

CALIFORNIA, JANUARY 2017 A Streamlined View of Newly Enacted Laws and Changes to Existing Laws

2016 LEGISLATIVE UPDATE

Churchwell White^{LLP}

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The following are bills signed into law by Governor Brown that affect or potentially affect, either directly or indirectly, the administration of California cities, special districts and other public agencies. These changes are categorized by the type of policy most implicated by the new law. "AB" denotes a bill that originated in the Assembly, whereas "SB" is a bill that originated in the Senate. After bills are signed by the Governor they are assigned a chapter number. All these bills come into effect January 1, 2017, unless otherwise noted.

2016 LEGISLATIVE UPDATE



Churchwell White LLP is pleased to offer our third Legislative Update (the “Update”), an annual guide to legislation passed and signed into law. The Update is a streamlined view of newly enacted laws and changes to existing laws that may affect public entities, particularly cities and special districts. The Update provides a brief summary of the newly enacted laws or the modifications to existing provisions.

The new state budget calls for \$122.5 billion in general fund spending, \$44.6 billion in special fund spending, and \$3.6 billion in bond spending. The budget addresses various subjects of state concern, including welfare benefits, increased funding for higher education and child care providers, public safety programs, and supportive housing for individuals who are homeless.

Looking ahead to 2017 and a new presidency, the Legislative Session will likely address various budgetary and policy concerns, such as potential cuts to federal funding for Medi-Cal, impacts to investments reliant on foreign trade, supporting state programs reliant on federal funding, to immigration. Churchwell White LLP will continue to encourage lawmaker efforts that include preserving local control over local issues and expanding flexibility over economic development for cities and special districts.

Churchwell White LLP is proud to serve as a trusted resource for our partners in local government and administration. Feel free to contact our firm if you have any questions or would like additional information regarding the legislation discussed in the Update.

Best regards,

Douglas L. White, Managing Partner

General Municipal General

AB 241, Chapter 252 (Gordon): Bankruptcy: Retired Employees: Disclosure of Names and Mailing Addresses

Summary of Existing Law:

Existing law prohibits a local public entity from filing a petition and exercising powers pursuant to applicable federal bankruptcy law unless the local public entity has participated in a neutral evaluation process with interested parties, or the local public entity has declared fiscal emergency and has adopted a resolution per a specified procedure.

Impact of AB 241:

This bill requires a local public entity to provide the name and mailing address of each retired employee, or his or her beneficiary receiving the retired employee's retirement benefit, to any organization incorporated and qualified for the purpose of representing retired employees or their beneficiaries as members of the organization in a neutral evaluation process, the declaration of a fiscal emergency and adoption of a resolution, or a bankruptcy proceeding. This provision is waived if the beneficiary submits a written notice to the public agency stating that they do not want their information disclosed.

AB 1546, Chapter 255 (Olsen): Vital Records

Summary of Existing Law:

Existing law requires that specified birth, death, and marriage record indices prepared or maintained by local registrars and county recorders be kept confidential. Local registrars and county recorders must, when requested, provide their comprehensive birth, death, and non-confidential marriage record indices to the State Registrar.

Impact of AB 1546:

This bill authorizes a local registrar to release birth and death record indices to the county recorder within its jurisdiction for the purpose of preparing or maintaining the indices. This bill also extends specified access restrictions, applicable to confidential portions of certificates of live birth, to confidential birth record indices.

AB 1732, Chapter 818 (Ting): Single-User Restroom

Summary of Existing Law:

Existing law requires a public agency that serves the public or is open to the public and maintains toilet facilities to make those facilities available to the public free of charge. Existing law requires publicly and privately owned facilities where the public congregates to maintain a sufficient number of temporary or permanent toilet facilities to meet the needs of the public at peak hours.

Impact of AB 1732:

This bill requires all single-user toilet facilities in any business, public, or government agency to be identified as all-gender facilities. This bill also authorizes code enforcement inspectors to inspect for compliance.

AB 2032, Chapter 163 (Linder): Change of Organization: Cities: Disincorporation

Summary of Existing Law:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires the executive officer of a local agency formation commission ("LAFCO") to prepare a comprehensive fiscal analysis for any proposal that includes a disincorporation. Existing law requires the comprehensive fiscal analysis to include, among other things, a review and documentation of specified costs associated with the proposed disincorporation.

Impact of AB 2032:

This bill, in case of a city disincorporation, directs the successor agency's governing body to wind up the disincorporated city's affairs, rather than requiring the county board of supervisors to do so. This bill also expands on the information required in a fiscal analysis prepared by a LAFCO when a city disincorporates. The city's written statement of liabilities must also include the amount of any assessment due to the city, and requires the tax collector to also collect any assessments due to the disincorporated city.

AB 2761, Chapter 528 (Low): Marriage

Summary of Existing Law:

Existing law enumerates persons authorized to solemnize a marriage, including elected mayors, city clerks, and county supervisors. Existing law also requires county supervisors, city clerks, and elected mayors to obtain and review all available instructions for marriage solemnization before the county supervisor, city clerk, or mayor first solemnizes a marriage.

Impact of AB 2761:

This bill authorizes current and former elected officials of a city or county to solemnize a marriage. This bill also removes the requirement that county supervisors, city clerks, and elected mayors obtain and review all available instructions for marriage solemnization before first solemnizing a marriage. This bill prohibits a judge, elected official, or city clerk from accepting compensation for solemnizing a marriage and would prohibit those individuals from solemnizing a marriage if they were removed from office due to committing an offense or if they were convicted of a crime that involves moral turpitude, dishonesty, or fraud.

AB 2828, Chapter 337 (Chau): Personal Information: Privacy Breach

Summary of Existing Law:

Existing law requires a person or entity conducting business in California, and any agency that owns or licenses computerized data that includes personal information, to disclose a security breach of this data to California residents whose unencrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person.

Impact of AB 2828:

This bill extends the above-mentioned provisions to agencies and situations where an unauthorized person acquires encrypted personal information along with the encryption key or security credential, which leads the person, business, or agency that owns or licenses the encrypted information to have a reasonable belief that the encryption key or security credential could render the personal information readable or useable.

AB 2910, Chapter 165 (Committee on Local Government): Local Government: Organization: Omnibus Bill

Summary of Existing Law:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the authority and procedures for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. Existing law also permits a public agency to exercise new or extended services outside the public agency's jurisdictional boundaries pursuant to a fire protection contract only if the public agency receives written approval from the local agency formation commission ("LAFCO") in the affected county.

Impact of AB 2910:

This bill makes various changes to state laws affecting LAFCOs. These changes include: (1) clarifying that the fiscal analysis required by SB 239 (2015) is not a "comprehensive fiscal analysis"; (2) requiring public members sitting LAFCOs to be residents of the county of the appointing commission; (3) clarifying that LAFCO's ability to conduct an expedited dissolution process for special districts generally also applies to healthcare districts; and (4) exempting proposals for changes of organization that are initiated by the sole landowner in the affected area from having to file a Notice of Intent to Circulate Petition prior to circulation.

SB 974, Chapter 366 (Committee on Governance and Finance): Local Government: Omnibus

Impact of SB 974:

This bill enacts the Local Government Omnibus Act of 2016, which proposes minor, noncontroversial changes to state laws governing local governments' powers and duties. This bill does the following: (1) authorizes a county recorder to store survey records in any manner to ensure maps are kept together; (2) provides that a certified copy of specified military records be made available to a state or city office that provides veterans' benefits services upon written request of that office; (3) requires an individual to serve as a notary public to provide sufficient identification; (4) permits the notary public and Secretary of State to exchange communication through any other means of

physical delivery; (5) requires that the State Board of Equalization, in its rules and regulations to govern local boards of equalization, to include provisions for floating homes subject to local property taxation; (6) requires a city clerk to publish or post records reflecting the financial condition of the city on a timeline established in statute for furnishing the report to the Controller; (7) authorizes a city or county to impose reasonable restrictions on the installation or design of synthetic grass or artificial turf within the dripline of a tree protected by local ordinance; (8) specifies that certain securities and financial instruments be rated “A” or “AA,” or some other equivalent; (9) requires publication and posting of public hearing notices regarding various land use actions within three hundred (300) feet of the real property that is the subject of the hearing; (10) requires a planning agency to review and revise the safety element of a city or county’s general plan to identify new information regarding flooding and fires; (11) authorizes specified local entities to undertake certain sanitation and sewer improvement tax actions by resolution; and (12) limits improvements and activities offered outside property and business improvement districts to marketing or signage pointing to the district.

SB 1012, Chapter 717 (Nguyen): Flags: Purchase

Summary of Existing Law:

Existing law requires the Flag of the United States and State of California to be prominently displayed during business hours upon or in front of the buildings or grounds of each public building belonging to the state, a county, or a municipality, among other places.

Impact of SB 1012:

This bill requires any Flag of the United States and State of California purchased by the state or local governments be made in the United States.

SB 1130, Chapter 38 (Wieckowski): False Advertising: Substantiation of Claims: County Counsel

Summary of Existing Law:

A person doing business in California and advertising to consumers in California may not make any false or misleading advertising claims. The Director of Consumer

Affairs, the Attorney General, any city attorney, or any district attorney may request evidence of the facts on which the advertising claims are based, and may take action if the advertiser fails to adequately substantiate the claim.

Impact of SB 1130:

This bill additionally authorizes a county counsel to request official evidence of the facts on which the advertising claims are based and take action on the failure of the advertiser to respond, or if the county counsel has reason to believe the advertising claim is false or misleading.

SB 1266, Chapter 173 (McGuire): Joint Exercise of Powers Act: Agreements: Filings

Summary of Existing Law:

The Joint Exercise of Powers Act generally authorizes two (2) or more public agencies, by agreement, to jointly exercise any common power (a “joint powers agreement”). When a joint powers agreement provides for the creation of an agency or entity, separate from the parties to the agreement and responsible for its administration, existing law requires that agency or entity to cause a notice of the agreement or amendment to be prepared and filed with the Secretary of State.

Impact of SB 1266:

This bill requires any joint powers authority or agency (“JPA”) providing municipal services that files a joint powers agreement, or amendment to an agreement, to also file the agreement or amendment with the local agency formation commissions (“LAFCOs”) in the area. Any JPA not in compliance with the bill is prohibited from issuing bonds or incurring indebtedness. Any JPA already in existence must file their agreement and amendments to the LAFCOs no later than July 1, 2017.

General Municipal Public Records

AB 2498, Chapter 644 (Bonta): Human Trafficking

Summary of Existing Law:

The California Public Records Act (“PRA”) requires state and local agencies to make public records available for inspection by the public, subject to specified criteria and with specified exceptions. Existing law requires that state and local law enforcement agencies make specified information publicly available, including names of victims, relating to the circumstances surrounding all complaints or requests for assistance, except to the extent that disclosure of a particular item of information would endanger the safety of a person involved in the investigation. Victims of specified crimes may request to have their names withheld from any public records request.

Impact of AB 2498:

This bill authorizes the withholding of the names and images of the victim or of the victim’s immediate family from disclosure until completion of the investigation or any other subsequent prosecution. It also prohibits a law enforcement agency from disclosing the names, addresses, or images of a person who alleges to be a victim of human trafficking, or of that alleged victim’s immediate family, unless disclosed to specified persons or agencies. This bill also requires law enforcement to orally inform a person who alleges to be a victim of human trafficking of his or her right to have his or her name, addresses, or images, or those of his or her immediate family members withheld and kept confidential.

AB 2792, Chapter 768 (Bonta): Local Law Enforcement Agencies: Federal Immigration Policy Enforcement: ICE Access

See under Police (General), [page 27](#).

AB 2843, Chapter 830 (Chau): Public Records: Employee Contact Information

Summary of Existing Law:

The California Public Records Act (“PRA”) requires state and local agencies to make public records available for public inspection, subject to specified exceptions. Existing

law excludes from public inspection specified information regarding persons paid by the state to provide in-home supportive services.

Impact of AB 2843:

This bill exempts from public disclosure the home address, home telephone number, personal cell phone number, and personal email address of public agency employees, including persons providing in-home support services paid by the state.

AB 2853, Chapter 275 (Gatto): Public Records

Summary of Existing Law:

The California Public Records Act (“PRA”) requires state and local agencies to make public records available for inspection by the public, subject to specified criteria and with specified exceptions.

Impact of AB 2853:

This bill authorizes a public agency to first refer a person requesting to inspect or obtain a copy of a public record to the public agency’s web site where the public record is posted.

SB 441, Chapter 477 (Wolk): California Public Records Act: Exemptions

Summary of Existing Law:

The California Public Records Act (“PRA”) requires state and local agencies to make public records available for inspection by the public, subject to specified criteria and with specified exceptions.

Impact of SB 441:

This bill amends the PRA to make confidential any identification number, alphanumeric character, or other unique identifying code used by public agencies to identify a vendor or contractor except when they are used during a public bidding or are a part of an audit involving the agency.

General Municipal Meetings

AB 1787, Chapter 507 (Gomez): Open Meetings: Public Comments: Translation

Summary of Existing Law:

The Ralph M. Brown Act (“Act”) requires a local legislative body to provide an opportunity for members of the public to directly address the body concerning any item described in a notice of meeting. The Act authorizes the legislative body to adopt reasonable regulations limiting the total amount of time allocated for public testimony for each individual speaker.

Impact of AB 1787:

This bill requires, when the legislative body of a local agency limits time for public comment, the legislative body must provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the legislative body of a local agency. The requirement does not apply if the legislative body utilizes simultaneous translation equipment in a manner that allows the legislative body of a local agency to hear the translated public testimony simultaneously.

AB 2257, Chapter 265 (Maienschein): Local Agency Meetings: Agenda: Online Posting

Summary of Existing Law:

The Ralph M. Brown Act (“Act”) requires the legislative body of a local agency to post, at least seventy-two (72) hours before the meeting, an agenda containing a brief general description of each item of business to be transacted or discussed at a regular meeting, in a location that is freely accessible to members of the public. The Act also requires the legislative body of a local agency to provide a notice containing similar information with respect to a special meeting at least twenty-four (24) hours prior to the special meeting. The agenda or notice must be freely accessible to the public and be posted on the local agency’s website, if the agency has one.

Impact of AB 2257:

This bill requires, on and after January 1, 2019, a local agency that has an internet website to post a prominent,

direct link to the agenda for the most current meeting of its governing body on the local agency’s primary homepage. This bill also prohibits the link from being in a contextual menu, but allows an additional link to the agenda in a contextual menu. A local agency that uses an integrated agenda management platform does not have to meet these requirements if specified conditions are met.

AB 2792, Chapter 768 (Bonta): Local Law Enforcement Agencies: Federal Immigration Policy Enforcement: ICE Access

See under Police (General), [page 27](#).

SB 1436, Chapter 175 (Bates): Local Agency Meetings: Local Agency Executive Compensation: Oral Report of Final Action Recommendation

Summary of Existing Law:

The Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public, with certain exceptions allowing for closed session. Current law permits closed session when discussing with a local agency’s designated representative regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits to its represented and unrepresented employees, but prohibits the closed session from including final action on the proposed compensation of one or more unrepresented employees.

Impact of SB 1436:

This bill requires the legislative body to orally report a summary of any recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive during the open meeting where final action is taken.

General Municipal Contracts

AB 626, Chapter 810 (Chiu): Public Contracts: Claim Resolution

Summary of Existing Law:

Existing law prescribes various requirements regarding the formation, content, and enforcement of state and local public contracts. Existing law generally requires arbitration

for claims against public contractors. Existing law applicable to local agency contracts prescribes a process for the resolution of claims related to those contracts of \$375,000 or less.

Impact of AB 626:

This bill, until January 1, 2020, establishes a resolution procedure by which a general contractor can seek public agency review of public works contracts entered into on or after January 1, 2017.

AB 1669, Chapter 874 (Hernandez): Displaced Employees: Service Contracts: Collection and Transportation of Solid Waste

Summary of Existing Law:

Existing law requires local government agencies letting a public transit service contract out to bid to provide a bidding preference for contractors and subcontractors who agree to retain certain employees by the previous contractor or subcontractor. This contractor or subcontractor must offer employment to those employees, except for reasonable and substantiated cause.

Impact of AB 1669:

This bill extends the existing ten percent (10%) bid preference for public transit contractors to include contracts for the collection and transportation of solid waste. This bill does not apply to contracts awarded before January 1, 2017, or to contracts for which the bid process has been completed before January 1, 2017. This bill only applies to service contracts for the collection and transportation of solid waste when an awarding agency decides to let an exclusive solid waste collection and transportation contract out to bid. The legislature did not intend for the bill to determine whether or not a local agency should procure a service contract by inviting bids, extend an existing service contract, renegotiate its service contract with the prior contractor, or exercise any other right it possesses pursuant to specified existing law to determine aspects of solid waste handling that are of local concern. This bill does not modify, limit, or abrogate in any manner any franchise, contract, license, or permit granted or extended by a city, county, or other local government agency before January 1, 2017.

AB 2126, Chapter 750 (Mullin): Public Contracts: Construction Manager/General Contractor Contracts

Summary of Existing Law:

Existing law authorizes the Department of Transportation (“Department”) to use the Construction Manager/General Contractor method on no more than six (6) projects, and requires four (4) of six (6) of the projects to use Department employees or consultants under contract with the Department to perform all project design and engineering services.

Impact of AB 2126:

This bill authorizes the Department to use the above described method on twelve (12) projects, and requires eight (8) out of the twelve (12) projects to use Department employees or consultants under contract with the Department to perform all project design and engineering services.

AB 2551, Chapter 760 (Gallagher): Contract Procurement: Surface Storage Projects

Summary of Existing Law:

The Local Agency Public Construction Act establishes procedures and requirements for local agencies contracting for public works construction. Existing law governing specified water districts requires those districts to use competitive bidding and award the contract to the lowest responsible bidder.

Impact of AB 2551:

This bill allows a local agency to use the construction manager at-risk, design-build, or design-build-operate method of delivery on a surface storage project. Such contracts must be awarded on a best value basis or to the lowest responsible bidder, and establish a procurement process for these contracts. The bill requires a bidder to certify specified information under penalty of perjury. The bill prohibits a contracting entity from being prequalified or short-listed unless it provides an enforceable commitment to the local agency that the entity and its subcontractors will use a skilled and trained workforce to perform all work that falls within an apprenticeable occupation in the building and construction trades.

AB 2844, Chapter 581 (Bloom): Public Contracts: Discrimination

Summary of Existing Law:

The Unruh Civil Rights Act prohibits discrimination based on sex, race, color, religion, ancestry, national origin, disability, and medical condition, among other classifications, in regards to accommodations, advantages, facilities, privileges, or services in all business establishments. The California Fair Employment and Housing Act protects an individual's right to seek, obtain, and hold employment without discrimination or harassment based on these classifications.

Impact of AB 2844:

This bill, with certain exceptions, requires a contractor submitting a bid or renewing a contract with a state agency for \$100,000 or more to certify, under penalty of perjury, compliance with the Unruh Civil Rights Act and the California Fair Employment and Housing Act. The person submitting the bid must also certify that any policy adopted against any sovereign nation or peoples recognized by the United States government, including, but not limited to, the nation and people of Israel, is not used to discriminate in violation of either Act.

SB 693, Chapter 774 (Hueso): Public Contracts: Skilled and Trained Workforce

Summary of Existing Law:

Existing law establishes circumstances where a public entity must obtain an enforceable commitment that a bidder, contractor, or other entity will use a skilled and trained workforce to complete a contract or project. Existing law authorizes a local agency to procure a design-build contract for certain public work projects, and prohibits a design-build entity from being prequalified or shortlisted unless the entity provides a similar enforceable commitment to a local agency with respect to the use of a skilled and trained workforce. Existing law also establishes pilot programs in Alameda, Los Angeles, Riverside, San Bernardino, San Diego, Solano, and Yuba Counties to select

a bidder on the basis of best value for specific construction projects. These programs preclude the prequalification or shortlisting of a best value contractor unless the contractor provides a similar enforceable commitment to the county with respect to the use of a skilled and trained workforce.

Impact of SB 693:

This bill establishes provisions to be generally applicable when a public entity must obtain an enforceable commitment that a bidder, contractor, or other entity will use a skilled and trained workforce to complete a contract or a project. This bill authorizes a public entity to require a bidder, contractor, or other entity to use a skilled and trained workforce to complete a contract or project. This bill revises provisions applicable to local agency design-build projects and pilot program for counties to require an enforceable commitment for the use of a skilled and trained workforce in accordance with the above-described provisions, unless a prescribed project labor agreement exists. This bill does not apply to contracts advertised for bid or awarded before January 1, 2017.

SB 1082, Chapter 52 (McGuire): Regional Park and Open-Space Districts: General Manager: Powers

Summary of Existing Law:

Existing law authorizes the general manager of any park or open-space district, with district board approval, to bind the district, in accordance with board policy, and without advertising, for the payment for supplies, materials, labor, or other valuable consideration for any purpose in amounts not exceeding \$25,000.

Impact of SB 1082:

This bill increases, from \$25,000 to \$50,000, the amount for which the Sonoma County Agricultural Preservation and Open Space District may enter into contracts without a formal bid process for supplies, materials, labor, or other valuable consideration for any purpose.

SB 1360, Chapter 57 (Bates): Local Government: Municipal Service Agreements: Law Enforcement Services

Summary of Existing Law:

Existing law provides that the legislative body of any local agency may contract with any other local agency for the performance of municipal services or functions within the territory of the local agency. Existing law requires any agreement entered pursuant to this authorization be for valuable consideration.

Impact of SB 1360:

This bill requires that a city providing law enforcement services through its appropriate departments, boards, commissions, officers, or employees to another city pursuant to a contract or any other agreement to charge that city all the costs that are incurred in providing those law enforcement services, but prohibit inclusion of costs that the city determines are general overhead costs. This bill provides that determination of general overhead costs is subject to judicial review. This bill applies to contracts or agreements entered into, or renewed on and after January 1, 2017.

General Municipal Revenue and Taxation

AB 2291, Chapter 266 (Achadjian): Property Taxes: Delinquent Taxes: Partial Payment: Fee

Summary of Existing Law:

Existing law requires a county board of supervisors to comply with certain requirements before approving an increase in an existing county fee or charge or imposing a new fee or charge. The tax collector is authorized, with the approval of the board of supervisors, to accept partial payments of delinquent taxes for tax-defaulted property.

Impact of AB 2291:

This bill, upon authorization by ordinance by the board of supervisors, authorizes the county tax collector to charge reasonable costs of instituting and maintaining a partial payment arrangement. The fee remains subject to existing requirements applicable to increasing or initially imposing

a new fee or charge. This bill also requires the ordinance authorizing a fee to require fee payment before applying partial payments to taxes due.

AB 2450, Chapter 300 (Achadjian): Property Taxation

Summary of Existing Law:

Existing law requires the county assessor to consider, when valuing real property for property taxation purposes, the effect of any enforceable restrictions to which the use of the land may be subjected. These restrictions include, but are not limited to, zoning, recorded contracts with governmental agencies, and various other restrictions imposed by governments.

Impact of AB 2450:

This bill requires contracts with governmental agencies that restrict the use of the property to owner-occupied housing available at affordable housing cost to be recorded. This bill provides that this requirement would not prevent the assessor from considering a contract that restricts the use of the property to owner-occupied housing available at affordable housing cost, including under any locally adopted inclusionary housing program, for purposes of assessing real property.

AB 2476, Chapter 269 (Daly): Local Governments: Parcel Taxes: Notice

Summary of Existing Law:

Existing law authorizes cities, counties, and special districts to impose a parcel tax and property-related fees for specified purposes.

Impact of AB 2476:

This bill requires a local agency, city, county, special district, or school district to provide specified notice of a new parcel tax to non-resident parcel owners. Local agencies must provide the notification in one of two forms defined in the bill. The bill requires specific notice information and authorizes the local agency to recover reasonable costs of the notice from the proceeds of the parcel tax, if enacted by the voters.

AB 2801, Chapter 248 (Gallagher): Retention of Fee Written Protests

Summary of Existing Law:

Existing law provides notice, protest, and hearing procedures for levying new or increased fees or charges by local government agencies pursuant to Articles XIIC and XIID of the California Constitution.

Impact of AB 2801:

This bill requires an agency that proposes to charge a new property related fee or increase an existing one to maintain all written protests for at least two (2) years after the hearing at which the protests were counted.

AB 2818, Chapter 701 (Chiu): Community Land Trust

Summary of Existing Law:

Existing law requires the county assessor to consider, when valuing real property for property taxation purposes, the effect of any enforceable restrictions to which the use of the land may be subjected. These restrictions include, but are not limited to, zoning, recorded contracts with governmental agencies, and various other restrictions imposed by governments.

Impact of AB 2818:

This bill requires the county assessor to consider, when valuing real property for property taxation purposes, a contract that is a 99-year ground lease between a community land trust and the qualified owner of an owner-occupied single-family dwelling, or an owner-occupied unit in a multifamily dwelling and that subjects a single-family dwelling or unit in a multifamily dwelling to affordability restrictions. This bill also requires the county assessor to consider the land on which the dwelling or unit is situated that is leased to the qualified owner for the convenient occupation and use of that dwelling or unit, to affordability restrictions. This bill also requires a relevant public agency or official to make a finding that the restrictions serve the public interest to create and preserve the affordability of residential housing for low or moderate income households.

SB 873, Chapter 585 (Beall): Income Taxes: Insurance Taxes: Credits: Low Income Housing: Sale of Credit

Summary of Existing Law:

Existing law provides for the disposition of a testator's property by will and for the portion of a decedent's estate not disposed of by will. The decedent's property, including property devised by a will, is generally subject to probate administration, with exceptions.

Impact of SB 873:

This bill is a companion bill to AB 691 (Calderon, 2016), the Revised Uniform Fiduciary Access to Digital Assets Act ("RUFADAA"), that establishes a modified version of the RUFADAA and establishes procedures for a decedent's personal representative or trustee to obtain digital assets and electronic information from the custodian of those assets and information.

SBs 971, 972, 973 (Committee on Governance and Finance): Validation Act

Impact of SBs 971, 972, 973:

These bills enact the Validating Acts of 2016, which validates the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

SB 975, Chapter 49 (Committee on Governance and Finance): Tax Increment: Property Tax Override Rates

Summary of Existing Law:

Existing law establishes procedures for the formation of infrastructure financing districts, enhanced infrastructure financing districts, infrastructure and revitalization financing districts, and community revitalization and investment authorities to undertake various economic development projects. Existing law authorizes an infrastructure financing plan or a community revitalization and investment plan to provide for the division of taxes levied upon taxable property, if any, between the affected taxing entities and the district or authority.

Impact of SB 975:

This bill prohibits the division of revenues derived from a voter-approved property tax rate. This bill further specifies that this limitation does not apply to the allocation of property taxes relating to the winding down of redevelopment agencies and activities of successor agencies.

SB 1029, Chapter 307 (Hertzberg): California Debt and Investment Advisory Commission: Accountability Reports

Summary of Existing Law:

Existing law establishes the California Debt and Investment Advisory Commission (“CDIAC”) to maintain contact with state and municipal bond issuers, underwriters, investors, and credit ratings agencies to improve the market for state and local government debt issues and to assist state and local governments to prepare, market, and sell their debt issues. Existing law also requires the issuer of debt of state or local government to submit reports to the CDIAC of the proposed issuance of debt and of final sale.

Impact of SB 1029:

This bill requires state and local government debt issuers to report to the CDIAC specified information about proposed and outstanding debt. This bill also requires CDIAC to consult with appropriate state and local debt issuers and organizations representing debt issuers before approving any annual method of reporting pursuant to the bill’s provisions.

SB 1315, Chapter 56 (Bates): Counties: Budgets

Summary of Existing Law:

Existing law requires the county board of supervisors to approve a recommended budget, including revisions, on or before June 30 of each year.

Impact of SB 1315:

This bill authorizes the county board of supervisors to direct the publication of a recommended budget for the purpose of conducting a budget hearing without authorizing spending pursuant to the recommended

budget until the budget is adopted. The bill requires the board of supervisors to follow specific procedures for the adoption of a budget under these provisions, including conducting a hearing before adopting the budget.

SB 1480, Chapter 116 (Committee on Governance and Finance): Property Taxation

Summary of Existing Law:

Existing law exempts property owned by a local government from taxation, unless the property is located outside the boundaries of the local government that owns it, and the property was taxable before its acquisition. Where local government land is taxable, the assessor in the county where the property is located values it for tax purposes. Existing law states that the local entity may submit an application to the Board of Equalization (“BOE”) requesting review, equalization, and adjustment of the assessments.

Existing law also relieves applicants granted a welfare exemption and owning certain exempt property from reapplying for the welfare exemption in a year where there has been no transfer of, or other change in title to, the exempted property and the property is used exclusively by a governmental entity or by a nonprofit corporation. The assessor must mail an annual notice to every applicant relieved of this requirement.

Existing law also requires excess proceeds remaining in the delinquent tax sale trust fund after distribution of the proceeds to be retained in the fund subject to being claimed by parties of interest. After a certain period of time has lapsed, any excess proceeds not claimed are transferred to the county general fund.

Impact of SB 1480:

This bill requires that the application requesting review be submitted to the BOE on or before November 30, instead of July 20. This bill requires the BOE to prescribe the form and content of the annual notice with the California Assessor’s Association. This bill would also eliminate the requirement that the notice include a card and would instead require

the notice to inform any applicant seeking to maintain eligibility of the welfare exemption to reaffirm exemption eligibility. This bill would authorize the county to deduct certain costs before transferring any excess proceeds not claimed to the county general fund.

General Municipal Economic Development

AB 806, Chapter 503 (Dodd): Community Development: Economic Opportunity

Summary of Existing Law:

Existing law requires the legislative body to approve the sale or lease of certain city or county property by resolution after a public hearing, if the property is sold or leased for economic development purposes. Existing law also prohibits the use of eminent domain for economic development purposes. Existing law also authorizes a city or county to establish a program under which it loans funds to owners or tenants for the purpose of rehabilitating commercial buildings or structures.

Impact of AB 806:

This bill clarifies that a city or county may acquire, sell and lease property in furtherance of the creation of an economic opportunity, and that such authority extends to any property and not just property that the city or county acquired from the successor agency to the redevelopment agency under the long range property management plan.

AB 2492, Chapter 524 (Alejo): Community Revitalization

Summary of Existing Law:

Existing law authorizes certain local agencies to form a community revitalization and investment authority (“CRIA”) within a community revitalization and investment area to carry out provisions of the Community Redevelopment Law in that area for purposes related to, among other things, infrastructure, affordable housing, and economic revitalization. Existing law requires not less than eighty percent (80%) of the land calculated by census tracts or census block groups within the area to be characterized by

several conditions, including a condition that the land has an annual median household income of less than 80% of the statewide annual median income.

Impact of AB 2492:

This bill makes changes to allow greater flexibility for the creation of CRIAs. Specifically, calculations for the creation of CRIAs can be made with a combination of census tracts and census block groups, and allows community revitalization plans if the census tract or block groups in the community revitalization and investment area are within a disadvantaged community. This bill also allows a CRIA to receive funding from the same sources as an enhanced infrastructure financing district.

Special Districts General

AB 2613, Chapter 164 (Achadjian): Special Districts: Audits

Summary of Existing Law:

Existing law requires the county auditor to either perform an audit or contract with a public accountant to perform an audit of every special district in the county. A special district may replace the annual audit with an audit over a longer period of time or with a financial review by unanimous request of its governing board and unanimous approval by the board of supervisors.

Impact of AB 2613:

Until January 1, 2027, this bill: (1) authorizes additional alternatives to the annual audit for special districts that both process their financial transactions through the county's financial system and have annual revenues below \$150,000; (2) prohibits a special district from replacing the audit with a financial compilation for more than five consecutive years, at which time the district must undergo an annual audit; and (3) requires the special district to pay for any costs incurred by the county auditor in performing a financial compilation or an agreed-upon procedures engagement.

Special Districts Park Districts

SB 1082, Chapter 52 (McGuire): Regional Park and Open-Space Districts: General Manager: Powers

See under General Municipal (Contracts), [page 7](#).

Special Districts Community Facilities Districts

AB 1666, Chapter 93 (Brough): Community Facilities Districts: Reports

Summary of Existing Law:

The Mello-Roos Community Facilities Act of 1982 ("Act") authorizes the formation of a community facilities district to finance various services. The Act requires a community facilities district formed after January 1, 1992, to prepare a separate document titled an "Annual Report" if requested

by a person who resides in or owns property in the district and within 120 days after the last day of each fiscal year. The Act requires a legislative body to report specific information regarding the sale of bonds to the California Debt and Investment Advisory Commission ("CDIAC").

Impact of AB 1666:

This bill requires a legislative body that has a website, within seven (7) months after the last day of each fiscal year of the district, to display prominently on its website a copy of that annual report, if requested, a copy of the report to CDIAC, and a copy of the report to the Controller.

AB 2618, Chapter 795 (Nazarian): Community Facilities Districts: Powers

Summary of Existing Law:

The Mello-Roos Community Facilities Act of 1982 specifies the requirements for the establishment of a community facilities district. Existing law authorizes a community facilities district to be formed through an alternative procedure wherein the district initially consists solely of territory proposed for annexation to the community facilities district in the future and the territory is annexed and subjected to special taxes only upon unanimous approval of the owners, to finance energy efficiency, water conservation, and renewable energy improvements.

Impact of AB 2618:

This bill authorizes a community facilities district that is formed pursuant to the alternative procedure to additionally finance seismic retrofitting.

Special Districts Cemetery Districts

AB 1658, Chapter 242 (Bigelow): Happy Homestead Cemetery District: Nonresident Burial

Summary of Existing Law:

The Public Cemetery District Law specifies the procedures for forming public cemetery districts, selecting the district board of trustees and officers, and the powers and duties of the board. The law limits interments in public cemetery district cemeteries to residents of the district and

nonresidents meeting specified criteria. Existing law also permits interments of nonresidents in designated public cemetery districts under certain circumstances.

Impact of AB 1658:

This bill permits Happy Homestead Cemetery District in the City of South Lake Tahoe in the County of El Dorado to use its cemeteries to inter residents of specified Nevada communities upon meeting specified conditions.

SB 1179, Chapter 592 (Vidak): Public Cemetery Districts: Interment Rights

Summary of Existing Law:

Existing law authorizes a public cemetery district to sell “interment rights,” which is the right to use or control the use of a plot, niche or other space in a public cemetery district for interment of human remains. Existing law provides for the succession of an interment plot in a private cemetery, but not in public cemeteries.

Impact of SB 1179:

This bill clarifies the intestate order of succession for the ownership of burial plots purchased by a family member who passed away without making a legal directive for how to use the plot in case of the individual’s death.

Special Districts Health Care Districts

AB 2737, Chapter 421 (Bonta): Nonprovider Health Care Districts

Summary of Existing Law:

The Local Health Care District Law provides for local health care districts that govern certain health care facilities. Each health care district has specific duties and powers regarding the creation, administrative, and maintenance of the districts.

Impact of AB 2737:

This bill requires the Eden Township Healthcare District, a non-provider health care district, in Alameda County to spend at least eighty percent (80%) of its annual budget on community grants awarded to organizations that provide direct health services and not more than twenty percent (20%) of its annual budget on administrative expenses.

SB 957, Chapter 212 (Hueso): Health Care Districts: Design Build

Summary of Existing Law:

Existing law authorizes the Sonoma Valley Health Care District, and until January 1, 2025, the Marin Healthcare District, to use the design-build process when contracting for the construction of a building or improvements directly related to a hospital or health facility building at the Sonoma Valley Hospital or the Marin General Hospital.

Impact of SB 957:

This bill authorizes, until January 1, 2025, any health care district to use the design-build process when contracting for the construction of a hospital or health facility building. By doing so, this bill may result in public works related cost savings.

Ordinances and Major Issues Medical Marijuana

AB 21, Chapter 1 (Wood): Medical Marijuana: Cultivation Licenses

Summary of Existing Law:

The Compassionate Use Act of 1996 authorizes the use of marijuana for medical purposes. Existing law also provides for the licensing and regulation by both state and local entities of medical marijuana cultivation. Beginning March 1, 2016, the Department of Food and Agriculture (“Department”) is the sole licensing authority for medical marijuana cultivation applicants in that city or county. Existing law also exempts certain persons cultivating medical marijuana from the requirement to obtain both a state license from the Department and a license, permit, or other entitlement allowing cultivation from the city or county where cultivation would occur. The city and county are permitted to regulate or ban the cultivation, storage, manufacture, transport, provision, or other activity by a person otherwise exempt from state regulation.

Impact of AB 21:

This bill deletes the provision that grants the Department the sole licensing authority under the above-referenced circumstances. This bill also provides that an exemption from these licensure requirements does not limit or prevent a city or county from exercising its police power authority under a specified provision of the California Constitution.

AB 821, Chapter 811 (Gipson): Sales and Use Taxes: Administration: Payments: Dispensaries

Summary of Existing Law:

The Sales and Use Tax Law requires any person whose estimated tax liability averages \$10,000 or more a month to remit amounts due by electronic funds transfer. The Medical Cannabis Regulation and Safety Act provides for the licensure and regulation of medical cannabis.

Impact of AB 821:

This bill authorizes, before January 1, 2022, a person issued a seller’s permit for a place of business that is a dispensary to remit amounts due for retail sales at the dispensary by a means other than electronic funds transfer.

AB 2516, Chapter 827 (Wood): Medical Marijuana: State Cultivator License Types: Specialty Cottage Type

Summary of Existing Law:

The Medical Cannabis Regulation and Safety Act (“Act”) provides for the licensure and regulation of medical cannabis and establishes various types of state cultivator licenses to be issued to qualified applicants by the Department of Food and Agriculture (“CDFA”).

Impact of AB 2516:

This bill provides for a Type 1C, or “specialty cottage,” state cultivator license to be issued by the CDFA, as specified, under the authority of the Act.

AB 2679, Chapter 828 (Cooley): Medical Marijuana: Regulations: Research

Summary of Existing Law:

The Medical Cannabis Regulation and Safety Act (“Act”) provides for the licensure of persons engaged in specified medical marijuana activities and also establishes other regulatory provisions. Each licensing authority must prepare and submit to the Legislature an annual report on the authority’s activities and post the report on the authority’s website. Existing law exempts cooperative and collectives who cultivate medical cannabis for qualified patients from criminal sanctions, until one year after the Bureau of Medical Cannabis Regulation posts a notice on its website that licensing authorities have commenced issuing licenses pursuant to the Act.

Impact of AB 2679:

This bill requires agencies with regulatory responsibilities under the Act to include additional information in their existing reporting requirements to the Legislature. This bill also exempts collectives or cooperatives that manufacture medical cannabis products from certain criminal sanctions, if specific requirements are met, during the one year period described above.

SB 139, Chapter 624 (Galgiani): Controlled Substances

Summary of Existing Law:

Existing law makes it a misdemeanor to sell, dispense, distribute, furnish, administer, or give, or offer to sell, dispense, distribute, furnish, administer, or give, or possess

for sale, any synthetic stimulant compound, any specified synthetic stimulant derivative, any synthetic cannabinoid compound, or any synthetic cannabinoid derivative.

Impact of SB 139:

This bill criminalizes possession of specified synthetic cannabinoids or stimulants. Specifically, this bill provides that a first offense for possession of such substances is an infraction, a second offense is an infraction or misdemeanor, and a third or subsequent offense is a misdemeanor.

SB 839, Chapter 340 (Committee on Budget and Fiscal Review): Public Resources

Impact of SB 839:

This bill makes a variety of changes related to Public Resources. One notable local government change is that the bill re-establishes local authority over regulating plants, crops, or seeds within a city's jurisdiction, including marijuana seeds.

SB 1036, Chapter 627 (Hernandez): Controlled Substances: Synthetic Cannabinoids: Analogs

Summary of Existing Law:

Existing law makes it a misdemeanor to sell, dispense, distribute, furnish, administer, or give, or offer to sell, dispense, distribute, furnish, administer, or give, or possess for sale, any synthetic stimulant compound or any specified synthetic stimulant derivative.

Impact of SB 1036:

This bill criminalizes the possession, sale, transport, and manufacture of an analog of a synthetic cannabinoid compound, also known as "spice." This bill also expands the definition of controlled substance analog.

Ordinances and Major Issues Signs

AB 1373, Chapter 853 (Santiago): Outdoor Advertising: City of Los Angeles

Summary of Existing Law:

The Outdoor Advertising Act ("Act") permits the Department of Transportation ("Department") to regulate

advertising displays within view of public highways. The Act exempts certain advertising displays that advertise the business conducted or services rendered or goods produced or sold on the property upon which the display is placed.

Impact of AB 1373:

This bill exempts advertising displays from the Act if located in specific geographic areas of the City of Los Angeles ("City"). The displays must meet certain conditions and requirements. The Department is tasked with determining if the display reduces federal aid funds or is inconsistent with any federal law, regulation, or agreement between the state and a federal agency or department. The bill would make the City primarily responsible for ensuring that a display remains in compliance with the ordinance and bill's requirements. The City must indemnify and hold the Department harmless if the City fails to do so.

SB 1199, Chapter 869 (Hall): Advertising Displays: City of Inglewood

Summary of Existing Law:

The Outdoor Advertising Act ("Act") permits the Department of Transportation ("Department") to regulate advertising displays within view of public highways. The Act provides that an advertising display advertising businesses and activities developed within and a part of an individual redevelopment agency project may remain and be considered an on-premises display until January 1, 2023, upon meeting specified criteria. The Act also authorizes, on or after January 1, 2022, the applicable city or county to request from the Department an extension for good cause beyond January 1, 2023, not to exceed the expiration of the redevelopment area.

Impact of SB 1199:

This bill authorizes similar provisions for the advertising of businesses or activities operating outside a redevelopment project area, but within the City of Inglewood ("City").

Ordinances and Major Issues Massage

AB 2194, Chapter 411 (Salas): California Massage Therapy Council: Extension of Sunset Date

Summary of Existing Law:

The Massage Therapy Act (“Act”) provides for certification of massage practitioners and massage therapists by the California Massage Therapy Council until January 1, 2017. The Act provides guidelines for the suspension of license or disciplining of an owner, operator, or certificate holder.

Impact of AB 2194:

This bill extends the sunset for the Act by four (4) years until 2021. This bill clarifies that a city or county shall not require of a person who is certified pursuant to the Act, to have to submit to another background check, including a criminal background check, or require submission of fingerprints for a federal or state criminal background check. This bill prohibits a city or county from requiring a massage establishment to have a shower or bath. This bill also allows an applicant to challenge a denial or discipline decision within ninety (90) days instead of one (1) year

Ordinances and Major Issues Animals

AB 1825, Chapter 97 (Gordon): Vicious Dogs

Summary of Existing Law:

Existing law provides for certain categories of dogs to be designated as potentially dangerous or vicious pursuant to a specified judicial process, and requires that designation to be included in the dog’s registration records. Existing law defines “vicious dog” to include dogs seized pursuant to specified animal cruelty laws.

Impact of AB 1825:

This bill removes from the definition of “vicious dog” any dog that is “seized under criminal laws prohibiting dog-fighting whose owner has been convicted of a crime related to dog-fighting.”

AB 2269, Chapter 568 (Waldron): Animal Shelters: Research Animals: Prohibition

Summary of Existing Law:

Existing law requires a pound or animal regulation department of a public or private agency, where animals are turned over dead or alive to a biological supply or research facility, to post a statement to this effect. Existing law also requires the statement and other information be included on owner surrender forms.

Impact of AB 2269:

This bill prohibits the sale or transfer of live animals from pounds and animal shelters to animal dealers or research facilities, and prohibits such facilities from receiving animals, for purposes of research, testing, or animal experiments. It also prohibits putting animals down for the purpose of transferring their remains to a research facility or animal shelter.

AB 2505, Chapter 105 (Quirk): Animals: Euthanasia

Summary of Existing Law:

Existing law prohibits a person from killing an animal by using carbon monoxide gas or intracardiac injection of a euthanasia agent on a conscious animal. With respect to the killing of a dog or cat, a person may not use a high-altitude decompression chamber or nitrogen gas.

Impact of AB 2505:

This bill prohibits the use of carbon dioxide gas to euthanize an animal. The measure prohibits the use of carbon dioxide gas when euthanizing dogs and cats in California.

SB 945, Chapter 364 (Monning): Pet Boarding Facilities

Summary of Existing Law:

Existing law regulates the care and maintenance of animals in pet stores.

Impact of SB 945:

This bill establishes procedures for the care and maintenance of pets at a pet boarding facility. The bill specifically authorizes a city or county to adopt ordinances

that establish additional standards and requirements for a pet boarding facility. An animal control officer, a humane officer, or peace officer who detects a violation of specified provisions by a pet boarding facility operator must issue a notice to correct.

Ordinances and Major Issues Firearms

AB 2165, Chapter 640 (Bonta): Firearms: Prohibitions: Exemptions

Summary of Existing Law:

Existing law makes it a crime for any person in this state to manufacture, import into the state for sale, keep for sale, offer or expose for sale, give, or lend an unsafe handgun.

This prohibition does not apply to the sale or purchase of a handgun if the handgun is sold to or purchased by a police department, the Department of Corrections and Rehabilitation, or any federal law enforcement agency, among other entities.

Impact of AB 2165:

This bill exempts several agencies and their peace officers from the prohibition related to the purchase or sale of unsafe handguns which also lacks various safety mechanisms and fails to pass specified tests.

SB 869, Chapter 651 (Hill): Securing Handguns in Vehicles

Summary of Existing Law:

Existing law prohibits a person who is 18 years of age or older, and who is the owner, lessee, renter, or other legal occupant of a residence, who owns a firearm and who knows or has reason to know that another person also residing there is prohibited from possessing, receiving, owning, or purchasing a firearm from keeping a firearm in that residence, unless the firearm is secured.

Impact of SB 869:

This bill requires any person, when leaving their handgun in a motor vehicle, to secure it by locking it in the trunk of the vehicle, or in a locked container, and by placing the container out of plain view. It clarifies that its provisions do not supersede any local ordinance that regulates the storage of handguns in unattended vehicles, if the ordinance was in effect prior to the effective date of this bill.

Utilities

SB 927, Chapter 168 (Anderson): Public Utility District: Election of Directors

Summary of Existing Law:

The Public Utility District Act (“Act”) authorizes the formation of public utility districts and for a district to acquire, construct, own, operate, or control works for supplying various services. The Act also provides for the manner of electing members of the board of directors of a district, and specifies that where a district formed and operated pursuant to the Act is situated entirely in one county, the directors are elected at large.

Impact of SB 927:

This bill authorizes the board of directors of Fallbrook Public Utilities District in San Diego County to elect directors by subdistricts. This bill requires a resolution or ordinance that divides a district into subdistricts be adopted, pursuant to the provisions above, to describe the boundaries of the subdistricts so that the subdistricts are as nearly equal in population as may be.

SB 1028, Chapter 598 (Hill): Electrical Corporations: Local Publicly Owned Electric Utilities: Electrical Cooperatives: Wildfire Mitigation Plans

Summary of Existing Law:

The Public Utilities Commission (“PUC”) establishes rules for all public utilities. The Public Utilities Act provides the PUC with broad authority over public utilities, while local publicly owned electric utilities and electrical cooperatives are under the direction of their governing boards.

Impact of SB 1028:

This bill requires each electrical corporation, local publicly owned electric utility, and electrical cooperative to construct, maintain, and operate its electrical lines and equipment in a manner that will minimize the risk of catastrophic wildfire posed by those electrical lines and equipment. It requires each electrical corporation to annually prepare a wildfire mitigation plan. The PUC must review and provide comment on this plan.

SB 1422, Chapter 156 (Glazer): Public Utilities and Other Service Suppliers: Collection of Local Taxes

Summary of Existing Law:

A public utility is required to bill its customers for various taxes imposed by a public entity and remit the tax revenues to the public entity. The Public Utilities Act provides that a public utility or other service supplier is not liable to any customer as a result of collecting these taxes, and grants various rights to, and imposes various requirements on, public utilities and other service suppliers with respect to the imposition, repeal, or collection of the taxes.

Impact of SB 1422:

This bill includes cable service providers in the definition of “other service supplier,” which has the effect of limiting the liabilities and responsibilities of public utilities and other service providers collecting a utility user tax.

Planning

AB 2180, Chapter 566 (Ting): Land-Use: Development Project Review

Summary of Existing Law:

The Permit Streamlining Act within the Planning and Zoning Law requires the lead agency on a project to approve or disapprove of the project within 180 days from the date of certification of an environmental impact report (“EIR”). Approval or disapproval within ninety (90) days of certification is required if at least forty-nine percent (49%) of the units within the development project are affordable to very low or low-income households. Approval or disapproval within sixty (60) days from adoption of a negative declaration or exemption from the California Environmental Quality Act (“CEQA”) is required.

Impact of AB 2180:

This bill requires any public agency that is the lead agency for a development project to approve or disapprove the project within 120 days from the date of certification of the EIR, when the project consists of either residential units only or mixed use development in which nonresidential uses are less than fifty percent (50%) of the total square footage of the development. The bill also requires a public agency that is a responsible agency for a development project that has been approved by the lead agency to approve or disapprove the development project within whichever of the following periods of time is longer: (1) within ninety (90) days from the date on which the lead agency has approved the project; or (2) within ninety (90) days of the date on which the completed application for the development project has been received and accepted as complete by that responsible agency.

SB 1000, Chapter 587 (Leyva): Land-Use: General Plans: Environmental Justice

Summary of Existing Law:

The Planning and Zoning Law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city and of any land outside its boundaries bearing a relationship to its planning.

Impact of SB 1000:

This bill requires a city or county to include in the general plan an environmental justice element that identifies disadvantaged communities within the area covered by the general plan of that city or county, if the city or county has a disadvantaged community. The bill also requires a planning agency to review and revise the safety element of the general plan to identify new information addressing flooding and fires.

Housing and Community Development

AB 587, Chapter 396 (Chau): Mobilehomes: Payments: Nonpayment or Late Payments

Summary of Existing Law:

Existing law prohibits the Department of Housing and Community Development (“Department”) from issuing a duplicate or new certificate of title or registration card, or amending the permanent title record to a mobilehome buyer when the mobilehome has outstanding charges or liens due to the previous owner’s failure to pay certain fees and penalties.

Impact of AB 587:

This bill requires the Department to waive all outstanding charges and release any liens imposed in respect to those charges when a person, who is not currently the registered owner of a mobilehome and meets certain requirements, applies to the department for registration or transfer of registration of the mobilehome prior to December 31, 2019. The Department must also amend the title record.

AB 723, Chapter 552 (Chiu): Housing: Finance

Summary of Existing Law:

Existing law requires at least twenty percent (20%) of the total number of units in a multifamily rental housing development, financed from the proceeds of bonds issued by the California Housing Finance Agency (“CalHFA”), to be occupied on a priority basis by lower income households. Existing law requires that in a targeted area, not less than fifteen percent (15%) of the total number of units financed by CalHFA be occupied on a priority basis by lower income households, and no less than one-half of the units required for lower income households be provided on a priority basis to very low-income households. Existing law also restricts the rental payments that can be charged to very low-income households to not more than thirty percent (30%) of fifty percent (50%) of the area median income.

Impact of AB 723:

This bill makes changes to rules governing the allocation of Community Development Block Grant (“CDBG”) funds to small, “non-entitlement” cities and counties, which receive

federal CDBG funds via the state Department of Housing and Community Development (“HCD”) rather than directly from the federal government. It also expands eligibility requirements for loans awarded by CalHFA.

AB 1934, Chapter 747 (Santiago): Planning and Zoning: Density Bonuses: Mixed-Use Projects

Summary of Existing Law:

The Planning and Zoning Law requires, when an applicant proposes a housing development within the local government’s jurisdiction, that the city or county provide the developer with a density bonus and other incentives to create lower income housing units, or the donation of land within the development if the developer agrees to construct a specified percentage of units for very low, low-, or moderate-income households or qualifying residents.

Impact of AB 1934:

This bill provides that when a commercial developer has entered into an agreement for partnered housing to contribute affordable housing through a joint project or two separate projects encompassing affordable housing, the local government must grant the commercial developer a development bonus. The agreement for partnered housing shall be between the commercial developer and the housing developer, shall identify how the commercial developer will contribute affordable housing, and shall be approved by the city, county, or city and county.

AB 2031, Chapter 453 (Bonta): Local Government: Affordable Housing: Financing

Summary of Existing Law:

Existing law requires the county auditor-controller in each county to allocate property tax revenues in the county’s Redevelopment Property Tax Trust Fund (“Fund”) towards the payment of enforceable obligations and among entities that include, among others, a city, county, or city and county.

Impact of AB 2031:

This bill authorizes a city or county to pass an ordinance to issue bonds for construction of affordable housing without raising taxes or diverting property taxes from other

sources. This bill would allow the city or county to use any portion of their net available revenue, which is distributed from the Fund, to use bonds for affordable housing.

AB 2208, Chapter 460 (Santiago): Local Planning: Housing Element: Inventory of Land for Residential Development

Summary of Existing Law:

The Planning and Zoning Law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city and of any land outside its boundaries bearing a relationship to its planning. The plan must include a housing element.

Impact of AB 2208:

This bill adds the following to the list of land suitable for residential development: (1) provides, for residentially zoned sites that are capable of being developed at a higher density, that this includes the airspace above sites (e.g., space above existing buildings) owned or leased by a city, county or city and county; or (2) provides, for non-residentially zoned sites that can be redeveloped for residential use, that this includes the airspace above sites (e.g., space above existing buildings) owned or leased by a city, county, or city and county. The bill includes that the Department of Housing and Community Development shall provide guidance to local agencies to property survey, detail, and account for sites listed in the housing element.

AB 2254, Chapter 462 (Achadjian): Armories: Homeless Shelter

Summary of Existing Law:

Existing law requires the Military Department to make certain state armories available to specified cities and counties for the purpose of providing temporary shelter for homeless persons from October 15 to April 15 each year.

Impact of AB 2254:

This bill would revise the list of available armories to include the Atascadero armory in San Luis Obispo County.

AB 2299, Chapter 735 (Bloom): Land-Use: Housing: Secondary Units

Summary of Existing Law:

The Planning and Zoning Law authorizes the legislative body of a city or county to regulate the intensity of land use and to provide by ordinance for the creation of secondary units in single-family and multifamily residential zones. The ordinance may designate areas within the jurisdiction of the local agency where secondary units may be permitted, to impose specific standards on secondary units, and to provide that secondary units do not exceed allowable density and are a residential use.

Impact of AB 2299:

This bill authorizes local governments to adopt an accessory dwelling unit (“ADU”) ordinance and adds specifications for what is required in an ADU ordinance, including relaxing parking restrictions, prohibiting the need for a passageway, and increasing the permissible size of the units.

AB 2406, Chapter 755 (Thurmond): Housing: Junior Accessory Dwelling Units

Summary of Existing Law:

The Planning and Zoning Law authorizes the legislative body of a city or county to regulate the intensity of land use and to provide by ordinance for the creation of secondary units in single-family and multifamily residential zones.

Impact of AB 2406:

This bill defines junior accessory dwelling units (“JADUs”) in law and creates a streamlined, inexpensive permitting process and regulatory environment to facilitate development. This bill prohibits requiring additional parking, and applying water, sewer, and power connection fees. This bill also eliminates requirements for fire separation and fire sprinklers, as the in-law apartment stays connected to the main living area through an adjoining door, building in the flexibility to have a second

unit, while still allowing for single family use. JADUs are specifically created by repurposing spare bedrooms in homes, creating a small, simple and flexible type of in-law apartment.

AB 2442, Chapter 756 (Holden): Density Bonus

Summary of Existing Law:

The Planning and Zoning Law requires, when an applicant proposes a housing development within a local government's jurisdiction, that the city or county provide the developer with a density bonus and other incentives for the production of lower income housing units, or for the donation of land in the development if the developer agrees to construct a specified percentage of units for very low, low, or moderate-income households or qualifying residents.

Impact of AB 2442:

This bill requires a local agency to grant one (1) density bonus, when an applicant for a housing development seeks and agrees to construct a housing development that contains ten percent (10%) of the total units for transitional foster youth, disabled veterans, or homeless persons, as those terms are defined in code. This bill also requires the units to be subject to a recorded affordability restriction of fifty-five (55) years and to be provided at the same affordability level as very low-income units.

AB 2501 (Chapter 758) (Bloom): Housing: Density Bonuses

Summary of Existing Law:

The Planning and Zoning Law requires, when an applicant proposes a housing development within a local government's jurisdiction, that the city or county provide the developer with a density bonus and other incentives for the production of lower income housing units, or for the donation of land in the development if the developer agrees to construct a specified percentage of units for very low, low-, or moderate-income households or qualifying residents. Existing law also authorizes the waiver or reduction of development standards that would preclude this development. Affordability for fifty-five (55) years or longer is required for all very low income and low-income units that qualified an applicant for a density bonus. A city

or county must adopt an ordinance implementing these requirements and establish a procedure to carry out the ordinance.

Impact of AB 2501:

This bill clarifies that when an applicant seeks a density bonus for a housing development within, or for the donation of land for housing within the jurisdiction of a city or county, that local government shall provide the applicant with waiver and reduction of development standards for the production of housing units and child care facilities, in addition to incentives or concessions, as currently provided in density bonus law. This bill also prohibits a local government from conditioning the submission, review, or approval of an application for a density bonus on the preparation of an additional report or study that is not otherwise described in density bonus law. This bill also allows a local government to require reasonable documentation to establish eligibility for a density bonus, incentives and concessions, waivers of development standards, and parking ratios.

AB 2556, Chapter 761 (Nazarian): Density Bonuses

Summary of Existing Law:

The Planning and Zoning Law requires, when an applicant proposes a housing development within the jurisdiction of a local government, that the city or county provide the developer with a density bonus for the production of lower income housing units. The applicant is ineligible for a density bonus if the housing development is proposed on a property with existing or certain former dwelling units subject to specific affordability requirements, unless the proposed development replaces those units. "Replace" is defined to mean providing the same number of equivalent units to persons or families in the same or lower income categories.

Impact of AB 2556:

The bill revises the definition of "replace" to require a rebuttable presumption, based on certain federal data, regarding the proportion of lower income renter households that occupy existing units, if the income category of the households in occupancy is not known. The bill, under certain circumstances, authorizes the city

or county to require the replacement units to be made at affordable rent or affordable housing cost to, and occupied by, low-income persons or families, or to require the units to be replaced in compliance with the rent or price control ordinance of the jurisdiction.

AB 2584, Chapter 420 (Daly): Land Use: Housing Development

Summary of Existing Law:

The Housing Accountability Act (“Act”) prohibits a local agency from disapproving a housing development project for very low, low, or moderate-income households or an emergency shelter or conditioning approval in a manner which renders the project infeasible, unless the local agency makes specified findings. The Act authorizes an applicant or person eligible to apply for residency in the development or emergency shelter to bring an action to enforce the Act.

Impact of AB 2584:

This bill authorizes a housing organization to bring an action challenging the disapproval of a housing development pursuant to its provisions.

AB 2685, Chapter 271 (Lopez): Housing Elements: Adoption Summary of Existing Law:

The Planning and Zoning Law requires a city or county to adopt a comprehensive, long-term general plan for the physical development of the city or county and of any land outside its boundaries that is related to its planning. Existing law requires this general plan to include certain elements, including a housing element.

Impact of AB 2685:

This bill requires the planning agency staff to collect and compile public comments and provide them to each member of the legislative body prior to the adoption of the housing element.

SB 775, Chapter 83 (Allen): Tenancy: Rent Control: Certification

Summary of Existing Law:

The Costa-Hawkins Rental Housing Act (“Act”) prescribes statewide limits on the application of local rent control with regard to certain properties, including those that

have a certificate of occupancy issued after February 1, 1995. Existing law requires a local ordinance or charter controlling residential rent prices that requires rent registration to provide for a certification of permissible rent levels. Existing law provides that the permissible rent levels in this certificate are binding and conclusive on the local agency unless the rent levels are appealed.

Impact of SB 775:

This bill specifies that on and after January 1, 2016, the certification provisions do not apply to tenancies for which the residential property owner may establish the initial rent under the Act. The bill makes an exception from this exclusion a tenancy for which the property owner provides the local rent control agency with a writing, signed under penalty of perjury, of the tenancy’s initial rent that complies with the agency’s requirements, which would create a rebuttable presumption that the statement of the initial rent is correct.

SB 1069, Chapter 720 (Wieckowski): Accessory Dwelling Units

Summary of Existing Law:

The Planning and Zoning Law authorizes the legislative body of a city or county to regulate the intensity of land use and to provide by ordinance for the creation of secondary units in single-family and multifamily residential zones.

Impact of SB 1069:

This bill requires an ordinance for the creation of accessory dwelling units (“ADUs”) to include specified provisions regarding areas where ADUs may be located, standards, and lot density. The bill revises requirements for the approval or disapproval of an ADU application when a local agency has not adopted an ordinance. This bill also adds that local agencies shall not require an ADU applicant to install a new or separate utility connection directly between the ADU and the utility or impose a related connection fee capacity charge if the ADU is contained within the existing space of a single-family residence or accessory structure. A local agency may require a new or separate utility connection fee between an ADU and the utility if the ADU is not contained within the existing space of a single family residence or accessory structure.

Waste

AB 1103, Chapter 443 (Dodd): Solid Waste Disposal: Self-Haulers

Summary of Existing Law:

The California Integrated Waste Management Act of 1989 regulates the disposal, management, and recycling of solid waste. Exporters, brokers, and transporters of recyclables or compost are required to submit information to the Department of Resources Recycling and Recovery (“Department”) on the types, quantities, and destinations of materials that are disposed of, sold, or transferred.

Impact of AB 1103:

This bill requires a self-hauler to submit the above-mentioned information to the Department, and would require the Department to develop regulations that define “self-hauler” to include specified persons and entities.

AB 1817, Chapter 21 (Stone): Solid Waste: Garbage and Refuse Disposal Districts: Board of Directors

Summary of Existing Law:

Existing law authorizes the formation of garbage and refuse disposal districts under certain conditions. Existing law also requires that a board of directors of not less than three (3) members be appointed for each district. Each member of the board of directors may receive up to \$50 per diem for each day of actual attendance at the board meetings, up to \$100 in a calendar month.

Impact of AB 1817:

This bill increases the current statutory cap on compensation for a garbage and refuse disposal district’s board of directors. Specifically, this bill deletes the \$50 per meeting limit on the amount of per diem that a director can receive and, instead, authorizes the board, by ordinance or resolution, to provide compensation that does not exceed \$100 per meeting or for each day of service rendered as a director by request of the board. It also deletes the \$100 monthly limit on the amount of per diem received by each director and, instead, authorizes a board member to receive compensation for up to six (6) days in a calendar month.

Police General

AB 1597, Chapter 36 (Stone): County Jails: Performance Milestone Credits

Summary of Existing Law:

Existing law provides that when a prisoner is confined to a county or city jail, an industrial farm, or a road camp, for each four (4) day period in which he or she is confined, he or she may have one day deducted from his or her period of confinement.

Impact of AB 1597:

This bill allows inmates in county jail who have not yet been sentenced to earn program credit reductions for successfully completing approved rehabilitation programs. It authorizes credits awarded prior to sentencing to be applied to a sentence for which the person was awaiting sentencing at the time the credits were awarded.

AB 1678, Chapter 875 (Santiago): Provision of Incident Reports to Victims

Summary of Existing Law:

Existing law requires state and local law enforcement agencies to provide, without charging a fee, one copy of all domestic violence incident report face sheets and one copy of all domestic violence incident reports, or both, to a victim of domestic violence or to his or her personal representative.

Impact of AB 1678:

This bill requires state and local law enforcement agencies to provide, at no cost and within a specified time frame, a copy of all incident reports and face sheets to victims or representatives of the victims of sexual assault, stalking, human trafficking, and elder or dependent abuse. This bill also provides clarification on what information a victim's representative must present in order to obtain the incident report.

AB 1680, Chapter 817 (Rodriguez): Crimes: Emergency Personnel

Summary of Existing Law:

Existing law provides that every person who goes to or stops at the scene of an emergency, who is not required

to be at the scene as a part of that person's employment, to view the scene or activities of responding emergency personnel, is guilty of a misdemeanor if the person impedes police officers, firefighters, emergency medical, or other emergency or military personnel in the performance of their duties in coping with the emergency.

Impact of AB 1680:

This bill makes it a misdemeanor to use a drone, unmanned aerial vehicle, or remote piloted aircraft, regardless of the operator's location, to impede specified emergency personnel in the performance of their duties while coping with an emergency.

AB 1705, Chapter 162 (Rodriguez): Jails: Searches

Summary of Existing Law:

Existing law prohibits strip searches and body cavity searches of prearrest detainees arrested for infraction or misdemeanor offenses.

Impact of AB 1705:

This bill allows law enforcement personnel to use a body scanner to search a person who is arrested and taken into custody. An agency using a body scanner must avoid knowingly using a body scanner to scan a woman who is pregnant. This bill also requires a person within sight of the visual display of the body scanner depicting the body to be of the same sex as the person being scanned, except for physicians or licensed medical personnel.

AB 1769, Chapter 96 (Rodriguez): 911 Emergency System: Nuisance Communications

Summary of Existing Law:

Existing law provides that a "nuisance call" to the 911 system is a misdemeanor subject to specific fines.

Impact of AB 1769:

This bill expands the above-mentioned law by making the same prohibitions and penalties applicable to calls made with or from other electronic communications devices.

AB 1924, Chapter 511 (Low): Privacy: Electronic Communications

Summary of Existing Law:

Existing law makes it a crime to install or use a pen register or trap and trace device without court approval. A peace officer may make an application to a magistrate for an order authorizing or approving the installation and use of a pen register or trap and trace device, and requires a wire or electronic communication service provider, landlord, custodian, or other person to provide the peace officer with all information, facilities, and technical assistance necessary to accomplish the installation, if the assistance is directed by the order.

Impact of AB 1924:

This bill allows pen registers or trap and trace devices to be used for up to sixty (60) days. This bill would provide an exemption from the Electronic Communications Privacy Act, which regulates the use of these devices. This bill also establishes a deadline of three (3) days to provide notice to the identified target of a trap-and-trace order, or to the Department of Justice if no target has been identified.

AB 2083, Chapter 297 (Chu): Interagency Child Death Review

Summary of Existing Law:

Existing law authorizes a county to establish an interagency child death review team to assist local agencies in identifying and reviewing suspicious child deaths and facilitating communication among persons who perform autopsies and the various persons and agencies involved in child abuse or neglect cases. Existing law requires records that are exempt from disclosure to third parties pursuant to state or federal law to remain exempt from disclosure when they are in the possession of a child death review team.

Impact of AB 2083:

This bill permits, but does not require, a local agency, at the request of an interagency child death review team, to disclose otherwise confidential information to facilitate an investigation into a child's death. The disclosed information remains confidential and is not subject to disclosure or discovery. This bill also provides what type of information is disclosable.

AB 2298, Chapter 752 (Weber): Criminal Gangs

Summary of Existing Law:

Existing law requires a law enforcement agency, before designating a person as a suspected gang member, associate, or affiliate in the CalGang database, to provide a written notice to the person's parent or guardian, if the person is a minor.

Impact of AB 2298:

This bill expands the notice requirement to adults and requires that adults whose names are entered onto the CalGang database are given notice. This bill also allows for a direct appeal of an administrative agency's decision to list or remove an individual in the CalGang database to the Superior Court within ninety (90) days of the administrative agency's decision.

AB 2491, Chapter 358 (Nazarian): Vehicles: Stopping, Standing, Parking

Summary of Existing Law:

Existing law prohibits a person from stopping, parking, or leave standing any vehicle whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or official traffic control device, in designated places, including within fifteen (15) feet of the driveway entrance to any fire station.

Impact of AB 2491:

This bill authorizes local jurisdictions to restrict parking, stopping, and standing of vehicles in the vicinity of driveways used by certain emergency vehicles.

AB 2687, Chapter 765 (Achadjian): Vehicles: Passenger for Hire: Driving Under the Influence

Summary of Existing Law:

Existing law makes it unlawful for a person to drive under the influence of alcohol or drugs. A person must not have a blood alcohol level ("BAC") of 0.04 percent (0.04%) or more to drive a commercial motor vehicle.

Impact of AB 2687:

Starting July 1, 2018, this bill makes it unlawful for a person who has a BAC of 0.04 percent (0.04%) or more to drive a vehicle when a passenger for hire is a passenger in the vehicle at the time of the offense. This bill lowers the BAC limit, which is currently at 0.08 percent (0.08%), for taxi cab and ride sharing services to 0.04 percent (0.04%).

AB 2792, Chapter 768 (Bonta): Local Law Enforcement Agencies: Federal Immigration Policy Enforcement: ICE Access

Summary of Existing Law:

Existing federal law authorizes issuance of an immigration detainer that advises another law enforcement agency that United States Immigration and Customs Enforcement seeks custody of an alien presently in the custody of that agency, for the purpose of arresting and removing that individual. Existing law, also known as the TRUST Act, prohibits a law enforcement official from detaining an individual on the basis of a United States Immigration and Customs Enforcement hold after that individual becomes eligible for release from custody, unless, at the time that the individual becomes eligible for release from custody, certain conditions are met.

Impact of AB 2792:

This bill enacts the Transparent Review of Unjust Transfers and Holds (“TRUTH”) Act, which requires a local law enforcement agency to provide an individual, who is scheduled to interview with the United States Immigrations and Customs Enforcement (“ICE”), a written consent form that would explain the purpose of the interview, that it is voluntary, and that the individual may decline to be interviewed. The bill requires the form to be available in specified languages. The local law enforcement agency must also provide specified documentation from ICE to the individual, and notify the individual regarding the intent of the agency to comply with ICE requests. These records related to ICE access would be subject to the Public Records Act. Starting January 1, 2018, a local governing body of any county or city in which a local law enforcement agency has provided ICE access to an individual during the last year must hold at least one public community forum

during the following year, and must provide information to the public about ICE’s access to individuals. These meetings must be open to public comment.

SB 6, Chapter 886 (Galgiani): Medical Parole: Compassionate Release

Summary of Existing Law:

Existing law provides that the Board of Parole Hearings or its successor in interest shall be the state’s parole authority. A prisoner who is found to be permanently medically incapacitated must be granted medical parole, if the Board of Parole Hearings determines that the conditions under which the prisoner would be released would not reasonably pose a threat to public safety. Existing law exempts a prisoner sentenced to death, a prisoner sentenced to life without the possibility of parole, and a prisoner who is serving a sentence for which parole is prohibited by initiative statute, from medical parole eligibility. Existing law also provides for compassionate release under certain circumstances, with exceptions.

Impact of SB 6:

This bill also exempts from medical parole eligibility and compassionate release eligibility a prisoner who was convicted of the first-degree murder of a peace officer or a person who had been a peace officer.

SB 443, Chapter 831 (Mitchell): Forfeiture: Assets: Controlled Substances

Summary of Existing Law:

Existing law subjects certain property to forfeiture, such as controlled substances and equipment used to process controlled substances. Existing law permits peace officers to seize property, in certain circumstances, that is subject to forfeiture. Specified public agencies may bring an action to recover expenses of seizing, destroying, eradicating, or taking remedial action with respect to any controlled substance. In forfeiture actions regarding cash or certain items not less than \$25,000, existing law requires the state or local agency to prove by clear and convincing evidence that the property is subject to forfeiture. Existing law provides for how the sale of the seized property is distributed among specified entities.

Impact of SB 443:

This bill requires a prosecuting agency to obtain a criminal conviction for the unlawful manufacture or cultivation of any controlled substance prior to recovering seizure expenses or taking remedial action as to controlled substances. It also prohibits state or local law enforcement agencies from transferring seized property to a federal agency or from receiving an equitable share of specified seized property from a federal agency if a conviction for the underlying offenses is not obtained. Further, this bill provides a more stringent burden of proof that a state or local law enforcement agency must meet to succeed in a forfeiture action in regards to cash or negotiable instruments of a value not less than \$25,000, but not more than \$40,000, shifting the burden of proof from a clear and convincing standard to beyond a reasonable doubt. Lastly, this bill provides notice guidelines for forfeiture actions.

SB 882, Chapter 167 (Hertzberg): Crimes: Public Transportation: Minors

See under Transportation, [page 35](#).

SB 945, Chapter 364 (Monning): Pet Boarding Facilities

See under Ordinances and Major Issues (Animals), [page 18](#).

SB 1121, Chapter 541 (Leno): Privacy: Electronic Communications

Summary of Existing Law:

Existing law prohibits a government entity from compelling the production of, or access to, electronic devices or communication information without a search warrant or other order, except for emergency situations. Existing law also authorizes a service provider to voluntarily disclose electronic communication or subscriber information, which must be destroyed by the government entity within ninety (90) days unless certain specified circumstances apply.

Impact of SB 1121:

This bill additionally authorizes a government entity to access electronic device information without a warrant or other order outside of emergency situations: (1) if the device is seized from an authorized possessor serving a term of parole or post-release community supervision; (2)

if the device is seized from an authorized possessor who is subject to an electronic device search as a condition of probation, mandatory supervision, or pretrial release; or (3) for the purpose of accessing information concerning the location or telephone number of the electronic device to respond to an emergency 911 call from that device. This bill also authorizes a government entity to retain electronic communication or subscriber information beyond the current ninety (90) days limitation if the service provider or subscriber is, or discloses information to, a federal, state, or local prison, jail, or juvenile detention facility. All participants to the communication must be informed, prior to the communication, that the service provider may disclose the information to the government entity.

SB 1189, Chapter 787 (Pan): Postmortem Examinations or Autopsies: Forensic Pathologists

Summary of Existing Law:

Existing law requires a county coroner to inquire into and determine the circumstances, manner, and cause of certain deaths.

Impact of SB 1189:

This bill mandates that a forensic autopsy shall only be conducted by a licensed physician. This bill also requires all persons in the autopsy room to have current blood-borne pathogen training and personal protective equipment. This measure prohibits law enforcement personnel directly involved in the care and custody of an individual from being involved in any part of the postmortem examination, if the individual has died as a result of law enforcement activity.

SB 1311, Chapter 889 (Glazer): Vehicles: Confidential Home Address

Summary of Existing Law:

Existing law makes confidential, upon request, the home addresses of specified governmental officials, peace officers, state employees, and certain other persons that appear in the records of the Department of Motor Vehicles ("Department"). Existing law also makes confidential, upon request, the home address of the spouse or child of any of those persons, or the surviving spouse or child of a peace

officer if the peace officer died in the line of duty, except for a spouse, surviving spouse, or child who was convicted of a crime and is on active parole or probation.

Impact of SB 1311:

This bill requires the Department to discontinue holding a home address confidential for a child or spouse of specified persons if the child or spouse is convicted of a felony in this state or is convicted of an offense in another jurisdiction that, if committed in California, would be a felony.

SB 1330, Chapter 544 (Galgiani): Missing Persons

Summary of Existing Law:

Existing law requires police or sheriff departments, if there is evidence that a missing person is at-risk, to broadcast a bulletin within its jurisdiction. Existing law defines at-risk as including a missing person who is mentally impaired.

Impact of SB 1330:

This bill clarifies at an “at-risk” missing person includes a person who is cognitively impaired or developmentally disabled for the purposes of issuing a “be on the lookout” bulletin. This bill also removes the requirement that law enforcement agencies exhaust all available resources before activating a “Silver Alert” for a missing person.

SB 1360, Chapter 57 (Bates): Local Government: Municipal Service Agreements: Law Enforcement Services

See under General Municipal, [page 3](#).

SB 1389, Chapter 791 (Glazer): Interrogation: Electronic Recordation

Summary of Existing Law:

Existing law requires the electronic recording of the entire custodial interrogation of a minor who is in fixed detention and is suspected of committing or accused of committing murder. Existing law sets forth various exceptions from this requirement, including if the interrogation may disclose the identity of a confidential informant or jeopardize an officer’s safety, the individual being interrogated, or another individual. The prosecution must show by clear and convincing evidence that an exception applies. Existing

law sets forth retention policies for these recordings. Existing law also defines “electronic recording” for these provisions as a video recording that accurately records a custodial interrogation.

Impact of SB 1389:

This bill makes the electronic recording requirement applicable to the custodial interrogation of any person suspected of murder, not just minors. Under the bill, in the interrogation of a minor, “electronic recording” refers to a video recording of the interrogation while, in the case of interrogation of an adult, “electronic recording” refers to either video or audio recording. This bill expresses the Legislature’s encouragement that law enforcement agencies use video recording when available.

SB 1431, Chapter 88 (Morrell): Service of Summons or Subpoena

Summary of Existing Law:

Existing law requires specified individuals to be granted access to a gated community for a reasonable period of time for the sole purpose of performing lawful service of process or service of a subpoena.

Impact of SB 1431:

This bill also requires an investigator employed by an office of the Attorney General, a county counsel, a city attorney, a district attorney, or a public defender, upon display of proper identification, to be granted access to a gated community for the sole purpose of performing lawful service of process or service of a subpoena.

Police Sex Crimes

AB 701, Chapter 848 (Garcia) Sex Crimes: Rape

Summary of Existing Law:

Existing law defines rape and spousal rape as an act of sexual intercourse accomplished under specified circumstances indicating a lack of consent, force, or duress. Existing law also makes various acts, including sodomy and oral copulation without consent or sexual intercourse with a minor, unlawful as sexual assault.

Impact of AB 701:

Through the bill, the Legislature finds that all forms of nonconsensual sexual assault may be considered rape. This broadened definition of rape will permit harsher sentencing in sexual assault cases.

AB 1682, Chapter 876 (Stone): Settlement Agreements: Sex Offenses

Summary of Existing Law:

Existing law prohibits a confidential settlement agreement in a civil action for an act that may be prosecuted as a felony sex offense.

Impact of AB 1682:

This bill prohibits, as a matter of public policy, the secret settlement of civil actions involving childhood sexual abuse and exploitation cases, as well as felony abuse cases, like sexual assault against an elder or dependent adult.

AB 2263, Chapter 881 (Baker): Protection of Victims of Domestic Violence, Sexual Assault, or Stalking, and Reproductive Health Care Service Providers: Address Confidentiality

Summary of Existing Law:

Existing law authorizes victims of domestic violence, sexual assault, or stalking, and reproductive health care providers, employees, volunteers, and patients to complete an application for the purpose of enabling state and local agencies to respond to requests for public records without disclosing a program participant's residence address contained in any public records, and otherwise provides for their confidentiality of their identity. Existing law requires state and local agencies to accept the address designated by the Secretary of State as a program participant's substitute address.

Impact of AB 2263:

This bill sets out requirements for the notice that the Secretary of State sends to program participants regarding when and how the substitute address may be used. The bill would, with exceptions, also prohibit a person, business, or association from publicly posting or displaying on the Internet the home address of a program participant who

is a reproductive health care services provider, employee, volunteer, or patient and who has made a written demand to not disclose his or her address. This bill also prohibits a person, business, or association from knowingly posting the home address of a program participant or the participant's residing spouse or child on the Internet if the individual, business, or association knows that the person is a program participant, and intends to cause or threaten imminent great bodily harm.

SB 420, Chapter 734 (Huff): Prostitution

Summary of Existing Law:

Existing law provides that a person who solicits to, agrees to, or actually engages in any act of prostitution is guilty of disorderly conduct, a misdemeanor.

Impact of SB 420:

This bill establishes three (3) different types of acts that constitute prostitution: (1) agreeing to receive compensation, receiving compensation, or soliciting compensation for a lewd act; (2) providing compensation, agreeing to provide compensation, or soliciting an adult to accept compensation in exchange for a lewd act; and (3) providing compensation, agreeing to provide compensation to a minor in exchange for a lewd act, regardless of which party made the initial solicitation.

SB 448, Chapter 772 (Hueso): Sex Offenders: Internet Identifiers

Summary of Existing Law:

The Californians Against Sexual Exploitation Act ("CASE Act") requires a person who is subject to the Sex Offender Registration Act ("Act") to list all Internet identifiers established or used by the person and all Internet service providers used by the person on his or her sex offender registration. The CASE Act requires a person subject to sex offender registration to send written notice of any addition of or change to an Internet identifier or Internet service provider to the law enforcement agency with which he or she is currently registered within twenty four (24) hours.

Impact of SB 448:

This bill amends the CAST Act to require any person convicted of a felony requiring registration as a sex

offender, to register his or her Internet identifiers to law enforcement, if that person used the Internet to identify a victim or to commit human trafficking or child pornography offenses. This bill also expressly authorizes law enforcement agencies to use the information to investigate any sex crime, kidnapping, or human trafficking offense.

SB 1322, Chapter 654 (Mitchell): Commercial Sex Acts: Minors

Summary of Existing Law:

Existing law makes it a crime to solicit or engage in prostitution. Existing law also makes it a crime to loiter in any public place with the intent to commit prostitution.

Impact of SB 1322:

This bill provides that minors engaged in commercial sexual activity will not be arrested for prostitution. Instead, this bill directs law enforcement officers who encounter minors engaged in commercial sexual activity to report the conduct to county social services as abuse or neglect. This bill also provides that a commercially sexually exploited child may be adjudged a dependent child of the juvenile court and taken into custody to protect the minor's health or safety.

Police Human Trafficking

AB 1276, Chapter 635 (Santiago): Child Witnesses: Human Trafficking

Summary of Existing Law:

Existing law authorizes a court, upon written notice by the prosecutor made at least three days prior to the date of the preliminary hearing or trial date on which the testimony of the minor is scheduled or during the proceeding by the court's own motion, to order that the testimony of a minor thirteen (13) years or younger is given in another place and out of the presence of the judge, jury, defendant(s), and attorneys, and communicated through closed-circuit television.

Impact of AB 1276:

This bill authorizes, under specified conditions, a minor fifteen (15) years of age or younger to testify by direct and

cross-examination in another place out of the presence of the judge, jury, defendant(s), and attorneys if the testimony will involve the recitation of the facts of an alleged offense of human trafficking.

AB 1761, Chapter 636 (Weber): Human Trafficking: Victims: Affirmative Defense

Summary of Existing Law:

Existing law provides that a person who deprives or violates another's personal liberty with the intent to obtain forced labor or services or who deprives or violates another's personal liberty for the purpose of prostitution or sexual exploitation is guilty of human trafficking.

Impact of AB 1761:

This bill creates an affirmative defense against a charge of a non-violent crime that was committed as a direct result of being a human trafficking victim. Records sealed after prevailing on the human trafficking affirmative defense may still be accessed by law enforcement for subsequent investigatory purposes involving persons other than the defendant. This bill also makes expert testimony regarding the effect of human trafficking on a human trafficking victim admissible in a criminal action.

AB 2221, Chapter 641 (C. Garcia): Criminal Procedure: Arrests: Human Trafficking Witnesses

Summary of Existing Law:

Existing law provides that a person who deprives or violates another's personal liberty with the intent to obtain forced labor or services or who deprives or violates another's personal liberty for the purpose of prostitution or sexual exploitation is guilty of human trafficking.

Impact of AB 2221:

This bill provides that in a case involving a charge of human trafficking, as specified, a minor who is a victim of the human trafficking shall be provided with assistance from the local county Victim Witness Assistance Center, if the minor so desires.

AB 2498, Chapter 644 (Bonta): Human Trafficking

See under General Municipal (Public Records), [page 6](#).

Fire

AB 898, Chapter 161 (Gonzalez): Parole Suitability: Notice

Summary of Existing Law:

Existing law requires the Board of Parole Hearings (“Board”) to provide written notice to specific individuals involved in a potential parolee’s case before the court at least thirty (30) days before it meets to review or consider the parole suitability of any inmate sentenced to a life sentence. In the case of a parole hearing for an inmate convicted of the murder of a peace officer, existing law also requires notice to be provided to the law enforcement agency that employed the peace officer.

Impact of AB 898:

This bill requires the Board or the Department of Corrections and Rehabilitation to provide notice of a parole suitability hearing, for an inmate convicted of the murder of a firefighter, to the fire department that employed the firefighter, if that fire department registers with the Board to receive that notification and provides the appropriate contact information.

AB 1217, Chapter 504 (Daly): Orange County Fire Authority

Summary of Existing Law:

Existing law authorizes two (2) or more public agencies to form a joint powers authority to exercise any power common to the contracting parties by agreement. Existing law authorizes the board of supervisors of any county to contract with any local agency within the county or with the state for services relating to the prevention and suppression of fires.

Impact of AB 1217:

This bill prohibits the Orange County Fire Authority from appointing alternates for its governing board’s members.

AB 1680, Chapter 817 (Rodriguez): Crimes: Emergency Personnel

See under Police (General), **page 27**.

AB 2491, Chapter 358 (Nazarian): Vehicles: Stopping, Standing, Parking

See under Police (General), **page 27**.

Transportation

AB 1919, Chapter 745 (Quirk): Local Transportation Authorities: Bonds

Summary of Existing Law:

The Local Transportation Authority and Improvement Act provides for the creation in any county of a local transportation authority and authorizes the imposition of a retail transactions and use tax by ordinance, subject to approval of the ordinance by two-thirds of the voters. Existing law authorizes the ballot proposition submitted to the voters to include a provision authorizing bonds to be issued that would be payable from the proceeds of the transactions and use tax. If bonds are passed, existing law allows bond proceeds to be placed in the treasury of the local transportation authority and to be used for allowable transportation purposes, except that accrued interest and premiums received on the sale of the bonds are required to be placed in a fund to be used for the payment of bond debt service.

Impact of AB 1919:

This bill removes a bond requirement in existing law in order to increase a local transportation authority's flexibility in utilizing bond proceeds sold for transportation capital projects.

AB 1943, Chapter 512 (Linder): Parking: County Transportation Commissions

Summary of Existing Law:

Existing law establishes county transportation commissions in Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties for the coordination of public transportation services and the performance of various transportation planning activities. Existing law authorizes each commission to make contracts of any nature.

Impact of AB 1943:

This bill authorizes the Riverside County Transportation Commission to enter into contracts with private vendors for the enforcement of parking regulations and the removal of vehicles parked in violation of parking regulations

adopted by the commission. This bill also prohibits a person from driving or parking a vehicle or animal upon the driveways, paths, parking facilities, or grounds of a county transportation commission.

AB 2542, Chapter 525 (Gatto): Streets and Highways: Reversible Lanes

Summary of Existing Law:

Existing law provides that the Department of Transportation ("Department") is in full possession and control of the state highway system. The California Transportation Commission ("CTC") may program available funding for transportation capital projects, other than state highway rehabilitation projects, through the State Transportation Improvement Program.

Impact of AB 2542:

This bill requires the Department or regional transportation planning agencies to demonstrate that reversible lanes were considered for capacity-increasing transportation projects when submitting a capacity-increasing project or major street or highway lane realignment project to the CTC.

SB 425, Chapter 532 (Hernandez): City of El Monte: Maintenance of Effort: Streets and Roads Allocations

Summary of Existing Law:

Existing law imposes a maintenance of effort requirement on cities and counties with respect to receipt of streets and roads funds from gasoline sales tax revenues in the Transportation Investment Fund ("Fund"). If a city or county fails to comply with the maintenance of effort requirement in a particular fiscal year, existing law provides that the city or county could alternatively comply by expending in that year and the following fiscal year a combined total amount in the two fiscal years.

Impact of SB 425:

This bill gives the City of El Monte until June 30, 2021 to meet the maintenance of effort requirement for receipt of streets and roads funds from the Fund for any fiscal year between 2006-07 and 2010-11.

SB 882, Chapter 167 (Hertzberg): Crimes: Public Transportation: Minors

Summary of Existing Law:

Existing law makes it an infraction or misdemeanor to evade payment of a fare on a public transit system, to misuse a ticket with the intent to evade payment of a fare, or to use a discount ticket without authorization.

Impact of SB 882:

This bill prohibits minors from being charged with an infraction or misdemeanor for evading payment or misusing a public transit system pass, ticket, or token.

SB 998, Chapter 716 (Wieckowski): Public Transit Bus Lanes

Summary of Existing Law:

Existing law makes it unlawful for a person to stop or park a motor vehicle in specified places, including an area designated as a fire lane by the fire department or fire district.

Impact of SB 998:

This bill prohibits a person from operating, standing, stopping, or parking a vehicle on a portion of a highway that has been designated for the exclusive use of public transit buses, with specified exceptions. This bill also requires a public transit agency to place and maintain signs and traffic control devices indicating that a portion of a highway is designated for the exclusive use of public transit buses.

Elections and Redistricting

AB 278, Chapter 736 (R. Hernandez): Municipal Elections

Summary of Existing Law:

Existing law authorizes the legislative body of a city to submit to voters at any municipal or special election an ordinance providing for a change to the method for the election of legislative body members to one of the following: by districts, from districts, by districts with an elective mayor, or from districts with an elective mayor. Such an ordinance must be submitted to the voters by means of an initiative measure.

Impact of AB 278:

This bill allows any city, regardless of population size, to change the method of electing its governing board members from at-large to a by-district method of election without receiving voter approval and provides that if voter approval is sought, the proposed boundaries for the districts are not required to appear on the ballot. This bill also requires districts to comply with the applicable provisions of the federal Voting Rights Act of 1965. This bill also extends the authority to adopt an ordinance that requires the members of the legislative body to be elected by district or by district with an elective mayor without submitting the ordinance for voter approval, regardless of population size.

AB 350, Chapter 737 (Alejo): District-based Municipal Elections: Preapproval Hearings

Summary of Existing Law:

Existing law provides for political subdivisions that encompass areas of representation within the state. A political subdivision that changes from an at-large method of election to a district-based election must hold at least two (2) public hearings on a proposal to establish the district boundaries of the political subdivision before public hearing at which the governing body of the political subdivision votes to approve or defeat the proposal. The California Voting Rights Act of 2011 (“CVRA”) also prohibits the use of an at-large method of election in a political

subdivision if it would impair the ability of a protected class to elect candidates of its choice or otherwise influence the outcome of an election.

Impact of AB 350:

This bill requires local governments that are transitioning from at-large to district-based elections under a court order to hold at least two (2) public hearing before drawing a draft map and two (2) public hearings after the one (1) or more draft maps are drawn. For local governments who are willing to transition to district-based elections, this bill allows cities to have ninety (90) days to pass a resolution of intent or an ordinance to transition to district-based elections before any legal action can be taken by outside parties alleging a violation of the CVRA.

AB 884, Chapter 441 (Gordon): Legislative Information: Public Use

Summary of Existing Law:

Existing law prohibits a television signal generated by the State Assembly from being used for any political or commercial purpose, including but not limited to, any campaign for elective public office or any campaign supporting or opposing a ballot provision submitted to the electors.

Impact of AB 884:

This bill repeals the above-mentioned provisions.

AB 1494, Chapter 813 (Levine): Voting: Marked Ballots

Summary of Existing Law:

Existing law prohibits a voter from showing his or her ballot to any person after it is marked to reveal its contents.

Impact of AB 1494:

This bill creates an exception to the above mentioned prohibition by permitting a voter to voluntarily disclose how he or she voted if that voluntary act does not violate any other law.

AB 1921, Chapter 820 (Gonzalez): Elections: Vote by Mail Ballots

Summary of Existing Law:

Existing law requires that the vote by mail ballot be available to any registered voter. Existing law permits a voter who is unable to return his or her vote by mail ballot to designate his or her spouse, child, parent, grandparent, grandchild, brother, sister, or person residing in the same household as the vote by mail voter to return the vote by mail ballot. A paid or volunteer worker of a general purpose, controlled, or other committee, group, or organization may not be designated as the individual returning the vote by mail ballot.

Impact of AB 1921:

This bill removes the above mentioned restrictions and instead authorizes the designation of any person to return a vote by mail ballot. The bill would prohibit a person designated to return a vote by mail ballot from receiving any form of compensation based on the number of ballots that the person has returned and would prohibit an individual, group, or organization from providing compensation on this basis.

AB 1970, Chapter 821 (Low): Elections: Vote by Mail and Provisional Ballots

Summary of Existing Law:

Existing law requires the Secretary of State to prepare and distribute, to appropriate elections officials, a uniform application and electronic application format for a vote by mail ballot that conforms to specified requirements.

Impact of AB 1970:

This bill requires the Secretary of State to promulgate regulations to establish guidelines for county elections officials relating to the processing of vote by mail and provisional ballots.

AB 2010, Chapter 128 (Ridley-Thomas): Voter's Pamphlet: Electronic Candidate Statement

Summary of Existing Law:

Existing law permits a candidate for nonpartisan elective office in any local agency to prepare a written statement to be included in a voter's pamphlet that is mailed to each

voter. Each voter's pamphlet must contain a notice in the heading of the first page of that pamphlet in heavy-faced gothic type that, among other things, each candidate's statement in the pamphlet is volunteered by the candidate. Existing law requires an elections official to provide a Spanish translation to candidates who wish to have one. Existing law also authorizes a county or city elections official to establish procedures designed to permit a voter to opt out of receiving his or her voter's pamphlet and other related materials by mail, and instead obtain them electronically via email or by accessing them on the county's or city's website.

Impact of AB 2010:

This bill authorizes the governing body of a local agency to permit a candidate for nonpartisan elective office in the local agency to prepare a written statement for electronic distribution if the elections official conducting the election permits such distribution of the statement. This bill requires the statement to be posted on the website of the elections official, permits the statement to be included in a voter's pamphlet that is electronically distributed, and prohibits the statement from being included in a voter's pamphlet that is printed and mailed to voters. This bill requires the elections official to provide a Spanish translation to candidates wishing to have one. This bill requires the notice in the heading of the first page of the voter's pamphlet to specify that additional statements are available on the elections official's website. The requirement that the notice appear in heavy-faced gothic type is repealed.

AB 2071, Chapter 225 (Harper): Vote by Mail Ballots

Summary of Existing Law:

Existing law requires that all vote by mail ballots cast be received by the elections official from whom they were obtained or by the precinct board no later than the close of polls or 8 p.m. on Election Day. However, a vote by mail ballot is considered timely cast if received by the voter's election official via United States Postal Service or a bona fide private mail delivery company no later than three (3) days after election day if a specified requirement is met.

Impact of AB 2071:

This bill defines “bona fide private mail delivery company” as a courier service that is in the regular business of accepting a mail item, package, or parcel for the purpose of delivery to a person or entity whose address is specified on the item.

AB 2220, Chapter 751 (Cooper): Elections in Cities: By or From District

Summary of Existing Law:

Existing law generally requires all elective city offices, including city council members, to be filled at large by the city electorate at a general municipal election. The legislative body of a city is authorized to submit to the registered voters an ordinance providing for the election of members of the legislative body by district or from district, and with or without an elective mayor. If the city has less than 100,000 people in its jurisdiction, the legislative body is authorized to adopt an ordinance that requires the members of the legislative body to be elected by district or by district with an elective mayor without being required to submit the ordinance for voter approval.

Impact of AB 2220:

This bill allows all cities, regardless of population, to change the method of electing council members to a by-district method of election without receiving voter approval.

AB 2252, Chapter 75 (Ting): Elections: Remote Accessible Vote by Mail

Summary of Existing Law:

Existing law provides that a military or overseas voter has the right to register for, and to vote by a vote by mail ballot in any election within the state.

Impact of AB 2252:

This bill makes voting more streamlined and accessible by establishing a framework where a voter with disabilities may electronically receive and mark his or her vote by mail ballot using a remotely accessible vote by mail system.

AB 2265, Chapter 104 (Stone): County Ballot Measures: Impartial Analysis

Summary of Existing Law:

Existing law requires the county counsel or district attorney of a county in which an election on a county measure is to be held to prepare an impartial analysis of the measure showing the effect of the measure on the existing law and operation of the measure. Existing law requires the analysis to include a statement indicating whether the measure was placed on the ballot by a petition signed by the requisite number of voters or by the board of supervisors.

Impact of AB 2265:

This bill authorizes the county counsel to prepare a summary of the impartial analysis in a format that answers the questions “What does a yes vote mean?” and “What does a no vote mean?” for the measure. The bill prohibits the summary from exceeding seventy-five (75) words for each question and would authorize the summary information to be included in the voter information portion of the sample ballot. This summary may be provided in addition to the required impartial analysis.

AB 2389, Chapter 754 (Ridley-Thomas): Special Districts: District-Based Elections: Reapportionment

Summary of Existing Law:

Existing law provides for political subdivisions, including special districts, which encompass areas of representation within the state. Public officials are generally elected by all of the voters of the political subdivision (at-large) or by or from districts formed within the political subdivision (district-based). Existing law provides that if a political subdivision changes from an at-large method of election to a district-based election, the political subdivision must submit to the voters an ordinance or resolution providing for the election of members of the governing body by district.

Impact of AB 2389:

This bill authorizes the governing body of a special district to adopt a resolution, without being required to submit the resolution to the voters for approval, that requires members of its governing body to be elected using district-based elections. This bill defines a “special district,” for the purposes for these provisions, to mean an agency of the state formed pursuant to general law or special act for the local performance of governmental or proprietary functions within limited boundaries. This bill also provides that a “special district” does not include a city, county, city and county, school or community college district, special assessment district, or a district with appointed members on its governing board.

AB 2466, Chapter 757 (Weber): Voting: Felons

Summary of Existing Law:

Existing law requires the Legislature to provide for the disqualification of electors while mentally incompetent, imprisoned, or on parole for the conviction of a felony.

Impact of AB 2466:

This bill conforms state law to a recent Superior Court ruling in *Scott v. Bowen*, which held that individuals on post-release community supervision and those on mandatory supervision are eligible to vote under Section 2, Article II of the California Constitution.

AB 2558, Chapter 202 (Steinorth): Political Reform Act of 1974: San Bernardino County

Summary of Existing Law:

Existing law, until January 1, 2018, authorizes the Fair Political Practices Commission, upon mutual agreement between the Commission and the County of San Bernardino’s (“County”) Board of Supervisors, to have primary responsibility for the impartial, effective administrative, implementation, and enforcement of a local campaign finance ordinance of the County.

Impact of AB 2558:

This bill repeals the January 1, 2018 sunset date, thereby extending the operation of these provisions indefinitely.

AB 2911, Chapter 422 (Committee on Elections and Redistricting): Voter Information Guides

Summary of Existing Law:

Existing law prohibits a voting system from being used, and prohibits a jurisdiction from purchasing or contracting for a voting system, unless the voting system has received the approval of the Secretary of State. A vendor or county that has submitted a voting system for federal qualification before September 1, 2013 and has obtained federal qualification before January 1, 2015 may request approval from the Secretary of State based on the examination and review requirements in place before January 1, 2014.

Impact of AB 2911:

This bill removes the requirement that a voting system be submitted for federal qualification before September 1, 2013, and changes the date by which the voting system is required to receive federal qualification to April 28, 2016, in order for a vendor or county to request the Secretary of State to approve a voting system using the examination and review requirements in place before January 1, 2014.

SB 254, Chapter 20 (Allen): Campaign Finance: Voter Instruction

Impact of SB 254:

This bill calls a special election to be consolidated with the November 8, 2016 statewide general election. This bill requires the Secretary of State to submit to the voters a voter instruction asking whether California’s elected official should use all of their constitutional authority, including proposing and ratifying one or more amendments to the United States Constitution, to overturn *Citizens United v. Federal Election Commission* (2010) 558 U.S. 310, and other applicable judicial precedents.

SB 450, Chapter 832 (Allen): Elections: Vote by Mail Voting and Mail Ballot Elections

Summary of Existing Law:

Existing law requires all vote by mail ballots to be voted on or before the day of the election and requires the vote by mail voter to return the ballot by mail or in person to the elections official who issued the ballot. Existing law

also authorizes cities with a population fewer than 100,000 persons, school districts, and special districts to conduct an all-mailed ballot special election to fill a vacancy on the legislative or governing body of those entities under specified conditions.

Impact of SB 450:

This bill requires an elections official who receives a vote by mail ballot that he or she did not issue to forward the ballot to the elections official who issued the ballot no later than eight (8) days after receipt. On or after January 1, 2018, this bill authorizes specified counties, and on or after January 1, 2020, authorizes any county except the County of Los Angeles, to conduct any elections as an all-mailed ballot election if certain conditions are satisfied. This bill requires the county that conducts the all-mailed ballot election to submit to the Secretary of State the information needed for the Secretary of State to prepare a report, for the Legislature, discussing the all-mailed ballot election. On or after January 1, 2020, the County of Los Angeles may conduct any election as a voter center election if certain conditions are satisfied, as well as conduct a special election as an all-mailed ballot election pursuant to specified provisions.

SB 958, Chapter 781 (Lara): County of Los Angeles Citizens Redistricting Commission

Summary of Existing Law:

Existing law requires each county's board of supervisors following each decennial federal census, to use the census results to adjust the boundaries of any or all of the supervisorial districts of the county so the counties are as equal in population as possible.

Impact of SB 958:

This bill establishes the Citizens Redistricting Commission in the County of Los Angeles ("County"), which would adjust the boundary lines of the districts of the County's Board of Supervisors. The commission will adjust the supervisorial districts' boundaries in accordance with specified criteria and will adopt a redistricting plan.

SB 1107, Chapter 837 (Allen): Political Reform Act of 1974

Summary of Existing Law:

Existing law prohibits a person convicted of a felony involving bribery, embezzlement of public money, extortion of theft of public money, perjury, or conspiracy to commit any of those crimes, from being considered a candidate for, or elected to, a state or local elective office. The Political Reform Act of 1974 ("Act") provides that campaign funds under the control of a former candidate or elected officer are considered surplus campaign funds at a prescribed time, and it prohibits the use of surplus campaign funds, except for specified purposes. The Act prohibits a public officer from expending, and a candidate from accepting, public moneys for the purpose of seeking elective office.

Impact of SB 1107:

This bill prohibits an officeholder convicted of one or those enumerated felonies from using funds held by that officeholder's candidate controlled committee for purposes other than certain purposes permitted for the use of surplus campaign funds. The bill requires the officeholder to forfeit any remaining funds held six (6) months after the conviction became final, and it would direct those funds to be deposited in the General Fund. This bill would also permit a public officer or candidate to expend or accept public moneys for the purpose of seeking elective office if the state or a local government entity established a dedicated fund for this purpose.

SB 1108, Chapter 784 (Allen): Elections: State and Local Reapportionment

Summary of Existing Law:

Existing law authorizes a county board of supervisors to appoint a committee, composed of county residents, to study the matter of changing the boundaries of its supervisorial districts. Existing law directs a committee created pursuant to that provision to report its findings to the board of supervisors and it expressly states that recommendations of the committee are advisory only. The city council is authorized to appoint a committee,

composed of city residents, to study whether to change the boundaries of its council districts, and directs the committee to report its findings to city council. This recommendations of the committee are advisory only.

Impact of SB 1108:

This bill would delete the above mentioned provisions and instead authorize a county or general law city to establish a commission, composed of residents of the county or city, to change the boundaries of the districts or to recommend to the governing body changes to the boundaries of the districts. The bill would also require an advisory commission recommending changes to district boundaries to report findings on the need for boundary changes to the governing body. This bill would prohibit the appointment of a person or family member of a person who engaged in specified activities during the previous eight (8) years, and would prohibit commission members from engaging in specified activities while serving and for a period of time afterwards.

SB 1349, Chapter 845 (Hertzberg): Political Reform Act of 1974: Secretary of State: Online Filing and Disclosure System

Summary of Existing Law:

The Political Reform Act of 1974 (“Act”) generally requires elected officials, candidates for elective office, and committees formed primarily to support or oppose a

candidate for public office or ballot measure, along with other entities, to file periodic campaign statements. The Act requires that these campaign statements contain prescribed information related to campaign contributions and expenditures of the filing entities. The Online Disclosure Act requires the Secretary of State, in consultation with the Fair Political Practices Commission (“FPPC”), to develop online and electronic filing processes for use by these persons and entities.

Impact of SB 1349:

This bill requires the Secretary of State, in consultation with the FPPC, to develop and certify for public use an online filing and disclosure system for campaign statements and reports that provide public disclosure of campaign finance and lobbying information in a user-friendly, easily understandable format.

Human Resources Applications and Contracts

AB 1843, Chapter 686 (Stone): Applicants for Employment: Criminal History

Summary of Existing Law:

Existing law prohibits an employer, whether a public agency or private individual, from asking an applicant for employment to disclose, or from utilizing as a factor in determining any condition of employment, information concerning an arrest or detention that did not result in a conviction, or information concerning a referral or participation in any pretrial or posttrial diversion program. An employer must not ask an applicant or consider in determining employment, information concerning an expunged conviction, except in specified circumstances.

Impact of AB 1843:

This bill prohibits employers from asking an applicant for employment to disclose information concerning or related to an arrest, detention, processing, diversion, supervision, adjudication, or court disposition that occurred while the person was subject to the process and jurisdiction of juvenile court law, or seeking or utilizing any such information as a factor in determining any condition of employment.

AB 2532, Chapter 759 (Chiu): Employment Services: Verification

Summary of Existing Law:

Existing law requires each state, local government, or community action agency, or any private organization contracting with a state or local government agency, that provides specified employment services, to verify an individual's legal status or authorization to work prior to providing services to that individual. Existing law specifies that proof of legal status or authorization to work includes specified documents providing evidence of legal residence or authorization to work in the United States. It also specifies that provisions requiring verification of an individual's legal status or authorization to work prior to providing employment services do not apply to employment services offered by school districts under

secondary school and adult education programs. Existing law requires each state, local government, or community action agency, or any private organization contracting with a state or local government agency, that provides specified employment services to post a notice stating that only citizens or those persons legally authorized to work in the United States will be permitted to use the agency's or organization's employment services that are funded by the federal or state government.

Impact of AB 2532:

This bill repeals the above-described requirements. Specifically, the bill repeals Sections 9601.5 and 9601.7 of the Unemployment Insurance Code. The author cites the questionable constitutionality of these sections as federal law already regulates employment agents who "recruit or refer for a fee" (provide employment services) under the Immigration Reform and Control Act of 1986.

SB 1241, Chapter 632 (Wieckowski): Employment Contracts: Adjudication: Choice of Law and Forum

Summary of Existing Law:

Existing law prohibits an employer from requiring an employee or applicant for employment to agree, in writing, to any term or condition that the employer knows to be illegal. The Division of Labor Standards Enforcement enforces employment laws.

Impact of SB 1241:

This bill, for contracts entered into, modified, or extended on or after January 1, 2017, would prohibit an employer from requiring an employee who primarily resides and works in California, as a condition of employment, to agree to a provision that would require the employee to adjudicate a claim arising in California outside of California, or would deprive the employee of the protections of California law with respect to a controversy that arises in California. This bill would make these provisions voidable upon request of the employee, and would require disputes over the provision violating this bill to be adjudicated in California under California law. This bill makes an exception for contracts entered into with an employee represented by an attorney.

Human Resources Working Conditions

SB 1167, Chapter 839 (Mendoza): Employment Safety: Indoor Workers: Heat Regulations

Summary of Existing Law:

Under the California Occupational Safety and Health Act of 1973, the Division of Occupational Safety and Health (“Division”) investigates complaints of unsafe workplaces and may issue orders to ensure employee safety. The Division has adopted regulations establishing a heat illness prevention standard for outdoor workers.

Impact of SB 1167:

This bill requires the Division, by January 1, 2019, to propose a heat illness and injury prevention standard, applicable to workers who work indoors, to the Occupational Safety and Health Standards Board (“Board”). The bill does not prohibit the Division from proposing, or the Board from adopting, a standard that limits the application of high heat provisions to certain industry sectors.

Human Resources Wage

AB 1926, Chapter 746 (Cooper): Prevailing Wage: Apprentices

Summary of Existing Law:

Existing law requires that not less than the general prevailing rate of per diem wages be paid to workers employed on public works projects. An apprentice employed upon public works is required to be paid the prevailing rate of per diem wages for apprentices in the trade to which he or she is registered and to be employed only at the work of the craft or trade to which he or she is registered.

Impact of AB 1926:

This bill provides that certain time spent by apprentices on public works projects shall be paid at prevailing wage rates. It also provides apprentices dispatched to contractors their properly owed prevailing wage rate in the event a contractor does not use the apprentice for construction work, but requires the apprentice to undergo

testing, added safety training, or any other pre-AB 1926 employment requirements. The apprentice receives payment only for the time spent on the required activity.

AB 2535, Chapter 77 (Ridley-Thomas): Employment: Wages: Itemized Statements

Summary of Existing Law:

Existing law requires an employer to provide his or her employee an accurate itemized statement in writing containing specified information, either semimonthly or at the time the employer pays the employee his or her wages.

Impact of AB 2535:

This bill would exempt from requirement information on total work hours of an employee exempt from payment of minimum wage and overtime under specified statutes or any applicable order of the Industrial Welfare Commission.

AB 2899, Chapter 622 (Hernández): Minimum Wage Violations: Challenges

Summary of Existing Law:

Existing law provides that any employer who pays less than minimum wage is subject to various penalties.

Impact of AB 2899:

This bill allows the Labor Commissioner, pursuant to a request issued by a local entity, to issue a citation against an employer for a violation of any applicable local minimum wage laws, if the local entity has not already issued a citation.

SB 3, Chapter 4 (Leno): Minimum Wage

Summary of Existing Law:

Existing law mandates a ten dollar (\$10) an hour minimum wage rate on all industries. Existing law also provides that a California employee who works for the same employer for thirty (30) or more days within a year from the commencement of employment is entitled to paid sick days.

Impact of SB 3:

This bill increases the state minimum wage to \$15 per hour by January 1, 2022, indexes the minimum wage thereafter, and provides for paid sick days to providers of in-home

supportive services. This bill preempts local minimum wage ordinances if the wage rate in that ordinance is lower than the state wage rate.

SB 954, Chapter 231 (Hertzberg): Public Works: Prevailing Wage: Per Diem Wages

Summary of Existing Law:

Existing law requires, except for public works projects of \$1,000 or less, that workers employed on public works be paid not less than the general prevailing rate of per diem wages for work of a similar character in the locality that the public work is performed, and not less than the general prevailing rate of per diem wages for holiday and overtime work. Existing law also includes, as per diem wages, employer payment for industry advancement and collective bargaining agreements' ("CBA") administrative fees, provided that these payments are required under a CBA pertaining to the particular type of work specified.

Impact of SB 954:

This bill instead requires per diem wages to include industry advancement and CBA's administrative fees if the payments are made pursuant to a CBA to which the employer is obligated. It also excludes from per diem wages, if the payments are not made pursuant to a CBA to which the employer is obligated, employer payments for other purposes similar to certain apprenticeship or other training programs, worker protection, and assistance programs or committees established under the federal Labor Management Cooperation Act of 1978, and industry advancement and CBA's administrative fees. This bill also prohibits credits for payments for industry advancement and CBA administrative fees if those payments are not made pursuant to a CBA to which the employer is obligated.

SB 1063, Chapter 866 (Hall): Race/Ethnicity: Wage Differential

Summary of Existing Law:

Existing law prohibits an employer from paying any of its employees at wage rates less than the rates paid to employees of the opposite sex for substantially similar work, unless the employer demonstrates that specific,

reasonably applied factors account for the entire wage differential. An employee paid lesser wages in violation of this prohibition may file a complaint to commence a civil action for the wages the employee was deprived of due to the violation, interest on those wages, and liquidated damages.

Impact of SB 1063:

This bill amends the Equal Pay Act to prohibit employers from paying employees a wage rate less than the rate paid to employees of a different race or ethnicity for substantially similar work.

SB 1342, Chapter 115 (Mendoza): Wages: Investigations: Subpoenas

Summary of Existing Law:

Existing law authorizes the Industrial Welfare Commission ("Commission") to subpoena witnesses. Existing law provides that if a person fails to comply with an order or subpoena of the Commission or a witness refuses to testify to any matter regarding which he or she may lawfully be interrogated before any wage board or commission, the superior court shall compel obedience.

Impact of SB 1342:

This bill specifies that a legislative body of a city or county is authorized to delegate that body's authority to issue subpoenas and to report noncompliance thereof to the judge of the superior court of the county, to a county or city official or department head in order to enforce any local law or ordinance, including local wage laws.

Human Resources Harassment and Discrimination

AB 1661, Chapter 816 (McCarty): Local Government: Sexual Harassment Prevention Training and Education

Summary of Existing Law:

Existing law requires all local agency officials to undergo ethics training. Existing law also mandates supervisory employees to undergo sexual harassment prevention training and education.

Impact of AB 1661:

This bill requires local agencies that provide any type of compensation, salary, or stipend to a local agency official to require all of the local agency's officials to receive sexual harassment prevention training. Local agency officials include any member of a local agency legislative body and any elected local agency official. Each local agency official or employee required to attend sexual harassment prevention training, must receive at least two (2) hours of training within the first six (6) months of taking office or starting employment. The official or employee must undergo training every two (2) years thereafter. If the official serves more than one (1) local agency, the official is only required to meet this requirement once, and then every two (2) years thereafter. The language of AB 1661 does not clarify the definition of "member of a local agency legislative body," bringing into question whether appointed positions or standing committee members are subject to this bill. Legislative history and Government Code section 54952 indicates that "legislative body" includes: (1) governing bodies, such as city councils, boards of supervisors, and boards of trustees of special districts; (2) commissions, committees, boards, or other bodies of a local agency, whether permanent or temporary, decision-making or advisory, created by charter, ordinance, resolution, or formal action of a legislative body; and (3) standing committees which have a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body, or have continuing subject matter jurisdiction.

AB 1676, Chapter 856 (Campos): Employers: Wage Discrimination

Summary of Existing Law:

Existing law generally prohibits an employer from paying an employee at wage rates less than the rates paid to employees of the opposite sex in the same establishment for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and are performed under similar working conditions.

Impact of AB 1676:

This bill clarifies that prior salary, by itself, cannot be used to justify any disparity in compensation between men and women.

AB 1978, Chapter 373 (Gonzales): Employment: Property Service Workers

Summary of Existing Law:

Existing law establishes the Department of Industrial Relations ("Department") in the Labor and Workforce Development Agency to foster, promote, and develop the welfare of the wage earners of California, to improve their working conditions, and to advance their opportunities for profitable employment. Existing law also establishes the Division of Labor Standards Enforcement ("DLSE"), which enforces labor laws.

Impact of AB 1978:

This bill creates the Property Services Workers Protection Act, which seeks to protect janitorial employees from wage theft and sexual harassment. This bill implements a janitorial contractor registry system, requiring employers to pay an initial \$500 application fee and an annual \$500 fee to register with the Labor Commissioner of the DLSE. Additionally, this bill requires the Department's director to form an advisory committee to design a sexual harassment prevention training program by 2019, which will take place every other year.

AB 2337, Chapter 355 (Burke): Employment Protections: Victims of Domestic Violence, Sexual Assault, or Stalking

Summary of Existing Law:

Existing law prohibits an employer from discharging or in any manner discriminating or retaliating against an employee who is a victim of domestic violence, sexual assault, or stalking for taking time off from work for specified purposes related to addressing the domestic violence, sexual assault, or stalking. Existing law provides that any employee who is discharged, threatened with discharge, demoted, suspended, or in any manner

discriminated or retaliated against in the terms and conditions of employment by his or her employer because the employee has taken time off for those purposes is entitled to reinstatement and reimbursement for lost wages and work benefits caused by the acts of the employer.

Impact of AB 2337:

This bill would require employers to inform each employee of his or her rights established under those laws by providing specific information in writing to new employees upon hire and to other employees upon request. The bill would also require the Labor Commissioner, on or before July 1, 2017, to develop a form an employer may elect to use to comply with these provisions and to post it on the Commissioner's website. Employers would not be required to comply with the notice of rights requirement until the Commissioner posts the form.

SB 1001, Chapter 782 (Mitchell): Employment: Unfair Practices

Summary of Existing Law:

Existing law prohibits an employer or other person from engaging in unfair immigration-related practice against a person for the purpose or intent of retaliating against another person for engaging in a protected right. Unfair immigration-related practices include requesting more or different documents than are required under federal law, or refusing to honor documents that reasonably appear on their face to be genuine.

Impact of SB 1001:

This bill makes it unlawful for an employer to request more or different documents than are required under federal law, to refuse to honor documents tendered that, on their face, appear to be genuine, to refuse to honor documents or work authorization based upon the specific status or term of status that accompanies the authorization to work, or to reinvestigate or reverify an incumbent employee's authorization to work. This bill provides an employee subject to these unlawful practices a procedure

for filing a complaint with the Division of Labor Standards Enforcement. Persons in violation of these provisions will be subject to a penalty imposed by the Labor Commissioner not exceeding \$10,000, and will be liable for equitable relief.

Human Resources Benefits

AB 2028, Chapter 794 (Cooper): Public Employees' Retirement: Involuntary Termination: Reinstatement

Summary of Existing Law:

The Public Employees' Retirement Law ("PERL") creates the Public Employees' Retirement System ("PERS") for the purpose of providing pension benefits to state employees and employees of contracting agencies. PERS provides benefits to members based on final compensation, credited service, and age at retirement, with some variation. PERL requires that a person retired under PERS following involuntary termination of employment to be reinstated to membership in the system, effective from the date from which salary is awarded, if the person is reinstated to employment pursuant to an administrative or judicial proceeding, and meets other conditions. PERL also requires the system's assets to be deposited into the Public Employees' Retirement Fund ("Fund").

Impact of AB 2028:

This bill additionally requires the reinstatement in PERS of a member, without regard to retirement status, who is involuntarily terminated on or after January 1, 2017, and subsequently reinstated to that employment pursuant to an administrative, arbitral, or judicial proceeding. The bill requires contributions to the system for any period for which salary is awarded in the proceeding, and provides the member with service credit for that period, along with reinstatement of benefits effective from the salary award date. The bill requires the involuntarily terminated employee's employer to notify the board of the final decision ordering the member's reinstatement. This bill will increase contributions to be deposited into the Fund.

AB 2375, Chapter 415 (Committee on Public Employees, Retirement, and Social Security): Public Employees' Retirement System: Omnibus Bill

Impact of AB 2375:

This bill makes various technical and non-controversial changes to various sections of the Government Code governing the California Public Employees' Retirement System ("CalPERS") to maintain and ensure effective administration of the system. This bill does the following: (1) eliminates the requirement that actuaries be enrolled by the Joint Board of the United States Department of the Treasury and the Department of Labor and instead requires that actuaries attain the designation of Associate or Fellow of the Society of Actuaries and demonstrate experience with public sector clients; (2) removes language allowing a member to designate his or her highest final compensation period for purposes of calculating retirement benefits; (3) clarifies the interest payment owed to CalPERS when contracting agencies do not pay their contributions in a timely manner; (4) specifies that CalPERS may take action to reduce member benefits only after their employers' plan has been placed in the Terminated Agency Pool and the employer fails to remit the contributions necessary to fully fund the liabilities of the plan; (5) changes the interest rate to be paid on delayed payments of death benefits to seven percent (7%) per annum simple, non-compounding interest; (6) provides survivor continuance to same-sex married couples who never entered into a registered domestic partnership and who retired before it was legally possible to marry their same-sex spouse; and (7) requires the employer of a deceased firefighter or peace officer member, when notifying CalPERS of the member's death, to also provide any updated contact information for the surviving spouse or family member if that spouse or family member may be eligible for enrollment in a CalPERS health benefit plan.

AB 2833, Chapter 361 (Cooley): Public Investment Funds: Disclosures

Summary of Existing Law:

The retirement board of a public pension or retirement system has plenary authority and fiduciary responsibility for investment of moneys and administration of the

system. A retirement board is required to develop and implement a policy requiring disclosure of payments to placement agents in connection with system investments in or through external managers that includes prescribed elements. Existing law requires a public retirement system to obtain an actuarial valuation of the system not less than triennially and submit audited financial statements to the State Controller who then publishes a report on the financial condition of public retirement systems.

Impact of AB 2833:

This bill would require a public investment fund to make certain disclosures annually concerning investments in each alternative investment vehicle it invests in. These disclosures would need to be made at a meeting open to the public. The fund is also required to undertake reasonable efforts to obtain information for disclosures for any existing contract for which the fund has not made a new capital commitment on or after January 1, 2017.

SB 294, Chapter 707 (Pan): Public Employment: Military Service: Credit

Summary of Existing Law:

The Public Employees' Retirement Law ("PERL") creates the Public Employees' Retirement System ("PERS") for the purpose of providing pension and other benefits to public employees, which are funded by employee and employer contributions and investment returns. PERS provides defined benefits to its members based on their final compensation, credited service, and age at retirement.

Impact of SB 294:

This bill requires employers to provide the member with a form that the member uses to receive credit for his or her military service, and to inform the member of his or her rights to receive that credit with employer-paid contributions within thirty (30) days of the member's return to state service. This bill also requires an employer to inform a new employee at the time of hire of his or her rights to purchase service credit for certain active service, prior to the person's first employment with that employer or entrance into the retirement system, in the Armed Forces of the United States, or in the Merchant Marine of the United States.

**SB 1203, Chapter 729 (Hertzberg): Retirement Systems:
Joint Powers Authorities: Benefit Formulas**

Summary of Existing Law:

The California Public Employees' Pension Reform Act of 2013 ("PEPRA") requires a public retirement system to modify its plan or plans to comply with PEPRA, and establishes new retirement formulas. The Joint Exercise of Powers Act generally authorizes two (2) or more public agencies, by agreement, to jointly exercise any common power, which may include hiring employees and establishing retirement systems.

Impact of SB 1203:

This bill authorizes a joint powers authority ("JPA") to offer defined benefit plans or formulas that are not PEPRA plans or formulas provided that the plans or formulas were those the employees received prior to the creation of the authority, the employees are not new members under PEPRA, and they are employed by the authority within 180 days.

Health and Safety

AB 1419, Chapter 445 (Eggman): Hazardous Waste: Cathode Ray Tube Glass

Summary of Existing Law:

Existing law prohibits the management of hazardous waste, except in accordance with hazardous waste laws. The Department of Toxic Substances Control (“DTSC”) is required to regulate the management and disposal of hazardous waste.

Impact of AB 1419:

This bill provides that used, broken cathode ray tube panel glass and processed cathode ray tube panel glass that exceeds the total threshold limit concentration only for barium is not a waste, and is therefore not subject to DTSC regulation.

AB 1719, Chapter 556 (Rodriguez): CPR Training in High School

Summary of Existing Law:

Existing law authorizes a school district or school to provide a comprehensive program in first aid or cardiopulmonary resuscitation (“CPR”) training, or both, to students and employees in accordance with specified guidelines. No local agency, entity of state or local government, or other public or private organization that sponsors, authorizes, supports, finances, or supervises the training of citizens in CPR shall be liable for any civil damages alleged to result from such training programs.

Impact of AB 1719:

This bill requires that, commencing in the 2018-19 school year, school districts and charter schools that require a health course for graduation include instruction in compression-only CPR. It also provides that a local agency, entity of state or local government, or other public or private organization that sponsors, authorizes, supports, finances, or supervises, and a public employee who provides or facilitates, the instruction of students in compression-only CPR or the use of an automated external defibrillator pursuant to the bill shall not be liable for any civil damages alleged to result from the acts or omissions of an individual who received such instruction.

AB 2007, Chapter 516 (McCarty): Youth Athletics: Youth Sports Organizations: Concussions or Other Head Injuries

Summary of Existing Law:

Existing law requires a school district, charter school, or private school, that offers an athletics program to immediately remove an athlete from activity for the remainder of the day if the athlete is suspected of sustaining a concussion or head injury, and prohibits the athlete from returning to play until cleared by a licensed health care provider.

Impact of AB 2007:

This bill requires youth sports organizations, including those sponsored by businesses, nonprofit entities, and local government agencies, to notify a parent or guardian of an athlete, 17 years of age or younger, that is suspected to have a concussion while participating in specified sports. The athlete cannot return to play until cleared by a licensed health care provider. This measure also requires, on a yearly basis, a concussion and head injury information sheet to be signed and returned by the athlete and athlete’s parent or guardian before the athlete begins playing for the year.

AB 2024, Chapter 496 (Wood): Critical Access Hospitals: Employment

Summary of Existing Law:

The Medical Practice Act restricts the employment of physicians and surgeons or podiatric doctors by a corporation or legal entity to entities that do not charge for professional services and are approved by the Medical Board of California.

Impact of AB 2024:

This bill increases access to care by authorizing a federally certified critical access hospital to directly employ physicians if the medical staff make an affirmative vote that such hiring is in the best interest of the communities served by the hospital, and that the hospital does not direct or interfere with the professional judgment of a physician and surgeon.

AB 2311, Chapter 520 (Brown): Emergency Services: Access and Functional Needs in Emergencies

Summary of Existing Law:

Existing law requires the Office of Emergency Services to work with specified entities to improve communication with deaf and hearing-impaired persons during emergencies.

Impact of AB 2311:

This bill would require each county, including a city and county, to integrate access and functional needs into its emergency plan upon the next update to its emergency plan.

AB 2636, Chapter 527 (Linder): Certified Copies of Marriage, Birth, and Death Certificates: Electronic Application

Summary of Existing Law:

Under existing law, a certified copy of a birth, death, marriage, or military service record may only be supplied by the State Registrar, local registrar, or county recorder to an authorized person who submits a written, faxed, or digitized image request accompanied by a notarized statement sworn under penalty of perjury that the applicant is an authorized person.

Impact of AB 2636:

This bill allows a public records official, if an electronic request for a certified copy of a birth, death, or marriage record is made, to accept an electronic acknowledgment verifying the identity of the requester using a remote identity proofing process to ensure the requester is an authorized person. This bill adds a January 1, 2021 sunset date and authorizes the Department of Public Health to implement and administer the provisions of this bill through an all-county letter or similar instructions.

AB 2737, Chapter 421 (Bonta): Nonprovider Health Care Districts

Summary of Existing Law:

The Local Health Care District Law provides for local health care districts that govern certain health care facilities. Each health care district has specific duties and powers respecting the creation, administration, and maintenance of the districts, including the authority to purchase,

receive, take, hold, lease, use, and enjoy property of every kind and description within and without the limits of the district.

Impact of AB 2737:

This bill requires a “non-provider healthcare district” to spend at least eighty percent (80%) of its annual budget on community grants awarded to organizations that provide direct health services, and prohibits more than twenty percent (20%) of its annual budget from being spent on administrative expenses.

AB 2820, Chapter 671 (Chiu): Price Gouging: States of Emergency

Summary of Existing Law:

Upon proclamation of a state of emergency, resulting from an earthquake, flood, fire, riot, storm, or natural or manmade disaster, or upon the declaration of a local emergency regarding the same, and for a period of thirty (30) days following that declaration, it is a misdemeanor for a person or other entity to sell or offer to sell certain goods and services for a price that exceeds by ten percent (10%) the price charged by that person immediately prior to the proclamation of emergency.

Impact of AB 2820:

This bill revises the definitions of the terms “state of emergency” and “local emergency” for purposes of liability for criminal price gouging. This bill revises both terms to mean a natural or manmade emergency resulting from an earthquake, flood, fire, riot, storm, drought, plant or animal infestation or disease, or other natural or manmade disaster for which a state of emergency has been declared at the national or local level by specific officials. The bill also specifies that criminal price gouging includes activity relating to both towing services and rental of any housing with an initial lease of up to one year.

SBX2 7, Chapter 8 (Hernandez): Tobacco Products: Minimum Legal Age

Summary of Existing Law:

Existing law sets the minimum legal age to purchase or consume tobacco to 18.

Impact of SBX2 7:

This bill increases the minimum legal age to purchase or consume tobacco to 21. This bill also makes additional conforming changes to restrictions and enforcement mechanisms.

SB 977, Chapter 537 (Pan): Tobacco: Youth Sports Events

Summary of Existing Law:

Existing law prohibits the smoking of a cigarette, cigar, or other tobacco product, and the disposal of tobacco-related waste, within twenty five (25) feet of any playground or tot lot sandbox area. Existing law prohibits a person from intimidating or retaliating against another person seeking compliance with these provisions.

Impact of SB 977:

This bill prohibits a person located in the same park or facility where a youth sports event is taking place from smoking a tobacco product within 250 feet of the youth sports event. This bill also defines “youth sports event” as any practice, game, or related activity organized by any entity at which athletes up to 18 years of age are present.

SB 1229, Chapter 238 (Jackson): Drug-take Back Bins

Summary of Existing Law:

Under the Medical Waste Management Act (“Act”), the State Department of Public Health regulates the management and handling of medical waste, including pharmaceutical waste. The Act generally prohibits a person from transporting, storing, treating, disposing, or causing the treatment of medical waste in manner not authorized by the Act.

Impact of SB 1229:

This bill provides specified collectors that are authorized under federal law to engage in drug take-back collection with limited protection from civil and criminal liability for any injury or harm that results from a collector maintaining a secure drug take-back bin on its premises. However, this protection is granted only if the collector, not for compensation, acts in good faith and takes certain steps to ensure the health and safety of consumers and employees and the proper disposal of the home-generated pharmaceutical waste contained in the secure drug takeback bin.

Torts

SB 807, Chapter 834 (Gaines): Unmanned Aircraft Systems

Summary of Existing Law:

Existing law provides certain individuals with immunity from civil liability under specific circumstances. One such instance is where a person, in good faith and not for compensation, renders emergency medical or nonmedical care at the scene of an emergency. The Government Claims Act sets forth the general procedure for the presentation of a claim as a prerequisite of the commencement of an action for money or damages against a public entity, local public entity, or public employee. This Act prohibits liability against a public entity or public employee for various acts, including those related to the provision of fire protection and police and correctional activities.

Impact of SB 807:

This bill provides local public entities and public employees of local public entities with immunity from civil liability for any damage to an unmanned aircraft or

unmanned aircraft system if the damage was caused while the local public entity and public employee of the local public entity was providing, and the unmanned aircraft system was interfering with, the operation, support, or enabling of specified emergency services. This bill applies the same immunity protection for local public entities and public employees of local public entities, to emergency responders who are private entities or paid or unpaid volunteers, if those emergency responders are acting within the scope of authority implicitly or expressly provided by a local public entity or public employee of a local public entity.

Aviation

AB 1680, Chapter 817 (Rodriguez): Crimes: Emergency Personnel

See under Police (General), **page 27**.

SB 807, Chapter 834 (Gaines): Unmanned Aircraft Systems

See under Torts, **page 53**.

Stormwater

AB 2594, Chapter 526 (Gordon): Storm Water Capture and Use

Summary of Existing Law:

The Stormwater Resource Planning Act authorizes one or more public agencies to develop a stormwater resource plan that meets specified standards to address the capture of stormwater and dry weather runoff.

Impact of AB 2594:

This bill specifies that a public entity that captures stormwater in an urban area before the water reaches a natural channel, in accordance with a stormwater resource plan, is entitled to use the captured water.

SB 1260, Chapter 153 (Allen): Stormwater Resources Planning

Summary of Existing Law:

The State Water Resources Control Board (“Board”) and the California Regional Water Quality Control Boards issue municipal storm sewer system national pollutant discharge elimination system permits in accordance with the federal Clean Water Act. Existing law required the Board to develop a comprehensive guidance document for

evaluating and measuring the effectiveness of municipal stormwater management programs and permits no later than July 1, 2009.

Impact of SB 1260:

This bill requires Board to establish an online resource center to include information to assist municipalities in complying with storm water permit requirements that may include links to the following: (1) relevant state, federal and local agencies; (2) water quality mitigation measures for watershed management; and (3) various regional and local agencies related to storm water, including but not limited to public works departments and special districts. It also authorizes the Board to include in its online resource center, a library of scientific studies relevant to storm water issues confronting communities.

Sewer

SB 1112, Chapter 631 (Cannella): Water and Sewer System Corporations: Transactions

Summary of Existing Law:

The Public Utilities Act prohibits, with certain exemptions, any public utility other than a common carrier from selling, leasing, assigning, mortgaging, or otherwise disposing of or encumbering the whole or any part of specified property necessary or useful in the performance of the public utility's duties to the public without first either having secured an order from the Public Utilities Commission ("PUC") authorizing it to do so for certain qualified transactions. The PUC is required, before authorizing the merger, acquisition, or change in control of an electric, gas, or telephone utility when one of the parties has revenues in excess of a specified amount, to consider whether (1) the proposal provides short-term and long-term economic benefits to ratepayers and (2) equitably allocates the short-term and long-term forecasted economic benefits

of the proposed merger, acquisition, or change in control between shareholders and ratepayers, if the PUC has ratemaking authority.

Impact of SB 1112:

This bill provides that if a water or sewer system corporation or an entity merging with or acquiring control of a water or sewer system corporation with less than 2,000 service connections fails to receive the PUC's approval before entering into any of the specified transactions valued at \$5,000,000 or less, the transaction is voidable by the PUC until the PUC either retroactively approves or conditionally approves the transaction.

Water

AB 453, Chapter 439 (Salas): Extraction of Groundwater: Semitropic Water Storage District

Summary of Existing Law:

The California Water Storage District Law authorizes the formation of water storage districts. The Sustainable Groundwater Management Act (“Act”) requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020. The Act also requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022.

Impact of AB 453:

This bill would authorize the Semitropic Water Storage District to collect groundwater extraction information and to require the reporting of groundwater information. This bill would authorize the district to impose fees on the extraction of groundwater from the basin.

AB 1180, Chapter 254 (Garcia): Rates and Charges for Water Service: Payment Transaction Fees

Summary of Existing Law:

Existing law authorizes the Public Utilities Commission (“PUC”) to fix the rates and charges for every public utility, and requires that those rates and charges be just and reasonable. An electrical, gas, or water corporation may offer credit and debit card bill payment options, if approved by the PUC, and upon approval, authorizes an electrical, gas, or water corporation to recover, through an individual customer transaction fee, reasonable transaction costs incurred by the electrical, gas, or water corporation from those customers that choose those methods of payment.

Impact of AB 1180:

This bill, until January 1, 2022, authorizes a water corporation with more than 10,000 service connections to seek PUC approval to operate a pilot program designed to evaluate customer interest in, and utilization of, bill payment options. The pilot program is limited to the duration of the water corporation’s rate case cycle. Upon the corporation’s request, the PUC must reimburse the water corporation for reasonable expenses incurred in providing various bill payment options as a part of the pilot program, with exceptions.

AB 1755, Chapter 506 (Dodd): The Open and Transparent Water Data Act

Summary of Existing Law:

Existing law imposes various duties with respect to state water on the Department of Water Resources (“Department”). The State Water Resources Control Board (“Board”) administers a water rights program pursuant to which the Board grants permits and licenses to appropriate water. Existing law also regulates water transfers and authorizes a permittee or licensee to change the diversion point, place of use, or purpose of use due to a transfer or exchange of water or water rights, if certain conditions are met.

Impact of AB 1755:

This bill requires the Department, in consultation with the Board, the Department of Fish and Wildlife, and the California Water Quality Monitoring Council to create and maintain a statewide integrated water data platform by August 1, 2020.

AB 1842, Chapter 349 (Levine): Water: Pollution: Fines

Summary of Existing Law:

Existing law imposes a maximum civil penalty of \$25,000 on a person who discharges various pollutants or other designated materials into state waters.

Impact of AB 1842:

This bill imposes an additional civil penalty of not more than ten dollars (\$10) for each gallon or pound of material discharged into state waterways. This bill requires that the civil penalty be reduced for every gallon or pound of the illegally discharged material that is recovered and properly disposed of by the responsible party.

AB 1928, Chapter 326 (Campos): Water Efficiency: Landscape Irrigation Equipment

Summary of Existing Law:

Existing law requires the State Energy Resources Conservation and Development Commission (“Commission”), in consultation with the Department of Water Resources, to adopt, by January 1, 2010, performance standards and labeling requirements for landscape irrigation equipment. Existing law also prohibits, on or after January 1, 2012, that equipment from being sold unless it meets the performance standards and labeling requirements.

Impact of AB 1928:

This bill requires the Commission to adopt landscape irrigation equipment performance standards and labeling requirements by January 1, 2019. This bill prohibits the sale of new irrigation equipment on or after an effective date established by the Commission. This bill also requires the Commission to consider recent advancements in landscape irrigation efficiency when developing the standards and requirements.

AB 2022, Chapter 408 (Gordon): Advanced Purified Demonstration Water

Summary of Existing Law:

Existing law requires the State Department of Public Health to, on or before December 31, 2013, adopt uniform water recycling criteria for indirect potable reuse for groundwater recharge and to investigate and, on or before December 13, 2016, report to the Legislature on the feasibility of developing uniform water recycling criteria for direct potable reuse. These powers and duties were transferred to the State Water Resources Control Board on July 1, 2014.

Impact of AB 2022:

This bill authorizes the operator of an advanced water purification facility to bottle and distribute advanced purified water as samples for educational purposes, under specified conditions.

AB 2087, Chapter 455 (Levine): Regional Conservation Frameworks

Summary of Existing Law:

The Department of Fish and Wildlife (“Department”) in the Natural Resources Agency has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. The California Endangered Species Act (“Act”) prohibits the taking of an endangered, threatened, or candidate species, with exceptions. The Department may authorize the taking of a listed species under the Act if it is incidental to an otherwise lawful activity, and the impacts are minimized and fully mitigated.

Impact of AB 2087:

This bill establishes a pilot project for a regional conservation investment strategy program that would identify and prioritize regional conservation through a science-based public process while also encouraging investments in conservation through advance mitigation. No more than eight (8) regional strategies could be approved prior to January 1, 2020, and the program sunsets on that same date.

AB 2470, Chapter 301 (Gonzalez): Municipal Water Districts: Water Service: Indian Tribes

Summary of Existing Law:

The Municipal Water District Law of 1911 provides for the formation of municipal water districts and grants to those districts specified powers. Existing law permits a district to acquire, control, distribute, store, spread, sink, treat, purify, recycle, recapture, and salvage any water for the beneficial use of the district, its inhabitants, or the owners of rights to water in the district. A district may sell water under its

control to other entities or persons within the district for use within the district. Excess water above that required by consumers within the district can be sold to any persons or entities.

Impact of AB 2470:

This bill requires a district to provide water to an Indian tribe upon request of the tribe, subject to specified conditions. The water must be provided as if the Indian tribe's lands had been fully annexed into the district's territory and the territory of any other public agencies that are required for the provision of water service. This bill only applies to the Sycuan tribe.

AB 2561, Chapter 669 (Irwin): Water Supply Planning: Projects: Photovoltaic or Wind Energy Generation Facility

Summary of Existing Law:

Existing law requires a city or county that determines a project is subject to the California Environmental Quality Act to identify any public water system that may supply water for the project and to request those public water systems to prepare a specified water supply assessment. If no public water system is identified, the city or county is required to prepare the water supply assessment. Existing law exempts a proposed photovoltaic or wind energy generation facility that would demand no more than seventy-five (75) acre-feet of water annually from the definition of "project." This exemption lasts until January 1, 2017.

Impact of AB 2561:

This bill would extend the exemption to January 1, 2018.

AB 2874, Chapter 139 (Gaines): Groundwater Sustainability Agencies: Fees

Summary of Existing Law:

The Sustainable Groundwater Management Act ("Act") requires all groundwater basins, which are designated as high- or medium-priority basins by the Department of Water Resources, that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated

as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022. The Act authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin.

Impact of AB 2874:

This bill requires a groundwater sustainability agency to notify the Public Utilities Commission ("PUC") before imposing or increasing a fee pursuant to the authority relating to a groundwater basin that includes a water corporation regulated by the PUC.

AB 2890, Chapter 305 (Asm ESTM Committee): Drinking Water and Wastewater Operator Certification Programs

Summary of Existing Law:

Existing law requires the State Water Resources Control Board ("Board") to examine and certify persons as to their qualifications to supervise or operate water treatment plants and water distribution systems. The certification must indicate the classification of water treatment plant or distribution system that the person is qualified to supervise or operate. The Board may also suspend, revoke, or refuse to grant or renew any water treatment operator certificate or water treatment operator-in-training certificate to operate or supervise the operation of a water treatment plant or to place on probation or reprimand the certificate holder upon any reasonable grounds.

Impact of AB 2890:

This bill makes several statutory changes to better align the Board's programs for certifying operators of wastewater treatment plants and for certifying operators of drinking water treatment plants, and to improve the efficiency and effectiveness of these programs. Among its provisions, this proposal: (1) clarifies operator certification requirements for water recycling treatment plants in both the drinking water and wastewater treatment plant operator certification statutes; (2) revises the fee Assembly Bill 2890 structure for wastewater and drinking water treatment plant operator certification; and (3) clarifies and expands the Board's authority to enforce wastewater and drinking water certification programs.

AB 2891, Chapter 704 (Asm ESTM Committee): Household Hazardous Waste: Guidelines

Summary of Existing Law:

The Carpenter-Presley-Tanner Hazardous Substance Account Act (“California Superfund Act”) imposes liability for hazardous substance removal or remedial actions and authorizes moneys in the Toxic Substances Control Account in the General Fund to be expended by the Department of Toxic Substances Control. Such funds also go towards the state’s share of costs of removal or remedial actions mandated by the federal Superfund Act.

Impact of AB 2891:

This bill eliminates statutory formulas that inform how much the annual Budget Act appropriates to the Department of Toxic Substances Control (“DTSC”) for federal Superfund site and state-only orphan site cleanup and operations and maintenance (“O&M”) costs. This bill requires DTSC to estimate the funding needed to meet the state’s obligation at those sites for cleanup and O&M and revises the state’s statutory intent to provide funding suitable to meet the state’s financial obligation under federal law.

SB 7, Chapter 623 (Wolk): Water Meters: Multiunit Structures

Summary of Existing Law:

Existing law regulates the hiring of dwelling units and, among other things, imposes certain requirements on landlords and tenants. These requirements include providing tenants with certain notices or disclosures regarding pest control and gas meters.

Impact of SB 7:

This bill requires, as of January 1, 2018, that individual water meters, also called submeters, be installed on all new multifamily residential units or mixed commercial and multifamily units. This bill also requires that landlords bill residents for the increment of water they use.

SB 552, Chapter 773 (Wolk): Public Water Systems: Disadvantaged Communities

Summary of Existing Law:

The California Safe Drinking Water Act (“Act”) provides for the operation of public water systems and imposes on the State Water Resources Control Board (“Board”) various responsibilities and duties. The Act authorizes the Board to order consolidation with a receiving water system where a public water system, or a state small water system within a disadvantaged community, consistently fails to provide an adequate supply of safe drinking water.

Impact of SB 552:

This bill authorizes the Board to contract with an administrator to provide administrative and managerial services to a designated public water system, as defined, to assist with the provision of an adequate and affordable supply of safe drinking water.

SB 814, Chapter 230 (Hill): Drought: Excessive Water Use: Urban Retail Water Suppliers

Summary of Existing Law:

The water resources of the state must be put to its fullest, beneficial use. Existing law requires the Department of Water Resources and the State Water Resources Control Board to take all appropriate proceedings or actions to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water in the state. Any public entity that supplies water at retail or wholesale for the benefit of persons within the service area or area of jurisdiction of the public entity to, by ordinance or resolution, adopt and enforce a water conservation program to reduce the quantity of water used for the purpose of conserving the water supplies of the public entity.

Impact of SB 814:

This bill declares that during prescribed periods, excessive water use by a residential customer in a single-family residence or by a customer in a multiunit housing complex

is prohibited. This bill requires each urban retail water supplier to establish a method to identify and discourage excessive water use. This bill authorizes as a method to identify and discourage excessive water use the establishment of a rate structure that includes block tiers, water budgets, or rate surcharges over and above base rates for excessive water use by residential customers. This bill also authorizes the establishment of an excessive water use ordinance, rule, or tariff condition in order to identify and discourage excessive water use.

SB 831, Chapter 338 (Committee on Budget and Fiscal Review): Monterey County Water Resources Agency: Lake Nacimiento and Lake San Antonio

Summary of Existing Law:

Existing law authorizes the Monterey County Water Resources Agency (“Agency”) to award a design-build contract for the combined design and construction of a project to connect Lake San Antonio located in Monterey County and Lake Nacimiento, located in San Luis Obispo County, with an underground tunnel or pipeline for the purpose of maximizing water storage, supply, and groundwater recharge.

Impact of SB 831:

This bill appropriates 10 million dollars from the General Fund to the Department of Water Resources (“Department”) for the purposes of a water conveyance tunnel between Lake Nacimiento and Lake San Antonio and spillway modifications at Lake San Antonio to increase storage by approximately 60,000 acre-feet. The bill requires the Department to grant the 10 million dollars appropriated for the purposes of the water conveyance tunnel and spillway modifications to the Agency for the purpose of constructing the water conveyance tunnel and spillway modifications.

SB 1262, Chapter 594 (Pavley): Water Supply Planning

Summary of Existing Law:

The Sustainable Groundwater Management Act (“Act”) requires that all groundwater basins designated as high-or medium-priority basins by the Department

Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022. Existing law also requires every large-scale development project of 500 new residential connections or an equivalent size to have a water supply assessment prepared according to certain guidelines.

Impact of SB 1262:

This bill revises requirements that new developments must meet in order to demonstrate that their water supplies are sufficient to include consideration of provisions of the Act.

SB 1263, Chapter 843 (Wieckowski): Public Water System: Permits

Summary of Existing Law:

(1) The California Safe Drinking Water Act (“Act”) requires the State Water Resources Control Board (“State Board”) to carry out certain duties relating to providing a dependable, safe supply of drinking water. A person may not operate a public water system unless he or she receives a permit from the State Board. The State Board, upon determining the application for permit is complete, must make an investigation and may impose permit conditions or requirements for system requirements, as well as time schedules.

(2) Existing law allows the State Board to delegate primary responsibility for the administration and enforcement of the Act within a county to a local health officer if certain criteria are met.

(3) Existing law requires a city or county that determines a project is subject to the California Environmental Quality Act to identify certain water systems that may supply water for the project and to request those public water systems to prepare and approve a specified water supply assessment. If, as a result of the assessment, the public

water system or city or county concludes that its water supplies are, or will be, insufficient, the public water system or city or county is required to provide its plans for acquiring additional water supplies.

Impact of SB 1263:

(1) This bill requires a person submitting an application for a permit for a proposed new public water system to first submit a preliminary technical report to the State Board at least six (6) months before initiating construction of any water-related improvement. This bill allows the State Board to direct the applicant to undertake additional discussion and negotiation with certain existing public water systems that the State Board determines have the technical, managerial, and financial capacity to provide an adequate and reliable supply of domestic water to the service area of the proposed public water system, and would require an applicant to comply before submitting a permit application. The State Board can deny a permit application for a proposed public water system if it determines that it is reasonably foreseeable that the proposed new public water system will be unable to provide affordable, safe drinking water in the reasonably foreseeable future.

(2) This bill prohibits a local primary agency from issuing a permit to operate a public water system without the concurrence of the State Board. The bill requires for a proposed new public water system that would be regulated by a local primary agency, the applicant to also submit a copy of the preliminary technical report to the State Board.

(3) This bill prohibits a city, including a charter city, or county from issuing a building permit for the construction of a new residential development where a source of the water supply is water transported by a water hauler, bottled water, a water-vending machine, or a retail water facility.

SB 1398, Chapter 371 (Leyva): Public Water Systems: Lead Pipes

Summary of Existing Law:

Existing law requires public water systems to take certain actions to test for and remediate certain contaminants in drinking water. Existing law prohibits the use of any pipe, pipe or plumbing fitting or fixture, or flux that is not lead

free in the installation or repair of any public water system or any plumbing in a facility providing water for human consumption.

Impact of SB 1398:

This bill requires a public water system to compile an inventory of lead pipes in use by July 1, 2018. It also requires, after completing the inventory, the public water systems to provide a timeline for replacement of lead pipes in the system to the State Water Resources Control Board.

SB 1450, Chapter 488 (Galgiani): Safe Drinking Water: State Revolving Fund Law of 1997: Water Systems: Financing

Summary of Existing Law:

The State Water Resources Control Board (“Board”) appropriates funds from the Safe Drinking Water State Revolving Fund (“Fund”) for the provision of grants and revolving fund loans to provide for the design and construction of projects for public water systems that will enable suppliers to meet safe drinking water standards. Community public water systems and not-for-profit noncommunity public water systems allows planning and preliminary engineering studies, project design, and construction costs incurred by those public water systems to be funded by loans and other repayable financing. Existing law allows, if those public water systems are owned by public agencies or not-for-profit water companies, those specified costs to be funded by grants, principal forgiveness, or a combination of grants and loans or other financial assistance. The Board determines what portion of the full costs the public agency or private not-for-profit water company is capable of repaying and requires the Board to authorize a grant or principal forgiveness only to the extent the Board finds the public agency or private not-for-profit water company is unable to repay the full costs of the financing. Existing law also deems a public agency or private not-for-profit water company serving a severely disadvantaged community with fewer than two hundred (200) service connections and that owns a small community water system or nontransient community water system to have no ability to repay any financing for a project serving the severely disadvantaged community.

Impact of SB 1450:

This bill authorizes the above-described costs to be funded by loans or other repayable financing, grants, principal forgiveness, or a combination of grants and loans or other financial assistance, regardless of whether the community water system or not-for-profit noncommunity water system is owned by a public agency or private not-for-profit water company. It also only authorizes a grant or principal forgiveness to a community or not-for-profit noncommunity water system serving a disadvantaged community. This bill also limits principal forgiveness to capital improvements made by the water system serving disadvantaged communities with fewer than 3,300 service connections. Lastly, this bill deems that a community water or non-profit noncommunity water system that is not a water corporation regulated by the Public Utilities Commission and that serves a severely disadvantaged community with fewer than 200 service connections as having no ability to repay any financing for a project serving the severely disadvantaged community.

SB 1456, Chapter 488 (Galgiani): Safe Drinking Water State Revolving Fund Law of 1997: Water Systems: Financing

Summary of Existing Law:

Existing law establishes the Safe Drinking Water State Revolving Fund ("Fund"). These funds are continuously appropriated to the State Water Resources Control Board for the provision of grants and revolving fund loans to provide for the design and construction of public water systems projects, so suppliers may meet safe drinking water standards.

Impact of SB 1456:

This bill allows costs incurred by a community water system or not-for-profit non-community water system for planning and preliminary engineering studies, project design, and construction to be funded under the Fund.

Executive Order B-37-16

On May 9, 2016, Governor Brown issued Executive Order B-37-16 ("Executive Order"), entitled Making Water Conservation a California Way of Life, further refining and making permanent water conservation requirements

across the state. The current Executive Order is focused on long-term water management to achieve the goal of making water conservation a way of life in California. In pursuit of this goal, the Executive Order permanently prohibits the following uses of potable water:

- Hosing off sidewalks, driveways, and other hardscapes
- Washing automobiles with hoses not equipped with a shut-off nozzle
- Using non-recirculated water in a fountain or other decorative water feature
- Watering lawns in a manner that causes runoff, or within 48 hours after measurable precipitation
- Irrigating ornamental turf on public street medians

The Executive Order also authorizes the Water Board to adjust the current emergency water conservation regulations to reflect the differing water supply conditions across the state. The Regulations the Water Board released are an exercise of this authorization.

State Water Resources Control Board Proposed Regulations on Executive Order B-37-16

On May 9, 2016, the State Water Resources Control Board released proposed regulations ("Regulations") to implement Governor Brown's Executive Order B-37-16 ("Executive Order"). The Water Board adopted the Regulations at its May 18, 2016 Board Meeting. The Regulations will take effect June 1, 2016 and urban water suppliers ("Suppliers") must report their water conservation target required under the Regulations to the Water Board by June 22, 2016.

The Regulations abandon the current tiered water conservation system and replace it with a system that relies on locally established and certified conservation standards. The standards are established through the local Suppliers' self-certification of their supply. That supply is calculated assuming three (3) additional dry years and customer water demand from 2013 and 2014 averages. Suppliers that would face a shortage are required to comply with a conservation standard equal to the amount of that shortage. There is no floor of conservation required,

meaning that where supply is sufficient based on three (3) additional dry years, a Supplier will not have a mandatory conservation requirements. Suppliers will be required to report their water conservation levels on a monthly basis through January 2017.

Suppliers that do not submit a water reliability certification and the required supporting information will likely retain their current conservation standard under the tiered twenty-five percent (25%) reduction system.

Proposition 1 Groundwater Grant Program Guidelines

In November 2014, voters passed Proposition 1 (“Prop. 1”) approving a 7.545 billion dollar bond for water projects and programs in California. The State Water Resources Control Board (“Water Board”) has been tasked with administering 800 million dollars of those funds for grants and loans to projects that prevent or cleanup groundwater contamination that serves or has served as a source of drinking water, known as the Groundwater Grant Program. After administrative and bond costs, there is approximately 744 million dollars available for the Groundwater Grant Program. The Water Board released Draft Proposition 1 Groundwater Grant Program Guidelines (“Guidelines”) that will govern how the Groundwater Grant Program funds are awarded and monitored.

Project Selection Priorities:

Prop. 1 includes project priorities for funding, preferring projects that demonstrate a cooperative funding approach across federal, state, and local sources, projects that include new and innovative technology, and projects that will address groundwater resource sustainability. The Guidelines build upon those preferences and require that projects seeking Groundwater Grant Program funding are: (1) consistent with the California Water Action Plan; (2) identified as high priority by applicable state or federal agencies; (3) have matching funding available; and (4) have a useful life of at least 20 years. The Water Board also includes preferences for projects that further the basic human right to water, those that will have a regional impact with multiple benefits, and applicants that have a demonstrated ability to complete improvement projects.

Grant Amounts and Fund Matching Requirements:

There are two (2) types of projects that may be funded with Groundwater Grant Program funding: planning projects and implementation projects. Planning projects generally produce a report or information needed to design and build an eligible implementation project. Grant funding available for planning projects under the Groundwater Grant Program is limited to a minimum of \$100,000 and a maximum of 1 million dollars. Implementation projects generally involve the design, construction, pilot studies, and initial startup of facilities. The Groundwater Grant Program funding sought for these types of projects must be for a project cost of at least \$500,000 and has no maximum amount. Applicants for both planning and implementation projects must provide matching funds of at least fifty percent (50%) of the total project cost. Other state funds, no matter the issuing agency, may not be used to provide the matching funds required.

Environment General

AB 1005, Chapter 442 (Gordon): California Beverage Container Recycling and Litter Reduction Act: Market Development Payments

Summary of Existing Law:

The California Beverage Container Recycling and Litter Reduction Act requires a distributor to pay a redemption payment for every beverage container sold or offered for sale in the state by the distributor to the Department of Resources Recycling and Recovery (“Department”) for deposit in the California Beverage Container Recycling Fund. The Department is authorized, until January 1, 2017, to (1) annually spend up to 10 million dollars from the fund to make market development payments to an entity certified by the Department as a recycling center, processor, or drop-off or collection program for empty plastic beverage containers that are subsequently washed and processed into flake, pellet, or other form, and made usable for the manufacture of a plastic product, or to a product manufacturer for empty plastic beverage containers that are subsequently washed and processed into flake, pellet, or other form, and used by that product manufacturer to manufacture a product, and to (2) expend additional amounts to make market development payments.

Impact of AB 1005:

This bill postpones the repeal, set to take place on January 1, 2017, regarding the above mentioned provisions to January 1, 2018.

AB 1716, Chapter 375 (McCarty): Lower American River Conservancy Program

Summary of Existing Law:

The Urban American River Parkway Preservation Act (“Act”) adopts the American River Parkway Plan to provide coordination among governmental agencies to protect and manage the natural land, water, native wildlife, and vegetation of American River Parkway. The Act also requires actions of state and local agencies with regard to land use decisions to be consistent with the plan. The Wildlife Conservation Board (“WCB”) must also investigate, study, and determine areas in the state that are most suitable for certain wildlife-related purposes.

Impact of AB 1716:

This bill creates a new program to benefit the Lower American River Parkway that would be administered by the WCB, with assistance from an advisory committee consisting primarily of local Sacramento area representatives. The program is to be administered by the WCB, which is required to consult with Sacramento County in carrying out the program, and to ensure that any projects funded through the program are consistent with the Lower American River Parkway Plan.

AB 2125, Chapter 564 (D. Chiu): Healthy Nail Salon Recognition Program

Summary of Existing Law:

Existing law regulates the existence and disclosure of specified chemicals and components in consumer products, including phthalates and bisphenol A. Existing law also provides for the licensing and regulation of nail salons and manicurists by the State Board of Barbering and Cosmetology within the Department of Consumer Affairs.

Impact of AB 2125:

This bill requires the California Department of Toxic Substances Control (“Department”), by January 1, 2018, to publish guidelines for healthy nail salon recognition (“HNSR”) programs voluntarily implemented by local cities and counties. This bill specifies criteria for the guidelines and requires the Department to promote the HNSR guidelines and consult with the Division of Occupational Safety and Health, Department of Public Health and the State Board of Barbering and Cosmetology in developing the guidelines.

AB 2530, Chapter 861 (Gordon): Recycling: Beverage Containers

Summary of Existing Law:

The California Beverage Container Recycling and Litter Reduction Act requires that every beverage container sold or offered for sale in this state have a minimum refund value, and requires a beverage manufacturer to indicate on all beverage containers sold or offered for sale in the state the message “California Redemption Value” (“CRV”), or one of similar alternative messages. A beverage distributor is

required to pay a redemption payment to the Department of Resources Recycling and Recovery (“Department”) for every beverage container sold or offered for sale in the state to a dealer, and the Department is required to deposit those amounts in the California Beverage Container Recycling Fund.

Impact of AB 2530:

This bill requires a manufacturer of a plastic beverage container, beginning in March 1, 2018, to report to the Department the amount of virgin plastic and postconsumer recycled content in plastic used in their beverage containers subject to CRV sold in the state the previous calendar year.

SB 820, Chapter 166 (Hertzberg): Hazardous Materials: California Land Reuse and Revitalization Act of 2004

Summary of Existing Law:

The California Land Reuse and Revitalization Act of 2004 (“Act”) provides, among other things, that an innocent landowner, bona fide purchaser, or contiguous property owner qualifies for immunity from liability from certain state statutory and common laws for pollution conditions caused by a release or threatened release of a hazardous material if specified conditions are met. The Act prohibits the Department of Toxic Substances Control, the State Water Resources Control Board, and a California Regional Water Quality Control Board from requiring one or those persons to take a response action under certain state laws. The Act is scheduled to be repealed on January 1, 2017. Existing law provides that a person qualified for immunity under the Act before January 1, 2017 shall continue to have immunity on and after January 1, 2017, if the person continues to be compliant with the requirements of the former Act.

Impact of SB 820:

This bill extends the sunset date for the Act to January 1, 2027, and makes corresponding changes to provide continued immunity after the repeal of Act.

Environment California Environmental Quality Act

AB 2180, Chapter 566 (Ting): Land-Use: Development Project Review

See under Planning, **page 21.**

AB 2561, Chapter 669 (Irwin): Water Supply Planning: Projects: Photovoltaic or Wind Energy Generation Facility

See under Water, **page 57.**

SB 122, Chapter 476 (Jackson): California Environmental Quality Act: Record of Proceedings

Summary of Existing Law:

The California Environmental Quality Act (“CEQA”) requires a lead agency to prepare or cause to be prepared and certify the completion of an environmental impact report (“EIR”) on a project that it proposes to carry out or approve, that may have a significant effect on the environment. The lead agency may adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project would have a significant effect on the environment. CEQA also requires the lead agency to submit to the State Clearinghouse a number of copies of specified environmental documents prepared pursuant to CEQA for review and comment by state agencies.

Impact of SB 122:

This bill requires the lead agency, at the request of a project applicant and consent of the lead agency, to prepare a record of proceedings concurrently with the preparation of a negative declaration, mitigated negative declaration, EIR, or other environmental document for projects. This bill requires a lead agency to submit to the State Clearinghouse environmental documents in hard-copy or electronic form as prescribed by the office. The office would maintain a database for the collection,

storage, retrieval, and dissemination of environmental documents and notices prepared pursuant to CEQA and to make the database available online to the public. This bill eliminates the requirement to provide copies of the documents to the California State Library.

SB 1008, Chapter 588 (Lara): California Environmental Quality Act: Los Angeles Regional Interoperable Communications System: Exemption

Summary of Existing Law:

Existing law, until January 1, 2017, exempts from the California Environmental Quality Act, the design, site acquisition, construction, operation, or maintenance of certain structures and equipment of the Los Angeles Regional Interoperable Communications System (“LA-RICS”) consisting of a long-term evolution broadband mobile data system and a land mobile radio system, if certain criteria are met at the individual project site.

Impact of SB 1008:

This bill would extend that exemption until January 1, 2020, and would specify that a fire station is not a public facility for purposes of determining if that exemption applies to an individual project site. This bill provides that the exemption does not apply if the project site is located in certain areas. The LA-RICS Joint Powers Authority must hold a public meeting before determining that a project is exempted, file the exemption with the Office of Planning and Research and the county clerk in the county in which the project is located, and to post certain information on its website.

Environment Climate Change

AB 197, Chapter 250 (E. Garcia): ARB: Greenhouse Gases: Oversight and Accountability

Summary of Existing Law:

Existing law establishes the State Air Resources Board (“ARB”) consisting of fourteen (14) members and vests the Board with regulatory jurisdiction over air quality issues. The Board is required to inventory sources of air pollution within the air basins of the state and determine the kinds and quantity of air pollutants. The Board must also

make available and update annually, on its website, the emissions of greenhouse gases (“GHGs”), criteria pollutants, and toxic air contaminants throughout the state.

Impact of AB 197:

The bill creates the Joint Legislative Committee on Climate Change Policies (“JLCCCP”), requires ARB to prioritize direct emission reductions and consider social costs when adopting regulations to reduce GHG emissions beyond the 2020 statewide limit, requires ARB to prepare reports on sources of GHGs and other pollutants, establishes six-year terms for voting members of ARB, and adds two (2) legislators as non-voting members of ARB.

AB 1685, Chapter 604 (Gomez): Vehicular Air Pollution: Zero-Emission Vehicles: Civil Penalties

Summary of Existing Law:

Existing law provides that a person who violates specified vehicular air pollution statutes or certain orders, rules, or regulations of the State Air Resources Board (“Board”) is subject to a civil penalty of up to \$500 per vehicle. Any manufacturer who sells, attempts to sell, or causes to be offered for sale a new motor vehicle that fails to meet the applicable emission standards is subject to a civil penalty of \$5,000 per violation. Existing law provides that a manufacturer or distributor who does not comply with the emission standards or the test procedures adopted by the Board is subject to a civil penalty of \$50 per vehicle.

Impact of AB 1685:

This bill updates civil penalties for violations of California Air Resources Board (“ARB”) regulations, orders, or rules, to bring penalty assessments into alignment with those of the United States Environmental Protection Agency. This bill establishes maximum penalties of up to \$37,500 per violation for certain violations.

AB 2722, Chapter 371 (Burke): Transformative Climate Community Programs

Summary of Existing Law:

The California Global Warming Solutions Act of 2006 (“Act”) designates the State Air Resources Board (“Board”) as the state agency charged with monitoring and regulating

sources of emissions of greenhouse gases (“GHGs”). The Act authorizes the Board to include the use of market-based compliance mechanisms. The Strategic Growth Council (“SGC”) is required to identify and review activities and funding programs that may be coordinated to improve air and water quality, improve natural resource protection, increase the availability of affordable housing, improve transportation, meet the goals of the Act, encourage sustainable land use planning, and revitalize urban and community centers in a sustainable manner.

Impact of AB 2977:

This bill establishes the Transformational Climate Communities Program (“Program”) to fund the development and implementation of neighborhood-level transformative climate community plans that include multiple, GHG emissions reduction projects that provide local economic, environmental, and health benefits to disadvantaged communities. This bill also requires the SGC to award competitive grants to eligible entities, including, but not limited to, nonprofit organizations, community-based organizations, faith-based organizations, coalitions or associations of nonprofit organizations, community development finance institutions, community development corporations, local agencies, tribal governments, and joint powers authorities. In addition, it requires eligible entities to demonstrate multi-stakeholder partnerships with local agencies, community-based organizations, labor groups, workforce investment boards, and other stakeholders, as appropriate, and requires SGC to award grants for projects that demonstrate community engagement in all phases.

SB 32, Chapter 249 (Pavley): California Global Warming Solutions Act of 2006: Emissions Limits

Summary of Existing Law:

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board (“ARB”) as the state agency charged with monitoring and regulating

sources of emissions of greenhouse gases (“GHGs”). ARB is required to approve a statewide GHG emissions limit equivalent to the statewide GHG emissions level in 1990 to be achieved by 2020 and to adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective GHG emissions reductions.

Impact of SB 32:

This bill requires ARB to ensure that statewide GHG emissions are reduced to at least forty percent (40%) below the 1990 statewide GHG emissions level no later than December 31, 2030, when adopting rules and regulations to achieve the maximum technologically feasible and cost-effective GHG emissions reductions authorized by AB 32.

SB 970, Chapter 365 (Leyva): Greenhouse Gas Reduction Fund: Grant Program: Recyclable Materials

Summary of Existing Law:

Existing law requires certain money from the Greenhouse Gas Reduction Fund to be used by the Department of Resources Recycling and Recovery for a grant program providing financial assistance to reduce greenhouse gas (“GHG”) emissions by promoting in-state development of infrastructure to process organic and other recyclable materials into new, value-added products.

Impact of SB 970:

This measure requires CalRecycle, in awarding a grant for organics composting or anaerobic digestion, to consider the amount of GHG emissions reductions that may result from the project and the amount of organic material that may be diverted from landfills as a result of the project. It also requires CalRecycle to consider how the project may benefit disadvantaged communities.

SB 1383, Chapter 395 (Lara) Short-Lived Climate Pollutants

Summary of Existing Law:

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board (“ARB”) as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases (“GHGs”). ARB is required to approve a statewide GHG emissions limit equivalent to the statewide GHG emissions level in 1990 to be achieved by 2020.

Impact of SB 1383:

This bill requires ARB to approve and begin implementing the comprehensive strategy to reduce short-lived climate pollutants in the state to achieve, from 2013 levels, a forty percent (40%) reduction in methane, a forty percent (40%) reduction in hydrofluorocarbon gases, and a fifty percent (50%) reduction in anthropogenic black carbon, by 2030.

Agriculture

SB 822: Agricultural Pest Control: Citrus Disease Prevention: Monthly Assessment

Summary of Existing Law:

Existing law requires citrus fruit industry producers to pay a monthly assessment not exceeding \$0.09 per carton of citrus fruit. This assessment is used for citrus disease management and pest control activities, which are deposited in the Citrus Disease Management Account in the Department of Food and Agriculture Fund.

Impact of SB 822:

This bill increases the monthly assessment paid by citrus fruit industry producers from \$0.09 to \$0.12 per carton of citrus fruit.

Energy

AB 1110, Chapter 656 (Ting): Greenhouse Gases Emissions Intensity Reporting: Retail Electricity Suppliers

Summary of Existing Law:

Existing law provides that entities offering electric services in California are required to disclose information on the sources of energy that are used to provide electric services. Existing law requires every retail supplier that makes an offer to sell electricity that is consumed in California to disclose its electricity sources for the previous calendar year. These disclosures are required to be made to end-use consumers and potential end-use consumers. A retail supplier must also disclose its electricity sources as a percentage of annual sales that is derived from specified sources of energy, including eligible renewable energy resources. Existing law requires that retail suppliers annually report to the State Energy Resources Conservation and Development Commission (“Energy Commission”) certain information for each electricity offering from “specified sources,” for the previous calendar year and authorizes the Energy Commission to verify environmental claims made by retail suppliers.

Impact of AB 1110:

This bill requires the Energy Commission to adopt a methodology for the calculation of greenhouse gas emissions intensity for each purchase of electricity by a retail supplier to serve its retail customers. A retail supplier must disclose both the greenhouse gases emissions intensity of any electricity portfolio offered to its retail customers and the Energy Commission’s calculation of the greenhouse gas emissions intensity associated with all statewide retail electricity sales. This bill requires a retail supplier to annually report to the Energy Commission certain additional information for each electricity offering for the previous calendar year and would authorize the Energy Commission to verify procurement claims made by retail suppliers. This bill also requires retail suppliers, beginning June 1, 2020, to report data on greenhouse gas emissions intensity associated with retail sales occurring after December 31, 2018.

AB 1637, Chapter 658 (Low): Energy: Greenhouse Gas Reduction

Summary of Existing Law:

Existing law permits the Public Utilities Commission (“PUC”), which has regulatory authority over public utilities, to annually collect not more than the amount authorized for its self-generation incentive program in 2008. Existing law also requires an electrical corporation to file with the PUC a standard tariff providing for net energy metering for eligible fuel cell customer-generators and make the tariff available, on a first-come-first-served basis, until the total cumulative rated generating capacity of the eligible fuel cell electrical generating facilities receiving service pursuant to the tariff reaches a level equal to the electrical corporation’s proportionate share of the statewide limitation of 500 megawatts cumulative rated generation capacity served (“program cap”). The eligible fuel cell customer-generator must also meet certain requirements.

Impact of AB 1637:

This bill would increase the maximum annual collection the PUC may authorize for the program to double the amount authorized for the program in the 2008 calendar year. This bill increases the program cap by authorizing 500 megawatts in addition to the total installed capacity as of January 1, 2017. The bill increases to five (5) megawatts the maximum amount of generation capacity for a fuel cell electrical generation facility in the program. Fuel cell electrical generation resources must comply with emission standards adopted by the State Air Resources Board under the distributed generation certification program.

AB 1773, Chapter 659 (Oberholte): Local Government Renewable Energy Self-Generation Program

Summary of Existing Law:

Existing law authorizes a local government entity, except a joint powers authority, to receive a bill credit to a designated benefiting account, for electricity exported to the electrical grid by an eligible renewable generating facility and requires the commission to adopt a rate tariff for the benefiting account.

Impact of AB 1773:

This bill includes as a local government entity for this purpose a joint powers authority, unless it has as members public agencies located in different counties or different electrical corporation service territories, or, if the joint powers authority has as a member the federal government, any federal department or agency, this or another state, or any department or agency of this state or another state.

AB 1923, Chapter 663 (Wood): Bioenergy Feed in Tariff

Summary of Existing Law:

The Public Utilities Commission (“PUC”) has regulatory authority over public entities, including electrical corporations. Existing law requires every electrical corporation to file with the PUC a standard tariff for electricity generated by an electric generation facility that qualifies for the tariff, is owned and operated by a retail customer of the electrical corporation, and is located within the service territory of, and developed to sell electricity to, the electrical corporation. This requirement is called the renewable feed-in tariff.

Impact of AB 1923:

This bill, for the purposes of the bioenergy feed-in tariff, revises an interconnection requirement for electric generation facilities. This bill also requires the PUC to direct electrical corporations to authorize a bioenergy electric generation facility with an effective capacity of up to five (5) megawatts to participate in the bioenergy feed-in tariff, if the facility delivers no more than three (3) megawatts to the grid at any time and complies with specified interconnection and payment requirements.

AB 1937, Chapter 664 (Gomez): Electricity: Procurement

Summary of Existing Law:

The Public Utilities Act (“Act”) requires the Public Utilities Commission (“PUC”) to review and accept, modify, or reject a procurement plan for each electrical corporation in accordance with specified procedures, considerations, and objectives. The Act requires that electrical corporations’ proposed procurement plans include certain elements.

Existing law requires electrical corporations, in soliciting and procuring eligible renewable energy resources for California-based projects, to give preference to renewable energy projects that provide environmental and economic benefits to communities afflicted with poverty or high unemployment or those suffering from high emission levels of toxic air contaminants, criteria air pollutants, and greenhouse gases.

Impact of AB 1937:

This bill requires electrical corporations’ proposed procurement plans to also include a showing that the electrical corporations, (1) in soliciting bids for new gas-fired generating units, actively seek bids for resources that are not gas-fired generating units located in communities that suffer from cumulative pollution burdens and (2) in considering bids for, or negotiating bilateral contracts for, new gas-fired generating units, give preference to resources that are not gas-fired generating units located in those communities. The PUC is required to require, prior to approving a contract for any new gas-fired generating unit, the electrical corporation to demonstrate that it has complied with its approved procurement plan. This bill also specifies that the requirement to give preference to renewable energy projects, as described above, apply to all procurement of eligible renewable energy resources for California-based projects whether the procurement occurs through all-source requests for offers, eligible renewable energy resources only requests for offers, or other procurement mechanisms.

AB 2454, Chapter 826 (Williams): Energy: Procurement Plans

Summary of Existing Law:

The Public Utilities Commission (“PUC”) has regulatory authority over public utilities, including electrical corporations. The Public Utilities Act (“Act”) requires the PUC to review and accept, modify, or reject a procurement plan for each electrical corporation in accordance with specified requirements and objectives. The electrical corporation’s proposed procurement plan include certain elements.

Impact of AB 2454:

This bill requires the electrical corporation, in determining the availability of cost-effective, reliable, and feasible demand reduction resources, to consider the findings of the Demand Response Potential Study required by a specific order of the PUC. This bill requires the PUC to require the electrical corporation to demonstrate compliance with its approved procurement plan prior to approving a contract for any new gas-fired generating unit.

AB 2693, Chapter 618 (Dababneh): Property Assessed Clean Energy Program (PACE)

Summary of Existing Law:

Existing law authorizes cities, counties, and other local public agencies and utility districts to provide upfront financing to property owners to install renewable energy-generating devices, make specified water or energy efficiency improvements, or install electric vehicle charging infrastructure on their properties through a system of voluntary contractual assessments which is repaid, with interest, through property tax assessments. These are referred to as the Property Assessed Clean Energy (“PACE”) programs. The California Alternative Energy and Advanced Transportation Financing Authority (“CAEATFA”) must develop and administer a PACE Reserve program to reduce overall costs to the property owners of PACE bonds issued by an applicant by providing a reserve of no more than ten percent (10%) of the initial principal amount of the PACE bond. Existing law also allows a community facilities district to finance and refinance the acquisition, installation, and improvement of energy efficiency, water conservation, and renewable energy improvements that are affixed to or on real property and in buildings.

Impact of AB 2693:

This bill requires that consumers entering into a PACE financing transaction must be provided with statutory model disclosure forms to ensure that all borrowers receive information about the contractual obligation they will assume and the related financial terms and conditions of PACE agreements. The disclosures required by the bill are intended to be consistent with an updated universal Truth in Lending disclosure recently released by

the federal Consumer Financial Protection Bureau. This bill also enacts financial criteria that build upon the basic statutory requirements that state law has established for participation in CAEATFA’s reserve pool program.

SB 1207, Chapter 675 (Hueso): Energy: Conservation: Financial Assistance

Summary of Existing Law:

Existing law requires the State Energy Resources Conservation and Development Commission to administer the State Energy Conservation Assistance Account (“Account”), to provide grants and low-interest loans to schools, hospitals, public care institutions, and local governments to maximize energy use savings.

Impact of SB 1207:

This bill would extend the operative date of the Account to January 1, 2028.

SB 1393, Chapter 677 (De León): Energy Efficiency and Pollution Reduction

Summary of Existing Law:

Existing Law Requires:

- (1) The State Energy Resources Conservation and Development Commission (“Commission”) to compile and adopt an integrated energy policy report every two (2) years and requires the report to include an overview of major energy trends and issues facing the state. The 2019 edition must evaluate actual energy efficiency savings from negative therm interactive effects generated as a result of electricity efficiency improvements.
- (2) That a facility that combusts municipal solid waste shall not be considered as an eligible renewable energy resource. Existing law also provides that electricity generated by a facility that combusts municipal solid waste shall not result in the creation of a renewable energy credit. These provisions do not apply to a facility located in Stanislaus County.
- (3) Local publicly owned electric utilities to adopt and implement renewable energy resources procurement plan that requires the utility to procure a minimum quantity of electricity products from eligible renewable energy

resources, with various required percentages applicable over time. Existing law also provides various exemptions for procurement requirements for certain electric utilities relying on hydroelectric generation.

(4) Each local publicly owned electric utility to post notice whenever its governing body will deliberate in public on its renewable energy resources procurement plan, and requires the utility to notify and provide certain information to the Commission in that regard.

(5) The Public Utilities Commission (“PUC”) and the Commission to review specified programs overseen by the PUC and Commission, and make recommendations to advance state clean energy and pollution reduction objectives and provide benefits to disadvantaged communities.

(6) The PUC to identify a diverse and balanced portfolio of resources needed to ensure a reliable electricity supply that provides optimal integration of renewable energy in a cost-effective manner, and specifies the respective roles of electrical corporations and community choice aggregators in satisfying the portfolio needs for renewable integration. All costs from nonperformance are borne by the electrical corporation or community choice aggregator responsible for them.

Impact of SB 1393:

(1) This bill requires the Commission to include the 2019 evaluation in each integrated energy policy report adopted after 2019.

(2) This bill modifies the exception regarding facilities that combust municipal solid waste for the facility located in Stanislaus County.

(3) This bill modifies certain exemptions from the minimum renewable energy resources procurement requirements relating to hydroelectric generation.

(4) This bill deletes the requirement for a local publicly owned electric utility to notify and report to the Commission.

(5) This bill requires the Commission to review programs of the same type overseen by academia and the private and nonprofit sectors

(6) This bill requires the Commission to ensure that all costs resulting from nonperformance to satisfy the need for renewable integration shall be borne by the electrical corporation or community choice aggregator that failed to perform.

Gas

AB 2313, Chapter 571 (Williams): Renewable Natural Gas: Monetary Incentive Program for Biomethane Projects: Pipeline Infrastructure

Summary of Existing Law:

Existing law requires the Public Utilities Commission (“PUC”) to require gas corporation tariffs to condition access to common carrier pipelines on the applicable customer meeting those standards and requirements. Existing law also requires the commission to adopt policies and programs that promote the in-state production and distribution of biomethane. The PUC adopted two decisions implementing these requirements, one of which adopted a five-year financial incentive program for biomethane projects. This program provides a one-time payment of

fifty percent of the interconnection costs incurred by the biomethane producer to qualifying projects, up to a total payment of 1.5 million dollars.

Impact of AB 2313:

This bill revises the financial incentive program for the development of biomethane projects, by increasing the cap per project from \$1.5 million to \$3 million. This bill directs the California PUC to consider whether to allow additional ratepayer funds to be provided for the cost of infrastructure so biomethane to interconnect with the natural gas pipeline network.

Mining

AB 1142, Chapter 7 (Gray): Mining and Geology: Surface Mining

Summary of Existing Law:

The Surface and Mining Reclamation Act of 1975 (“Act”) prohibits a person, with exceptions, from conducting surface mining operations unless, among other things, a permit is obtained from, a specified reclamation plan is submitted to and approved by, and financial assurances for reclamation have been approved by the lead agency for the operation of the surface mining operation.

Impact of AB 1142:

This bill makes numerous changes to the Act that are all part of the year-long stakeholder process convened by the Governor’s office in 2015 to recommend substantive and procedural changes to the state’s mining laws. This bill specifically establishes a new process by which the director of the Department of Conservation can review reclamation plans and financial assurances under the Act. This bill also requires lead agencies to certify the proposed reclamation is complete and compliant with the law.

SB 209, Chapter 8 (Pavley): Surface Mining: Financial Assurances: Reclamation Plans

Summary of Existing Law:

The Surface Mining and Reclamation Act of 1975 prohibits a person from conducting surface mining operations unless a permit is obtained from, a specified reclamation plan is submitted to and approved by, and financial assurances for reclamation have been approved by the lead agency for the operation of the surface mining operation.

Impact of SB 209:

This bill requires a lead agency that is the owner or operator of a borrow pit surface mining operation, that is used solely by that lead agency, to include maintenance measures in the reclamation plan or to obtain an approved interim management plan. This bill would authorize a lead agency to conduct an inspection once every two (2) calendar years during a period when the borrow pit surface mining operation that is used solely by that lead agency is idle.

Endangered Species Act

AB 2488, Chapter 387: Unarmored Threespine Stickleback: Taking or Possession

Summary of Existing Law:

Existing law prohibits the taking or possession of a fully protected fish, with exceptions, and designates the unarmored threespine stickleback as a fully protected fish. The California Endangered Species Act prohibits the taking of an endangered or threatened species. The Department of Fish and Wildlife (“Department”) may authorize the taking of listed species if the take is incidental to an otherwise lawful activity and the impacts are minimized and fully mitigated.

Impact of AB 2488:

This bill permits the Department to authorize, under the California Endangered Species Act, the taking of the unarmored threespine stickleback attributable to the periodic dewatering, inspection, maintenance, modification, or repair of the Metropolitan Water District of Southern California’s Foothill Feeder water supply facility from Castaic Dam to the Joseph Jensen Treatment Plant in the County of Los Angeles if certain conditions, including the adoption of an adaptive management plan, are satisfied.

AB 2549, Chapter 201 (Committee on Water, Parks, and Wildlife): Public Resources

Summary of Existing Law:

The California Endangered Species Act (“Act”) requires the Fish and Game Commission to establish a list of endangered species, and a list of threatened species. A person also may not possess, import, ship, or transport in the state, or place, plant, or cause to be placed or planted in any state water, dreissenid mussels. The Director of Fish and Wildlife may engage in various enforcement activities.

Impact of AB 2549:

This bill makes a number of changes to the Fish and Game Code. It also extends the sunset date on existing law regarding invasive quagga and zebra mussels from 2017 to 2020. Lastly, this bill repeals the sunset date on provisions of existing law establishing procedural rules for administrative hearings on listing petitions under the Act, thus allowing the provisions to continue in effect.



Steve Churchwell

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Steve Churchwell is a partner at Churchwell White LLP. Since 1982, he has assisted clients in charting a successful course through the challenging waters of California government and politics. He represents corporations, associations, Indian tribes and government agencies in regulatory matters, political law compliance and enforcement issues, legislative affairs, and related litigation.

A native of Memphis, Tennessee, Steve brings a bit of Southern charm and twang to the Churchwell White office. He is a graduate of Vanderbilt University and the University of Tennessee College of Law. Steve was a partner at DLA Piper LLP (US) from 2005 to 2013 and served as General Counsel for the Fair Political Practices Commission from 1993 to 2000.

Steve has served as lead counsel to more than two dozen statewide initiative or referendum measures, and has successfully litigated cases involving many of the measures. He has two 7-0 victories in the California Supreme Court and many other appellate wins.

Steve has worked on issues in many areas of public policy, including ethics/conflicts of interest, charter schools, energy, government contracts, healthcare, infrastructure projects, internal investigations, as well as constitutional law and public finance.

For his accomplishments and experience, Steve has been given the highest rating of AV® by Martindale-Hubbell and was selected for inclusion as a Northern California SuperLawyer multiple times. Steve is a Past President of the California Political Attorneys Association and helped develop methodology used by the Ethisphere Institute, which annually ranks the World's Most Ethical Companies.

Steve's scholarly articles have been published in Intellectual Property Law Review, Pepperdine Law Review, Tennessee Law Review and Criminal Law Bulletin.

Steve is very committed to providing pro bono legal services. He is passionate about giving back and creating a better society for others, beliefs which are reflected in the work and culture of the attorneys at Churchwell White. As a result of his commitment to pro bono work, Steve was named by the National Law Journal to its "2013 Pro Bono Hot List." He was one of only 10 attorneys in the United States selected for this honor, based on his work on juvenile justice issues, including Senate Bill 9 (Yee), the Fair Sentencing for Youth Act. Steve also won the 2009 National Pro Bono Award at DLA Piper for his work in South Africa with Zimbabwean women refugees.



Douglas White

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As a founding and managing partner of Churchwell White LLP, Doug White has set himself apart as a widely respected thought leader and legal practitioner. Doug’s “clients first” approach is focused in the areas of real estate, land use, municipal law and litigation. His diverse groups of clients range from cities, counties, special districts, and other public agencies to developers, builders, lenders, professional associations, unions and business owners. Doug has vast experience in land use entitlements and project approvals, CEQA and NEPA, real estate contracts and commercial transactions, leasing, building and project certifications, project financing, eminent domain, public contracting and regulatory and governmental affairs.

Doug currently serves as the City Attorney for the City of Dixon and Deputy City Attorney for the cities of Oakdale, Patterson, and Riverbank and is also special counsel for a number of other cities. In addition to his work with cities, he also serves as General Counsel for San Miguel Community Services District and California Valley Community Services District. As such, he advises public entities and officials on issues pertaining to the Brown Act, Political Reform Act, Public Records Act, public contracting, code enforcement, and other municipal and public law matters. In addition to his municipal work, Doug has also successfully represented public and private clients in high-profile litigation matters and has obtained favorable judgments and settlements.

Prior to forming Churchwell White, Doug served as legal counsel and Vice President of Government Affairs for the California Bankers Association as well as legal staff for the Fair Political Practices Commission. Doug also benefits from his extensive political experience as Chief of Staff, Legislative Director and consultant to various elected officials, including former Congressman Dennis Cardoza and former State Superintendent of Public Instruction Jack O’Connell.

Doug has been recognized as one of the leading attorneys in the United States on issues related to renewable energy and sustainability and been named by the California Real Estate Journal as one of California’s Green Leaders. He has also been named a Rising Star by Super Lawyers Magazine and been featured as a speaker and moderator at state and national conferences. Doug is an AV Rated attorney and was also honored by his peers in the 2014, 2015 and 2016 Best of the Bar by the Sacramento Business Journal.

Doug is not only an innovative leader in his field, but also in the office. As managing partner, he leads by example, incorporating his business experience and technical know-how into ensuring Churchwell White LLP remains at the forefront in providing exceptional legal services to its clients. In addition to all of those roles, Doug is a dedicated family man, occasional half-marathon runner, and California wine enthusiast.



Barbara A. Brenner

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Barbara A. Brenner is a partner of Churchwell White LLP with extensive experience in the areas of natural resources, environmental, land use, energy and municipal law. Prior to joining Churchwell White, Barbara was formerly a partner at Stoel Rives LLP, practicing in their natural resources and environmental group as well as land use. As a leader of the Churchwell White team, Barbara advises public and private clients in permitting, regulatory compliance, transactional and litigation matters involving water resources, water quality, endangered species, land use, energy, eminent domain and general municipal matters.

In the area of water resources, Barbara has extensive experience with the protection and acquisition of water resources, water contract interpretation and negotiations, water supply planning and assessments, aquifer storage and recovery, water transfers and water quality. Barbara's in-depth experience in water law allows her to represent water districts and other purveyors, growers, ranchers, and other rural landowners, as well as various industry clients, including those involved in the agricultural, timber, renewable energy, and land use and development sectors that are addressing California's myriad of water supply and quality challenges.

Within her natural resources practice, Barbara assists clients with the state and federal Endangered Species Acts, wetlands, land conservation permitting, and related litigation. She has assisted private and public interests with the evaluation of Habitat Conservation Plans, Natural Community Conservation Plans, Biological Opinion consultations, California Incidental Take Permits, 404 individual permits, timber harvest plans, and conservation easements.

Barbara's land use practice includes representing private land owners, developers, and public agencies in matters involving local government planning and zoning, Coastal Act permitting, CEQA and NEPA compliance, Clean Water Act compliance, land development strategy, eminent domain and related litigation.

Barbara's municipal practice includes serving as general and special counsel to special districts, joint power agencies, cities, and counties. Barbara regularly advises on compliance with the Brown Act, Public Records Act, Public Contract Code, as well as various other laws impacting public agencies.

In a case of Barbara's work rubbing off on her hobbies (or perhaps it's the other way around), Barbara enjoys scuba diving, cycling, boating, gardening, and traveling when she can get away from the office. Whether vocation or avocation, Barbara's enthusiasm and appreciation for the great outdoors is evident in all that she does. As an advocate for the outdoors and appreciation of open space, Barbara is an active board member of the Placer Land Trust.



Randy Pollack

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Randy Pollack specializes in developing and directing government and regulatory affairs strategies through lobbying, political grassroots, public relations efforts and organizing industry coalitions. He regularly represents businesses and trade associations before the California Legislature, the executive branch and state agencies. Randy has served as the lead lobbyist on issues involving chemical policy, dietary supplements, consumer packaging, cosmetics, privacy, financial, education and agricultural issues.

Additionally, he has extensive knowledge in working with the California Department of Food & Agriculture, Cal-EPA, Department of Health Services, Consumer Services Agency and various other agencies to resolve issues on behalf of his clients. In a November 2009 survey, California Legislators voted Randy as the “Most Underrated Lobbyist” working at the Capitol – a testament to the effective and pragmatic approach he employs on behalf of his clients.

Before joining Churchwell White LLP, Randy established his own company focusing on legislative and regulatory affairs. Prior to that, Randy was a shareholder of a national law firm where he directed legislative and regulatory strategies for Fortune 500 companies and trade associations. Randy’s 25 years of government experience include serving as Chief Deputy Legal Affairs Secretary to former Governor George Deukmejian, where he counseled the Governor and senior staff on a variety of legal, public policy and legislative issues. As chief consultant to the Assembly Agriculture Committee, he oversaw issues affecting California’s \$20 billion agricultural industry. In addition, Randy served as legal advisor to the California Public Employment Relations Board.

Randy Pollack is a registered California lobbyist and a member of the California and New York Bars. He received his J.D. from University of the Pacific, McGeorge School of Law and his B.A. degree from the State University of New York, Buffalo. As an attorney and lobbyist, Randy is an AV® Peer Review Rated lawyer, the highest rating given by Martindale-Hubbell for legal ability and ethical standards. Although Randy is happily tied to the Capitol and Sacramento, and enjoys spending time with his family and playing golf in the nice weather, he still holds out hope that the Buffalo Bills will win a Super Bowl sometime in his lifetime.



Tom Hallinan

Partner

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Tom Hallinan brings extensive, and a career's worth, of municipal knowledge to the Churchwell White team. Tom currently represents the communities of Empire, Grayson, Oakdale, Riverbank, Ceres and Patterson as City Attorney and Special District General Counsel. As such, he is experienced in providing legal advice on the Brown Act, Political Reform Act, Public Records Act, contracts and procurement, and all phases of real property development including public finance. He also prosecutes all municipal code violations.

A 20-year member of the Central Valley City Attorney's Association, Tom is also active in the League of California Cities' City Attorney Department, where he has served as the Department's representative to the Annual Conference Planning Committee and on the Transportation, Communication and Public Works Committee. He was recently appointed as the Central Valley representative to the League's Legal Advocacy Committee.

Tom is an elected member of the Yosemite Community College District Board of Trustees, where he is currently serving his fifth four-year term. He also serves on the Stanislaus-Ceres Oversight Board of the former Redevelopment Agency, and the Stanislaus County Assessment Appeals Board. Hallinan has served as a Governor's appointee to the 38th District Agricultural Association, and on numerous local non-profit boards and commissions. In 2015, Tom was appointed to the California Law Revision Commission by Governor Brown. He was also recently appointed as a member of the Gaming Policy Advisory Committee of the California Gambling Control Commission.

Prior to joining Churchwell White LLP, Tom worked in the California Legislature, and for the State of California, Department of Toxic Substances Control, and the U.S. Attorney's Office.

Having served for two decades as both an elected official; and federal, state, county and city appointee, Tom is knowledgeable of and works well with all government agencies.



Elisabeth White

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Elisabeth L. White is a partner with Churchwell White LLP whose practice focuses on issues related to healthcare law, administrative law, and government affairs. As a registered lobbyist, Elisabeth has assisted a wide variety of both public agencies and private companies. Her experience as an attorney sets her apart as a lobbyist, providing her with a thorough understanding into the nuances of legislation and the language of a bill.

Prior to joining Churchwell White LLP, Elisabeth lobbied on behalf of Costco Wholesale, the California Construction Trucking Association, West Basin Municipal Water District, the City of La Canada Flintridge, and the San Diego Association of Governments (SANDAG). In particular, Elisabeth represented the City of Inglewood and advocated on their behalf before the California State Legislature. A significant project of impact involved working with Southern California water agencies and other Southern California cities to successfully oppose the City and its residents from being charged additional money for the water they were receiving.

Apart from lobbying, Elisabeth also advises clients on issues related to healthcare compliance, State licensing and certification, Medicare certification, Medicare and Medi-Cal enrollment and complex healthcare agreements. She also advises clients on, among other things, required governmental filings (e.g., Statement of Economic Interests) and political law issues including committee and campaign reporting.

Elisabeth has represented large hospital systems, foundations and physician groups. She has also worked in an in-house setting as a law clerk for both UC Davis Health System and Dignity Health. As a legislative advocate, she advanced the interests and priorities of healthcare organizations, Southern California cities, large corporations and special interest associations before the State Legislature. Elisabeth is a member of the American Health Lawyers Association and the California Society for Health Care Attorneys. She was named a 2015 Rising Star by Super Lawyers Magazine in the areas of Government Relations, State, Local & Municipal Law, and Health Care. In her time away from the office, Elisabeth stays very active chasing her twin daughters and son (all age five and under).



S. Craig Hunter

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Craig Hunter's diverse practice is primarily focused on the areas of real property, public contract procurement, environmental and general business litigation, as well as state administrative procedures and regulatory compliance.

Prior to entering law school, Craig worked for 12 years in the land title industry as a part of the Sacramento and Yolo County operations of Ticor Title Insurance Company, and in the Yolo County operations of Western Title Insurance Company. This background has provided Craig with unique expertise in several real estate sub-specialties. As a result, he often represents clients in real property remediation issues, commercial transactional matters, as well as title, boundary, and easement disputes.

Besides real property matters, Craig is well-versed and experienced in environmental law including CEQA compliance, environmental permitting and compliance, and federal and state court environmental litigation. In that capacity, Craig has represented food processors, mining and agricultural operations, and general business entities including major truck stop operators, dry cleaners, gasoline service stations, automotive repair facilities, and small machine manufacturers. Other work includes assisting commercial agricultural leasing clients in general business matters and as secured creditors in bankruptcy proceedings. He has also represented agricultural lenders in a variety of security issues, including judicial foreclosures and lender liability actions.

A seasoned litigator, Craig's litigation practice frequently deals with matters in both state and federal courts, as well as at various appellate levels. In addition to the California courts, Craig is admitted to the Eastern and Northern Federal District Courts of California, to the Ninth Circuit Court of Appeals, and to the United States Supreme Court. Craig earned his law degree from the University of the Pacific, McGeorge School of Law. Upon graduating With Great Distinction, Craig was also admitted into the Order of the Coif and the Traynor Honor Society, and received American Jurisprudence Awards for Real Property, Constitutional Law, Remedies and Tax.

For relaxation, Craig enjoys flying (he holds a private pilot's license and owns a Cessna Skylane), golfing, and reading (fiction, historical novels, and biographies). Craig is married, has two adult daughters, and (arguably) the cutest granddaughter. It's better not to argue with a litigator though.



Michael Lyions

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Michael Lyions joins Churchwell White LLP with over forty years of municipal law experience. Prior to joining the Churchwell White LLP team, Mike served as the City Attorney for the City of Ceres for more than forty-four years, a testament to his legal ability and loyalty as a contract employee. As City Attorney, Mike assisted the City with legal matters regarding city operations and procedures, as well as representing the City in cases of litigation. In this capacity, he also provided legal counsel to the Redevelopment Agency, Planning Commission, City Council, and other local agencies.

In addition to serving as City Attorney, Mike also managed a general practice law firm in Modesto, California. However, in 2002, Mike sold his interest in the firm to devote his full-time legal services exclusively to Ceres. Mike's combined years in private and public law have built up a vast experience and knowledge base in all aspects of general municipal law.

Born and raised in Manteca, California, Mike's practice naturally grew out of the communities within the San Joaquin Valley. Now, as an Of Counsel attorney, Mike's municipal wisdom will continue to expand in Sacramento and further enrich the Churchwell White LLP team.



Kurt D. Hendrickson

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Kurt Hendrickson is a litigator with a focus on business and governmental disputes involving contract, real property, and employment law. Kurt also handles professional licensing and disciplinary matters before regulatory agencies such as the Medical Board of California, the Bureau of Automotive Repair, and the Mine Safety and Health Administration (MSHA).

His representation includes counseling clients, investigation, discovery, mediation/arbitration, and litigating cases through trial. One of Kurt's goals is to ensure his clients understand the litigation process and the work and resources involved in their case.

Kurt serves as Vice President of the Barristers' Club of Sacramento and is the former Treasurer, Media Chair and Membership Chair for the organization. He also served as the Membership-Committee Chairman for the Sacramento County Bar Association.

During law school, Kurt clerked for Commissioner William A. Mundell at the Arizona Corporations Commission. He worked as a state field director for three grassroots programs for a 2006 gubernatorial campaign in California. Kurt was an active participant in on-campus activities and served as the President of the Junior Barristers Club, an affiliate of the Barristers' Club of Sacramento.

When he is not working, Kurt enjoys many outdoor activities including golf and fishing. He enjoys camping and traveling with his wife, Nicole, and two small dogs, Peanut and Walnut. Additionally, he maintains a regular workout routine and can be found playing basketball at a downtown athletic club.



Nubia Goldstein

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If Nubia Goldstein's career seems perfectly tailored towards municipal law, that's because it is. From majoring in Government at California State University, Sacramento to choosing Public Law and Policy as her academic focus at the University of the Pacific, McGeorge School of Law, Nubia has developed a background in politics and policy that continually influences her diverse municipal work today.

As part of the Churchwell White LLP team, Nubia's areas of practice include real estate and land use, litigation, eminent domain and legislative advocacy. Nubia serves as City Attorney for the city of Newman, and advises Churchwell White LLP's municipal clients on issues related to the Brown Act, conflicts of interest, election law and land use matters. She represents the firm's public and private clients in all stages of litigation, mediation and alternative dispute resolution. She is a member of the Public Law section of the California State Bar, a member of the Hispanic National Bar Association, and a registered lobbyist.

Before entering law school, Nubia gained both legislative experience working at the Capitol for a California Assemblywoman and political know-how while working on local election campaigns. The time spent staffing bills and communicating with constituents and lobbyists naturally carried over to her desire to practice law. While at McGeorge, Nubia participated in several student organizations and served as President and Executive Chair of McGeorge's Public Legal Services Society. In addition to graduating with distinction, she earned the Witkin Award for Excellence in two courses, was admitted to the Traynor Honor Society, and received the Outstanding Student service Award for her significant contributions to the McGeorge community.

Outside of her academic honors, Nubia built upon her governmental relations and legal experience at the California Attorney General's Office, Fair Political Practices Commission, and the Department of Fair Employment and Housing. She also previously worked in the Civil Law and Motion Department of the Sacramento County Superior Court. The accumulation of all of these experiences naturally drew Nubia towards municipal law as an intersection of politics, policy, and law.

Although it may seem like Nubia's entire life revolves around solving municipal matters, she does get out of the office to explore local eateries, museums, and sporting events. And while she is an ardent local sports fan and spends the fall managing her fantasy football team, she leaves the physical participation to the professionals.



Robin Baral

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Robin Baral provides specialized counsel to public and private entities in the areas of land use, environmental law, regulatory proceedings and municipal law. Robin's practice focuses on the intersection of land use, water supply planning and large-scale infrastructure projects. In the public sector, Robin currently serves as Deputy City Attorney for the City of Dixon and the City of Riverbank, while providing counsel to cities and water districts throughout California.

Robin's land use practice is highlighted by his ability to work with developers and municipalities to negotiate development agreements, process complex entitlement packages, and establish viable finance mechanisms for large infrastructure improvements, such as wastewater treatment upgrades and recycled water facilities.

Robin is actively working with several public entities to finance, develop and construct surface water and groundwater storage projects, and treatment projects totaling hundreds of millions of dollars.

Robin works closely with public entities, and their constituents, in a variety of matters involving municipal finance, such as Proposition 218 proceedings, the adoption of impact fees, the formation of special assessments and other voter-approved taxes. He is skilled in working with agencies and citizens' groups in connection with local initiatives and ballot measures. In each case, Robin understands the benefit of providing effective counsel in response to the specific needs and concerns of the local community.

In addition to his public practice, Robin represents industrial operators, natural resource companies and renewable energy companies in obtaining entitlements for new projects, along with providing guidance during regulatory proceedings and administrative actions by state agencies.

Prior to entering private practice, Robin volunteered as a Special Deputy Attorney in the California Attorney General's office, Environment Section. In law school, Robin interned in the Land Law Section for nine months, through the California Attorney General's Law School Honors Program in Los Angeles.

Robin has developed close ties with the Sacramento region since relocating to the area in 2011. He currently serves as a director of the Yolo Land Trust, and he also enjoys volunteering and participating in seminars by the Urban Land Institute. These groups exemplify Robin's passion for balancing smart urban development with the preservation of a vibrant agricultural economy. When he is not serving his community, Robin enjoys exploring and eating his way through the best restaurants and local establishments throughout California.



Josiah M. Young

Legislative Advocate/Attorney*

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Josiah Young is both a registered lobbyist and attorney for Churchwell White LLP, providing strategic counsel to the firm's public and private clients. Josiah seeks to achieve clients' government affairs objectives by advocating on their behalf before legislative, regulatory and administrative bodies, drawing on his experience in policy and political work including coalition building, grassroots mobilization, strategic planning, legislative/initiative campaigns, direct lobbying, legislative tracking, regulatory monitoring and procurement services.

As a Sacramento lobbyist, Josiah has worked on issues including renewable energy, advanced vehicle technology manufacturing, and environmental justice, regularly presenting targeted messages to key stakeholders. As a member of the Churchwell White LLP team, Josiah sits on the 2017 California Special Districts Association Legislative Committee.

Licensed to practice law by the State of New York, Josiah also counsels Churchwell White LLP clients on transactional matters, municipal and special district law, and political issues.

After earning his bachelor's degree in business management from Morehouse College, Josiah attended American University Washington College of Law where he focused on commercial transactions and was active on campus, serving as President of the Black Law Students Association. While in law school, Josiah interned for a US House of Representatives member, where he worked on legislative research and drafting, as well as constituent outreach. Also, while in law school, Josiah clerked in the Office of the General Counsel for the US Department of Commerce. There, he spent time reviewing contracts, providing general litigation support, and drafting congressional correspondence. Upon graduating from law school in two and a half years, Josiah went on to oversee policy and grassroots advocacy work for several national NGOs.

When not working, Josiah enjoys spending time with his family, reading and exercising to stay fit.

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Karl Schweikert

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Not many people can claim to be a pilot, much less a CFO and attorney. However, Karl Schweikert has transformed his diverse experiences and natural problem-solving skills into an informed law practice that focuses on litigation, aviation and airport land use, governmental relations, and administrative law.

Prior to launching his legal career, Karl spent 14 years working for Silicon Valley start-ups in marketing and finance, as well as 8 years as a professional pilot. Karl then received his Juris Doctor from the University of the Pacific, McGeorge School of Law with great distinction. While in school, he served as President of the McGeorge Health Law Association and was admitted to several honors societies, including the Order of the Coif. He additionally worked as a summer associate at DLA Piper and interned with Judge Ronald Sargis in the Eastern District of California Bankruptcy Court.

Since joining Churchwell White, Karl has been able to combine his love for aviation and his talents for communication and problem solving. As an AOPA Panel Attorney and member of the ABA Forum on Air and Space Law, as well as a member of the Healthcare and Business sections of the Sacramento County Bar Association, Karl has gained favorable rulings for a number of professional boards and worked on several issues regarding aviation and airport land use.

And if Karl's other titles are not enough, he can also add lifeguard, college athlete, springboard diver, and school board trustee to his name.



Kerry Fuller

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Kerry Fuller's practice focuses on public law, land use, environmental, and political law. She currently serves as Deputy City Attorney to the City of Newman and advises the firm's other public clients on a variety of matters.

Kerry's exposure to California's complex water system started early. Due to her father's work as an engineer for a water agency in the San Bernardino Valley, Kerry became fascinated with the vast web of infrastructure and accompanying laws and agreements that govern California's water.

After graduating from the University of California, Santa Barbara with degrees in Political Science and Psychology, Kerry spent several years working in Washington D.C. for Hillary Clinton's 2008 presidential primary campaign, as well as for Defenders of Wildlife, an environmental nonprofit. It was there, encouraged by her mentors and still fascinated by California's water system, that Kerry became inspired to become a lawyer. As a result, Kerry returned to California, where she graduated from the University of California, Davis with her Juris Doctor. While in law school, Kerry worked as a law clerk at the California Attorney General's Office in the Environment, Land Law, and Natural Resources Section and continued to explore her interest in water by taking classes focusing on water law and ocean and coastal laws. She also served as an Executive Editor of UC Davis' environmental journal, *Environs*, and was selected for a Michael H. Remy Scholarship to attend the 2012 Environmental Law Conference at Yosemite.

From inspiration to actuality, Kerry now flexes her decision-making and problem-solving skills as a member of the Churchwell White team. Kerry belongs to the Public Law and Environmental Law Sections of the California State Bar, and channels all of her experiences into her municipal, water, and environmental practices.



Helane Seikaly

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After graduating from Southern Methodist University with degrees in Political Science and French, Helane Seikaly spent a year working in Dallas on a Texas Gubernatorial campaign before attending law school in Houston. While in law school, Helane became very involved in South Texas' nationally renowned Advocacy Program. While she was there, she competed in many mock trial tournaments, winning the American Bar Association's sponsored Labor & Employment Mock Trial Tournament in 2012.

Because of her passion for being in the courtroom, Helane accepted a position at the Harris County District Attorney's Office as an intern in the felony division. During her third year of law school, she first chaired a jury trial with minimal supervision by the prosecutor. She received a favorable verdict.

During law school, Helane became very passionate about labor and employment law which led her to an internship at the Equal Employment Opportunity Commission (EEOC) in Houston to further gain inside experience to real world employment issues. During her time with the EEOC, Helane assisted Administrative Law Judges with preliminary hearings on discrimination claims filed by Federal employees. She also wrote decisions for the Administrative Law Judges on motions for summary judgment usually filed by Federal agencies.

Because of her love for France, after college Helane spent a year in a small French town in the center of Burgundy, France teaching English to high school students. While she was there, she was able to take advantage of traveling all over France to experience the country like a local. She also attended the largest wine festival in all of France.



Embert P. Madison, Jr.

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Embert P. Madison, Jr.'s practice focuses on the areas of public law, real estate and land use, and political law. Prior to joining the Churchwell White LLP team, Embert spent several years at the state Capitol. This previous experience with the California Legislature, created a natural transition to working with cities, counties and special districts.

During his time at the Capitol, Embert toed the political ropes staffing taxation, health, and employment issues while working at the Capitol for a California Assembly Member. He also gained unique legal experience working as counsel for the Legislature at the Office of Legislative Counsel (OLC). Embert's practice areas at the OLC included taxation (income and sales and use taxation), public contracting, and state and local government.

While in law school, Embert served as a Judicial Extern for the Honorable John A. Mendez at the United State District Court, Eastern District. During this time, he diversified his experience reviewing civil rights claims, employment matters and federal rules of court. He also worked for Chairman Emeritus of the California Board of Equalization, Jerome E. Horton, analyzing tax appeal cases. Embert was an active participant on campus as President of the Black Law Student's Association, and as a member of Moot Court, Real Estate Club and the UC Davis School of Law Business Law Journal.

When he is not working, Embert enjoys learning about real estate markets and being active by biking or playing basketball. He is a lifelong Lakers enthusiast.



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Prior to joining Churchwell White LLP, Vincent Vu was a Criminal Prosecutor with the Los Angeles City Attorney's Office, Central Trials Unit, where he handled criminal misdemeanor prosecutions. During this time, he prosecuted four jury trials and argued motions and other hearings. Vincent's criminal-litigation perspective transitions well into municipal code enforcement and other litigation matters.

Vincent attended the University of California, Hastings College of the Law, where he served as the Editor-in-Chief of the Hastings West-Northwest Journal of Environmental Law and Policy. He served as Co-Chair for the 2014 California Water Law Symposium.

During law school, Vincent complemented his academic studies by working with various organizations, including: the Honorable Yvonne Gonzalez Rogers, United States District Court for the Northern District of California; Shute, Mihaly & Weinberger LLP; the Natural Resources Defense Council; the California Attorney General's Office Natural Resources Section; and the California Coastal Commission. He received his B.A. in Psychology and Social Behavior with a minor in Political Science from the University of California, Irvine. Vincent also participated in the University of California, Washington D.C. program, where he interned with Public Citizen's Congress Watch Division.



Christopher LaGrassa

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Born and raised in Sacramento, Christopher LaGrassa always knew he wanted to be a professional that could contribute back to his hometown and other local communities. As a result, Chris's practice focuses on public law, land use, political law and civil litigation.

Chris received his undergraduate degree from the University of California, Irvine with a degree in Political Science. His degree focused on political theory with an emphasis on local government. His passion for politics and local government even inspired him to volunteer for Assemblymember Kevin McCarty's campaigns in both 2010 and 2014.

Prior to joining Churchwell White LLP, Chris earned a wealth of public and political law experience working as a law clerk for the City of Elk Grove, Kronick Moskovitz Tiedemann & Girard, the Fair Political Practices Commission and Nielsen Merksamer Parrinello Gross & Leoni, LLP. These experiences gave him a comprehensive understanding of serving public agencies from the inside and out. As a member of the Churchwell White LLP team, Chris is excited to assist public entities in creating innovative solutions and positive change for their communities.

In his spare time, Chris is a passionate Sacramento sports fan. He can be seen attending every Sacramento Republic home game, proudly rooting for his younger brother, Matt (#16). Chris is also well known amongst his peers and friends for shamelessly defending the Sacramento Kings.



Elaine Won

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Elaine Won has always been guided by her passion for public service and politics. This passion led her to the Office of the UC Student Regent, where she assisted the Student Regent in advocating for policies beneficial to students in the University of California system. She also interned at Congressman Mike Honda's District Office, where she dealt directly with various local and federal issues in California's 17th congressional district.

After graduating from the University of California, Irvine, Elaine attended UC Davis School of Law. She began to pursue public law because it complemented her interest in public service and politics. Elaine worked at Churchwell White LLP during the summer after her second year, where she assisted in variety of litigation and transaction law matters and expanded on her employment and labor law experience within a public law context. In order to build her litigation and employment law practice, Elaine also externed at the Office of the Attorney General – Employment and Administrative Mandate Section. At the Office of the Attorney General, Elaine gained firsthand experience interviewing witnesses and engaging in pre-trial matters.

Elaine is passionate about staying involved in her community and assisting low-income individuals access legal services. She plans on working to solidify the structure of the Grace Lee Boggs Asian Pacific Islander Legal Clinic, which she co-founded in law school to assist underserved low-income Asian Pacific Islanders in the Sacramento and Yolo County area.

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