Portola Valley Thursday, January 26, 2023

Emergency Services

AB 277 (Rodriguez D) Extreme Weather Forecast and Threat Intelligence Integration Center.

Introduced: 1/23/2023

Status: 1/24/2023-From printer. May be heard in committee February 23.

Summary: Would require the Office of Emergency Services and the Department of Water Resources to jointly establish and lead the Extreme Weather Forecast and Threat Intelligence Integration Center for the purpose of collecting, assessing, and analyzing extreme weather data and atmospheric conditions, as specified. The bill would require that the center be composed of representatives from specified organizations and would authorize the office and the department to invite other organizations to designate additional representatives, as specified.

General Services

SB 233 (Skinner D) Energy: new zero-emission vehicles and electric vehicle supply equipment:

bidirectional capability. Introduced: 1/24/2023

Status: 1/25/2023-From printer. May be acted upon on or after February 24.

Summary: Current law requires the State Energy Resources Conservation and Development Commission to undertake various actions in furtherance of meeting the state's clean energy and pollution reduction objectives, including actions related to electric vehicles. This bill would state the Legislature's intent to enact future legislation to mandate that all new zero-emission vehicles and electric vehicle supply equipment sold in California have bidirectional capability by January 1, 2027, to the extent practical as determined by the commission.

Homelessness

AB 257 (<u>Hoover</u> R) Encampments: penalties.

Introduced: 1/19/2023

Status: 1/20/2023-From printer. May be heard in committee February 19.

Summary: Would prohibit a person from sitting, lying, sleeping, or storing, using, maintaining, or placing personal property in any street, sidewalk, or other public property within 500 feet of a school, daycare center, park, or library. The bill would make a violation of the prohibition an infraction or a misdemeanor. The bill would also make willfully resisting, delaying, or obstructing a peace officer, public officer, or public employee in the discharge or attempt to discharge any duty to enforce the prohibition a misdemeanor. By imposing criminal penalties for a violation of these provisions, this bill would impose a state-mandated local program.

SB 63 (Ochoa Bogh R) Homeless and Mental Health Court and Transitioning Home Grant Programs.

Introduced: 1/4/2023

Status: 1/18/2023-Referred to Com. on PUB S.

Summary: Under current law, the Board of State and Community Corrections administers several grant programs, including a mentally ill offender crime reduction grant program, a medication-assisted treatment grant program, and a violence intervention and prevention grant program. This bill would establish two new grant programs until January 1, 2028: the Homeless and Mental Health Court Grant Program that would, subject to an appropriation by the Legislature, be administered by the Judicial Council and provide grants to counties for the purpose of establishing or expanding homeless courts and mental health courts, as specified; and the Transitioning Home Grant Program that would, subject to an appropriation by the Legislature, be administered by the board and provide grants to county sheriffs and jail administrators to fund programs aimed at reducing homelessness among inmates released from custody, as specified.

Housing

AB 11 (Jackson D) Affordable California Commission.

Introduced: 12/5/2022

Status: 12/6/2022-From printer. May be heard in committee January 5.

Summary: Current law declares that the availability of housing is of vital statewide importance. Current law declares that the provision of housing affordable to low- and moderate-income households requires the cooperation of all levels of government. Current law declares that housing prices in California have risen dramatically in all parts of the state in the past decade, while the wealth gap, especially the racial wealth gap, continues to be a growing problem in California. Existing law establishes various programs for the development and preservation of affordable housing, including the Affordable Housing Revolving Development and Acquisition Program and the California Dream for All Program. This bill would create the Affordable California Commission. The bill would require that the commission be composed of 11 members, including 9 members appointed by the Governor, the Speaker of the Assembly, and the President pro Tempore of the Senate, as provided, and one member each from the Assembly and the Senate, who would serve as ex officio nonvoting members, as specified.

SB 4 (Wiener D) Planning and zoning: housing development: higher education institutions and religious institutions.

Introduced: 12/5/2022

Status: 12/6/2022-From printer. May be acted upon on or after January 5.

Summary: Would require that a housing development project be a use by right upon the request of an applicant who submits an application for streamlined approval, on any land owned by an independent institution of higher education or religious institution on or before January 1, 2024, if the development satisfies specified criteria, including that the development is not adjoined to any site where more than one-third of the square footage on the site is dedicated to industrial use. The bill would define various terms for these purposes. Among other things, the bill would require that 100% of the units, exclusive of manager units, in a housing development project eligible for approval as a use by right under these provisions be affordable to lower income households, except that 20% of the units may be for moderate-income households, provided that all of the units are provided at affordable rent, as set in an amount consistent with the rent limits established by the California Tax Credit Allocation Committee, or affordable housing cost, as specified. The bill would authorize the development to include ancillary uses on the ground floor of the development, as specified.

Local Government

AB 233 (Wilson D) Local government: animal waste disposal: horses.

Introduced: 1/12/2023

Status: 1/13/2023-From printer. May be heard in committee February 12.

Summary: Would authorize a local agency to require the rider of, or person otherwise responsible for, a horse to collect and dispose of any animal waste deposited by that horse on a street, sidewalk, or other public property.

ACA 1 (Aguiar-Curry D) Local government financing: affordable housing and public infrastructure: voter approval.

Introduced: 12/5/2022

Status: 12/6/2022-From printer. May be heard in committee January 5.

Summary: The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements. The measure would specify that these provisions apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for these purposes that is submitted at the same election as this measure.

SB 59 (Skinner D) Menstrual Product Accessibility Act.

Introduced: 12/19/2022

Status: 1/18/2023-Referred to Coms. on G.O. and HEALTH.

Summary: Would enact the Menstrual Product Accessibility Act, which would require all women's restrooms, all all-gender restrooms, and at least one men's restroom in a building owned by the state or in the portion of a building where the state rents or leases office space, a building owned by a local government where a specified state-funded safety net program is administered, or in a hospital that receives state funds, as specified, to be stocked with menstrual products, as defined, available and accessible to employees and the public, free of cost, at all times.

Natural Resources

AB 57 (Kalra D) California Pocket Forest Initiative.

Introduced: 12/6/2022

Status: 1/4/2023-Read first time.

Summary: Would establish the California Pocket Forest Initiative in the Department of Forestry and Fire Protection and would authorize the department to coordinate implementation of the initiative in conjunction with the act. Upon an appropriation by the Legislature, the bill would authorize the department to provide grants to cities, counties, districts, nonprofit organizations, and public schools to establish pocket forests on public lands, as provided. The bill would require the department to prioritize disadvantaged communities and communities that lack publicly accessible green space for these grants. The bill would require the department to partner with one or more academic institutions to test, and submit a report on or before January 1, 2030, to the Legislature that evaluates, the applicability and effectiveness of the Miyawaki method, as defined, to restore degraded lands and reforest urban areas in multiple regions throughout California. The bill would repeal these provisions on January 1, 2031.

Planning/Zoning

AB 42 (Ramos D) Tiny homes: fire sprinkler requirements.

Introduced: 12/5/2022

Status: 12/6/2022-From printer. May be heard in committee January 5.

Summary: Current law prohibits a local agency from requiring an accessory dwelling unit to provide fire sprinklers, if they are not required for the primary residence. This bill would prohibit a local agency from imposing or enforcing any requirement to provide fire sprinklers for any dwelling with a total floor area of less than 500 square feet.

AB 281 (Grayson D) Planning and zoning: housing: postentitlement phase permits.

Introduced: 1/24/2023

Status: 1/25/2023-From printer. May be heard in committee February 24.

Summary: Current law, which is part of the Planning and Zoning Law, requires a local agency to compile a list of information needed to approve or deny a postentitlement phase permit, to post an example of a complete, approved application and an example of a complete set of postentitlement phase permits for at least 5 types of housing development projects in the jurisdiction, as specified, and to make those items available to all applicants for these permits no later than January 1, 2024. Current law establishes time limits for completing reviews regarding whether an application for a postentitlement phase permit is complete and compliant and whether to approve or deny an application, as specified, and makes any failure to meet these time limits a violation of specified law. Current law defines various terms for these purposes, including "local agency" to mean a city, county, or city and county, and "postentitlement phase permit," among other things, to exclude a permit required and issued by a special district. This bill would include a special district in the definition of "local agency" and would remove special districts from the exclusion in the definition of "postentitlement phase permit."

SB 91 (Umberg D) California Environmental Quality Act: exemption: supportive and transitional housing: motel conversion.

Introduced: 1/17/2023

Status: 1/25/2023-Referred to Coms. on E.Q. and HOUSING.

Summary: Current law, until January 1, 2025, exempts from the California Environmental Quality Act (CEQA) projects related to the conversion of a structure with a certificate of occupancy as a motel, hotel, residential hotel, or hostel to supportive or transitional housing, as defined, that meet certain conditions. This bill would extend indefinitely the above exemption.

Tax

AB 52 (Grayson D) Sales and Use Tax Law: manufacturing equipment: research and development equipment.

Introduced: 12/5/2022

Status: 12/6/2022-From printer. May be heard in committee January 5.

Summary: The Sales and Use Tax Law imposes state taxes on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. The Sales and Use Tax Law provides various exemptions from

those taxes, including an exemption from those taxes, on and after July 1, 2014, and before July 1, 2030, for the gross receipts from the sale of, and the storage, use, or other consumption of, qualified tangible personal property, as defined, that is, among other things, purchased by a qualified person for purchases for use primarily in manufacturing, processing, refining, fabricating, or recycling of tangible personal property, as specified, or purchased for use by a qualified person to be used primarily in research and development. Current law prohibits the exemption described above from applying with respect to any tax levied by a county, city, or district pursuant to, or in accordance with, the Bradley-Burns Uniform Local Sales and Use Tax Law or the Transactions and Use Tax Law, sales and use taxes imposed pursuant to certain provisions of the Sales and Use Tax Law, and sales and use taxes imposed pursuant to certain provisions of the California Constitution. This bill would express the intent of the Legislature to expand the sales and use tax exemption for manufacturing and research and development equipment to preserve California's status as a hub of innovation and technology and to encourage greater investment in California.

Transportation

AB 6 (Friedman D) Transportation planning.

Introduced: 12/5/2022

Status: 12/6/2022-From printer. May be heard in committee January 5.

Summary: Current law requires certain transportation planning agencies to prepare and adopt regional transportation plans directed at achieving a coordinated and balanced regional transportation system. Current law requires each regional transportation plan to also include a sustainable communities strategy prepared by each metropolitan planning organization in order to, among other things, achieve certain targets established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region for 2020 and 2035, respectively. This bill would state the intent of the Legislature to enact subsequent legislation that would require regional transportation agencies to prioritize and fund transportation projects, including those funded by a local sales tax measure, that significantly contribute towards the goals outlined in a region's sustainable communities strategy and the state's climate goals.

AB 16 (Dixon R) Motor Vehicle Fuel Tax Law: adjustment suspension.

Introduced: 12/5/2022

Status: 12/6/2022-From printer. May be heard in committee January 5.

Summary: The Motor Vehicle Fuel Tax Law, administered by the California Department of Tax and Fee Administration, imposes a tax upon each gallon of motor vehicle fuel removed from a refinery or terminal rack in this state, entered into this state, or sold in this state, at a specified rate per gallon. Existing law requires the department to adjust the tax on July 1 each year by a percentage amount equal to the increase in the California Consumer Price Index, as calculated by the Department of Finance. Article XIX of the California Constitution restricts the expenditure of revenues from the Motor Vehicle Fuel Tax, Diesel Fuel Tax Law, and other taxes imposed by the state on fuels used in motor vehicles upon public streets and highways to street and highway and certain mass transit purposes. This bill would authorize the Governor to suspend an adjustment to the motor vehicle fuel tax, as described above, scheduled on or after July 1, 2024, upon making a determination that increasing the rate would impose an undue burden on low-income and middle-class families. The bill would require the Governor to notify the Legislature of an intent to suspend the rate adjustment on or before January 10 of that year, and would require the Department of Finance to submit to the Legislature a proposal by January 10 that would maintain the same level of funding for transportation purposes as would have been generated had the scheduled adjustment not been suspended.

AB 53 (Fong, Vince R) Motor Vehicle Fuel Tax Law: suspension of tax.

Introduced: 12/5/2022

Status: 12/6/2022-From printer. May be heard in committee January 5.

Summary: Would suspend the imposition of the tax on motor vehicle fuels for one year. The bill would require that all savings realized based on the suspension of the motor vehicle fuels tax by a person other than an end consumer, as defined, be passed on to the end consumer, and would make the violation of this requirement an unfair business practice, in violation of unfair competition laws, as provided. The bill would require a seller of motor vehicle fuels to provide a receipt to a purchaser that indicates the amount of tax that would have otherwise applied to the transaction.

AB 295 (Fong, Vince R) Department of Transportation: maintenance projects.

Introduced: 1/25/2023

Status: 1/25/2023-Read first time. To print.

Summary: Would authorize the Department of Transportation to enter into agreements with local governmental entities, fire departments, fire protection districts, fire safe councils, and tribal entities to perform specified projects authorized by the department on roadways managed by the department, including activities related to roadside maintenance and the removal and clearing of material, as provided.

SB 5 (Nguyen R) Motor Vehicle Fuel Tax Law: limitation on adjustment.

Introduced: 12/5/2022

Status: 1/18/2023-Referred to Com. on GOV. & F.

Summary: The Motor Vehicle Fuel Tax Law, administered by the California Department of Tax and Fee Administration, imposes a tax upon each gallon of motor vehicle fuel removed from a refinery or terminal rack in this state, entered into this state, or sold in this state, at a specified rate per gallon. Current law requires the department to annually adjust the tax imposed by increasing the rates based on the California Consumer Price Index, as specified. This bill would limit the above-described annual adjustment to a maximum of 2% for rate adjustments made on or after July 1, 2023. This bill contains other related provisions.

Waste Management

AB 2 (Ward D) Recycling: solar photovoltaic modules.

Introduced: 12/5/2022

Status: 12/6/2022-From printer. May be heard in committee January 5.

Summary: Would state the intent of the Legislature to enact future legislation that would create a convenient, safe, and environmentally sound system for the end-of-life management of photovoltaic modules, minimization of hazardous waste, and recovery of commercially valuable materials.

Wildfire

AB 294 (Petrie-Norris D) Personal Income Tax Law: Corporation Tax Law: wildfires: exclusions.

Introduced: 1/25/2023

Status: 1/25/2023-Read first time. To print.

Summary: Would, for taxable years beginning on or after January 1, 2022, provide an exclusion from gross income for any qualified taxpayer, as defined, for amounts received for costs and losses associated with wildfires or natural disaster, as provided. This bill would make findings and declarations related to a gift of public funds.

Total Measures: 21 Total Tracking Forms: 21