums

P.O. Box 7980
Santa Cruz, CA 95061
Cell: 831/915-8293
dsessums@cacities.org

North Bay

Nancy Hall Bennett

1400 K Street, 4th Floor
Sacramento, CA 95814
Cell: 415/302-2032
nbennett@cacities.org

Orange County

Tony Cardenas

P.O. Box 28927
Anaheim Hills, CA 92809
Cell: 714/425-5558
tcardenas@cacities.org

Redwood Empire

Sara Rounds

1400 K Street, 4th Floor
Sacramento, CA 95814
Office: 916/658-8243
Cell: 916/548-9030
srounds@cacities.org

Riverside County

Erin Sasse

12523 Limónite Ave.
Suite 440-161
Mira Loma, CA 91752
Cell: 951/321-0771
esasse@cacities.org

Sacramento Valley

Charles Anderson

Cell: 916/798-2231
Fax: 866/593-2927
canderson@cacities.org

San Diego County, Imperial

County

Catherine Hill

P.O. Box 82081
San Diego, CA 92138
Wk: 619/295-8282
Cell: 619/733-1751
Fax: 619/501-7651
chill@cacities.org

South San Joaquin Valley

Rajveer Rakkar

Cell: 559/214-1849
rrakkar@cacities.org

Note: With the exception of those addresses listed, and unless otherwise instructed, mail may be sent to:

League of California Cities
1400 K Street, 4th Floor
Sacramento, CA 95814
Fax: (916) 658-8240

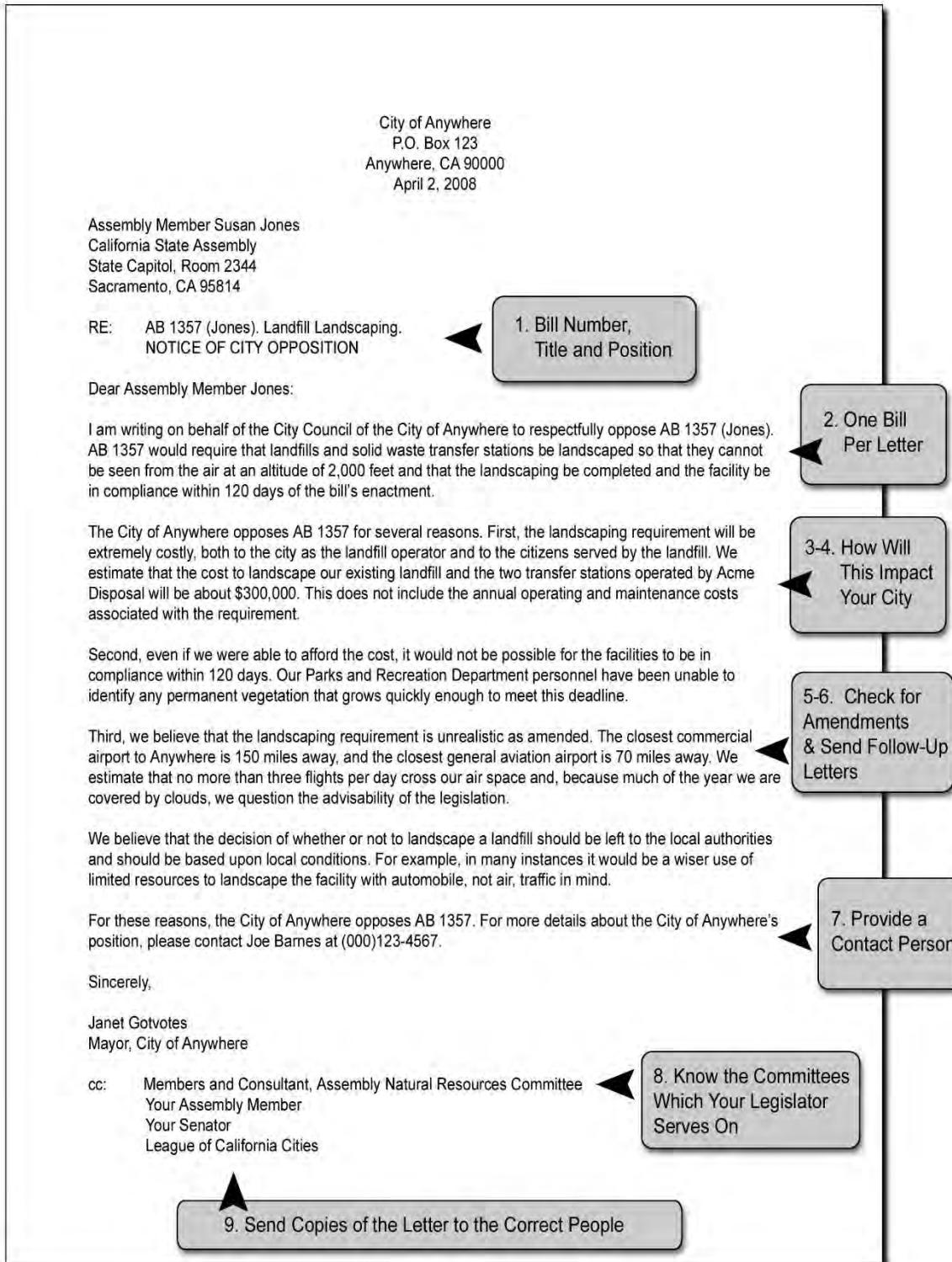
10 Tips for Cities Lobbying the California Legislature

1. Become engaged in the state level political process by appointing a legislative liaison within your city to track key legislation and work with your regional public affairs manager. You can locate contact information for your regional public affairs manager online at www.cacities.org/regionalmanagers.
2. Use the League as a resource. Visit www.cacities.org/legresources to access League priority bills, legislative contacts and additional information. The League's online bill tracking tool can be found at www.cacities.org/billsearch.
3. Read *CA Cities Advocate*, the League's online newsletter, to stay current on important legislation. Subscribe at www.cacities.org/cacitiesadvocate.
4. Develop relationships with your Senate and Assembly representatives as well as their capitol and district office staff.
5. Get to know members of your local press and educate them on legislative issues affecting your city.
6. Understand how state decisions impact your city's budget.
7. Build networks and collaborate with other groups in your community on key legislative issues.
8. Organize an internal process within your city for developing and proposing changes to laws that will help your city.
9. Adopt local policies on legislation that enable your city to react quickly to the legislative process and respond to League action alerts. View sample city legislative platforms at www.cacities.org/legplatforms.
10. Write letters on legislation featured in *CA Cities Advocate*. Sample letters can be found at www.cacities.org/billsearch by searching with the bill number or bill author.

Effective Letter Writing Techniques

- 1. Include the Bill Number, Title, and Your Position in the Subject Line.** Never bury the bill number and the action you want the legislator to take in the body of the letter.
- 2. One Bill per Letter.** Legislators file letters according to the bill number.
- 3. State the Facts.** Describe the impact the bill would have on your city. Use “real world” facts; legislators like to know how a bill would specifically affect cities in their districts. The League often provides a sample letter that includes space to describe local impacts. Take the time to provide such examples. This part of the letter is the most valuable to the legislator.
- 4. Think About the Message.** Letters may be targeted to specific legislators or entire committees. Think about who you want to act on the bill and message accordingly. If you are writing in support of transportation funding, emphasizing how the project will reduce greenhouse gases might be important to one legislator, while highlighting how the project could encourage additional development and jobs might be important to another. Both messages are correct, but your effectiveness will be in selecting the right message.
- 5. Check for Amendments.** Always check the League’s website (www.cacities.org/billsearch) to make sure you are addressing issues in the latest draft. Bills are often significantly amended and the issue you are writing about may have changed or have been deleted altogether by the time you send your letter.
- 6. Send follow-up letters to the appropriate legislative committees as a bill moves along.** You can often use your original letter with some modifications. Visit www.cacities.org/billsearch to track the bill’s location. In addition, *CA Cities Advocate*, the League’s online newsletter, features stories on key legislation.
- 7. Provide a Contact.** At the close of the letter, provide a contact person in case there are questions about the city’s position.
- 8. Know the Committees on Which Your Legislator Serves.** A legislator is likely to pay more attention to the bill positions of their constituents especially when it comes before his or her committee. At the committee level, this is even more important because your legislator has greater ability at this point in the legislative process to have the bill amended.
- 9. Copy the Right People.** Send a copy of the letter to your senator, assembly member and the League. Please also send a copy to each committee member and staff if applicable.

Appendix B – League Resources
Effective Letter Writing Techniques



Index of Chaptered Bills

<u>AB 87</u>	137, 175	<u>AB 1330</u>	16
<u>AB 91</u>	172	<u>AB 1407</u>	58
<u>AB 105</u>	149	<u>AB 1423</u>	53
<u>AB 106</u>	149	<u>AB 1445</u>	102
<u>AB 108</u>	149	<u>AB 1527</u>	114
<u>AB 110</u>	149	<u>AB 1547</u>	102, 168
<u>AB 193</u>	30	<u>AB 1561</u>	102, 178
<u>AB 216</u>	57	<u>AB 1584</u>	83
<u>AB 282</u>	119	<u>AB 1617</u>	141
<u>AB 306</u>	57	<u>AB 1619</u>	121
<u>AB 315</u>	77	<u>AB 1639</u>	122
<u>AB 324</u>	119	<u>AB 1654</u>	63
<u>AB 372</u>	120	<u>AB 1668</u>	42
<u>AB 375</u>	69, 142	<u>AB 1678</u>	58
<u>AB 403</u>	63	<u>AB 1735</u>	122
<u>AB 448</u>	87	<u>AB 1736</u>	133
<u>AB 565</u>	94	<u>AB 1741</u>	115
<u>AB 595</u>	77	<u>AB 1746</u>	133
<u>AB 605</u>	18	<u>AB 1749</u>	76, 143
<u>AB 626</u>	94, 194	<u>AB 1751</u>	118
<u>AB 636</u>	168, 172	<u>AB 1753</u>	118
<u>AB 666</u>	58	<u>AB 1755</u>	143, 175
<u>AB 686</u>	94	<u>AB 1762</u>	16
<u>AB 700</u>	183	<u>AB 1766</u>	143
<u>AB 710</u>	117	<u>AB 1768</u>	87
<u>AB 734</u>	33	<u>AB 1770</u>	165
<u>AB 747</u>	42	<u>AB 1771</u>	94, 198
<u>AB 748</u>	69, 137	<u>AB 1772</u>	20, 129
<u>AB 807</u>	82	<u>AB 1775</u>	28
<u>AB 829</u>	87	<u>AB 1776</u>	26
<u>AB 873</u>	114	<u>AB 1782</u>	27
<u>AB 929</u>	120	<u>AB 1793</u>	115
<u>AB 939</u>	175	<u>AB 1794</u>	43
<u>AB 987</u>	33	<u>AB 1796</u>	28, 110, 178
<u>AB 998</u>	143	<u>AB 1797</u>	20
<u>AB 1013</u>	58	<u>AB 1798</u>	143, 174
<u>AB 1041</u>	82, 172	<u>AB 1799</u>	20
<u>AB 1065</u>	121	<u>AB 1800</u>	20
<u>AB 1092</u>	78	<u>AB 1804</u>	33, 94
<u>AB 1168</u>	132	<u>AB 1808</u>	150
<u>AB 1184</u>	165, 176	<u>AB 1809</u>	150
<u>AB 1192</u>	127	<u>AB 1810</u>	150
<u>AB 1214</u>	141	<u>AB 1811</u>	150
<u>AB 1270</u>	42, 177	<u>AB 1812</u>	151

<u>AB 1817</u>	151
<u>AB 1824</u>	152
<u>AB 1825</u>	152
<u>AB 1826</u>	152
<u>AB 1827</u>	90, 152
<u>AB 1830</u>	153
<u>AB 1831</u>	153, 178
<u>AB 1834</u>	153
<u>AB 1838</u>	153, 165
<u>AB 1840</u>	154
<u>AB 1860</u>	78
<u>AB 1861</u>	144
<u>AB 1872</u>	127
<u>AB 1875</u>	21, 110
<u>AB 1877</u>	129, 181
<u>AB 1879</u>	34
<u>AB 1884</u>	38
<u>AB 1888</u>	63, 137
<u>AB 1889</u>	43, 169
<u>AB 1890</u>	113
<u>AB 1891</u>	113
<u>AB 1893</u>	24
<u>AB 1896</u>	122
<u>AB 1912</u>	73
<u>AB 1914</u>	180
<u>AB 1919</u>	111
<u>AB 1920</u>	122
<u>AB 1933</u>	28
<u>AB 1941</u>	134
<u>AB 1943</u>	107
<u>AB 1944</u>	43
<u>AB 1948</u>	118
<u>AB 1954</u>	49
<u>AB 1956</u>	50, 129
<u>AB 1959</u>	181
<u>AB 1968</u>	127
<u>AB 1973</u>	138
<u>AB 1976</u>	63
<u>AB 1980</u>	41
<u>AB 1981</u>	38
<u>AB 1985</u>	122
<u>AB 1986</u>	113
<u>AB 1993</u>	127
<u>AB 1994</u>	140
<u>AB 1999</u>	182
<u>AB 2004</u>	74
<u>AB 2006</u>	30
<u>AB 2009</u>	144
<u>AB 2020</u>	115
<u>AB 2034</u>	144
<u>AB 2035</u>	87, 163
<u>AB 2046</u>	76
<u>AB 2055</u>	64
<u>AB 2056</u>	107
<u>AB 2061</u>	172
<u>AB 2062</u>	54
<u>AB 2063</u>	28
<u>AB 2076</u>	64
<u>AB 2080</u>	123
<u>AB 2086</u>	118
<u>AB 2091</u>	50
<u>AB 2095</u>	58
<u>AB 2097</u>	38
<u>AB 2103</u>	127
<u>AB 2105</u>	123
<u>AB 2112</u>	24
<u>AB 2115</u>	172
<u>AB 2123</u>	58
<u>AB 2125</u>	62
<u>AB 2126</u>	50
<u>AB 2127</u>	31, 178
<u>AB 2132</u>	95
<u>AB 2133</u>	134
<u>AB 2137</u>	16
<u>AB 2138</u>	144
<u>AB 2145</u>	31, 178
<u>AB 2155</u>	62
<u>AB 2162</u>	95, 201
<u>AB 2164</u>	111, 116
<u>AB 2172</u>	59
<u>AB 2173</u>	106
<u>AB 2175</u>	138
<u>AB 2176</u>	127
<u>AB 2178</u>	24
<u>AB 2179</u>	43
<u>AB 2180</u>	78
<u>AB 2184</u>	83
<u>AB 2188</u>	62
<u>AB 2190</u>	144
<u>AB 2195</u>	28
<u>AB 2196</u>	74
<u>AB 2198</u>	169

<u>AB 2215</u>	116	<u>AB 2458</u>	169
<u>AB 2218</u>	59	<u>AB 2470</u>	54
<u>AB 2219</u>	106	<u>AB 2472</u>	78
<u>AB 2222</u>	128	<u>AB 2485</u>	96
<u>AB 2225</u>	69	<u>AB 2490</u>	70, 90
<u>AB 2226</u>	123	<u>AB 2493</u>	39
<u>AB 2229</u>	21	<u>AB 2495</u>	124
<u>AB 2230</u>	83	<u>AB 2499</u>	79
<u>AB 2234</u>	145	<u>AB 2501</u>	48
<u>AB 2238</u>	101	<u>AB 2504</u>	138
<u>AB 2243</u>	134	<u>AB 2516</u>	44
<u>AB 2249</u>	180	<u>AB 2524</u>	103
<u>AB 2252</u>	103	<u>AB 2526</u>	124
<u>AB 2256</u>	138	<u>AB 2532</u>	134
<u>AB 2263</u>	95	<u>AB 2540</u>	59
<u>AB 2282</u>	64	<u>AB 2541</u>	48
<u>AB 2286</u>	83	<u>AB 2544</u>	145, 177
<u>AB 2293</u>	130	<u>AB 2551</u>	50
<u>AB 2302</u>	123	<u>AB 2561</u>	57
<u>AB 2310</u>	74	<u>AB 2562</u>	88
<u>AB 2327</u>	64, 138	<u>AB 2576</u>	21, 130
<u>AB 2329</u>	83	<u>AB 2587</u>	76
<u>AB 2334</u>	64	<u>AB 2589</u>	118
<u>AB 2339</u>	44	<u>AB 2592</u>	59
<u>AB 2341</u>	33	<u>AB 2594</u>	21
<u>AB 2343</u>	107	<u>AB 2595</u>	124
<u>AB 2349</u>	17, 138	<u>AB 2598</u>	111
<u>AB 2350</u>	169	<u>AB 2599</u>	134
<u>AB 2363</u>	173	<u>AB 2600</u>	16
<u>AB 2370</u>	18, 41	<u>AB 2605</u>	145
<u>AB 2371</u>	44	<u>AB 2615</u>	17, 175
<u>AB 2372</u>	95	<u>AB 2620</u>	145
<u>AB 2380</u>	50, 130	<u>AB 2622</u>	19
<u>AB 2381</u>	31	<u>AB 2626</u>	18
<u>AB 2388</u>	74	<u>AB 2629</u>	90
<u>AB 2402</u>	116	<u>AB 2639</u>	142
<u>AB 2411</u>	38, 173	<u>AB 2654</u>	181
<u>AB 2413</u>	123	<u>AB 2658</u>	70
<u>AB 2415</u>	75	<u>AB 2661</u>	124
<u>AB 2420</u>	103	<u>AB 2663</u>	167
<u>AB 2425</u>	166	<u>AB 2665</u>	59
<u>AB 2428</u>	78	<u>AB 2669</u>	139
<u>AB 2441</u>	54	<u>AB 2674</u>	79
<u>AB 2445</u>	17	<u>AB 2676</u>	39
<u>AB 2450</u>	54	<u>AB 2696</u>	75
<u>AB 2456</u>	27	<u>AB 2698</u>	19

<u>AB 2707</u>	62	<u>AB 2942</u>	135
<u>AB 2710</u>	134	<u>AB 2952</u>	141
<u>AB 2717</u>	135	<u>AB 2954</u>	170
<u>AB 2721</u>	116	<u>AB 2955</u>	173
<u>AB 2746</u>	167	<u>AB 2961</u>	130
<u>AB 2753</u>	96	<u>AB 2973</u>	98
<u>AB 2760</u>	27, 118	<u>AB 2975</u>	45
<u>AB 2769</u>	84, 145	<u>AB 2986</u>	146, 176
<u>AB 2770</u>	65	<u>AB 2988</u>	135
<u>AB 2774</u>	17, 146	<u>AB 2989</u>	175
<u>AB 2777</u>	169	<u>AB 2992</u>	139
<u>AB 2782</u>	33	<u>AB 2998</u>	54
<u>AB 2783</u>	118	<u>AB 3002</u>	105
<u>AB 2791</u>	17	<u>AB 3012</u>	29
<u>AB 2792</u>	125	<u>AB 3019</u>	85
<u>AB 2797</u>	96	<u>AB 3032</u>	80
<u>AB 2799</u>	84, 116	<u>AB 3036</u>	39
<u>AB 2801</u>	125	<u>AB 3041</u>	170
<u>AB 2813</u>	70, 130	<u>AB 3066</u>	107
<u>AB 2822</u>	84	<u>AB 3067</u>	117
<u>AB 2832</u>	39	<u>AB 3075</u>	70
<u>AB 2835</u>	59	<u>AB 3078</u>	22, 125
<u>AB 2845</u>	135	<u>AB 3098</u>	108
<u>AB 2861</u>	79	<u>AB 3112</u>	119
<u>AB 2863</u>	79	<u>AB 3118</u>	125
<u>AB 2864</u>	29	<u>AB 3129</u>	128
<u>AB 2867</u>	84, 132	<u>AB 3133</u>	55, 181
<u>AB 2876</u>	146	<u>AB 3138</u>	41
<u>AB 2880</u>	63	<u>AB 3139</u>	90
<u>AB 2885</u>	31	<u>AB 3162</u>	108
<u>AB 2887</u>	88	<u>AB 3168</u>	183
<u>AB 2889</u>	51	<u>AB 3187</u>	34
<u>AB 2898</u>	21, 130	<u>AB 3189</u>	80, 142
<u>AB 2899</u>	116	<u>AB 3194</u>	88
<u>AB 2900</u>	48	<u>AB 3205</u>	146
<u>AB 2901</u>	54	<u>AB 3229</u>	71
<u>AB 2902</u>	41	<u>AB 3232</u>	29, 112
<u>AB 2911</u>	51, 96	<u>AB 3254</u>	101
<u>AB 2913</u>	97	<u>AB 3257</u>	55
<u>AB 2914</u>	113	<u>AB 3258</u>	60
<u>AB 2915</u>	103	<u>AB 3259</u>	60
<u>AB 2923</u>	98	<u>SB 10</u>	135
<u>AB 2928</u>	41	<u>SB 25</u>	60
<u>AB 2930</u>	128	<u>SB 30</u>	22
<u>AB 2938</u>	164	<u>SB 46</u>	108
<u>AB 2941</u>	21, 80	<u>SB 100</u>	34

<u>SB 183</u>	133	<u>SB 861</u>	158
<u>SB 212</u>	39	<u>SB 862</u>	159
<u>SB 215</u>	135	<u>SB 866</u>	66, 160
<u>SB 224</u>	65	<u>SB 867</u>	161
<u>SB 237</u>	35	<u>SB 869</u>	161
<u>SB 244</u>	71	<u>SB 871</u>	161
<u>SB 261</u>	106	<u>SB 872</u>	161, 166
<u>SB 311</u>	117	<u>SB 873</u>	162
<u>SB 419</u>	85	<u>SB 875</u>	162
<u>SB 439</u>	142	<u>SB 876</u>	162
<u>SB 465</u>	52	<u>SB 877</u>	162
<u>SB 473</u>	55	<u>SB 878</u>	162
<u>SB 519</u>	24, 90	<u>SB 879</u>	162
<u>SB 532</u>	71, 131	<u>SB 880</u>	76
<u>SB 558</u>	167	<u>SB 881</u>	45
<u>SB 606</u>	45	<u>SB 894</u>	23
<u>SB 635</u>	104	<u>SB 896</u>	125
<u>SB 695</u>	133	<u>SB 901</u>	52
<u>SB 700</u>	35	<u>SB 910</u>	80
<u>SB 721</u>	98	<u>SB 912</u>	89
<u>SB 746</u>	128	<u>SB 914</u>	181
<u>SB 759</u>	61	<u>SB 917</u>	23
<u>SB 765</u>	99	<u>SB 918</u>	24, 92
<u>SB 782</u>	35	<u>SB 923</u>	136
<u>SB 785</u>	133	<u>SB 929</u>	86
<u>SB 820</u>	66	<u>SB 931</u>	146
<u>SB 821</u>	131, 182	<u>SB 941</u>	125
<u>SB 822</u>	182	<u>SB 946</u>	99, 205
<u>SB 823</u>	109	<u>SB 955</u>	45
<u>SB 824</u>	22	<u>SB 957</u>	173
<u>SB 828</u>	99, 203	<u>SB 959</u>	45
<u>SB 833</u>	22, 183	<u>SB 961</u>	104, 163, 179
<u>SB 834</u>	29	<u>SB 963</u>	46
<u>SB 840</u>	154	<u>SB 964</u>	75
<u>SB 841</u>	154	<u>SB 966</u>	48
<u>SB 846</u>	66, 154	<u>SB 969</u>	23
<u>SB 847</u>	154	<u>SB 970</u>	67, 146
<u>SB 848</u>	154, 173	<u>SB 973</u>	114
<u>SB 849</u>	154	<u>SB 978</u>	71, 139
<u>SB 850</u>	91, 155	<u>SB 992</u>	109
<u>SB 852</u>	156	<u>SB 997</u>	80
<u>SB 853</u>	156	<u>SB 998</u>	46
<u>SB 854</u>	55, 156, 179	<u>SB 1000</u>	31, 180
<u>SB 855</u>	157	<u>SB 1001</u>	71
<u>SB 856</u>	157	<u>SB 1004</u>	25
<u>SB 857</u>	158	<u>SB 1007</u>	164

<u>SB 1012</u>	93	<u>SB 1145</u>	105, 164, 180
<u>SB 1014</u>	31, 177	<u>SB 1147</u>	30
<u>SB 1016</u>	32, 106	<u>SB 1152</u>	26, 93
<u>SB 1018</u>	61	<u>SB 1153</u>	61
<u>SB 1021</u>	80	<u>SB 1164</u>	114
<u>SB 1022</u>	75	<u>SB 1171</u>	61
<u>SB 1028</u>	35	<u>SB 1173</u>	106
<u>SB 1034</u>	81	<u>SB 1181</u>	24, 52, 131
<u>SB 1035</u>	99	<u>SB 1187</u>	147
<u>SB 1040</u>	23, 131	<u>SB 1191</u>	147
<u>SB 1041</u>	19, 86	<u>SB 1195</u>	81
<u>SB 1045</u>	25, 93	<u>SB 1196</u>	72
<u>SB 1050</u>	140	<u>SB 1199</u>	140
<u>SB 1053</u>	67	<u>SB 1200</u>	126
<u>SB 1054</u>	136	<u>SB 1201</u>	89
<u>SB 1055</u>	147	<u>SB 1202</u>	100
<u>SB 1072</u>	32	<u>SB 1205</u>	139
<u>SB 1073</u>	47	<u>SB 1208</u>	136
<u>SB 1076</u>	36	<u>SB 1215</u>	47
<u>SB 1078</u>	89	<u>SB 1217</u>	139
<u>SB 1079</u>	52	<u>SB 1226</u>	100
<u>SB 1080</u>	147, 177	<u>SB 1227</u>	100
<u>SB 1084</u>	47	<u>SB 1228</u>	110
<u>SB 1085</u>	67	<u>SB 1232</u>	126
<u>SB 1086</u>	77	<u>SB 1239</u>	61
<u>SB 1087</u>	30	<u>SB 1244</u>	57
<u>SB 1089</u>	139	<u>SB 1245</u>	81
<u>SB 1090</u>	36	<u>SB 1249</u>	18
<u>SB 1097</u>	20	<u>SB 1250</u>	62
<u>SB 1100</u>	128	<u>SB 1252</u>	68
<u>SB 1104</u>	147	<u>SB 1260</u>	53, 131
<u>SB 1108</u>	81	<u>SB 1261</u>	147
<u>SB 1109</u>	119	<u>SB 1262</u>	174
<u>SB 1110</u>	36	<u>SB 1263</u>	49
<u>SB 1113</u>	68	<u>SB 1274</u>	72
<u>SB 1115</u>	89, 167	<u>SB 1280</u>	110
<u>SB 1119</u>	174	<u>SB 1281</u>	141
<u>SB 1121</u>	71	<u>SB 1283</u>	114
<u>SB 1123</u>	77	<u>SB 1287</u>	81
<u>SB 1126</u>	47	<u>SB 1293</u>	86
<u>SB 1129</u>	126	<u>SB 1294</u>	117
<u>SB 1130</u>	108	<u>SB 1300</u>	68
<u>SB 1131</u>	36	<u>SB 1305</u>	18, 131
<u>SB 1133</u>	49	<u>SB 1328</u>	174
<u>SB 1135</u>	36	<u>SB 1331</u>	140
<u>SB 1136</u>	37	<u>SB 1333</u>	100

<u>SB 1335</u>	40	<u>SB 1421</u>	73, 140
<u>SB 1338</u>	37	<u>SB 1422</u>	49
<u>SB 1339</u>	37	<u>SB 1437</u>	126
<u>SB 1343</u>	68	<u>SB 1440</u>	38
<u>SB 1346</u>	129	<u>SB 1447</u>	82
<u>SB 1355</u>	126	<u>SB 1459</u>	117
<u>SB 1358</u>	37	<u>SB 1477</u>	30
<u>SB 1363</u>	26	<u>SB 1480</u>	112
<u>SB 1367</u>	49	<u>SB 1481</u>	56
<u>SB 1369</u>	37	<u>SB 1484</u>	165
<u>SB 1374</u>	37	<u>SB 1495</u>	82
<u>SB 1375</u>	82	<u>SB 1496</u>	166
<u>SB 1376</u>	177	<u>SB 1497</u>	166
<u>SB 1382</u>	129	<u>SB 1498</u>	170
<u>SB 1387</u>	174	<u>SB 1499</u>	166
<u>SB 1391</u>	141	<u>SB 1500</u>	68
<u>SB 1393</u>	136	<u>SB 1504</u>	69
<u>SB 1397</u>	148	<u>SB 1506</u>	168
<u>SB 1403</u>	32	<u>SB 1509</u>	171
<u>SB 1408</u>	27, 137	<u>SCA 9</u>	167
<u>SB 1409</u>	148	<u>SCR 128</u>	86
<u>SB 1412</u>	68	<u>SCR 38</u>	73
<u>SB 1413</u>	75	<u>SR 74</u>	73



1400 K Street, 4th Floor, Sacramento, CA 95814

916.658.8200 | 916.658.8240 Fax

www.cacities.org

