

SAN MATEO



LOCAL AGENCY FORMATION COMMISSION

455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1663 • PHONE (650) 363-4224 • FAX (650) 363-4849

January 12, 2022

To: LAFCo Commissioners
From: Rob Bartoli, Interim Executive Officer
Subject: Legislative Report – Information Only

Summary

CALAFCO is currently tracking fifteen bills, all of which are carry over bills for the 2021 legislative session.

Also attached are the 2021 legislative summaries from the Governor’s Office of Planning and Research and the California State Senate - Senate Committee on Governance & Finance. At the time of this report, The California State Assembly – Local Government Committee 2021 summary has not been prepared, but will be presented to the Commission once it has been published.

The Senate Committee on Governance & Finance 2021 Report highlighted two bills that specifically affect LAFCos: SB 13 - A pilot program regarding outside service extensions in Napa and San Bernardino counties (*Signed and Chapter*); and AB 1021 – A bill that would have required the LAFCos in Imperial and Riverside Counties to conduct a study of governance options for the Imperial Irrigation District electrical service area (*Vetoed*).

Other bills, that are discussed in two legislative summaries, that are of interest to San Mateo LAFCo include:

- SB 273 which would allow municipal wastewater agencies to have additional powers related to stormwater runoff and management. (*Signed and Chapter*)
- SB 274 which would require a public agency to email the agenda or agenda items to anyone who requests it or the link to the website where the documents can be accessed, where currently the agenda would have to be mailed. (*Signed and Chapter*)

COMMISSIONERS: MIKE O’NEILL, CHAIR, CITY ▪ ANN DRAPER, VICE CHAIR, PUBLIC ▪ HARVEY RARBACK, CITY ▪ DON HORSLEY, COUNTY
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ALTERNATES: KATI MARTIN, SPECIAL DISTRICT ▪ DIANA REDDY, CITY ▪ JAMES O’NEILL, PUBLIC ▪ DAVE PINE, COUNTY

STAFF: ROB BARTOLI, INTERIM EXECUTIVE OFFICER ▪ TIM FOX, LEGAL COUNSEL ▪ ANGELA MONTES, CLERK

- AB 1581 is the omnibus bill for the Cortese-Knox-Hertzberg Local Government Reorganization Act. San Mateo LAFCo submitted a letter of support in May. (*Signed and Chapter*)
- SB 403 would authorize the State Water Resources Control Board to order consolidation of a water system or district that serves a disadvantaged community, consistently fails to provide an adequate supply of safe drinking water or where a disadvantaged community is substantially reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water. The bill was amended to include coordination with the Groundwater Sustainability Agencies, limiting the number of connections to 3,300 or fewer that could be added as part of the consolidation and clarification of LAFCo's role during a potential consolidation. (*Signed and Chapter*)
- AB 959, which would authorize four open space districts, including the Midpeninsula Regional Open Space District, the use of public nuisance ordinances and the ability to establish procedures for abating nuisances. (*Signed and Chapter*)
- AB 897 would authorize the Office of Planning and Research (OPR) to create regional climate networks to engage in activities to address climate change. This would expand upon current OPR programs and promote local and regional agencies to start planning for climate impacts. The bill includes LAFCos as an eligible agency to participate in these climate networks. (*2-year bill*)
- AB 339 would have continued remote participant in local (and state) hearings/meetings while adding requirements for both call-in and internet service-based options for all public meetings; require providing closed caption services; and require agencies to provide language access services. (*Vetoed by Governor*)

Recommended Action:

Receive the report.

Attachments

- A. Legislative Daily Report 1/11/2022
- B. Governor's Office of Planning and Research Legislative Summary 2021
- C. California State Senate - Senate Committee on Governance & Finance 2021 Report

CALAFCO Daily Legislative Report as of Tuesday, January 11, 2022

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AB 703 (Rubio, Blanca D) Open meetings: local agencies: teleconferences.

Current Text: Amended: 4/29/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Last Amended: 4/29/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 2/25/2021)(May be acted upon Jan 2021)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law, by Executive Order N-29-20, suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic, provided that notice requirements are met, the ability of the public to observe and comment is preserved, as specified, and that a local agency permitting teleconferencing have a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified. This bill would remove the notice requirements particular to teleconferencing and would revise the requirements of the act to allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda, provided that the public is allowed to observe the meeting and address the legislative body directly both in person and remotely via a call-in option or internet-based service option, and that a quorum of members participate in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the jurisdiction.

Position: Watch

Subject: Brown Act

CALAFCO Comments: As amended on 4/29/21, the bill requires local agencies to allow for public participation during meetings of the legislative body both at in-person and via a call-in or internet-based option. It further requires that if the agency holds a teleconference meeting, at least a quorum of the governing body shall participate in person from a single location which shall be open to the public (and located within the boundaries of the jurisdiction).

Despite these requirements, the bill is not marked fiscal. Further, it applies only to local agencies, not state agencies.

The bill is sponsored by Three Valleys Municipal Water Agency.

AB 1195 (Garcia, Cristina D) Drinking water.

Current Text: Amended: 5/24/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 5/24/2021

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was N.R. & W. on 6/9/2021)(May be acted upon Jan 2022)

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and long terms. Current law authorizes the state board to provide for the deposit into the fund of certain moneys and continuously appropriates the moneys in the fund to the state board for grants, loans, contracts, or services to assist eligible recipients. This bill would prohibit a public water system from transferring or abandoning a water right held by the public water system except upon approval of the state board, as prescribed.

Attachments:

[CALAFCO Letter of Concern - April 2021](#)

[AB 1195 Fact Sheet](#)

Position: Watch With Concerns

Subject: Water

CALAFCO Comments: As amended on 4-6-21, the bill was gut and amended and now creates the So LA County Human Rights to Water Collaboration Act. It requires the Water Board to appoint a commissioner to implement the Safe & Affordable Funding for Equity & Resilience Program and gives the commissioner certain authorities (although they are not clearly spelled out). It requires the commissioner by 12-31-24 to submit to the Water Board a plan for the long-term sustainability of public water systems in southern LA County and prescribes what shall be included in the plan. The bill also creates a technical advisory board and requires the commissioner to oversee the Central Basin Municipal Water District.

In its current form the bill creates numerous concerns. CALAFCO's letter of concern is posted in the tracking section of the bill, and includes: (1) Focus of the bill is very broad as is the focus of the commissioner; (2) In an attempt to prevent privatization of water systems there is language regarding severing water rights. That language could be problematic should a consolidation be ordered; (3) Diminishing local control that is being invested in the state (an ongoing concern since SB 88); (4) A clear distinction needs to be made between an Administrator and Commissioner; (5) The poorly written section on the technical advisory board; and (6) The lack of LAFCo involvement in any consolidation process.

As amended on 5-24-21, the bill changes the water rights provision now requiring approval by the water Board; uses the definitions of "at risk system" and "at risk domestic well" found in SB 403 (Gonzalez) as well as the 3,300 connect cap; requires the commissioner appointed by the board to be from the local area; requires the commissioner to do certain things prior to completing the regional plan; and requires the commissioner to apply to LA LAFCo for extension of service, consolidation or dissolution as appropriate. The bill also creates a pilot program for LA LAFCo giving them the authority to take action rather than the water board, providing it is within 120 days of receipt of a completed application. If the LAFCo fails to take action within that time, the matter goes to the water board for their action.

The pilot program also gives LA LAFCo the authority to approve, approve with conditions or deny the application; further giving LAFCo authority to consider consolidation or extension of service with a local publicly owned utility that provides retail water, a private water company or mutual; the bill also waives protest proceedings, gives the LAFCo authority to address governance structure and CEQA is waived, provides full LAFCo indemnification and funding.

There are still issues with the proposed technical advisory board section of the bill, and questions about timing of some of the processes. CALAFCO continues to work with the author and speakers' offices as well as other stakeholders on ongoing amendments.

The bill is author-sponsored and we understand there is currently no funding source. A fact sheet is posted in the tracking section of the bill. CALAFCO's letter of concern is also posted there.

THIS IS NOW A 2-YEAR BILL.

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AB 11 (Ward D) Climate change: regional climate change authorities.

Current Text: Amended: 1/21/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 1/21/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 1/11/2021)(May be acted upon Jan 2022)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptured
1st House				2nd House							

Summary:

Would require the Strategic Growth Council, by January 1, 2023, to establish up to 12 regional climate change authorities to coordinate climate adaptation and mitigation activities in their regions, and coordinate with other regional climate adaptation authorities, state agencies, and other relevant stakeholders.

Attachments:

[AB 11 Fact Sheet](#)

Position: Watch

Subject: Other

CALAFCO Comments: As amended on 1/21/21, this bill authorizes/requires the Strategic Growth Council (SGC) to establish up to 12 regional climate change authorities by January 1, 2023, to include local agencies and regional stakeholders. The SGC is required to adopt guidelines that: (1) Define the authority; (2) Include guidelines for establishing an authority via a stakeholder-driven process; (3) Consult with OPR (and other state authorities) in development of the guidelines and award annual grants to authorities.

The bill outlines the regional climate change authorities in summary as: coordination, capacity-building, and technical assistance activities within their boundaries, promote regional alignment and assist local agencies in creating and implementing plans developed pursuant to Section 65302 of the Government Code, other federal or state mandates, and programs designed address climate change impacts and risks. The bill also requires the authority to submit annual reports to the SGC, with the scope of the report outlined in the bill.

This is an author-sponsored bill. There is no appropriation to fund the cost of the program. A fact sheet is posted in the tracking section of the bill.

UPDATE 3/17/21: CALAFCO learned from the author's office they do not intend to move the bill forward, but instead work with Assm. Mullin on AB 897 and merge the two bills.

[AB 897](#) (Mullin D) Office of Planning and Research: regional climate networks: regional climate adaptation and resilience action plans.

Current Text: Amended: 7/14/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amended: 7/14/2021

Status: 8/27/2021-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/16/2021)(May be acted upon Jan 2022)

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law requires, by July 1, 2017, and every 3 years thereafter, the Natural Resources Agency to update, as prescribed, the state’s climate adaptation strategy, known as the Safeguarding California Plan. Current law establishes the Office of Planning and Research in state government in the Governor’s office. Current law establishes the Integrated Climate Adaptation and Resiliency Program to be administered by the office to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as prescribed. This bill would authorize eligible entities, as defined, to establish and participate in a regional climate network, as defined. The bill would require the office, through the program, to encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks. The bill would authorize a regional climate network to engage in activities to address climate change, as specified.

Attachments:

[CALAFCO Support July 2021](#)

[AB 897 Fact Sheet](#)

Position: Support

Subject: Climate Change

CALAFCO Comments: As introduced, the bill builds on existing programs through OPR by promoting regional collaboration in climate adaptation planning and providing guidance for regions to identify and prioritize projects necessary to respond to the climate vulnerabilities of their region.

As amended, the bill requires OPR to develop guidelines (the scope of which are outlined in the bill) for Regional Climate Adaptation Action Plans (RCAAPs) by 1-1-23 through their normal public process. Further the bill requires OPR to make recommendations to the Legislature on potential sources of financial assistance for the creation & implementation of RCAAPs, and ways the state can support the creation and ongoing work of regional climate networks. The bill outlines the authority of a regional climate network, and defines eligible entities. Prior versions of the bill kept

the definition as rather generic and with each amended version gets more specific. As a result, CALAFCO has requested the author add LAFCOs explicitly to the list of entities eligible to participate in these regional climate networks.

As amended on 4/7, AB 11 (Ward) was joined with this bill - specifically found in 71136 in the Public Resources Code as noted in the amended bill. Other amendments include requiring OPR to, before 7-1-22, establish geographic boundaries for regional climate networks and prescribes requirements in doing so.

This is an author-sponsored bill. The bill necessitates additional resources from the state to carry out the additional work required of OPR (there is no current budget appropriation). A fact sheet is posted in the tracking section of the bill.

As amended 4/19/21: There is no longer a requirement for OPR to include in their guidelines how a regional climate network may develop their plan: it does require ("may" to "shall") a regional climate network to develop a regional climate adaptation plan and submit it to OPR for approval; adds requirements of what OPR shall publish on their website; and makes several other minor technical changes.

As amended 7/1/21, the bill now explicitly names LAFCo as an eligible entity. It also adjusts several timelines for OPR's requirements including establishing boundaries for the regional climate networks, develop guidelines and establish standards for the networks, and to make recommendations to the Legislature related to regional adaptation. Give the addition of LAFCo as an eligible entity, CALAFCO is now in support of the bill.

Amendments of 7/14/21, as requested by the Senate Natural Resources & Water Committee, mostly do the following: (1) Include "resilience" to climate adaptation; (2) Prioritize the most vulnerable communities; (3) Add definitions for "under-resourced" and "vulnerable" communities; (4) Remove the requirement for OPR to establish geographic boundaries for the regional climate networks; (5) Include agencies with hazard mitigation authority and in doing so also include the Office of Emergency Services to work with OPR to establish guidelines and standards required for the climate adaptation and resilience plan; and (6) Add several regional and local planning documents to be used in the creation of guidelines.

UPDATE: The bill was held in Appropriations as a 2-year bill.

[AB 903](#) (Frazier D) Los Medanos Community Healthcare District.

Current Text: Amended: 4/19/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amended: 4/19/2021

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was GOV. & F. on 5/19/2021)(May be acted upon Jan 2022)

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the dissolution of the Los Medanos Community Healthcare District, as specified. The bill would require the County of Contra Costa to be successor of all rights and responsibilities of the district, and require the county to develop and conduct the Los Medanos Area Health Plan Grant Program focused on comprehensive health-related services in the district's territory. The bill would require the county to complete a property tax transfer process to ensure the transfer of the district's health-related ad valorem property tax revenues to the county for the sole purpose of funding the Los Medanos Area Health Plan Grant Program. By requiring a higher level of service from the County of Contra Costa as specified, the bill would impose a state-mandated local program.

Position: Watch

CALAFCO Comments: This bill mandates the dissolution of the Los Medanos Community Healthcare District with the County as the successor agency, effective 2-1-22. The bill requires the County to perform certain acts prior to the dissolution. The LAFCo is not involved in the dissolution as the bill is written. Currently, the district is suing both the Contra Costa LAFCo and the County of Contra Costa after the LAFCo approved the dissolution of the district upon application by the County and the district failed to get enough signatures in the protest process to go to an election.

The amendment on 4/5/21 was just to correct a typo in the bill.

As amended on 4/19/21, the bill specifies monies received by the county as part of the property tax transfer shall be used specifically to fund the Los Medanos Area Health Plan Grant Program within the district's territory. It further adds a clause that any new or existing profits shall be used solely for the purpose of the grant program within the district's territory.

UPDATE: The bill did not pass out of Senate Governance & Finance Committee and will not move forward this year. It may be acted on in 2022.

AB 975 (Rivas, Luz D) Political Reform Act of 1974: statement of economic interests and gifts.

Current Text: Amended: 5/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 5/18/2021

Status: 9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 6/1/2021)(May be acted upon Jan 2022)

Desk	Policy	Fiscal	2 year	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Political Reform Act of 1974 regulates conflicts of interests of public officials and requires that public officials file, with specified filing officers, periodic statements of economic interests disclosing certain information regarding income, investments, and other financial data. The Fair Political Practices Commission is the filing officer for statewide elected officers and candidates and other specified public officials. If the Commission is the filing officer, the public official generally files with their agency or another person or entity, who then makes a copy and files the original with the Commission. This bill would revise and recast these filing requirements to make various changes, including requiring public officials and candidates for whom the Commission is the filing officer to file their original statements of economic interests electronically with the Commission.

Position: Watch

Subject: FPPC

CALAFCO Comments: As introduced, this bill makes two notable changes to the current requirements of gift notification and reporting: (1) It increases the period for public officials to reimburse, in full or part, the value of attending an invitation-only event, for purposes of the gift rules, from 30 days from receipt to 30 days following the calendar quarter in which the gift was received; and (2) It reduces the gift notification period for lobbyist employers from 30 days after the end of the calendar quarter in which the gift was provided to 15 days after the calendar quarter. Further it requires the FPPC to have an online filing system and to redact contact information of filers before posting.

The amendment on 4/21/21 just corrects wording (technical, non-substantive change).

The amendments on 5/18/21 clarify who is to file a statement of economic interest to include candidates (prior text was office holders).

AB 1053 (Gabriel D) City selection committees: County of Los Angeles: quorum: teleconferencing.

Current Text: Amended: 4/20/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 4/20/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 3/18/2021)(May be acted upon Jan 2021)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law creates a city selection committee in each county that consists of 2 or more incorporated cities for the purpose of appointing city representatives to boards, commissions, and agencies. Under current law, a quorum for a city selection committee requires a majority of the number of the incorporated cities within the county entitled to representation on the city selection committee. Current law requires a city selection committee meeting to be postponed or adjourned to a subsequent time and place whenever a quorum is not present at the meeting. This bill, for the city selection committee in the County of Los Angeles, would reduce the quorum requirement to

1/3 of all member cities within the county for a meeting that was postponed to a subsequent time and place because a quorum was not present, as long as the agenda is limited to items that appeared on the immediately preceding agenda where a quorum was not established.

Attachments:

- [CALAFCO Removal of Opposition Letter April 2021](#)
- [CALAFCO Oppose Unless Amended April 2021](#)

Position: Watch

Subject: Other

CALAFCO Comments: As amended on 3/18/21, the bill reduces the quorum requirement for a city selection committee to 1/3 of all member cities within the county for a meeting that was postponed to a subsequent time and place because a quorum was not present, as long as the agenda is limited to replicate the meeting for which a quorum was not established. The bill also authorizes a city selection committee to conduct their meetings be teleconference and electronic means.

The bill is sponsored by the Las Virgenes-Malibu Council of Governments.

CALAFCO's letter of Oppose Unless Amended is posted in the bill detail area.

UPDATE AS OF 4/21/21 - As amended on 4/20/21, the scope of the bill is significantly narrowed to apply only to the County of Los Angeles' City Selection Committee. This amendment resolves CALAFCO's concerns and we have removed our opposition and will retain a Watch position. CALAFCO's letter of opposition removal is posted in the bill detail area.

UPDATE: The bill failed to move out of committee so it is now a 2-year bill.

[AB 1246](#) (Nguyen R) Community services districts.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/19/2021)(May be acted upon Jan 2021)

2 year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Existing law, the Community Services District Law, authorizes the formation of community services districts for various specified purposes, including supplying water, treating sewage, disposing of solid waste, and providing fire protection. The law specifies its relation and effect on certain districts organized pursuant to former laws and to actions taken by them, among other things. This bill would make nonsubstantive changes to those provisions.

Position: Watch

CALAFCO Comments: This is a spot bill.

[AB 1295](#) (Muratsuchi D) Residential development agreements: very high fire risk areas.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 3/4/2021)(May be acted upon Jan 2021)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law requires the Director of Forestry and Fire Protection to identify areas in the state as very high fire hazard severity zones based on the severity of fire hazard that is expected to prevail in those areas, as specified, and requires each local agency to designate, by ordinance, the very high fire hazard severity zones in its jurisdiction. Current law additionally requires the director to classify lands within state responsibility areas into fire hazard severity zones. This bill, beginning on or after January 1, 2022, would prohibit the legislative body of a city or county from entering into a residential development agreement for property located in a very high fire risk area. The bill would define "very high fire risk area" for these purposes to mean a very high fire hazard severity zone designated by a local agency or a fire hazard severity zone classified by the director.

Attachments:

[AB 1295 Fact Sheet](#)

Position: Watch

Subject: Growth Management, Planning

CALAFCO Comments: This bill prohibits a city or county from entering into a residential development agreement for property located within a very high fire risk area as of 1-1-2022.

This bill appears similar to SB 55 (Stern) except: (1) This bill explicitly calls out residential development, whereas SB 55 addresses new development (housing, commercial, retail or industrial) in a very high fire hazard severity zone; and (2) SB 55 adds a state responsibility area.

The bill is not marked fiscal. This is an author-sponsored bill and a fact sheet is posted in the tracking section of the bill.

SB 12 (McGuire D) Local government: planning and zoning: wildfires.

Current Text: Amended: 7/1/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 7/1/2021

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was H. & C.D. on 6/24/2021)(May be acted upon Jan 2022)

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law requires that the Office of Planning and Research, among other things, coordinate with appropriate entities, including state, regional, or local agencies, to establish a clearinghouse for climate adaptation information for use by state, regional, and local entities, as provided. This bill would require the safety element, upon the next revision of the housing element or the hazard mitigation plan, on or after July 1, 2024, whichever occurs first, to be reviewed and updated as necessary to include a comprehensive retrofit strategy to reduce the risk of property loss and damage during wildfires, as specified, and would require the planning agency to submit the adopted strategy to the Office of Planning and Research for inclusion into the above-described clearinghouse.

Position: Watch

Subject: Growth Management, Planning

SB 55 (Stern D) Very high fire hazard severity zone: state responsibility area: development prohibition: supplemental height and density bonuses.

Current Text: Amended: 4/5/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 4/5/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 3/3/2021)(May be acted upon Jan 2022)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would, in furtherance of specified state housing production, sustainability communities strategies, greenhouse gas reduction, and wildfire mitigation goals, prohibit the creation or approval of a new development, as defined, in a very high fire hazard severity zone or a state responsibility area unless there is substantial evidence that the local agency has adopted a comprehensive, necessary, and appropriate wildfire prevention and community hardening strategy to mitigate significant risks of loss, injury, or death, as specified. By imposing new duties on local governments with respect to the approval of new developments in very high fire hazard severity zones and state responsibility areas, this bill would impose a state-mandated local program.

Attachments:

[SB 55 Fact Sheet](#)

Position: Watch

Subject: Growth Management, Planning

CALAFCO Comments: This bill prohibits the creation or approval of a new development (housing, commercial, retail or industrial) in a very high fire hazard severity zone or a state responsibility area. The bill is author-sponsored and imposes unfunded mandates. A fact sheet is posted in the tracking section of the bill.

As amended on 4/5/21, the bill removes the "blanket approach" to prohibiting development as noted above by adding specificity. The bill prohibits development in either of the areas noted above unless there is substantial evidence that the local agency has adopted a comprehensive, necessary and appropriate wildfire preventions and community hardening strategy to mitigate significant risks of loss, injury or death as specified in the bill. Additionally, the bill provides a qualifying developer a supplemental height bonus and a supplemental density bonus, as specified, if the development is located on a site that meets certain criteria, including, among others, not being located in a moderate, high, or very high fire hazard severity zone, as specified. These requirements are unfunded mandates.

This bill appears similar to AB 1295 (Muratsuchi) except this bill appears to be broader in scope in terms of the type of development prohibited and includes a state responsibility area, whereas AB 1295 only addresses residential development in a very high fire risk area.

[SB 96](#) (Dahle R) Fallen Leaf Lake Community Services District Fire Department Protection Act of 2021: elections.

Current Text: Introduced: 12/21/2020 [html](#) [pdf](#)

Introduced: 12/21/2020

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 1/28/2021)(May be acted upon Jan 2022)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptured
1st House				2nd House							

Summary:

Would require the El Dorado County elections official, with the assistance of the Fallen Leaf Lake Community Services District, to conduct district elections pursuant to the Uniform District Election Law, except as otherwise provided in the bill. The bill, notwithstanding existing law, would provide that voters who are resident registered voters of the district, and voters who are not residents but either own a real property interest in the district or have been designated by the owner of a real property interest to cast the vote for that property, may vote in a district election in the Fallen Leaf Lake Community Services District, as specified. The bill would require the designations of voters and authority of legal representatives to be filed with the El Dorado County elections official and the secretary of the Fallen Leaf Lake Community Services District and maintained with the list of qualified voters of the district. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: Special Districts Governance

CALAFCO Comments: This bill is the same as SB 1180 from 2020 which did not move through the legislature. It is a local El Dorado County/district bill. This bill does several things. (1) Provides that voters who are resident registered voters of the district, and voters who are not residents but either own a real property interest in the district or have been designated by the owner of a real property interest to cast the vote for that property, may vote in a district election in the Fallen Leaf Lake Community Services. (2) The bill also would authorize a voter who is not a resident of the district but owns a real property interest in the district to designate only one voter to vote on their behalf, regardless of the number of parcels in the district owned by the nonresident voter. (3) This bill would prohibit the Fallen Leaf Lake Community Services District from providing any services or facilities except fire protection and medical services, including emergency response and services, as well as parks and recreation services and facilities.

CALAFCO is working with the sponsors of the bill and the SGFC on a broader solution to this problem, which is not exclusive to this district.

[SB 261](#) (Allen D) Regional transportation plans: sustainable communities strategies.

Current Text: Introduced: 1/27/2021 [html](#) [pdf](#)

Introduced: 1/27/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 3/15/2021)(May be acted upon Jan 2022)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

current law requires certain transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system. Certain of these agencies are designated under federal law as metropolitan planning organizations. Existing law requires that each regional transportation plan include a sustainable communities strategy developed to achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2020 and 2035 established by the State Air Resources Board. This bill would require that the sustainable communities strategy be developed to additionally achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2045 and 2050 and vehicle miles traveled reduction targets for 2035, 2045, and 2050 established by the board. The bill would make various conforming changes to integrate those additional targets into regional transportation plans.

Position: Watch

Subject: Sustainable Community Plans

SB 475 (Cortese D) Transportation planning: sustainable communities strategies.

Current Text: Amended: 3/10/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amended: 3/10/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 4/26/2021)(May be acted upon Jan 2022)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the State Air Resources Board, on or before June 30, 2023, and in coordination with the California Transportation Commission and the Department of Housing and Community Development, to issue new guidelines on sustainable communities strategies and require these guidelines to be updated thereafter at least every 4 years. The bill would delete the provisions related to the Regional Targets Advisory Committee and instead require the State Air Resources Board to appoint, on or before January 31, 2022, the State-Regional Collaborative for Climate, Equity, and Resilience, consisting of representatives of various entities. The bill would require the State-Regional Collaborative for Climate, Equity, and Resilience to develop a quantitative tool for metropolitan planning organizations to use to evaluate a transportation plan’s consistency with long-range greenhouse gas emission reduction targets and recommend guidelines for metropolitan planning organizations to use when crafting long-range strategies that integrate state goals related to climate resilience and social equity.

Position: Watch

Subject: Sustainable Community Plans

SB 499 (Leyva D) General plan: land use element: uses adversely impacting health outcomes.

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 2/25/2021)(May be acted upon Jan 2022)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would prohibit the land use element from designating land uses that have the potential to significantly degrade local air, water, or soil quality or to adversely impact health outcomes in disadvantaged communities to be located, or to materially expand, within or adjacent to a disadvantaged community or a racially and ethnically concentrated area of poverty. By expanding the duties of cities and counties in the administration of their land use planning duties, the bill would impose a state-mandated local program.

Attachments:

[SB 499 Fact Sheet](#)

Position: Watch

Subject: Disadvantaged Communities

CALAFCO Comments: As introduced, this bill would prohibit the land use element of a general plan from designating or expanding land uses that have the potential to significantly degrade local air, water, or soil quality or to adversely impact health outcomes within or adjacent to disadvantaged communities (DACs) or a racially and ethnically concentrated area of poverty.

The sponsor of this bill is the Leadership Counsel for Justice and Accountability. A fact sheet is posted in the tracking section of the bill.

Total Measures: 15

Total Tracking Forms: 15

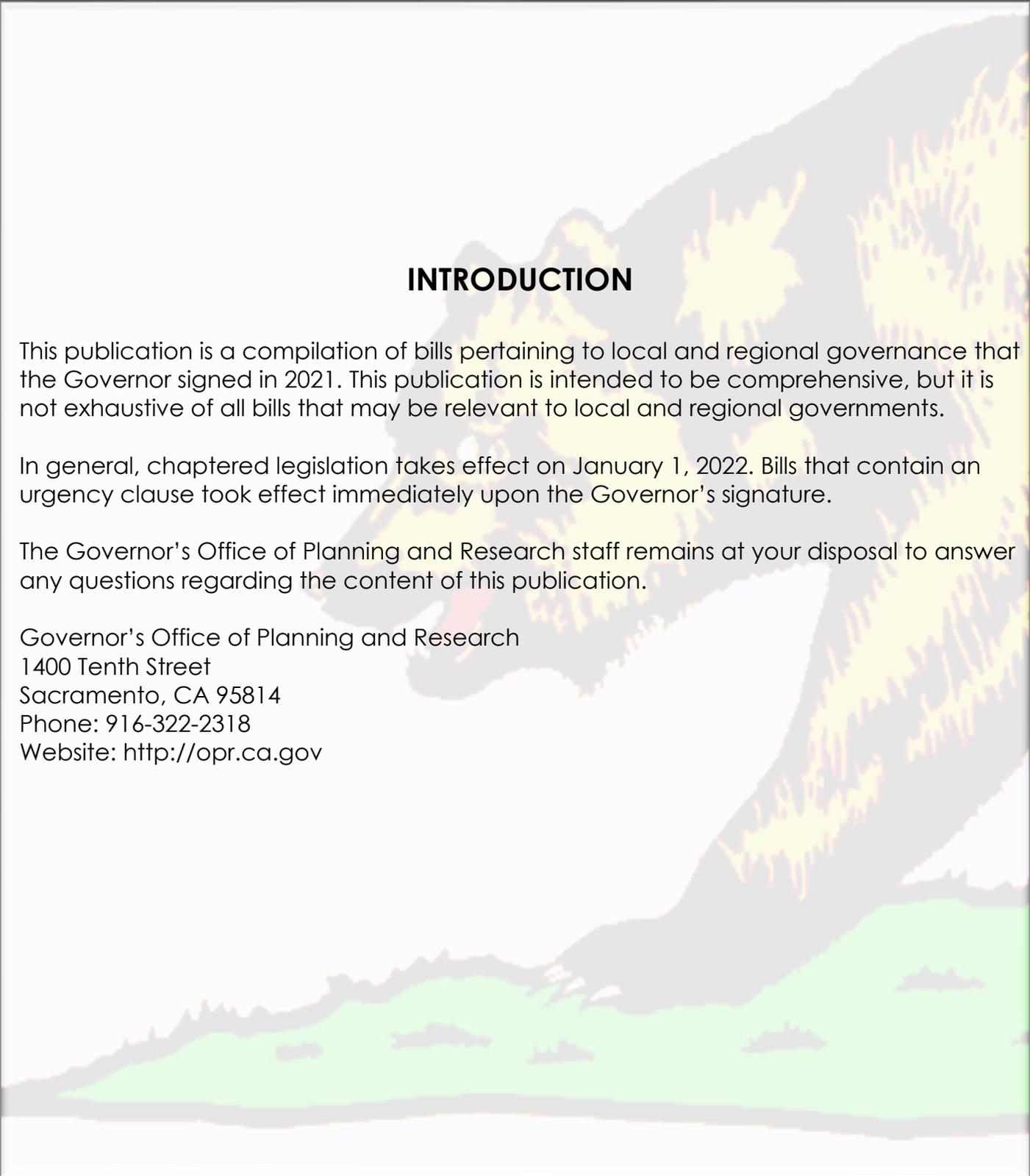
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OPR Legislative Summary 2021



*2021
Legislative
Summary*



INTRODUCTION

This publication is a compilation of bills pertaining to local and regional governance that the Governor signed in 2021. This publication is intended to be comprehensive, but it is not exhaustive of all bills that may be relevant to local and regional governments.

In general, chaptered legislation takes effect on January 1, 2022. Bills that contain an urgency clause took effect immediately upon the Governor's signature.

The Governor's Office of Planning and Research staff remains at your disposal to answer any questions regarding the content of this publication.

Governor's Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814
Phone: 916-322-2318
Website: <http://opr.ca.gov>

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California Environmental Quality Act (CEQA)

[AB 819 \(Levine\)](#) California Environmental Quality Act: notices and documents

Requires lead agencies to electronically file and post on their websites all CEQA notices and documents. All lead agencies (state and local) would be required to submit all Environmental Impact Reports, Mitigated Negative Declarations, and Negative Declarations to OPR's CEQA Clearinghouse.

[AB 1344 \(Arambula\)](#) State Department of Public Health: needle and syringe exchange services

Creates a CEQA exemption for needle and syringe exchange services.

[SB 7 \(Atkins\)](#) Environmental quality: Jobs and Economic Improvement Through Environmental Leadership Act of 2021

Enacts the Jobs and Economic Improvement Through Environmental Leadership Act of 2021, which provides 270-day judicial streamlining to projects certified by the Governor. To qualify, projects must invest a minimum of \$100 million and meet specified environmental and labor requirements. The bill authorizes the Office of Planning and Research to charge a fee in connection with the services provided to verify applicants' information as required under the bill. Additionally, housing projects between \$15 and \$100 million that provide at least 15% affordable units are eligible for judicial streamlining at the determination of the lead agency. Projects must follow specified procedures for noticing, public comment, and preparation of the administrative record. Certification for projects that have not been approved by the lead agency by January 1, 2025, would be invalidated, and the statute expires on January 1, 2026. Projects certified under the previous Jobs and Economic Improvement Through Environmental Leadership Act of 2011 must gain project approval by January 1, 2022, and comply with the requirements of the former Act.

This bill contained an urgency clause and took effect upon signature on May 20, 2021.

[SB 44 \(Allen\)](#) California Environmental Quality Act: streamlined judicial review: environmental leadership transit projects

Creates a 365-calendar day judicial streamlining process for up to seven transit projects in or connecting to LA County that involve zero-emissions fixed rail. The projects must meet specified labor standards and follow specified procedures for noticing, public comment, and preparation of the administrative record.

Climate Resilience

AB 72 (Petrie-Norris) Environmental protection: coastal adaptation projects: natural infrastructure: regulatory review and permitting: report

Directs the Natural Resources Agency to explore and implement options for a more coordinated and efficient regulatory review process for permitting coastal adaptation projects that use natural infrastructure. Requires the Agency to submit a report to the Legislature by July 1, 2023, that provides recommendations for improving permitting processes for nature-based coastal adaptation projects.

SB 1 (Atkins) Coastal resources: sea level rise

Establishes the Sea Level Rise State and Regional Support Collaborative, composed of specified state agencies, within the Ocean Protection Council to provide information and support for planning and project deployment to address sea level rise. The Collaborative would be required to spend at least \$100 million annually from bonds and other sources to support local government planning updates to consider sea-level rise.

Requires the Coastal Commission to adopt recommendations and guidelines for assessing and mitigating sea level rise risk within a jurisdiction's Local Coastal Plan. Directs the Coastal Commission to consider sea level rise in coastal resource planning and management activities. Requires state and regional agencies to assess and mitigate the impacts of sea level rise.

Authorizes the Secretary of Environmental Protection to expend up to \$2 million per year for the Environmental Justice Small Grant Program and requires up to \$500,000 of those funds to support organizations working to address sea level rise in disadvantaged communities.

SB 27 (Skinner) Carbon sequestration: state goals: natural and working lands: registry of projects

Directs the Natural Resources Agency, in consultation with relevant agencies, to develop a registry of projects with carbon sequestration benefits on natural and working lands. The Agency would be required to track the carbon removal and emissions reduction benefits of projects from the registry that receive funding. Directs the Resources Agency and other specified agencies to develop a Natural and Working Lands Climate Smart Strategy and framework for achieving the state's goals. Directs the California Air Resources Board, as part of the Scoping Plan, to establish carbon removal targets for 2030 and beyond.

SB 347 (Caballero) Urban forestry: California Community and Neighborhood Tree Voluntary Tax Contribution Fund

Creates a voluntary tax contribution fund to support urban forestry projects through the Department of Forestry and Fire Protection's urban forestry program.

Wildfires & Natural Disasters

AB 9 (Wood) Fire safety and prevention: wildfires: fire adapted communities: Office of the State Fire Marshal: community wildfire preparedness and mitigation

Establishes the Regional Forest and Fire Capacity Program at the Department of Conservation to support regional planning and project deployment to support fire-adapted communities and landscapes.

Establishes the office of the Deputy Director of Community Wildfire Preparedness and Mitigation within the Department of Forestry and Fire Protection. The Deputy Director would receive public input on the programs under his or her purview, as specified, through an advisory committee established by the bill that would convene public discussions on matters of wildfire preparedness.

Requires the State Fire Marshal to deliver a report to the Legislature by January 1, 2023, identifying resource and personnel shortfalls inhibiting implementation on the programs under the Deputy Director's purview. Finally, the bill transfers certain responsibilities from the Department of Forestry and Fire Protection to the State Fire Marshal, including designation of fire hazard severity zones.

AB 431 (Patterson) Forestry: timber harvesting plans: defensible space: exemptions

Extends to January 1, 2026, an existing exemption to the Z'berg-Nejedly Forest Practice Act of 1973 that allows the Board of Forestry and Fire Protection to grant exemptions to landowners who must cut or remove trees on their property to comply with specified defensible space requirements.

AB 642 (Friedman) Wildfires

Directs the Director of the Department of Forestry and Fire Prevention to designate moderate and high fire hazard severity zones and modifies the factors for designating fire hazard severity zones. Within 30 days of receiving notice from the Director that a local jurisdiction contains fire hazard severity zones, the local government must make that information public.

Requires the Director of the Department of Forestry and Fire Protection to designate a cultural burning liaison. By July 1, 2023, the State Fire Marshal must develop a proposal for a prescribed fire training center.

Requires the Department of Forestry and Fire Prevention, in collaboration with specified entities, to develop recommendations for modeling community- and parcel-scale wildfire risk by July 1, 2023. Expands the entities the Department must engage in its education and outreach to include California State Universities and tribes.

AB 697 (Chau) Forest resources: national forest lands: Good Neighbor Authority Fund: ecological restoration and fire resiliency projects

Codifies the Good Neighbor Authority Fund and requires the Natural Resources Agency to establish a program, in partnership with federal and state entities, to conduct restoration and resiliency projects on federal forested land. The bill establishes goals and priorities for the program, including that the projects prioritize ecological restoration and community fire protection.

SB 63 (Stern) Fire prevention: vegetation management: public education: grants: defensible space: fire hazard severity zones

Directs the Director of the Department of Forestry and Fire Prevention to designate moderate and high fire hazard severity zones and modifies the factors for designating fire hazard severity zones. Within 30 days of receiving notice from the Director that a local jurisdiction contains fire hazard severity zones, the local government must make that information public. Directs the State Fire Marshal and the Department of Housing and Community Development to propose, and the Building Standards Commission to adopt, building standards for high fire hazard severity zones, and consider, if appropriate, standards for moderate severity zones.

Specifies that only state law or a local ordinance can require defensible space maintenance to 100 feet when fuel modification must extend beyond the property line. Adds fuel modification beyond property lines to the State Fire Marshal's model defensible space program. Requires the Director of the Department of Forestry and Fire Prevention to allow qualified entities to support the Department's defensible space and home hardening assessments and outreach and establish a database for reporting this information. The Department must also develop a training and certification program for these entities.

Requires the Department of Forestry and Fire Protection, the California Air Resources Board, and the Wildfire and Forest Resilience Task Force to submit a report to the Legislature on January 1, 2026, on the expenditure of forest health and fire prevention funds. The Director of the Department must also appear annually before the Legislature to provide information on the outcomes of these projects. The bill additionally modifies the priorities and actions of the Department's local assistance program.

SB 332 (Dodd) Civil liability: prescribed burning operations: gross negligence

States that individuals conducting prescribed burns are not liable, except in cases of gross negligence, for fire suppression or other recoverable costs if the prescribed burn meets specified conditions and is approved in writing by a burn boss.

SB 456 (Laird) Fire prevention: wildfire and forest resilience: action plan: reports

Renames the Forest Management Task Force as the Wildfire and Forest Resilience Task Force. Requires the Task Force to develop an implementation strategy by January 1, 2022, to track implementation of the Action Plan. Requires the Task Force to submit annual reports to the Legislature on implementation of the Action Plan, and revise the Action Plan every five years.

Land Use and Planning

AB 525 (Chiu) Energy: offshore wind generation

Directs the California Energy Commission, by June 1, 2022, to evaluate the maximum potential of offshore wind generation in California to achieve reliability, ratepayer, employment, and decarbonization benefits, and develop 2030 and 2035 goals for offshore wind production. By June 30, 2023, the California Energy Commission, in partnership with specified entities, must develop and submit a strategic plan for offshore wind development in California.

AB 619 (Calderon) Air quality

Directs the Department of Public Health, in consultation with specified stakeholders and state entities, to develop a plan for counties to address wildfire smoke impacts. Counties must use this plan to develop a county-specific plan before its next emergency plan update.

AB 1180 (Mathis) Local governments: surplus land: tribes

Adds land conveyed by a local agency to a federally recognized Native American Tribe to the definition of exempt surplus land.

AB 1409 (Levine) Planning and zoning: general plan: safety element

Requires local governments to identify evacuation locations in their safety element updates.

SB 716 (McGuire) Land use: habitat restoration and enhancement: mitigation lands

Extends the provisions of the Habitat Restoration and Enhancement Act from 2022 to 2027 and requires the Department of Fish and Wildlife to submit a report on the implementation of the Act to the Legislature by December 31, 2025. Extends from 2022 to 2027 provisions under Planning and Zoning Law that allow a local government, special district, or nonprofit to hold mitigation lands under an endowment overseen by that same entity, if the endowment meets specified requirements.

Housing

AB 68 (Quirk-Silva) Department of Housing and Community Development: California Statewide Housing Plan: annual reports

Requires updates to the State Housing Plan occurring on and after January 1, 2023, to include specified information, including the number of affordable units needed to meet affordable housing needs. Requires the Department of Housing and Community Development to post a report on its website at the end of each year that includes specified information about its grant programs. The Department must post an additional end-of-year report on its website that provides information on land use oversight actions taken against local governments.

AB 215 (Chiu) Planning and Zoning Law: housing element: violations

Requires local governments to make a draft revision of the housing element update available for public comment for at least 30 days and take at least 10 additional business days to review and consider any public comments received. The subsequent draft revision must be posted online, and the link sent to individuals who requested notice. The Department of Housing and Community

Development cannot review the draft revision until this period has lapsed but must report written findings within 90 days of the first draft submittal and 60 days of a draft amendment.

Additionally, this bill adds to the Housing Crisis Act of 2019 and other provisions of that law to the list of laws that the Department of Housing and Community Development must notify a jurisdiction of noncompliance and authorizes the Attorney General to take formal legal action. The Department may appoint outside legal counsel if the Attorney General declines to represent the Department.

AB 345 (Quirk-Silva) Accessory dwelling units: separate sale or conveyance

Requires local agencies to allow accessory dwelling units (ADUs) to be sold separately from a primary residence if certain conditions are met. Tenancy in common agreements executed after December 31, 2021, must include provisions stipulating which portions of the property are exclusive to the cotenants, each cotenant's share of responsibility for financial obligations of the property, and procedures for dispute resolution.

AB 491 (Ward) Housing: affordable and market rate units

Requires mixed-income multifamily residential dwellings to provide the same access to entrances, common areas, and amenities to both the occupants of affordable and market-rate units. Prohibits such buildings from isolating the affordable units to a designated floor or area.

AB 571 (Mayes) Planning and zoning: density bonuses: affordable housing

Prohibits local governments from imposing affordable housing impact fees on a development's affordable units.

AB 602 (Grayson) Development fees: impact fee nexus study

Requires local governments' impact fee nexus studies to follow specific standards, including a requirement that fees adopted after July 1, 2022, must be proportional to the square footage of the proposed units, unless there is an explanation for why square footage is not an appropriate metric. By January 1, 2024, the Department of Housing and Community Development must publish a template for impact fee nexus studies. Local governments must post fee schedules on their websites and must request the total fees for a project at the latter of the time of the final inspection or certificate of occupancy. Authorizes any member of the public to submit evidence of a local government's failure to comply with the Mitigation Fee Act.

AB 634 (Carrillo) Density Bonus Law: affordability restrictions

Specifies that affordability covenants on units developed pursuant to the Density Bonus Law may have terms longer than 55 years if permitted by a local ordinance.

AB 721 (Bloom) Covenants and restrictions: affordable housing

Renders unenforceable any covenant or restriction that limits the number, size, or location of units or number of families that may occupy the premises if an approved affordable housing modification document has been recorded for the property. These provisions would not apply under specified circumstances. The county recorder must submit the modification document to the county counsel to determine if the original restrictive covenant was unlawful and whether the property qualifies for affordable housing development.

[AB 787 \(Gabriel\)](#) Planning and zoning: housing element: converted affordable housing units

Authorizes a local government to include in its housing element Annual Progress Report the number of units in an existing multifamily residence that were converted to deed-restricted moderate-income housing. These units may satisfy up to 25% of the government's moderate-income housing allocation and reduce its share of moderate-income regional housing allocation on a unit-for-unit basis.

[AB 803 \(Boerner Horvath\)](#) Starter Home Revitalization Act of 2021

Authorizes a developer to propose a housing project consisting of single-family homes on land zoned for multifamily residential use if the project meets specified criteria, including that the project result in at least as many units on the parcel as identified in the housing element, or the maximum or midrange allowable density.

[AB 1029 \(Mullin\)](#) Housing elements: prohousing local policies

Adds preservation of affordable housing units through the extension of existing rental-based covenants to the list of prohousing policies.

This bill contained an urgency clause and took effect upon signature on September 28, 2021.

[AB 1095 \(Cooley\)](#) Affordable rental and owner-occupied housing: equity in state and local programs

Allows the Affordable Housing and Sustainable Communities program within the Strategic Growth Council to support both owner-occupied and rental housing and allows program guidelines to include standards for owner-occupied housing development projects.

[AB 1174 \(Grayson\)](#) Planning and zoning: housing: development application modifications, approvals, and subsequent permits

Clarifies the affordability requirements for a housing project approved pursuant to SB 50 (Wiener, 2017) to receive indefinite approval. Alternatively, approval is valid for three years from the date of final judgement if a project is litigated. If the proponent requests a modification, the project approval would also be extended. These provisions apply retroactively to projects approved prior to January 1, 2022.

Allows local governments to apply objective building standards adopted after the first application submission to modified development applications that are submitted prior to the first building permit application, with the agreement of the applicant. Prohibits calculations of changes in square footage from including underground space. Requires local governments to apply objective standards in place at the time of the initial application submission to projects that seek subsequent permits, unless the proponent agrees to a change in the standards. These changes apply retroactively to projects approved prior to January 1, 2022.

Revises the definition of "affordable rent" for applications submitted prior to January 1, 2019.

This bill contained an urgency clause and took effect upon signature on September 16, 2021.

[AB 1297 \(Holden\)](#) California Infrastructure and Economic Development Bank: public and economic development facilities: housing

Allows funds from the Infrastructure and Economic Development Bank to support housing components of economic development and public development facilities, if the housing is required for the operation of the economic development facility. Prohibits the use of proceeds of private activity bonds issued by the bank under any state allocation, as well as funds from the bank's revolving loan fund, to finance housing.

AB 1304 (Santiago) Affirmatively further fair housing: housing element: inventory of land

Clarifies that a public agency has a mandatory obligation to affirmatively further fair housing. Revises the requirements and methodology for the housing element's analysis of fair housing issues and requires that the schedule of actions to implement the housing element include an analysis of historical origins and current practices that contribute to fair housing issues. Requires the inventory of land to consider the relationship of parcels to fair housing obligations and determine whether the inventory affirmatively furthers fair housing.

AB 1398 (Bloom) Planning and zoning: housing element: rezoning of sites: prohousing local policies

Requires a local government that fails to adopt a housing element that the Department of Housing and Community Development deems compliant with state law within 120 days of the statutory deadline to rezone sites within one year of the statutory deadline. A jurisdiction that adopts a housing element more than one year after the deadline cannot be deemed compliant until rezoning is complete. Declares that the adoption of a compliant 6th revision of the housing element satisfies the requirement that a local government update its housing element every four years, and future four-year updates are no longer required.

AB 1584 (Committee on Housing and Community Development) Housing omnibus

Among other provisions, voids any deed restriction or covenant that prohibits or restricts the development of an accessory dwelling unit on a property zoned for single-family use that meets specified criteria. Clarifies that the use of an incentive or concession under Density Bonus Law is not a valid basis for inconsistency with the Housing Accountability Act.

SB 8 (Skinner) Housing Crisis Act of 2019

Extends the Housing Crisis Act to 2030. Authorizes the Department of Housing and Community Development to update the list of cities and counties affected by the Housing Crisis Act on January 1, 1025, and these determinations would be valid until 2030.

Clarifies that "housing development project" under the Housing Crisis Act includes projects that do not require discretionary approvals, projects that require combinations of discretionary and non-discretionary approvals, and projects to construct a single unit. Specifies that affordable housing projects may be subject to ordinances and standards adopted after the preliminary application if the project has not commenced construction within 3.5 years.

Limits the requirement to provide relocation benefits and right of first refusal to lower-income tenants in protected units. Relocation benefits and right of first refusal do not apply to an occupant of a short-term rental occupied for fewer than 30 days. These provisions would not apply to project applications submitted between January 1, 2019, and January 1, 2020, in jurisdictions with

populations below 31,000 that have a price control ordinance. Exempts certain protected units from the right of first refusal requirements, including projects that demolish a single protected unit to replace it with another single unit. Exempts protected units in developments where 100% of the units (excluding manager's units) are affordable to lower-income households, unless the occupant is eligible for housing in the new development.

Declares that the concurrent rezoning to prevent a net loss of residential capacity must occur during the same meeting of the legislative body, or within 180 days if the action is requested by an applicant for a housing development project.

SB 9 (Atkins) Housing development: approvals

Creates a ministerial approval process for lot splits and duplex construction on lots zoned for single-family use, if the project meets specified requirements. Duplex construction or lot splits cannot demolish deed-restricted affordable housing or housing occupied by tenants in the past three years or occur in an historic district. Local governments may impose objective standards, unless they preclude the construction of two units or a lot split. Local agencies may require up to one parking space per unit, unless the parcel is within a half mile of a major transit stop or high-quality transit corridor. Housing created pursuant to these provisions cannot be rented for terms shorter than 30 days. Applicants for lot splits must sign an affidavit declaring their intent to occupy one of the lots for at least three years, unless the applicant is a community land trust or nonprofit. Local agencies may deny an application for a duplex or lot split if it makes written findings of an adverse impact on public health, safety, or the physical environment. Local government must identify units constructed pursuant to these provisions in their housing element Annual Progress Report.

SB 10 (Wiener) Planning and zoning: housing development: density

Authorizes local governments to rezone parcels for up to 10 units in transit-rich or urban infill sites, as defined, without being subject to CEQA. If the ordinance would supersede a zoning ordinance established by a local initiative, it must be approved by a 2/3 vote of the legislative body. However, the ordinance may not supersede an initiative that designates land for open space or park and recreational uses. A project to construct more than 10 units on a parcel zoned pursuant to this law cannot be approved ministerially, unless the parcel was subsequently rezoned and that rezoning was evaluated under CEQA.

SB 290 (Skinner) Density Bonus Law: qualifications for incentives or concessions: student housing for lower income students: moderate-income persons and families: local government constraints

Specifies that units required to satisfy a local government's inclusionary zoning ordinance must count toward the total number of units to determine incentives and concessions under Density Bonus Law. Adds one incentive or concession for projects that provide housing to students that reserve at least 20% of the units for lower-income students. Requires local agencies to include data on density bonuses granted to lower-income student housing development projects in their housing element Annual Progress Report.

Modifies the density bonus requirements for moderate-income developments to no longer require that the project be a common-interest development. Moderate-income developments may also

receive a waiver from imposing a parking ratio of above 0.5 spaces per unit if the project provides at least 40% moderate-income units and is located within one half of an unobstructed mile of a major transit stop.

Removes the option for a local government to refuse an incentive or concession on the grounds of an adverse impact to the physical environment.

SB 478 (Wiener) Planning and Zoning Law: housing development projects

Prohibits local agencies from imposing specified floor area ratios on housing projects, depending on the project size, and prohibits lot coverage requirements that preclude a project from meeting the floor area ratio requirements. Voids any covenant or restriction that prohibits or restricts housing development on the basis of floor area ratio standards that do not meet the specifications in this bill.

Prohibits denial of a housing development permit on a legal parcel on the grounds that the project does not meet minimum lot size requirements, if the project meets specified requirements. Directs the Department of Housing and Community Development to notify local governments of noncompliance with these provisions and adds the Housing Crisis Act of 2019 to the list of laws for which the Department is required to give notice of violation.

SB 591 (Becker) Senior citizens: intergenerational housing developments

Authorizes intergenerational housing development projects that include senior citizens, as defined; their caregivers; and transitional age youth, as defined. The bill specifies requirements for such projects, including affordability and occupancy requirements. Permits developers using state tax credits or certain funds for affordable housing to restrict occupancy to senior citizens, caretakers, and transition age youth.

SB 728 (Hertzberg) Density Bonus Law: purchase of density bonus units by nonprofit housing organizations

Requires the developer and local government to ensure a unit constructed under the Density Bonus Law and offered for sale is either: 1) occupied by an individual or family that meets income requirements, and the unit is offered at an affordable cost and includes a specified equity sharing agreement; or 2) sold to a nonprofit housing development corporation receiving a welfare exemption, and the sale records a contract that includes affordability requirements, an equity sharing agreement, and a repurchase option for the nonprofit.

SB 791 (Cortese) California Surplus Land Unit

Establishes the Surplus Land Unit within the Department of Housing and Community Development to facilitate housing development on local surplus land. By December 31st of each year, the unit must submit a report on its activities to the Legislature and other specified entities.

Local Government

AB 336 (Villapudua) Enhanced infrastructure financing districts: public financing authority: members: joint powers authorities

Authorizes officials of a legislative body serving on the public financing authority of an Enhanced Infrastructure Financing District (EIFD) to also serve on the board of a Joint Powers Authority.

AB 428 (Mayes) Local government: board of supervisors

Requires that term limits for county boards of supervisors cannot be shorter than two terms, but does not apply to term limits legally in effect prior to January 1, 2022. Specifies that county board of supervisors members are county officers that must receive compensation.

AB 464 (Mullin) Enhanced Infrastructure Financing Districts: allowable facilities and projects

Allows Enhanced Infrastructure Financing Districts to fund facilities acquisition, construction, or repair for small businesses and community nonprofits.

SB 414 (Jones) Land

Among other provisions, extends the timeline for a hearing of an appeal under the Subdivision Map Act from within 30 days to within 45 days.

SB 712 (Hueso) Local government: California tribes: federal fee-to-trust applications to regain ancestral lands

Encourages state and local governments to collaborate with tribes in their fee-to-trust applications for regaining ancestral lands, and support tribes in their nongaming fee-to-trust applications. Prohibits local governments from enacting an ordinance or resolution that would preclude the government from conducting a fair assessment of a fee-to-trust application. Specifies procedures the local government must follow if it opposes the tribe's application.

SB 780 (Cortese) Local finance: public investment authorities

Makes numerous changes to the procedures of Enhanced Infrastructure Financing Districts (EIFDs) and Community Revitalization and Investment Authorities (CRIAs), including public finance authority member appointments, identification of project areas, limits on operative time of the EIFD or CRIA associated with different project areas, consistency with planning documents, noticing requirements, infrastructure finance plan approvals, amendment procedures, and division of taxes.

Military Affairs

AB 107 (Salas) Licensure: veterans and military spouses

Requires all boards in the Department of Consumer Affairs to issue a temporary license to a qualified military spouse that provides required documentation. The Department of Consumer Affairs and the Department of Real Estate must submit reports to the Legislature regarding professional licensure of veterans, servicemembers, and their spouses.

AB 576 (Maienschein) Community colleges: apportionments: waiver of open course provisions: military personnel

Waives community colleges' open course requirements for courses a community college provides to military personnel, their dependents, and authorized civilian employees on a military base. The community college's board of governors may include the units of full-time equivalent students generated by those courses for the purpose of state apportionment.

Public Meetings

AB 361 (R. Rivas) Open meetings: state and local agencies: teleconferences

Creates exceptions under the Bagley Keene, Brown, and Gloria Romero open meetings acts for state, local, or student body government meetings conducted via teleconference during a state of emergency.

This bill contained an urgency clause and took effect upon signature on September 16, 2021.

AB 1291 (Frazier) State bodies: open meetings

Requires state entities to provide twice the time allotted for public comment during a public meeting to members of the public using translating technology.

SB 274 (Wieckowski) Local government meetings: agenda and documents

Requires local agencies to email a copy of, or a link to, public meeting agendas to individuals who request this information by email. If infeasible, the local agency may send the information via mail.

Transportation

AB 970 (McCarty) Planning and zoning: electric vehicle charging stations: permit application: approval

Clarifies that charter cities must establish a streamlined, ministerial process for approving applications for electric vehicle charging stations. Requires all local governments to deem complete applications for electric vehicle charging stations within 5 or 10 business days, depending on the size of the project. The project would be automatically approved within 20 or 40 business days if the local government has not already approved the application, made a finding that the project would have an adverse impact on public health and safety, or is an appeal was not made to the planning commission. These provisions would have a delayed effective date, to January 1, 2023, for jurisdictions with a population below 200,000 residents.

AB 1261 (Burke) State Air Resources Board: greenhouse gas emissions: incentive programs

Requires the California Air Resources Board to establish a process to assess its clean vehicle incentive programs to collect and evaluate data on the behavioral change induced by the programs. The Board must also develop socioeconomic metrics to assess the impacts of these incentive programs. This information would be used to refine the emissions reduction estimates, funding recommendations, and programmatic recommendations the Board includes in its reports to the Legislature, funding plans, or long-term plans. Upon appropriation by the Legislature for these purposes, the Board must contract with the University of California or California State University to collect this data.

SB 339 (Wiener) Vehicles: road usage charge pilot program

Extends the Road Usage Charge Pilot Program to 2027 to identify and evaluate issues related to a road use fee. Establishes a Technical Advisory Committee to make recommendations to the program, including groups of vehicles to include in the pilot program. The State Transportation Agency would be required to submit reports to the Legislature regarding the pilot program.

SB 372 (Leyva) Medium- and heavy-duty fleet purchasing assistance program: zero-emission vehicles

Establishes the Medium- and Heavy-Duty Zero-Emission Vehicle Fleet Purchasing Assistance Program within the Air Quality Improvement Program administered by the California Air Resources Board, to provide assistance to medium- and heavy-duty fleet purchasers to procure zero-emissions vehicles.

SB 500 (Min) Autonomous vehicles: zero emissions

Requires autonomous vehicles to be zero-emissions vehicles beginning in 2030 and prevents the Department of Motor Vehicles from initiating a rulemaking to implement this law until 2027.

SB 640 (Becker) Transportation financing: jointly funded projects

Authorizes cities and counties to propose joint transportation projects funded by the entities' funding allocated through the Road Maintenance and Rehabilitation Program.

SB 643 (Archuleta) Fuel cell electric vehicle fueling infrastructure and fuel production: statewide assessment

Requires the Energy Commission, in consultation with the California Air Resources Board and the Public Utilities Commission, to prepare a statewide assessment of fuel cell electric vehicle charging infrastructure and fuel production needs to support zero-emissions buses, trucks, and off-road vehicles to meet the state's air quality goals. The first assessment must be completed by December 31, 2023 and updated every three years until January 1, 2030.

SB 671 (Gonzalez) Transportation: Clean Freight Corridor Efficiency Assessment

Establishes the Clean Freight Corridor Efficiency Assessment, developed by the California Transportation Commission in consultation with specified state agencies. The assessment must identify priority corridors for zero-emissions medium- and heavy-duty vehicle deployment. The assessment's findings must be reported to the Legislature by December 1, 2023 and be incorporated into the California Transportation Plan. Allows Trade Corridor Enhancement Funds to support projects to deploy innovative technology to improve freight movement and provide environmental benefits.

Sustainable Economic Development

AB 680 (Burke) Greenhouse Gas Reduction Fund: California Jobs Plan Act of 2021

Requires the California Air Resources Board and the Labor and Workforce Development Agency to develop, by July 1, 2025, funding guidelines for the Greenhouse Gas Reduction Fund's continuous appropriations that include specified labor standards, including fair and responsible employer standards and inclusive procurement policies. These provisions would not apply to programs or projects that receive federal funding, Safe and Affordable Drinking Water funds, technical assistance, research, 100% affordable housing projects, or applicants who are not employers.

AB 794 (Carrillo) Air pollution: purchase of new drayage and short-haul trucks: incentive programs: eligibility: labor standards

Establishes labor standards for drayage and short-haul trucks purchased through the California Air Resources Board's incentive programs.

SB 162 (Committee on Budget) Community Economic Resilience Fund

Establishes the Community Economic Resilience Fund, which would support a grant program to establish and fund high road transition collaboratives that would develop plans for economic recovery following the COVID-19 pandemic. The Labor and Workforce Development Agency, Governor's Office of Business and Economic Development, and Governor's Office of Planning and Research would oversee the program.

SB 589 (Hueso) Air pollution: alternative vehicles and vehicle infrastructure

Requires the Energy Commission, in its biennial assessment of electric vehicle charging needs, to identify workforce development and training resources needed to meet the state's zero emissions and greenhouse gas reduction goals. Allows funding from the Alternative and Renewable Fuel and Vehicle Technology Program to support in-state raw materials production and manufacturing supply chain for zero-emissions vehicle components. The Energy Commission must collaborate with California Community Colleges, the certified community conservation corps, the California Mobility Center, and the California Conservation Corps to implement these provisions.

Attachment C

**Senate Committee on Governance & Finance
Senator Mike McGuire, Committee Chair
State Capitol, Room 407
Sacramento, California 95814
(916) 651-4119**

<http://sgf.senate.ca.gov>

TO: People Interested in Public Finance and Governance Legislation
FROM: Senator Mike McGuire, Committee Chair
DATE: November 24, 2021
SUBJECT: Summary of significant legislation heard in 2021

Now that the legislative session has ended, I want you to know about some of the more interesting bills that the Senate Governance & Finance Committee reviewed during 2021. The following summary identifies and briefly describes the significant bills that the Committee has worked on this year. At the end of each description, the bill's status is indicated in *italics*.

If you want to read the Committee's bill analyses or get a copy of a bill listed below, please go to the Legislature's official website leginfo.legislature.ca.gov. You can also use that website to retrieve other bill analyses, official histories, voting records, and any veto messages.

The Senate Committee on Governance and Finance is responsible for hearing legislation pertaining to state and local government revenue mechanisms, taxes, local governance, and land use and development. The summary below groups bills by subject.

Cannabis Issues

[SB 398 \(Skinner\)](#) allows local agencies to enter into agreements with the Bureau of Cannabis Control to administer commercial cannabis licensing, permitting, or other regulatory activities on their behalf. *Senate Appropriations Committee.*

[SB 603 \(Bradford\)](#) requires cannabis-licensing agencies to develop a needs-based fee waiver and deferral program, upon appropriation in the annual budget or other statute for that purpose, and establishes a state and local cannabis fee tax credit for fees paid by local equity applicants and licensees. *Assembly Revenue & Taxation Committee.*

Excise Taxes

[SB 395 \(Caballero\)](#) enacts the Healthy Outcomes and Prevention Education Act, which imposes the California Electronic Cigarette Excise Tax on the sale of electronic cigarettes, and directs proceeds of the tax to various purposes. *Signed – Chapter 489, Statutes of 2021.*

Income Tax Form

[SB 347 \(Caballero\)](#) creates a new voluntary tax contribution fund, to be known as the California Community and Neighborhood Tree Voluntary Tax Contribution Fund, and continuously appropriates moneys from this fund to the Department of Forestry and Fire Prevention for the Urban and Community Forestry Grant Program. *Signed—Chapter 104, Statutes of 2021.*

[AB 742 \(Calderon\)](#) extends the sunset date for the School Supplies for Homeless Children Voluntary Tax Contribution Fund on the personal income tax return. *Signed—Chapter 96, Statutes of 2021.*

[AB 1065 \(Maienschein\)](#) establishes the Mental Health Crisis Prevention Voluntary Tax Contribution Fund on the personal income tax return. *Signed—Chapter 61, Statutes of 2021.*

Land Use Planning & Development

[SB 6 \(Caballero\)](#) enacts, until January 1, 2029, the Neighborhood Homes Act, which establishes housing as an allowable use on any parcel zoned for office or retail uses. *Assembly Housing & Community Development Committee.*

[SB 8 \(Skinner\)](#) extends the sunset on the Housing Crisis Act of 2019 (HCA) by five years, to January 1, 2030, and makes other changes. *Signed—Chapter 161, Statutes of 2021.*

[SB 9 \(Atkins\)](#) requires ministerial approval of a housing development of no more than two units in a single-family zone (duplex), the subdivision of a parcel zoned for residential use into two

parcels (lot split), or both. *Signed—Chapter 162, Statutes of 2021.*

[SB 10 \(Wiener\)](#) authorizes a city or county to pass an ordinance to zone any parcel for up to 10 units of residential density, at a height specified by the local government in the ordinance, if the parcel is located in a transit-rich area or an urban infill site. *Signed—Chapter 163, Statutes of 2021.*

[SB 12 \(McGuire\)](#) imposes certain fire hazard planning responsibilities on local governments and requires cities and counties to make specified findings on fire standards prior to permitting development in the very high fire hazard severity zone (VHFHSZ). *Assembly Housing & Community Development Committee.*

[SB 32 \(Cortese\)](#) requires cities and counties to identify goals, policies, objectives, targets, and feasible implementation strategies to decarbonize newly constructed commercial and residential buildings. *Senate Appropriations Committee.*

[SB 55 \(Stern\)](#) prohibits residential development in the VHFHSZ unless local agencies adopt a wildfire prevention strategy that mitigates significant risks of loss, injury, or death. *Senate Governance & Finance Committee.*

[SB 290 \(Skinner\)](#) makes various changes to Density Bonus Law (DBL), including providing additional benefits to housing developments that include low-income rental and for-sale housing units, and moderate-income for-sale housing units. *Signed—Chapter 340, Statutes of 2021.*

[SB 318 \(Melendez\)*](#) requires that independent auditors be a certified public accountant, and prohibits local agencies from retaining an independent auditor that the local agency contracted with during the preceding 10 years. *Senate Governance & Finance Committee.*

[SB 319 \(Melendez\)](#) requires local agencies that do not comply with impact fee annual report requirements for three years to include each year they did not comply with these requirements in requested audits. *Signed—Chapter 385, Statutes of 2021.*

[SB 478 \(Wiener\)](#) prohibits a local government from imposing certain floor area ratio (FAR) standards on housing projects of 3 to 10 units. *Signed—Chapter 363, Statutes of 2021.*

[SB 499 \(Leyva\)*](#) prohibits the land use element of a general plan from designating land uses that have the potential to adversely impact health outcomes from being located within or adjacent to a disadvantaged community. *Senate Governance & Finance Committee.*

[SB 552 \(Hertzberg\)](#) enacts several recommendations to improve small water system emergency response contained in the “Small Water Systems and Rural Communities Drought and Water Shortage Contingency Planning and Risk Assessment” report produced by the Department of Water Resources. *Signed—Chapter 245, Statutes of 2021.*

[SB 556 \(Dodd\)](#) establishes permitting requirements for the placement of small wireless facilities on streetlight and traffic signal poles owned by local governments, including specified timelines

for approving and attaching infrastructure, limitations on fees for attachments, and restrictions on local governments' ability to prohibit small wireless facility attachments. *Vetoed*.

[SB 574 \(Laird\)](#) narrows the role of the Department of Conservation (DOC) in administering the Williamson Act. *Signed—Chapter 644, Statutes of 2021*.

[SB 617 \(Wiener\)](#) requires cities and counties to adopt an automated, online permitting system for solar energy systems and energy storage. *Senate Appropriations Committee*.

[SB 621 \(Eggman\)](#) establishes a ministerial approval process for hotel and motel conversions to multifamily housing. *Senate Governance & Finance Committee*.

[SB 695 \(Ochoa Bogh\)*](#) prohibits a local agency from imposing a housing impact requirement on a housing development project, unless specified requirements are satisfied by the local agency, including that the local agency prepare and adopt a nexus study. *Senate Governance & Finance Committee*.

[SB 719 \(Min\)](#) provides that land comprising the former Tustin Marine Corps Air Station is exempt surplus land for the purposes of the Surplus Land Act. *Assembly Local Government Committee*.

[SB 765 \(Stern\)](#) repeals the existing prohibition on a city or county imposing a requirement of a setback for an accessory dwelling unit (ADU) of more than four feet from the rear and side lot lines. *Senate Housing Committee*.

[SB 809 \(Allen\)*](#) authorizes a city or county to satisfy part of its requirement to identify zones suitable for residential development in its housing element by adopting and implementing a multijurisdictional regional agreement. *Senate Housing Committee*.

[AB 345 \(Quirk-Silva\)](#) requires cities and counties to allow a qualified nonprofit corporation to sell an accessory dwelling unit (ADU) separately from the primary dwelling unit on the property, and revises the conditions for a tenancy in common agreement entered into pursuant to such a sale. *Signed—Chapter 343, Statutes of 2021*.

[AB 500 \(Ward\)](#) requires local governments in the coastal zone to amend their local coastal programs by January 1, 2024, to provide streamlined permitting procedures for certain housing projects, as specified, among other provisions. *Senate Floor*.

[AB 571 \(Mayes\)](#) prohibits local governments from imposing affordable housing impact fees, including inclusionary zoning fees and in-lieu fees, on a housing development's affordable units in a density bonus project. *Signed—Chapter 346, Statutes of 2021*.

[AB 602 \(Grayson\)](#) adds new requirements to impact fee nexus studies prepared by cities, counties, and special districts, and makes other related changes. *Signed—Chapter 347, Statutes of 2021*.

[AB 803 \(Boerner Horvath\)](#) requires cities and counties to allow development of single-family housing on small lots that are zoned for specified multifamily uses, so long as the development meets specified conditions regarding density, setbacks, dwelling size, and others. *Signed—Chapter 154, Statutes of 2021.*

[AB 970 \(McCarty\)](#) deems approved applications for electric vehicle charging stations after specified time periods. *Signed—Chapter 710, Statutes of 2021.*

[AB 989 \(Gabriel\)](#) establishes, until January 1, 2029, an Office of Housing Appeals (OHA) within the Department of Housing and Community Development (HCD). *Senate Floor.*

[AB 1124 \(Friedman\)](#) revises the definition of “solar energy system” to include all structural design features, whether mounted on the ground or on a roof. *Signed—Chapter 235, Statutes of 2021.*

[AB 1174 \(Grayson\)](#) makes several changes to the streamlined, ministerial approval process established by SB 35 (Wiener, Chapter 366, Statutes of 2017). *Signed—Chapter 160, Statutes of 2021.*

[AB 1180 \(Mathis\)](#) expands the definition of “exempt surplus land” to include surplus land that a local agency transfers to a federally recognized California Indian tribe. *Signed—Chapter 62, Statutes of 2021.*

[AB 1322 \(R. Rivas\)*](#) creates a process for the governing body of a city or county to seek judicial validation that a local measure approved by the voters is in conflict with state housing law. *Senate Environmental Quality Committee.*

[AB 1401 \(Friedman\)](#) prohibits public agencies from imposing parking minimums on developments within specified distances of high-quality public transit. *Senate Appropriations Committee.*

[AB 1409 \(Levine\)](#) requires cities and counties to update their safety element to identify evacuation locations. *Signed—Chapter 481, Statutes of 2021.*

Local Agency Formation Commissions (LAFCOs) & Boundary Changes

[SB 13 \(Dodd\)](#) reauthorizes a Napa and San Bernardino LAFCO pilot program until January 1, 2026, that allows LAFCOs to approve extensions of service outside of a local agency’s sphere of influence, and expands the program to allow Napa LAFCO to approve service extensions to specified parcels in St. Helena. *Signed—Chapter 482, Statutes of 2021.*

[AB 1021 \(Mayes\)](#) requires the LAFCOs in Imperial and Riverside Counties to conduct a study of governance options for the Imperial Irrigation District (IID) electrical service area. *Vetoed.*

Local Powers & Governance

[SB 60 \(Glazer\)](#) allows cities to impose a fine of up to \$5,000 for public and health and safety violations of a short-term rental ordinance. *Signed—Chapter 307, Statutes of 2021.*

[SB 271 \(Wiener\)](#) repeals eligibility requirements for an individual to run for county sheriff. *Senate Governance & Finance Committee.*

[SB 273 \(Hertzberg\)](#) authorizes a municipal wastewater agency to acquire, construct, expand, operate, maintain, and provide facilities to manage stormwater and dry weather runoff. *Signed—Chapter 241, Statutes of 2021.*

[SB 286 \(Min\)*](#) requires an election for an office that is determined by a plurality, with no possibility of a runoff, and is consolidated with a statewide election, to be consolidated with the statewide general election in November. *Senate Elections & Constitutional Amendments Committee.*

[SB 323 \(Caballero\)](#) establishes a 120-day statute of limitations for water and sewer rates. *Signed—Chapter 216, Statutes of 2021.*

[SB 342 \(Gonzalez\)](#) adds two additional seats to the South Coast Air Quality Management District (SCAQMD) Governing Board to be filled by persons residing in and working directly with pollution-burdened and vulnerable communities on issues of environmental justice in the South Coast Air Basin, and allows SCAQMD to create a Labor Advisory Panel to provide input on issues impacting labor in the South Coast Air Basin. *Senate Floor.*

[SB 378 \(Gonzalez\)](#) requires local governments to allow fiber installers to use microtrenching as a method for installing fiber unless the local government makes a specified finding that permitting microtrenching would adversely impact public health and safety. *Signed—Chapter 677, Statutes of 2021.*

[SB 403 \(Gonzalez\)](#) authorizes the State Water Resources Control Board (State Water Board) to order the consolidation of at-risk domestic wells and at-risk water systems. *Signed—Chapter 242, Statutes of 2021.*

[SB 427 \(Eggman\)](#) allows local agencies that provide water services to adopt an ordinance with enhanced penalties for water theft of up to \$3,000. *Signed—Chapter 137, Statutes of 2021.*

[SB 466 \(Wieckowski\)](#) allows the City of Santa Clara to sell or lease specified property for the purpose of economic development. *Assembly Local Government Committee.*

[SB 594 \(Glazer\)](#) makes various changes to state law governing candidate filing for the 2022 statewide primary election, redistricting in special districts following the 2020 census, and districting and redistricting for local governments. *Signed—Chapter 320, Statutes of 2021.*

[SB 679 \(Kamlager\)](#) establishes the Los Angeles County Affordable Housing Solutions Agency (LACAHS), and authorizes LACAHS to utilize specified local financing tools for the purpose of funding renter protections, and the preservation and production of housing units affordable to households earning up to 80% of the area median income. *Assembly Housing & Community Development Committee.*

[SB 712 \(Hueso\)](#) prohibits a local government from adopting or enforcing a resolution or ordinance that would prevent the local government from conducting a fair evaluation of a fee-to-trust application. *Signed—Chapter 291, Statutes of 2021.*

[AB 339 \(Lee\)](#) requires, until December 31, 2023, that city councils and county boards of supervisors in jurisdictions over 250,000 residents provide both in-person and teleconference options for the public to attend their meetings. *Vetoed.*

[AB 361 \(R. Rivas\)](#) creates, until January 1, 2024, an exemption to teleconferenced public meeting requirements for local legislative bodies during states of emergency, as specified; and, until January 31, 2022, a similar exemption to teleconferenced public meeting requirements for certain state bodies, as specified. *Signed—Chapter 165, Statutes of 2021.*

[AB 428 \(Mayes\)](#) requires term limits imposed on members of a board of supervisors to allow for at least two terms. *Signed—Chapter 462, Statutes of 2021.*

[AB 481 \(Chiu\)](#) requires specified law enforcement agencies to submit a military equipment use policy to the appropriate governing body before acquiring or using military equipment. *Signed—Chapter 406, Statutes of 2021.*

[AB 537 \(Quirk\)](#) updates existing law establishing a timeline and process through which wireless telecommunication siting facility permits will be deemed approved. *Signed—Chapter 467, Statutes of 2021.*

[AB 759 \(McCarty\)](#) requires counties to hold elections for district attorney and sheriff with the presidential primary, except as specified, starting on January 1, 2023. This bill also authorizes a county board of supervisors to adopt an ordinance to hold elections for other specified county officers with the presidential primary. *Senate Floor.*

[AB 844 \(Grayson\)](#) authorizes establishment of a Green Empowerment Zone (Green EZ) for the Northern Waterfront area of Contra Costa County and tasks the Green EZ with various duties. *Signed—Chapter 377, Statutes of 2021.*

[AB 850 \(Gallagher\)](#) extends the sunset on the authorization for the Cities of El Monte, Montebello, and Willows to sell their water utilities without voter approval under specified circumstances from January 1, 2022, to January 1, 2024. *Signed, Chapter 705, Statutes of 2021.*

[AB 903 \(Frazier\)](#) dissolves the Los Medanos Community Healthcare District on February 1, 2022. *Senate Governance & Finance Committee.*

[AB 959 \(Mullin\)](#) authorizes a regional park district, regional park and open-space district, or a regional open-space district to define encroachments onto park property as a nuisance and establish a procedure for the abatement of the nuisance through summary abatement and property liens. *Signed—Chapter 268, Statutes of 2021.*

[AB 1017 \(Quirk-Silva\)](#) requires local agencies to complete an inventory of public restrooms they own and maintain, and provide their findings to the Department of Public Health. *Senate Appropriations Committee.*

[AB 1195 \(Cristina Garcia\)*](#) creates the Southern Los Angeles County Human Right to Water Collaboration Act. Requires the State Water Resources Control Board to appoint a Commissioner to implement the Safe and Affordable Funding for Equity and Resilience (SAFER) Program in southern Los Angeles County. *Senate Environmental Quality Committee.*

[AB 1276 \(Carrillo\)](#) expands and revises the statute that requires single-use plastic straws only be distributed upon request to apply to specified single-use foodware accessories and standard condiments distributed by food facilities or third-party food delivery platforms. *Signed—Chapter 505, Statutes of 2021.*

Local Tax Authority

[SB 555 \(McGuire\)](#) enacts the Fair and Effective Collection of Due and Payable Transient Occupancy Taxes Derived from Short-term Rentals Arranged by Short-term Rental Facilitators Act of 2021, which allows local agencies to delegate collection of transient occupancy taxes from short-term rental facilitators to CDTFA by enacting an ordinance. *Assembly Appropriations Committee.*

Property Taxes

[SB 219 \(McGuire\)](#) allows a tax collector to cancel property tax delinquency penalties when the failure to pay is due to a documented hardship. *Signed—Chapter 131, Statutes of 2021.*

[SB 257 \(Skinner\)](#) states that property that museums make available for special events is considered property used exclusively for the museums' charitable purposes under the welfare exemption from property tax. *Senate Appropriations Committee.*

[SB 267 \(Hertzberg\)](#) provides that changes in ownership and profits interests in active solar energy systems financed by partnership flip transactions do not constitute changes in control of a legal entity for property tax purposes. *Signed—Chapter 424, Statutes of 2021.*

[SB 303 \(Borgeas\)](#) extends the time period for a taxpayer affected by a disaster to transfer their base year value to a replacement property until March 4, 2022, or the date the Governor terminates the COVID-19 pandemic emergency proclamation, whichever is earlier. *Signed – Chapter 540, Statutes of 2021.*

[SB 539 \(Hertzberg\)](#) enacts two new sections of property tax law to implement Proposition 19 (2020). *Signed – Chapter 427, Statutes of 2021.*

[SB 658 \(Grove\)](#) expands the disabled veterans' exemption to allow a reduced exemption for partially disabled veterans. *Senate Appropriations Committee.*

[SB 667 \(Roth\)](#) allows the executor, administrator, or personal legal representative of a claimant's estate to file a claim for the disabled veterans' exemption. *Signed – Chapter 430, Statutes of 2021.*

[SB 668 \(Bates\)](#) reenacts in statute the parent-child, grandparent-grandchild exclusion from change in ownership exclusion for two years that was effective before voters repealed the exclusion in the California Constitution when they approved Proposition 19 (2020). *Senate Governance & Finance Committee.*

[SB 675 \(Ochoa Bogh\)](#) authorizes a county board of supervisors to adopt a resolution or ordinance to implement a monthly property tax payment program, where qualified taxpayers can instead pay property taxes on a monthly basis. *Vetoed.*

[SB 706 \(Bates\)](#) provides that a change in ownership triggering a reassessment for property tax purposes occurs when 90% or more of the direct or indirect ownership interests in a legal entity are sold or transferred in a single transaction. *Senate Governance & Finance Committee.*

[AB 1203 \(Burke\)](#) changes the qualifications for a person to be eligible to be nominated to an assessment appeals board in Los Angeles County. *Signed – Chapter 418, Statutes of 2021.*

Redevelopment & Infrastructure Financing

[SB 438 \(Laird\)](#) makes specified loan agreements between the City of Atascadero and its former redevelopment agency (RDA) enforceable obligations. *Assembly Appropriations Committee.*

[SB 563 \(Allen\)](#) makes various changes to the Second Neighborhood Infill Finance and Transit Improvements Act (NIFTI-2), including: changing its formation process, recasting eligible expenditures, adding a state matching component, and expanding housing provisions. *Senate Appropriations Committee.*

[SB 734 \(Hueso\)](#) allows local agencies to modify specified redevelopment passthrough agreements, and to forgive up to the entire outstanding principal amount of a passthrough agreement. *Signed—Chapter 221, Statutes of 2021.*

[SB 780 \(Cortese\)](#) makes several changes to enhanced infrastructure financing districts (EIFDs) and community revitalization infrastructure authorities (CRIAs), including a clarification that directly elected mayors of charter cities can be members of EIFD and CRIA boards, as well as address chartering issues. *Signed—Chapter 391, Statutes of 2021.*

[AB 336 \(Villapudua\)](#) allows any member of a taxing entity’s legislative body serving on an enhanced infrastructure financing district (EIFD) board to concurrently serve as a board member of a joint powers authority (JPA) where the taxing entity is a member. *Signed—Chapter 22, Statutes of 2021.*

[AB 464 \(Mullin\)](#) expands the types of facilities and projects enhanced infrastructure financing districts (EIFDs) may fund to include small business structures impacted by the COVID-19 pandemic and nonprofit community organizations’ facilities. *Signed—Chapter 25, Statutes of 2021.*

[AB 758 \(Nazarian\)](#) expands the types of publicly-owned utilities that can issue rate reduction bonds to include those that provide electric service. *Signed—Chapter 233, Statutes of 2021.*

Sales & Use Taxes

[SB 542 \(Limón\)](#) enacts a state-only (3.9375%) sales and use tax exemption for purchases of qualified new medium or heavy-duty zero-emission trucks. *Senate Floor.*

[SB 771 \(Becker\)](#) enacts a state-only (3.9375%) sales and use tax exemption for zero emission or hybrid vehicles purchased under the Clean Cars 4 All Program. *Assembly Desk.*

[SB 792 \(Glazer\)](#) requires specified retailers to include with their sales tax returns a schedule that reports the gross receipts from sales of property for each local jurisdiction where it shipped or delivered to a purchaser in that jurisdiction. *Vetoed.*

[AB 296 \(Gipson\)](#) extends the sunset on the sales and use tax exemption for customers who repurchase their property from a pawnbroker until January 1, 2027. *Signed—Chapter 164, Statutes of 2021.*

State Bonds & Indebtedness

[SB 5 \(Atkins\)*](#) enacts the Affordable Housing Bond Act of 2022, which places a bond of \$6.5 billion before voters at the November, 2022, general election to fund affordable rental housing and homeownership programs. *Senate Housing Committee.*

[SB 22 \(Glazer\)](#) enacts the Public Preschool, K–12, and College Health and Safety Bond Act of 2022, which places a \$15.5 billion bond before voters at a statewide election in 2022 to fund facilities for K-12 schools as well as California’s public universities. *Assembly Education Committee.*

[SB 45 \(Portantino\)](#) enacts the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022, which places a bond of \$5.595 billion before voters at the November, 2022 general election for projects related to wildfire prevention, safe drinking water, drought preparation, and flood protection. *Senate Floor.*

[AB 75 \(O'Donnell\)*](#) enacts the Kindergarten-Community Colleges Public Education Facilities Bond Act of 2022 which places a bond of \$12 billion before voters at a statewide election in 2022 for K-12 and California Community Colleges school facilities construction and modernization projects. *Senate Education Committee.*

State Personal & Corporate Income Taxes

[SB 49 \(Umberg\)](#) provides a tax credit for eligible costs if the taxpayer ceased business operations temporarily for a minimum of 30 consecutive days during the taxable year as a result of an emergency order. *Senate Floor.*

[SB 104 \(McGuire\)](#) creates an elective tax that allows pass-through entities to pay tax on behalf of their owners and allows a credit to the owners of those pass-through entities. AB 150 (Committee on Budget) adopted provisions from SB 104 as the Small Business Relief Act, which the governor signed into law as a part of the Budget Act of 2021. *Senate Appropriations Committee.*

[SB 240 \(Eggman\)](#) extends the sunset on the Donated Fresh Fruits or Vegetables Credit for 5 years through the 2026 taxable year. AB 150 (Committee on Budget) adopted provisions from SB 240, which the governor signed into law as a part of the Budget Act of 2021. *Senate Floor.*

[SB 276 \(Ochoa Bogh\)](#) allows Earned Income Tax Credit (EITC) recipients to elect to use earned income from prior tax years when calculating EITC for the 2021 tax year. *Senate Appropriations Committee.*

[SB 408 \(Min\)](#) provides a tax credit for small businesses in certain industries that were closed for at least 30 consecutive days in either 2020 or 2021 as a result of an emergency order. *Senate Appropriations Committee.*

[SB 424 \(Durazo\)](#) creates a tax credit for certain employers that hire homeless individuals. *Senate Appropriations Committee; subsequently enacted as part of AB 150 (Committee on Budget)*

[SB 444 \(Hertzberg\)](#) provides a personal income tax exclusion for all education awards provided under the "California for All Education Award Program." *Senate Floor.*

[SB 485 \(Portantino\)](#) creates a new credit within the existing Film and TV credit for taxpayers who produce qualified motion pictures at certified studio construction projects. *Senate Floor; subsequently enacted in SB 144 (Committee on Budget and Fiscal Review)*

[SB 553 \(Limón\)](#) enacts a state Work Opportunity Tax Credit (WOTC) largely based on the same credit contained in federal law. *Senate Appropriations Committee.*

[SB 601 \(Ochoa Bogh\)](#) increases the income threshold of the current exclusion for taxpayers who sell their primary residence to a qualified first-time homeowner to \$300,000 for taxpayers who are single or married filing jointly, and \$600,000 for taxpayers who are married filing separately, a head of household, or a surviving spouse. *Assembly Revenue & Taxation Committee.*

[SB 610 \(Grove\)](#) creates a tax credit equal to 50 percent of qualified virtual learning costs — up to \$2,250 — for each qualified dependent. *Senate Appropriations Committee.*

[SB 611 \(Allen\)](#) allows taxpayers additional tax credit amounts under the California's Film and Motion Picture Production tax credit program when hiring graduates of the Career Pathways Training program, or an equivalent program. *Assembly Appropriations Committee.*

[SB 691 \(Rubio\)](#) allows an additional \$100 in tax credits to all ITIN filers that receive the Earned Income Tax Credit and modifies the calculation of the Young Child Tax Credit. *Senate Appropriations Committee.*

[SB 777 \(Bradford\)](#) enacts the California Jumpstart Act, which directs the California Pollution Control Financing Authority to allocate up to \$300 million in credits against the gross premiums tax to investors in relief funds. *Assembly Jobs, Economic Development, & The Economy Committee.*

[AB 340 \(Ward\)](#) conforms the State's 529 college savings plan statute to recent changes in federal tax law that expand allowable withdrawals from 529 plans to include expenses associated with participation in a registered apprenticeship program and student loan repayment. *Signed—Chapter 557, Statutes of 2021.*

[AB 447 \(Grayson\)](#) makes changes to the state low income housing tax credit program administered by the California Tax Credit Allocation Committee in the State Treasurer's Office. *Signed – Chapter 344, Statutes of 2021.*

[AB 1219 \(Berman\)](#) renews the Natural Heritage Preservation Tax Credit for qualified contributions. *Signed—Chapter 419, Statutes of 2021.*

[AB 1515 \(Santiago\)](#) establishes the Earned Income Tax Credit (EITC) Outreach and Education and Free Tax Assistance Grant Program upon appropriations of the legislature. *Senate Governance & Finance Committee.*

State Tax Administration

[SB 491 \(Nielsen\)](#) prohibits the California Department of Tax and Fee Administration (CDTFA) from issuing a license to, and requires them to suspend or revoke the current tobacco license of,

retailers convicted of violations of Penal Code provisions relating to selling or distributing nitrous oxide. *Assembly Appropriations Committee.*

[AB 545 \(Quirk\)](#) requests the Regents of the University of California to perform a comprehensive assessment of major tax expenditures. *Senate Appropriations Committee.*

[AB 1402 \(Levine\)](#) requires marketplace facilitators currently required to collect sales and use taxes when selling property into California to also collect four fees imposed on sales of specific products. *Signed—Chapter 421, Statutes of 2021.*

* = Bill was never heard in the Senate Governance & Finance Committee

To read and retrieve copies of the Senate Governance & Finance Committee's detailed reference materials and other publications, please go to the Committee's website: <http://sgf.senate.ca.gov>