

League of California Cities Legislative Action Day Preview

Briefing on Priority Issues & Bills

Thursday, April 11, 2019

10:00 a.m.- 11:30 a.m.

Agenda

- Introduction
- Housing, Housing & ***more*** Housing
- Governor's Housing Budget Proposals
- Economic Development
 - **Questions and Answers**
- Environmental Quality & Community Services
- Governance, Transparency & Labor Relations
 - **Questions and Answers**
- Public Safety
- Transportation, Communications and Public Works
- Revenue and Taxation
 - **Questions and Answers**
- Wrap-Up

Draft Agenda as of Monday, 04/05/19

WEDNESDAY, APRIL 24

- 8:30 a.m. **Registration**
- 10:00 a.m. **Welcome and Introductions – M.A.Y. Building, Capitol Event Center, 2nd Floor**
- Jan Arbuckle, League President, Council Member, Grass Valley
 - Darrell Steinberg, Mayor, Sacramento
 - Carolyn Coleman, League Executive Director
- Budget, Legislative and Policy Update**
- Dan Carrigg, Deputy Executive Director/Legislative Director
 - Jason Rhine, Assistant Legislative Director/ Legislative Advocate
 - Dane Hutchings, Legislative Advocate
 - Rony Berdugo, Legislative Advocate
 - Charles Harvey, Legislative Advocate
 - Derek Dolfie, Legislative Advocate
- Updates from Administration Representatives**
- Ann O’Leary, Chief of Staff, Office of Governor Newsom
 - Ana Matosantos, Cabinet Secretary, Office of Governor Newsom
- 11:30 a.m. – 3:30 p.m. **Lunch on your own and Meetings in the Capitol**
- 3:45 p.m. – 5:00 p.m. **Legislative Panel Discussion: Addressing California’s Housing Needs**
M.A.Y. Building, Capitol Event Center
Co-hosted by League’s Latino, African American, Asian-Pacific Islander, Gay-Lesbian-Bisexual-Transgender Local Officials, and Women’s Caucuses
Moderator: Alicia Aguirre, Immediate Past President, League of California Cities Latino Caucus Council Member, City of Redwood City
Panelists: Invited:
- Senator Jim Beall, Chair, Senate Transportation Committee (Confirmed)
 - Senator Mike McGuire, Chair, Senate Governance and Finance Committee
 - Senator Scott Wiener, Chair, Senate Housing Committee
 - Assembly Member David Chiu, Chair, Assembly Housing and Community Development Committee (Confirmed)
 - Assembly Member, Cecilia Aguiar-Curry, Chair, Assembly Local Government Committee
- 5:15 – 6:15 p.m. **Legislative Reception – Mayahuel, 1200 K Street, Sacramento**
- 6:30 p.m. **Evening Free to Dine with Your Legislator**

Legislative Action Day 2019 Draft Agenda

How to Ask a Question

- All phone lines have been muted.
- For written questions - use the Q&A window to the right side of your screen. Please enter your name, title and city.



This webinar is being recorded. To request a copy, please contact Megan Dunn mdunn@cacities.org

League Legislative Representatives

Dan Carrigg, Deputy Ex. Dir./Leg. Director
Revenue and Taxation



Jason Rhine, Assistant Legislative Director
*Housing, Community &
Economic Development*



Rony Berdugo, Legislative Representative
Transportation and Public Works

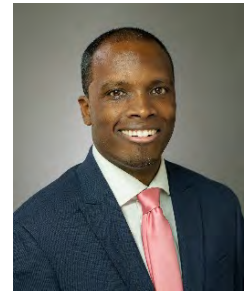


League Legislative Representatives

Dane Hutchings, Legislative Representative
Governance, Transparency & Labor Relations



Charles Harvey, Legislative Representative
Public Safety & Cannabis



Derek Dolfie, Legislative Representative
Community Services, Environmental Quality



Overview

- **New Governor Gavin Newsom**
 - Priorities: Housing, addressing widening wage gap with various programs to assist the poor, full-day kindergarten, expanding childcare, immigration issues, disaster response and planning
- **Relationship with Super Majority Dem. Legislature**
 - 61-19 Assembly
 - 29-11 Senate
 - Tensions With Trump Administration: water, offshore drilling, the train, immigration, climate change, Affordable Care Act...
- **State Budget Conditions (Never Better)**
 - \$14 Billion in “Rainy Day” reserves
 - \$20.6 billion in “discretionary” resources
 - Gov. proposes one-time expenditures including: state and school pension payments, affordable housing, homeless funding, etc.

Overview

- **Eligible Nov. 2020 Ballot Measures:**
 - Split-roll property tax
 - Police Chiefs/Grocers criminal justice reform
 - Referendum on 2018 bail elimination law

Overview

- **Positives for Cities:**
 - **A lot of new funding available**
 - \$4 billion housing bond
 - \$4 billion park water bond
 - \$2 billion homeless housing funds
 - SB 2 planning funds
 - Cap and trade funds
 - **Gov's Housing Budget Proposals:**
 - \$500M annually in low income housing tax credits.
 - \$500M for moderate income housing production.
 - \$500M for homeless emergency shelters & environmental streamlining.
 - \$250M for updating local housing plans.
 - \$500M in rewards for achieving "milestones."
 - Use CalTrans property for homeless housing; and allow housing developments on state property.
 - **Other Major Budget Proposals:**
 - \$415M for emergency preparedness
 - Funding property tax backfills and cleanup costs for wildfire affected communities.
 - Expanding firefighting capacity
 - Safe drinking water

Overview

- **Concerns for Cities:**
 - 200+ housing bills that attempt to micromanage land use and housing.
 - Lack of Legislative focus on growing pension crisis for cities.
 - Efforts to pass many bills aimed at expanding workers compensation and other benefits for public employees.
 - Legislation that would significantly complicate local redistricting: another measure would impose further limits on local contracting flexibility.
 - Increasing recycling mandates at a time of eroding markets.
 - Water Tax proposals requiring urban agencies and residents to pay for rural improvements.
 - Continued legislative and administrative efforts to undermine local authority in cannabis regulation that was guaranteed under the provisions of Proposition 64.



Questions?

Housing, Community, and Economic Development

Jason Rhine, Assistant Legislative Director
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Upzoning Near Transit/Single-Family Areas

AB 1279 (Bloom) High Resource Areas.

Position Taken: Pending

- Requires HCD to determine “high-resource areas”, areas of high opportunity and low residential density not experiencing displacement or gentrification.
- By-right approval for up to 100 units and 55 ft, if the project meets affordability requirements and site limitations.

Upzoning Near Transit/Single-Family Areas

AB 1763 (Chiu) Density Bonus. Affordable Housing.

Position: Oppose Unless Amended

- For 100% affordable housing projects, a city or county must award the following density bonus:
 - Four incentives and concessions;
 - A density bonus that is 80% of the number of units for lower income households;

Upzoning Near Transit/Single-Family Areas

AB 1763 (Chiu) Density Bonus. Affordable Housing. (Cont.)

Position: Oppose unless Amended

- For development within one-half mile of “a major transit stop,” a city or county must:
 - Not impose any maximum controls on density;
 - Allow a height increase of up to three additional stories or 33 feet; and
 - Allow an increase in the allowable floor area ratio of up to 55% relative to the underlying limit or 4.25, whichever is greater.

Upzoning Near Transit/Single-Family Areas

AB 1763 (Chiu) Density Bonus. Affordable Housing. (Cont.)

Position: Oppose unless Amended

- Defines a “major transit stop” to mean a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

Upzoning Near Transit/Single-Family Areas

AB 1763 (Chiu) Density Bonus. Affordable Housing. (Cont.)

Position: Oppose unless Amended

- For a development within one-half mile of “a high quality transit corridor” a city, county, or city and county, shall:
 - Not impose any maximum controls on density;
 - Allow a height increase up to two additional stories, or 22 feet; and,
 - Allow an increase in the floor area ratio of up to 50% relative to the underlying limit or 3.75, whichever is greater.

Upzoning Near Transit/Single-Family Areas

AB 1763 (Chiu) Density Bonus. Affordable Housing. (Cont.)

Position: Oppose unless Amended

- Defines a “high quality transit corridor” means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.

Upzoning Near Transit/Single-Family Areas

SB 4 (McGuire) Housing.

Position: Pending

- Requires up to fourplexes on vacant lots in single-family neighborhoods, by-right housing approvals, TOD heights one-story above existing heights; based on city population.

Upzoning Near Transit/Single-Family Areas

SB 50 (Wiener) More HOMES Act (Housing, Opportunity, Mobility, and Stability).

Position: Oppose Unless Amended

- Upzones around transit (up to 55ft.)
- Limits single-family only zoning.
- Increases density.
- Limits or eliminates parking requirements.
- Awards up to three Density Bonus incentives.

Planning and Zoning

SB 330 (Skinner) Housing Crisis Act of 2019.

Position: Oppose

Until Jan. 2030, a city may not:

- Downzone.
- Impose parking requirements.
- Increase impact fees.
- Apply any fees to affordable housing.
- Impose a housing moratorium.
- Impose design standards that are more costly than those in effect in 2019.
- Establish a maximum number of conditional use permits.
- Enforce existing growth management ordinances.

Impact Fees

AB 1484 (Grayson) Fees. Reporting.

Position: Oppose Unless Amended

- Prohibits a local agency from imposing a fee unless the type and amount of the exaction is identified on the agency's website at the time the development application is deemed complete.
- Freezes impact and development fees for 2 years after application is deemed complete.

Accessory Dwelling Units (ADU)

AB 68 (Ting) Land Use: Accessory Dwelling Units.

Position: Oppose Unless Amended

- Would make many changes to ADU law.
- Eliminates minimum lot size requirements.
- Requires at least 800sqft ADU.
- Requires approval within 60 days.
- Prohibits owner occupancy requirements.

Accessory Dwelling Units (ADU)

AB 881 (Bloom) Accessory Dwelling Units.

Position: Oppose Unless Amended

- Would make several changes to ADU law.
- Prohibits owner occupancy requirements.

Accessory Dwelling Units (ADU)

SB 13 (Wieckowski) Accessory dwelling units.

Position: Oppose Unless Amended

- Prohibits local jurisdictions from imposing any impact fees on ADUs less than 750 square feet, and limit the charge on ADUs over 750 square feet to 25 percent of the fees otherwise charged for a new single-family dwelling on the same lot.
- Prohibits replacement parking when a garage, carport, or covered parking structure is demolished or converted into an ADU.
- Prohibits owner occupancy requirements.

Tenant Protections

AB 53 (Jones-Sawyer) Rental Housing Discrimination.

Position: Pending

- Prohibits landlords from asking about certain information, including criminal history.

AB 1110 (Friedman) Rent Increases: Noticing.

Position: Pending

- Expands existing notice requirements to 120 days if the rent increase is more than 15%.

Tenant Protections

SB 18 (Skinner) Keep Californians Housed Act.

Position: Pending

- Requires the Department of Housing and Community Development (HCD) to develop and publish a guide to all state laws pertaining to landlords and landlord-tenant relationship.
- Requires HCD to survey each city to determine which cities provide resources or programs to inform landlords of their legal rights and obligations.
- Allocates funds to the California Emergency Solutions and Housing Program. Funds available to local governments and nonprofit organizations for activities including rental assistance and housing relocation and stabilization.

Tenant Protections

SB 329 (Mitchell) Discrimination: Housing: Source of Income.

Position: Pending

- Expands “source of income” definition to include state, federal, or local funds, and housing vouchers.

SB 182 (Jackson) Planning and Zoning: Wildfires.

Position: Pending

- Imposes additional planning responsibilities on local governments, requires cities and counties to make specified findings prior to permitting development in very high fire hazard severity zones (VHFHSZ) and other areas designated as the Wildland-Urban Interface (WUI).

Governor's Housing Budget Proposals

Jason Rhine, Assistant Legislative Director
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Key Areas of Interest for Cities

Securing Workable Revisions to Planning/Incentive Trailer Bill

Governor is proposing to allocate \$750 million to local agencies:

- \$250 million for enhanced planning for housing
- \$500 million as rewards for achieving various “milestones.”

Initial Concerns with the language:

- Proposed allocation of hundreds of thousands of additional housing units directly to cities.
- Would allow regional agencies to have more supervisory authority as enforcers of state policy.
- Would link affordable housing construction production to the receipt of local SB 1 funds.

Despite concerns with the initial language, recent discussions with the Administration have been encouraging.

- League and CalCOG have jointly advocated for a better approach that would build off the existing RHNA process and foster continued collaborative relationships between local agencies.
- On transportation funding, the Administration may be shifting more toward making housing element compliance a condition of eligibility for various discretionary transportation planning funds.

Key Message: City officials support additional funds to assist with local housing planning efforts and financial rewards, but it’s important that any such program be workable for cities and not establish unrealistic conditions. No tie to SB 1 should be considered as that breaks faith with commitments made to voters.

Key Areas of Interest for Cities

Supporting Additional Funding For Housing Development

Cities support the Governor's proposals to provide additional resources to build affordable housing, which include:

- Increasing the annual amount of available affordable housing tax credits from \$85 to \$500 million.
- Allocating \$500 million for moderate income housing development.

Key Message: With the loss of redevelopment, there has been little funding available for building affordable units. We appreciate the Governor's focus on establishing a major ongoing allocation of tax credits and making sure affordable workforce housing gets built.

Key Areas of Interest for Cities

Supporting Additional Emergency Homeless Housing Funds for Cities

Cities support the Governor's proposal to allocate an additional \$500 million in additional funds for cities to help put roofs over the heads of the people without housing in our streets.

Key Message: The funds need to be allocated directly to cities so that they can put them to use quickly.

Economic Development

Jason Rhine, Assistant Legislative Director
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Economic Development

SB 5 (Beall/McGuire) Affordable Housing and Community Development Investment Program.

Position: Support

- Restores RDA-type ongoing financing for community development, transit-oriented development, and affordable housing to enable the dedication of additional bondable property tax streams to assist local agencies finance large community development projects.

ACA 1 (Aguiar-Curry) Local Government Financing: Affordable Housing And Public Infrastructure: Voter Approval.

Position: Support

- Reduces the local vote threshold for local bonds and taxes to invest in infrastructure and affordable housing from 2/3rds to 55 percent.

Economic Development

AB 11 (Chiu) Community Redevelopment Law of 2019.

Position: Support in Concept

- Seeks to reestablish a community redevelopment tool.

SB 128 (Beall) Enhanced Infrastructure Financing Districts: Bonds: Issuance.

Position: Support

- Removes the existing 55 percent vote requirement from EIFD bond issuance.

AB 1259 (Luz Rivas) Personal Income Taxes: Corporation Taxes: Credits: California New Markets Tax Credit.

Position: Pending Support

- Seeks to establish a California New Markets Tax Credit with the goal of attracting additional investments from the federal program to the state.



Questions?

Environmental Quality

Derek Dolfie, Legislative Representative
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Safe, Affordable Drinking Water

Problem: Access to affordable clean drinking water in California

Budget Trailer Bill

Position: Oppose Unless Amended

- Establishes the Safe and Affordable Drinking Water Fund.
- Grant/loan program for clean drinking water funded by: Water user charge, Dairy fee, Fertilizer fee.

Note:

[SB 200](#) (Monning) Safe and Affordable Drinking Water Fund.

Position: Watch

- Establishes the Safe and Affordable Drinking Water Fund, but no funding source

Safe, Affordable Drinking Water

Problem: Access to affordable clean drinking water in California

Note:

[AB 217](#) (E. Garcia) Safe Drinking Water for All Act

Position: Pending

Recently amended:

- Establishes the Safe Drinking Water for All Act and the Safe and Affordable Drinking Water Fund.
- Imposes several fees on agricultural activities and public water systems and creates a trust fund using investments from the state General Fund that together would provide the source of revenue to the Fund.

Safe, Affordable Drinking Water

Alternative Bill:

SB 669 (Caballero) Water Quality: Safe Drinking Water Fund.

Position: Support

- Establishes the Safe Drinking Water trust fund.
- General fund appropriation in surplus years; will not add to the cost of water
- Coalition of CMUA and AWCA (sponsors) in support

Solid Waste: Infrastructure

SB 667 (Hueso) Greenhouse Gases: Recycling Infrastructure and Facilities.

Position: Support

Requires CalRecycle to:

- Develop, on or before January 1, 2021, a five-year investment strategy to drive innovation.
- Support technological development and infrastructure, in order to meet the state's 2025 organic waste reduction target.
- Identify priorities and strategies for financial incentive mechanisms.

Budget Ask:

\$100 million budget ask to CalRecycle from the Greenhouse Gas Reduction Fund to fund organic waste infrastructure.

Solid Waste: Recycling

SB 54 (Allen) and AB 1080 (Gonzalez) California Circular Economy and Plastic Pollution Reduction Act.

Position: Pending Support

- Source reduces 75% of single use plastic packaging and products sold in CA by 2030;
- Requires all single use plastics and packaging sold in the state recyclable or compostable by 2030; and
- Requires CalRecycle to develop a scoping plan to achieve this goal.

Note: League Environmental Quality policy committee took a support recommendation, now pending League Board approval

Wildfire and Disaster Response

SB 45 (Allen) Wildfire, Drought, and Flood Protection Bond Act of 2020.

Position: Pending

Would place on the 2020 ballot a \$4.3 billion bond for wildfire, Drought, and Flood Protection.

- Grants funds to local and state agencies.
- Major funding categories are:
 - Restoration funds for areas effected by wildfire, drought, and flooding;
 - Reduction of risk to in high wildfire threat areas;
 - Protecting, Restoring, and Improving forest quality and habitat;
 - Reduction of the impacts of climate change on urban areas; and
 - Protecting Water Supply and Water Quality.

Note: the League is evaluating this proposal to determine if a sufficient portion is available to address local wildfire related needs.

Wildfire and Disaster Response

Inverse Condemnation – Changing Liability Standards

- Inverse condemnation is a legal concept that entitles property owners to just compensation if their property is damaged by a public use. This liability rule applies to all government agencies, as well as utilities.
- After a wildfire, inverse condemnation is the way that victims of fires (residents, businesses, and local agencies) recover their costs.
- There have been discussions about putting changes to the inverse condemnation standard back on the table as a way to address a utility's wildfire costs and liability.
- If you are speaking with your legislator about wildfires, reiterate to them that local governments do not want to change the inverse condemnation liability standard.

SB 332 (Hertzberg) Wastewater Treatment: Recycled Water.

Position: Oppose

- Mandates wastewater treatment agencies that discharge treated water to the ocean to reduce their discharges by 50% of baseline volume by January 1, 2030, and by 95% of baseline volume by January 1, 2040.
- Also declares that discharge from ocean outfalls is a “waste and unreasonable use” of water and imposes penalties of \$2,000/acre-foot of water discharged above the reduction requirement.

Note: Coalition with CASA, CMUA, ACWA, and CSDA in opposition

Community Services

Derek Dolfie, Legislative Representative
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Governor's Proposed FY 2019-20 Budget

Homelessness

- \$500 million in one-time funding for local jurisdictions to address emergency homelessness needs.

Whole Person Care Pilot Programs

- \$100 million General Fund (one-time with multi-year spending authority) for Whole Person Care Pilot programs that provide housing services for mentally ill homeless.

Working Families Tax Credit

- Rename California's version of the Earned Income Tax Credit to the Working Families Tax Credit and double the size to \$1 billion.

Child Care and Early Learning

- \$1.2 billion to increase child care and early education provider rates and increase the number of children served
- Major categories are Universal Full-Day Kindergarten, Universal Preschool, and Subsidized Child Care

Governance, Transparency, and Labor Relations

Dane Hutchings, Legislative Representative
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AB 33 (Bonta) CalPERS Divestment Measure. Private Prisons

Position Taken: Oppose

- Would require the CalPERS and CalSTRS pension funds to divest all holdings in the private prison industry.
 - CalPERS projects that divestments have cost the pension fund over \$10 Billion in unrealized returns
 - Divestment has not proven effective
 - CalPERS Board has also taken an oppose position on this measure.

AB 1320 (Nazarian) Divestment Measure. The Republic of Turkey.

Position: Oppose

- Would require the CalPERS and CalSTRS fund to divest its holdings from the Republic of Turkey until such time as the Government publically acknowledges the Armenian genocide between the years 1914-1923.
 - CalPERS projects that divestments have cost the pension fund over \$10 Billion in unrealized returns.
 - Divestment has not proven effective.
 - CalPERS Staff has recommended an oppose position on this measure and will likely adopt a formal oppose during the April Board meeting.

SB 266 (Leyva) Public Employees' Retirement System. Disallowed Compensation. Benefit Adjustments.

Position: Oppose

- Would require a public agency to pay from its General Fund any shortfall of a benefit should CalPERS determine that a retiree has received disallowed compensation.
- This would constitute a gift of public funds violating section 6, article 16 of the California Constitution.
- The public agency has already paid their portion of the benefit.

Elections

AB 849 (Bonta) Elections. Local Redistricting.

Position: Oppose

- Completely overhauls the districting and redistricting process for counties, cities, special districts, and all school boards—including every factor currently used to draw districts.
- Requires up to 10 different public hearings in different locations around the jurisdiction.
- Requires up to three meetings being held on the weekends and up to three meetings being held after 6:00p.m.
- Requires the jurisdiction provide live translation services for all applicable languages at each public hearing.
- But wait... there's more!

Elections

AB 849 (Bonta) Elections. Local Redistricting. (Cont.)

Position: Oppose

- Requires that the jurisdiction create a report and post it two weeks after maps are adopted to show in detail how the agency complied with the law.
- Requires that the agency create a standalone website and maintain that website for 10 years.
- Mandates that each public hearing be recorded, transcribed and posted in all applicable languages.
- Requires that all meeting agendas be posted 5 days ahead of each meeting (exceeding Brown Act requirements of 72 hours).
- Requires that all draft maps be posted 7 days ahead of each meeting (exceeding Brown Act requirements of 72 hours).

Contracting/Operations

AB 1332 (Bonta) Sanctuary State Investment Act .

Position: Oppose

- Would significantly limit state and local agencies ability to contract out for a variety of vital public services.
- Mandates that agencies create an ever-evolving restricted list of private venders.
- Constructs an elaborate investigation and vetting process that agencies must adhere to before contracting for services.
- Creates new avenues for protracted criminal and civil litigation against cities.
- Would impact operations for virtually every department including police, fire, finance, legal, public works, etc.

Workers' Compensation

SB 542 (Stern) Workers' Compensation. Presumption.

Position: Oppose

- Creates a new presumption for post-traumatic stress disorder within the workers' compensation system for police and fire personnel.
- Applies retroactivity provisions to January 1, 2017.
- While the findings and declarations paint a clear picture of public safety officer exposure to extraordinarily stressful and dangerous situations, the findings do not speak in any way to the current functionality of the workers' compensation system relative to the types of psychiatric claims in question. California's workers' compensation system is studied thoroughly on an annual basis, yet we are aware of no evidence that the workers' compensation system is treating these types of claims unfairly.

Workers' Compensation

AB 1400 (Kamlager Dove) Workers' Compensation: Fire Service Personnel.

Position: Oppose

- Provides all presumptions within the Workers Compensation system currently authorized for active duty firefighters to “all fire service personnel.”
- Will apply broadly to all non-sworn fire personnel.
- Assembly Bill 1400 fails to acknowledge that the broad application of the bill's provisions would ultimately lead to major investigative difficulties, exposure to civil liability by the local governments employing the firefighter personnel and a misuse of public funds.

Questions?

Public Safety

Charles Harvey, Legislative Representative
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Cannabis

AB 1288 (Cooley) Cannabis. Track and Trace.

Position: Support

- Requires the track and trace program for cannabis supply chain tracking to include both the date of retail sale to a customer and whether the sale is on the retail premises or by delivery.
- No later than July 1, 2020, requires that the California Department of Food and Agriculture, in consultation with the Bureau of Cannabis Control, ensures that the track and trace program is fully integrated with DOJ's California Law Enforcement Telecommunications System (CLETS).

Cannabis

AB 1356 (Ting) Cannabis: Local Jurisdictions: Retail Commercial Cannabis Activity.

Position: Pending Oppose

- States that if more than 50% of a local jurisdiction's electorate voted in favor of AUMA, would require a local jurisdiction to issue a minimum number of local licenses authorizing adult-use or medicinal retail cannabis commercial activity.
- Requires such local jurisdictions to issue at minimum, enough local cannabis licenses to achieve a 1 to 4 ratio of retail commercial cannabis licenses to on-sale alcohol licenses, respectively.
- Allows a local jurisdiction that wants to establish a lower amount of issued local licenses to submit to the electorate of that local jurisdiction, an ordinance specifying the level of participation in the retail commercial cannabis market it would allow, at the next regularly scheduled local election following the operative date of this bill.
- Provides that the local ordinance or other local law becomes effective if approved by more than 50% of its electorate.
- If a local jurisdiction does not submit a local law or ordinance regarding the lower amount of licenses to the electorate, or that local law or ordinance fails to receive more than 50% of the electorate voting in approval on the issue, the bill requires the local jurisdiction to issue these licenses within 120 days.

Cannabis

AB 1417 (Rubio) Cannabis Advertisement and Marketing: Unfair Business Practice: Public Nuisance.

Position: Pending Support

- Provides that an advertisement of cannabis goods that does not contain an active state license number is an unfair business practice and subject to a civil action by any person.
- Imposes a civil penalty of up to \$2,500 per day on any person who violates the above-stated requirement, not to exceed \$2,500 per day for each violation.
- Allows the Attorney General, a district attorney, a city attorney or prosecutor, or a person in the public interest to bring a civil action for the civil penalty.
- Requires digital advertising platforms specializing in cannabis to publish a notice regarding the risks of purchasing cannabis products from unlicensed entities.
- States that advertisements not containing an active state license number constitute a public nuisance.

Cannabis

SB 658 (Bradford) Cannabis Retail Business Emblem: Track And Trace.

Position: Pending Support

- Requires the BCC, by December 31, 2019, to establish a cannabis retail business emblem and to begin issuing an emblem to each retail licensee beginning on January 1, 2020.
- Requires retail licensees to post the emblem in a specified location that is clearly visible to the general public and to patrons entering the facility.
- Requires employees of retail licensees to carry the emblem when delivering cannabis or cannabis products.
- Removes the provisions requiring the BCC to consider whether an excessive concentration of licensees exists when granting, denying, or renewing specified licenses.
- Requires a licensing authority to allow a local jurisdiction access to information contained within the track and trace electronic database.

Use of Force

AB 392 (Weber) Peace Officers. Deadly Force.

Position: Oppose

- Limits the use of deadly force by a peace officer to those situations where it is necessary to defend against a threat of imminent serious bodily injury or death to the officer or to another person.
- Defines the terms “necessary” to mean that given the totality of the circumstances, an objectively reasonable peace officer in the same situation would conclude that there was no reasonable alternative to the use of deadly force that would prevent death or serious bodily injury to the peace officer or to another person.
- States that defenses to justifiable homicide do not provide a peace officer with a defense to manslaughter, as specified, if that person was killed due to the criminally negligent conduct of the officer.
- States that a peace officer who has reasonable cause to believe that the person to be arrested has committed a crime may use reasonable force, other than deadly force, to effect the arrest, to prevent escape or to overcome resistance.

Use of Force

SB 230 (Caballero) Peace Officers. Deadly Force.

Position: Support

- Updates California's requirements for employing deadly force when confronting a fleeing felon to meet the standards set by the U.S. Supreme Court in *Graham v. Connor* and *Tennessee v. Garner*.
- Requires all law enforcement agencies in the state to maintain a policy on Use of Force, and requires the policy to include provisions that provide comprehensive and clear guidelines on topics including, but not limited to utilizing de-escalation tactics, alternatives to deadly force, rendering medical aid, an officer's duty to intercede when observing excessive use of force by another officer and interacting with vulnerable populations.
- Requires all law enforcement agencies to make their Use of Force policy accessible to the public.
- Standardizes California law enforcement's use of force training to ensure each course covers critical topics, including but not limited to de-escalation, rendering medical aid, and the legal standards for use of force.

Disaster Preparedness and Response

AB 266 (Choi) Tax Credit. Attic Vent Closures.

Position: Support

Offers to homeowners a tax credit, up to \$500, to offset the purchase and installation of attic vent closures for their homes, with the intent of preventing the spread of residential fires.

AB 291 (Chu) Emergency Preparedness

Position: Pending Support

Would establish a \$500 million on-going statewide Local Emergency Preparedness and Hazard Mitigation Fund to support staffing, planning, and other emergency mitigation priorities to help local governments meet emergency preparedness goals and boost local emergency preparedness programs throughout the state that remain underfunded or neglected.

Crimes, Criminal Procedure & Firearms

AB 257 (Nielsen) Firearms. Prohibited Persons.

Position: Pending Support

Requires the state Department of Justice to notify local law enforcement upon discovering that a person in the Armed Prohibited Persons (APPS) database has attempted to acquire a firearm.

AB 1297 (McCarty) Firearms. Concealed Carry Licenses

Position: Pending Oppose Unless Amended

Requires, rather than authorizes, a local licensing authority to charge a fee that is equal to the reasonable costs associated with processing a concealed carry weapon (CCW) license application, issuing a CCW license, and enforcing the license. The bill would also remove the current prohibition on charging more than \$100 for the fee.

SB 23 (Wiener) Unlawful Entry of a Vehicle

Position: Support

Clarifies that the unlawful entry of a vehicle with the intent to commit theft establishes the crime of auto burglary.

Drone Regulation

AB 1190 (Irwin) Unmanned Aircraft: State and Local Regulation.

Position: Pending Support

- Prohibits state and local agencies from banning the operation of drones.
- Requires recreational and commercial operators to register their drones, pursuant to federal law.
- Authorizes a peace officer to demand proof of registration from a person operating a drone.
- Authorizes a state and local agency to designate recreational areas for drone operation, and set time, place, manner restrictions on the operation of drones.
- Provides indemnity to local jurisdictions in the event of an injury, death or property damage resulting solely from a drone operator's actions in such designated recreational areas.
- Authorizes a local agency to enact local ordinances that relate to the use of drones, so long as such laws or ordinances are not specifically written to ban all operation of drones in the jurisdiction.

Emergency Medical Services

SB 438 (Hertzberg) Emergency Medical Services. Dispatch.

Position: Pending

- Prohibits a public agency from outsourcing its local emergency dispatch services to a private, for-profit entity – except when pursuant to a joint powers or cooperative agreement.
- Authorizes a public agency to delegate, assign, or subcontract to another public agency.
- Clarifies that under the Emergency Medical Services Act, a public safety agency maintains the authority to determine the appropriate deployment of emergency resources within the agency's jurisdiction in order to provide the highest and best level of emergency response for the community it serves.
- Clarifies that a LEMSA's medical oversight does not extend to authorize a local EMS agency or its medical director to disrupt or otherwise override a public agency's authority to directly receive, process, and administer requests for assistance from the 911 system within that public agency's jurisdiction.

Transportation, Communication, and Public Works

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Camp Fire Disaster Relief

AB 41 (Gallagher) Disaster Relief: Camp Fire

Position: Support

- Would require the state to cover the local portion of the cleanup and repair costs associated with the Camp Fire.

AB 297 (Gallagher) Emergency Average Daily Attendance

Position: Support

- Would require the Superintendent of Public Instruction (SPI) to extend average daily attendance relief to school districts and charter schools where no less than 5% of the residences within the district were destroyed by the November 2018 wildfires.

Telecommunications – Emergency

SB 46 (Jackson) Emergency Services: Telecommunications

Position: Support

- Would allow cities to access its residents' contact information from the local public utility, social services department, or its own records, for the purposed of enrolling residents into a city and/or county operated public emergency warning system.

SB 670 (McGuire) Telecommunications: Outages Affecting Public Safety

Position: Support

- Would require telecommunications providers to notify the California Office of Emergency Services (CalOES) of 911 service or emergency warning outages.

Transportation – Grants

AB 659 (Mullin) Transportation: Emerging Transportation Technologies: California Smart City Challenge Grant Program

Position: Support

- Would establish the California Smart City Challenge Grant Program to compete for grant funding for emerging transportation technologies.
- The program would encourage cities to incorporate advanced data and intelligent transportation system technologies to accomplish certain goals, such as:
 - Reducing congestion;
 - Keeping travelers safe;
 - Meeting environmental and climate change goals;
 - Enhancing mobility;
 - Connecting underserved communities;
 - Supporting economic vitality;
 - Attracting private investment; and
 - Spurring innovation.

Transportation – Scooters

AB 1112 (Friedman) Motorized Scooters. Regulation

Position: Pending Oppose

- Would eliminate the ability for cities to fully regulate corporations that offer shared motorized scooter services.

AB 1286 (Muratsuchi) Shared Mobility Devices. Agreements.

Position: Pending Support

- Would require scooter share corporations to enter into an agreement with or obtain a permit from the city or county before deploying their devices into the jurisdiction and require companies to have a minimum of \$5 million for each occurrence of bodily injury.
- Also requires scooter share companies to comply with all operation, parking, maintenance, and safety rules imposed by the city or county with jurisdiction.

Transportation – Homelessness

SB 211 (Beall) State Highways: Leases

Position: Support if Amended

- Would authorize Caltrans to enter into lease agreements with a local agency for emergency shelters or feeding programs.

Public Works – Seismic Safety

AB 234 (Nazarian) Income Taxes. Credit. Seismic Retrofits.

Position: Pending Support

- Would provide for up to a 30% tax credit for locally certified seismic retrofitting projects completed within taxable years 2020 – 2025. In order for the taxpayer to be eligible for the credit, it would require the following two certificates:
 1. Certified that the building is an at-risk (seismically at-risk) property prior to project start; and
 2. Certified that the construction is a seismic retrofit project at completion.

AB 429 (Nazarian) Seismically Vulnerable Buildings. Inventory.

Position: Pending Support

- Would require the Alfred E. Alquist Seismic Safety Commission (SSC) to identify funding and develop a bidding process for hiring a third-party contractor to create an inventory of potentially vulnerable buildings.

Revenue and Taxation

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Revenue and Taxation

AB 147 (Burke) Use Taxes: Collection: Retailer Engaged In Business In This State: Marketplace Facilitators.

Position: Support

- Implements the US Supreme Court *Wayfair* decision, which will result in the collection in more than \$400 million in state and local sales and use tax from internet sales.

SB 531 (Glazer) Local Agencies: Retailers.

Position: Pending

- Prohibits future sales tax agreements between local agencies and retailers with a warehouse, sales office or fulfillment centers that results in a shift of sales taxes from other jurisdictions.

Revenue and Taxation

AB 485 (Medina) Local Government: Economic Development Subsidies

Position: Pending Oppose

- Would impose an extensive and onerous list of conditions that would effectively prohibit a local agency from offering economic incentives (with their own funds) to locate a warehouse.

SB 162 (Galgiani) California Alternative Energy And Advanced Transportation Financing Authority: Sales And Use Taxes: Exclusions and AB 176 (Cervantes)

Position: Pending Oppose

- Would extend a state sales tax exemption program for 10 years, resulting in a loss of over \$500 million in city and county funds.

Revenue and Taxation

AB 213 (Reyes) Local Government Finance: Property Tax Revenue Allocations: Vehicle License Fee Adjustments.

Position: Support

- Restores funding to 140 cities that lost funds following the annexation of inhabited territory; reestablishes previous fiscal incentives for cities that annex inhabited territory.

AB 818 (Cooley) Local Government Finance: Vehicle License Fee Adjustment Amounts.

Position: Support

- Reestablishes a financing mechanism previously used to support future city incorporation efforts.



Questions?

Thank you!